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To all members of the Security Council

15 October 2002

Dear Ambassador,

In view of the forthcoming **consideration by the Security Council of the new report of the Secretary General on the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC)**, I am writing on behalf of Amnesty International to draw your attention to the escalation of human rights violations in the Ituri region of north-eastern DRC.

Since 1998 the Uganda People's Defence Forces (UPDF) have controlled the mineral-rich province of Ituri in the north-eastern part of the DRC. Members of the UPDF have supported rival armed political groups, contributing to an escalation of violence between different Congolese ethnic groups. The UPDF has at the same time been directly responsible for wide-spread human rights violations. Ugandan policy towards local political authorities has been consistently ambivalent and therefore divisive, to the cost of the civilian population who have been left without protection or security. As a result, armed clashes between members of the Hema and Lendu ethnic groups has left an estimated 50,000 mainly civilian dead since June 1999, and forced around 500,000 people to flee, with 60,000 displaced in Bunia, the capital of Ituri province, alone.

Political divisions between and within the factions have left many areas devoid of meaningful political authority and in an almost permanent state of insecurity. Since 1999, political splits have occurred within the local armed political groups, increasingly along ethnic lines, opposing primarily Hema and Lendu community leaders, and also involving other ethnic groups. Amnesty International is particularly concerned that since August 2002 leadership rivalries within the *Rassemblement congolais pour la démocratie – Mouvement de libération* (RCD-ML), Congolese Rally for Democracy-Liberation

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Movement, which has enjoyed military and diplomatic support from Uganda since 2000, as well as with the faction newly created in July 2002, the *Union des Patriotes Congolais* (UPC), Union of Congolese Patriots, has led to an escalation of ethnic violence and to the dramatic deterioration of the human rights situation.

Since mid-2002, the intensification of killings and other human right abuses has resulted from prominent Hema and Lendu community leaders, and their respective allies in the UPC and RCD-ML exploiting ethnic differences.

There have been mass killings and targeted rapes based on ethnic identity, by members different ethnic groups. Calls for “ethnically pure towns and villages” have increasingly been spread by the different extremists’ members of the various ethnic groups. As ethnic hatred is escalating, Amnesty International fears that further deliberate incitement could lead to the possibility of genocide.

Amnesty International receives consistent reports of large-scale killings of unarmed civilians that are carried out, ordered and condoned by leaders using ethnic affiliations to acquire or maintain economic and political power.

Since early August 2002, large-scale killings have intensified, involving all the different militias in the region. Some of the killings including these, for example, which took place in Bunia and Nyakunde, have been carried out to avenge loss of territory or battles to their rivals.

While the UPDF have traditionally supported the RCD-ML, in early August 2002 members of the UPDF sided with the UPC and attacked the residential neighborhood of RCD-ML officials and the governor’s house. On the first day of the attack, more than 40 civilians, mainly Lendu, were killed in different parts of town. In the days and weeks following the attack, several mass graves were discovered, and more than 100 people were killed during the protracted fighting for the control of Bunia.

After the attack on Bunia, RCD-ML together with other Lendu and Ngiti militia forces attacked Nyakunde on 5 September 2002. Hundreds of civilians are reported to have been killed. The attackers specifically targeted Hema civilians and members of other ethnic groups associated with the Hema. The attackers did not spare the Nyankunde hospital, where they killed Hema civilians in their hospital beds. More than 5,000 civilians were forced to flee.

Aside from the deepening violence directed against civilian communities, the repeated political divisions and ethnic-based violence have had a disastrous impact on international humanitarian agencies operating in the region. A distinct and deeply troubling feature of the violence has been such that these agencies have been deliberately targeted for threats, obstruction and even killings. As a result certain agencies have had to either withdraw from the region or drastically restrict their operations, to the further detriment of the civilian population.

Since 1999, members of the UPDF have taken part in attacks on unarmed civilians and have committed other serious human rights violations in the context of the armed conflict. Over the past year, the UPDF commanders in the Ituri region have become more involved with both sides, making the situation even more volatile. They provided personnel and weapons mainly but not exclusively to the Hema, and this has fuelled the armed conflict. Although some local sources have cited ethnic affinity as a motivation for UPDF complicity, money and other economic inducements have been a major factor. Apart from the occasional removal of some UPDF commanders from the province, such as the change of command that took place at the beginning of October 2002, the Ugandan authorities who, through the military, effectively still hold much of the power in Bunia, have failed to establish effective protection of civilians. The Ugandan authorities have also failed to carry out their obligations to bring members of their armed forces and their allies implicated in human rights abuses to justice.

On 6 September 2002 in Luanda, Angola, the Heads of State of the Democratic Republic of the Congo and the Republic of Uganda signed an agreement on the withdrawal of Ugandan troops from the DRC. Amnesty International requests MONUC to use its good offices to support, assist and monitor the efforts of the Commission of the Joint Pacification Mission for Ituri as set out under the Luanda Accords, by both the Ugandan and Kinshasa governments. However, the UPDF continues to keep a very important presence in Bunia. Given that the UPDF has not only failed to protect unarmed civilians but has also played an active part in violations of human rights, Amnesty International believes that it is the international community's responsibility to prevent a further deterioration of the situation.

Recommendations

A larger contingent of MONUC observers, as recommended by the U.N. Secretary-General, is essential for the monitoring and reporting of human rights abuses by the different forces, including for investigating all credible reports of attacks on civilians by the UPDF, UPC and RCD-ML combatants. Amnesty International recommends that MONUC be given the requisite human and material resources, as well as political support, to prevent human rights abuses. MONUC experts in law enforcement should urgently be deployed, with a police force placed under their command that is mandated and properly resourced to protect civilians in the Ituri region.

Amnesty International strongly supports the comments in August 2002 by Ambassador Amos Namanga Ngongi, UN Special Representative to the DRC, that "deploring the absence of a competent police force to protect civilians, MONUC was currently studying the possibility of training a civilian police force to ensure the safety of the local population." Amnesty International requests MONUC to follow up with supervision, monitoring and guidance for the police force once it has been deployed.

However, the intensification of ethnic killings and extremist behaviour in Ituri cannot wait for these police forces to be authorized and trained. Amnesty International therefore calls on the Security Council to urgently reinforce MONUC's presence in the Ituri region, to

dissuade further attacks against civilians by all parties and act within its mandate to protect both the civilian population and its personnel.

The current mandate of MONUC states that “acting under chapter VII of the Charter of the United Nations, the Security Council also decided that MONUC may take the necessary action, in the areas of deployment of its infantry battalions and as it deems it within its capabilities, to protect United Nations and co-located JMC personnel, facilities, installations and equipment, ensure the security and freedom of movement of its personnel, and protect civilians under imminent threat of physical violence.” Amnesty International urges the mandate to be fully implemented as decided by the Security Council in its resolution 1291 of 24 February 2000.

Amnesty International strongly urges you to ensure that the Security Council faces up to the threat of ethnic violence in the Ituri region and ask that its members take clear and appropriate action to follow up on the recommendations made in this letter and to bring an end to the large-scale human rights abuses perpetrated by the different armed forces.

Yours Sincerely,

Irene Kahn