



安全理事会

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2023 年 6 月 13 日刚果民主共和国问题专家组给安全理事会主席的信

经安全理事会第 [2641\(2022\)](#) 号决议延长任务期的刚果民主共和国问题专家组的成员谨根据该决议第 9 段的规定随信转递关于其工作的最后报告。

该报告于 2023 年 5 月 1 日提交安全理事会关于刚果民主共和国的第 [1533\(2004\)](#) 号决议所设委员会，委员会于 2023 年 5 月 19 日审议了报告。

请将本信和报告提请安全理事会成员注意并作为安理会文件发布为荷。

经安全理事会第 [2641\(2022\)](#) 号决议
延长任务期的刚果民主共和国问题
专家组协调员

梅兰妮·德格鲁夫(签名)

专家

约瑟夫·贝哈拉尔(签名)

专家

菲奥娜·曼根(签名)

专家

马娅·特鲁希略(签名)

专家

克里斯蒂娜·瓦尔加(签名)

专家

戴维·佐梅努



刚果民主共和国问题专家组的最后报告

摘要

在本报告所述期间，刚果民主共和国东部三个省发生严重暴力事件，马伊恩东贝省的族群间冲突升级。在定于 2023 年 12 月举行的大选之前，政治局势仍然紧张。刚果民主共和国问题专家组关切地注意到，由于与选举进程有关的动态以及东部地区冲突持续加剧和区域关系紧张，该国的和平与稳定面临威胁。

尽管部署了多种军警行为体(即刚果民主共和国武装部队、联合国组织刚果民主共和国稳定特派团维和人员、东非共同体区域部队、乌干达人民国防军和私营军事公司)，但伊图里省、北基伍省和南基伍省的安全形势和人道局势继续严重恶化，北基伍和伊图里的戒严状态现已持续两年。

在北基伍，勇敢行动对受制裁武装团体民主同盟军造成打击。尽管如此，民主同盟军继续向北基伍省和伊图里省以外的地区扩张，并继续对平民发动致命袭击。民主同盟军对简易爆炸装置的使用达到新高峰，在一次宗教仪式上发生致命爆炸，达伊沙声称这次事件是其所为。专家组记录了达伊沙向民主同盟军提供的资金支持以及民主同盟军与南非境内达伊沙基层组织之间的联系。

尽管双边、区域和国际各级为缓和与“3•23”运动有关的危机而做出努力，但这个受制裁武装团体继续大幅扩大地盘并增加袭击行动。这个武装团体的扩张造成了灾难性的人道危机，导致北基伍省 100 多万平民流离失所。此前宣布的撤军和脱离接触似乎是暂时的战术之举，主要目的是在国际压力越来越大的情况下争取时间。“3•23”运动还试图在南基伍争取盟友，特别是武装团体特韦瓦内霍，目的是在南基伍开辟战线。

“3•23”运动拥有各种军事装备，其中一些是不久前生产的，这使人们得以深入了解这个武装团体的强大火力，并证明存在违反军火禁运的行为。

专家组得到的进一步证据表明，卢旺达国防军在刚果民主共和国领土上采取直接干预措施，目的是增援“3•23”运动战斗人员，或是对解放卢旺达民主力量(卢民主力量)和当地武装团体开展军事行动。专家组查明了负责协调卢旺达国防军在刚果民主共和国境内行动的几名卢旺达国防军指挥官和官员的身份。

“3•23”运动针对平民的袭击活动出现一种新模式，几次致命行动的目标是与卢民主力量和其他武装团体有关联或被认定支持这些团体的民众。强奸事件，包括“3•23”运动战斗人员实施的轮奸事件，非常普遍。

当地武装团体和卢民主力量创建“刚果爱国抵抗者网络”，与刚果民主共和国武装部队一起打击“3•23”运动。刚果民主共和国武装部队高级军官负责协调这一协作关系，向武装团体提供后勤、军事装备和资金方面的支持。

“3•23”运动扩大地盘引发的敌对状态仍在继续，激起了仇外和仇恨言论，加深了交战各方之间的族裔裂痕。政治人物、民间社会行为体、当地民粹主义者、

活动分子和刚果侨民继续传播仇恨和好战言论，意在诋毁被认为支持“3•23”运动的讲卢旺达语民众，这些言论在社交媒体上广泛传播。排斥性话语(包括否认讲卢旺达语公民的公民权利)再次出现，特别是在选举背景下的选民登记方面。

伊图里的安全形势严重恶化，武装团体扎伊尔和刚果发展合作社/保卫刚果人民革命联盟之间不断发生袭击，伊图里人民自卫运动成立。与此同时，由于刚果爱国与融合阵线(又称 Chini ya Kilima)内部的裂痕，出现一名新领导人，此人声称遵守刚果民主共和国政府提出的解除武装、复员、社区恢复和稳定方案。尽管如此，刚果爱国与融合阵线战斗人员仍然全副武装，处于备战状态。

全省各地的暴力事件升级，还蔓延到马哈吉县和伊鲁穆县。刚果发展合作社/保卫刚果人民革命联盟和扎伊尔对平民实施报复性袭击，这反映了伦杜族和希马族之间日益紧张的关系。迄今为止，刚果发展合作社/保卫刚果人民革命联盟是最好战的团体，对村庄进行有系统、野蛮、大规模和精心协调的袭击，主要杀害平民。

在南基伍，虽然布隆迪国防军和刚果民主共和国武装部队的联合行动继续对武装团体的动态造成冲击，但与“3•23”运动有关的危机也产生了相互交织的影响，包括建立新的联盟。一些武装团体向北基伍派遣战斗人或重新动员，以防止“3•23”运动进入南基伍，而其他战斗人员和领导人则与“3•23”运动联络。武装团体之间的报复性冲突循环以及袭击平民事件仍在继续，特别是在姆文加县、乌维拉县和菲齐县的上高原。

区域范围内的招募活动，包括在更广泛区域内对穆伦格青年的招募活动，增加了“3•23”运动和特韦瓦内霍武装团体的人数。专家组记录了特韦瓦内霍武装团体大规模招募、训练和在敌对行动中使用儿童的情况。

特韦瓦内霍武装团体继续通过地方税收计划以及来自居住在该区域和美利坚合众国的穆伦格侨民的资助来筹集资金。总部设在美国的穆伦格人社团“Mahoro 和平协会”提供的一些人道主义救济资金被用于资助特韦瓦内霍武装团体。

在自然资源方面，2023 年 1 月，启动了阿拉伯联合酋长国和刚果民主共和国之间旨在打击走私黄金活动的伙伴关系 Primera Gold DRC。在三个月的时间里，Primera Gold DRC 出口的黄金数量是刚果民主共和国政府 2022 年官方出口量的 10 倍。Primera Gold DRC 建立合规机制，以满足国家、区域和国际各级对负责任采购的要求。然而，专家组记录了一些问题，其中包括 Primera Gold DRC 有可能成为将非法黄金洗白的渠道。

一个涉及布隆迪经济行为体和官员的犯罪网络组织了从刚果民主共和国走私黄金的活动。在专家组所调查的 6 笔交易中，犯罪网络成员至少获得了 455 000 美元的收益。

在北基伍矿业城镇鲁巴亚，由于武装团体出没以及为确保矿产品溯源而开展的所有活动暂停，锡、钽和钨供应链受到破坏。这种情况也威胁到南基伍省的锡、钽和钨供应链，这里是将鲁巴亚出产的矿物洗白的地点。

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* 附件仅以来件所用语文分发，未经正式编辑。

一. 引言

1. 2022 年 6 月 30 日，安全理事会第 2641(2022)号决议延长刚果民主共和国问题专家组的任务期限。2022 年 8 月 24 日，秘书长任命专家组五名成员(见 S/2022/641)。由于安全理事会关于刚果民主共和国的第 1533(2004)号决议所设委员会未能就拟议的两名自然资源/财政问题专家达成共识，直到 2023 年 2 月 21 日才任命第六名专家(第二位自然资源/财政问题专家)(见 S/2023/132)。

2. 专家组的最后报告系根据第 2641(2022)号决议第 9 段提交。专家组与中非共和国、海地、利比亚、索马里和南苏丹问题专家小组交流了信息。

与专家组的合作

3. 专家组感谢联合国组织刚果民主共和国稳定特派团(联刚稳定团)在本报告所述期间提供支持。

遵守专家组关于提供信息的请求

4. 专家组会晤了几个国家的政府官员、私营部门行为体和组织。专家组共向 27 个会员国、国际组织和私营实体发出 52 份公函。专家组指出，在向私营实体和个人发送关于提供信息的请求时，会告知注册国/所在国。在起草本报告时，专家组收到 20 份答复。

5. 专家组感到遗憾的是，私营部门行为体和会员国对专家组关于提供信息的正式请求的答复不及时，而且总数很少，并着重指出对此类请求的答复对专家组的调查至关重要。

方法

6. 专家组采用安全理事会制裁的一般性问题非正式工作组建议的证据标准(S/2006/997)。专家组的调查结果建立在文件的基础上，并尽可能以专家本人的第一手现场观察为依据。

7. 鉴于刚果民主共和国冲突的性质，很少有文件能提供关于军火转让、招募、严重侵犯人权行为方面的指挥责任以及非法开采自然资源的确切证明。因此，专家组依赖当地社区成员以及武装团体前战斗人员和现成员提供的目击证词。专家组还考虑了大湖区各国和其他国家的政府官员和军官提供的专家证词，以及联合国方面的消息来源。专家组在证实信息方面使用至少三个独立可靠的来源。

8. 本报告涵盖截至 2023 年 4 月 15 日的调查情况。由于字数限制，专家组在附件中详述一些调查结果和证据。

二. 马伊恩东贝

9. 专家组继续关切地关注族群间冲突升级的情况，主要是马伊恩东贝省夸穆特县太凯族和亚卡族成员之间的冲突。冲突的根源在于 2022 年 5 月税收制度的变化。当时太凯人试图对“非本地”族群强制实行更高额的农业税，并在某些情况

下让当地的刚果国家警察和刚果民主共和国武装部队使用武力收取税款。在随后的几个月里，局势不断恶化，其他“非本地”族群加入亚卡人的行列，有组织的武装平民团体袭击村庄，主要针对当地酋长和名人，并破坏基础设施和当地经济。煽动性言论激起原已存在的族裔紧张关系，重新点燃已经延续数代人的习惯权力和土地权利问题争端。¹

10. 暴力事件导致大量平民陷入境内流离失所状态，从 Mongata 和 Masia-Mbia 之间沿线地区前往金沙萨；然而，由于这些境内流离失所者分散到了金沙萨这个大城市的各个地方，很难查明确切人数。² 流离失所民众获得选民登记的机会可能受到影响。专家组将调查马伊恩东贝省的不稳定局势。

三. 北基伍

A. 民主同盟军

行动进展

刚果民主共和国武装部队和乌干达人民国防军的勇敢行动

11. 在编写本报告时，勇敢行动——刚果民主共和国武装部队和乌干达人民国防军开展的一场联合行动(S/2022/967，第 7、16-18 段)——仍在北基伍贝尼县和伊图里南部进行。包括民主同盟军前战斗人员和曾被民主同盟军绑架者在内的多个消息来源报告称，自 2022 年年底以来行动节奏加快，特别是在贝尼县。³ 这对民主同盟军造成打击，该团体的几名指挥官丧生，其中包括在伊图里战斗中被打死的 Boaz(见 S/2022/479，附件 7)。民主同盟军还被迫不断转移营地，有时每天都要转移，以避免成为这些行动的目标。

12. 虽然联合军事行动促使民主同盟军的活动在 2022 年底进入相对平息的状态，但这个武装团体仍然具有复原力，显示出其有能力继续发动致命袭击，包括 2022 年 12 月 12 日在乌干达发动袭击，在 Kasindi 实施爆炸(见下文第 22-28 段)以及在 Mukondi 等地频繁袭击平民(见下文第 18-21 段)。

民主同盟军的扩张

13. 多个消息来源报告称，民主同盟军派遣战斗人员和投靠者执行侦察任务，试图将行动区进一步扩大到北基伍省和伊图里省以外的地区。⁴ 民主同盟军试图在金沙萨以及乔波省、上韦莱省和南基伍省招募人员并发动袭击(见附件 1 和 S/2022/967，附件 13)。

¹ 联合国组织刚果民主共和国稳定特派团(联刚稳定团)以及人道主义、非政府组织和外交消息来源。

² 同上。

³ 民主同盟军前战斗人员、民主同盟军投靠者、曾被绑架者、刚果民主共和国武装部队消息来源、研究人员和民间社会、外交和联刚稳定团消息来源。

⁴ 民主同盟军前战斗人员、民主同盟军投靠者、刚果民主共和国武装部队消息来源、研究人员和民间社会、外交和联刚稳定团消息来源。

14. 民主同盟军增加了在南基伍的活动，这个武装团体在南基伍拥有存在已久的网络，此前曾有过这方面的记录(S/2018/1133，第 13-15 段；⁵ S/2021/560，附件 6)。⁶ 民主同盟军继续在乌维拉和卡莱米的几座清真寺进行招募。⁷ 自 2021 年底以来，民主同盟军还在南基伍省与达伊沙和/或莫桑比克“先知的信徒”组织的代表举行多次会晤，讨论行动战略和战术。⁸ 2022 年 6 月在沙本达县举行一次此种会晤，此前曾于 2021 年 8 月在坦桑尼亚基戈马举行类似会晤。⁹ 消息来源报告称，2023 年年初，莫桑比克“先知的信徒”组织的军事领导人 Ibn Omar 和精神领袖 Sheikh Abu Yassir Hassan(见下文第 39 段)前往南基伍并会晤民主同盟军高级领导人。¹⁰

15. 此外，民主同盟军还与马涅马省萨拉马比拉附近的玛伊-玛伊民兵马莱卡派进行接触(见附件 2 和 S/2020/482，第 45-51 段)。

民主同盟军的内部动态

16. 2023 年 1 月，由 Benjamin Kisokeranio、Hassan Nyanzi (别名 Isaac)(贾米勒·穆库卢的儿子)和 Muzaya 领导的民主同盟军小派系(S/2021/560，第 15 段)的大多数战斗人员重新加入民主同盟军或向刚果民主共和国武装部队投降。在此之前，Kisokeranio(见 S/2022/479，第 43 段)于 2022 年 1 月被捕，而且近期在 Mwalika 周围地区开展的勇敢行动削弱了这个团体的力量。¹¹

17. 据报告，民主同盟军领导层内部关系紧张。2022 年，民主同盟军在 Mwalika 行动的主要领导人之一 Amigo(见 S/2021/560，附件 4)受到塞卡·巴卢库(别名 Musa Baluku, CDi.036)的排挤，后者派出一名亲信指挥官 Seka Umaru 监督 Amigo 的活动并接管其营地的指挥权。¹² 民主同盟军领导层对 Amigo 与刚果民主共和国武装部队一些成员的密切关系以及他对资金的管理情况感到关切。

袭击平民

18. 民主同盟军继续对平民发动大规模致命袭击。尽管博加和查比是勇敢行动的重点地区，但民主同盟军仍在这些地区袭击平民，出动小股力量开展快速行动，

⁵ 专家组查明的民主同盟军主要投靠者之一 Senga Khaled 在 2018 年被刚果民主共和国当局逮捕(S/2018/1133，第 13 段)。此人在不久前获释，据报已经回到南基伍并为民主同盟军效力。

⁶ 民主同盟军前战斗人员、民主同盟军投靠者、刚果民主共和国武装部队消息来源、研究人员、情报消息来源和民间社会、外交和联刚稳定团消息来源。

⁷ 民主同盟军前战斗人员、刚果民主共和国武装部队消息来源、研究人员以及外交和联刚稳定团消息来源。

⁸ 研究人员和外交消息来源。

⁹ 同上。

¹⁰ 研究人员和民间社会消息来源。据报告，Abu Yassir 曾于 2017 年前往刚果民主共和国贝尼县。

¹¹ 民主同盟军前战斗人员、民主同盟军投靠者、刚果民主共和国武装部队消息来源和研究人员。

¹² 民主同盟军前战斗人员和被绑架者、民主同盟军投靠者、刚果民主共和国武装部队消息来源和研究人员。

并为避免报复而杀死受害者，主要是使用砍刀(S/2022/967，第 13-15 段)。民主同盟军在向西转移的过程中，增加了对 RN4 公路以西卢纳-科曼达公路和卢纳-曼巴萨公路沿线的袭击。¹³

19. 2023 年 3 月，民主同盟军加强对贝尼县南部和东南部的袭击，在一周内杀害 80 多名平民并绑架 20 多人，包括 3 月 8 日在 Mukondi 至少有 38 人被杀害，其中有 11 名儿童，最小的只有两个月大。至少有 17 名平民受伤，其中包括数名儿童，至少 30 所房屋被烧毁。¹⁴

20. 截至起草本报告时，民主同盟军不断袭击平民，把村庄作为目标，杀害和绑架平民，劫掠平民住户，目的包括为打击该武装团体的进攻行动进行报复。2023 年 4 月 8 日，位于贝尼郊区的 Musandaba 发生袭击，至少 21 名平民丧生。¹⁵ 与其他类似的袭击事件一样，行凶者使用砍刀。截至 2023 年 4 月中旬，民主同盟军在不到一个月的时间内杀害近 100 名平民。¹⁶

21. 达伊沙声称其中几次袭击事件(包括 2023 年 3 月 8 日和 4 月 8 日发动的袭击)是其所为(见附件 3)。

简易爆炸装置和民主同盟军网络

22. 正如专家组先前报告所述(S/2022/479，第 48-52 段；S/2022/967，第 20-26 段)，民主同盟军更多地在城市环境中使用简易爆炸装置，这种行为在 2023 年 1 月 15 日达到新高峰，一个装置在 Kasindi 的 Lubiriha 五旬节派教堂室外洗礼仪式上引爆，Kasindi 是贝尼县鲁文佐里地区靠近乌干达边境的一个小镇(见附件 4)。

23. 炸药量巨大，而且炸弹放置在人员密集地点，这些都表明袭击意在对信徒造成最大伤亡。这次爆炸造成 16 名平民死亡，至少 62 人受伤，这是单次事件中民主同盟军炸弹造成受害人数最多的一次。许多受害者被炸得手脚分离，专家组在贝尼医院目睹了这种情况，国家当局和联刚稳定团也在停尸房做了记录。

24. 由于爆炸现场在联刚稳定团简易爆炸装置小组进行检查之前已经受到污染，无法就简易爆炸装置的设计和触发装置得出明确结论。不过，还是发现了爆炸物(即含有硝酸脲的自制爆炸物)的痕迹以及意在扩大杀伤半径和造成严重伤害的金属碎片。¹⁷ 民主同盟军投靠者 Moise Mbusa Mupalalo(见附件 5)证实了对硝酸盐的使用，此人于 2023 年 2 月被捕，并承认于 2022 年年底在布滕博的一家药店购买硝酸盐并交给民主同盟军指挥官 Abwakasi，后者制造了这枚炸弹。¹⁸ Abwakasi 首先联系这名药剂师(另见下文第 34、36 和 37 段以及 S/2022/967，第 23 段，后

¹³ 联刚稳定团消息来源、研究人员和刚果民主共和国武装部队消息来源。

¹⁴ 联刚稳定团消息来源、研究人员、刚果民主共和国武装部队消息来源、证人和地方当局。

¹⁵ 刚果民主共和国武装部队、联刚稳定团消息来源、研究人员和民间社会消息来源。

¹⁶ 同上。

¹⁷ 在专家组存档的联刚稳定团文件。

¹⁸ 此人也在搜集更多硝酸盐时被捕，并证实打算使用这些硝酸盐制造新的简易爆炸装置。

者证实是 Mupalalo 购买了硝酸盐。简易爆炸装置小组和国家当局估计，炸药量在 7 至 10 公斤之间，比迄今在刚果民主共和国境内爆炸或发现的任何其他简易爆炸装置的炸药量都大，这表明民主同盟军现在更容易获得爆炸材料。

25. 一名已故受害者的伤情最初引发了关于可能使用自杀式炸弹(即人体携带简易爆炸装置)的猜测；这也是民主同盟军内部最初提出的办法。¹⁹ 进一步分析表明，简易爆炸装置是在爆炸前放置的，袭击中没有使用人体携带装置(另见 S/2022/479，第 48-52 和 57 段)。Mathe Nzanu Magnifique(S/2022/967，附件 10)于 2023 年 3 月被捕，他承认在 2023 年 1 月 12 日至 18 日奉 Amigo 之命前往 Kasindi，这正是在爆炸发生期间。他最初承认放置了炸弹，但后来又收回了自己的说法。

26. 爆炸发生后仅几个小时，达伊沙在至少两份声明中宣称这次袭击是其所为(见附件 6)。达伊沙还在其中一份声明中宣布了未来的行动，警告说，将要“让刚果部队及其盟友知道，他们对圣战者发动的连续行动只会导致更多的失败和损失，真主保佑。”此外，专家组还得到了一名民主同盟军指挥官发给一名民主同盟军投靠者的经过鉴定的音频，其中说，“如果你听到了来自 Kasindi 的消息，我们这么做是为了替我们的孩子报仇，因为不信者杀害我们的孩子，然后焚烧他们的尸体。这就是为什么我们如此愤怒，因为这是真主的命令。这是对不信者的惩罚。”

27. 2023 年 1 月 25 日，另一个简易爆炸装置在贝尼镇 Ma Campagne 区一个人员密集的市场爆炸。爆炸发生之前，一名与 Abwakasi 关系密切的民主同盟军投靠者将一个装有简易爆炸装置的袋子放在地上。至少有 18 名平民受伤，其中包括 10 名儿童。这个简易爆炸装置所含炸药量比在 Kasindi 使用的装置少；根据简易爆炸装置小组的估计，炸药量在 500 至 750 克之间。在爆炸现场发现了手机碎片，这表明爆炸可能是通过无线电控制装置启动的，或者使用了定时器(另见 S/2022/479，第 53 和 54 段)。

28. Mupalalo 是接收这枚炸弹并随后将其转交给一名民主同盟军投靠者的人。据 Mupalalo 说，Abwakasi 制造了这枚炸弹和另一枚炸弹，并指示将第二枚炸弹放在奥伊沙的一座教堂中。Mupalalo 解释说，Abwakasi 要求通过炸弹造成尽可能多的人员伤亡。

与达伊沙和区域网络的联系

从索马里达伊沙到民主同盟军的资金流动

29. 根据重要的书面证据和证词，专家组能够确定，至少自 2019 年以来，达伊沙通过一个复杂的资金计划向民主同盟军提供资金支持，这个计划涉及若干非洲国家的个人，始于索马里，途径南非、肯尼亚和乌干达。²⁰ 有证据表明，达伊沙

¹⁹ 民主同盟军投靠者、安全部队和 Telegram 消息。

²⁰ 专家组感到遗憾的是，尽管多次请求本段所列国家提供有关这一事项的信息，但没有得到答复。

使用数个渠道。专家组简要介绍了其中一个机制如何用于将资金从索马里达伊沙(又称索马里伊斯兰国)行动人员转移给民主同盟军投靠者(见附件 7)。

30. 多个消息来源指出, 资金计划的核心人物是 Suhayl Salim Mohammed Abdelrahman²¹ (别名 Bilal al-Sudani), ²² 此人是索马里达伊沙指挥官, 由该团体创始人兼卡拉尔埃米尔 Yusuf Abulqadir Mumin 指挥(S/2022/479, 第 46 段)。按照 Al-Sudani 的指示, 索马里国民 Abdirizak Mohamed Abdi Jimale(S/2022/479, 第 39 段)在 2016 年加入索马里达伊沙后开始在该团体的财务部门工作。²³

31. 2019 年至 2020 年, Jimale 使用哈瓦拉汇款系统, 通过 Heeryo Trading Enterprise 向两名在南非约翰内斯堡活动的达伊沙行动人员转移超过 400 000 美元, 这两名行动人员分别是乌干达国民 Maisa Cissa(别名 Missa Issa 和 Maisa Isse)和埃塞俄比亚国民 Sheikh Abdi Oromay。Heeryo Trading Enterprise 由同样在约翰内斯堡活动的索马里国民 Bashir Abdi Hassan(见附件 8)在索马里和南非注册。Abdi Hassan 随后按照 Cissa 和 Oromay 的指示, 将部分资金转给居住在内罗毕的肯尼亚国民 Abdiweli Dubat Dege。Dege 随后将资金转给乌干达、坦桑尼亚联合共和国和莫桑比克境内的个人。²⁴ Abdi Hassan 和 Dege 使用哈瓦拉汇款系统以及 Mama Money 和 Selpal 等汇款服务, 这些服务成为达伊沙和其他犯罪网络的后门, 为整个区域范围内的巨额资金流动提供便利(见附件 9)。²⁵

32. 专家组查明, 在 Jimale 最初从索马里达伊沙转移的 400 000 美元中, 至少有 60 000 美元被乌干达境内的民主同盟军投靠者接收, 这些投靠者与民主同盟军指挥官 Meddie Nkalubo 有关联, 后者指示他们如何使用这些资金。这些人包括 Aisha Katushabe 和 Sanyu Nakitende(Nkalubo 的前妻), 这两人在 2020 年 9 月分别收到 10 000 美元和 30 000 美元(另见 S/2022/479, 附件 25 和 26)。他们将资金汇给另外两名民主同盟军投靠者, 其中一人是被控为 2021 年 10 月坎帕拉爆炸事件提供资金的 Hamidah Nabagala。²⁶ 虽然专家组无法确切证实这些资金用于为坎帕拉爆炸事件提供资金, 但可以证实这一渠道构成民主同盟军和索马里达伊沙之间的直接联系, 包括支持民主同盟军活动的资金流动。

33. Aisha Katushabe 和 Sanyu Nakitende 于 2021 年 10 月在乌干达被捕, 主要是因为参与为爆炸事件提供资金。²⁷ 与此同时, Jimale 于 2021 年 8 月被索马里一

²¹ 研究人员和情报消息来源。

²² 受到美利坚合众国国务院的制裁, 2023 年年初在索马里死于美国实施的无人机袭击。

²³ 研究人员、区域当局和情报消息来源。

²⁴ 研究人员、区域当局和了解这一事项的消息来源。

²⁵ 同上。

²⁶ 研究人员和区域当局。

²⁷ 研究人员、外交消息来源和区域当局。另见 www.upf.go.ug/second-incident-of-deadly-bomb-explosion-was-a-suicide-attack/。

家法院审理并判刑，罪名是与达伊沙有联系(包括与 Bilal Al-Sudani 有联系)和资助恐怖主义活动(包括通过 Heeryo Trading Enterprise)。

与南非境内达伊沙基层组织的联系

34. 专家组查明了与民主同盟军有联系的南非境内达伊沙个人和基层组织。其中一些人早在 2017 年就帮助达伊沙和民主同盟军建立联系(S/2022/479, 第 43 段), 包括通过 Abwakasi 建立联系, 此人在 2017 年从南非加入民主同盟军(见 S/2021/560, 附件 4)。

Abdella Hussein Abadigga、Farhad Hoomer 等人

35. 专家组首次获得书面证据, 证明民主同盟军和南非境内达伊沙行动人员之间有明确的组织联系。

36. 这些行动人员包括 Abdella Hussein Abadigga 和 Farhad Hoomer(见附件 10), 这两人都在 2022 年 3 月受到美利坚合众国的制裁, 原因是与 Bilal al-Sudani 和达伊沙有联系²⁸以及与 Patrick Modise(见附件 11)保持联络, 后者 2014 年至 2017 年为阿拉伯叙利亚共和国境内的达伊沙移民和后勤委员会效力。²⁹ 据报告, Abadigga 也于 2014 年在阿拉伯叙利亚共和国加入达伊沙, 之后在约翰内斯堡领导一个达伊沙基层组织。³⁰ 这些行动人员彼此保持联络, 并与 Abwakasi 联络。特别是, Modise 在 2017 年帮助民主同盟军和达伊沙建立初步联络。³¹ 他告诉 Musa Baluku, 他的效忠誓词已于 2017 年 10 月获得达伊沙的接受。

37. 同样在 2017 年 10 月, Abadigga 与另外三人从南非前往戈马, 并在试图加入民主同盟军时被刚果当局逮捕(见附件 12)。³² Abadigga 被捕时携带至少两架无人机和一台相机, 准备提供给民主同盟军(见附件 13)。Abwakasi 试图通过 Farhad Hoomer 等渠道使上述人员获释, Farhad Hoomer 于 2018 年年初前往刚果民主共和国。据报告, Abadigga 在 2020 年回到约翰内斯堡后, 继续领导一个达伊沙基层组织。2022 年年底, 他因涉嫌参与恐怖威胁在南非被捕。他目前下落不明。

Swalleh Abubakar

38. Meddie Nkalubo 是民主同盟军在区域一级管理与达伊沙协作关系的主要指挥官之一(见 S/2021/560, 附件 4), 他依靠民主同盟军投靠者兼招募人 Swalleh Abubakar 提供的大量协助(见附件 14)。至少自 2017 年以来, Swalleh 一直通过南非、乌干达、赞比亚和刚果民主共和国为民主同盟军转移资金和受招募人员,³³ 与位于坎帕拉的 Usafi 清真寺有联系, 这座清真寺与民主同盟军有关联。Swalleh

²⁸ 见 <https://home.treasury.gov/policy-issues/financial-sanctions/recent-actions/20220301>。

²⁹ 研究人员、情报消息来源、区域当局和外交消息来源。

³⁰ 研究人员、区域当局和外交消息来源。

³¹ 研究人员和外交消息来源。

³² 刚果民主共和国武装部队、情报消息来源、研究人员和外交消息来源。

³³ 民主同盟军前战斗人员和研究人员。

在乌干达至少生活到 2018 年年中或 2019 年，然后前往南非。他在南非按照 Nkalubo 的指示加入一个与 Nkalubo 有联系的达伊沙基层组织，并参与抢劫和绑架勒索。³⁴ Swalleh 还回到该区域，包括回到坦桑尼亚和乌干达之间的边境地区以及赞比亚，³⁵ 为民主同盟军转移资金和受招募人员，至少到 2021 年年中。2021 年 4 月，他在卢萨卡向 Nkalubo 的前妻 Sanyou Nakitende 汇去 30 000 美元。³⁶

与莫桑比克“先知的信徒”组织的联系

39. 专家组首次获得了关于民主同盟军和莫桑比克“先知的信徒”组织之间存在组织联系的证据(见附件 15)。

B. 与“3•23”运动有关的危机

扩大地盘

40. 尽管自专家组提交中期报告以来，双边、区域和国际各级为缓和局势而做出努力(见附件 16)，但“3•23”运动对刚果民主共和国武装部队、解放卢旺达民主力量(卢民主力量)和相关武装团体的袭击频率继续呈上升趋势。³⁷ 因此，人道危机出现灾难性恶化，包括 100 多万平民流离失所(见附件 17 和下文第 63-70 段)。

“3•23”运动和刚果民主共和国武装部队互相指责对方违反一系列停火协议(见附件 18)，双方都在冲突中损失惨重。“3•23”运动组织严密，装备精良(下文第 52 和 53 段)，继续在多条战线上同时进行激烈战斗，而且往往持续很长时间(另见 S/2022/967，第 30 和 32 段)。

41. 尽管刚果民主共和国武装部队在当地武装团体、卢民主力量和私营军事公司的协助下开展了有力的反攻(下文第 47 和 48 段)，但“3•23”运动继续扩大控制区，进一步向东北、南部和西部推进，而且在许多情况下得到卢旺达国防军的支持。³⁸ “3•23”运动控制更多具有战略意义的道路、桥梁和城镇，包括在 2023 年 1 月上旬控制尼亚米利马；在 1 月下旬控制基尚加；在 2 月底控制 Mushaki；在 2 月 26 日短暂控制鲁巴亚矿区(见下文第 91-97 段)。“3•23”运动几乎完全包围戈马镇。

42. 2023 年 2 月下旬，“3•23”运动控制区的面积是其 2022 年 11 月上旬控制地盘面积的两倍(见附件 19 和 S/2022/967，第 31 段)。到 2023 年 3 月中旬，“3•23”运动继续威胁位于 Mweso-基尚加-戈马公路沿线、距离戈马西北仅 25 公里的萨凯，包括使用迫击炮射击。³⁹ 3 月中旬，“3•23”运动在萨凯南部和西南部与刚果民主共和国武装部队和武装团体发生冲突，并控制了基伍湖沿岸俯瞰萨凯和南基

³⁴ 民主同盟军前战斗人员、区域当局和研究人員。

³⁵ 同上。

³⁶ 区域当局和研究人員。

³⁷ 战斗有时也会暂时平息。

³⁸ 专家组存档的文件和照片证据以及与 80 多个消息来源的谈话。

³⁹ 2023 年 2 月和 3 月，专家组访问萨凯。

伍 Minova 之间公路的山丘。“3•23”运动未能切断通往戈马的这最后一条交通线，未能控制基伍湖，也未能进入南基伍卡莱亥县；然而，冲突导致大量流离失所的平民前往南基伍，使戈马进一步陷入孤立。除了限制联刚稳定团和人道主义机构的行动外，“3•23”运动还控制主要运输通道，包括通往卢旺达和乌干达的道路，这种情况也对戈马造成直接的经济冲击，粮食和其他物资供应中断，价格上涨。

43. “3•23”运动还继续运作和发展平行行政机构，并向其控制地盘上的平民和经济行为体征税(另见 S/2022/967，附件 23)。

撤出不完全

44. 尽管在表面上撤出了某些阵地和地区，但有证据表明，“3•23”运动此前宣布的撤出和脱离接触似乎只是一种战术举措，目的是在国际压力日益增大的情况下争取时间，然而该武装团体得到的保证是，按照 2022 年 11 月 23 日在罗安达举行的刚果民主共和国东部地区和平与安全问题小型首脑会议的设想，“脱离接触”地区不会移交给刚果民主共和国武装部队，而是移交给东非共同体区域部队(见附件 20)。

45. 虽然“3•23”运动分别于 2022 年 12 月 23 日和 2023 年 1 月 5 日象征性地将 Kibumba 镇和 Rumangabo 镇移交给东非共同体区域部队，但“3•23”运动领导人和战斗人员仍在这些城镇和周围地区开展活动。来自脱离接触区的其他战斗人员被重新部署到其他地区。⁴⁰ 2023 年 1 月和 2 月，专家组还收到证据，表明“3•23”运动和卢旺达国防军在这一地区调动部队，包括经由 Rugari 和 Kibumba 进行调动，以便增援基尚加和萨凯方向上的西线。区域部队没有阻止这种行动。⁴¹ 据报告，2023 年 3 月中旬，“3•23”运动同样没有撤离萨凯-Mushaki-Karuba 周围地区。2023 年 4 月上旬，在 Bunagana 及其周围地区发生同样的情况。⁴²

46. 尽管“3•23”运动和刚果民主共和国武装部队之间的前线在 2023 年 4 月上旬保持平静，但“3•23”运动没有充分遵守 2 月中旬通过的东非共同体时间表，其中规定 2023 年 3 月 30 日是完全撤出的最后期限。例如，2023 年 4 月 12 日，“3•23”运动召集经济行为体在鲁丘鲁的“3•23”运动协调办公室开会(见附件 21)。

当地军事行为体的多样性

47. 本报告所述期间的主要特点是戈马镇和萨凯地区的军事化，以及多种军警行为体的存在，这些行为体包括得到武装团体支持的刚果民主共和国武装部队(下文第 71-90 段)、联刚稳定团维和人员、东非共同体区域部队(见附件 22)和私营军事公司(见附件 23)，部署这些行为体的目的是阻止“3•23”运动占领地盘，缓解戈马镇的军事压力(第 40-42 段)。区域部队特遣队逐步部署到“3•23”运动部分

⁴⁰ 专家组于 2023 年 1 月访问 Kibumba，并与包括东非共同体区域部队在内的 40 多个消息来源谈话。

⁴¹ 专家组存档的文件和照片证据以及与 30 多个消息来源的谈话。

⁴² 刚果民主共和国武装部队、私营军事公司、武装团体战斗人员、民间社会和联刚稳定团消息来源。

撤离的地区和阵地(上文第 44-46 段), 安哥拉总统宣布部署一支安哥拉特遣队, 以确保“3•23”运动按计划在马涅马进驻营地, 并保护扩大联合核查机制成员。

48. 虽然东非共同体区域部队没有参与进攻行动, 但刚果民主共和国武装部队越来越多地对“3•23”运动阵地进行炮击和空袭, 从而减缓了该团体向萨凯进军的速度, 并促使其从一些阵地撤出, 特别是萨凯和 Mushaki 地区的阵地。⁴³ “3•23”运动经常谴责私营军事公司(包括 Agemira RDC 公司和 Congo Protection 公司)为刚果民主共和国武装部队的这些行动进行规划和提供支持, 声称刚果民主共和国政府与“雇佣军”合作(见附件 24)。

组织、需求、部队增援和训练

49. 除了谴责在执行 2013 年 12 月 12 日签署的《关于“3•23”运动在坎帕拉对话结束时所做承诺的宣言》和《关于刚果民主共和国政府在坎帕拉对话结束时所做承诺的宣言》(合称内罗毕宣言)方面缺乏进展外(S/2022/479, 第 69 段), “3•23”运动的叙事策略也发生了变化。这个武装团体越来越强调保护图西族免遭所谓的灭绝种族行为, 以及与之相关的消除卢民主力量战斗力的必要性(下文第 98 段)。“3•23”运动要求与刚果民主共和国当局进行直接对话, 并为自己的撤出提出新条件, 例如“结束腐败”和“改革军队”, 从而在事实上拒绝了罗安达进程和内罗毕进程提出的要求。⁴⁴

50. “3•23”运动领导层(见附件 25)仍由受制裁个人苏丹·马肯加“将军”负责总体军事指挥(另见 S/2022/967, 第 35 段)。“3•23”运动的民政-军事结构得到进一步巩固, 包括有几名刚果民主共和国武装部队官兵加入“3•23”运动。⁴⁵ 一些消息来源称, 受制裁个人博杜安·恩加吕耶(CDi.019)和由其指挥的“3•23”运动战斗人员(另见 S/2013/433, 第 14、25、29 和 52 段以及第 6 页文本框)直到不久前还驻扎在卢旺达, 这些人于 2023 年 2 月被带到刚果民主共和国, 以便加入“3•23”运动。他们在 Tchanzu 接受训练, 并重新部署到 Rwindi 和 Kisheshe 地区等地(S/2022/479, 第 58 段)。⁴⁶ 专家组还记录到, “3•23”运动和活跃在南基伍的武装团体特韦瓦内霍在行动方面达成和解(见下文第 142-145 段)。

51. 被俘和投降的“3•23”运动战斗人员证实, Kanyamibwa“上校”继续在 Tshanzu 指挥对新招募人员的军事和思想训练, 并得到了 Moise“中尉”和 Masengechu“少尉”的协助, 这两人据报都是前刚果民主共和国武装部队成员。新招募人员接受为期 6 至 9 个月的训练; 最有前途的新招募人员被选入突击队, 接受专门训练。

⁴³ 在起草本报告时, 仍在刚果民主共和国武装部队和私营军事公司的控制之下。

⁴⁴ 3•23 运动公报、与“3•23”运动领导人的谈话、联刚稳定团消息来源。

⁴⁵ 刚果民主共和国武装部队、“3•23”运动前战斗人员、研究人员以及联刚稳定团和民间社会消息来源。

⁴⁶ 研究人员和“3•23”运动消息来源。

2023 年 3 月上旬完成对新战斗人员的训练，从而使“3•23”运动的战斗人员总数达到约 3 000 人。⁴⁷

军事装备

52. 照片证据以及无人机和视频录像显示，“3•23”运动领导人和战斗人员穿戴样式相同的新制服、凯夫拉尔头盔和防弹背心(另见 S/2022/967，第 44 段)。一名投降的“3•23”运动战斗人员是一名“3•23”运动领导人的助手，此人证实“3•23”运动购买了新制服，但无法详细说明这些制服的确切来源。3•23”运动和(或)卢旺达国防军战斗人员还配备甚高频无线电、夜视设备和车辆。在“3•23”运动占领区和(或)卢旺达国防军进行侵入和(或)行动的地区找到和记录到的军事装备种类繁多且状况良好，包括各类突击步枪、重机枪和轻机枪、各类火箭推进榴弹发射器、火箭弹、榴弹发射器和榴弹、无后坐力炮、迫击炮弹以及成箱的弹药，从中可以看出“3•23”运动的火力相当强大(见附件 26)。

53. 有些军事装备是不久前生产的，因此不可能是“3•23”运动在 2012 和 2013 年留下的旧库存。⁴⁸ 例如，2023 年 3 月中旬在马西西县萨凯东北约 3-5 公里处废弃的“3•23”运动阵地上发现几枚 40 毫米杀伤人员枪榴弹和一箱 7.62x54 毫米弹药，都是 2021 年生产的，还发现 12.7x108 毫米弹药和凯夫拉尔头盔，都是 2020 年生产的(见附件 27)。2023 年 3 月 3 日在 Mushaki 的一个“3•23”运动/卢旺达国防军混合营地发现 Galil 型和 AK-103 型突击步枪，专家组此前从未在刚果民主共和国领土上记录过这些装备(见附件 26)。这表明，要么是“3•23”运动最近得到了新的军事装备，要么是发现的这些装备属于在战场上支持“3•23”运动的一支正规军(另见 S/2022/967，第 45 段)。

卢旺达国防军的侵入、军事行动以及对 3•23 运动的支持和组织

54. 2023 年 3 月 24 日，刚果民主共和国武装部队在一份官方公报中重申刚果民主共和国政府的说法，即卢旺达国防军继续以“3•23”运动为幌子开展行动。3 月 29 日，军事当局称，卢旺达以部队和装备的形式向刚果民主共和国境内派出增援，卢旺达国防军和“3•23”运动的部队袭击了马西西县 Mweso 镇(见附件 28 和 S/2022/967，第 50 段)。尽管卢旺达政府继续否认向“3•23”运动提供支持，包括在对专家组提供信息请求的答复中予以否认，但若干会员国和欧洲联盟呼吁卢旺达停止提供支持。值得注意的是，美国“再次呼吁卢旺达停止支持受到联合国制裁的“3•23”运动，并敦促安理会成员考虑这种支持如何与现有制裁制度相冲突”。⁴⁹

55. 专家组获得包括文件和照片证据以及航拍视频在内的进一步证据，证明 2022 年 11 月至 2023 年 3 月期间有明显身穿卢旺达国防军军装的士兵在鲁丘鲁县、马西西县和尼拉贡戈县开展军事行动(另见 S/2022/967，第 47-51 段)。目击者、民间

⁴⁷ “3•23”运动前战斗人员、研究人员和情报消息来源。

⁴⁸ 除其他外，见 2013 年对“3•23”运动武器库的禁运评估(秘书处存档的文件)和 S/2012/348/Add.1。

⁴⁹ 2022 年 12 月(S/PV.9215)和 2023 年 3 月(S/PV.9298)安全理事会会议。

社会行为体、地方当局、武装团体领导人和战斗人员、被俘的“3•23”运动战斗人员、卢旺达官员、两名卢旺达情报官员、一名卢旺达国防军士兵以及外交消息来源也报告说，卢旺达国防军部队出现在边境地区、“3•23”运动占领的城镇以及卢旺达国防军和“3•23”运动在这三个县新建立的阵地(另见下文第 86 和 88 段)。

56. 卢旺达国防军部队对卢民主力量及团结和民主联盟在刚果民主共和国的阵地采取行动，目的包括消灭卢民主力量的 Ruvugayimikore Protogène “上校”(别名 Ruhinda)、⁵⁰ 受制裁的卢民主力量军事指挥官帕奇菲克·恩塔温古卡“将军”(别名 Omega)(CDi.024)和与其结盟的刚果武装团体。⁵¹ 据报告，2022 年 12 月中旬，团结和民主联盟领导人 Gavana “上校”在卢旺达国防军的一次定点行动中被打死。⁵² 鲁丘鲁县 Kisheshe 和 Bambu 以及马西西县 Mushaki 地区以容纳众多当地武装团体和卢民主力量而闻名，在“3•23”运动控制这些地区之前和之后，经常有报告称卢旺达国防军出现在这些地区(另见下文第 67 和 86-90 段)。⁵³ 若干消息来源报告称，卢旺达国防军成员在这些地点被杀害；在战场上收集的文件证实了这些杀害事件(见附件 29)。

57. 卢旺达国防军还参与具体行动并向“3•23”运动提供部队增援，目的是夺取或增援战略地区。例如，2022 年 11 月 15 日拍摄的一段视频显示，至少有 25 名据报是卢旺达国防军的战斗人员⁵⁴ 在基万加镇列队行进，该镇自 2022 年 10 月 29 日以来一直在“3•23”运动控制之下(见附件 30)。此外，2023 年 2 月和 3 月，Alex Nkuranga 中校指挥的卢旺达国防军第 11 营士兵出现在在马西西县 Mushaki 和 Karuba 地区，⁵⁵ 并与卢民主力量、自由主权刚果爱国者联盟和尼亚图拉民兵-阿巴宗古派(刚果民族主义者捍卫人权联盟/人民保卫力量联盟)分子作战。⁵⁶ 2023 年 3 月 7 日，有人看到使用与卢旺达国防军类似军装和武器的战斗人员出现在卡鲁巴的一座设防山丘上(见附件 31)。专家组还得到了一个在 Mushaki 的“3•23”运动/卢旺达国防军混合阵地找到的笔记本，其中载有英文和卢旺达文手写笔记，详细说明了派往该地区执行任务的疑似卢旺达国防军士兵和指挥官的姓名和级别、对 82 毫米和 60 毫米迫击炮的使用情况以及表述为“通过破坏武装部队的整合来摧毁武装部队”的任务内容(见附件 32)。航拍录像和照片证据证实卢旺达国防军士兵出现在刚果民主共和国境内(见附件 33)。

⁵⁰ 另见 S/2022/967，附件 31 和 34。

⁵¹ 研究人员、民间社会消息来源和情报消息来源、卢旺达国防军士兵。

⁵² 卢旺达国防军情报部门、联刚稳定团和武装团体消息来源。

⁵³ 目击者、研究人员、解放卢旺达民主力量(卢民主力量)、促进变革运动联合会和民间社会消息来源以及无人机录像。

⁵⁴ 目击者、民间社会和外交消息来源以及武装团体战斗人员。

⁵⁵ 卢旺达国防军士兵、研究人员和目击者。

⁵⁶ 卢旺达国防军士兵、研究人员和目击者、武装团体战斗人员和民间社会消息来源。

58. 来自不同背景的多个独立可靠消息来源(包括一名卢旺达国防军士兵和几名目击者)报告称,卢旺达国防军部队从边界的卢旺达一侧抵达,经由不同入境点进入刚果民主共和国(见附件 34)。⁵⁷

59. 专家组收到的资料证实,卢旺达国防军的实地行动,包括卢旺达国防军特种部队和预备役部队的行动,由 Andrew Nyanvumba 准将协调(另见 S/2022/967, 附件 29)。⁵⁸ 已部署的卢旺达国防军部队包括第 201 旅和第 301 旅的成员,⁵⁹ 以及由 Niragire Jean Pierre 上尉(别名 Gasasira)指挥⁶⁰ 的卢旺达国防军特种部队成员,这些人员从 2022 年 5 月起部署,执行具体行动。Gasasira 则是接受卢旺达国防军特种部队总指挥 Ruki Karusisi 少将的指示。⁶¹ 2022 年指挥卢旺达国防军在刚果民主共和国境内几次行动的 Alexis Kagame 少将(见 S/2022/967, 附件 32)被召回基加利,由 Emmy Ruvusha 少将接替。⁶²

60. 了解此事的若干消息来源(包括两名卢旺达国防军情报人员、军警人员和与“3•23”运动关系密切的消息来源)向专家组报告说,卢旺达国防军在刚果民主共和国境内开展的称为“北基伍行动”的军事行动的目的在于通过提供部队和物资增援“3•23”运动,并利用这些部队和物资控制矿区,获得在刚果民主共和国的政治影响力,⁶³ 削弱卢民主力量。⁶⁴ 专家组注意到,迄今为止,北基伍行动没有成功实现这些目标。

61. 据两名卢旺达国防军情报人员、一名卢旺达国防军军官、三名研究人员和外国情报机构称,北基伍行动是由 James Kabarebe 将军筹划和协调的,此人目前担任卢旺达总统国防和安全事务顾问(另见 S/2012/843, 第 10 页文本框)。Kabarebe 在开展行动时得到了 Jean Bosco Kazura 将军、Mubarakh Muganga 中将、Franck Mugambage 少将、Vincent Nyakarundi 少将、Ruki Karusisi 少将、Eric Murokore 少将和 Rugumyangabo Gacinya 准将等人的协助(见附件 35)。

⁵⁷ 民间社会消息来源、地方当局、外交官、研究人员。

⁵⁸ 研究人员、卢旺达国防军士兵、刚果民主共和国政府和外交消息来源。

⁵⁹ 第 201 旅包含第 6、19 和 25 营以及预备役部队成员(另见 S/2022/967, 附件 29)。第 301 旅包含第 4 和 11 营以及预备役部队成员。

⁶⁰ 专家组记录到,2020 年, Gasasira 在执行打击卢民主力量的行动时,与刚果民主共和国武装部队的 Claude Rusumbi 上校和 Gahizi 将军等人合作(S/2020/1283, 第 36-41 段)。研究人员、刚果民主共和国武装部队消息来源以及文件和照片证据。

⁶¹ 研究人员、与“3•23”运动关系密切的消息来源和卢旺达国防军情报消息来源。

⁶² 同上。

⁶³ 卢旺达国防军情报部门、研究人员、刚果民主共和国总统办公室消息来源、与特韦瓦内霍关系密切的刚果民主共和国安全部门消息来源、特韦瓦内霍和“3•23”运动前战斗人员以及外交消息来源。

⁶⁴ 卢旺达国防军士兵、“3•23”运动前战斗人员、研究人员、武装团体消息来源和目击者。

刚果民主共和国与卢旺达之间的紧张关系

62. “3•23”运动的地盘扩大以及刚果民主共和国武装部队和同盟武装团体打击“3•23”运动的行动——卢旺达政府曾多次谴责这些行动(另见 S/2022/967, 第 64-71 段)——使得刚果民主共和国和卢旺达之间本已紧张的关系进一步恶化。⁶⁵ 2023 年 1 月 24 日, 卢旺达国防军向位于戈马上空刚果领空内一架隶属于刚果民主共和国武装部队的苏霍伊(苏-25)战斗机开火, 当时这架飞机正接近戈马机场准备降落, 紧张关系因此加剧(见附件 36)。

“3•23”运动对平民实施的侵害行为, 包括杀戮、任意逮捕、酷刑、强奸和强迫劳动

63. 专家组记录了“3•23”运动作战人员在控制区内(见上文第 41 至 42 段)实施的多起违反国际人道法和严重侵犯人权事件, 包括杀戮和强奸。⁶⁶ 下文所列行为构成根据安全理事会第 2293(2016)号决议第 7(e)段应予制裁的行为, 安理会第 2641(2022)号决议延长了该段所载措施。

64. “3•23”运动占领区内的平民报告称, 他们生活在受迫害的恐惧之中, 因为被怀疑投靠刚果民主共和国政府、刚果民主共和国武装部队或“敌方武装团体”的个人遭到任意逮捕和拘留, 有些还死于酷刑。一些被“3•23”运动抓走的人消失得无影无踪(见附件 37)。⁶⁷ 生活在“3•23”运动控制区的证人(包括“3•23”运动扶植的一名地方领导人)谈到关于检举涉嫌投靠刚果民主共和国武装部队或敌方武装团体者的“责任”。⁶⁸

65. 专家组记录了“3•23”运动无差别和定点杀害平民的模式, 与上一个报告期相比, 战术发生了改变。具体而言, “3•23”运动在对卢民主力量据点采取行动的同时, 还杀害平民, 以惩罚那些被怀疑是卢民主力量或与“3•23”运动敌对的其他武装团体的成员亲属或支持者的人,⁶⁹ 这种行为在“3•23”运动面临当地人的一些抵抗占领活动时尤为严重(下文第 66 和 67 段)。专家组还记录了“3•23”运动即决处决平民和被俘或疑似战斗人员的事件(见附件 38)和强奸数十名妇女的事件(下文第 68 和 69 段)。“3•23”运动还有系统地掠夺当地居民的货物和作物, 强迫当地人为“3•23”运动战斗人员提供口粮。⁷⁰

⁶⁵ 另见: Jeune Afrique, “Paul Kagame : M23 en RDC, Tshisekedi, Macron, présidentielle au Rwanda... L'entretien exclusif en video”, 视频, 2023 年 1 月 31 日。

⁶⁶ 基于与受害者、证人、研究人员、民间社会、社区领袖以及政府、人道主义机构和联刚稳定团消息来源的谈话, 以及照片、视频和文件证据。

⁶⁷ 受害者亲属的证词、生活在“3•23”运动控制区的平民、研究人员和民间社会以及联刚特派团消息来源。

⁶⁸ 与“3•23”运动合作的地方领导人以及社区成员。

⁶⁹ 社区领袖、当地证人、研究人员、联刚稳定团和人道主义机构消息来源。

⁷⁰ 直接证人、受害者、社区领袖、民间社会消息来源、研究人员。

2022 年 11 月 29 日在 Kisheshe 发生的屠杀事件

66. 2022 年 11 月 29 日，“3•23”运动在与当地武装团体、特别是卢民主力量 and 玛伊—玛伊民兵发生武装对抗后，在 Kisheshe 镇进行了一系列针对平民的报复性杀戮。3•23 运动否认杀害平民，声称“只有”8 人在交火中丧生(见附件 39)。⁷¹ 然而，专家组的调查显示，在“3•23”运动进行挨家挨户的搜查后，有 100 多人被杀害，“3•23”运动处决了手无寸铁的平民，其中大多数是男子和男童，有些人年仅 12 岁，理由是认为这些人是敌方武装团体的战斗人员或支持者，但没有进行任何核查以确定身份。“3•23”运动战斗人员在占领 Kisheshe 后，有系统地抢劫平民财产并强奸几名妇女。⁷² 专家组关于这一事件的调查结果详见附件 40。

2023 年 2 月在 Kazaroho 发生的屠杀事件

67. 专家组收集到的证据证实，2023 年 2 月 26 日或前后，在 Kazaroho 至少有 11 人被杀，其中包括 1 名妇女和 2 名儿童。⁷³ 据证人称，受害者是在先前由卢民主力量控制的农田上收割庄稼时被“3•23”运动杀害的。Kazaroho 曾是卢民主力量区总部所在地，是“3•23”运动和卢旺达国防军行动的主要目标(见附件 41)。⁷⁴ 据证人称，这些杀戮是由“3•23”运动实施的，目的是惩罚那些被认为是卢民主力量成员的人及其亲属，因为在杀戮之前没有与卢民主力量发生武装对抗。专家组得到的照片显示了受害者尸体的情况；有些人被杀时双手绑在背后。许多房屋被烧毁，其中一些已经证实属于卢民主力量成员或其家属。专家组关于这一事件的调查结果详见附件 42。

“3•23”运动控制区内的强奸事件

68. 据报告，在“3•23”运动控制的地区，“3•23”运动战斗人员实施了多起强奸事件。⁷⁵ 为性暴力幸存者提供帮助的个人记录到，自 2022 年 11 月以来，鲁丘鲁县有至少 60 名妇女被“3•23”运动战斗人员强奸，其中包括 8 名未成年女童。⁷⁶ 专家组与 12 名妇女进行了谈话，其中包括 1 名未成年人，⁷⁷ 她们都是在返回废弃的家中寻找食物时遭到强奸。这些妇女说，袭击者是“3•23”运动战斗人员，身穿全套军装，装备精良，说的是“来自卢旺达的卢旺达语”(见附件 43)。

⁷¹ “3•23”运动 2022 年 12 月 3 日公报，由“3•23”运动主席贝特朗·比西姆瓦签署。

⁷² 来自 Kisheshe 的目击者和受害者的证词、社区领袖、研究人员和民间社会以及联刚稳定团消息来源。

⁷³ 根据证人(包括参与收集尸体的当地人)报告的最保守数字、研究人员、民间社会和卢民主力量消息来源。

⁷⁴ 证人、研究人员、民间社会和联刚稳定团消息来源，以及一个与“3•23”运动有关联的推特账户上的公告。

⁷⁵ 社区领袖、证人以及非政府组织和民间社会消息来源。

⁷⁶ 在尼拉贡戈县为性暴力幸存者提供帮助的专业人员提供的统计数据。

⁷⁷ 全部都是居住在 Kanyaruchinya 境内流离失所者营地的境内流离失所者。

69. 专家组还记录到，在 2022 年 11 月 21 日“3•23”运动控制 Bwito 乡当天或之后，在该镇 Bambo 或附近地区有 20 多名妇女和女童被强奸。⁷⁸ 专家组与 3 名在相似情况下被“3•23”运动战斗人员轮奸的妇女进行了谈话。一名年轻妇女在与其他 6 名妇女躲在一所房屋内时被轮奸。这七名妇女遭到 12 名男子的轮流强奸，她确认这些男子是说卢旺达语的“3•23”运动战斗人员。这 3 名妇女的证词中有一个惊人的相似之处，即她们在被强奸之前都被问及丈夫的下落。其中一名妇女被告知她是“尼亚图拉民兵的妻子”，因为她的头发编成了辫子。根据收集到的证据，专家组注意到一种趋势，即使用强奸来惩罚或羞辱被认为是敌方战斗人员亲属的妇女。关于证据的详细说明载于附件 44。

强迫劳动

70. “3•23”运动战斗人员有系统地利用平民进行强迫劳动，特别是运输弹药和掠夺的货物，或从事 *salongo*(即强制社区服务)。⁷⁹ 拒绝的人会受到惩罚；一些人被打死(见附件 45)。⁸⁰

武装团体联盟以及刚果民主共和国武装部队开展的协调

71. 2022 年 5 月，刚果民主共和国总统齐塞克迪·奇隆博呼吁军方高层不要在打击“3•23”运动的战斗中使用代理人。尽管如此，专家组继续记录到一个武装团体联盟与刚果民主共和国武装部队一起明确参与打击“3•23”运动的情况(S/2022/967，第 63-71 段)。武装团体的参与对于限制“3•23”运动的推进至关重要，这种参与由刚果民主共和国武装部队的高级军官负责组织、协调和协助。

72. 事实上，武装团体扩大招募规模，调整、划定和协调武装行动区，并进行重新武装，以便应对“3•23”运动快速扩大地盘的情况和激烈的战斗(见上文第 40 至 43 段)。

招募和重新动员前战斗人员

73. 2022 年 12 月至 2023 年 1 月，为了加强在瓦利卡莱县、马西西县和鲁丘鲁县的队伍，自由主权刚果爱国者联盟招募了 200 名战斗人员，由受制裁个人 Guidon Shimiray Mwisa(CDi.033)领导的恩杜马保卫刚果民兵组织-革新派招募了 305 名战斗人员，由 Bigabo “将军”领导的促进变革运动联合会/刚果人民自卫力量招募了 241 名战斗人员(见附件 46)。⁸¹ 由 Dominique Ndarahutse(别名 Domi) “将军”领导的促进变革运动联合会/保卫人民力量和卢民主力量也加紧开展招募活动(见下文第 87 段)。

⁷⁸ 强奸受害者、社区领袖、帮助强奸幸存者的证人、研究人员和联刚稳定团消息来源。

⁷⁹ 除“3•23”运动外，其他武装团体也经常对当地居民强制实行 *salongo*。

⁸⁰ 民间社会消息来源、社区领袖、研究人员、目击者和受害者。

⁸¹ 武装团体战斗人员、地方当局、研究人员以及刚果民主共和国武装部队和民间社会消息来源。

74. 驻扎在马西西县萨凯附近 Mumbambiro 复员中心的复员战斗人员潜逃并加入当地武装团体、卢民主力量或“3•23”运动。⁸² 剩下为数不多的战斗人员被送回家，复员中心于 2023 年 2 月 5 日暂时关闭。⁸³

打击“3•23”运动的武装团体联盟

75. 活跃在北基伍的当地武装团体组成了一个称为“祖国抵抗者联盟”的同盟。自由主权刚果爱国者联盟领导人 Janvier Buingo Karahiri “将军”领导这个联盟，恩杜马保卫刚果民兵组织-革新派领导人 Guidon Shimirayi Mwisu 在促进变革运动联合会/保卫人民力量领导人 Domi 的协助下监督后勤和行动事务。⁸⁴

76. 当地武装团体加入这个联盟，与刚果民主共和国武装部队并肩作战。在瓦利卡莱县和马西西县，这些武装团体包括：促进变革运动联合会/保卫人民力量、刚果民族主义者捍卫人权联盟/人民保卫力量联盟、自由主权刚果爱国者联盟、恩杜马保卫刚果民兵组织-革新派(由 Guidon 领导)和玛伊-玛伊民兵基法派。在鲁丘鲁县，这些武装团体包括爱国自卫运动、促进变革运动联合会/刚果人民武装力量、恩杜马保卫刚果民兵组织-革新派/Bwira 派系(现由 Mapenzi 领导)。⁸⁵ 最后，卢民主力量也是这个同盟的成员，主要作为一个独立的单位开展行动，也被称为“第五纵队”。⁸⁶

77. 专家组收到了一致的信息，表明加入该联盟的武装团体参与了 2023 年 1 月和 2 月下旬在基尚加和鲁巴亚等地打击“3•23”运动和卢旺达国防军的行动(见附件 47)。⁸⁷

78. 2022 年 11 月，名为“刚果爱国抵抗联盟/打击力量”的武装团体重新出现，据报是为了打击“3•23”运动和卢旺达国防军，捍卫刚果民主共和国的领土完整(另见 S/2008/773，第 114-120 段)。⁸⁸ 刚果爱国抵抗联盟/打击力量由“3•23”运动前领导人 Sendugu Hakizimana(别名 Museveni)领导(见附件 48 和 S/2012/843，第 46 段)。

刚果民主共和国武装部队的协调工作

79. 专家组从多个来源获悉，刚果民主共和国武装部队 Janvier Mayanga 将军(另见 S/2008/773，第 116 和 117 段)和 Hassan Mugabo-Baguma 将军(另见 S/2015/19，第 169 和 170 段)被派往北基伍监督行动，动员和协调各武装团体支持刚果民主

⁸² 刚果民主共和国武装部队消息来源、武装团体战斗人员、地方当局和研究人员。

⁸³ 2023 年 2 月和 3 月，专家组访问萨凯和 Mumbambiro。

⁸⁴ 武装团体战斗人员、刚果民主共和国武装部队和民间社会消息来源、研究人员和地方当局。

⁸⁵ 见 S/2022/967，附件 51。

⁸⁶ 前战斗人员、武装团体领导人、刚果民主共和国武装部队和民间社会消息来源。

⁸⁷ 同上。

⁸⁸ 地方当局、刚果民主共和国武装部队和安全部门消息来源、武装团体领导人和战斗人员、民间社会消息来源和研究人员。

共和国武装部队。⁸⁹ 来自不同背景的多个可靠独立的消息来源强调，这种合作得到了国家军事当局的核可，⁹⁰ 特别是刚果民主共和国护卫队队长 Franck Ntumba 将军和陆军参谋长 Christian Tshiwewe Songesha 将军的核可。⁹¹

80. 2022 年 12 月底和 2023 年 1 月初，时任“3·23”运动抵抗行动副指挥官 Chico Tshitambwe 将军(另见 S/2009/603，第 44 段)在戈马至少召集三次军方高层与武装团体领导人会议，以达成这一合作。⁹² 在 1 月份会议上，每个武装团体领导人获得了 5 000 美元，并得到了将获得足够武器的保证，卢民主力量-救世战斗军也参加了本次会议。⁹³ 同期，武装团体领导人与 Mayanga 和 Mugabo 两位将军会晤，商定向祖国抵抗者联盟提供后勤和财政支助事宜。例如，2022 年 12 月 10 日到 11 日在基尚加的 Nyarusumba 酒店举行了一次协调会议。⁹⁴

81. 刚果民主共和国武装部队 Salomon Tokolonga 上校(另见 S/2022/967，第 65 段)作为刚果民主共和国武装部队军事高层与武装团体之间的联络人，协调开展了若干行动和武器供应工作。⁹⁵ 几张照片和一段视频显示，2022 年 12 月，恩杜马保卫刚果民兵组织-革新派领导人 Guidon 和基尚加的恩杜马保卫刚果民兵组织-革新派参谋长 Deo Bafosse Mparanyi 与 Tokolonga 上校在一起(见附件 49)。

82. 据多个消息来源报告，根据 Mayanga 将军和 Mugabo 将军的指示，刚果民主共和国武装部队向武装团体提供制服、武器、弹药、发电机、燃料、粮食和金钱奖励。⁹⁶ 刚果民主共和国武装部队还分发红臂章，以能够识别和区分友军与敌军武装团体。⁹⁷

83. 祖国抵抗者联盟战斗人员告诉专家组，武装团体领导人提出各种要求作为参加条件。⁹⁸ 例如，恩杜马保卫刚果民兵组织-革新派/Guidon 希望刚果民主共和国政府撤销对 Guidon 发出的逮捕令，卢民主力量-救世战斗军要求释放被政府拘留的成员，自由主权刚果爱国者联盟要求作为特种部队加入刚果民主共和国武装部队。

⁸⁹ 刚果民主共和国武装部队和安全部门消息来源、地方当局、前战斗人员、研究人员、民间社会、联刚稳定团和情报部门消息来源。

⁹⁰ 刚果民主共和国武装部队和情报部门消息来源、武装团体战斗人员、民间社会消息来源和研究人員。

⁹¹ 刚果民主共和国武装部队和情报部门消息来源、武装团体战斗人员、研究人员、民间社会、刚果民主共和国政府和安全部门消息来源。

⁹² 武装团体战斗人员、地方当局、研究人员和民间社会、刚果民主共和国武装部队、情报和安全部门消息来源。

⁹³ 武装团体领导人和战斗人员、研究人员和外交消息来源。

⁹⁴ 武装团体领导人、研究人员、地方当局和情报部门、民间社会和联刚稳定团消息来源。

⁹⁵ 武装团体战斗人员、地方当局、研究人员和民间社会及情报部门消息来源。

⁹⁶ 武装团体战斗人员、研究人员、刚果民主共和国武装部队以及民间社会、安全、情报和外交部门消息来源。

⁹⁷ 前战斗人员、地方当局以及刚果民主共和国武装部队、情报部门和民间社会消息来源。

⁹⁸ 现役/前战斗人员、研究人员以及刚果民主共和国武装部队、民间社会、安全和情报部门消息来源。

84. 武装团体战斗人员和领导人抱怨说，刚果民主共和国武装部队高层内部协调不力，人员相互敌对，刚果民主共和国武装部队士兵在“3•23”运动和卢旺达国防军袭击时弃营逃走，而且刚果民主共和国武装部队提供的弹药不足。刚果民主共和国武装部队指挥官频繁变动，给刚果民主共和国武装部队士兵和所有其他参战人员带来了不稳定因素(见附件 50)。

85. 2023 年 3 月 3 日，刚果民主共和国政府内阁召开会议，就有关建立国防预备役部队的法律草案达成协议。该协议被解读为允许地方武装团体成员加入国防预备役部队，⁹⁹ 政府发表声明对此予以否认。¹⁰⁰ 然而，专家组获悉，Constant Ndima 将军于 2023 年 4 月 13 日在戈马主持召开会议，期间预计将部署约 6 000 名战斗人员和前战斗人员，组成由刚果民主共和国武装部队供资并装备的预备役部队(见附件 51)。¹⁰¹ 专家组感到关切的是，将武装团体编入预备役部队会破坏内罗毕进程及解除武装、复员、社区恢复和稳定方案。

卢民主力量-救世战斗军的结构以及与刚果民主共和国武装部队和地方武装团体的合作

86. 卢民主力量-救世战斗军在受制裁的个人加斯东·伊亚穆雷米耶“中将”(CDi.003)¹⁰² 的政治领导下，在 Omega Israel(CDi.024)的军事指挥下(S/2017/1091 第 15 段和 S/2022/479 第 73 和 74 段)，继续在北基伍积极开展活动。¹⁰³ 2022 年 12 月，在“3•23”运动和卢旺达国防军袭击卢民主力量-救世战斗军基地期间，Pacifique Ntawunguka “将军”的发言人“Fontaine”遇害。Niyiturinda Placide(别名 Cure Ngoma)保证此后的沟通工作(见第 80 段)。卢民主力量-救世战斗军继续活跃在鲁丘鲁和尼拉贡戈县。¹⁰⁴

87. 除了为其他武装团体招募和训练战斗人员外，¹⁰⁵ 卢民主力量-救世战斗军还招募和训练新的战斗人员，加强 Ruvugayimikore Ruhinda “上校”指挥下的“纵深搜索和行动突击队”这一特种部队。¹⁰⁶ 卢民主力量-救世战斗军主要在鲁丘鲁和马西西县招募人员。经 Taffi 和 Makoma “上校”训练后，最佳战斗人员被派往

⁹⁹ 2023 年 3 月 3 日刚果民主共和国政府内阁会议记录。另见“En RDC, des miliciens pourraient-ils devenir des réservistes de l’armée ?”, Jeune Afrique, 2023 年 3 月 13 日。

¹⁰⁰ 武装团体领导人、研究人员、民间社会和外交消息来源。

¹⁰¹ 刚果民主共和国武装部队军官和武装团体战斗人员。

¹⁰² 又名 Byiringiro Victor Rumuli、Victor Rumuri、Michel Byiringiro、Victor Byiringiro 和 Rumuli。

¹⁰³ 卢民主力量前战斗人员、研究人员、地方当局、安全部门和民间社会消息来源。

¹⁰⁴ 前战斗人员、地方当局、研究人员、民间社会和刚果民主共和国武装部队消息来源。

¹⁰⁵ 包括促进变革运动联合会/保卫人民力量(Domi)和自由主权刚果爱国者联盟。另见 S/2022/479, 附件 41。

¹⁰⁶ 卢民主力量前战斗人员、研究人员、地方当局、安全部门和民间社会消息来源。

鲁丘鲁县基比里齐的 Omega 处，由 Omega 登记后派往纵深搜索和行动突击队等保护和战斗单位。2023 年 2 月初，150 至 170 名新受训人员加入该突击队。¹⁰⁷

88. 当“3•23”运动和卢旺达国防军在 2022 年 11 月至 2023 年 2 月期间发动一轮袭击时，兵力为 300 至 500 人的纵深搜索和行动突击队保卫了卢民主力量-救世战斗军在鲁丘鲁县和尼拉贡戈县布维萨、布哈拉、卡扎霍罗、莫桑比克、帕里斯和太阳城的阵地。¹⁰⁸ 专家组注意到，卢民主力量从几个阵地撤出，使民众面临报复性袭击的风险(见上文第 66 和 67 段)。

89. 卢民主力量-救世战斗军与当地武装团体和刚果民主共和国武装部队密切合作。¹⁰⁹ Ruhinda “上校”于 2022 年 12 月 10 日至 11 日在基尚加(见上文第 80 段)以及 2023 年 1 月 10 日参加了与刚果民主共和国武装部队的几次规划会议，并获得了刚果民主共和国武装部队提供的武器弹药。¹¹⁰ 同期，据若干消息来源报告，Omega 在戈马与刚果民主共和国武装部队军事高层举行会议，讨论合作事宜。¹¹¹

90. 卢民主力量-救世战斗军的消息来源表示，他们与刚果民主共和国武装部队和地方武装团体一并作战，保卫自己的阵地和从属物免遭“3•23”运动的袭击。¹¹² 例如，他们在通戈、基比里齐和基库库与促进变革运动联合会/保卫人民力量并肩作战，在比兰比佐、鲁塞克拉、绍尼、基尚加和鲁巴亚与自由主权刚果爱国者联盟并肩作战。¹¹³

C. 鲁巴亚锡、钽和钨供应链面临的威胁

91. 专家组收到关于武装团体参与开采、走私鲁巴亚的锡、钽和钨矿物的信息。专家组注意到，武装分子参与供应链(另见 S/2021/560，第 58 段)破坏了这些矿物供应链的完整性。

92. 武装团体尼亚图拉民兵-阿巴宗古派和刚果爱国抵抗联盟-突击队人员闯入鲁巴亚矿场，向手工采矿者征税(S/2021/560，第 57-71 段)。¹¹⁴ 2022 年底之前这些闯入事件零星发生，但在“3•23”运动推进后变得更加频繁，例如，“3•23”运动使尼亚图拉民兵团体离开马西西县的基地，来到鲁巴亚附近亚马波科的卢克村附近。鲁巴亚镇的矿区警察认为尼亚图拉民兵-阿巴宗古派和刚果爱国抵抗联盟-突击队是刚果民主共和国武装部队打击“3•23”运动的盟友，因此容许这些武装部

¹⁰⁷ 同上。

¹⁰⁸ 前战斗人员、卢民主力量发言人、研究人员、情报和安全部门消息来源。

¹⁰⁹ 前战斗人员、卢民主力量发言人、研究人员以及外交、情报和安全部门消息来源。

¹¹⁰ 同上。

¹¹¹ 战斗人员、研究人员、安全部门、军事情报部门和民间社会消息来源。

¹¹² 前战斗人员、研究人员、军事情报部门和民间社会消息来源。

¹¹³ 同上。

¹¹⁴ 鲁巴亚的挖掘者和一个安全部门消息来源。

队侵入矿场。¹¹⁵ 专家组获悉，近几个月来，这些武装团体加强了对鲁巴亚矿场的控制，并加强了与该地区走私网络的关系。¹¹⁶

93. 2023 年 2 月 10 日，鲁巴亚周边主要生产矿场权利所有公司比松祖矿业公司暂停活动，并带着所有人员离开该矿场。矿工大多是马西西手工采矿者合作社成员，这些矿工仍继续工作，包括在公司矿场工作。

94. 2023 年 2 月 26 日，“3•23”运动占领鲁巴亚，但几天后被当地武装团体驱离。

95. 2023 年 2 月 28 日，比松祖矿业公司领导人、全国保卫人民大会(S/2008/773，第 19 段)的代表议员 Edouard Mwangachuchu Hizi 因在其马西西的地产上发现一批武器而被捕，随后被控犯有叛国和参加犯罪团伙等严重罪行。¹¹⁷

96. 2023 年 3 月 15 日，矿业部长暂停了比松祖矿业公司的活动和出口(见附件 52)，指控该公司在基伍和马尼埃马黄金公司(一家政府投资公司)运营的一个矿场范围内采矿。

97. 专家组获悉，虽然鲁巴亚的生产仍在继续，但溯源进程已暂停，导致从该地区开采的所有矿物都没有资格进入国际市场。据一些消息来源报告，这些矿物被走私到卢旺达和南基伍省，在那里通过各种矿场贴上标签进行洗白。¹¹⁸

D. 在“3•23”运动扩张地盘的情况下，族裔紧张局势升级

将灭绝种族话术工具化

98. “3•23”运动宣称其在保护刚果民主共和国东部的刚果图西和穆伦格族群免遭灭绝，以此为其在北基伍的侵略性扩张地盘行为辩护(见上文第49 段)。“3•23”运动在公报中提到其声称要保护的图西族群“即将被灭绝种族”，从而将图西族群与其好战的扩张目标紧密相联。卢旺达以及特韦瓦内霍武装团体也对穆伦格族群采用了类似话术(见附件 53)。

99. 这种关于灭绝种族的话术反而为“3•23”运动反对者针对上述族群煽动恐惧、仇恨言论和暴力报复(包括杀戮)行为提供了危险的肥沃土壤(见附件 54 和 S/2022/967，第 72-75 段)。专家组约谈的图西族成员证实，正是在“3•23”运动卷土重来时发生了暴力事件，包括杀害图西族平民事件。¹¹⁹

¹¹⁵ 同上。

¹¹⁶ 民间社会和安全部门消息来源。

¹¹⁷ 民间社会消息来源和刚果民主共和国官员。另见“Procès du député Édouard Mwangachuchu en RDC: le contenu d'un coffre-fort saisi révélé”，RFI，2023 年 4 月 12 日。

¹¹⁸ 民间社会消息来源、鲁巴亚的矿工和商人。

¹¹⁹ 证人证词、社区领袖、民间社会和联刚稳定团消息来源。

100. 专家组指出，虽然在目前情况下，无疑会出现针对卢旺达语社区的暴力事件，但“3•23”运动和卢旺达当局对灭绝种族话术的操纵却显著增加了平民遭受攻击的风险，并可能在族群之间引发广泛的族裔间暴力。

仇恨言论

101. “3•23”运动相关危机加剧了交战各方之间的族裔裂痕，并继续针对刚果民主共和国境内讲卢旺达语民众，¹²⁰ 特别是图西人和穆伦格人，煽动仇外心理和仇恨言论(另见 S/2022/967，第 72-75 段)。¹²¹

102. 政治人物、民间社会行为体、当地民粹主义者、活动分子、刚果散居国外者继续传播旨在诋毁被视为支持“3•23”运动的讲卢旺达语民众的仇恨、好战言论，这些言论在社交媒体上得到发酵。这些仇外言论的共同观点是，图西人和穆伦格人等讲卢旺达语民众是应该返回卢旺达的外国族裔群体。在即将举行选举的背景下，这种言论演变成呼吁将讲卢旺达语民众排除在选民登记之外。¹²² 后来在投票登记中心发生了暴民暴力和骚扰讲卢旺达语民众的具体事件(见附件 55)。

103. 一些极端分子还明确威胁要杀死讲卢旺达语民众(见附件 56)。¹²³ 专家组记录了几起私刑、任意杀害和暴民暴力事件，这些事件与针对讲卢旺达语民众的仇外言论增加有因果关系¹²⁴ (见附件 57 和 S/2022/967，第 74 段)。2023 年 2 月 6 日至 7 日在戈马发生的针对东非共同体区域部队和联刚稳定团的示威活动出人意料地具有族裔因素，示威者袭击、破坏了讲卢旺达语民众拥用或使用的若干住宅、企业和教堂(见附件 58)。全市讲卢旺达语民众受到骚扰和威胁，许多人被迫躲藏起来。¹²⁵

四. 伊图里

A. 刚果发展合作社各派别

104. 尽管刚果发展合作社/保卫刚果人民革命联盟派别单方面承诺停止敌对行动并参加内罗毕进程(S/2022/967，第 82-86 段)，但它仍然极端暴力。¹²⁶ 该联盟将行动区从朱古县延至马哈吉县。刚果发展合作社/保卫刚果人民革命联盟除了攻击扎伊尔、刚果民主共和国武装部队和刚果国家警察人员之外，还主要攻击平民，目的是报复、阻止攻击或获取武器。

¹²⁰ “讲卢旺达语”一词包括讲基尼亚穆伦格语和基尼亚卢旺达语的群体，如南基伍的穆伦格人，主要是图西人，北基伍的卢旺达人，包括胡图人和图西人。

¹²¹ 证人、研究人员、媒体分析、民间社会和联刚稳定团消息来源。

¹²² 公开声明分析、民间社会消息来源、研究人员、联刚稳定团消息来源、卢旺达语社区成员。

¹²³ 公开声明，社交媒体上分享的视频。

¹²⁴ 证人、研究人员、民间社会和联刚稳定团消息来源。

¹²⁵ 社交媒体上的视频片段和开源信息、图西人和穆伦格社区成员、民间社会和联刚稳定团消息来源。

¹²⁶ S/2022/479，第 81-83 段。

105. 刚果发展合作社/保卫刚果人民革命联盟的领导结构保持不变(见附件 59), 但该派别的运作方式更加协调, 位于朱古县瓦伦杜皮西乡恩达洛的总部的控制力加强。¹²⁷

106. 刚果发展合作社/保卫刚果人民革命联盟的消息来源称, 该武装团体队伍中有 25 000 至 40 000 名战斗人员, 而其他消息来源则认为其总共约有 10 000 至 15 000 名战斗人员。¹²⁸

107. 据刚果发展合作社/保卫刚果人民革命联盟领导人说, 刚果发展合作社所有其他派别都已被并入保卫刚果人民革命联盟(S/2022/967, 第 82 和 83 段)。在这一架构下, 反对刚果巴尔干化保卫力量(又称为“反对刚果巴尔干化力量”)、刚果解放军、刚果发展合作社/“上帝保佑”派和刚果发展合作社/“天主教”派在刚果发展合作社/保卫刚果人民革命联盟总部派驻代表, 并在其领导下开展行动。关于报复、发动攻击或声称对攻击负责、谈判释放人质的决定由刚果发展合作社/保卫刚果人民革命联盟领导人作出。¹²⁹ 刚果发展合作社/保卫刚果人民革命联盟领导人又说, 在会议期间或通过社交媒体平台向战斗人员传达关于潜在行动的行动指示。

108. 刚果发展合作社/保卫刚果人民革命联盟加大了对 RN 27 公路沿线、蒙格瓦卢矿区以及巴赫马-诺德、巴赫马-巴杰尔和班亚利基洛酋长领地的袭击力度。¹³⁰ 据报告, 朱古县中心和乔米亚也发生了其他袭击事件(下文第 125-128 段)。主要在 2023 年 1 月至 3 月期间, 刚果发展合作社/保卫刚果人民革命联盟对刚果民主共和国武装部队阵地进行重大袭击, 缴获了武器弹药。¹³¹ 例如, 2023 年 1 月 28 日, 刚果发展合作社/保卫刚果人民革命联盟袭击了驻恩贾拉的刚果民主共和国武装部队第 3401 团, 打死 17 名刚果民主共和国武装部队人员, 打伤 14 人, 并偷走 14 支 AK 型突击步枪、2 挺 PKM 型机枪和 9 箱弹药(见附件 60)。

109. 据专家组记录, 刚果发展合作社/保卫刚果人民革命联盟在 2022 年 11 月参加内罗毕秘密会议的同时和之后对平民发动了一系列致命袭击, 其目标是与敌对武装团体扎伊尔有关联的平民(下文第 124-128 段)。

110. 对政府部队和平民进行疯狂暴力袭击, 违背了刚果发展合作社/保卫刚果人民革命联盟结束敌对行动的承诺, 对该地区的和平与安全构成严重威胁。刚果发展合作社/保卫刚果人民革命联盟领导人辩称, 这些袭击是对扎伊尔分子在其社区

¹²⁷ 研究人员、民间社会和情报部门消息来源、刚果民主共和国武装部队和刚果国家警察消息来源、前战斗人员。

¹²⁸ 解除武装、复员、社区恢复和稳定方案消息来源、地方当局、民间社会、刚果民主共和国武装部队、情报和安全部门消息来源。

¹²⁹ 研究人员、前战斗人员、刚果发展合作社领导人、民间社会消息来源、军事情报部门消息来源、刚果民主共和国武装部队和刚果国家警察消息来源。

¹³⁰ 研究人员、前战斗人员、军事情报部门消息来源、刚果民主共和国武装部队、刚果国家警察和联刚稳定团的消息来源。

¹³¹ 同上。

所犯下暴行的报复。2023 年 2 月 7 日，名为“五方小组”的组织(遭受刚果发展合作社不同派别袭击的五个社区¹³² 的代表组织)致函内罗毕进程调解人乌胡鲁·肯雅塔，要求将刚果发展合作社/保卫刚果人民革命联盟排除在会谈之外，并部署东非共同体区域部队打击该武装团体(见附件 61)。在编写本报告之时，尚未作出这样的决定。

111. 刚果发展合作社/保卫刚果人民革命联盟人员仍然控制着矿场攫取资源，包括用于购买武器弹药。¹³³ 其他资源来自伦杜社区成员的税收和捐款以及绑架所得。¹³⁴

112. 2022 年 12 月，刚果发展合作社/保卫刚果人民革命联盟、刚果爱国与融合阵线(又称 Chini ya Kilima)¹³⁵ 和伊图里爱国抵抗力量结成联盟，被称为 G3 联盟。¹³⁶ 据若干消息来源称，该联盟的目的是在 2022 年 12 月 16 日举行的东非共同体牵头开展的内罗毕进程下第三次刚果人对话之前分享观点并协调战略。¹³⁷ 在起草本报告时，这一联盟尚未转化为行动上伙伴关系，没有进行联合攻击。

B. 扎伊尔/伊图里人民自卫运动内部关系紧张

113. 扎伊尔武装团体继续参与朱古县和马哈吉县的武装暴力。¹³⁸ 扎伊尔继续在朱古县、马哈吉县和伊鲁穆县攻击刚果发展合作社的敌对派别、刚果民主共和国武装部队营地、刚果国家警察人员和平民(见下文第 127 段)。

114. 扎伊尔也面临内部矛盾。¹³⁹ 2022 年 12 月 22 日，一个名为伊图里人民自卫运动的新派别成立并声称是扎伊尔的官方代表。伊图里人民自卫运动声称代表希马社区，并从扎伊尔吸收了一些成员。它表示愿意加入内罗毕进程，目前扎伊尔尚未加入该进程。

115. 伊图里人民自卫运动的领导层由扎伊尔的一些前领导人组成(见附件62)。该运动于 2023 年 1 月 23 日在伊图里省政府办公楼正式宣布成立，因此获得了省当局的核可。

¹³² 阿卢尔人、希马人、曼比萨人、恩多奥克博人和尼亚利人。

¹³³ 研究人员、情报部门消息来源、刚果民主共和国武装部队和刚果国家警察的消息来源。

¹³⁴ 同上。

¹³⁵ [S/2021/560](#)，第 101 段；和 [S/2022/479](#)，第 124-129 段。

¹³⁶ 刚果发展合作社领导人、战斗人员、研究人员、刚果民主共和国武装部队、刚果国家警察、情报部门和民间社会消息来源。

¹³⁷ 刚果发展合作社领导人和战斗人员、刚果爱国与融合阵线前战斗人员、研究人员、刚果民主共和国武装部队、刚果国家警察、情报部门和民间社会消息来源。

¹³⁸ 另见 [S/2022/479](#)，第 101 和 102 段。

¹³⁹ 研究人员、扎伊尔战斗人员、刚果民主共和国武装部队、民间社会和联刚稳定团消息来源。

116. 伊图里人民自卫运动的成立遭到希马社区知名人士、五方小组和若干扎伊尔战斗人员的反对。他们对这一新运动的代表性提出质疑。¹⁴⁰ 他们发出警告说，伊图里人民自卫运动并不代表希马人的利益，并认为伊图里人民自卫运动是省长 **Luboya Johny Kashama** 将军以及联刚稳定团的一个操纵性举措，目的是削弱扎伊尔。¹⁴¹ 因此，省长和联刚稳定团工作人员受到威胁，被控参与成立伊图里人民自卫运动，伊图里人民自卫运动和扎伊尔成员之间发生暴力冲突。

117. 据若干消息来源称，尽管成立了伊图里人民自卫运动，但扎伊尔的中心仍然是扎伊尔-K 派、扎伊尔-马拉伊卡派、扎伊尔-马棕贝派和扎伊尔-迪贾迈克派这四个派别。每个派别都在特定地区开展行动(见附件 63)。所有这些派别继续对刚果民主共和国武装部队、刚果发展合作社和平民发动袭击。

C. 刚果爱国与融合阵线分裂

118. 自 2022 年 12 月以来，刚果爱国与融合阵线发生内部纠纷，导致该武装组织分裂。刚果爱国与融合阵线领导层迫使其军事指挥官 **Songambe Selyabo** “将军”下台造成紧张局势。**Tondabo Erabo**(又名 **Herode** “将军”)将成为该武装团体的新指挥官。¹⁴² 由于这一矛盾，**Songambe** 和 **Herode** 的战斗人员之间发生武装对抗。当 **Herode** 在尼亚昆德设立总部时，**Songambe** 撤退到苏拉苏拉的姆文加。

119. 专家组在马拉博和尼亚昆德(尼亚昆德是 **Herode** 派系的总部)进行调查期间，若干消息来源告诉专家组，新领导人大大削弱了 **Songambe** 派别的影响力，因为大多数刚果爱国与融合阵线战斗人员加入了 **Herode** 派别。

120. 在 **Herode** 发表的一份公报中，他将自己的派别命名为“刚果爱国与融合阵线/黑室桑杜库”。¹⁴³ 在随后给政府官员和地方酋长的信中，**Herode** 呼吁恢复国家权力，包括让刚果民主共和国武装部队、刚果国家警察和地方酋长回返(见附件 64)。刚果民主共和国武装部队、刚果国家警察和地方酋长向专家组证实，他们再次获准并能够在刚果爱国与融合阵线控制区内开展行动。他们还确认，之前在该市游荡、骚扰平民和征税的战斗人员已经撤退。

121. 2023 年 3 月 28 日，**Herode** 在尼亚昆德召开会议，与当地社区敲定和解协议。刚果爱国与融合阵线在一份公报中重申其团结一致，承诺结束敌对行动、与刚果民主共和国政府合作，并坚持解除武装、复员、社区恢复和稳定方案(见附件 65)。

122. **Songambe** 在一份公报中谴责刚果爱国与融合阵线/黑室桑杜库派别，称其为“恐怖主义武装团体”，并请刚果当局、联刚稳定团和解除武装、复员、社区恢复和稳定方案官员无视该派别领导人(见附件 66)。

¹⁴⁰ 扎伊尔战斗人员、地方当局、研究人员、民间社会和联刚稳定团消息来源。

¹⁴¹ 这是指联刚稳定团和省政府举行族群间对话的举措。

¹⁴² 刚果爱国与融合阵线战斗人员、安全部门和民间社会消息来源。

¹⁴³ 专家组存档的视频。

123. 在起草本报告时，专家组没有观察到刚果爱国与融合阵线新领导人采取任何解除武装或复员举措。消息来源认为，Herode 为巩固自己的合法性开展了一场宣传运动。

D. 刚果发展合作社/保卫刚果人民革命联盟与扎伊尔/伊图里人民自卫运动民兵袭击平民

124. 刚果发展合作社/保卫刚果人民革命联盟即使在其领导人于 2022 年 11 月至 12 月参加第三次内罗毕秘密会议期间也继续袭击平民(见上文第 104 和 109 段)。扎伊尔没有向内罗毕会议派代表。对和平或复员的承诺没有兑现，因为直到编写本报告时，几乎每天都有袭击和杀戮的报告。

125. 据专家组记录，自 2022 年 12 月初以来，刚果发展合作社/保卫刚果人民革命联盟对平民的暴力袭击大幅增加，表面上是为了报复扎伊尔发动的类似但少得多的袭击。¹⁴⁴ 同以往一样，刚果发展合作社/保卫刚果人民革命联盟的报复规模比扎伊尔要大得多(见 S/2018/531，第 162 和 163 段)。

126. 扎伊尔(见附件 67)和刚果发展合作社/保卫刚果人民革命联盟的报复性袭击主要是针对敌对社区的村庄和平民(其中包括大量妇女和儿童)实施一系列滥杀滥伤和绑架行为，并经常同时抢劫平民财产并破坏学校、医院等基础设施。据专家组记录，2022 年 11 月中旬至 2023 年 4 月初的袭击事件造成 300 多名平民丧生。暴力事件激增表明，伦杜社区和希马社区之间的紧张关系日益加剧。¹⁴⁵

127. 以牙还牙的攻击模式从朱古县延伸到以前受武装团体活动影响较小的马哈吉县，使与扎伊尔有关联的阿卢尔人与瓦伦杜·瓦西酋长领地的伦杜人发生冲突(见附件 68)。布尼亚和马哈吉县之间的 RN27 公路基本上仍在刚果发展合作社/保卫刚果人民革命联盟的控制之下，公路沿线发生的有计划伏击和杀戮严重阻碍了这条重要轴线上的平民交通，包括商业交通。¹⁴⁶

128. 除了以报复为幌子外，刚果发展合作社/保卫刚果人民革命联盟还对朱古县的村庄实施大规模的协调攻击，有系统地攻击希马族或阿卢尔族的平民。2023 年 1 月 8 日，对 Blukwa、Largu 和 Drododo 地区进行了一次精心协调的袭击，造成超过 23 名平民死亡。¹⁴⁷ 2023 年 1 月 13 日，刚果发展合作社/保卫刚果人民革命联盟在艾伯特湖沿岸希马人聚居的 Nyamamba 和 Mbogi 村杀害了至少 49 名平民，其中包括妇女。袭击者挨家挨户搜查平民，在处决之前将一些人的手绑住，防止

¹⁴⁴ 根据与民间社会成员、受害者、武装团体成员、地方社区领袖、研究人员、国际非政府组织或其他非政府组织、军民当局、情报部门和联刚稳定团消息来源进行的 40 多次访谈、照片和文件证据。

¹⁴⁵ 同上。

¹⁴⁶ 同上。

¹⁴⁷ 证人、照片证据、研究人员、刚果民主共和国武装部队、联刚稳定团和民间社会消息来源。

他们逃跑。¹⁴⁸ 五名妇女，包括一名当时已怀孕八个月的妇女被绑架，¹⁴⁹ 据称被关押在萨利姆博科的刚果发展合作社/保卫刚果人民革命联盟营地作为性奴隶。¹⁵⁰ 关于这些袭击的详细证据载于附件 69。

五. 南基伍

A. 武装团体对抗与袭击

129. 在姆文加、菲齐和乌维拉县的上高原地区，玛伊-玛伊民兵武装团体和特韦瓦内霍武装团体继续发生冲突，进行报复性袭击，杀害平民，劫掠牲畜并破坏财产(S/2022/479, 第 152-161 段)。虽然这些武装团体主要针对敌对社区，但也袭击本社区的平民，特别是特韦瓦内霍武装团体，该武装团体继续处决被认为对其不支持的人(见附件 70)。¹⁵¹

130. 据报告，大多数事件发生在比琼博、卡雷格里、米肯盖、米内姆布韦和鲁格济附近。特别是，自 2022 年底以来，特韦瓦内霍武装团体经常袭击鲁格济的巴富利鲁族、巴贝姆贝族和班依杜族民众，他们在鲁格济袭击境内流离失所者营地，抢劫和烧毁数所房屋和当地医院(见附件 71)。¹⁵² 2023 年 3 月中旬，特韦瓦内霍武装团体同时袭击了穆西卡和周边村庄，与“比洛泽-比沙布克”武装力量发生冲突，造成包括儿童在内的十几名平民死亡。¹⁵³ 袭击发生后，玛伊-玛伊战斗人员，特别是“比洛泽-比沙布克”武装力量，以偷窃家畜和伏击穆伦格人平民的方式进行报复，进而导致与特韦瓦内霍武装团体的持续冲突。特韦瓦内霍武装团体和“比洛泽-比沙布克”武装力量还经常就附近 Bigaragara 矿的控制权发生冲突。¹⁵⁴

131. 自 2022 年 10 月以来，特韦瓦内霍武装团体增加了对刚果民主共和国武装部队的袭击，并经常与刚果民主共和国武装部队发生冲突，¹⁵⁵ 之前特韦瓦内霍武装团体以招募和军备的形式巩固力量并扩张行动区。¹⁵⁶

¹⁴⁸ 经专家审查并经目击者证词证实的照片和录像证据显示，包括妇女在内的几具受害者尸体双手被反绑在背后，有些尸体有严重肢解的痕迹。

¹⁴⁹ 两名袭击幸存者的证人证词、民间社会和刚果民主共和国武装部队消息来源。

¹⁵⁰ 据一位被绑架妇女的直系亲属说。

¹⁵¹ 特韦瓦内霍武装团体前战斗人员、研究人员、刚果民主共和国武装部队、安全部门、情报部门、民间社会和联刚稳定团消息来源。

¹⁵² 刚果民主共和国武装部队消息来源、研究人员、情报部门、民间社会和联刚稳定团消息来源。

¹⁵³ 研究人员和联刚稳定团消息来源。

¹⁵⁴ 刚果民主共和国武装部队、情报部门、民间社会及联刚稳定团的消息来源和研究人员。

¹⁵⁵ 据联刚稳定团记录，2019 年以来特韦瓦内霍武装团体对刚果民主共和国武装部队实施了 60 多次袭击。

¹⁵⁶ 刚果民主共和国武装部队消息来源、研究人员、安全部门、情报部门、民间社会和联刚稳定团消息来源。

132. “比洛泽-比沙布克”武装力量和玛伊-玛伊民兵亚库通巴派及其同盟团体玛伊-玛伊民兵阿帕纳帕莱派也继续在菲齐县活动，特别是在 Mutambala 和 Ngandja 乡活动，主要是在米西西周围和该地区的各个矿场(S/2022/479，第 180-189 段)。¹⁵⁷ 武装团体绑架、袭击平民和人道主义行为体，并将矿场作为控制目标。¹⁵⁸ 据报道，2022 年底，玛伊-玛伊民兵亚库通巴派和“比洛泽-比沙布克”武装力量发生冲突争夺菲齐县和卡莱米县交界处的采矿控制权。¹⁵⁹

B. 全国振兴和民主委员会：分裂和活动

133. 全国振兴和民主委员会-民族解放力量在内部矛盾发生数月后于 2022 年年底分裂，当时恰逢该团体的活动和交流增加(见附件 72)。

C. 布隆迪国防军-刚果民主共和国武装部队的联合行动

134. 布隆迪武装部队继续在南基伍部署(S/2022/967，第 102-107 段)，有数次增援部队行动，¹⁶⁰ 并进一步扩张与刚果民主共和国武装部队的联合行动区。¹⁶¹ 这再次促使武装团体结盟与合作，支持或打击布隆迪国防军-刚果民主共和国武装部队联盟(S/2022/967，第 106 和 107 段)。武装团体还因此进行转移，以避免成为攻击目标。在 Itwombe 乡等这些团体的重新部署地，报告的事件数量有所增加，包括绑架和杀害平民、抢劫、伏击刚果民主共和国安全部队事件。¹⁶²

135. 布隆迪国防军继续向南推进，追击争取布隆迪法治抵抗运动(法治塔巴拉)和民族解放力量(民解力量)，但只攻击了民解力量。2023 年 1 月和 3 月，布隆迪国防军-刚果民主共和国武装部队在姆文加县 Itombwe 乡与民解力量发生冲突。¹⁶³ 在 3 月下旬的最近一次冲突之后，Aloys Nzabampema 领导民解力量成员向南移至 Lulenge 乡，靠近法治塔巴拉据点。¹⁶⁴

136. 南移期间，布隆迪国防军-刚果民主共和国武装部队联盟在 2022 年 12 月和 2023 年 1 月不经战斗暂时控制了特韦瓦内霍武装团体几个据点，特别是位于比嘉博的总部，因为特韦瓦内霍武装团体已提前从这些据点撤离。数周后，特韦瓦内霍武装团体回到其中一些地区，特别是靠近比嘉博的 Kihamba。¹⁶⁵

¹⁵⁷ 研究人员、民间社会和联刚稳定团消息来源。

¹⁵⁸ 同上。

¹⁵⁹ 刚果民主共和国武装部队、情报部门和联刚稳定团消息来源。

¹⁶⁰ 2023 年 3 月 4 日，根据东非共同体区域部队协定，在北基伍增派了布隆迪国防军部队。

¹⁶¹ 研究人员、刚果民主共和国武装部队、民间社会和联刚稳定团消息来源。

¹⁶² 研究人员和刚果民主共和国武装部队、民间社会、联刚稳定团和情报部门消息来源。

¹⁶³ 情报部门、研究人员和民间社会消息来源。

¹⁶⁴ 研究人员、安全部门和联刚稳定团消息来源。

¹⁶⁵ 同上。

137. 2023 年 1 月初，一些布隆迪国防军部队抵达米内姆布韦，因为据报附近有几个法治塔巴拉据点，特别是在鲁格济周围(菲齐县米内姆布韦以南)。¹⁶⁶ 国防军的到来使穆伦格人因为恐慌而暂时逃离该地区，并使特韦瓦内霍武装团体采取防御姿态，加强了其在城镇周围的部队和据点，并加大了强制征兵力度(见下文第 150-156 段)。¹⁶⁷

138. 仍有报告称，武装团体之间结成联盟或进行合作(S/2022/967，第106 和 107 段)，目的是打击布隆迪国防军-刚果民主共和国武装部队联盟，或与之合作打击法治塔巴拉和(或)特韦瓦内霍武装团体与“3•23”运动。¹⁶⁸ 具体而言，自 2022 年底以来，全国振兴和民主委员会与玛伊-玛伊民兵卡帕帕派和玛伊-玛伊民兵基扬加拉派¹⁶⁹ 等其他玛伊-玛伊民兵团体举行了多次会议，协调各项活动及与布隆迪国防军-刚果民主共和国武装部队和古米诺武装的合作，打击法治塔巴拉。¹⁷⁰ 大体来看，似乎许多玛伊-玛伊民兵团体站在布隆迪国防军-刚果民主共和国武装部队联盟一边，以求自保。

139. 另一方面，民解力量和法治塔巴拉在军事压力之下关系日益密切。¹⁷¹ 多个消息来源继续报告称特韦瓦内霍武装团体和法治塔巴拉结成联盟(S/2022/967，第 107 段)。¹⁷² 据报，这两个组织都得到卢旺达¹⁷³ 的支持，还可能与“3•23”运动合作(见下文第 142-145 段)。¹⁷⁴

140. 此外，2023 年 1 月底，在菲齐县举行的会议期间，¹⁷⁵ 另一个玛伊-玛伊民兵联盟得以延续，特别是由 Emo ya M'Mbondo 带头。¹⁷⁶ 与专家组2021 年 6 月的报告中提到的情况类似(S/2021/560，第 138-140 段)，这个联盟由 Yakutumba、Ebuela、Alida 和René 领导，还包括“比洛泽-比沙布克”武装力量。其主要目的

¹⁶⁶ 武装团体领导人、刚果民主共和国武装部队和联刚稳定团消息来源。虽然自 2023 年 3 月以来，一些法治塔巴拉战斗人员已返回 Masango 重建据点。

¹⁶⁷ 与特韦瓦内霍武装团体关系密切的消息来源、研究人员、刚果民主共和国武装部队、情报部门、民间社会和联刚稳定团消息来源。

¹⁶⁸ 与玛伊-玛伊民兵团体关系密切的消息来源、研究人员、刚果民主共和国武装部队、安全部门、情报部门、民间社会和联刚稳定团消息来源。

¹⁶⁹ 然而，Kijangala 于 2023 年 4 月投降，但他的副手继续留在 Kapapa 领导的联盟中。

¹⁷⁰ 与玛伊-玛伊民兵团体关系密切的消息来源、情报部门、民间社会和联刚稳定团消息来源。

¹⁷¹ 研究人员、安全部门、情报部门、民间社会和联刚稳定团消息来源。

¹⁷² 与特韦瓦内霍武装团体和玛伊-玛伊民兵团体关系密切的消息来源、刚果民主共和国武装部队、安全部门、情报部门和联刚稳定团的消息来源。

¹⁷³ 然而，法治塔巴拉似乎会因为与卢旺达的和解而分裂。

¹⁷⁴ 与特韦瓦内霍武装团体和玛伊-玛伊民兵团体关系密切的消息来源、刚果民主共和国武装部队、安全部门、情报部门和联刚稳定团的消息来源。

¹⁷⁵ 与玛伊-玛伊民兵团体关系密切的消息来源、研究人员、民间社会和联刚稳定团消息来源。

¹⁷⁶ 研究人员和联刚稳定团消息来源。Emo ya M'Mbondo 是一个巴贝姆贝族散居国外者团体(互助会)，在美国等几个国家设有分支机构。专家组以前曾报告其在支持南基伍玛伊-玛伊民兵团体方面发挥的作用(见 S/2022/479，附件 82)。

是反击布隆迪国防军-刚果民主共和国武装部队的行动，并对米内姆布韦镇发起行动，在北基伍打击“3•23”运动。

D. “3•23”运动相关危机对南基伍的影响

141. 玛伊-玛伊民兵亚库通巴派等几个在南基伍行动的武装团体表示愿意与“3•23”运动作战。如附件 73 所述，他们动员了一些人员或是前往北基伍，或是阻止“3•23”运动进入南基伍。

E. 特韦瓦内霍武装团体和“3•23”运动之间的联系

和解

142. 与 2012 年一样，“3•23”运动试图在南基伍争取盟友，特别是争取特韦瓦内霍武装团体和法治塔巴拉，但也争取其他武装团体(见附件 74)，目的是在南基伍开辟第二前线(另见 S/2012/843，第 69-81 段)。¹⁷⁷ 一些个人在促进这种和解方面发挥了关键作用。

143. Laurent Nkunda 的前随从参谋、刚果民主共和国武装部队的逃兵 Charles Sematama 于 2021 年 2 月加入特韦瓦内霍武装团体(另见 S/2021/560，第 142 段和 S/2022/479，第 156 段)，成为与 Sultani Makenga 联系的主要联络人(见上文第 50 段)。¹⁷⁸ Sematama 主要使用他的近亲 Saint Cadet Ruvuzangoma (见下文第 154 段)来协调这种和解关系。起初，Makanika 对特韦瓦内霍武装团体支持“3•23”运动持怀疑态度，主要原因是广大穆伦格社区不支持“3•23”运动和卢旺达。¹⁷⁹ 这导致特韦瓦内霍武装团体领导层内部关系紧张。

144. Saint-Cadet¹⁸⁰ 在参加 2022 年 11 月的内罗毕会谈后，与 Mahoro 和平协会的重要成员 Lazare Sebitereko 共同领导了一场运动，鼓励内罗毕的穆伦格社区为“3•23”运动提供资金支持，并鼓励穆伦格族青年加入特韦瓦内霍武装团体队伍(见下文第 150-156 段)。¹⁸¹ 2023 年 1 月中旬，Saint-Cadet 在 Willy Munezero 和 Jules Rutebuka 的陪同下，在布纳加纳会见了“3•23”运动领导人。¹⁸²

145. 据多个消息来源报告，刚果民主共和国武装部队穆尼亚穆伦格族逃兵 Moïse Byinshi Gakunzi 上校于 2023 年 3 月加入“3•23”运动，支持在南基伍省卡

¹⁷⁷ 研究人员、安全部门、情报部门、穆伦格人、民间社会和联刚稳定团消息来源。

¹⁷⁸ 刚果民主共和国武装部队、穆伦格人、民间社会和联刚稳定团消息来源。

¹⁷⁹ 同上。

¹⁸⁰ 研究人员、安全部门、刚果民主共和国武装部队、民间社会和联刚稳定团消息来源。

¹⁸¹ 自卫队领导人、民间社会、安全部门、穆伦格人和联刚稳定团消息来源。

¹⁸² 穆尼亚穆伦格族消息来源、刚果民主共和国武装部队、安全部门、民间社会和联刚稳定团消息来源。

莱亥开辟“3•23”运动第二前线。¹⁸³ 卢旺达国防军 Vincent Nyakarundi 将军(见上文第 61 段)也被指参与了南基伍武装团体支持“3•23”运动的宣传活动。¹⁸⁴

招募人员

146. 自 2021 年底以来,面向布隆迪、肯尼亚和乌干达的穆伦格族青年开展招募活动。年轻的新兵通过乌干达的边境城镇基索罗和布纳加纳派往“3•23”运动营地(见上文第 50 和 51 段)(另见 S/2022/479, 第 67 段)。¹⁸⁵

147. 至少有 80 名穆伦格人在肯尼亚被招募后派往“3•23”运动。¹⁸⁶ 刚果民主共和国和肯尼亚的几名穆伦格族“3•23”运动前战斗人员、穆伦格社区领袖和民间社会以及穆伦格族年轻人报告说,大多数穆伦格族青年受到欺骗,被转至“3•23”运动,而不是特韦瓦内霍武装团体。¹⁸⁷

148. 专家组收集到的证据显示,刚果民主共和国和更大区域内代表穆伦格人利益的若干机构参与了区域招募机制。据多个消息来源报告,Mahoro 和平协会的个人和地方分支机构为这一招募机制提供了资金支持,包括肯尼亚的 Willy Munezero 和 Jean-Luc Muvura。¹⁸⁸

149. 据专家组记录,“3•23”运动处决了在肯尼亚和乌干达招募的至少 8 名试图逃离该武装团体的穆伦格人。¹⁸⁹ 数名穆伦格族新兵还在“3•23”运动与刚果民主共和国武装部队之间的战斗中牺牲。

F. 招募和使用儿童：特韦瓦内霍武装团体案件

150. 活跃在南基伍的大多数武装团体违反制裁制度,利用 18 岁以下儿童积极参与敌对行动或担任其他辅助角色。据专家组记录,各玛伊-玛伊民兵团体以及古米诺武装和特韦瓦内霍武装团体中有儿童存在(S/2021/560, 第 151 段)。解除武装、复员、社区恢复和稳定方案进程使大量儿童复员,许多团体承诺释放未成年人,但特韦瓦内霍武装团体和古米诺团体明显例外,这两个团体反对这一进程,继续否认其队伍中有儿童。¹⁹⁰

¹⁸³ 穆尼亚穆伦格族消息来源、研究人员、民间社会、情报部门和联刚稳定团消息来源。

¹⁸⁴ 研究人员、刚果民主共和国武装部队、民间社会和联刚稳定团消息来源。

¹⁸⁵ 特韦瓦内霍武装团体前战斗人员、穆尼亚穆伦格族消息来源、情报部门、民间社会和联刚稳定团消息来源。

¹⁸⁶ 穆伦格人、刚果民主共和国武装部队、联刚稳定团和民间社会消息来源。

¹⁸⁷ 特韦瓦内霍武装团体和“3•23”运动前战斗人员、穆伦格人、民间社会和联刚稳定团消息来源。

¹⁸⁸ 民间社会、穆伦格人、安全部门和联刚稳定团消息来源。

¹⁸⁹ 特韦瓦内霍武装团体和“3•23”运动前战斗人员、穆伦格社区成员和联刚稳定团消息来源。

¹⁹⁰ 研究人员、政府消息来源、特韦瓦内霍武装团体前战斗人员、民间社会和联刚稳定团消息来源。

151. 特韦瓦内霍武装团体在 Mekanika 的领导下继续大规模招募人员，¹⁹¹ 包括招募年仅 12 岁的儿童。¹⁹² 儿童被用来守卫阵地、进行巡逻、收集情报、参加作战行动、作为个人护卫或在军营中做家务助理。Mekanika、Charles Sematama、Freddy Rushombo、Kamasa 和 Gakunzi 等高级军官使用 14 至 15 岁的未成年人作为武装护卫等。¹⁹³ 继续通过武力等方式在当地、全国和区域招募包括未成年人在内的新战斗人员，几乎完全是在穆伦格社区招募(S/2021/560，第 133-137、141 和 142 段)。¹⁹⁴

152. 特韦瓦内霍武装团体继续依靠驻村武装平民作为后备部队，视需要动员这支部队抵御攻击或开展进攻行动(另见 S/2021/560，第 136 段)。¹⁹⁵ 在专家组 2023 年 3 月访问米内姆布韦期间，当地知名人士、民间社会领袖和社区代表公开承认，在受到威胁的情况下，包括妇女和学童在内的社区中每个人¹⁹⁶ 都参加了战斗。

153. 据多个消息来源报告，2022 年夏季进行了大规模招募和培训活动。12 岁以上的学童、教师和牧师被征召，在学校放假期间接受至少一个月的强制性军事训练。¹⁹⁷ 大多数新兵在比嘉博森林的一个营地接受训练，Mekanika 本人也是教官之一。¹⁹⁸ 此后，一些儿童留在军营，其他儿童则返回村庄并配发武器，加入后备部队执行任务。¹⁹⁹ 据复员儿童报告，他们不得不在夜间进行巡逻。²⁰⁰

154. 米内姆布韦民间社会主席和特韦瓦内霍武装团体积极成员 Saint Cadet Ruvuzangoma(S/2022/967，第 109 段)在与专家组的约谈中证实，在米内姆布韦，所有穆伦格族年轻人都在村庄周围“巡逻”，而“无经验人员”，包括不知道如何使用武器的“学生”，都在 2022 年夏天接受了“很好地应对袭击”的培训。

155. 虽然有些新兵是自愿加入特韦瓦内霍武装团体的，但强迫招募仍然普遍存在。许多平民因拒绝参军或送子女入伍而被杀害或受到惩罚(见附件 75)。²⁰¹

¹⁹¹ 据专家组记录，Michel Rukunda(别名 Mekanika)在 2010 年担任联邦共和国部队副指挥官(S/2010/596，第 131 和 132 段)、2011 年担任刚果民主共和国武装部队南基伍‘Amani Leo’行动副指挥官(S/2011/738，第 655 和 656 段)时有使用儿童作为个人护卫的情况。

¹⁹² 研究人员、非政府组织、民间社会、刚果民主共和国武装部队和联刚稳定团消息来源。

¹⁹³ 研究人员、民间社会、特韦瓦内霍武装团体前战斗人员、前儿童兵的陈述和联刚稳定团消息来源。

¹⁹⁴ 研究人员、民间社会、刚果民主共和国武装部队、政府和联刚稳定团消息来源。

¹⁹⁵ 研究人员、民间社会消息来源、特韦瓦内霍武装团体前战斗人员和联刚稳定团消息来源。

¹⁹⁶ 他们明确指出，只是上中学的儿童，而非小学的儿童。

¹⁹⁷ 研究人员、复员儿童的证词和联刚稳定团消息来源。据一些消息来源报告，培训分几次轮换进行。

¹⁹⁸ 民间社会和联刚稳定团消息来源、研究人员、复员儿童的证词。

¹⁹⁹ 研究人员、民间社会、前儿童兵和联刚稳定团消息来源。

²⁰⁰ 还有民间社会和联刚稳定团消息来源。

²⁰¹ 非政府组织、研究人员、特韦瓦内霍武装团体前战斗人员、刚果民主共和国武装部队和联刚稳定团消息来源。

156. 特韦瓦内霍武装团体和一些地方领导人仍然强烈反对复员。²⁰² 他们威胁说,如果继续通过联刚稳定团推进复员进程,他们将袭击联刚稳定团在米内姆布韦的资产和基地。²⁰³ 继 2022 年 9 月 30 日一名维和人员在米内姆布韦遇害后(S/2022/967, 第 108-110 段),联刚稳定团协助进行的复员数量大幅下降,²⁰⁴ 另一个从事复员工作的组织暂停了在该地区的活动。

G. 特韦瓦内霍武装团体筹资活动

157. 专家组的调查显示,特韦瓦内霍武装团体继续利用地方税收和散居国外者筹资的综合模式支持其行动(另见 S/2022/479, 附件 82)。特韦瓦内霍武装组织对杀戮、招募儿童和袭击联合国人员负有责任(见上文第150-156 段和 S/2022/967, 第 108-113 段),为该组织提供支持是违反制裁制度的行为。

地方税收

158. 特韦瓦内霍武装团体对其控制区内的穆伦格人征税是该团体在当时的主要资金来源。除了穆伦格社区之外,其他人也为避免报复被迫向特韦瓦内霍武装团体支付费用。²⁰⁵

159. 专家组的调查揭示了一个每月征税办法;其中警察、商人和摩托车司机等每人须缴纳 10 美元,教师需缴纳 10 000 刚郎。Bijombo 群体的一名教师说,他和同事被要求向特韦瓦内霍武装团体委员会的特别征税员支付这一税款。

160. 米内姆布韦的消息来源和熟悉特韦瓦内霍武装团体的消息来源还告诉专家组,当地金融机构参与实施这一征税计划。例如,两名通过当地银行领取工资的教师报告说,税款直接由他们的银行扣除。

161. 据称,特韦瓦内霍武装团体的指挥官 Charles Gikwerere(见 S/2021/560, 附件 95)是该团体当地筹资活动的关键人物,在该团体的领导结构内管理通过这些非法税收筹集的所有资金。²⁰⁶

关键的散居国外者支持

162. 除了特韦瓦内霍武装团体控制区内的地方税收外,散居国外者还提供了大量财政支助。刚果民主共和国国内外穆伦格社区消息来源、特韦瓦内霍武装团体前成员、研究人员、在菲齐县活动的其他武装团体成员和安全部门的消息来源证实,特韦瓦内霍武装团体的主要资金来源来自散居该区域和美国的穆伦格人。

²⁰² 研究人员、民间社会消息来源、特韦瓦内霍武装团体前战斗人员和联刚稳定团消息来源。

²⁰³ 刚果民主共和国武装部队、民间社会和联刚稳定团消息来源。

²⁰⁴ 联刚稳定团统计数据。

²⁰⁵ 特韦瓦内霍武装团体前战斗人员,米内姆布韦社区领袖。

²⁰⁶ 特韦瓦内霍武装团体前战斗人员、研究人员、教师、米内姆布韦的其他个人、联刚稳定团消息来源。

2023 年 3 月离开该武装团体的几名战斗人员告诉专家组，他们在特韦瓦内霍武装团体的上级经常提到这一资金流，建议他们努力向散居国外者收取这部分资金。

163. 专家组还收集了关于美国散居国外者社区高级领袖公开敦促社区成员向特韦瓦内霍武装团体提供财政支助的证据。例如，在美国为已故的特韦瓦内霍武装团体指挥官 Bonheur Sekunzi Muragwa 举行的纪念仪式上，²⁰⁷ 与 Mahoro 和平协会²⁰⁸ 有关联的三名社区领袖表示支持该武装团体；其中一人要求听众增加每月 20 美元的捐款，以支持像 Bonheur 这样“不穿鞋不吃饭就上战场”的人。²⁰⁹ 另一名社区领袖威胁说，不捐款的人将不被承认为社区的一部分(见附件 76)。

Mahoro 和平协会

164. Mahoro 和平协会由穆伦格人在美国创立，是全球最大的穆伦格社区协会之一。一些社区领袖离开了 Mahoro 和平协会，成立了另一个穆伦格人团结互助协会。他们告诉专家组，之所以作出这一决定，是因为 Mahoro 和平协会领导层只向特韦瓦内霍武装团体提供支持，而不同时向古米诺武装提供支持。他们还反对特韦瓦内霍武装团体、Mahoro 和平协会和卢旺达之间的和解(见上文第 143 段)。

165. 一些消息来源解释说，Mahoro 和平协会等散居国外者在特韦瓦内霍武装作为自卫团体开展活动时开始捐款(S/2021/560，第 133 段)，但在Makanika 的领导下捐款增加。²¹⁰ 这些消息来源指出，战斗人员取得的军事胜利越多，收到的资金就越多。

166. Mahoro 和平协会没有向专家组提供向刚果民主共和国和该区域转移资金的所有细节，但确认其在 2022 年花费了 384 286 美元用于人道主义援助。根据这一数额和调查期间获得的额外信息，专家组估计，自 2020 年以来，Mahoro 和平协会已向该区域输送超过 100 万美元。

167. Mahoro 和平协会告诉专家组，通过布隆迪、刚果民主共和国、肯尼亚和卢旺达境内穆伦格社区的个体向该区域提供的资金专门用于满足人道主义需求。专家组收到的证据表明，其中一些个人与特韦瓦内霍武装有关联，据多个消息来源报告，其中一些资金被转移到特韦瓦内霍武装团体。²¹¹

²⁰⁷ 特韦瓦内霍武装团体前领导人，死于金沙萨监狱。

²⁰⁸ 美国穆伦格社区领袖和联刚稳定团消息来源。

²⁰⁹ 若干消息来源告诉专家组，Mahoro 和平协会在美国收取的每月标准缴款为 20 美元。

²¹⁰ 穆伦格社区和联刚稳定团消息来源。

²¹¹ 穆伦格社区、联刚稳定团和民间社会消息来源、特韦瓦内霍武装团体前成员和前战斗人员。

六. 刚果 Primera Gold 公司：阿拉伯联合酋长国与刚果民主共和国打击黄金走私的新伙伴关系

168. 刚果 Primera Gold 公司继刚果民主共和国与阿拉伯联合酋长国 2021 年 10 月签署合作协定后，²¹² 于 2022 年 12 月成立。该公司是公私合营伙伴关系，于 2023 年 1 月 13 日正式开展手工黄金出口业务。刚果民主共和国政府和刚果 Primera Gold 公司内部的几个消息来源告诉专家组，成立该公司是为了根据专家组的建议打击黄金走私，促进该国所产黄金的公平贸易(S/2017/1091, 第 102 段)。2023 年 1 月至 3 月，刚果 Primera Gold 公司出口了超过 500 公斤的手工黄金，而 2022 年刚果民主共和国官方出口的黄金总量为 42.25 公斤，表明该国的手工黄金贸易一直在很大程度上被低估，而且是主要通过非法网络进行交易(S/2016/466, 第 123 和 157 段；S/2019/469, 第 165 段)。

169. 专家组的任务是监测源自刚果民主共和国的黄金贸易，确保其不资助武装团体和犯罪网络，根据这一任务，专家组调查了刚果 Primera Gold 公司的活动。专家组与所有有关各方进行了建设性的交流，包括刚果民主共和国和阿拉伯联合酋长国当局以及刚果 Primera Gold 公司代表。专家组的结论是，虽然刚果 Primera Gold 公司可能有助于确保通过官方渠道出口黄金，但一些挑战可能会破坏该项目。

矿业界内部的不满

170. 据多个消息来源报告，创建刚果 Primera Gold 公司事项显然属于矿业部长的职权范围，但却是在没有她参与的情况下作出了决定。²¹³ 三个能够获得有关此事信息的信息来源告诉专家组，矿业部长不赞成这项协定，因此拒绝共同签署规定该公司活动的法令(见附件 77)。了解此事的其他消息来源证实，贵重和半贵重矿产品评鉴认证中心反对为刚果 Primera Gold 公司 2023 年 1 月的两项出口颁发大湖区问题国际会议证书。贵重和半贵重矿产品评鉴认证中心质疑这些出口是否符合刚果法律和大湖区问题国际会议区域认证机制的要求，包括关于黄金交易地点必须经过核证以及供应链不得涉及资助武装团体且不得涉及童工的要求。根据专家组的消息来源，贵重和半贵重矿产品评鉴认证中心没有掌握核实这些标准遵守情况的所有资料。然而，在刚果民主共和国总统办公室的干预下，贵重和半贵重矿产品评鉴认证中心取消了反对意见。总统办公室和刚果 Primera Gold 公司的消息来源则向专家组报告说，矿业部内部不满也是因为他们担心失去走私黄金的经济收益。

171. 专家组获悉，矿业部和专业采矿部门的官员以及部长本人都受到压力，要求他们支持刚果 Primera Gold 公司倡议。他们担心刚果民主共和国总统办公

²¹² 这些协议涉及几个经济方面，包括海关，促进和保护两国的投资。

²¹³ 政府官员，包括几个部委的高级官员和法律专家。

室会报复，总统办公室已使刚果 Primera Gold 公司成为其黄金行业政策举措的基石。²¹⁴

172. 矿业部以及国家和省级专业采矿部门的官员也表示关切，认为这一安排使刚果 Primera Gold 公司在刚果民主共和国的手工黄金出口方面获得了事实上的垄断地位。南基伍的经济行为体在审议 2023 年 3 月 14 日部长令后重申这一关切(见附件 78)。他们指出，该命令要求贸易商每月至少从刚果民主共和国出口 100 公斤，他们认为这样做会将所有其他参与者排除在市场之外，从而有利于刚果 Primera Gold 公司。

刚果 Primera Gold 公司被用作清洗非法开采黄金的官方渠道的风险

173. 专家组会见了刚果 Primera Gold 公司的管理人员，讨论了该公司的内部政策，以确定购买和出口黄金的确切来源。专家组随后就此事致函刚果 Primera Gold 公司和位于阿布扎比的精炼刚果 Primera Gold 公司出口黄金的 AuricHub 精炼厂。专家组确认这两家公司与其合作。专家组确认，刚果 Primera Gold 公司的尽职调查政策包括国家和国际文书所要求的内容。然而，专家组指出，实际执行时可能会引发其他问题，应予以监测。

174. 例如，该公司依赖小规模和手工采矿援助和管理局进行的追踪，而该管理局只监测数量有限的采金场。因此，刚果 Primera Gold 公司的供应链上极有可能包括武装团体控制下矿场包括菲齐县矿场生产的黄金(S/2022/479，第 170-178 段)。收集到的证据已经表明，该公司的几个供应商从菲齐和沙本达县的非法矿场进行采购。²¹⁵ 专家组无法确认来自非法矿场的黄金是否出售给刚果 Primera Gold 公司，并打算与该公司接触，以便进一步调查此事。

175. 专家组没有明确证据证明 AuricHub 在刚果民主共和国进行非法活动，但注意到，该精炼厂尚未进行任何阿拉伯联合酋长国和国际公认的负责任采购审计。

七. 向布隆迪跨界走私黄金的活动增加

176. 在本报告所述期间，专家组记录到，一个由布隆迪和刚果平民、经济行为体、中间人和布隆迪军警人员组成的犯罪网络的活动有所增加，他们跨越刚果民主共和国和布隆迪边境走私黄金。

177. 一些消息来源告诉专家组，刚果民主共和国和卢旺达之间持续紧张的局面(见上文第 62 段)导致卢旺达黄金走私路线被阻断，²¹⁶ 因为刚果民主共和国当局加强了对过境货物和人员的管制。²¹⁷ 因此，走私者包括与控制乌维拉和菲齐县金矿的武装团体有关联的走私者，越来越多地将非法转移的黄金转至布隆迪。根

²¹⁴ 外交消息来源和了解此事的高级官员。

²¹⁵ 熟悉巴拉卡和布卡武金矿活动的消息来源。

²¹⁶ 民间社会消息来源、研究人员和采矿行为体。

²¹⁷ 同上。

据记录，布隆迪已经成为从刚果民主共和国非法交易的黄金的转运中心(S/2016/466，第 159-164 段)。

178. 专家组查明了该网络活动的一个核心人物。他介绍自己时使用不同的名字，如 Celestin Nduwimana 和 Gedeon Bigirimana，并使用不同的职务，包括驻乌维拉的布隆迪情报官员和借调到乌维拉的布隆迪警官，他声称在乌维拉协助东非共同体区域部队的布隆迪特遣队。然而，Celestin Nduwimana 使用的刚果民主共和国电话号码是用另一个名字注册的。

179. 多个消息来源表明，Nduwimana 是刚果民主共和国境内走私者与布隆迪境内买家联系的关键对话者。²¹⁸ 专家组确认，2022 年 12 月至 2023 年 3 月期间，²¹⁹ Nduwimana 至少六次协助转运了共计 11 公斤的黄金。²²⁰ 收到的资料显示，这些交易的价值相当于 455 000 美元。²²¹

180. 这六笔交易揭示了所涉犯罪网络使用的明显作案手法。Nduwimana 先是与乌维拉的走私者接触，表示对黄金市场感兴趣，并承诺在布隆迪进行利润丰厚的交易，保证他们一旦越过边境就得到布隆迪当局的保护。

181. 产地为刚果民主共和国的黄金随后通过布隆迪的官方黄金合作社进行清洗(见附件 79)。参与这些交易的几个消息来源告诉专家组，Nduwimana 还为有意越境进入布隆迪的走私者与管理布隆迪采矿场的合作社代表之间的联系提供便利。例如，专家组在调查过程中获得了一份手写文件，其中概述了 Koribilorwa Twikenure Minyago 和 Dukorere Hamwe Dusoze Ikiwi 合作社之间为向刚果民主共和国的个人购买黄金而达成的一项欺诈性协议。²²² 该文件的签署人之一是 Noël Nshimirimana。专家组获得了 Nshimirimana 与该网络其他成员联系时使用的一个电话号码，注意到该号码是用另一个名字注册的。

182. 据参与为这一犯罪网络走私黄金的几名走私者(运输商)说，他们运往布隆迪的黄金来自刚果民主共和国米西西或尼扬格的矿场。他们在穿越边境时将藏匿的黄金分给几个人，以降低被捕后失去所有黄金的风险。然而，从刚果民主共和国乌维拉越境进入布隆迪的管制松懈，没有扫描仪也没有进行搜查来检测矿石，因此几乎没有什么障碍。

183. 刚果民主共和国安全部门消息来源和被 Nduwimana 接触的个人表示，Nduwimana 报告说，他是根据上级的命令行事。专家组无法证实 Nduwimana 是

²¹⁸ 安全部门消息来源、经济行为体以及熟悉 Nduwimana 和刚果民主共和国-布隆迪边境黄金走私的个人。

²¹⁹ 该网络的出口量更大。Nduwimana 告诉他的几个伙伴，他与刚果民主共和国其他若干地区的个人有联系。

²²⁰ 参与 Nduwimana 行动的个人。

²²¹ 同上。

²²² 提交的文件在秘书处存档。

否以官方身份开展行动；然而，专家组收集的大量证据表明，Nduwimana 的行动得到了高级官员的支持。

184. 三名走私者告诉专家组，他们在布琼布拉和穆因加之间的公路上运送黄金时，在两个警察检查站被拦下。然而，在司机提及一位布隆迪将军的名字后，他们顺利通过。走私者说，在他们通过之前布隆迪警察事先得到了通知。据另外三个消息灵通的消息来源说，Nduwimana 在 Kamenge 区促成该走私网络参与个人与一名自称 Thierry Habimana 将军的布隆迪国民会面。在这次会议上，Habimana 表示，他愿意支持这项业务。另外两名走私者报告说，他们在加通巴边境哨所被传唤接受搜查，但在 Nduwimana 打电话给一名布隆迪警察后，搜查中止。

185. 布隆迪当局于 2023 年 4 月致专家组的函件中表示，上述合作社没有参与刚果民主共和国的金矿开采活动，专家组所确认的个人并不为他们所知。

八. 建议

186. 专家组提出建议如下。

安全理事会关于刚果民主共和国的第 1533(2004)号决议所设委员会

187. 专家组建议安全理事会关于刚果民主共和国的第 1533(2004)号决议所设委员会：

(a) 鼓励所有会员国让专家组不受阻碍地立即查阅它们或在其领土上登记的私营实体可能掌握的关于资助和向在刚果民主共和国境内活动的武装团体提供军火和有关物资的所有信息，包括关于民主同盟军使用简易爆炸装置的信息(见上文第 22-28 和 29-39 段)；

(b) 鼓励会员国确保本国或其指挥下的人员不向“3•23”运动或任何其他武装团体提供任何形式的支持(见上文第 54-61 段)；

(c) 鼓励活跃在刚果民主共和国所产黄金矿产品供应链中的企业，特别是刚果 Primera Gold 公司和 AuricHub，确保其采购做法完全符合国家、区域和国际要求，包括符合安全理事会第 1952(2010)号决议通过的尽职调查准则(见上文第 173-175 段)；

(d) 鼓励刚果民主共和国政府与相关利益攸关方合作，以便毫不拖延地恢复锡、钽和钨供应链的完整性，特别是在北基伍省鲁巴亚(见上文第 91-97 段)；

刚果民主共和国政府

188. 专家组建议刚果民主共和国政府：

(a) 立即分享达伊沙或与之有关联的个人和实体向民主同盟军提供资金的信息，并与专家组合作解决此类案件(见上文第 29-39 段)；

(b) 采取积极行动，收缴私人武器储藏处和战斗人员所属武器，并与专家组合作，追查收缴和收回的武器弹药的来源(见上文第 52、53 和 95 段)；

(c) 调查和起诉:

(一) 对本报告所记录严重违反国际人道法和人权法行为负责的个人(见上文第 18-28、63-70 和 124-128 段);

(二) 组织和协调刚果民主共和国武装部队人员与武装团体开展合作, 包括将武器弹药从政府官方库存转移给武装团体(特别是在鲁丘鲁、马西西和尼拉贡戈县的武装团体)的刚果民主共和国武装部队军官(见上文第 71-85 段);

(三) 刚果民主共和国境内资助武装团体, 特别是民主同盟军和特韦瓦内霍武装团体的个人和实体(见上文第 160 和 167 段);

(d) 采取紧急行动, 防止和谴责煽动和实施歧视、敌对和暴力言行, 包括在即将举行的选举中发表排斥性言论和拒绝公民权, 特别是针对讲卢旺达语民众的这些言行(见上文第 98-103 段);

(e) 毫不拖延地执行解除武装、复员、社区恢复和稳定方案, 特别注重被主要位于南基伍省的武装团体所利用儿童兵的复员(见上文第 150-156 段)。

布隆迪政府

189. 专家组建议布隆迪政府酌情调查和起诉参与以欺诈手段从刚果民主共和国向布隆迪出口黄金的实体和个人, 包括本报告所述实体和个人(见上文第 176-185 段)。

Mahoro 和平协会

190. 专家组建议 Mahoro 和平协会向专家组和安全理事会第 1533(2004)号决议所设委员会说明其与特韦瓦内霍武装团体的关系的性质, 并建立一个全面机制, 追踪向刚果民主共和国和该区域提供的资金(见上文第 167 段)。

Annex/Annexe 1:

Map of ADF intended expansion in the DRC

Carte de l'expansion prévue par les ADF en RDC



Map annotated by the Group

Annex/Annexe 2:**Links between ADF and Mai-Mai Malaika****Les liens entre ADF et Mai-Mai Malaika**

Sources indicated that while contact between the two groups may predate the death in 2020 of Sheikh Hassan, Mai-Mai Malaika's leader,²²³ contact with ADF has also continued with his successors.

Two ADF collaborators reported that in 2022, Meddie Nkalubo sent them to meet Mai-Mai Malaika leadership in order to propose collaboration between ADF and Mai-Mai Malaika, as both groups were of Muslim faith. Meddie Nkalubo instructed one of these collaborators to host individuals coming from Salamabila in 2022 and transiting through Goma before joining ADF camps.

²²³ Researchers and intelligence sources.

Annex/Annexe 3:

Da'esh claims of attacks perpetrated by ADF in March and April 2023, published by Islamic State and Amaq News Agency

Revendications de Da'esh concernant des attaques perpétrées par l'ADF en mars et avril 2023, publiées par l'État islamique et l'agence de presse Amaq

- (1) Claim and pictures of Mukondi attack of 8 March 2023



Above: Da'esh claim of Mukondi attack. Provided to the Group by security sources.



Above: Amaq News Agency publication of Da'esh claim, published on 10 March 2023. Provided to the Group by security sources.

Translation:

“Thanks to God, soldiers of the Caliphate attacked the Christian village of Mukondi in the Beni area the day before yesterday, where the mujahideen stormed the village, targeting a grouping of Christians with various weapons, resulting in the deaths of at least 35 Christians and the wounding of others, and the mujahideen burned down Christian houses inside the village and captured some of their possessions, and then returned to their positions safely.”

Amaq editorial published on 14 March 2023²²⁴ on attacks perpetrated in the first two weeks of March 2023, including the attack on Mukondi:

“Congo - North Kivu - Amaq Agency: Upwards of 65 were killed within the ranks of the African Christians in a new series of attacks by the Islamic State in the Beni area of North Kivu of eastern Congo. A security source told Amaq Agency that fighters of the Islamic State managed to undertake the consecutive wide scale attacks over the course of the last week on numerous Christian villages in Beni.

²²⁴ Provided to the Group by security sources.

The source added that the fighters attacked last Saturday the village of Kirindera, killing at least 20 Christians and burning down hotels and government structures in addition to houses and various possessions. The source then said that a new attack conducted by the fighters occurred last Sunday, targeting a grouping of Christians in the village of Mabinduno and other nearby villages of Mabulingwa, Kininga and Vulira, resulting in the deaths of more than 30 Christians, among them a village chief. Likewise, the source added that another attack on Tuesday in the village of Mwendiba and its surroundings left at least 15 killed, among them a priest, and a church burned. And remember that upwards of 40 Christians were killed last Wednesday in an attack on the village of Mukondi. These attacks caused a large wave of displacement among the Christian ranks in the areas.

The source stated to Amaq that these attacks, which are continuing even during the writing of this report, are within the context of the practical application of the Qur'an and Sunnah, which states to fight the Christians until they submit to Islam or pay Jizyah to the Muslims.

It is also noteworthy that the Congolese Government is still unable to protect its Christian citizens, despite the military and political alliances it has pursued in the last years to target fighters and the rising attacks of the Islamic State."

(1) Claim of Musandaba attack of 8 April 2023



Claims published by Da'esh and provided to the Group by security sources

Translation:

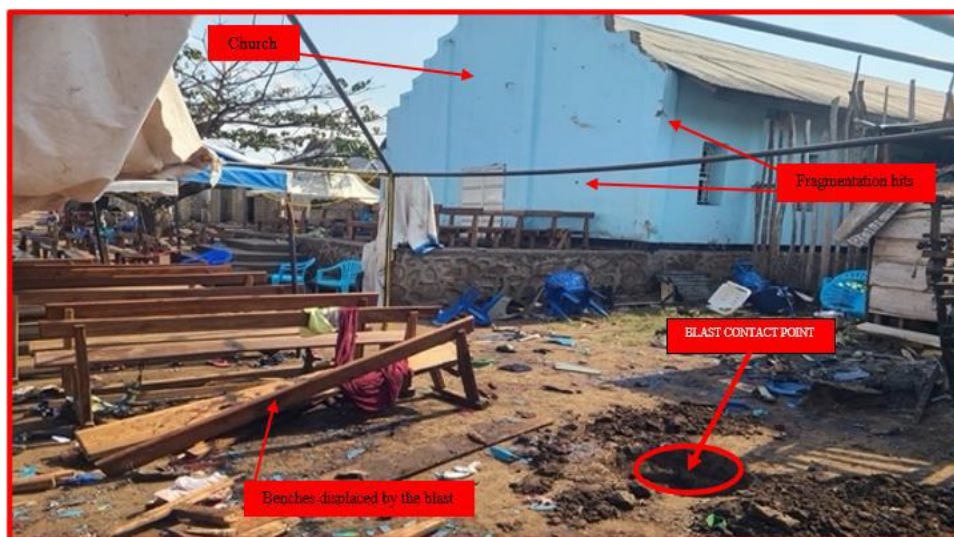
"Thanks to God, soldiers of the Caliphate attacked groupings of infidel Christians near the village of Musandaba in the Beni area yesterday with various weapons, resulting in the death of at least 20 Christians and the burning of a vehicle and motorcycle and other possessions, and the mujahideen returned to their positions safely."

Annex/Annexe 4:

IED detonation in Kasindi on 15 January 2023

Explosion d'un engin explosif improvisé à Kasindi le 15 janvier 2023

Picture and schematic analysis of the blast site scene, showing the church, fragmentation hits, blast contact point and benches displaced by the blast:



Picture and schematic analysis of crater and shrapnel found at the scene:



Pictures and schematics provided by MONUSCO and pictures obtained from DRC security forces and civilians.

Annex/Annexe 5:**Additional elements on Mbusa Mbunga Moise alias Mupalalo****Eléments complémentaires sur Mbusa Mbunga Moise alias Mupalalo**

Mbusa Mbunga Moise, alias Mupalalo (other aliases used: Mbunga Thakukulya and Mbusa Hibrahim), had been arrested in 2020 for collaborating with ADF. In October 2020, he escaped during the Kangbaya jailbreak (see [S/2022/967](#), annex 2). Mupalalo was again arrested on 13 February 2023 in Butembo, as he was picking up a can of nitric acid sent by another ADF collaborator in Kasindi. This ADF collaborator had informed Mupalalo that he had to deliver the nitric acid to Abwakasi, and that the substance was intended for the manufacture of bombs. Several pictures of nails and nitric acid (see below) were found on Mupalalo's cell phone.

When interviewed by the DRC authorities, Mupalalo said that since 2020, he was shipping food supplies but also phones, Motorola radios nails, etc. to ADF commanders through several other ADF collaborators, including "Yahya", "Jeannot", "Mbale Jackson", "Erasmé" and several motorbike drivers. Mupalalo also admitted that he transported two bombs that had been manufactured in ADF camp Isale by Abwakasi. He gave one of the bombs to "Yahya", who lived in Butembo and who transported the bomb to Beni, where it was detonated at Ma Campagne on 25 January 2023. He gave the other bomb to Jeannot, who was to place the bomb at a location in Butembo, possibly Mustanga neighbourhood, central market or a bar.

Mupalalo said that he was coordinating the bomb attacks with Jeannot, Yahya, and another unidentified motorcycle driver. Mupalalo also provided technical details regarding the manufacturing of IEDs.

Mupalalo was in direct contact with several ADF commanders, including Abwakasi, Amigo, Defender and Musa Kamusi. Mupalalo declared that Abwakasi was the one taking the final decision regarding the location and the dates of the IED attacks, and that he required the attacks to inflict the maximum number of casualties.

Mupalalo, however, denied being involved in the Kasindi attack on 15 January 2022.

The above information was provided to the Group by DRC security and intelligence sources and MONUSCO sources.



Picture of Mbusa Mbunga Moise



Acid and second bomb found by DRC judicial authorities at Mupalalo's house in January 2023



Picture found on Mupalalo's phone that he used to purchase the sulphur powder

Photographs provided to the Group by security sources

Annex/Annexe 6:

ISCAP/Da'esh claims of responsibility for the 15 January 2023 explosion in Kasindi

Da'esh revendique la responsabilité de l'explosion du 15 janvier 2023 à Kasindi



ولاية وسط إفريقية
عشرات القتلى والجرحى من النصارى
الكافرين بتفجير لجنود الخلافة داخل كنيسة
بمنطقة (بيني) شرقي الكونغو

Claims published by Da'esh and provided to the Group by security sources

Translation:

“Dozens of unbelieving Christians were killed and wounded in an explosion of the Caliphate soldiers inside a church in the Beni region, eastern Congo.

Sunday 22 Jumada II 1444 AH – Central African State.

By the grace of God Almighty, the soldiers of the Caliphate were able to plant and detonate an explosive device inside a church of unbelieving Christians in the town of Kasindi in the region Beni in eastern Congo, which resulted in the killing of about 20 Christians, and the wounding of dozens of others with varying degrees of severity. And let the Congolese forces and their allies know that their successive campaigns against the Mujahideen will only lead to more failure and loss, God willing.”



Claim published by Da'esh and provided to the Group by security sources

Translation:

“Dozens of Christians were killed and wounded in a (...) bombing by Islamic State fighters inside a church in eastern Congo.

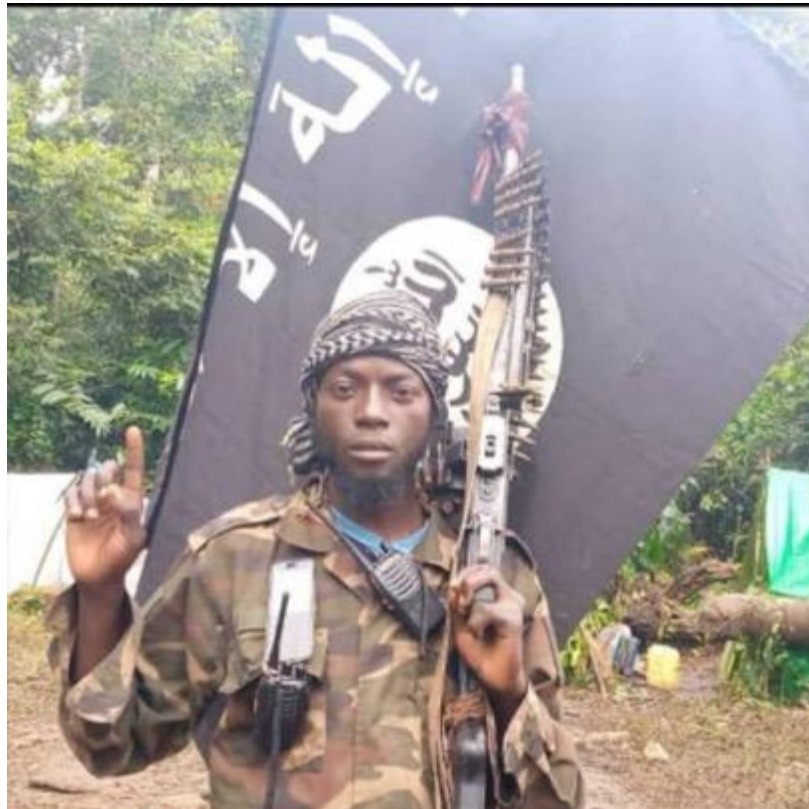
Congo – North Kivu – Amaq Agency: Today, a violent bombing struck a Christian church in the “Beni” region in the “North Kivu” Province, east of the Congo, resulting in the death and injury of dozens of Christians.

Security sources told Amaq Agency, “Islamic State fighters were able to plant and detonate a high-explosive device this afternoon inside a Christian church in Kasindi” in the eastern “Beni” region. The sources added that the bombing targeted a large crowd of Christians who were performing, killing at least 20 Christians and injuring (...) dozens of others, in addition to destroying the church. The same source indicated to Amaq that the qualitative bombing comes to prove the failure of the recent military campaigns of the Congolese forces and their allies in achieving security for their Christians subjects.

15 January 2023.”

Via the instant messenger app Telegram, ADF also published a picture of the person who allegedly placed the bomb, most likely a Ugandan citizen. The Group continues to try to identify this individual and could not confirm the involvement of this individual in the Kasindi attack of 15 January 2023.

ISCAP/Da'esh claim with picture of the person who allegedly placed the IED (unconfirmed):

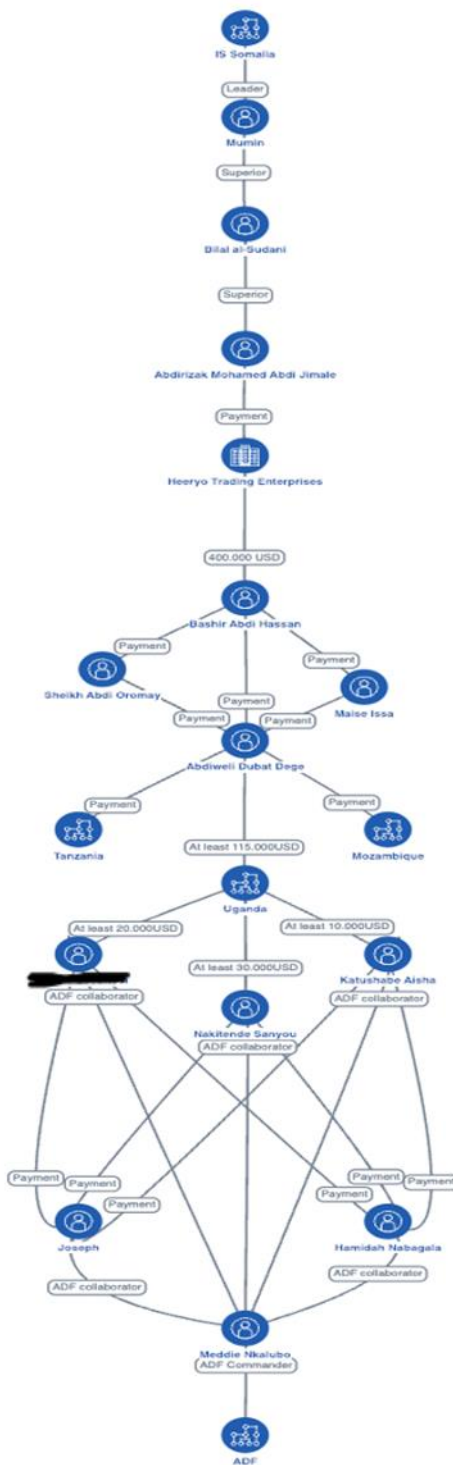


Claim published by Da'esh on 15 January 2023

Annex/Annexe 7:

Simplified diagramme summarizing the cases of financial support from Da'esh to ADF

Schéma simplifié résumant les cas de soutien financier de Da'esh aux ADF



Above: Diagramme prepared by the Group based on available evidence. One name in the diagramme is redacted for security purposes

Annex/Annexe 8:

Bashir Abdi Hassan



Picture of Bashir Abdi Hassan obtained from security sources

Annex/Annexe 9:**Selpal and the risk that third-party payment providers facilitate money flows for Da'esh****Selpal et le risque que des tierces personnes facilitent les flux d'argent au profit du Da'esh**

Bashir Abdi Hassan used the payment system of a company called Selpal to facilitate money transfers. He registered with the Selpal system in May 2020.

Some of the transfers he facilitated were reportedly made using the Selpal payment system which, inter alia, allows for the use of electronic wallets to deposit and withdraw money and to facilitate the payment of remittances (for example from mobile money services such as Mama Money) from anywhere in the world. As such, this system, commonly referred to as a third-party payment provider (TPPP) system, enables users to convert cash into electronic money for informal (and often unbanked) stores and thus to transfer money to other countries undetected and unconstrained by the rigours of anti-money laundering and anti-terrorism laws in South Africa. For example, Bashir Abdi Hassan reportedly had deposited over 1 million South African rand in his electronic wallet, which he was using to facilitate several of the money transfers made to Dege.

Multiple sources, including insider sources, reported that TPPPs have been used by Da'esh and other criminal networks to send large amounts of money throughout the region.



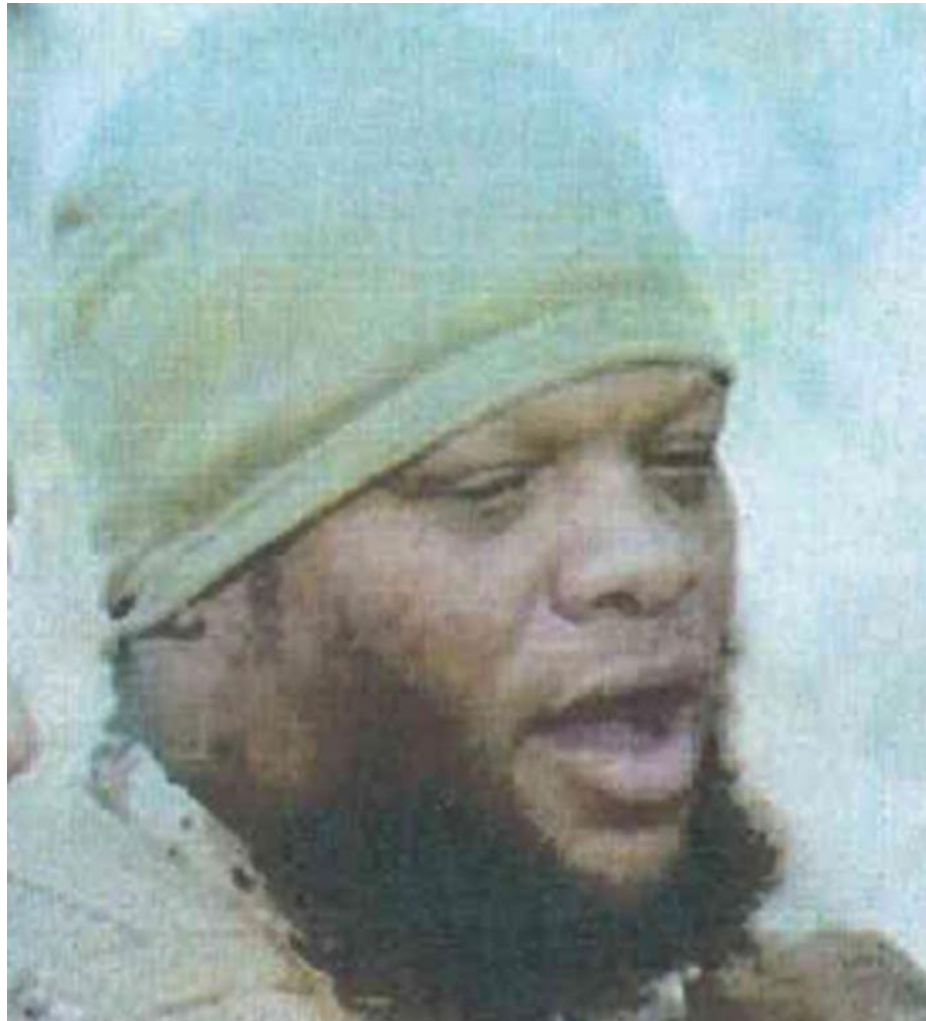
Above: Photograph of Farhad Hoomer

Photograph and documents provided to the Group by security sources

Annex/Annexe 11:

Photograph of Patrick Modise

Photographie de Patrick Modise



Patrick Modise was reportedly arrested in Syria in 2017 and is currently in detention.
Photograph provided to the Group by security sources

Annex/Annexe 12:

Background information, photographs and identification documents of the individuals travelling with Abadigga

Informations générales, photographies et documents d'identité des personnes voyageant avec Abadigga

Abdella Hussein Abaddiga and two individuals travelled from South Africa to Goma (via Kinshasa) where they were arrested on 22 October 2017 at the Goma airport as they were trying to join ADF. These individuals were Abdi Abdulahi Adan, a Somali national, and Ahmed Rashad Elema, a Kenyan national. Another individual, Hamisi Issa Shahame, a Tanzanian national (see below) with a South African temporary residence permit, was arrested on 20 October 2017, two days prior to the arrest of Abaddiga and the other individuals, at Goma port coming from South Africa through Burundi.

The Group obtained evidence that Farhad Hooper was in contact with Abwakasi regarding their release. As such, Hooper was in contact with Abadigga's brother and uncle, and with Elema's wife, whom he advised in June 2018 to claim that her husband was only travelling to DRC for business. Hooper was also in contact with the lawyer of these individuals in the DRC. In August 2018, Abwakasi informed Hooper that they had managed to make a deal with a FARDC officer from the Military Intelligence where Abadigga and the others were detained.

Abdi Abdulahi Adan and Abadigga were repatriated to South Africa in February and March 2020, respectively. Hamisi Issa Shahame and Ahmed Rashad Elema were both repatriated in March 2020 to Tanzania and Kenya, respectively, although reportedly they travelled back to South Africa, possibly in 2021.

As mentioned in paragraph 36, before his travel to DRC and after his return, Abadigga was in charge of a Da'esh cell in Mayfair, Johannesburg, reportedly together with Elema.

Below: Photograph and copy of passport and refugee card for Abdi Abdulahi Adan



23-08202





Below: Picture of Hamis Issa Shahame



Photographs and copies of documents provided to the Group by security sources

Annex/Annexe 13:

Photographs of the drones and camera seized during Abadigga's arrest in 2017

Photographies des drones et de l'appareil photo saisis lors de l'arrestation d'Abadigga en 2017

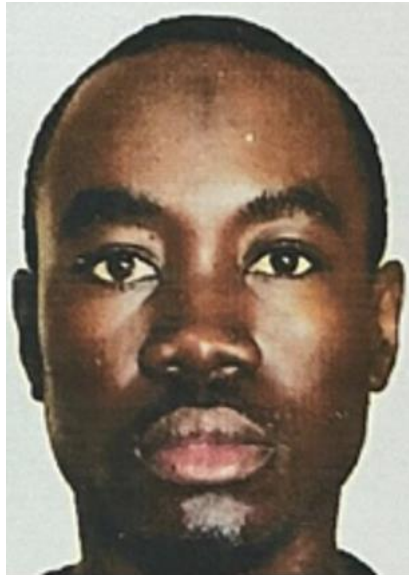


Photographs provided to the Group by security sources

Annex/Annexe 14:

Photograph of Swalleh Abubakar

Photographie de Swalleh Abubakar



Photograph provided to the Group by security sources

Annex/Annexe 15:**Links between ADF and ASWJ****Liens entre les ADF et ASWJ**

As previously reported, since 2019 Da'esh had been referring to ADF in DRC and ASWJ in Mozambique collectively as Islamic State Central African Province or ISCAP, as both groups had pledged allegiance to Da'esh (see [S/2021/560](#), annex 20). ADF was then given authority over ASWJ to which it provided guidance as well as financial support, logistics including training, recruitment and combatants. Leaders of both groups were regularly in contact, and multiple sources reported that Musa Baluku travelled to Mozambique in 2021, and that ASWJ leaders travelled to the DRC in 2017 and 2023.

According to several ADF ex-combatants and abductees, while some combatants came to the DRC from Mozambique until around 2018, conversely several combatants based in the DRC, especially at the ADF camp based around Baraka, South Kivu, joined ASWJ in Mozambique after the camp was dismantled in 2017. Several sources reported that Abdul Rahman Faisal, a religious leader linked to Usafi Mosque, was amongst those sent to Mozambique by Musa Baluku at the end of 2017. Arrested in January 2018 along with other Ugandans, he was presented by the Mozambican authorities as one of the leaders of ASWJ.

However, according to several sources, tensions arose between the two groups over the centralization in the management by ADF, notably of financial support, as well as admonishments by ADF leadership over operational and religious issues. For example, the Group reviewed exchanges between Abwakasi and Hoomeer in July 2018, in which Abwakasi admonished Hoomeer for directly contacting and sending money to ASWJ, explaining that ASWJ had pledged allegiance through ADF and that, as such, all communications and support should pass through ADF first. Reportedly, ASWJ then started requesting more autonomy to report directly to Da'esh. Information retrieved from laptops recovered in ASWJ camps showed that, in 2021, ASWJ had been sending its reports directly to IS Somalia leader Mumin in Somalia, such as the list of fighters, ASWJ operational and administrative structures, etc. This might partly explain why Da'esh referred to Mozambique as the "Wilayah Mozambique" from May 2022 onwards, despite initially referring to ASWJ as ISCAP when claiming responsibility for ASWJ attacks since 2019, in the same manner in which it had referred to claims of attacks in the DRC. Da'esh continued to refer to its DRC affiliate as ISCAP in the latest communications.

Annex/Annexe 16:

Additional information on bilateral, regional and international efforts to de-escalate the situation in North-Kivu Province

Informations complémentaires sur les efforts bilatéraux, régionaux et internationaux visant à apaiser la situation dans la province du Nord-Kivu

Since the resumption of the M23 crisis, the African Union (AU), the East African Community (EAC) and the International Conference on the Great Lakes Region (ICGLR) undertook mediation efforts together with some bilateral initiatives. On the different agreements and diplomatic efforts to resolve the crisis, see also [S/2022/967](#), annex 22.

The Group observed that AU-backed political consultations between leaders of the DRC and Rwanda under the leadership of Angolan President João Lourenço, which led to the Luanda Roadmap on 23 November 2022, had mixed results. For example, M23 did not comply with several deadlines for its withdrawal (see para. 46), forcing leaders to change the timelines, while the DRC Government continued to reject calls for negotiations with M23. Equally, various decisions taken during the EAC-led Nairobi process regarding armed groups faced implementations challenges.

Diplomatic and government sources hinted at a disconnect between the EAC-led Nairobi process and the AU/Angola-led Luanda initiative.²²⁵ They also raised concerns over the EAC's reluctance to engage M23 militarily as per its mandate. According to these sources, neither the Nairobi process nor the Luanda political consultations had a substantial impact on the crisis which worsened, as documented in this report.

In parallel, several bilateral initiatives including the French President's visit to the DRC on 4 March 2023 have yet to yield results.

In addition, a planned meeting between Qatar and the DRC through the Luanda process did not take place.

The United States, Belgium, France and the European Union called on Rwanda to end its support to M23.

At the time of drafting this report, the Group noted that no subsequent actions have been taken against Rwanda.

²²⁵ Diplomatic and civil society sources and researchers.

Annex/Annexe 17:**IDP crisis / humanitarian situation in North Kivu****La crise relative aux personnes déplacées / la situation humanitaire au Nord-Kivu**

Since the start of the M23 conflict, most notably since the second wave of offensive operations launched on 20 October 2022 (see [S/2022/967](#), para. 31), over 1 million civilians have been displaced in North Kivu Province, fleeing areas occupied by M23 (see below a report by OCHA published on 20 April 2023). Over half of the internally displaced (IDPs) have settled in Nyiragongo territory and on the outskirts of Goma, engendering a catastrophic humanitarian crisis.²²⁶

The dire living conditions in IDP settlements,²²⁷ with poor hygienic and sanitary conditions and inadequate access to health care, led to the outbreak of a cholera epidemic in December 2022,²²⁸ with cases increasing considerably until March 2023.²²⁹ While humanitarian agencies began reporting a cautious return of IDPs to certain areas²³⁰ since mid-March 2023, and the European Union delivered close to 70 tonnes of medical and nutritional supplies in March 2023, roughly half of the IDPs still did not have access to basic emergency aid at the time of writing.²³¹

The influx of IDPs also led to a sharp increase in incidents of sexual violence. Women and children had to walk great distances in search of food and water supplies, which exposed them to higher security risks. According to statistics provided by individuals working with sexual violence survivors working with IDPs in Kanyaruchinya camp, reported rape cases more than tripled in November and December 2022 compared to preceding months, to over 100 cases per month in Nyiragongo health district alone.²³² At least nine women, including four minors (i.e. younger than 18 years), were raped by men wearing FARDC uniforms in or around Kanyaruchinya. In most cases, however, the victims were unable to identify the perpetrators.²³³

Approximately 2,000 schools were forced to close due to the security situation in North Kivu between January 2022 and March 2023, affecting the education of approximately 685,000 children. At least 33 schools were attacked, 28 were occupied by armed groups, and 288 used as shelters by displaced people.²³⁴

²²⁶ According to a source working in the management of the Kanyaruchinya camp, over 255,520 IDPs were officially registered by January 2023.

²²⁷ Witnessed by the Group during a field visit to Kanyaruchinya, North of Goma in January 2023.

²²⁸ As [reported by WHO](#).

²²⁹ OCHA statistics [on ReliefWeb](#) published on 5 April 2023.

²³⁰ In Masisi, Rutshuru and Walikale territories.

²³¹ OCHA statistics [on ReliefWeb](#) published on 5 April 2023.

²³² Source: professionals working with IDPs in Kanyaruchinya.

²³³ Statistics provided by three professionals working with victims of sexual violence.

²³⁴ OCHA statistics [on ReliefWeb](#) published on 5 April 2023.



RD Congo : Situation humanitaire dans la province du Nord-Kivu

17 avril 2023

Ce rapport est produit par OCHA RDC en collaboration avec les partenaires humanitaires. Il couvre la période du 1^{er} au 15 avril 2023

FAITS MAJEURS

- **1,1 millions de personnes déplacées dans le Nord-Kivu depuis mars 2022**
- **Au moins 40 civils tués dans des attaques armées à Beni entre le 1^{er} et le 15 avril**
- **Flambée de rougeole dans le Nord-Kivu : 1 800 cas et 13 décès enregistrés en une semaine.**
- **Lancement d'une distribution de 900 tonnes de vivres à 54 000 personnes déplacées dans le territoire de Lubero**

CHIFFRES CLES



2,3 M

personnes déplacées internes au Nord-Kivu au 31 mars 2023
(Source : CMP Nord-Kivu)



2,9K

incidents de protection enregistrés au Nord-Kivu au 31 mars 2023 (Source : Cluster Protection)



114

acteurs humanitaires, dont 66 ONG congolaises, opérationnelles au Nord-Kivu
(Source : 3W de mars 2023)

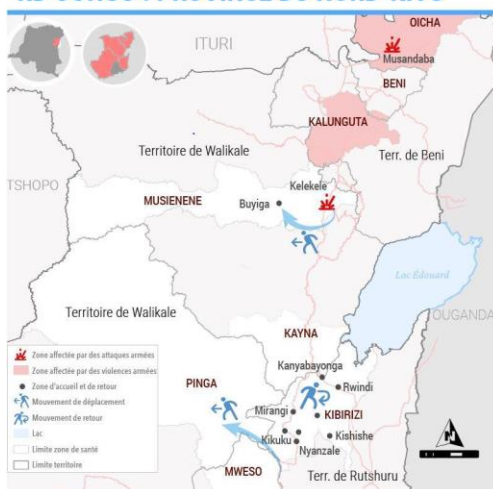
APERÇU DE LA SITUATION

Au moins 1,1 million de personnes déplacées à cause du conflit lié au M23 dans le Nord-Kivu depuis mars 2022

Les affrontements entre l'armée congolaise et le groupe armé Mouvement du 23 mars (M23) ont provoqué le déplacement de plus de 1,1 million de personnes dans le Nord-Kivu depuis mars 2022¹. Plus de 51 % des personnes déplacées internes sont des femmes, 49 % sont des hommes et 58,5 % sont des enfants de moins de 18 ans. La majorité de ces personnes (plus de 51 %) vivent dans le territoire de Nyiragongo et la ville de Goma.

Bien que quelques **timides mouvements de retour** aient été rapportés, notamment dans le territoire de Rutshuru où près de 50 000 personnes déplacées sont retournées chez elles entre le 13 mars et le 1er avril, la situation reste préoccupante

RD CONGO : PROVINCE DU NORD-KIVU



¹ Source : CMP Nord-Kivu Adhoc du 4 avril 2023

Above: OCHA statistics published on 20 April 2023 (page 1), reporting that 1.1 million internally displaced persons have fled their homes in North Kivu Province since March 2022 due to the M23 crisis
Source: ReliefWeb, at <https://reliefweb.int/report/democratic-republic-congo/rd-congo-situation-humanitaire-dans-la-province-du-nord-kivu-17-avril-2023> (last consulted on 24 April 2023)

Annex/Annexe 18:

FARDC and M23 accusing each other of breaching successive ceasefire agreements

Les FARDC et le M23 s'accusent mutuellement de violer les accords de cessez-le-feu successifs

- M23 communiqué of 16 December 2022 denouncing a violation of the ceasefire by “the Government coalition”:



**LA VIOLATION DU CESSEZ-LE-FEU PAR LA COALITION
GOUVERNEMENTALE**

La Direction du Mouvement du 23 Mars, en sigle M23, informe la Communauté Nationale et Internationale ce qui suit :

1. Ce Vendredi, 16 Décembre 2022, la coalition Gouvernementale a attaqué nos positions de BWIZA en violation du cessez-le-feu issu du mini-sommet de Luanda du 23 Novembre 2022.
2. Il est, désormais, clair que le Gouvernement de Kinshasa n'est plus intéressé par la paix, car son comportement au lendemain de la réunion du 12 Décembre 2022 à Kibumba bafoue les efforts de la région.
3. Le M23 a averti à plusieurs reprises sur la crise humanitaire dans le BWIZA et ne laisserait pas les populations se faire massacrer pendant que le monde se tait.

Fait à Bunagana, le 16 Décembre 2022

Le Porte-Parole Politique du Mouvement du 23 Mars

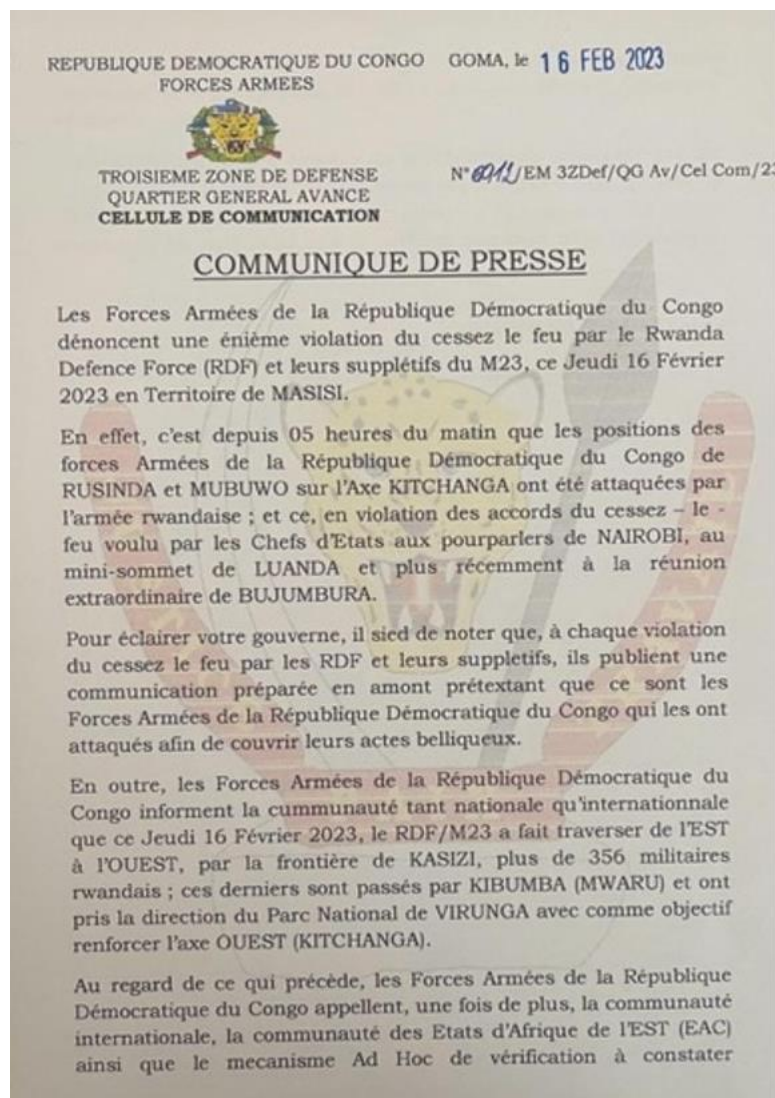


Lawrence KANYUKA

Tél : Porte-Parole Politique +243899411093, Porte-Parole militaire +243814946907 Email : mouvementdu23mars2@gmail.com

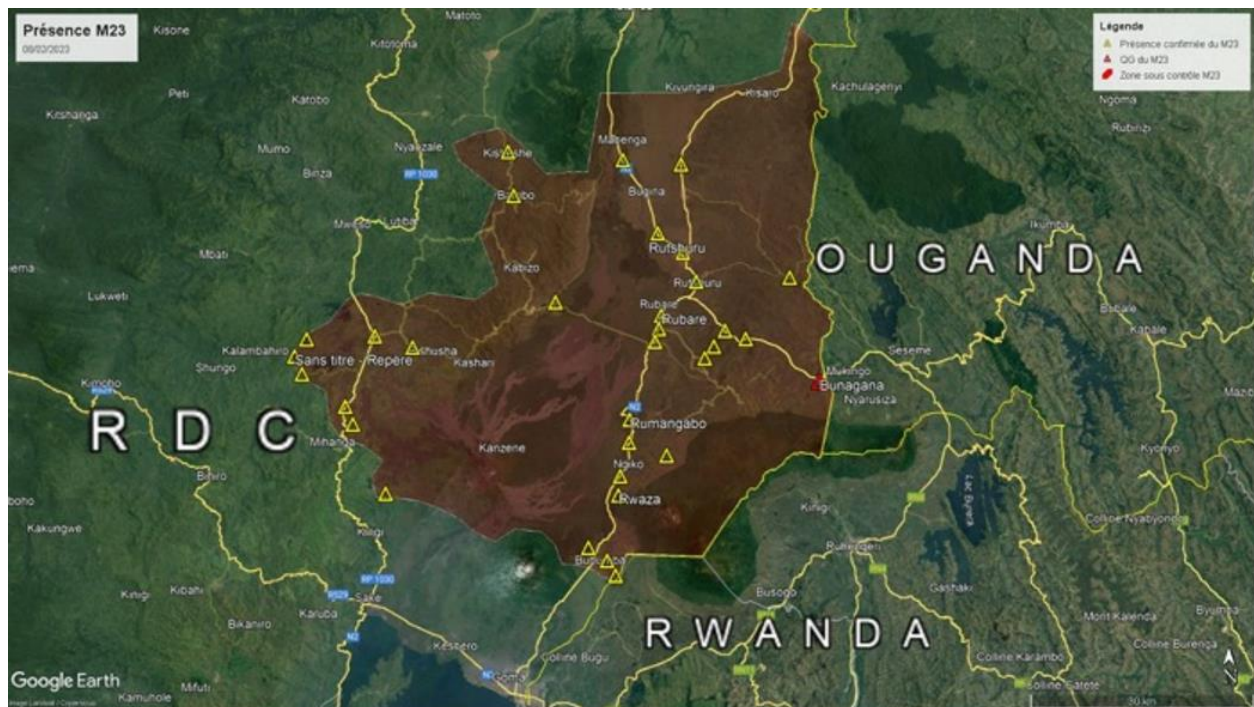
Communiqué provided to the Group by M23 sources

- Excerpt from the FARDC communiqué of 16 February 2023 denouncing the violation of the ceasefire agreement by RDF and M23:

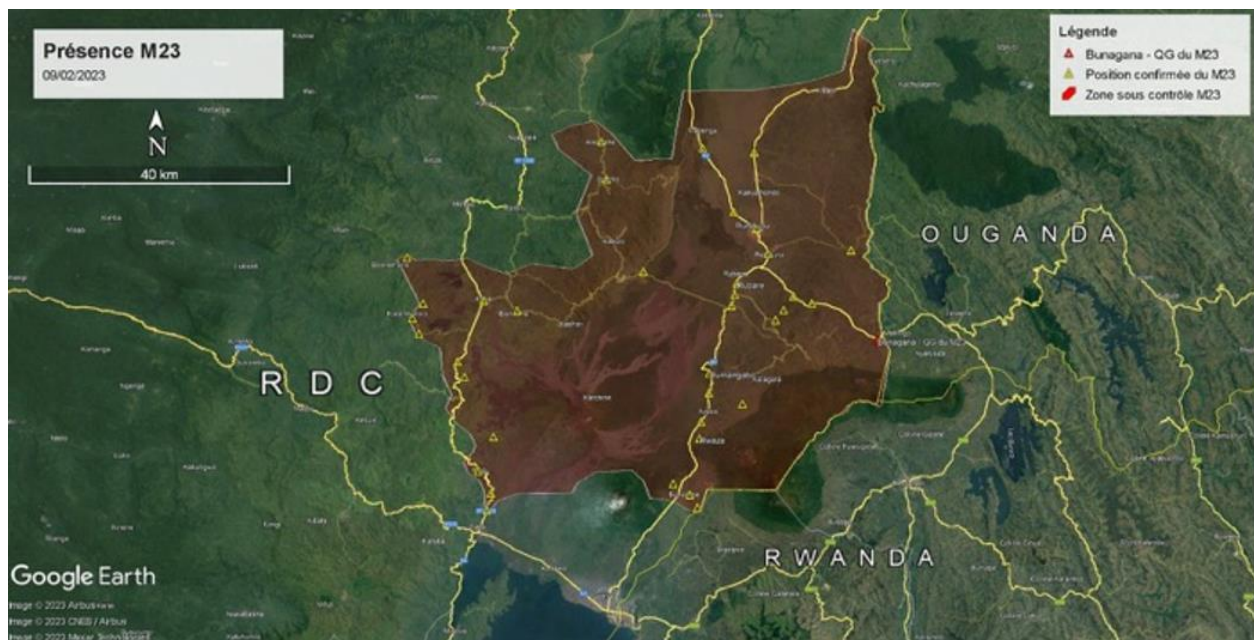


Communiqué provided to the Group by FARDC sources

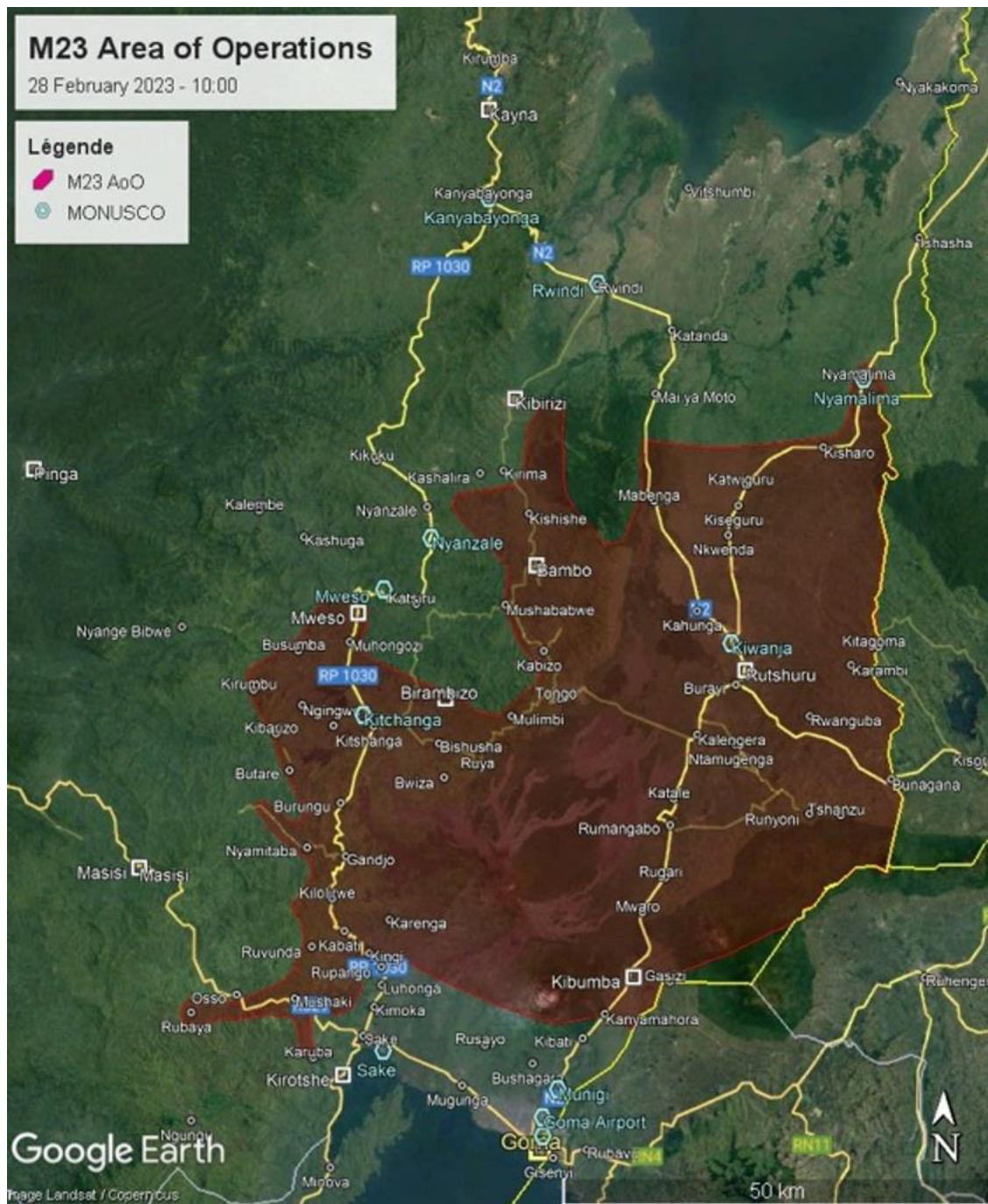
- Below: Map depicting M23 areas of influence and operations as at 6 February 2023:



- Below: Map depicting M23 areas of influence and operations as at 9 February 2023 showing further territorial expansion towards the West and Southwest:



- Below: Map depicting M23 areas of influence and operations as at 28 February 2023 showing further territorial expansion towards the North, West and Southwest:



Annex/Annexe 20:

Final communiqué de 23 November 2022 of the Luanda Mini-Summit on peace and security in the eastern region of the DRC

Communiqué final du 23 novembre 2022 du mini-sommet à Luanda sur la paix et la sécurité dans l'est de la RDC

The Mini-Summit decided, inter alia, the following:

- Cessation of hostilities in general, and in particular of M23 attacks against the FARDC and MONUSCO from Friday, 25th of November 2022 at 18h00 (Day D) (point 8 (a));
- Continued full deployment of the EAC Regional Force (point 8 (c));
- Intervention of the EAC Regional Force against M23, as established in the framework of the Nairobi Process and the conclusions of the Extraordinary Meeting of the Chiefs of General Staff of the EAC Armed Forces, held in Bujumbura, on 8th of November 2022, in case of non-compliance by M23 to cease hostilities and withdraw from occupied territories (point 8 (d));
- Withdrawal of the M23 from the currently held positions and its return to its initial positions, as per the Extraordinary Meeting of the Chiefs of General Staff of the EAC Armed Forces of 8 November 2022, held in Bujumbura, Republic of Burundi, under the control of the Regional Force and the Ad Hoc Mechanism in collaboration with MONUSCO (Day D+2), namely:
 - “Kenya to initially deploy its Contingent in Goma, DRC and subsequently in Bunagana, Rutshuru and Kiwanja upon the withdrawal of M23 to its initial positions not beyond the line along Sabinyo (DRC side), Bigega, Bugusa, Nyabikona, Mbuzi, Rutsiro and Nkokwe.
 - If M23 does not withdraw the EAC Heads of States shall authorize use of force to compel the group to comply.” (point 8 (e));
- Creation of the conditions for the occupation of M23 currently controlled zones, by the EAC Regional Force, with the support of MONUSCO and the Ad-Hoc Verification Mechanism (D-Day+2) (point 8 (f)).



REPUBLIC OF ANGOLA

*MINI-SUMMIT ON PEACE AND SECURITY IN THE EASTERN
REGION OF THE DEMOCRATIC REPUBLIC OF THE CONGO*

FINAL COMMUNIQUE

1. At the invitation of His Excellency **João Manuel Gonçalves Lourenço**, President of the Republic of Angola, African Union Champion for Peace and Reconciliation in Africa and Mediator designated to maintain the dialogue between the DRC and Rwanda by the 16th Extraordinary Session of the Assembly of Heads of State and Government of the African Union in Malabo on 28 May 2022, a Mini-Summit on Peace and Security in the Eastern Region of the Democratic Republic of the Congo (DRC) was held on 23rd of November 2022, in Luanda, Republic of Angola.
2. The Mini-Summit was attended by His Excellency **Évariste Ndayishimiye**, President of the Republic of Burundi and current Chairperson of the East African Community (EAC), His Excellency **Félix-Antoine Tshisekedi Tshilombo**, President of the Democratic Republic of Congo, His Excellency **Vincent Biruta**, Minister of Foreign Affairs and International Cooperation of the Republic of Rwanda, representing His Excellency **Paul Kagame**, President of the Republic of Rwanda and His Excellency **Uhuru Muigai**

1/7

4/7



Kenyatta, former President of the Republic of Kenya and Facilitator appointed by the EAC for the implementation of the Nairobi Peace Process.

3. Madame **Michelle Ndiaye**, Special Representative of the Chairperson of the African Union Commission and Head of the African Union Liaison Office in the DRC, Ambassador **João Samuel Caholo**, Executive Secretary of the International Conference on the Great Lakes Region (ICGLR), and Lieutenant General **Nassone João**, Commander of the Ad Hoc Verification Mechanism, also attended the meeting as guests.
4. The main objective of the Luanda Mini-Summit was to establish a timetable for the implementation of priority actions, with a view to the cessation of hostilities and the immediate withdrawal of the M23 from occupied Congolese localities, and to coordinates agreed through the Luanda and Nairobi Processes.
5. The Heads of State welcomed the results of the initiatives taken within the framework of the Luanda and Nairobi Processes, namely the operationalisation of the Ad Hoc Verification Mechanism on 9th of November 2022 and the deployment of the EAC Regional Force troops in the provinces of North and South Kivu in the DRC.
6. The Heads of State congratulated His Excellency **João Manuel Gonçalves Lourenço**, President of the Republic of Angola, African Union Champion for Peace and Reconciliation in Africa and Mediator designated by the African Union Assembly, and His Excellency **Évariste Ndayishimiye**, President of the Republic of Burundi and

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current Chairperson of the East African Community (EAC), for the efforts aiming the restauration of peace, security and stability in the Eastern DRC, within the framework of the Luanda and Nairobi Processes.


7. The Heads of State discussed the security situation in the Eastern region of the DRC and expressed their concern about :
 - a) The worsening insecurity and persistent military actions of the M23;
 - b) The acquisition by the M23 of increasingly sophisticated weapons and other means to carry out attacks against the Forces Armées de la République Démocratique du Congo (FARDC) and;
 - c) The persistence of negative and terrorist forces in the eastern DRC, which constitutes a threat to peace, security and stability in the sub-region.
8. The Mini-Summit decided the following:
 - a) Cessation of hostilities in general, and in particular of M23 attacks against the FARDC and MONUSCO from Friday, 25th of November 2022 at 18h00 (Day D);
 - b) Full compliance with the requirements of the Communiqués of the EAC Heads of State Conclaves of 21st of April and 20th of June 2022 (Nairobi Process), the Luanda Roadmap of 6th of July 2022 (Luanda Process) and the conclusions of the Extraordinary Meeting of the Chiefs of General Staff of the EAC Armed Forces (Bujumbura, 8 November 2022);


- c) Continued full deployment of the EAC Regional Force;
- d) Intervention of the EAC Regional Force against M23, as established in the framework of the Nairobi Process and the conclusions of the Extraordinary Meeting of the Chiefs of General Staff of the EAC Armed Forces, held in Bujumbura, on 8th of November 2022, in case of non-compliance by M23 to cease hostilities and withdraw from the occupied territories;
- e) Withdrawal of the M23 from the currently held positions and its return to its initial positions, as per the Extraordinary Meeting of the Chiefs of General Staff of the EAC Armed Forces of 8th of November 2022, held in Bujumbura, Republic of Burundi, under the control of the Regional Force and the Ad Hoc Mechanism in collaboration with MONUSCO (Day D+2), namely:

«Kenya to initially deploy its Contingent in goma, DRC and subsequently in Bunagana, Rutshuru and Kiwanja upon the withdraw of M23 to its initial positions not beyond the line along Sabinyo (DRC side), Bigega, Bugusa, Nyabikona, Mbuzi, Rutsiro and Nkokwe.

If M23 does not withdraw the EAC Heads of States shall authorize use of force to compel the group to comply»;
- f) Creation of the conditions for the occupation of M23 currently controlled zones, by the EAC Regional Force, with the support of MONUSCO and the Ad-Hoc Verification Mechanism (D-Day+2);

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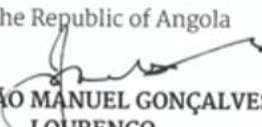
- 
- g) Cessation of all politico-military support to the M23, FDLR and all other local and foreign armed groups operating in Eastern DRC and the Region (D-Day);
 - h) FDLR-FOCA, RED-TABARA, ADF and other armed groups operating on Congolese territory shall immediately lay down their arms and initiate their unconditional repatriation under the terms of the Nairobi Process, with the support of MONUSCO, the Ad-Hoc Verification Mechanism and the EAC Regional Force (D-Day+5);
 - i) Disarmament and cantonment of the M23 in Congolese territory under the control of the FARDC, the Regional Force and the Ad Hoc Verification Mechanism, with the collaboration of MONUSCO (D-Day +5);
 - j) Return of Internal Displaced People (IDPs) to their homes (Day D+7);
 - k) Resumption and continuation of political consultations between the Government of the DRC and local armed groups (Day D+10);
 - l) Resumption of bilateral dialogue between the DRC and Rwanda with a view to the normalisation of diplomatic relations and the resumption of cooperation (Day D+60);
 - m) Commitment of the parties to the implementation of the Luanda Roadmap and the agreements reached in the Nairobi Process and the EAC Chiefs of General Staff meeting;

- 
- n) Consideration and resolution of the issue of the return of all refugees to their countries of origin, as referred to in the Luanda Roadmap (Day D+15);
 - o) Need of permanent coordination at all levels between the Luanda Process and the Nairobi Process;
9. The Heads of State requested that the FARDC, the Regional Force and the Chiefs of General Staff (CGS) of the EAC Regional Force, in collaboration with MONUSCO, study all issues related to the disarmament and cantonment of M23 elements and submit proposals to them at their next Mini-Summit.
 10. The Heads of State recommended the acceleration of the implementation of the Disarmament, Demobilisation, Community Reintegration and Stabilisation Programme (PDDR-CS) underway in the DRC, expressed their deep concern about the conditions in which hundreds of thousands of displaced people are living in the war-affected areas of North Kivu province and launched an appeal to the International Community for humanitarian aid to those populations.
 11. The Heads of State agreed to meet again soon in Bujumbura to evaluate the implementation of the conclusions of the resolutions and recommendations of the Luanda Mini-Summit.
 12. Finally, the Heads of State thanked His Excellency **João Manuel Gonçalves Lourenço**, President of the Republic of Angola, African Union Champion for Peace and Reconciliation in Africa and Mediator designated by the

Assembly of the African Union, for the fraternal welcome and hospitality he extended to them as well as his active involvement in the resolution of the security crisis in the Eastern region of the DRC.

Done in Luanda, on 23rd of Novembre 2022. -

By the Republic of Angola


H.E. JOÃO MANUEL GONÇALVES LOURENÇO

President of the Republic of Angola
and Mediator mandated by the
African Union Assembly

By the Republic of Burundi

H.E. ÉVARISTE NDAYISHIMIYE

President of the Republic of
Burundi and Chairperson of the
East African Community

By the Democratic Republic of the
Congo


H.E. FÉLIX-ANTOINE TSHISEKEDI TSHILOMBO

President of Democratic Republic of
the Congo

By the Republic of Rwanda


H.E. VINCENT BIRUTA

Minister of Foreign Affairs and
Cooperation Representing H.E.
Paul Kagame, President of the
Republic of Rwanda


By the East African Community/Facilitator

H.E. Uhuru Muigai Kenyatta

Former President of the Republic of Kenya

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Document provided to the Group by diplomatic sources

The Group notes that the deployment of the EAC Regional Force in areas vacated by M23 was reiterated during the Meeting of East African Community Chief of Defence Forces/Staff held in Nairobi, Kenya, on 9 February 2023:

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2.1.2.3 Observation

As a pre-requisite for successful implementation of the new timelines, the Meeting observed the following key considerations:

- a. Ceasefire to hold in order to facilitate organized and coordinated withdrawal of M23.
- b. Establishment of a Monitoring and Verification Mechanism.
- c. Concurrent withdrawal of all armed groups and EACRF Deployment in the vacated areas.
- e. Deployment of EACRF to areas earmarked for M23 phased withdrawal.
- f. Protection of civilians in areas vacated by M23.

2.1.2.4 Recommendations

2.1.2.4.1 The Meeting took into account the key considerations which led to new withdrawal timelines.

2.1.2.4.2 From the key considerations, the Meeting decided that the withdrawal of M23 be phased over a period of 30 days, with the D-day set for 28 February 2023. Consequently, the new withdrawal timelines, which must be adhered to by M23, were developed as hereunder:

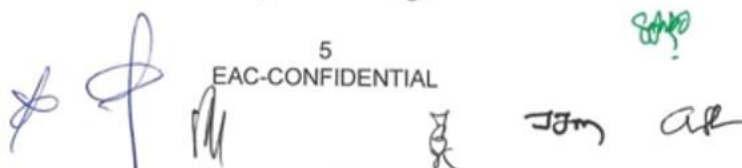
Phase 1: 28 Feb – 10 Mar 23

M23 withdraws from Kibumba, Rumangabo, Karenga, Kirolirwe and Kitchanga.

Phase 2: 13 – 20 Mar 23

M23 withdraws from Kishishe, Bambo, Kazaroho, Tongo and Mabenga.

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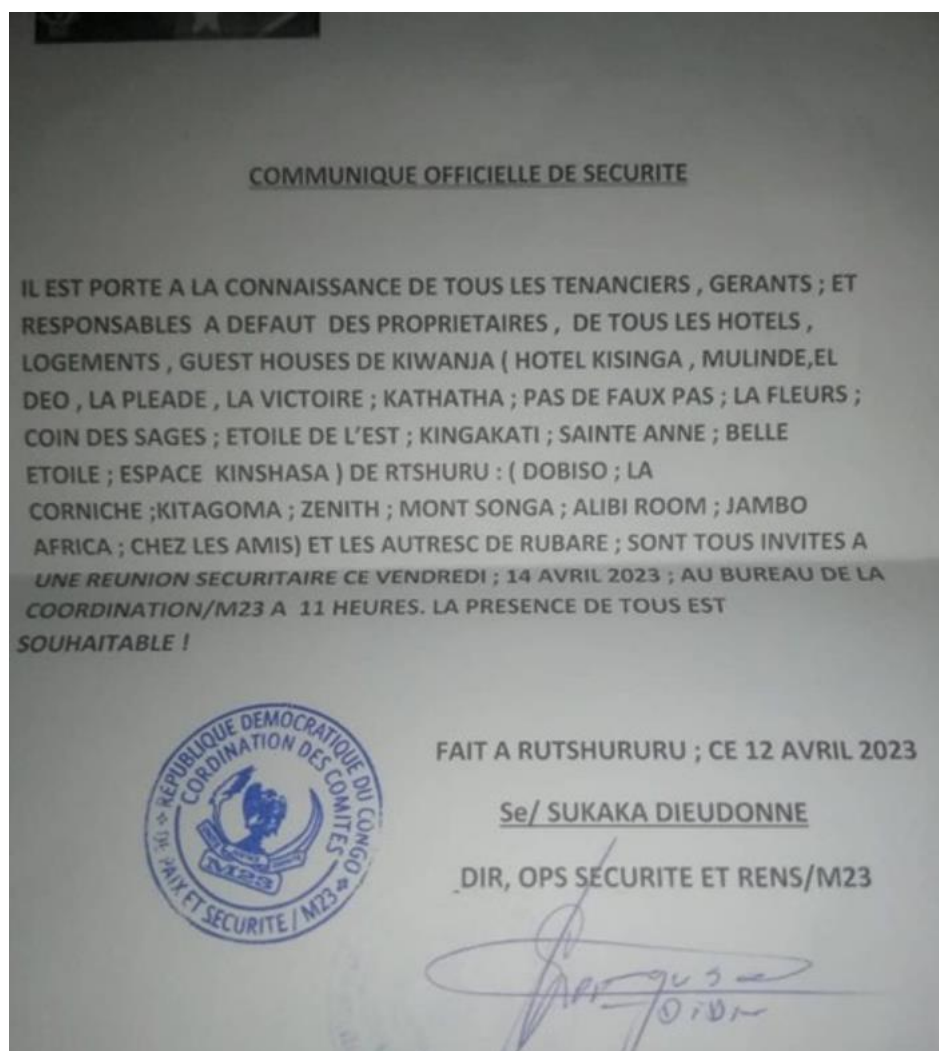


Excerpt of the report of the 9 February 2023 meeting provided to the Group by diplomatic sources

Annex/Annexe 21:

M23 communiqué summoning economic actors for a meeting at M23 coordination offices in Rutshuru

Communiqué du M23 convoquant les acteurs économiques à une réunion dans les bureaux de coordination du M23 à Rutshuru



Document obtained by the Group from civil society sources

Annex/Annexe 22:

Update on the East Africa Community Regional Force

Mise à jour de la force régionale de la Communauté de l'Afrique de l'Est

The deployment of the East Africa Community Regional Force (EACRF) (see also [S/2022/967](#), annex 68) accelerated in March 2023. Citizen discontent, violent mass protests and the intensity of M23 attacks and territorial expansion prompted these developments.

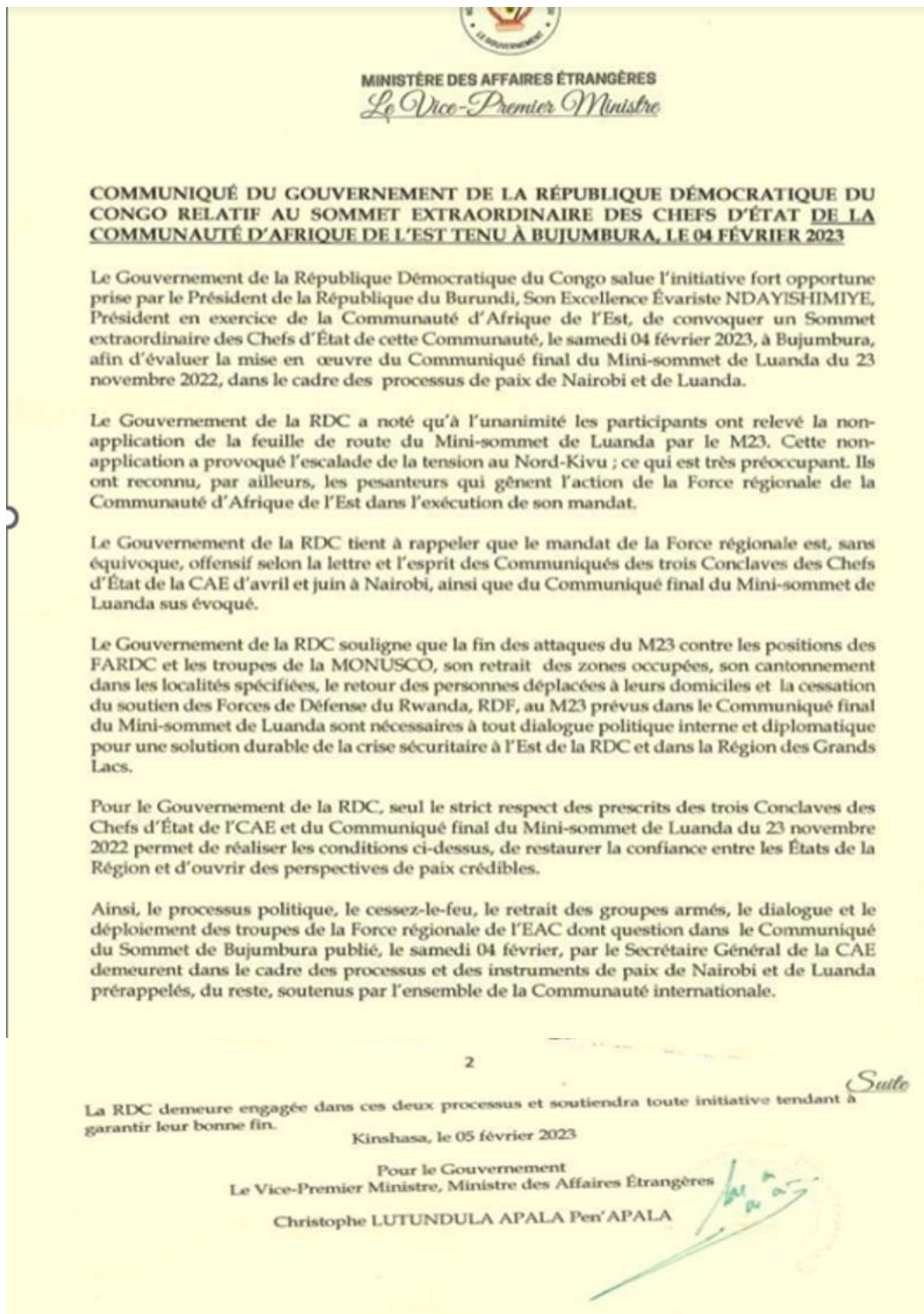
On 3 March 2023, Kenya, Uganda, Burundi, South Sudan and Angola deployed troops in eastern DRC in accordance with the recommendations of the Luanda roadmap and the conclusions of the EAC Defence Ministers' meeting held on 9 February 2023. At the time of drafting, the Kenya Defence Force (KDF) contingent was deployed in Goma, Rumangabo, Kibati, and Kibumba, while the Uganda People Defence Forces (UPDF) contingent was deployed in Bunagana. The FDN (Burundi) contingent was deployed in Karuba, Matanda, Kilolirwe, Mushaki, Neenero, Sake and Kitchanga. The South Sudan Defence Force (SSDF) contingent was deployed in Kibati. Angola planned to deploy troops to Kindu (Maniema) as a "peacekeeping unit" sent to secure the Ad-Hoc Verification Mechanism which was set up to accompany the cantonment process of M23 troops inside the DRC (see map with the EACRF contingent operational boundaries below).

The accelerated deployment followed months of uncertainty and, to some extent, inaction of the EACRF since the initial deployment of the Kenyan contingent on 2 November 2022. For example, the Group observed that until March 2023, in Nyiragongo and Rutshuru territories, the EACRF mostly limited itself to frequent patrolling.

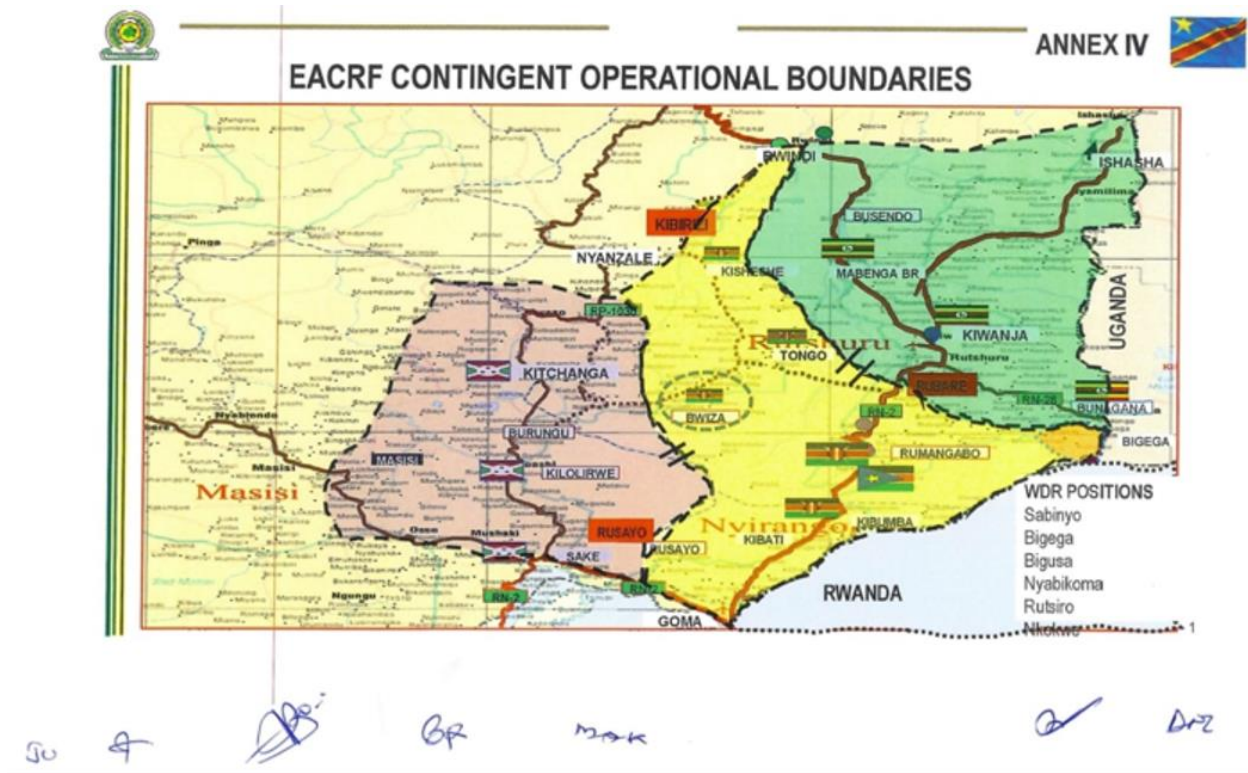
EACRF did not engage in operations against M23 or any other armed group, even though it had the mandate to do so according to the Luanda Mini-Summit (see also annex 20).

The absence of the use of force by the EACRF until March 2023 fuelled speculations over the efficiency and neutrality of the EACRF. The DRC authorities, for example, complained that the EACRF diverted from its original mandate as stipulated in its concept of operations (CONOPS). In a communiqué issued by the Government of the DRC on 4 February 2023 (see below), DRC authorities reiterated the need for the EACRF to fully implement its mandate by engaging in combat against M23, amongst others. The EACRF's perceived inaction also triggered popular discontent. For example, civil society organizations in Goma staged three days of protests against EACRF (and MONUSCO) on 6 and 7 February 2023 which turned violent (see also annex 58).

Below: Communiqué issued by the Government of the DRC on 4 February 2023



Document obtained by the Group from diplomatic sources



Excerpt of the report of the 9 February 2023 meeting provided to the Group by diplomatic sources

Annex/Annexe 23:

Private military companies

Sociétés militaires privées

In July 2022, the *Maison Militaire*, led by General Franck Ntumba, concluded an agreement with a newly created Congolese enterprise, Agemira RDC, headed by Olivier Bazin, a French-Congolese national. Agemira RDC employed Bulgarian, Belarusian, Georgian, Algerian, French and Congolese nationals, of which 35 were deployed in eastern DRC and 35 in Kinshasa.²³⁵ Agemira RDC was contractually engaged in three domains: (1) refurbishing and increasing the DRC's military air assets; (2) rehabilitating airports in eastern DRC (Bukavu/Kavumu and Beni); and (3) ensuring the physical security of aircraft and strategic locations. Under the third domain of the contract, Agemira RDC had been tasked to and did provide strategic advice and direction to FARDC when the latter was engaged in operations against M23 in North Kivu Province.²³⁶

On 24 November 2022, a contract was concluded between Congo Protection, a Congolese company represented by Thierry Kongolo, and "Association RALF", a Romanian enterprise with "ex-Romanians from the French Foreign Legion" represented by its founding president, Horatiu Potra.²³⁷ The agreement was concluded for a 12-month period and became effective on 1 December 2022.²³⁸

The contract specifies that "the Contractor [RALF] has expertise and extensive experience in the provision of security management services that are essential to the Company [Congo Protection] and [that] the Contractor agreed to make its experience available to the Company to provide training and instruction to the FARDC ground troops of the Contracting Authority by means of a contingent of 300 instructors."²³⁹

Officially, Congo Protection's mandate does not go beyond training and instructing FARDC units. However, on the ground, Congo Protection's ex-military personnel also guard Goma airport and are to be deployed to Bukavu to protect Kavumu airport.²⁴⁰ Also, in late January and again late February 2023, when Sake town was threatened by M23, Congo Protection informed the Group that the instructors would not adopt a 'wait and see' attitude if the Sake area, where the FARDC training camps were located, was attacked or threatened by M23. Indeed, on 9 and 10 February 2023 and again in early March 2023 when M23 approached Sake, the instructors and the trainees manned defence posts in Sake and *de facto* prevented M23 from further advancing.²⁴¹

The Group also received information from several sources, including DRC government sources, that the DRC authorities planned to send 2,500 military contractors from Colombia, Mexico and Argentina to North Kivu to stop the advance of M23, and that three South African nationals were present from 15 March to mid-April 2023 to prepare for the arrival of these 2,500 military contractors and coordinate their actions and operations in North Kivu. While several sources informed the Group that the sending of the contractors followed a bilateral agreement concluded between the DRC and the United Arab Emirates, the UAE denied the existence of such an agreement.

The Group was informed that in mid-April 2023, the plan to send 2,500 military contractors was (temporarily) halted.

²³⁵ Olivier Bazin, FARDC and security sources.

²³⁶ Agemira RDC, FARDC and security forces.

²³⁷ Asociația RALF website ([Asociația RALF – Romanii care au Activat in Legiunea Franceza](#)), Horatiu Potra and military sources.

²³⁸ Contract on file with the Secretariat. Congo Protection, FARDC and security forces.

²³⁹ Translation of the contract on file with the Group.

²⁴⁰ Security Forces and FARDC, Group of Experts visit of Goma airport in January 2023.

²⁴¹ Security Forces and FARDC, Agemira RDC and Congo Protection.

Annex/Annexe 24:

M23 communiqué of 17 February 2023 referring to the “Government coalition” including FARDC, armed groups and mercenaries

Communiqué du M23 du 17 février 2023 faisant référence à la "coalition gouvernementale" comprenant les FARDC, les groupes armés et les mercenaires



UPDATE- 17 FÉVRIER 2023

Le M23 présente sa gratitude aux Dirigeants Régionaux pour leurs efforts incessants pour trouver une solution pacifique au conflit en cours dans l'Est de la RDC. Le M23 condamne les attaques barbares des forces de la coalition du Gouvernement de Kinshasa à savoir les FARDC, FDLR, NYATURA, APCLS, PARECO, MAI-MAI et MERCENAIRES depuis 9h45 ce vendredi 17 février 2023 sur toutes ses positions à KINGI, RUVUNDA, KABATI, KAGUSA, RUMENETI, la ville de KITSHANGA et leurs environs. Elles attaquent pendant que les Dirigeants Régionaux sont à Addis-Abeba pour trouver une solution pacifique au conflit en cours dans l'Est de la RDC.

Nous prenons à témoin la Communauté Nationale et Internationale de la énième violation des décisions issues du 20ème Sommet Extraordinaire des Chefs d'Etat de l'EAC du 4 février 2023, tenu à Bujumbura. Le M23 prend note de manque de volonté du Gouvernement de Kinshasa de trouver une solution pacifique au conflit en cours et l'imposition de son option belliciste par tous les moyens.

Le M23 réitère son engagement à résoudre pacifiquement le conflit en cours dans l'Est de la RDC. Cependant, il se réserve le plain droit de se défendre et ne ménagera aucun effort pour protéger les populations civiles et leurs biens dans les zones sous son contrôle.

Fait à Bunagana, le 17 Février 2023

Le Porte-Parole Politique du Mouvement du 23 Mars

Lawrence KANYUKA

Tél : Porte-Parole Politique +243899411093, Porte-Parole militaire +243814946907 Email : mouvementdu23mars2@gmail.com

Document obtained by the Group from M23 sources

Annex/Annexe 25:**M23 leadership and structure****Leadership et structure du M23**

The Group continued to obtain information on individuals known to be part of the M23 leadership structure and military operations (see also [S/2022/967](#), annex 23). At times, the precise responsibility/tasks assigned were not consistently or identically reported to the Group by the different sources it obtained information from, in which case the Group indicated “possibly” in the structure below.

Political branch:

- Bertrand Bisimwa: President
- Benjamin Mbonimpa: Executive Secretary
- Lawrence Kanyuka: Political spokesperson and negotiator
- “Colonel” Erasto Bahati: Finance Officer

Military branch:

- “General” Emmanuel Sultani Makenga: Commander-in-Chief
- “Brigadier-General” Yusuf Mboneza: Deputy-Commander operations/intelligence
- “Brigadier-General” Bernard Byamungu: Deputy-Commander operations
- “Colonel” Justin Gaceri Musanga: Deputy-Commander administration/logistics
- “Colonel” Ernest Sebagenzi: Chief of Staff and/or possibly second deputy commander operations/intelligence and possibly responsible for civilian-military relations and/or possibly Police Inspector
- “Major” Willy Ngoma: Military spokesperson
- “Colonel” Dieudonné Padiri: G1 (administration))
- “Colonel” Castro Mberabagago: G2 (intelligence)
- “Colonel” Imani Nzenze Idi: G3 (operations)
- “Colonel” Joseph Kabayiza: possibly G4 (logistics)
- “Colonel” Albert Kabamba: G5 (planning)
- “Colonel” Leon Kanyamibwa: Training officer with the support of “Lieutenant” Moise and “Sous-Lieutenant” Masengechu
- “Colonel” Innocent Rukara: Possibly artillery commander
- “Colonel” Kalala Kanyamarere and Doctor Jean Paul: Military hospital commanders

Four M23 Brigades and Battalions:

- 1st Brigade commander: “Colonel” Gaceri Musanga
Battalion commander : “Lieutenant-Col” Karangwa
- 2nd Brigade commander: “Colonel” Nzenze Imani
Battalion commander: “Colonel” Mwiseneza Thomas, alias “Colonel” Rapid
Battalion commander: “Major” Mirindi
- 3rd Brigade commander: “Colonel” Kabundi Emmanuel
Battalion commander: “Colonel” Aigle
Battalion commander; “Colonel” Dabusirindia
- 4rd Brigade: “Colonel” Justin Bihire alias Zéro-Three

Annex/Annexe 26:

Additional information on M23 weaponry and military equipment recovered from areas occupied by M23 and/or areas where RDF incursions and/or operations were documented

Informations supplémentaires sur l'armement et l'équipement militaire du M23 récupérés dans les zones occupées par le M23 et/ou dans les zones où des incursions et/ou des opérations des RDF ont été documentées

This annex provides information on military equipment recovered and/or documented in areas occupied by M23 and/or areas where RDF incursions and operations were conducted. The recovered evidence, which is non-exhaustive, provides some insight into the type and origin of military equipment held by, and the firepower of, M23 combatants and soldiers on the ground.

The Group sent several tracing requests in order to obtain information regarding the diversion of this materiel from its intended legal end-user. Several responses are yet to be received.

Materiel recovered in Sake area on 15 March 2023

The Group documented the following weapons, ammunition and military uniforms recovered on 15 March 2023 at an abandoned M23 and/or RDF position north of Sake town, Masisi territory:



- 12.7x108 mm ammunition rounds (see detailed picture below, annex 27)
- Anti-personnel rifle grenades (see detailed picture below, annex 27)
- One composite ballistic Kevlar helmet produced in 2020, similar to the ones used by RDF and not documented as being part of the FARDC arsenal (see detailed picture below, annex 27).

- One 40mm VOG-25 rifle grenade, produced in 1982, documented as being part, inter alia, of the FARDC arsenal:



- One 60 mm mortar shell:



- One 60 mm mortar shell and packaging documented as being part, inter alia, of the FARDC arsenal:





- Two 82mm mortars shell containers (one produced in 2014), documented as being part, inter alia, of the M23 arsenal and FDLR arsenal²⁴²:



²⁴² Documented respectively in 2013 and 2016.

- Five rocket-propelled grenades of various type (four PG-7 variants and one PG-7M variant in the middle):



- Steel helmets documented as being part of the FARDC arsenal:



- One Kevlar helmet produced in 2018, documented as being part, inter alia, of FARDC and RDF arsenals:



Pictures obtained from source with knowledge of the matter

Materiel recovered in Sake area on 13 March 2023

The Group documented weapons, ammunition and military uniforms recovered on 13 March 2023 at an abandoned M23 and/or RDF position 3 km northeast of Sake town, Masisi territory. However, the Group could not inspect the materiel or obtain detailed pictures to show the year of production and/or origin.



Materiel observed in Mushaki and Karuba area on 4 and 7 March 2023

The Group of Experts documented military equipment observed in early March 2023 at several mixed M23 and RDF positions in the area around Mushaki and Karubi, Masisi territory. Since the documentary evidence was not precise enough to capture serial numbers, the Group could not send tracing requests for the materiel.

- Galil-type assault rifle, most likely Galil ACE GEN1, not documented on DRC territory prior to March 2023:



- AK-103 type assault rifle, not documented on DRC territory prior to December 2022 and March 2023:

In December 2022, in YouTube²⁴³ footage of a video circulated by Lawrence Kanyuka, M23 spokesperson, and showing Willy Ngoma (M23 military spokesperson) and M23 combatants, it appeared that at least one M23 combatant was equipped with an AK-103 type assault rifle:

²⁴³ (115) M23 - RDC : Exclusive interview A BUNAGANA - YouTube.



- AKMS-type assault rifle:



- General-purpose machine gun, possibly PKM:



- Heavy machine gun, possibly Type 85:



- Rocket-propelled grenade launcher with loaded grenade:



- Rocket-propelled grenade launcher with loaded grenade (OG-7 variant):



- Recoilless gun (73mm):



- Grenade launcher (similar to MILKOR MGL, Mk1L version), documented as being part, inter alia, of the RDF arsenal:



- Offensive grenade, possible OG-7 variant:



- Propelled grenade, possibly PG-9 variant:



- Type 69 bounding HE-Frag warhead for RPG-7:



- Box of ammunition:



- Bullet-proof jackets:



- Vision equipment including night vision equipment:





- VHF radio:



Pictures obtained from source with knowledge of the matter

Annex/Annexe 27:

Recovered military equipment produced recently

Matériel militaire récupéré produit récemment

- **40mm anti-personnel grenades**

The Group documented several containers of DQJO3-40 anti-personnel rifle grenades (type 90) (see also [S/2022/967](#), annex 27). The recovered 40mm anti-personnel rifle grenades were recovered at an abandoned M23 and/or RDF position north of Sake town, Masisi territory, on 15 March 2023. This type of grenade is known to be in use by the RDF. It is, however, not documented as being part of the FARDC arsenal.

The Group sent tracing requests in order to obtain information regarding the diversion of this materiel from its intended legal end-user. The Group notes that a representative of the Permanent Mission of the People's Republic of China to the United Nations informed the Group that "after verification by the Chinese authorities, the lack of product batch numbers made it impossible to confirm that the weapons and ammunition (...) were produced by the Chinese side."

Case number	Category	Type / model markings	Identification markings	Lot / serial number	Year of production	Factory code
#1	40 mm grenade	DQJO3-40	06-21-5413	06	2021	5413



- **7.62x54mm ammunition**

The Group documented a box of 7.62x54 mm ammunition produced in 2021 with characteristics similar to those of Bulgarian production by Arsenal JSCo,²⁴⁴ recovered on 13 March 2023 some 3 km northeast of Sake town.

²⁴⁴ [7.62x54 mm cartridges - Arsenal JSCo. - Bulgarian manufacturer of weapons and ammunition since 1878 \(arsenal-bg.com\)](#)

The Group sent tracing requests in order to obtain information regarding the diversion of this materiel from its intended legal end-user.

Case number	Category	Type / model markings	Lot / serial number	Year of production
#1	7.62x54 mm ammunition	FMJ/SC SSNf-55 10/21	A18-21- ((10))	2021



Map showing location of recovery of the ammunition box

- **12.7x108 mm ammunition**

The Group documented 12.7x108 mm ammunition rounds consistent with production by Chinese State Factory 41 in 2020 which were recovered at an abandoned M23 position north of Sake town, Masisi territory, on 15 March 2023.

The Group sent tracing requests in order to obtain information regarding the diversion of this materiel from its intended legal end-user. The Group notes that a representative of the Permanent Mission of the People's Republic of China to the United Nations informed the Group that "after verification by the Chinese authorities, the lack of product batch numbers made it impossible to confirm that the weapons and ammunition (...) were produced by the Chinese side."

Case number	Category	Type / model markings	Identification markings	Lot / serial number	Year of production	Factory code
#1	12.7x108 mm	41 20	41 20		2020	41

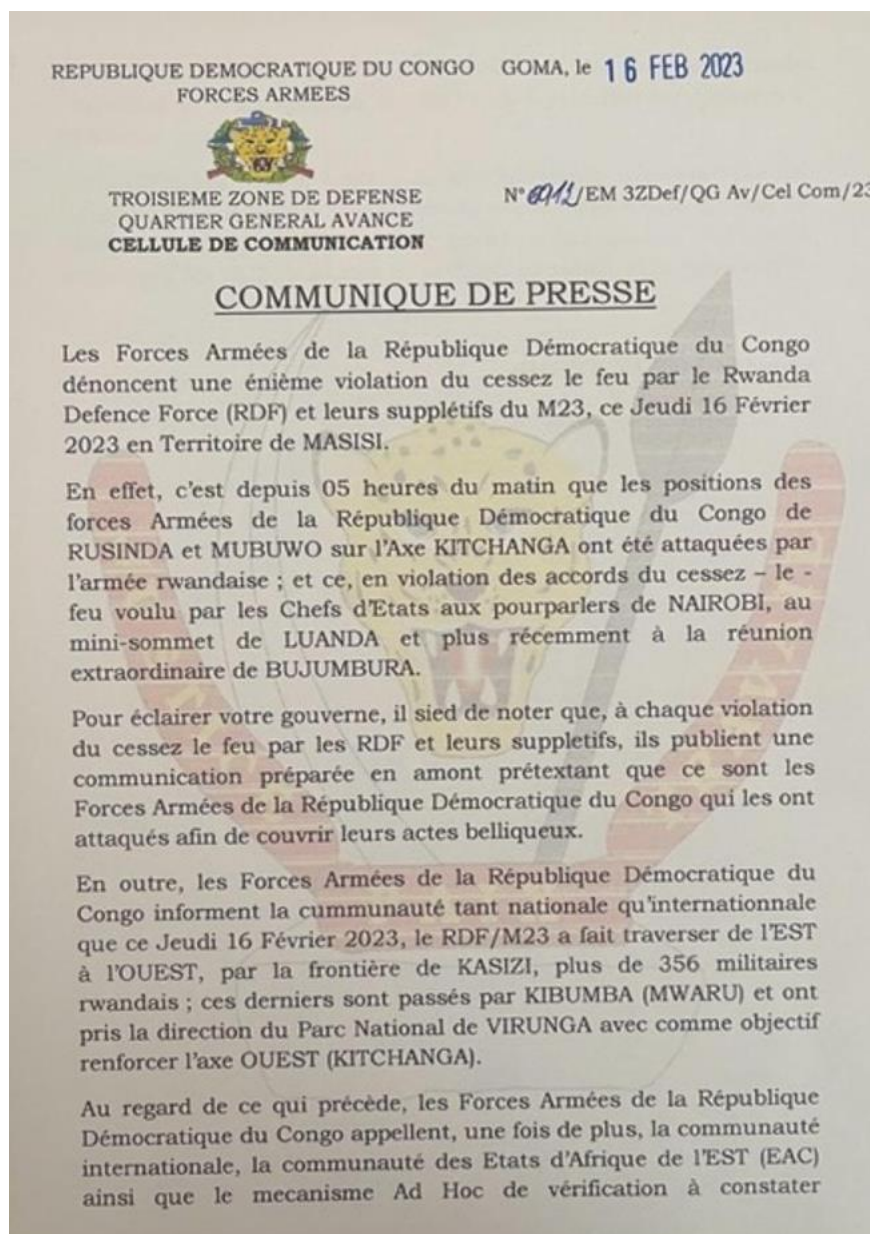


- Composite ballistic Kevlar helmet similar to the ones used by RDF and not documented as being part of the FARDC arsenal, produced in 2020. These helmets were recovered at an abandoned M23 and/or RDF position north of Sake town, Masisi territory, on 15 March 2023.



Annex/Annexe 28:**FARDC communiqués alleging RDF presence and operations on DRC territory****Communiqués des FARDC revendiquant la présence et les opérations des RDF**

- Communiqué of 16 February 2023 denouncing the violation of the ceasefire agreement by RDF and M23 on 16 February 2023, stating that (a) FARDC positions in Rusinda and Mubuwo on the Kitchanga road were attacked by the Rwandan army and (b) 365 RDF elements crossed the border through Kasizi entry point, passed through Kibumba and passed through Virunga Park to reinforce the Kitchanga axis.



urgemment ces multiples violations du cessez le feu par l'armée rwandaise et ses supplétifs du M23 ; et à prendre des mesures y afférentes.

Cependant, les Forces Armées de la République Démocratique du Congo, bien que respectueuses de la volonté des Chefs d'Etats de l'EAC, restent déterminées à répondre à ces actions bellicistes posées par les RDF/M23 afin de protéger la nation et sa population.

NDJIKE KAIKO Guillaume
LtCol
Porte Parole

Document provided to the Group by FARDC source

- Communiqué of 20 February 2023 stating that from 19 to 20 February 2023, RDF/M23 launched general attacks on four FARDC positions in Kyahemba, Butchalwichi, Kihusha and Lubula, Masisi territory and denouncing multiple and repeated violations of the ceasefire by “RDF and their M23 substitutes.”

REPUBLIQUE DEMOCRATIQUE DU CONGO
FORCES ARMEES

GOMA, le 20 FEB 2023



TROISIEME ZONE DE DEFENSE
QUARTIER GENERAL AVANCE
CELLULE DE COMMUNICATION

N° 008 / EM 3ZDef/QG Av/Cel Com/23

COMMUNIQUE DE PRESSE

Les Forces Armées de la République Démocratique du Congo portent à la connaissance de l'opinion tant Nationale qu'Internationale que, dans la nuit du Dimanche 19 au Lundi 20 Fev 2023, les RDF/M23 ont lancé des attaques généralisées sur QUATRE de ses positions à KYAHEMBA, BUTCHALWICHI, KIHUSHA et LUBULA en Territoire de MASISI ; et ce, malgré les effort fournis par les Chefs d'Etats à NAIROBI, LUANDA, BUJUMBURA et plus récemment à ADDIS - ABABA afin d'obtenir le cessez-le-feu de la part ce dernier.

Ces affrontements qui sont en cours au moment où nous communiquons, viennent de provoquer des déplacements massifs des populations civiles entraînant de ce fait, un drame humanitaire.

Ainsi donc, au regard de ces multiples violations à répétition du cessez-le-feu par le RDF et ses supplétifs de M23, les FARDC lancent pour la énième fois un appel à la communauté Internationale, à l'Union Africaine, à la Communauté des Etats d'Afrique de l'EST ainsi qu'au Mécanisme de vérification ad hoc de constater ces bavures et d'en tirer toutes les conséquences.

Toutefois, dans le cadre de ses missions constitutionnelles, les Forces Armées de la République Démocratique du Congo ont pris toutes les dispositions qui s'imposent pour éradiquer cette manche et protéger les populations congolaises et leurs biens tout en demeurant respectueuses de la volonté des Chefs d'Etats de l'EAC.

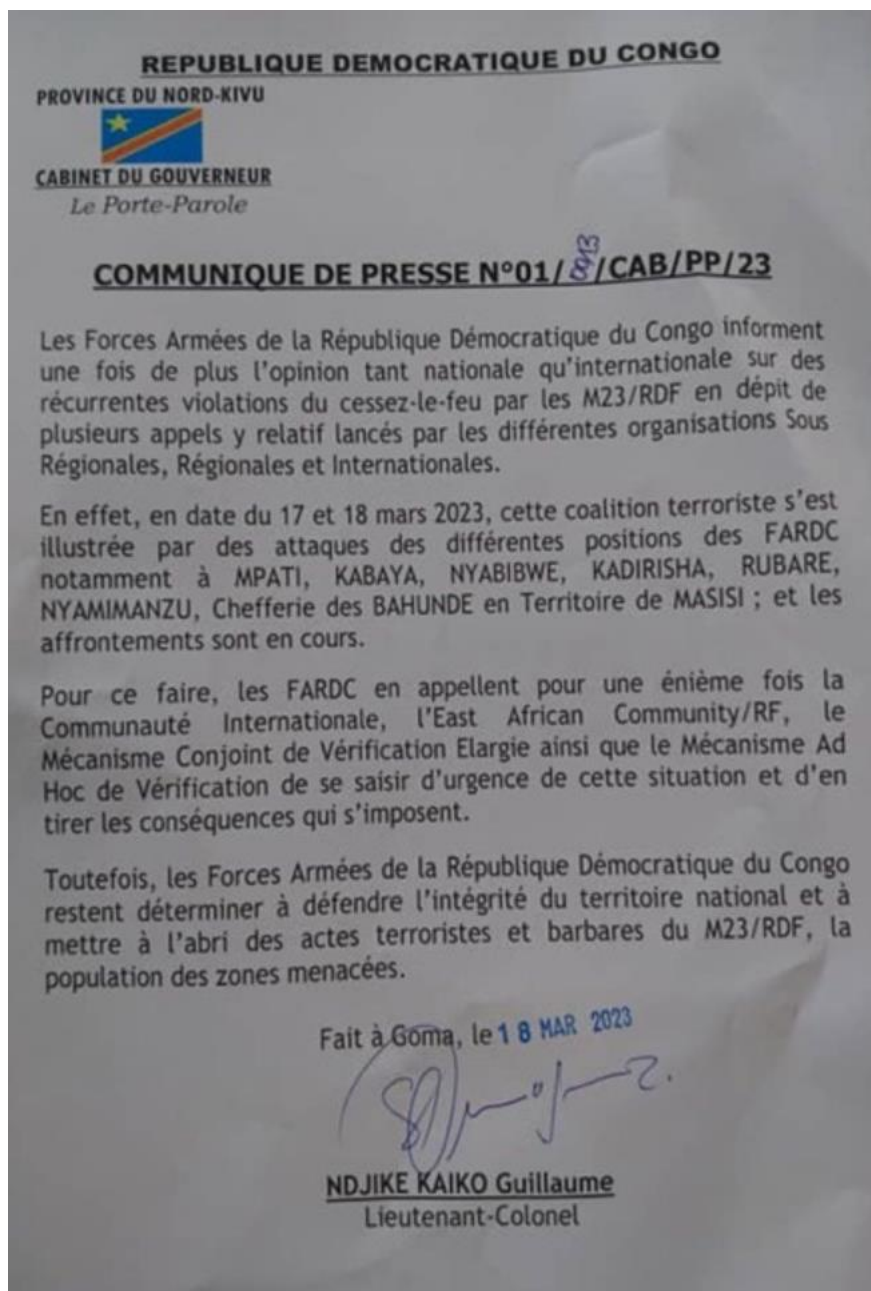
NDJIKE KAIKO Guillaume

LtCol

Porte Parole

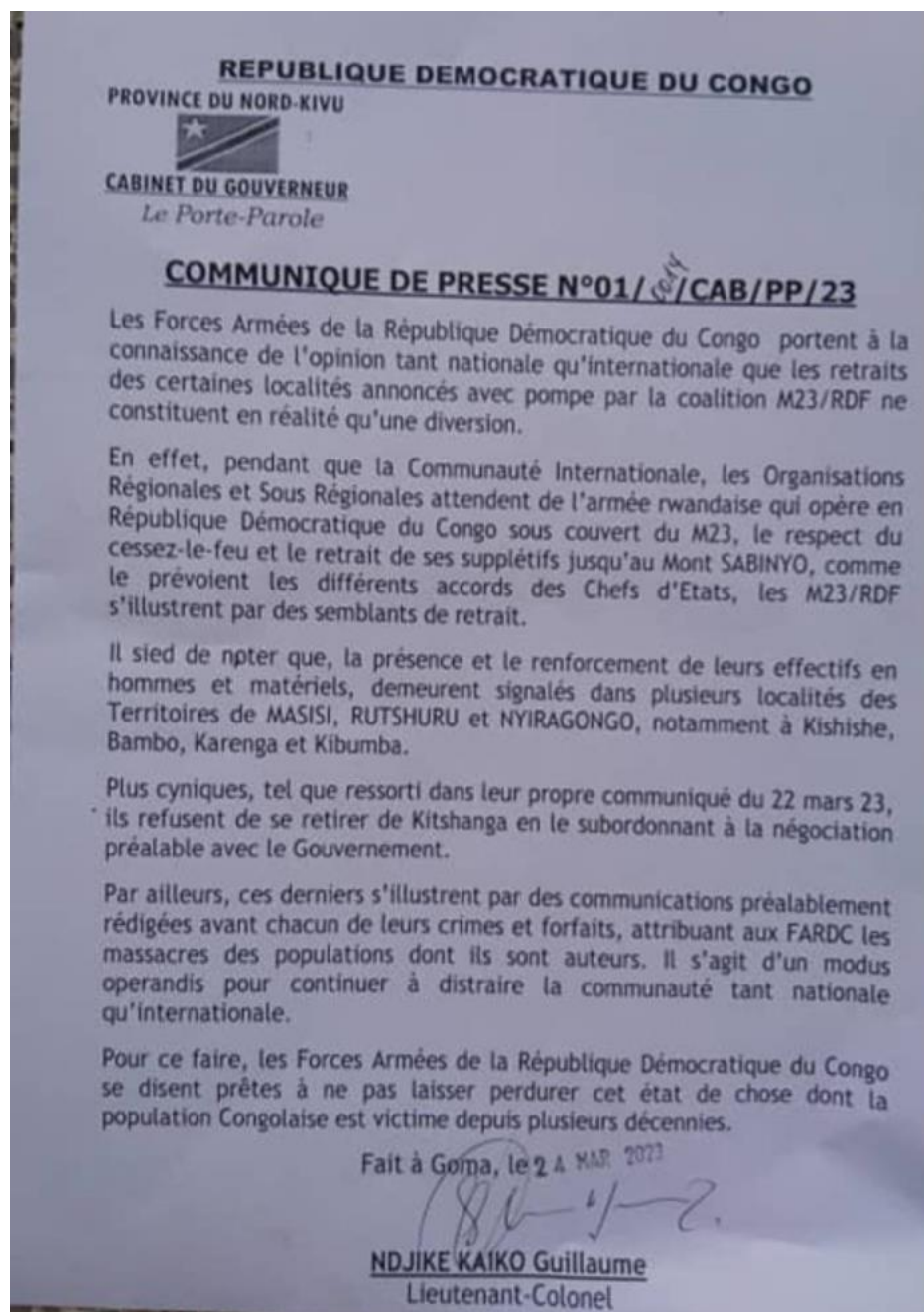
Document provided to the Group by FARDC source

- Communiqué of 18 March 2023 stating that “M23/RDF” violated the ceasefire and that on 17 and 18 March, this “terrorist coalition” attacked different FARDC positions in Mpati, Kabaya, Nyabibwe, Kadirisha, Rubare and Nyamimanzu, Masisi territory:



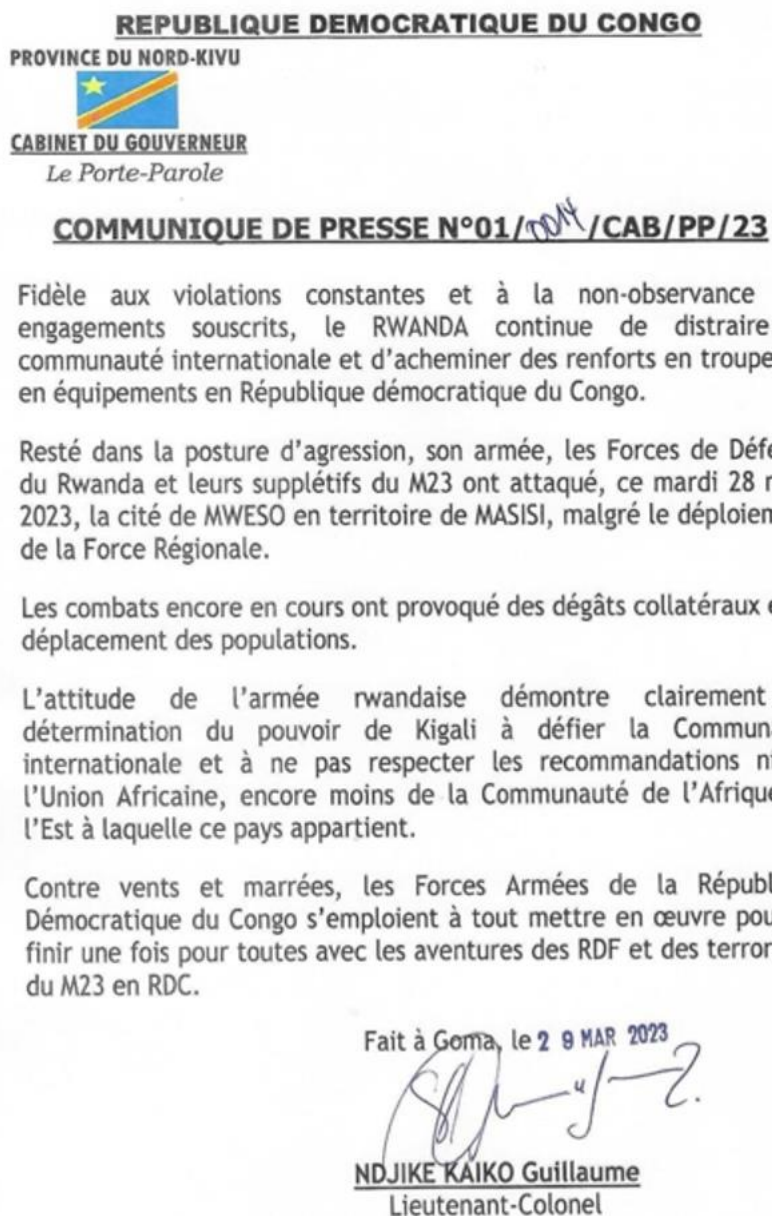
Document provided to the Group by FARDC source

- Communiqué of 24 March 2023 alleging that the withdrawals from certain localities announced by the “M23/RDF coalition” are only a diversion, and referring to the “Rwandan army that operates under the guise of the M23.”



Document provided to the Group by FARDC source

- Communiqué of 29 March 2023 claiming that Rwanda sent reinforcements of troops and equipment to the DRC, and that RDF and M23 troops attacked Mweso town, Masisi territory, on 28 March 2023.



Document provided to the Group by FARDC source

Annex/Annexe 29:**Additional information on the presence of RDF elements in North Kivu and examples of documents detailing the presence of some RDF elements in North Kivu, including RDF elements killed in North Kivu****Informations complémentaires sur la présence de membres des RDF au Nord-Kivu et exemples de documents détaillant la présence de certains éléments RDF, y compris des éléments tués au Nord-Kivu**

The Group obtained lists and pictures of RDF soldiers and commanders reportedly present and some killed while involved in operations in North Kivu. Some names and images of RDF soldiers also circulated on social media and messaging applications (Facebook, WhatsApp, etc.). Other information relating to the presence of RDF soldiers in North Kivu was contained in documents that were recovered at the site of clashes, including some documents recovered on the remains of deceased soldiers, in areas under M23 control and where RDF presence had been reported.

Documents recovered on presumed RDF soldiers at Kilima (Kisheshe) on 29 November 2022

For example, on 29 November 2022, the Group received copies of documents recovered from the remains of at least one RDF soldier killed in combat at Kilima, near Kisheshe. Some of these documents were signed by a “Lieutenant-Colonel E. Mugabo” (see images below). Several sources reported that three RDF officers and many M23 combatants were killed in combat on 29 November 2022 in Kilima, near Kisheshe (see also Annex 40 on the Kisheshe incident). According to these sources, one of the RDF elements killed was Lieutenant-Colonel Emmanuel Mugabo, who had been in charge of the operations in the area. However, the Group could not independently confirm his death.

The documents below, recovered by a local armed group engaged in fighting M23 and RDF, are signed by RDF elements (details below in the translations) and by their superior, Lieutenant-Colonel Emmanuel Mugabo, and detail that the RDF elements provided power of attorney on their bank accounts to close relatives. The amounts are shown in Rwandan currency and the banks referred to are located in Rwanda.

One RDF officer confirmed to the Group that RDF soldiers sometimes carry these types of documents when sent to the battlefield.





Translation:
 “Power of attorney on my account: me, AP 135731, Pte Nizeyimana Alex, tel: 0783590481, I am writing to inform you that I give the mandate to my sister [REDACTED] (...) to collect my money in my account in Zigama, Ngoma Branch, 150.000 Rwf (...) so that she can use it (...) Signed: Nizeyimana Alex and Lt-Col E. Mugabo”



Translation:

“(…) 100.000 in my account at the Zigama bank (Kachiru branch) in order to solve the financial problems as I am not present to give the money. Thank you. Signed: Niyoyita J Taime and Lt-Col E. Mugabo.

The above documents were obtained from civil society sources and individuals close to armed groups on 29 November 2022.

Other information about deceased soldiers, presumably RDF elements

The Group received information - including the rank, names, reported dates of death and/or pictures - of 14 individuals reportedly belonging to the Rwandan army or Rwandan reserve force that were allegedly killed in North Kivu, DRC, between May 2022 and March 2023.

The Group sent this information to the Government of Rwanda. Following the Group's request for information, the Government of Rwanda replied that “out of 14 individuals presented (...) eleven (11) of them are indeed deceased members of RDF. However, none of them was killed in DRC but passed away in Rwanda due to either accidents or natural illness.”

The Government of Rwanda also noted that 12 individuals referred to in the Group's request for information appear in a propaganda video clip authored by renowned DRC/FDLR propagandists. While the Group acknowledges that several lists and pictures also circulated amongst FDLR circles and local armed groups too, the Group also obtained information on the majority of the individuals from a range of sources, independent from the FDLR. The Group also notes that Rwandan officials and one RDF officer confirmed the killing of RDF soldiers in North Kivu Province between May 2022 and March 2023 to the Group. The Group further reiterates that RDF soldiers were arrested on DRC territory (see also [S/2022/967](#), annex 28).

One RDF officer informed the Group that one of the objectives of the mid-March 2023 clashes south and southwest of Sake (see also para. 42) was to take control of Minova on the lakefront, in order to evacuate the corpses of deceased RDF soldiers via Lake Kivu. RDF Colonel Deo Rusanganwa, the commanding officer of the marine unit, was reportedly in charge of these operations.

Information on presence of RDF soldiers and officers in Masisi territory

The Group also reviewed information regarding 17 RDF soldiers and officers involved in operations against FARDC, local armed groups and FDLR in Masisi territory, North Kivu, between 1 January and 15 March 2023. The Group obtained detailed information regarding these individuals, including their rank, names and registration numbers.

The Group sent all details regarding the seventeen RDF soldiers and officers to the Government of Rwanda. This included Colonel Alex Nkuranga, whose presence was reported to the Group by reliable sources in Mushaki and Karuba area in February and March 2023 (see also para. 57). The Government of Rwanda denied the alleged presence of Lieutenant Colonel Alex Nkuranga in Mushaki in March 2023.

The Rwandan authorities did not provide any specifics regarding the other sixteen RDF soldiers but stated that “the Government of Rwanda equally refutes these allegations that seek to validate DRC and FDLR propaganda and narrative”.

Annex/Annexe 30:**Column of at least 30 combatants described as RDF marching through Kiwanja town on 15 November 2022****Colonne d'au moins 30 combattants décrits comme des RDF traversant la ville de Kiwanja le 15 novembre 2022**

Eyewitnesses, civil society actors, local authorities and FARDC sources reported that on 15 November 2022, RDF soldiers marched through the centre of Kiwanja town. The video filmed that day and obtained by the Group on 16 November shows at least 25 soldiers marching as part of a column and wearing full battledress and equipment, including helmets, backpacks and personal weapons, similar to those of the RDF. The video was widely distributed on social media on 15, 16 and 17 November 2022 and was geolocated as having been filmed near Radio Racov in Kiwanja.

Eyewitnesses interviewed by the Group identified the armed and uniformed men as RDF members because of their distinct military equipment and uniforms, their well-organized structure which is different from that of the M23, their modus operandi and their spoken language.

Other sources, including intelligence and diplomatic sources, also reported that the soldiers' walking in formation, trained behaviour and equipment suggested that these combatants belonged to a conventional army, while also stressing that M23 and RDF are often indistinguishable.



Above: Screenshots of the video provided to the Group by civil society sources on 16 November 2022.



Above: Tweet of 16 November 2022 by Ricky Paluku claiming to show RDF troop reinforcements in Kiwanja

Annex/Annexe 31:**Combatants wearing equipment similar to those of the RDF****Combattants portant des équipements similaires à ceux des RDF**

On 7 March 2023, combatants wearing military attire and weapons similar to those of RDF were spotted on a fortified hill in Karuba which was under M23 control at the time. Armed group combatants, civil society and security sources confirmed the presence of RDF soldiers in the area that day. The Group notes that one RDF officer also stated that the individuals depicted in these images certainly were RDF soldiers.



Picture on the right below: HE-Frag OG-9 projectile, used in recoilless launchers SPG-9 or 2A28 light tank guns



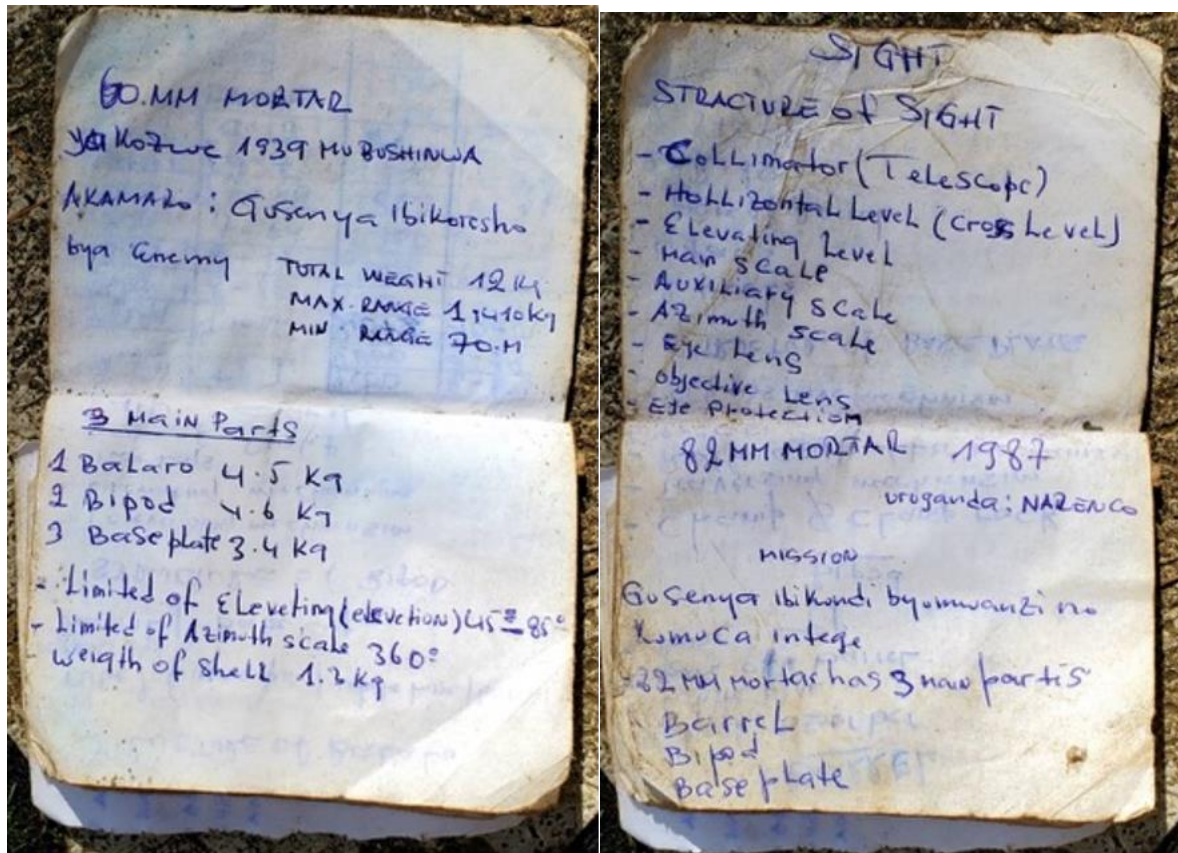
Pictures provided to the Group by a source with knowledge of the matter

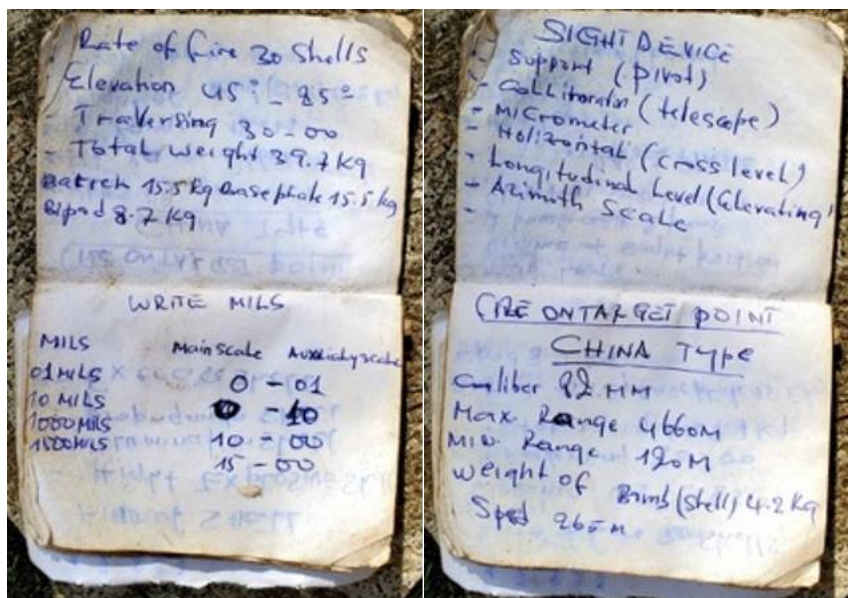
Annex/Annexe 32:

Excerpts of a notebook recovered in Mushaki detailing names and grades of suspected RDF soldiers, presence and use of mortars and mission

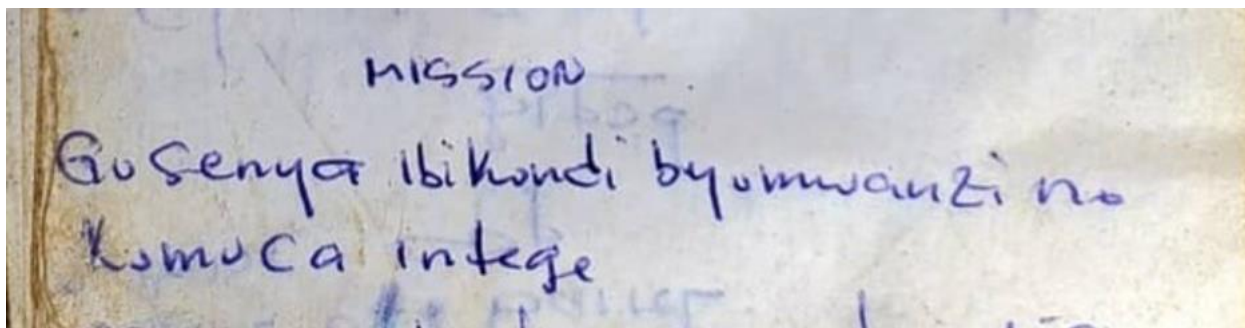
Extraits du carnet de notes retrouvé à Mushaki détaillant les noms et grades des soldats présumés des RDF, la présence et l'utilisation de mortiers et la mission

- Excerpts on the mortar use and weaponry:





- Excerpt on the mission articulated as “destroying the armed forces by breaking their integration” (translation) (see para. 57)

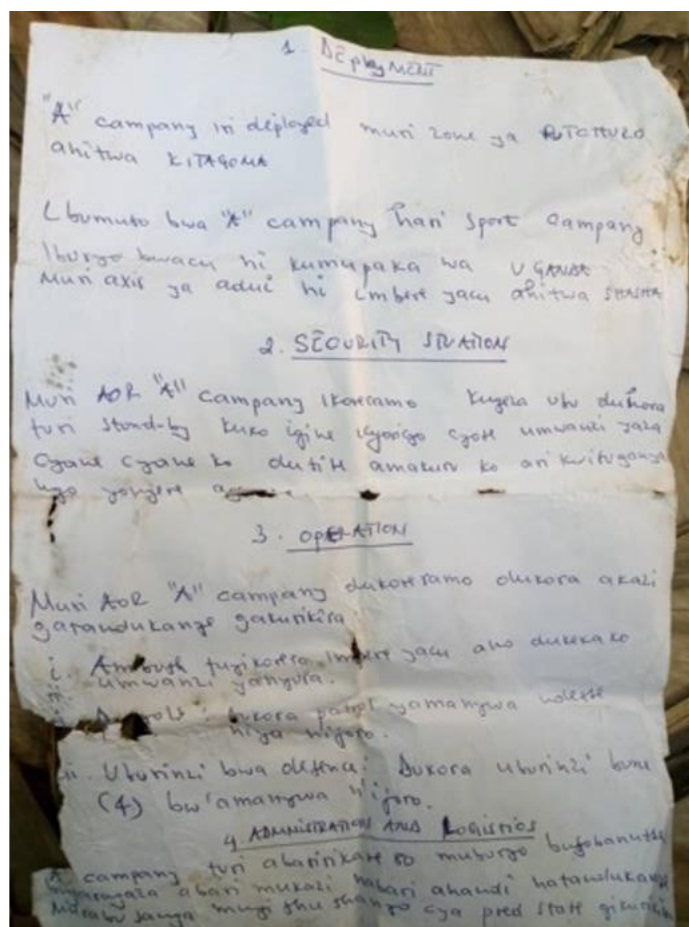


- Excerpt with some names and grades of soldiers (see also annex 29):



Notebook provided to the Group by source with knowledge of the matter

- Example of other documents detailing some operations in North Kivu



Document provided to the Group by civil society sources

Translation:

- “1. Deployment: A company A is deployed in Rutshuru in a place called Kitagoma. To the west of company A there is the company sport, and to the east is the Ugandan border, the enemy is in front of us on the Shasha axis.
2. Security situation: In the AOR where company A is operational, we remain on high alert because we know that the enemy can come and attack us at any time; we have information according to which the enemy will attack us to (...).
3. Operations: In the AOR where our company A is operational, we carry out the following tasks: we set up ambushes in front of our operational sector where the enemy can pass, we do night and day patrols, we defend our positions at night and during the day.
4. Administration and logistics: In our company A we are 80 soldiers in total including those that are in operations and those that are elsewhere.”

Annex/Annexe 33:**Examples of aerial footage and photographic evidence confirming the presence of RDF soldiers on DRC territory****Exemples de séquences aériennes et de preuves photographiques confirmant la présence de soldats des RDF sur le territoire de la RDC**

- On 21 and 22 December 2022, about 200 soldiers equipped with uniforms, weaponry and backpacks similar to standard RDF issue were spotted in the so-called “three antennas” area in Kibumba, Nyiragongo territory. Armed group combatants, civil society and security sources confirmed the presence of RDF soldiers in the area during this period. The Group notes that one RDF officer also stated that the individuals depicted in these images certainly were RDF soldiers:





Footage provided to the Group by source with knowledge of the matter

- On 19 January 2023, RDF soldiers, between two and four sections, were spotted 8.6 kilometers southeast of Kitchanga. Aside from the elements assembled at the position, approximately 15 elements were standing inside the trenches. One image shows about 25 RDF soldiers organized in three groups and wearing similar battledress and equipment. The imagery also shows two objects considered to be either rocket-propelled grenade launchers or portable missiles (possibly type SA7 or SA16t):





Annex/Annexe 34:

RDF entry points

Points d'entrée RDF

Civil society actors, local authorities, diplomats, researchers, one RDF element and eyewitnesses reported that between November 2022 and March 2023, RDF troops arrived from the Rwandan side of the border and entered the DRC through, inter alia, Bukima, from where they moved to Rugari and Kakomero, and further to Burungu via a path in Virunga National Park.

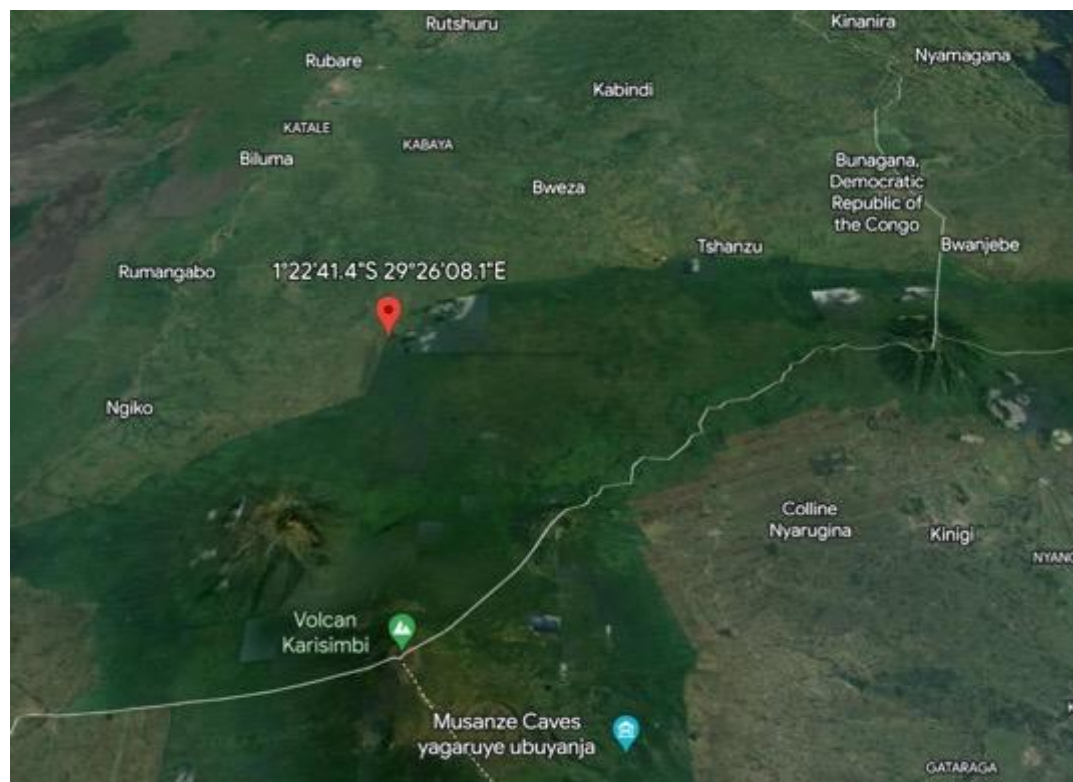
RDF troops also entered through Kabuhanga, south of Kibumba, Nyiragongo territory, to move to the three antennas area, and through Ndiza close to the Sabinyo volcano, to move to Jomba groupement.

The same sources also reported that once RDF troops arrived in Kitshanga area, they split into two directions, i.e., north towards Mweso and south towards Kilolirwe and Mushaki area.

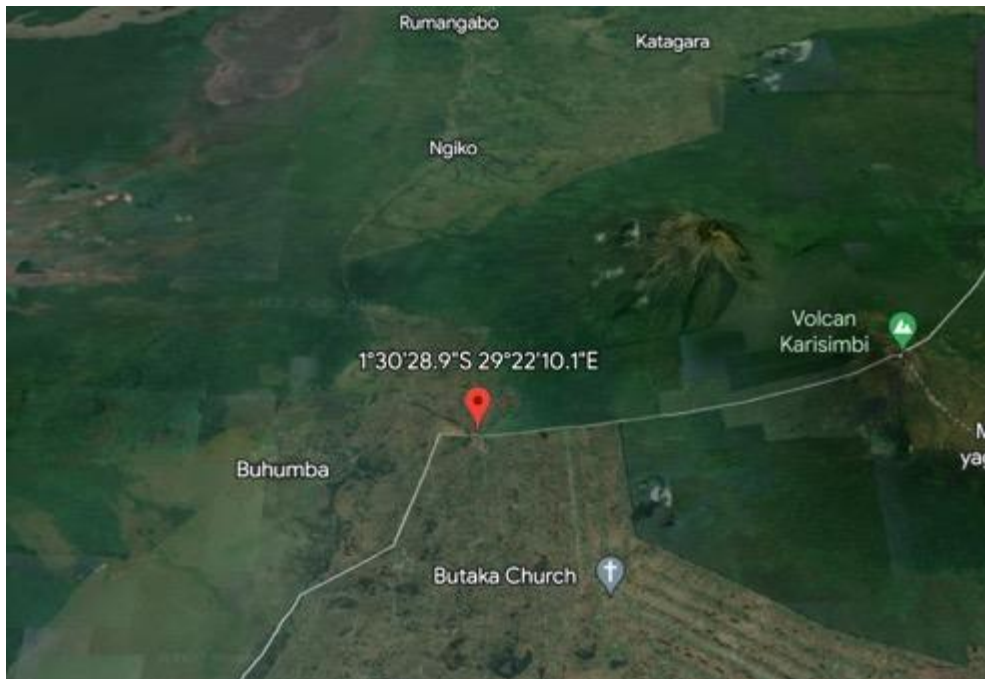
One RDF element involved in operations in Tongo said that his section had been sent to the area from Mukamira in Rwanda.

Civil society sources, eyewitnesses and security sources reported that RDF had a logistics base in Katale, Rutshuru territory.

- Bukima: 1°22'41.4''S-29°26'08.1''E



- Kabuhunga: 1°30'28.99"S-29°22'10.17" E



- Ndiza (1°22'21.2"S-29°33'49.9"E)



Annex/Annexe 35:**Rwandan officers involved in operations in North Kivu****Officiers rwandais impliqués dans les opérations au Nord Kivu**

- General James Kabarebe: Defence and Security Advisor to the President
- General Jean Bosco Kazura: Chief of Defence Staff
- Lieutenant-General Mubarakh Muganga: Army Chief of Staff
- Major-General Vincent Nyakarundi: Chief Military and Defence Intelligence
- Major-General Ruki Karusisi: Special Force Operations Commander
- Major-General Eric Murokore: Reserve Force Coordinator Northern Province including volcanoes area
- Major-General Franck Mugambage: Acting Reserve Force Chief of Staff
- Brigadier-General Rugumyangabo Gacinya: Chief Operations RDF/M23, based in Bunagana

Annex/Annexe 36:**Additional information on the 24 January 2023 shooting of a FARDC SU-25 fighter jet****Informations complémentaires sur le tir du 24 janvier 2023 sur un avion de chasse SU-25 des FARDC**

On 24 January 2023, three shots were fired from the line of the international border between the DRC and Rwanda (see below).²⁴⁵ One surface-to-air missile hit the Sukhoi aircraft which, despite the damage, was able to land at Goma airport.

Rwandan authorities nearly immediately took responsibility for the incident, stating that “defensive measures” had been taken since this was the third time that a Congolese fighter jet had violated Rwandan airspace. Rwanda had already accused Congolese aircraft of violating its airspace in November and December 2022.²⁴⁶

The DRC Government, in an official communiqué, “condemn[ed] and strongly denounce[d] the attack against one of its Sukhoi 25 aircraft by the Rwandan army” and stated that the aircraft “did not fly over Rwandan air space” (see below). The DRC Government also considered this attack to be “a deliberate act of aggression that amounts to an act of war.”

The Group notes that the proximity of Goma airport to the international border with Rwanda, and the position/direction of the landing strip limit most aircraft, whether military or civilian, to briefly transiting through Rwandan airspace prior to landing.

These incidents and others from the recent past (see [S/2022/479](#), para. 63 and [S/2022/967](#), annex 15) forewarned that there was a risk of military aircraft operating in North Kivu to be targeted.

On 5 February 2023, the shooting of a MONUSCO transport helicopter, possibly by M23 elements,²⁴⁷ resulted in two South African pilots being wounded, one of whom subsequently died of his injuries. On 24 February 2023, a UN Humanitarian Air Service (UNHAS) helicopter came under fire at a 10-minute flying distance from Goma (see below). The aircraft managed to land without any casualties. Consequently, MONUSCO and UNHAS decided to suspend all helicopter flights operating in eastern DRC, a move that impacted MONUSCO operations and humanitarian activities in the area. The Group reiterates that attacks on UN peacekeepers and humanitarian staff constitute sanctionable acts under the applicable sanctions regime.

²⁴⁵ The Group of Experts was present in Goma that day and heard the three shots.

²⁴⁶ On 7 November and 28 December 2022.

²⁴⁷ Investigations are ongoing.

- Map showing the international border, the reported position of the missile prior to the shooting and the reported position of the fighter jet when hit:



Annotated map obtained from source with knowledge of the matter
Several videos of the shooting of the fighter jet are on file with the Secretariat

- Official communication of the DRC Government on the 24 January 2023 shooting of a FARDC SU-25 fighter jet:



MINISTÈRE
DE LA COMMUNICATION
ET MÉDIAS

COMMUNIQUÉ OFFICIEL

Le Gouvernement de la République Démocratique du Congo condamne et dénonce fermement l'attaque de son avion de chasse par l'armée rwandaise dans l'espace aérien Congolais et n'entend pas se laisser faire

Le Gouvernement de la République Démocratique du Congo condamne et dénonce fermement l'attaque contre l'un de ses avions Sukhoï-25 par l'armée rwandaise, ce 24 janvier 2023 vers 17h00 à Goma, chef-lieu de la province du Nord-Kivu.

Cet avion de chasse a été attaqué pendant qu'il entamait son atterrissage sur la piste de l'aéroport international de Goma. Les tirs rwandais ont été dirigés vers un aéronef Congolais volant à l'intérieur du territoire Congolais. Il n'a nullement survolé l'espace aérien rwandais. L'avion a atterri sans dégâts matériels majeurs.

Cette attaque s'ajoute à l'offensive déclenchée ce matin par l'armée rwandaise vers Kitchanga et immédiatement repoussée par les Forces Armées de la République Démocratique du Congo (FARDC). Dans l'entre-temps, il est observé des colonnes de militaires de l'armée rwandaise en provenance du Rwanda pour renforcer les positions de Kibumba et Bwito en prévision d'autres actions criminelles.

Le Gouvernement considère cette énième attaque du Rwanda comme une action délibérée d'agression qui équivaut à un acte de guerre n'ayant pour objectif que de saboter les efforts en cours dans la mise en œuvre des actions convenues dans le cadre des processus de Luanda et de Nairobi pour la restauration de la paix à l'Est de la République Démocratique du Congo et dans la région des Grands-Lacs.

Par ailleurs, à quelques jours du démarrage des opérations d'enrôlement des électeurs au Centre et à l'Est du pays, le Gouvernement appelle l'attention de la communauté internationale sur la nécessité et l'urgence de maintenir la pression sur le Rwanda et le mouvement terroriste M23 pour qu'ils cessent la violence qui risque d'hypothéquer ces opérations en cette année électorale.

Enfin, bien qu'étant engagé dans les différents processus de paix précités, le Gouvernement de la République Démocratique du Congo se réserve le droit légitime de défendre son territoire national et ne se laissera pas faire.

Fait à Kinshasa, le 24 janvier 2023.

Kinshasa RDC
Adresse : 83, avenue TABU-LEY (ex. TOMBALBAYE), Bâtiment RATELSCO (RTNC 2) Commune de la Gombe, Kinshasa RDC
• Courriel : info@communication.gouv.cd
• Site web : <http://communication.gouv.cd>
• Twitter : [@comm_mediasRDC](https://twitter.com/comm_mediasRDC)

Communication obtained from FARDC source

- Official United Nations communication on the 24 February 2023 attack of a UNHAS helicopter



Bureau du Coordonnateur humanitaire en République démocratique du Congo

Une attaque sur un hélicoptère opéré par l'UNHAS met en péril l'action humanitaire dans l'est de la RDC

Kinshasa, le 26 février 2023 - Le vendredi 24 février, un hélicoptère opéré par le Service aérien humanitaire des Nations Unies (UNHAS), géré par le Programme alimentaire mondial (PAM), a essuyé des tirs à 10 minutes de Goma, lors de son retour de Walikale. Les trois membres de l'équipage et 10 passagers à bord de l'hélicoptère sont heureusement indemnes.

« Nous sommes profondément préoccupés par la sécurité des opérations aériennes et des acteurs humanitaires qui dépendent de ces vols pour atteindre les groupes les plus vulnérables de la population. L'opération des services aériens humanitaires en République démocratique du Congo reste indispensable pour fournir une assistance humanitaire à des centaines de milliers de personnes dans certaines parties du pays difficilement accessibles » a déclaré le Coordonnateur humanitaire Bruno Lemarquis.

Cette dernière attaque est la deuxième au cours des six derniers mois : une première attaque ayant eu lieu en septembre 2022.

En conséquence, le PAM a décidé de suspendre temporairement tous les vols humanitaires dans les zones de conflit au Nord-Kivu et en Ituri, jusqu'à ce que des mesures supplémentaires soient prises pour garantir la sécurité des vols et des acteurs humanitaires qui les utilisent.

Malheureusement, cette suspension affectera l'axe Goma - Beni - Bunia, et l'axe Goma - Walikale - Pinga - Kibua - Masisi - Oninga - Kirumba - Rwindi - Roe et Nobili. Cette suspension aura un impact négatif sur l'acheminement de l'aide humanitaire indispensable aux personnes vulnérables dans ces zones.

« Nous appelons toutes les parties au conflit à respecter le droit humanitaire international et à épargner les acteurs et les biens humanitaires, y compris les aéronefs humanitaires. Nous devons travailler ensemble pour créer un environnement propice à l'acheminement de l'aide humanitaire aux personnes dans le besoin » a souligné M. Lemarquis.

Cette attaque intervient quelques jours après le lancement du Plan de réponse humanitaire 2023, qui vise à apporter une assistance humanitaire à 10 millions de personnes, dont la plupart se trouvent dans l'Est du pays, pour un montant de \$2,25 milliards.

Communication obtained from MONUSCO sources

Annex/Annexe 37:**Arbitrary arrests, enforced disappearances and torture by M23****Arrestations arbitraires, disparitions forcées et torture par le M23**

The Group documented a practice of arbitrary arrests by M23 in areas under its control.²⁴⁸ Several sources reported that individuals suspected of being members of enemy armed groups, or suspected of collaborating with Congolese authorities, FARDC or enemy armed groups, were systematically arrested, detained, and some were tortured or executed by M23. Many have disappeared and their fate remains unknown (see also [S/2022/967](#), para. 57).

According to a civil society source from Rutshuru, in December 2022 over 70 persons were incarcerated in several cells in Rutshuru, including in an underground holding cell in Nyongera. Witnesses interviewed by the Group reported that prisoners were often tortured and families were denied access to them.²⁴⁹

The Group documented the arrest by M23 elements of Mugabushoboye Bazirushaka Andre at Katale, Rutshuru territory, on 7 December 2022. His arrest was witnessed by several villagers. He was suspected of being a member of FDLR, and according to witnesses, he was forced by M23 to point out the locations where FDLR were possibly hiding in the area. The family of the victim did not receive any news of his whereabouts until the time of writing this report. After Bazirushaka Andre's arrest, M23 accused the civilian population of Katale and neighbouring Rugari of cooperating with FDLR and instructed them to immediately vacate these localities (see copy of statement below issued by the civil society *Force Vive de Congo*). Sources also reported that M23 burned down or destroyed several houses in Rugari, during a search/revenge operation against FDLR combatants or presumed collaborators.²⁵⁰

²⁴⁸ MONUSCO, civil society sources, researchers, and several testimonies of eyewitnesses to arbitrary arrests.

²⁴⁹ Civil society sources, community leaders, and two civilians living in the Rutshuru area.

²⁵⁰ The burning of the houses was confirmed by several eyewitness testimonies, including IDPs who returned to the area in search of food or other supplies.



Above: Statement by the president of the Rumangabo civil society *Force Vive de Congo* on the disappearance of Mugabushoboye Bazirushaka Andre and the persecution of the local population

Similar incidents were reported by multiple sources interviewed by the Group in various areas controlled by M23, including in Kisheshe and Bambo. These sources stated that M23 often punished and incarcerated civilians for allegedly collaborating with the enemy or for refusing to submit to the demands of M23 combatants. They reported that civilians were also confined and prevented from leaving the conquered villages, were thoroughly searched and their phones confiscated, mainly to prevent them from providing information about events in their villages. M23 combatants did not hesitate to shoot civilians who tried to escape.

An inhabitant of Kisheshe reported that M23 systematically harassed the local population and invented false pretexts to punish them. Initially they killed those accused of treason or disobedience, but subsequently began a practice of asking for payment to release the captives. The source claimed that the ransom payment varied between 50,000 and 200,000 Congolese francs.

One inhabitant of Bambo witnessed several incidents of M23 combatants harassing local civilians on suspicion that they were Mai-Mai or FDLR combatants. In particular, he witnessed M23 cutting the leg of a man accused of being a Mai-Mai combatant.

Another source reported the arrest by M23 of two minors in Kisheshe, accused of being the children of a FDLR combatant. The children were taken and were never seen again. The same source explained that M23 inquired about the identities of suspected individuals, and if locals did not vouch for them as belonging to the community, they were killed.

Several sources also indicated that community leaders installed/appointed by M23 were required to regularly report on activities in the village and to denounce all suspicious activities, notably enemy collaborators. This was confirmed by two leaders installed/nominated by M23 in two distinct localities.

Multiple, independent sources interviewed by the Group reported a practice of corporal punishments administered by M23 combatants to those who disobeyed orders or were suspected of wrongdoing. One source explained that as M23 did not have proper prisons, the regular punishment for transgressions was beatings. M23 often killed those suspected or accused of serious offences (for example theft or giving information to the enemy).

Three sources, two of whom had to carry out forced labour on several occasions, had seen other civilians getting severely beaten for refusing to carry out the mandatory community service called “salongo” (see also annex 45 below).

Below: Photographic evidence provided to the Group by a security source shows M23 combatants administering corporal punishment to an unidentified man on 7 March 2023 at Karuba:





Annex/Annexe 38:

Summary executions of civilians and captured or suspected combatants by M23

Exécutions sommaires de civils et de combattants capturés ou présumés par le M23

Multiple, independent sources reported that M23 often executed civilians as well as individuals suspected of being enemy combatants or collaborators, to punish them or to prevent them from fleeing.²⁵¹

On 21 November 2022, M23 executed 10 young men at Mburambaze on the outskirts of Bambo town in Bwito chiefdom.²⁵² According to local sources, they were executed by M23 combatants allegedly because some of their companions escaped during a brief combat between M23 elements and FARDC on the outskirts of Bambo town. The men were taken by force in the villages of Kabizo and Butare, when M23 passed through their villages on their way to conquer Bambo. An eyewitness had seen the young men transporting baggage for M23 the previous day, as they passed through Buhambi, on their way to Bambo. The same witness had seen their bodies at the entrance of Bambo, soon after they were killed, and confirmed they were the same men seen the previous day. Inhabitants of Bambo identified the victims and contacted their families to recover their remains.

²⁵¹ Civil society, local residents/eyewitnesses to incidents, community leaders, MONUSCO sources.

²⁵² Three independent sources, inhabitants of Bambo, as well as MONUSCO sources.

[illegible]

Below: Full text of M23 communiqué issued on 3 December 2022 relating to the events at Kisheshe, signed by Bertrand Bisimwa as “Chairman of the M23 Movement”



DEVELOPMENT OF EVENTS IN THE VILLAGE OF KISHISHE

What did really happen in the village of KISHISHE in the territory of Rutshuru?

The M23 Movement Directorate, hereby, informs the international and national community that the ongoing political and media campaign, waged against it by DRC Government, is perpetrated with the sole purpose of tarnishing its image and creating a diversion from the ongoing genocide in the North Kivu, South Kivu and Ituri. This truly lacks authenticity. The M23 Movement regrets that the unverified allegations derived from the head of a tribal militia are taken as true to life facts which, on the contrary happened otherwise, herein below is the explanation.

The M23 Movement is so attached to the cause of its struggle, hence, pays particular attention to the protection of the populations and total respects of the rules of engagement on the battlefield in-line with international humanitarian law and safeguarding of the lives of civilian. It cannot tolerate unfounded allegations by means of a communication attack that consisting of relaying the fabrications by the DRC Government.

In regard to the speculated armed confrontation between a unit of ARC/M23 and the DRC Government's coalition of FARDC, FDLR, PARECO/FF, NYATURA, PACLS and Mai-Mai, on November 29th, 2022, in the village of KISHISHE as well as the political hijacking of the DRC Government, which has never decreed a national mourning with the flag at half mast for the thousands of Congolese citizens slaughtered by the the said DRC Government BENI, ITURI, MINEMBWE and KWAMOUTH, the M23 is, therefore, obliged to shed the light on this event that got much media attention and huge manipulation.

01. In mid-November 2022, the DRC Government appointed Brigadier General MUGABO Hassan in the territory of MASISI as commander in charge of operations with the special mandate of reviving his former armed group, PARECO, founded by himself in 2006 and to gather different armed groups operating in this part of the country to launch an immense offensive against the M23 in the territory of Rutshuru. This armed group, PARECO is known for its serious abuses perpetrated against peaceful citizens in the territory of MASISI between the years 2006 and 2009; CFR: M23 COMMUNIQUE OF NOVEMBER 22nd, 2022
02. November 23rd, 2022, marks the official reactivation day of PARECO/FF in CHUGI in the territory of MASISI, by Mr. SENDUGU MUSEVENI with the objective of waing war on M23;
03. November 29th, 2022, following the infiltration and attack orchestrated by the DRC Government coalition through the PARECO/FF a group belonging to the FARDC General MUGABO Hassan and his allies FDLR, NYATURA and Mai-Mai, to violate the ceasefire in the village of KISHISHE and to therefore take control of it, SENDUGU MUSEVENI then published a first audio which went viral in social networks praising the tremendous work of his fighters and thus, orders them to also take control of TONGO, BAMBO and KALENGERA. The ARC/M23 forces will carry out a counter-offensive

Tél : Porte-Parole Politique +243899411093, Porte-Parole militaire +243814946907 Email : mouvementdu23mars2@gmail.com

to put the enemy out of harm's way. ARC/M23 chased and pursued the enemy towards the localities of KILIMA and KIBIRIZI.

04. In the 2nd audio, published by the same PARECO's political leader, speaking in Kinyarwanda, in order to be also heard by the FDLR, then, he appeals to all of his fighters to use even stones they are extracting from the mines to kill M23 soldiers and snatch their weapons;
05. On November 30th, 2022, throughout the burial ceremony of the enemies' dead combatants on the battlefield, that was organised by the ARC/M23 Unit on ground in collaboration with the local authorities and population, it was then they discovered the presence of civilians bodies. This is when the DRC Government coalition forces (FARDC, FDLR, NYATURA, APCLS, PARECO/FF and MAI-MAI) tried to claim their dead combatants with weapon in hand on the battlefield as civilians. Their announcements went viral on social media with a fanciful and sensational toll of more than 120 dead, on the sole objective of playing with the good faith of people who love peace and justice. Thereafter, many reactions followed from everywhere, based on these allegations that have not been verified by credible sources;
06. On December 1st, 2022, the FARDC Spokesperson officially announces a death toll of 50 civilians after realising that the toll presented by his allies was too blatant to be authentic when in reality there were 8 civilians who died from stray bullets.
07. On Friday, December 02nd, 2022, the DRC Government without any due diligence or investigation and with lack of verified information from credible sources, for political gains has hijack these false allegations with the dual objective, firstly concealing the setbacks suffered by its coalition in the KISHISHE area and secondly, to diverted one's attention on ongoing Genocide committed by its coalition of FARDC, FDLR, PARECO/FF, NYATURA, APCLS and Mai-Mai in the territories of MASISI, RUTSHURU and MINEBWE (NORTH KIVU, SOUTH KIVU AND ITURI).
08. In away to implement its political hijacking, the DRC Government has decreed a national mourning on an unverified allegation of the massacre of some fifty Congolese civilians that itself, is unable to identify the victims as it has just relied on a hastily fabricated toll record for the sake of it;
09. However, the DRC Government should have really communicated and strongly condemned the ongoing killings currently being carried out by its coalition FARDC, FDLR, PARECO/FF, NYATURA, APCLS and Mai-Mai in the territories of MASISI, RUTSHURU and MINEMBWE against innocent civilians, either for their ethnicity or for their refusal to lend their support to their actions. Some civilians are stuck in their own homes for fear of being identified and executed. Hate Speeches and xenophobia are chanted by adults and young children in the villages' streets against any family and any person with Tutsi facies, ordering them to return to Rwanda, failing to do so, they will be immediately killed because they are assimilated to the M23;

In the way to establishing the truth, the M23 Movement for the very first time and in exceptional manner allows itself to publish the number of enemy combatants and civilians fallen on the battlefield and tremendously apologises in advance.

In the battle mentioned above, the enemy did not only lose the control of KISHISHE, but also left several bodies on the battlefield, including a known Mai-Mai Chief, in the name of PONDU as well as 20 combatants' bodies all belonging to the coalition of FARDC/FDLR/PARECO/NYATURA/ACPLS and Mai-Mai.

In regard to civilian victims hit by stray bullets during the battle amounted to 8 people whose identities were recorded in a report countersigned by all the local leaders, namely the village administrative officials, nurses, teachers, pastors and leaders of different associations, all of them participated in the burial of the victims named below:

- | | |
|--------------------|------------------------------------|
| 1. FUMBO ; | 5. Fils JAMS, |
| 2. JAMS ; | 6. Maman KAMZUNGU ; |
| 3. MUTAMPERA ; | 7. SEMUTOBE, |
| 4. Fils SHAKWIRA ; | 8. PALUKU SIWATULA LETAKAMBA André |

Our Movement, the M23, presents its sincere condolences to the families of 8 compatriots killed by stray bullets and wishes eternal rest to the souls of the deceased.

Outraged by these slanderous denunciations, the M23 Movement Directorate solemnly demands, a swift mixed investigation into the events of KISHISHE as well as the attacks by the DRC Government coalition of FARDC/FDLR/PARECO/NYATURA/ACPLS/CODECO/Mai-Mai, against heavily populated areas under our control by using heavy artillery, combat tanks, helicopters and fighter jets, since the beginning of this despicable and unjust war imposed on us by the DRC Government. Our Movement greatly open its door to the investigators and shall guarantees them security and a sane environment during the time of their work.

The M23 Movement Directorate is extremely convinced that after the establishment of the truth, the entire World will be scandalised by the extend of a manipulation program put in place by the DRC Government coalition of FDLR / PARECO / NYATURA / APCLS / CODECO / Mai-Mai with the sole intention of reinforcing their pretexts for refusing the direct dialogue in favor of war.

The DRC Government remains lip tight on the ongoing massacres of our compatriots in BENI, ITURI, MINEMBWE and KWAMOUTH, but prefers to decree a national mourning of three days for the death of FDLR, PARECO, NYATURA, APCLS and Mai-Mai combatants who are continuously kill Congolese citizens in the East of the country, this is the perfect way for the DRC Government to make fun of our innocent compatriots who are horribly and continually being slaughtered by its coalition.

The full report of our Movement's Interdepartmental Commission on Human Rights on this matter, is expected in the forthcoming hours.

Bunagana, December 03rd, 2022

The Chairman of the M23 Movement



Bertrand BISIMWA

Annex/Annexe 40:**M23 mass killings of civilians at Kisheshe on 29 November 2022****Massacres de civils par le M23 à Kisheshe le 29 novembre 2022*****Investigative methodology***

The Group investigated allegations of mass killings of civilians on 29 November 2022 by M23 at Kisheshe, in Bambo *groupement*, Bwito *chefferie*, Rutshuru territory. The Group interviewed residents of Kisheshe, survivors and eyewitnesses of the attack, local community leaders and members of civil society, and also collected additional information from researchers and MONUSCO. The Group based its findings presented below on corroborated evidence from verified, reliable sources, in line with the evidentiary standards set out in paragraphs 6 and 7 of this report.

The Group was unable to travel to Kisheshe due to the prevailing insecurity in Kisheshe and the region. The Group had informed the M23 leadership that it planned to visit Kisheshe and other areas in Rutshuru territory in January 2023.²⁵³ Lawrence Kanyuka, M23's political spokesperson, initially welcomed the Group's initiative. However, on the day of the Group's departure to the area, both Lawrence Kanyuka and Bertrand Bisimwa, the "president" of M23, denied access to areas under M23 control, stating that M23 could not guarantee the security of the experts at that time. They also insisted that the experts abandon plans of travelling along the RN2 route from Kibumba to Rumangabo, although that road was officially no longer under M23's control (see para. 45). Lawrence Kanyuka suggested that should the experts proceed with the visit, they risked being killed by "enemy" armed groups and the culprits would never be identified, citing the fate of the two members of the Group of Experts, Zaida Catalán and Michael Sharp, who were killed in 2017 (see also [S/2017/672/Rev.1](#), paras. 165-173). In these circumstances, to avoid putting members of the Group and potential witnesses in Kisheshe at risk, and because of significant M23 and RDF troop movements along the axis reported at that time (see para. 45), the Group decided not to proceed with a field visit.

The Group once again contacted the M23 leadership in March 2023 to inform them of a new attempt to visit Kisheshe. Lawrence Kanyuka requested additional time to consider a response, but to this day has not responded to the Group's request.

Kisheshe – geography and context

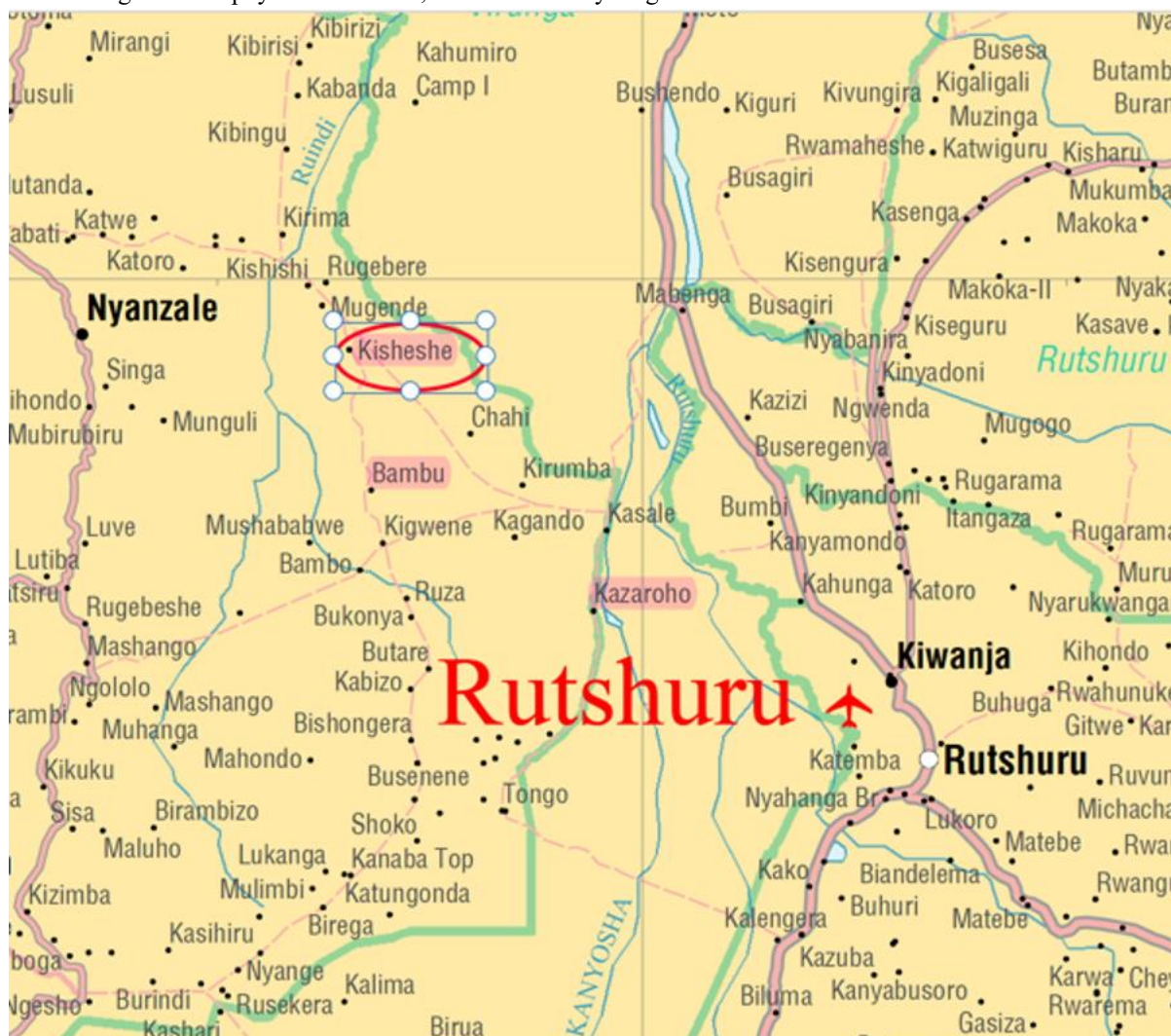
Kisheshe is a locality in the Bambo *groupement*, in the Bwito chiefdom,²⁵⁴ inhabited by a population predominantly from the Hutu community, but also from the Hunde, Nande and other communities. At the time of the incident, most of the inhabitants were farmers, including seasonal workers who came to work the fertile land surrounding Kisheshe but did not live there permanently. In November 2022, the town was also inhabited by displaced civilians who had fled previous fighting in other areas of Rutshuru territory.

²⁵³ Phone conversation with Mr Lawrence Kanyuka the spokesperson of the M23 movement and Bertrand Bisimwa, M23 "President", 25 January 2023.

²⁵⁴ Located 9.5 km north of Bambo, the *chef-lieu* of the Bambo *groupement*, (at ca. 2 hours walking-distance), and 8.5 km south of Kilima, the nearest town.

Kisheshe town is subdivided in two localities – Kilama (also referred to as Kilima)²⁵⁵ and Kisheshe proper. References to events in Kisheshe in general include both localities.

Witnesses stated that the agricultural land around Kisheshe had been exploited by FDLR since 1994 when they settled in adjacent areas in the Virunga National Park (VNP). FDLR had given “permission” to civilians to work the land in exchange for the payment of taxes, either in money or goods.



Above: Map of Rutshuru territory indicating the location of Kisheshe

Presence of FARDC and armed groups hostile to M23 in and around Kisheshe, prior to the events

Prior to the attack, FARDC had occupied several defensive positions in and around Kisheshe, including south of Kisheshe, in direction of Bambo.²⁵⁶

Also, according to witness testimonies, several armed groups were also present in or around Kisheshe prior to the arrival of M23.

²⁵⁵ There is also a town called Kirima, depicted on some maps as Kilima, 8.5 km north of Kisheshe, which is different from the Kilama/Kilima neighbourhood of Kisheshe.

²⁵⁶ According to a local authority, FARDC had several positions in the centre of Kisheshe, one along the Nyabihanda river, on a hill in the direction of Bambo. Another position was at Matete, on a hill in the south of Kisheshe. Another position was at Kilama.

FDLR were present in certain localities of the Bwito chiefdom and in the VNP, in areas bordering both the Tongo and the Bambo *groupements*. FDLR controlled a vast area in the VNP called La Domaine, only a few kilometers northeast of Kisheshe. The FDLR headquarters located in “Mozambique” was located approximately 15 km northeast of Kisheshe. According to witnesses, “Mozambique” was built by FDLR where FDLR members lived with their families. Civilians from surrounding villages, including from Kisheshe, commuted, or lived there seasonally to work the fields in and around “Mozambique” and La Domaine.

Witnesses also reported the presence of the armed group Nyatura/CMC led by “Domi” (Dominique), as well as Mai-Mai of Kabido and commander Pondou, based in the Bwito chiefdom. These groups joined forces, including with FDLR, in an ad-hoc alliance to oppose the advancement of M23 in the area.

Events leading up the Kisheshe massacre

On 21 November 2022, M23 attacked Bambo town, 10 km south of Kisheshe.²⁵⁷ After a brief combat with FARDC, the latter abandoned their positions and M23 took control of Bambo.²⁵⁸ Although no civilian casualties were reported,²⁵⁹ several women were raped by M23 combatants the day they took over the town and in the following days (see para. 69 and annex 44 below).

On 22 November 2022, the day after taking control of Bambo, M23 convened a meeting with the population of Bambo, informing them that M23 had come to liberate the Congolese people and to search for FDLR combatants.²⁶⁰ According to a witness who was present at the meeting, M23 warned that if they heard even one gunshot in town, they would “rip the town apart” until they found the culprit.

On 23 November, M23 troops left Bambo in the direction of Kisheshe, where they engaged in combat with FARDC defending the town. FARDC fled after a few hours of fighting and M23 took control of Kisheshe. Witnesses reported that a house was destroyed by a bomb and a few civilians, including children, were injured but there were no confirmed reports of targeted killings of civilians by M23.

Concordant testimonies by several eyewitnesses and local community leaders indicated that after taking control of Kisheshe, M23 combatants began breaking down doors of houses, pillaging stores and looting goods from the villagers. Witnesses reported that M23 raped several women on 23 November and in the following days.²⁶¹ A community leader from Kisheshe described how a 29-year-old woman²⁶² refused to be raped outside, and asked to be taken inside her home. M23 took her to a neighbour’s house where she was raped.

Between 23 and 28 November, a few days after taking control of Kisheshe, all M23 combatants present in Kisheshe left the town and moved towards Mozambique, the FDLR stronghold in the vicinity of Kisheshe. Aware of the imminent arrival of M23, the majority of FDLR and their dependents had left “Mozambique” shortly before the arrival, taking a different route to enter Kisheshe, thus avoiding a direct confrontation with M23. Many of the displaced from Mozambique took refuge in the Adventist church in Kilama.

²⁵⁷ Arriving from the direction of Kabizo, south of Bambo.

²⁵⁸ Several local witnesses interviewed by the Group and MONUSCO sources.

²⁵⁹ Local witnesses reported that a woman died when a bomb fell on her house during combat, but there was insufficient evidence to establish the provenance of the bomb.

²⁶⁰ According to three witnesses, inhabitants of Bambo.

²⁶¹ Researchers, and three witnesses interviewed by the Group, including a source working with sexual violence survivors.

²⁶² The identity of the victim is known to the Group.

During these days, a group of Mai-Mai Kabido combatants also entered Kisheshe. Local authorities attempted to negotiate their departure, fearing that their presence would result in confrontation with M23 and negatively impact civilians. The Mai-Mai combatants refused to leave.

On or around 28 November, heavy fighting was reported in “Mozambique” between FDLR and M23.

On 29 November, Mai-Mai and FDLR ambushed M23 combatants on the outskirts of Kisheshe.²⁶³ Heavy fighting ensued and both sides suffered heavy losses. Mai-Mai commander Pondu²⁶⁴ and several high-ranking M23 officers were allegedly killed during the fighting. Mai-Mai and FDLR forces were overpowered and fled.

According to several witness testimonies, the initial objective of M23 was to return from Mozambique to Bambo. After having been ambushed and suffering losses (see also annex 29 on deceased M23 and RDF elements), they changed direction to pursue the attackers into Kisheshe and called for reinforcements from Bambo. M23, in their public communiqué of 3 December 2022 (see above annex 39) as well as in public statements,²⁶⁵ admitted that they fought with Mai-Mai who attacked them, and that they pursued the Mai-Mai into the town of Kisheshe.

Reprisal killings by M23 in Kisheshe on 29 November 2022

Witnesses of the attack on Kisheshe confirmed that some Mai-Mai combatants who fled the fighting with M23 entered Kisheshe and hid among the population, including in civilian residences. According to these witnesses, this was the trigger for the events that ensued.

Multiple and concordant witness testimonies, including of eyewitnesses, reported that M23 began a systematic, door-to-door search of civilian homes in Kisheshe, principally looking for men and young boys, killing them on suspicion that they were FDLR or Mai-Mai combatants, or otherwise supporters of these armed groups. Civilians found inside in the Adventist church of Kilama were taken outside and executed. Among those sheltering in the church were displaced civilians who had taken refuge in Kisheshe, including dependents of FDLR from Mozambique, but also civilians from Kisheshe who had taken refuge there when the exchange of fire began earlier that day. According to witnesses, some people were killed with machetes or clubbed to death, while those who attempted to flee were shot. Some women were also killed.

A woman whose house was near the centre of Kisheshe, opposite the Adventist church of Kilama, witnessed the killings through a hole in the wall of her house. She saw M23 entering the village, breaking down the doors of houses, bringing out civilians found inside and killing them, mostly men and boys. Some were shot, others killed with machetes. She saw many people killed in these circumstances but was unable to estimate their number. She also witnessed the killing of the Adventist pastor and his son, outside his residence.²⁶⁶ She managed to escape with her family from Kisheshe shortly thereafter. Her relatives later told her that the killing spree had continued that day, and more than 100 people were killed. She named several people who were killed that day.²⁶⁷

²⁶³ A few kilometers south-east of Kisheshe.

²⁶⁴ On page 3 of the communiqué of 3 December 2022, M23 acknowledged the killing of commander Pondu during the fighting in Kisheshe.

²⁶⁵ See interview given by a local M23 commander at https://www.youtube.com/watch?v=8ifAVC_Qci4 [starting at minute 11:55].

²⁶⁶ The killing of the pastor, a well-known figure in Kisheshe (called Jamusi [*phon.*]) and of his son were confirmed by several witnesses. The killing of the pastor was acknowledged by M23 in their communiqué of 3 December 2022 (annex 39).

²⁶⁷ The names provided by the witness were also found on the lists of victims received by the Group.

Another resident from Kisheshe confirmed that M23 entered every house in the village, and where they found a man or a boy, they accused him of being a combatant and killed him, even if the accused were not armed. He reported that a male nurse working at the Kisheshe health centre was also killed that day, inside his residence. The killing of the nurse was confirmed by multiple witnesses.²⁶⁸

At least one house in the village was set on fire by M23 combatants. According to testimonies, several people were killed inside the house prior to the fire on suspicion that they were FDLR because they spoke Kinyarwanda. Their bodies were burnt, hence the number of people killed inside the house was not known.

Witnesses explained that civilians who spoke Kinyarwanda were believed to be (close to) FDLR,²⁶⁹ while those who spoke Kihunde²⁷⁰ or Kinande²⁷¹ were presumed to be Mai-Mai combatants or collaborators. According to several witnesses, most victims were of Hutu ethnicity.

Burials

Concurring witness testimonies indicated that the victims killed at the Adventist church were buried in at least two mass graves at a banana plantation adjacent to the church (see map below).²⁷² M23 forced local civilians to dig graves and help with the burials. According to some witnesses, one of the mass graves in the banana plantation contained at least 20 bodies. The pastor and his son were buried in a grave close to his house, in the vicinity of the church. Other bodies were burnt, including inside houses that were set on fire. Although the existence of other graves was reported by some sources, the Group was unable to gather sufficient evidence to include the information in this report.

According to several sources, M23 did not allow civilians to organize proper burials for members of their families. Several witnesses reported that M23 refused to grant the Red Cross access to the village to assist with the burials. According to these witnesses, M23 wanted to hide evidence of the killings.

The communiqué issued by the M23 leadership on 3 December 2022 regarding the events in Kisheshe (annex 39) claimed that burials of “enemy combatants” were organized by M23 in collaboration with local authorities and the local population, and that on that occasion, they had discovered the bodies of civilians among those of the fallen combatants.²⁷³

Number of victims killed in Kisheshe

The Group received the names of victims compiled by community leaders, based on information shared by survivors, eyewitnesses, family members of victims and other inhabitants of Kisheshe, including those who participated in burials.²⁷⁴ A total of 120 victims were listed by name, the vast majority male,²⁷⁵ including 27 children under the age of 18, the youngest 12 years of age.

²⁶⁸ M23 listed his name among the eight civilians who they acknowledged having been killed that day – see the M23 communiqué of 3 December 2022 (annex 39).

²⁶⁹ The language spoken by Hutu refugees from Rwanda.

²⁷⁰ The language spoken by the Hunde ethnic group.

²⁷¹ The language spoken by the Nande ethnic group.

²⁷² The Group obtained the GPS locations of the presumed mass graves.

²⁷³ See point 5 of the M23 communiqué.

²⁷⁴ The group received two lists, one containing 120 names, the other 114 – although the names are identical and listed in similar order. The Group concluded that the sources used for the establishment of the two lists were identical, as the lists contain the same information.

²⁷⁵ Only three women were listed among the victims.

Witnesses admitted having encountered challenges in establishing the accurate numbers of victims, as many survivors fled and some victims were not locals from Kisheshe,²⁷⁶ hence their names were not always known to the locals. Individual witnesses could only provide an estimate of the number of civilians they had seen being killed, or those who were found and buried.

Evidence obtained by the Group established that a significant number of civilians were killed that day. However, the Group was unable to independently corroborate the total number of civilians killed, as it was unable to complete its investigations in that regard.



Elements indicating the intentional targeting of civilians presumed to be members of, or supporting enemy armed groups

Witnesses to the events were adamant that M23 summarily executed civilians in Kisheshe to punish them for potentially supporting or harbouring armed groups hostile to M23 (notably FDLR and Mai-Mai), or for being presumed members of these armed groups, without conducting any verification of their status – either civilian or combatant. Witnesses also indicated that M23 justified the house-to-house search and revenge killing spree that ensued with the fact that combatants who had participated in the ambush and subsequent combat against M23 earlier that day had taken refuge in Kisheshe, including in the homes of civilians.

Other witnesses stated that Hutu civilians were disproportionately targeted due to their presumed affiliation with FDLR. For example, several witnesses indicated that while pillaging shops and burning houses, M23 stated that they were committing those acts because the properties belonged to FDLR. Civilians were systematically asked about their ethnicity, and based on the language they spoke or on their appearance, they were told they were either FDLR,

²⁷⁶ In particular, seasonal workers were present in Kisheshe around the time of the events.

Nyatura or Mai-Mai collaborators.²⁷⁷ One witness recounted how he was stopped by three M23 combatants the day after the massacre, as he was attempting to leave the village. The M23 combatants spoke Kinyarwanda, and since the witness also responded in Kinyarwanda, he was accused of being FDLR.²⁷⁸ He was shot at but managed to escape, as it was still dark.

The Group also received testimonies indicating that even in the days and weeks following the killings, civilians were systematically stopped and controlled by M23 in and around Kisheshe, and suspected enemy collaborators were arrested, tortured, disappeared without a trace, or killed. One witness knew of three Kisheshe inhabitants who were arrested in their homes, including two minors suspected of being the children of a FDLR combatant. The children had disappeared without news of their whereabouts since their arrest.

Witnesses also reported that following the takeover of Bambo and Kisheshe, M23 convoked public meetings during which they informed the population that they were there to liberate them from the tyranny of the government and local armed groups, and conveyed threats to retaliate against anyone found to collaborate with the DRC authorities and the local groups. Several rape victims reported that M23 combatants asked them about their husbands' whereabouts and told them that they were either FDLR or Mai-Mai wives, before they raped them (see para. 69 and annex 44).

Description of M23 combatants

Witnesses who were present in Kisheshe during and after its takeover by M23 testified that there were many "Rwandans" among the M23 who attacked and occupied the town. They stated that the majority of these M23 combatants spoke Kinyarwanda, in a dialect that is not spoken in the DRC, as it was difficult to understand by those who spoke the Kihutu/Kinyarwanda spoken in the DRC. Some witnesses stated that the morphology of Rwandans was different from the Congolese, and therefore presumed they were Tutsis from Rwanda.

Denials by M23 and attempts to manipulate the narrative of events related to the Kisheshe massacre

M23 leadership denied the intentional killing of civilians in Kisheshe. In the communiqué issued on 3 December 2022 (see annex 39 above), M23 claimed that the allegations were a fabrication intended to tarnish the reputation of the armed group and divert attention from the ongoing genocide being perpetrated in North Kivu, South Kivu and Ituri. In the communiqué, the M23 leadership stated that there was an armed confrontation with local armed groups coming from Kisheshe, in violation of the ceasefire and with the intent of "taking control of the village," and that M23 pursued the attackers to "neutralize them."²⁷⁹

The communiqué acknowledged that the bodies of eight civilians were discovered among those of the fallen combatants, claiming they were all killed by stray bullets.²⁸⁰ The communiqué listed the names of the eight civilians killed, including the pastor of the Adventist church ("Jams")²⁸¹ and his son ("fils Jams"),²⁸² the son of

²⁷⁷ A rape survivor interviewed by the Group said she was called a "Nyatura wife" because of her braided hair.

²⁷⁸ In point 4 of the M23 communiqué of 3 December 2022, the M23 refers to the political leader of PARECO/FF issuing a statement in Kinyarwanda in order to be "well understood also by FDLR," encouraging all combatants to kill M23 combatants and seize their weapons, thus identifying FDLR as Kinyarwanda-speaking.

²⁷⁹ See point 3 of the M23 communiqué of 3 December 2022.

²⁸⁰ See points 5 and 6 of the M23 communiqué.

²⁸¹ Page 3 at number 2 on the list of victims included in the M23 communiqué of 3 December 2022.

²⁸² Page 3 at number 5 on the list of victims included in the M23 communiqué of 3 December 2022.

Shakwira,²⁸³ and Letakamba.²⁸⁴ However, several witnesses interviewed by the Group had named these same victims as having been killed during the punitive massacre of civilians, in the context of the door-to-door searches conducted by M23 combatants. M23 also claimed that the list was established and signed by all the local leaders who had participated at the burials. Evidence on file with the Group indicates that this list was compiled under duress, upon the request of M23 to provide a list of the victims identified by name, and in fact it initially contained more than 18 names. The villagers continued adding names to the list as more bodies were identified in subsequent days, but the full list was never acknowledged or published by M23.

A team of journalists from Rwanda including Marc Hoogstenys and Adeline Umutoni from the Kivu Press Agency visited Kisheshe during the first week of December 2022 under the protection of M23²⁸⁵ and later published a video reportage on the events in Kisheshe.²⁸⁶ The presentation of their findings reveals an unconcealed attempt to present a narrative favourable to M23²⁸⁷ that does not hold in the face of scrutiny.

Main findings of the journalists who travelled to Kisheshe under M23 protection:

One of the journalists claimed that his request to M23 to travel to Kisheshe was “accepted without any hesitation” and they were able to “freely talk with the locals.” The journalist acknowledged in his article that “...most of our local contacts spoke freely. It is possible though that some of them tempered their testimonies due to the presence of M23 soldiers. But others told us bluntly what happened and that they regretted that the FDLR had to vacate the region because of the fact that they were actually living well under their umbrella.”

An article titled ‘The Kisheshe report’ was published based on the findings of the journalists, on 30 December 2022.²⁸⁸ The report stated that M23 had engaged in brief fighting with Mai-Mai and FDLR elements who ambushed them in the northern part of Kisheshe, while the few civilians who remained in Kisheshe were concentrated in the southern part of town, hiding either in their houses or in the Adventist church located in the southern part of the town. The report claimed that “nineteen (19) bodies were found in and around the Mai-Mai ambush, on the northern flank of the village, in neighborhoods (avenue) called Kirama and Sukuma.” The report also cited Lt. Col. Julien Mahano of M23, commander in Kisheshe at the time, who stated that “[w]e recognized the death of eight (8) civilians, and we explained to residents that we were attacked and had to defend ourselves. We could not identify civilians from militia in the ambush, since most civilians had either fled or were hiding in their houses.”

²⁸³ Page 3 at number 4 on the list of victims. Witnesses interviewed by the Group stated that Sharkwira’s son was killed during the reprisal killing spree conducted by M23 in Kisheshe. Shakwira was a well-known notable of the village.

²⁸⁴ Page 3 at number 8 on the list of victims, identified by witnesses as the nurse working at the Kisheshe health centre.

²⁸⁵ The journalists did not receive accreditation from the Congolese Government to operate in North Kivu. They were accused to have violated multiple deontological rules and Congolese laws, entering Congolese territory with M23 support through the Bunagana border crossing.

²⁸⁶ Video titled “RDC-M23 : Que s’est-il exactement passé en Novembre 2022 à Kishishe?” at https://youtu.be/8ifAVC_Qci4, published on 30 December 2022.

²⁸⁷ See a blog article titled ‘[About the juggling of the figures of the so called Kishishe massacre](#)’ published by photojournalist Marc Hoogstenys on 12 February 2023. The article overtly defends M23 and the interests of Rwanda, while strongly criticizing the UN and Human Rights Watch (HRW) reports on the Kisheshe incident, stating that HRW was “known for its rabiate anti-Kigali attitude” and “was amongst the first groups to market Tshisekedi’s propaganda about the events in Kishishe.” The journalist dismisses the findings of the investigations conducted by the UN and HRW stating among others that their findings “were the result of questions being posed to a ‘a priori’ hostile population [towards M23] that had to abandon its life under the FDLR umbrella and that was highly anti-Tutsi.”

²⁸⁸ ‘The Kisheshe report’ was published on the Gatete News site by [Gatete Ruhumuliza Nyiringabo](https://gateteviews.rw/the-kishishe-report/) <https://gateteviews.rw/the-kishishe-report/>.

One of the journalists²⁸⁹ emphasized that M23 rebels had insisted on two facts: that the number of victims was exaggerated, as it did not exceed 20, and that it was difficult to distinguish the civilians from combatants, since the latter wore civilian clothing and hid inside the houses.²⁹⁰

One of the locals who was present during the visit of the journalists later testified that statements were made under duress, since the journalists were always accompanied by armed M23 combatants.²⁹¹

The Group notes that the above statements by the journalist and the findings detailed in “The Kisheshe report” do not address the inherent contradiction between the claims of M23 that the 19 bodies were found in the area of the ambush in the **northern** part of the village, and the testimonies of civilians who claimed that the pastor of the village, his son and others were killed close to the Adventist church in Kilama, located in the **southern** part of Kisheshe. M23’s initial justification that civilians were killed by stray bullets also contradicted their subsequent statement that civilians had either fled or were hiding in their houses located on the opposite side of the town, and they were killed as it was difficult to distinguish them from combatants.

Edited footage of the interviews recorded by the journalists was broadcast on YouTube on 30 December 2022.²⁹² Civilians from Kisheshe who appeared in the YouTube footage stated that M23 convened a meeting with the villagers to “apologize” for the killings, and that during this meeting, M23 leaders admitted that they could not distinguish civilians of the village from the Mai-Mai because they all wore civilian clothing (see screenshot #1 below).



²⁸⁹ See Tweet by Marc Hoogsteyns at <https://twitter.com/MarcHoogsteyns/status/1604947851796271119?s=20> (last consulted on 13 April 2023) endorsing an article published in the *Le Soir* journal about their findings.

²⁹⁰ The link to the article published by Le Soir at <https://fr.rwanda-podium.org/?RD-Congo-le-temoignage-rare-d-un-journaliste-en-zone-occupee-par-les-rebelles> (as consulted on 13 April 2023).

²⁹¹ The audio recording of the interview with the witness is on file with the Group.

²⁹² See the video published at https://youtu.be/8ifAVC_Qci4 (link last visited on 23 April 2023). Journalist Marc Hoogsteyns stated that “[w]e interviewed several villagers on camera and put the edits online and we also wrote a report in which we detailed most of our findings. We even forwarded a list with the names of most of the casualties” (see [About the juggling of the figures of the so called Kisheshe massacre](#)). About their findings, the journalist comments that they “concluded that approx. 11 militiamen and 8 civilians died during the fighting in the village, contrary to the declarations of the government nobody was executed in the local church, the houses in the village were untouched and only one civilian died in Bambo. The M23 told us that they chased the FDLR out of Bambo and Kisheshe and that dozens of them were killed during that process. But those died in the fierce fighting that followed their retreat out of the two localities and they could therefore not be labeled as ‘civilians’.”

Screenshot above: “They [M23] say that they could not distinguish the civilians from the Mai Mai. They all wore civilian clothing.”



Screenshot above: An inhabitant of Kisheshe stating that they [the locals, inhabitants of Kisheshe] could “not distinguish a FDLR combatant from a civilian as they all wear civilian clothes.”



Screenshot above: An inhabitant of Kisheshe stating that “Mai-Mai combatants attempted to get absorbed into the village.”



Screenshot above: A woman stating that “When the Mai-Mai provoked the M23, the population became their victims.”



Screenshot above: A man identified in the footage as the chief of the village of Kisheshe stating that “They [M23] could not distinguish the locals [civilians] from the Mai Mai.”



Screenshot above: “They [M23 combatants] were shooting at everyone because everyone was dressed in civilian clothing.”

The testimonies featured in the YouTube video thus confirm the testimonies and evidence collected by the Group, namely that M23 made no distinction between combatants and civilians, killing anyone without hesitation.

Conclusion

The Group notes that the modus operandi of M23, the killing of over 100 people in one day after combat had ended and the enemy had fled, is indicative of recklessness, or intent to deliberately kill civilians.

The Group recalls that international humanitarian law and international criminal law, based on the fundamental principle of distinction between civilians and combatants, prohibit the act of intentionally directing an attack against the civilian population as such or against individual civilians not taking direct part in hostilities, and provide that in case of doubt as to the status of a person, that person shall be considered to be a civilian. The acts perpetrated by M23 at Kisheshe may thus constitute a war crime and are sanctionable acts under the UN sanctions regime.

Annex/Annexe 41:**Kazaroho as key target of M23/RDF operations****Kazaroho, cible prioritaire des opérations du M23/RDF**

M23 issued a public threat against key locations on the **Tongo – Kazaroho axis**, which was published on the M23-controlled “@Goma24News” Twitter account on 2 November 2022.

Kazaroho, located southeast of Kirumba bordering Virunga National Park, was an important agricultural area controlled by FDLR and the seat of its Sector headquarters, thus making it a key target for M23 and RDF operations. Tongo was traditionally an area controlled by FDLR where their dependents lived, and the population supported them.²⁹³



Source: <https://twitter.com/goma24news/status/1587909047508172801?s=20> (last visited 17 April 2023)

²⁹³ Multiple sources interviewed by the Group, including residents of the area, as well as MONSUCO sources.

Annex/Annexe 42:**Killings at Kazaroho on or around 26 February 2023****Tueries à Kazaroho le/vers le 26 février 2023**

The findings below are based on evidence collected from several independent sources, including four residents living in the area of Kazaroho and an eyewitness to the attack. The Group also collected additional evidence from community members and individuals with knowledge of the events and received corroborated photographic evidence depicting the bodies of several victims of the killings. At least one of the victims is depicted with arms tied behind the back, with a large wound at the back of the head, indicating an execution-style killing as depicted in the images below.



Above: Image of a body found at Kazaroho, with wound on the back of the head, and arms tied behind the back. Photographs from a local source, authenticated by two independent witnesses

Kazaroho geography and context

Kazaroho is located at few kilometres southeast of Kirumba village, in the Bwito chiefdom of Rutshuru territory. Kirumba is located less than 10 km southeast of Bambo town (see map below).



Above: Map of Rutshuru territory indicating location of Kazaroho

Kazaroho is an agricultural area traditionally controlled and exploited by FDLR, who had also established its Sector headquarters at this location.²⁹⁴ Residents of the area explained that FDLR, including their dependents, had built houses at this location that were used seasonally during cultivation and harvesting. Civilians from neighbouring areas, including from Kabizo, Bambo and Rushovu, also worked in Kazaroho seasonally. The majority were from the Hutu community, but also Nande and Hunde.

Due to its strategic importance, Kazaroho was a key target for M23 and RDF operations (see Annex 41 above).

Events preceding the killings at Kazaroho on /around 26 February 2023

M23 occupied Kazaroho in November 2022 during its conquest of the Bwito *chefferie*. FDLR abandoned its positions in Kazaroho and withdrew deeper into Virunga National Park.

After taking control of the area, M23 prohibited the population from cultivating the agricultural fields in Kazaroho. Upon the request of the local customary chiefs, M23 allowed the population to temporarily return to the fields to harvest their crops. From mid-January onwards, M23 reinstated the prohibition, allegedly due to the proximity of FDLR positions in the area. Residents acknowledged that it was difficult to distinguish FDLR from civilians, as they often wore civilian clothing and concealed their weapons.

In January 2023, clashes between FDLR and M23 were reported in the wider area. However, FDLR elements were avoiding open confrontation and, beyond occasional ambushes, would hide in the forest including in the vicinity of Kazaroho. Residents reported frequent killings of civilians by M23 on suspicion they were FDLR or supporters of the group. M23 burned down several houses built on the fields in Kazaroho, including houses that belonged to FDLR and their dependents, in a bid to rid the area of FDLR.

In February 2023, M23 withdrew from the area of Kazaroho to conduct operations elsewhere. The residents cautiously returned to their fields as they were facing a famine. Some FDLR elements dressed in civilian clothing also joined civilians to harvest the crops.

The killings on or around 26 February 2023

M23 returned to Kazaroho in hiding, and in the early evening hours ambushed the civilians who were working in the fields. A witness who was present during the attack reported that many people were working the fields that day. M23 combatants approached undetected from the forest and began attacking the field workers, stabbing them or cutting them with machetes, and only shooting those who attempted to flee. The witness claimed that all the workers were civilians, unarmed, including several women and children. The witness managed to flee to safety along with several others.

After the attack, the bodies were left scattered in the fields and some were thrown by M23 into the nearby river. FDLR combatants who were camped in the hills/forests surrounding Kazaroho alerted the villages nearby about the killings.

Witnesses interviewed by the Group identified several victims by name, including a mother who was killed with her two children.

²⁹⁴ Multiple sources interviewed by the Group, including residents of the area, community leaders, and MONSUCO sources.

M23 prohibited the burial of the bodies and stood watch to ambush those who would return to recover the bodies. Two witnesses interviewed by the Group were part of small, separate groups of residents who returned to the fields two or three days after the killings to identify the victims. They each surveyed a different area, for fear of being attacked. One of them counted 17 bodies, including of seven women and two children of approximately 10-15 years of age, all of them showing stab wounds (machetes or bayonet stabs). Another group found other bodies, in other areas of the field, and reported that some of the victims were killed with their hands tied behind their back.

Two witnesses reported that a woman who was stabbed survived the attack,²⁹⁵ and that she described that the assailants used the bayonets on their weapons to kill. Her two-year-old child was killed.

Collective accounting of the bodies reported at least 38 individuals killed, including several women and children. The Group was unable to independently corroborate the total number of victims.

At least six victims were identified by name, corroborated by at least two independent sources. The photographs provided to the Group show six additional bodies, including one of a woman. Some bodies were photographed in the river, corroborating the statements of the witnesses interviewed by the Group. The witnesses identified the locations of the bodies based on the photographs shown, including:

- On a footpath connecting Kanyangiri village to Kazaroho;
- On a footpath called “chez Defao”;
- In a location called “chez Docta”;
- On the bank of the river Mirindi that passes through Kazaroho, in a location called “chez Mbangu”.

Burials

According to witness accounts, FDLR combatants buried some of the bodies in the fields at Kazaroho, while others were taken back to the village. One witness attended the vigil of one of the victims and reported that M23 combatants dressed in full combat gear came to the house to interrupt the ceremony and forbade the villagers from mourning their dead.

Description of the perpetrators

The witness who was present when the attack began identified the assailants as M23 combatants. Other witnesses recounted the testimony of the woman who survived the attack, who identified the attackers as M23 combatants. All of the witnesses excluded the possibility that another armed group was responsible for the attack.

The witness who attended the vigil saw the M23 combatants and heard them address the crowd. He claimed they were all Rwandans.

Motive for the attack

Witnesses could not explain what motivated the attack by M23, as there was no fighting between FDLR and M23 in the vicinity of Kazaroho. FDLR elements were still camped in Virunga National Park around Kazaroho but avoided confrontation with M23 and always retreated at the news of M23 approaching.

A witness who was present when the attack began saw the M23 combatants approaching and catching people one by one, killing them mostly with bladed weapons, and only shooting those who intended to flee. The witness did not see any FDLR combatants and did not witness any armed confrontation between FDLR and M23, neither before nor after the killings.

²⁹⁵ She was the only injured victim who survived the attack.

Witnesses speculated that M23 may have returned to ambush FDLR and their dependents, knowing they might be there during harvest, as earlier in the year M23 had burned down an entire neighbourhood in Kazaroho but did not find anyone there. A local resident confirmed that some of the houses belonged to FDLR combatants, such as “chez Docta” and “chez Mbangu”, but other houses belonged to civilians. M23 burned down all the houses in the area, without distinction. According to these witnesses, M23’s intention was to exterminate all FDLR members, and thus killed everyone without distinction.

Conclusion

The Group notes that the modus operandi of the attack carries the traits of a targeted revenge attack, with the intention of killing without distinction. This is supported by the fact that women and small children were also killed with bladed weapons, and several victims were found with arms tied, suggesting they were executed.

The Group recalls that international humanitarian law and international criminal law, based on the fundamental principle of distinction between civilians and combatants, prohibit the act of intentionally directing an attack against the civilian population as such, or against individual civilians not taking direct part in hostilities, and provides that in case of doubt as to the status of a person, that person shall be considered to be a civilian. The acts perpetrated by M23 at Kazaroho may thus constitute a war crime and are sanctionable acts under the UN sanctions regime.

Annex/Annexe 43:

Rapes perpetrated by M23 in areas under their control

Viols perpétrés par le M23 dans les zones sous leur contrôle

The Group interviewed 12 rape survivors separately, one by one, all internally displaced by the M23 crisis and living in the IDP camp at Kanyaruchinya, near Goma. The women reported being gang raped in areas that were, at the time, under M23 control, by men wearing military uniforms. The women all sought assistance at a medical centre in Kanyaruchinya after their rape. Medical staff confirmed that similar cases had been reported during the same period (from November 2022 to January 2023), in circumstances and locations that corroborate the narrative given by the victims.

A summary of the evidence provided by each of the 12 sexual violence survivors²⁹⁶ is included here below.

- (1) A 30-year-old Hutu woman from Rugari had fled her home when M23 occupied the town and since then has been living in the IDP camp at Kanyaruchinya. When the Kenyan contingent (EACRF) announced that M23 had withdrawn from Rugari, she decided to return to her village to search for food and some household items. In her recollection, it was sometime in December 2022. Upon her arrival in Rugari, she was attacked by two men who removed the infant she was carrying on her back and tied her arms behind her back. The two men took turns raping her. After they finished, they threatened to kill her if she denounced their deed. She saw many other soldiers hidden not far from them, in the bush. Fearing for her life, she returned to the IDP camp. Her baby was not harmed.

Description of the perpetrators: The perpetrators were dressed in Rwandan military uniforms, different from the Congolese military attire. They wore complete military uniforms and combat helmets. Both carried “big weapons.” They spoke Kinyabwisha, the language spoken by the Hutus. She believed the perpetrators were Rwandans.

- (2) A 30-year-old Hutu woman had fled her home in Rumangabo when M23 attacked, launching bombs from the surrounding hills. She took refuge in Kanyaruchinya, where she recently gave birth. She recounted that two months after giving birth she heard it was safe to return to Rumangabo. She did not remember the month of the incident, but mentioned it was shortly after the “liberation” of Kibumba from M23. Her husband sent her to Rumangabo to harvest bananas. When she arrived, three men broke into her home, threw her on the ground, placed her baby aside, and two took turns raping her. They threatened to kill her if she refused. She began bleeding profusely after the second man had raped her, so the third one refrained from raping her. She recalled that her baby did not stop crying while the men were raping her, but they did not harm the baby. They left her bleeding in the house.

Description of the perpetrators: She said that the three men spoke Kinyarwanda, and believed they were Rwandans because they spoke with a different accent. They were armed and wore Rwandan military uniforms.

After the rape, she returned to Kanyaruchinya and went to the hospital, where she received medical treatment. Her husband rejected her after this incident.

²⁹⁶ Their identities are known to the Group, but their names are withheld to protect their security and dignity.

- (3) A 20-year-old Hutu woman was raped in similar circumstances, when she returned to her land in Rumangabo to harvest some manioc. She believed that M23 had already retreated from Kibumba and it was safe to return. Three men approached her in the fields in Rumangabo and asked what she was doing there. They threw her on the ground, undressed her and took turns raping her, in the middle of the fields. When they had finished, they left. They threatened to find her and kill her if she reported the incident.

Description of the perpetrators: The men had approached from behind and masked her eyes with a handkerchief, so she was unable to look at them. She heard them speak the Kinyarwanda language “from Rwanda.” She said she could tell the difference between the dialect spoken in Congo and the one spoken in Rwanda.

She spent the night in her house in Rumangabo and recalled that the town was deserted. The next day she returned to Kanyaruchinya and sought medical help at the medical centre in the camp.

- (4) A 40-year-old woman returned to Rugari in December in search of food. She was told that M23 had already left. When she arrived in Rugari, she found that her house had been burned down. She decided to harvest some beans before returning to the IDP camp. She stumbled upon two men in uniforms. They both raped her, in the middle of the fields.

Description of the perpetrators: She did not pay much attention to their appearance but remembers that they were wearing military uniforms, combat helmets and were armed. She recognized that they both spoke Kinyarwanda “from Rwanda” when they told her that if she screamed, they would kill her. She could recognize the language because she heard it spoken before.

After the rape, she returned to Kanyaruchinya and sought medical help. Her husband rejected her because of the rape.

- (5) A 20-year-old woman was raped by three men when she returned to Rumangabo in search of food. She did not recall the date but “it was not long ago” (NB: the interview took place in January 2023). She was ambushed in her house, thrown on the ground and the men took turns raping her. They threatened to kill her, but she begged for mercy. After they finished, they told her to take what she came for and to leave immediately.

Description of the perpetrators: The three men wore rain ponchos and military pants. She recalled that it was raining heavily. The men spoke Kinyarwanda “from Rwanda;” she recognized that it was not the language spoken in Congo.

After the incident, she returned to Kanyaruchinya through the bush, avoiding the main road and villages. She sought medical help at the local hospital.

- (6) A 29-year-old woman returned to Rugari in December 2022, after being told that the road was “liberated” from M23. She intended to harvest some crops and thereafter return to Kanyaruchinya. While she was in the fields, she stumbled upon two soldiers who asked her what she was doing there and why was she not returning to live in Rugari. One of the two, who appeared to be a chief, raped her, while the other stood guard.

Description of the perpetrators: The two men spoke Kinyarwanda, in a dialect that the victim could not fully understand. They were very well-equipped including helmets and bullet-proof vests, and armed.

She returned to Kanyaruchinya and received medical attention from the local health centre. She did not tell her husband what had happened to her.

- (7) A 17-year-old girl was sent by her parents to the fields around Kibumba to look for food, as they were suffering from hunger in the IDP camp. She did not remember the date, but she did recall it was after the announcement that M23 had officially withdrawn from Kibumba. Along the road in Kibumba, in the bush, she was caught by four men wearing military uniform. Two of them held her down, gagged her so she could not scream, while two others took turns raping her.

Description of the perpetrators: she recalled that the men were wearing full military uniforms and combat helmets. She believes they spoke Kinyarwanda “from Rwanda,” because she could not understand everything.

After the rape, she walked back to Kanyaruchinya, carrying her luggage on her back, where she went to seek help at the medical centre.

- (8) A 22-year-old girl returned from the IDP camp in Kanyaruchinya to Rumangabo, in search of food. She recalled that it was still during the period when M23 was in control of Rumangabo, had not yet handed over the camp to the Kenyans, and M23 was still in Kibumba. Upon arrival at the fields, she met two soldiers dressed in military uniforms. They threatened to shoot her if she attempted to flee. One of them raped her.

Description of the perpetrators: The soldier who did not rape her told her that he recognized her from his previous time in Congo, in 2013, because she had been kind to him. She remembered him as a Rwandan called Sadiki. She does not know where in Rwanda he was from. She remembered that in 2013, when M23 was there, Sadiki came to her house where she was selling beverages. She had offered him drinks for free. Despite recognizing her, Sadiki did not stop the other soldier from raping her. She claimed that the other man was also Rwandan because their language was different than the languages spoken in Congo.

She returned to Kanyaruchinya and went to the hospital for assistance.

- (9) A 55-year-old woman was raped in her home in Rugari in December 2022, when she returned to search for food. She was ambushed by six men wearing uniforms inside her house. She was beaten, the men kicked her with their feet to force her to the ground. Four of them took turns to rape her, and only stopped when she began bleeding profusely. The other two refused to rape her. They shouted at her, asking why they [women] go there knowing that they [the soldiers] do not have women? She was beaten again after she was raped, and then they left. The men came back again later, telling her to stay because they needed women, after such a long time spent in the bush.

She spent two days in her house, bleeding, before she could gather strength to walk back to Kanyaruchinya. She walked leaning on a stick as she was in pain. She returned to Kanyaruchinya where she spent a day in the hospital. Her husband rejected her because she was raped.

Description of the perpetrators: The men were all dressed in Rwandan military uniforms, that she knew well because she had seen those uniforms before. They all wore helmets and bullet-proof vests. They spoke Kinyarwanda “from Rwanda,” she could recognize the difference as the Kinyarwanda spoken in Congo was very different.

- (10) A 35-year-old woman was raped in November 2022, as she was fleeing her hometown of Rumangabo. She wanted to collect some food from the fields before leaving. She was attacked by five soldiers who all took turns raping her. They threatened to kill her if she screamed.

She bled profusely from her injuries. She could not walk so she spent the night in Kibumba, before reaching Kanyaruchinya. Her husband abandoned her and she has not seen him since. She was left alone with her six children.

Description of the perpetrators: She identified the perpetrators as M23 combatants who were coming from Nyesisi. It was war and everyone knew that M23 was there. The men were very tall, wore identical ponchos and combat helmets. They spoke the “Rwandan language.” She identified them as Tutsis from Rwanda, because the “tonality” of Congolese Tutsi was very different. She explained that in Rugari and Rumangabo the people spoke the same language, whereas in Rutshuru, in Jomba and Busanza the locals spoke Kinyarwanda, similar to the one spoken by Rwandans but with a different accent.

- (11) A 35-year-old woman from Rumangabo, living as an IDP in Kanyaruchinya, returned in December 2022 to Rumangabo to search for food. She heard that FARDC soldiers had taken control of Rumangabo and it was safe to return. She did not know whether the Kenyans were there. On the way back, she met a group of armed men who ordered her to get undressed. She had a child on her back, they told her to put her child on the ground. They were in a group, two raped her while the others were watching. They beat her and threatened her. After they finished, they told her to leave quickly and not to say anything to anyone.

Description of the perpetrators: The soldiers were armed, wore black ponchos and green berets, and spoke Kinyarwanda.

She returned to Kanyaruchinya on foot. She arrived with her feet swollen and went straight to the hospital. She said she preferred dying rather than returning to Rumangabo while M23 were there.

- (12) A 40-year-old woman, living at the IDP site in Kanyaruchinya, reported that she was raped by uniformed men in the vicinity of the Nyiragongo volcano, on 27 December 2022, when she went, in the company of 12 other women, to gather firewood. She was raped by two men, while another group of men chased after the other women. After the incident she met some of the other women at the hospital, where they realized that they had all been raped on the same day. She knew the other women as they all lived in the IDP camp.

Description of the perpetrators: The perpetrators wore full military uniforms, different from those of FARDC soldiers. They wore knee-protection, bullet-proof vests, helmets and balaclavas, and only their eyes were visible. They were armed and spoke Kinyarwanda, but not the dialect spoken in Congo. They told her “You are beasts, you are all going to die here, why don't you go home?”, and afterwards they let her go.

Annex/Annexe 44:**Rapes by M23 combatants after the takeover of Bambo town on 21 November 2022****Viols commis par les combattants du M23 après la prise de la ville de Bambo le 21 novembre 2022**

The Group received concordant testimonies reporting a spike in rape cases after the takeover of Bambo town by M23. A local leader informed the Group that prior to the arrival of M23, only two rape cases per year were registered in Bambo, whereas between 21²⁹⁷ and 29 November 2022, M23 combatants raped at least 20 women and girls, including minors (i.e. younger than 18 years). A local resident who assisted sexual violence survivors confirmed the sudden increase in cases coinciding with the arrival of M23 in Bambo.

The Group interviewed three women who were gang raped by M23 combatants in Bambo. Their testimonies, including terminology used by the women, are summarized here below.

(1) Young woman, native of Bambo, mother of seven children

She was living in the Chuna neighbourhood of Bambo. Her husband fled before the arrival of M23. She was sheltering in her home with her children when M23 arrived and took control of Bambo after a brief combat against FARDC forces, who quickly fled.

Soon after the fighting ended, M23 soldiers entered her house and asked about the whereabouts of her husband. She told them she did not know where he was. They then forced her into a room and took turns raping her. The one who seemed to be their commander was the first to rape her, telling the others to wait their turns. Two other combatants took their turn to rape her afterwards. When they all finished, they left, without harming the children. The same day, M23 called for a general meeting with the population in the centre of the village, so she took advantage of the distraction to go to the medical centre for treatment, where she spent two nights receiving medical care. A week after leaving the hospital, she took her children and fled Bambo, taking refuge in another region that was not controlled by M23.

Description of the perpetrators: She recalls that the M23 combatants all spoke Kinyarwanda, a language that she did not understand. She deduced from the context what they were saying. She could distinguish the Kinyarwanda spoken in Congo from the Kinyarwanda spoken in Rwanda and claimed that the combatants were all Rwandan. Their commander was very tall and carried a stick in his hand. They all wore military uniforms, like those worn by soldiers in Rwanda. She had seen the same uniforms at the border with Rwanda. They all carried weapons.

(2) 22-year-old, native of Bambo

She is a native of Bambo and was living in the Chuna neighbourhood when M23 arrived and took control of the town, in November 2022. As there was a lot of shooting in town, she took refuge in another more solid house with six other women.

They could still hear shots being fired when twelve M23 combatants entered the house. They asked the women where their husbands were, and the women all answered that they did not know. The combatants asked the women to undress and lie down on the floor. They then began raping them, each taking a woman. When one finished, others

²⁹⁷ M23 took control of Bambo on 21 November 2022.

took their turns. All 12 men took their turns raping several women. All women were raped by several men. When they finished, the women could not even walk from their injuries. Someone found them in the house and called for help to carry them to the hospital. She did not remember how long she spent at the hospital. She was the youngest of the six women who were raped. She was four months pregnant with her first child but lost the pregnancy due to the injuries sustained from the rapes.

Description of the perpetrators: She identified the perpetrators as M23 combatants, Rwandans who “did not resemble the Congolese.” They were different from FARDC soldiers who spoke the local language. The M23 combatants spoke Kinyarwanda. She could identify the difference between the Kinyarwanda spoken in Rwanda and the one spoken in Congo. The combatants did not speak “like Congolese.”

(3) 19-year-old girl, native of Bambo

She recalls that M23 took control of Bambo sometime in November 2022 but does not recall the exact date. She fled the town a week after it was taken over by M23 and went to Kisheshe. She had spent one night in Kisheshe, when she heard gunshots and rumours that M23 were returning to Kisheshe. She thus decided to return to Bambo.

On the road between Kisheshe and Bambo, she saw many combatants, as they were trying to enter Kisheshe. M23 elements stopped everyone at the checkpoint and confiscated money and phones they found on passers-by. She was also stopped and searched, like everyone else. Women who passed the checkpoint were “profiled”, told that “you are the wife of a Nyatura, you the wife of a FDLR, you the wife of a FARDC.” She was told she was a “Nyatura wife” because of her braided hair. Two combatants took her aside and led her into a nearby banana plantation. They told her to undress and took turns raping her. After they finished, they left her there without saying a word.

She returned to Bambo and went to the hospital where she spent three days. She did not want to see M23 anymore, so she decided to leave Bambo. She spent two months on the road until she reached an area that was not controlled by M23.

Description of the perpetrators: The combatants who raped her spoke Kinyarwanda, a language that she understood a little. They were not from the region – she believed they came from Rwanda, because they spoke Kinyarwanda, were all tall and wore uniforms like those worn by Rwandan soldiers. She explained that she saw M23 combatants dressed in three types of uniforms: those similar to the FARDC uniforms, the Rwandan uniforms, and others [different type].

Annex/Annexe 45:

Systematic use of forced labour or “Salongo”²⁹⁸ by M23

Utilisation systématique des travaux forcés ou « Salongo » par le M23

M23 publicly acknowledged the use of mandatory community service or “Salongo” in areas under its control. M23 published propaganda messages on its official Twitter account about the good collaboration of the local population who, they claimed, voluntarily participated in “Salongo.”



Above: Screenshot of a publication on the official Twitter account of M23, M23RDCONGO “@M23_ARC”, on 2 December 2022

English translation of the text: “Here is what happens in the areas under the control of M23_ARC, the military working together with the population. M23_ARC never targeted the civilian population. Such allegations are made by those who do not want peace, with the sole purpose of pitting communities against each other”

²⁹⁸ Traditionally, communities in North Kivu gathered to undertake “Salongo” for the common interest of the community.

However, multiple sources and corroborated testimonies of residents living in areas occupied by M23 reported to the Group that such community work was systematically imposed by M23 on the local population, for the sole interest of the M23 movement, not for the interest of the community. Participation was forced under threat of severe punishment, and in fact amounted to forced labour. Those who refused were severely punished, detained and beaten, and sometimes killed. Most often, local men were forced to do “Salongo” by transporting goods, including supplies and ammunition, to M23 camps/positions over long distances. Multiple sources reported that scores of men were forced to carry goods over long distances, and upon arriving to their destination they were executed (see above annex 38 on summary executions). Witnesses also gave examples of men who were taken by force to carry out “Salongo” and disappeared without a trace.

The Group interviewed several sources who were victims of forced labour or “Salongo”.

Case 1

A resident of Tongo, victim of forced labour imposed by M23, explained how the system of “Salongo” functioned. M23 instructed village chiefs to issue convocation for “Salongo”. M23 then used the men to transport goods to a given location, where they were given a token (“jeton”) upon arrival. They had to keep it until the following Salongo, as proof that they had carried out the service. There were designated days for each type of chore that had to be carried out (for example, motorcycle drivers did Salongo on Saturdays, other residents used as porters every Friday).²⁹⁹ Trucks would bring ammunition and food from Bunagana to Rushovu. From Rushovu, porters – in large numbers – would transport the goods to Murimbi, where a large M23 camp was located. Each group was made up of approximately 40 porters. The porters were always accompanied by military escort. The witness was forced to transport boxes of ammunition to Murimbi, where he was given a token and allowed to return home. Along the road, the tokens had to be presented at M23 checkpoints. Those who had lost their tokens or did not have one, were often severely beaten. The local chief had to intervene to vouch for the person to be allowed to return home. The source witnessed many civilians getting severely beaten by M23.

Case 2

Another victim of forced labour, resident of Rushovu, was forced to transport M23 baggage from Rushovu to Rushege. He does not know what was in the baggage. He did “Salongo” twice, other times he hid for an entire week to escape the ordeal of walking very long distances, carrying heavy loads. He explained that M23 mistreated civilians and forced every male resident, 15 years or older, to carry out “Salongo.” Some were used as porters, others had to work in the fields or build roads. He confirmed that tokens were given after the execution of the “Salongo.” Participation was forced, and those who refused were severely beaten. He saw many civilians being punished.

The Group notes that such acts amount to inhumane treatment and torture, a serious violation of international human rights law, and a violation of the sanctions regime.

²⁹⁹ Confirmed by another source from Tongo.

Annex/Annexe 46:

Lists showing the recruitment of combatants by armed groups in North Kivu

Des listes montrant le recrutement de combattants par les groupes armés au Nord-Kivu

LES RECRITEMENTS DE NDOR DES JEUNES GARÇONS
DANS LES DIFFÉRENTS VILLAGES ET
LA LOCALITÉ EN TERRITOIRE DE
WALIKALE

1 Village pinga: 50 jeunes	NB Tous les villages se trouvent dans les groupement Kisimba territoire de Walikale secteur de Wamanga mais dans les différents localités au village nous avons la localité au village:
2 Village Bunyi: 10 jeunes	
3 Village Katwa: 11 jeunes	
4 Village mpeky: 20 jeunes	
5 Village mindjende: 13 jeunes	
6 Village Kalonge: 40 jeunes	
7 Village munsanga: 25 jeunes	
8 Village Bukonde: 20 jeunes	
9 Village mecha: 23 jeunes	
10 Village minova: 15 jeunes	
11 Village Besse: 12 jeunes	
12 Village mpomfi: 16 jeunes	
13 Village Kalinga: 14 jeunes	
14 Village Buhimba: 9 jeunes	
15 Village Kiyotikino: 8 jeunes	
16 Village misinga: 18 jeunes	
TOTAL: 305 jeunes	

RECRITEMENTS DE APCLS DES JEUNES GARÇONS
à MASISI

1 Village Bihendu: 25 jeunes	NB Tous c'est villages se trouvent dans le groupement Bashali mporoto dans la localité Buhimba, Kalenda et mwezo tous les dans le territoire de masisi
2 Village Nsanganano: 15 jeunes	
3 Village Kalembe masisi: 60 jeunes	
4 Village Kashuga: 30 jeunes	
5 Village Village: 70 jeunes	
TOTAL: 200 jeunes	

RECRUTEMENTS DENYATURA BICATSO

1. Village matenge: 10 jeunes par force
2. Village mukanga: 8 jeunes par force
3. Village Butundu: 3 jeunes
4. Village nyuba: 7 jeunes
5. Village Kazuba: 15 jeunes
6. Village Rugara: 20 jeunes
7. Village munda: 25 jeunes
8. Village mabeshe: 15 jeunes
9. Village masingi: 9 jeunes
10. Village Hagama: 23 jeunes
11. Village Kashesha: 12 jeunes
12. Village Burongo: 12
13. Village Bulindu: 6 jeunes
14. Village Ihula: 30 jeunes
15. Village mashuo: 27 jeunes
16. Village masiza: 14 jeunes
17. Village Bwasha: 12 jeunes

NB

Tous c'est Village
se trouvent dans
le groupement Kisi-
mba, Territoire de
Walikale dans la loca-
lité Nyuka et dans
la localité Bulindu.

TOTAL : 241 jeunes

Documents provided to the Group by a combatant, member of the ARP coalition

Annex/Annexe 47:

Documents showing positions of armed groups part of the ARP coalition, and of FARDC

Documents montrant les positions des groupes armés membres de la coalition ARP, ainsi que les positions des FARDC

les places occupées par les groupes armés

① les places occupées par le M23

- Nyamilima
- Rutsherr - (DR)
- Ishasha

1. Ki Shisha : M23	9) Kazi Kiro : M23	ap - Rugeri
2. Kahumira : M23	10) Kato : M23	ap Kinyari
3. Tongo : M23	11) Bamba : M23	ap Butsa
4. Bishusha : M23	12) Ngerere : M23	ap Bouzanga
5. Bwiza : M23	13) Buhamba : M23	ap Bukuma
6. Kabale Kasha : M23	14) Kutalo : M23	ap Binyar
7. Buringu : M23	15) Ruchuku : M23	ap Buto
8. Kitchunga : M23	16) Mubenga : M23	ap Tongo
17) Kiwanga : M23	17) Kabale : M23	ap Buhushu
18) Rubare : M23		ap Bukamba
		ap Bamba

② les places occupées par le NDCR

1. Mureso NDCR	5) Kalinga NDCR
2. Kalembe NDCR	6) Buhimba NDCR
3. mpety NDCR	7) Kya chikiro NDCR
4. mpamfu NDCR	8) Nyamulere NDCR
10) Rusambambo NDCR	9) Kalongo : NDCR
11) Bukumbura NDCR	13) Mukaka NDCR
12) Pinga katanga NDCR	14) Misoke NDCR
16) Mutongo NDCR	15) Kaseko NDCR
17) Bukubu NDCR	21) Majengo NDCR
18) Malimongi NDCR	22) Munzowa NDCR
19) Irameso NDCR	23) Dhinja NDCR
20) Bisiwasiwa NDCR	24) Munzanga NDCR
26) Kisame NDCR	25) Besse NDCR
27) Misau NDCR	28) Kibua NDCR
	29) Ruwoma Ebat mayoro
	30) Bukubwa wali Kalo NDCR

suite N°2

6 les places occupé par les mai mai commando Mzembe

- | | | |
|--------------------|------------------|--------------------|
| 1) mine Etat major | mai mai commando | |
| 2) Kashalipa | mai mai commando | à Ruchuru
Bwito |
| 3) somikivu | mai mai commando | |
| 4) Ki Bingu | mai mai commando | |
| 5) Ki Bini zi | mai mai commando | |
| 6) mutando | mai mai commando | |
| 7) Kative | mai mai commando | |

7) les places occupé par le FARDC

- | | |
|---------------|--------------------|
| 1) Kilolirube | 7) Kalembe |
| 2) Rushabeshe | 8) Kanguru Katsini |
| 3) Miveso | 9) Nyanzala |
| 4) muongozi | 10) Kasoko |
| 5) Miveso | 11) Kihondo |
| 6) Kashuga | 12) Ki/Ku/Ku |
| 13) Kibini zi | 13) Kibingu |
| 14) Mine | 14) Pinga |
| 15) mpety | 15) malemo |
| 16) Rwindi | |

8) les places occupé par le Nyatuna Jean mwa

- | | |
|------------|-----------------|
| 1) Kimumbu | 8) Kikohwa |
| 2) Bibwe | 9) Luhanga |
| 3) Nyanze | 10) Binili |
| 4) Kikuye | 11) Kabuye |
| 5) mpati | 12) Kahongoboka |
| 6) Mihara | 13) Kingana |
| 7) Hembe | |

3) les places occupées par le nyatuna de Bigabo

- 1) Village mwanzi Nyatuna Etat majoro.
- 2) Village chaala Nyatuna bigabo - Birumbale
- 3) Village mukole Nyatuna bigabo - Feringa.
- 4) Village Kibula Nyatuna bigabo - Nuzikubira.
- 5) Village Bulindi Nyatuna
- 6) Village Katobo Nyatuna
- 7) Village Bulindi
- 8) Village Buronga
- 9) Village Kashesha
- 10) Village Motenze
- 11) Village mshanga
- 12) Village masenzi
- 20) Village Nguba
- 21) Village masiza
- 23) Village mahoghe
- 24) Village hagama
- 25) Village munta
- 26) Village Rugora
- 27) Village mashuo
- 28) Village Bwasha
- 29) Village Bufundi
- 22) Village Kasusu

4) les places occupées par Nyatuna domy plus FOLR

- 1) Kihondo domy
- 2) Kasoko domy
- 3) Kausiru domy & FOLR Etat majoro
- 4) JTN domy & FOLR
- 5) Partie de Bumbu domy & FOLR
- 6) une partie de Tongo domy & FOLR.

5) les places occupées par FPP Kibondo

1. MBwavingwa Etat majoro
2. Bulensa FPP
3. minku FPP
4. Chambi, FPP
5. Kilambo FPP
6. Kuteke FPP
- 7) ~~Kilambo~~ FPP - Lusowa
- 8) Kamune FPP
- 9) Echembe

2) les places occupées par APCLS (suites N°3)

1) Lukweti état majoré	8) Malemo
2) Mubunga	9) Bukucha masisi
3) Ngingwe	10) Biruba
4) Kinyumba	11) Bukonde masisi
5) Buchalwichi	12) Binyungunyungu
6) Kalembe masisi	13) Ndeko
7) Kauli,	14) Bihendu
11) Breshimoo	16) Ngaliiko
Nyangue	17) Muveto
	18) Kahira
	19) Kiborizo

les autres villages à suivre

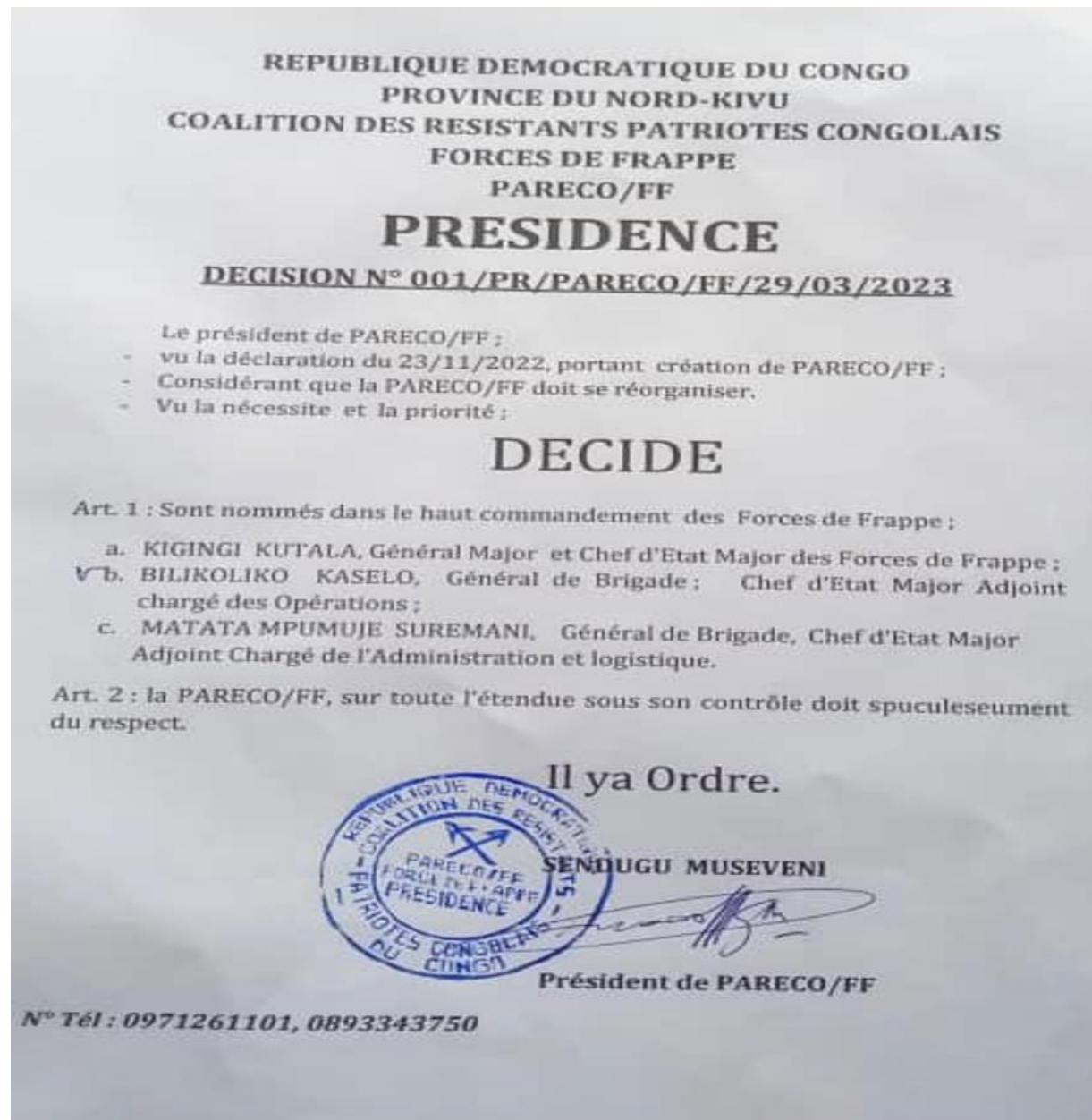
Merci Bon travail

Documents provided to the Group by a combatant, member of the ARP coalition

Annex/Annexe 48:

Decision of 29 March 2023 regarding the PARECO/FF Leadership

Décision du 29 mars 2023 concernant le commandement de PARECO/FF



Document provided to the Group by a combatant

Annex/Annexe 49:

NDC-R leader Guidon and FARDC Colonel Tokolonga in Kitchanga in December 2022

Le chef du NDC-R Guidon et le Colonel Tokolonga des FARDC a Kitchanga en décembre 2022



Screenshot of a video showing sanctioned NDC-R leader Guidon (on the left) and FARDC colonel Tokolonga (in the middle) provided to the Group by a civil society source

Annex/Annexe 50:**Additional information regarding the reshuffled FARDC command in North Kivu as of March 2023****Eléments supplémentaires concernant le commandement remanié des FARDC au Nord Kivu, March 2023**

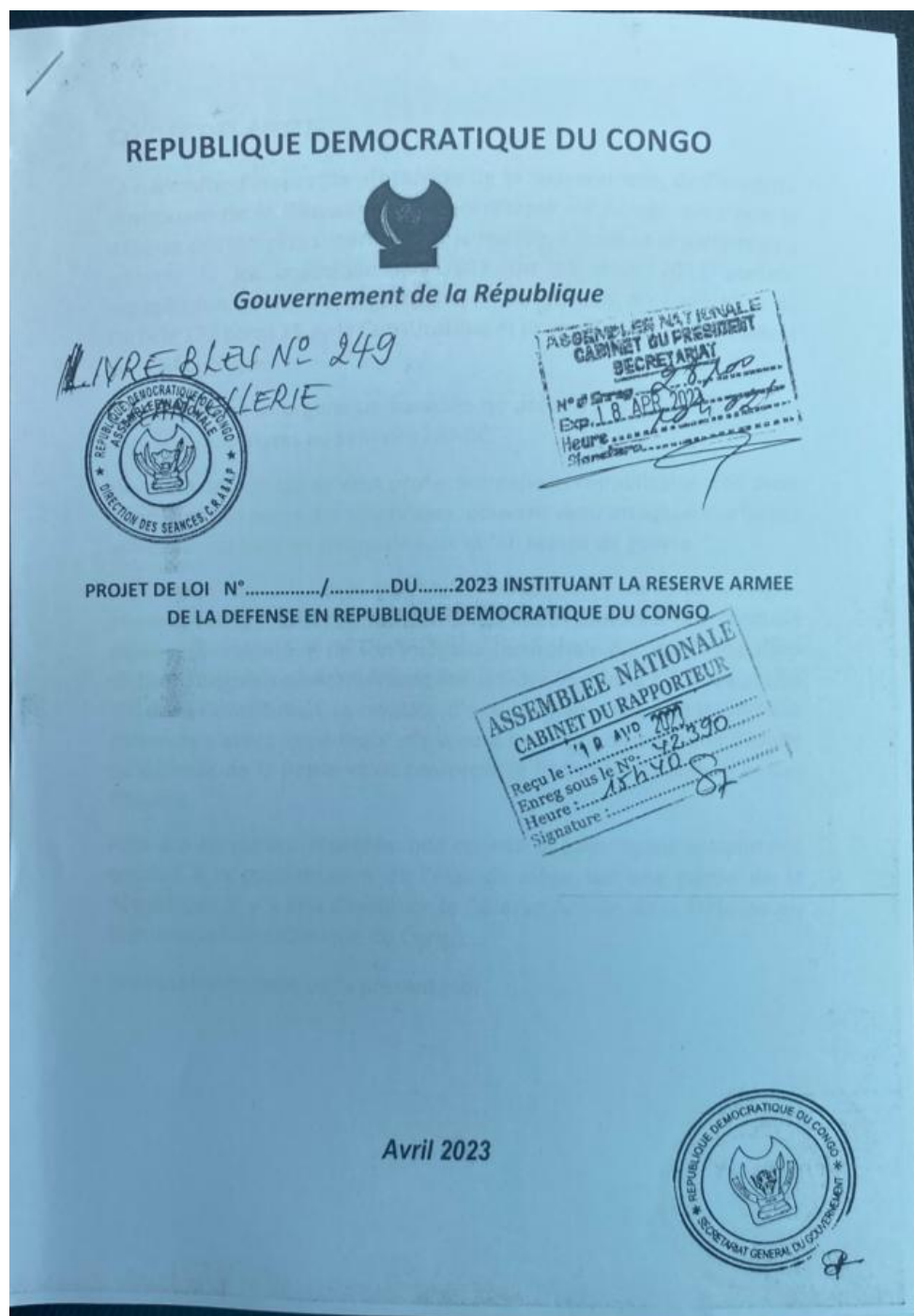
Between January and March 2023, there were some changes in the military command of North Kivu. The commanders assigned with new responsibilities are as follows (see also [S/2022/967](#), annex 50):

- Operations Commander and Governor: Lieutenant-General Constant Ndimba, replacing General Marcel Mbangu;
- Commander of the 34th military region: Major-General Bruno Mpezo Mbele;
- Sukola 1 Sector Commander, Beni: Major-General Maloba Kasongo;
- Sukola 2 Sector Commander, Goma: Major-General Clément Bitangalo.

Annex/Annexe 51:

DRC Government drafted law on FARDC Reserve Defence Force

Projet de loi sur les forces de réserve des FARDC



EXPOSE DES MOTIFS

La nécessité d'assurer la protection de la souveraineté, de l'intégrité territoriale de la République Démocratique du Congo ainsi que la défense des intérêts supérieurs de la Nation, a conduit le parlement à adopter la loi organique N°11/012 du 11 août 2011 portant organisation et fonctionnement des forces armées, en application de l'article 122 point 15 de la Constitution, et promulguée par le Président de la République.

Cependant, la loi organique susvisée ne prévoit pas la création d'un corps de réservistes au sein des FARDC.

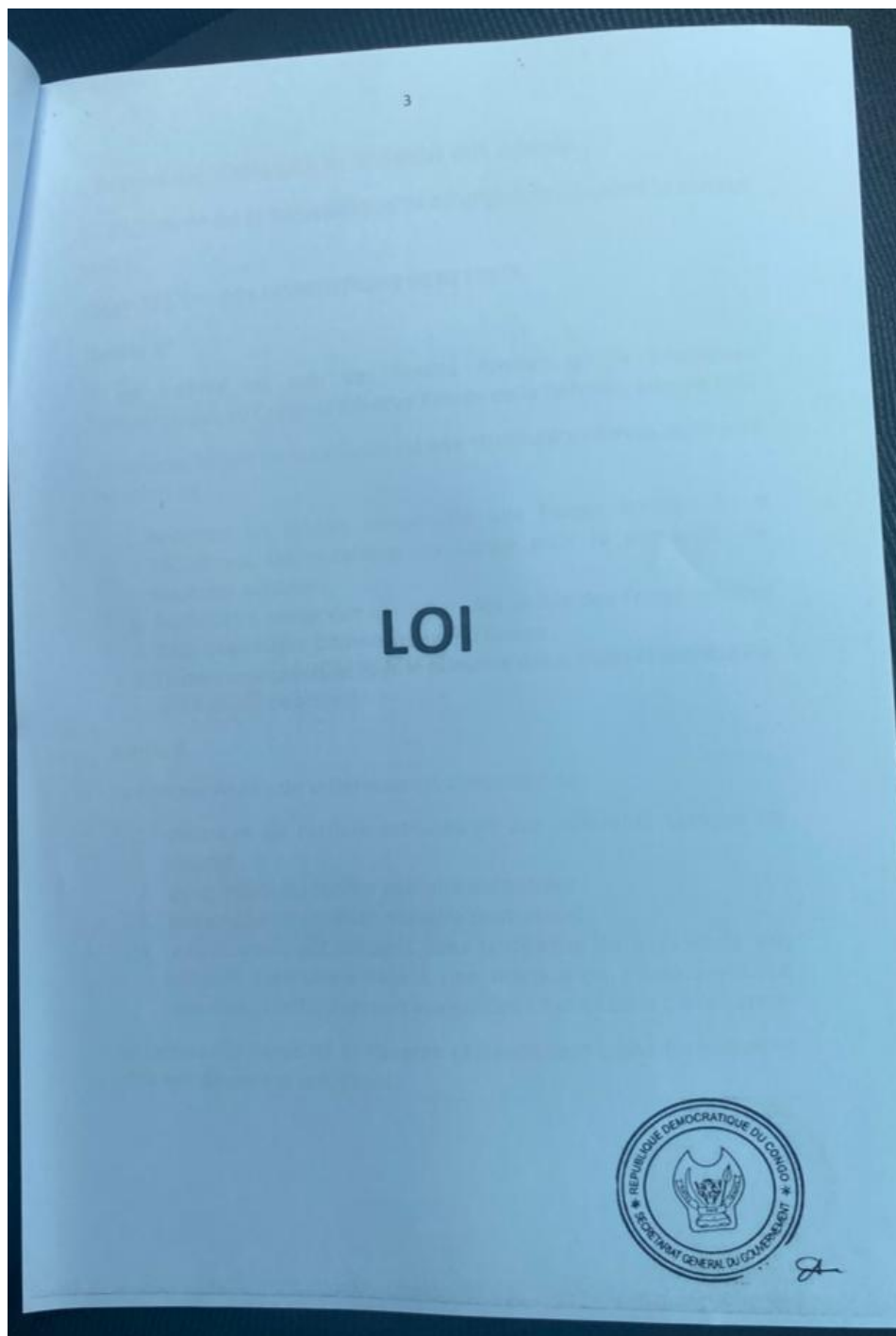
Or, toute armée qui se veut professionnelle et républicaine doit avoir en son sein un corps des réservistes, pouvant venir en appui aux forces armées aussi bien en temps de paix qu'en temps de guerre.

A cet effet, dans le souci de mettre fin aux agressions récurrentes auxquelles le pays est confronté, et pour mieux renforcer la protection de sa souveraineté et de son intégrité territoriale par la participation de tout Congolais conformément aux articles 63 alinéa 1^{er} et 64 alinéa 1^{er} de la Constitution, la création d'une réserve armée de la défense nationale s'avère impérieuse. Cela aura le mérite d'entretenir l'esprit de défense de la Patrie et de renforcer le lien entre la Nation et ses citoyens.

Face aux agressions répétées que connaît le pays, ayant notamment conduit à la proclamation de l'état de siège sur une partie de la République, il y a lieu d'instituer la Réserve Armée de la Défense en République Démocratique du Congo.

Telle est l'économie de la présente loi.





L'Assemblée nationale et le Sénat ont adopté ;

Le Président de la République promulgue la loi dont la teneur suit :

CHAPITRE 1^{er} : DES DISPOSITIONS GENERALES

Article 1^{er}

Il est institué au sein des Forces Armées de la République Démocratique du Congo la Réserve Armée de la Défense, en sigle RAD.

La Réserve Armée de la Défense est une structure nationale qui a pour missions de :

1. Apporter un renfort temporaire aux Forces Armées de la République Démocratique du Congo pour la protection du territoire national ;
2. Participer à un service quotidien des unités des Forces Armées de la République Démocratique du Congo ;
3. Donner une expertise dans le domaine des armées et autres pour des besoins ponctuels.

Article 2

La Réserve Armée de la Défense est composée de :

1. militaires de carrière retraités et des différents services de sécurité ;
2. démobilisés du service militaire obligatoire ;
3. démobilisés du service militaire contractuel ;
4. volontaires civils engagés dans la défense du pays et de son intégrité territoriale face à une menace ou à une agression extérieure conformément aux articles 63 et 64 de la Constitution.

Ils forment le Corps de la Réserve et bénéficient d'une formation et d'un entraînement spécifiques.



CHAPITRE 2 : DES CONDITIONS D'ADMISSION

Article 3

Pour être admis à la Réserve Armée de la Défense, il faut :

1. être de nationalité congolaise ;
2. être âgé d'au moins 18 ans ;
3. avoir une bonne aptitude physique et jouir d'une bonne moralité ;
4. n'avoir pas été condamné pour crime de guerre, crime contre l'humanité ou génocide.

CHAPITRE 3 : DE LA PERTE DE QUALITE

Article 4

La qualité de membre du Corps de la Réserve Armée de la Défense se perd par :

1. déchéance de la nationalité congolaise ;
2. démission acceptée ;
3. révocation pour violation des lois et règlements militaires ;
4. incapacité physique et/ou mentale déclarée ;
5. décès.

CHAPITRE 4 : DE L'ORGANISATION ET DES ATTRIBUTIONS

Article 5

Sans préjudice de la Loi organique portant organisation et fonctionnement des Forces armées de la République Démocratique du Congo, les règles d'organisation et de fonctionnement de la Réserve Armée de la Défense sont fixées par Ordonnance du Président de la République, délibérée en Conseil des ministres, sur proposition du Ministre ayant la défense nationale dans ses attributions.



CHAPITRE 5 : DU TRAITEMENT**Article 6**

Les membres admis à la Réserve Armée de la Défense bénéficient, pendant la durée de leur prestation, du solde et des avantages prévus pour les éléments des Forces Armées de la République Démocratique du Congo.

Le ministre ayant dans ses attributions la défense nationale tient un registre de membres du Corps de la Réserve Armée de la Défense, renouvelable tous les 5 ans.

CHAPITRE 6 : DU REGIME DISCIPLINAIRE**Article 7**

Pendant la période de prestation, le membre du Corps de la Réserve Armée de la Défense est soumis à la discipline militaire, aux lois et règlements militaires.

Article 8

Au terme de sa prestation, le membre du Corps de la Réserve Armée de la Défense réintègre la vie communautaire, après une formation de réinsertion.

Il ne peut perdre ni son travail ni les avantages y afférents pour avoir servi comme membre de la Réserve Armée de la Défense.

CHAPITRE 7 : DES DISPOSITIONS FINALES**Article 9**

Les mesures d'application de la présente loi sont fixées par voie réglementaire.

Article 10

La présente loi entre vigueur à la date de sa promulgation.

Fait à Kinshasa, le

2023

Felix-Antoine TSHISEKEDI TSHILOMBO




Document provided to the Group by a FARDC source

Annex/Annexe 52:

Decision suspending SMB's activities and exports

Décision suspendant les activités et exportations de SMB


MINISTÈRE DES MINES
Le Ministre

N. REF. : CARMEN/MINES/ANTRC/01100 Kinshasa, le 05 AOUT 2023

Transmis Copie pour information à :

- Son Excellence Monsieur le Président de la République, Chef de l'Etat
(avec l'assurance de son honneur le plus dévoué)
- Palais de la Nation :**
Son Excellence Monsieur le Premier Ministre, Chef du Gouvernement
(avec l'assurance de ma très haute considération)
- Hôtel du Gouvernement :**
Monsieur le Vice-Ministre des Mines ;
Monsieur le Directeur Général du CEEG ;
Monsieur le Directeur Général du SAEMAPI ;
(Tous) à **Kinshasa/Gombe** ;
- Monsieur le Gouverneur Militaire du Nord-Kivu ;
Monsieur le Chef de Division Provinciale des Mines du Nord-Kivu
(Tous) à **Goma/Nord-Kivu**

Objet : Suspension des exportations et de toutes les activités minières de la société **Minière de Buzuru « SMB SARL »**

A Monsieur le Responsable de la société Minière de Buzuru « SMB SARL »
à Goma/Nord-Kivu

Monsieur le Responsable,

Des informations en ma possession révèlent que votre société exporte des minerais provenant du périmètre couvert par le PE n° 76 de la société **Aurifère du Kivu et du Maniema « SAKIMA »**, société du Portefeuille de l'Etat.

Ce comportement, une fois avéré, est constitutif des infractions de vol et du recel des substances minérales prévues et punies par les dispositions de l'article 300 du Code Minier.

A cet effet, en attendant que la lumière soit faite sur ces informations, je suspends préventivement les exportations des produits miniers et toutes les activités minières de la société **Minière de Buzuru « SMB SARL »** et vous invite à me transmettre tous les documents et titres qui

ank

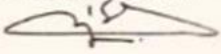
1ère Bureau : Hôtel du Gouvernement, Place Ntundu, Boulevard de 10 Jans - Kinshasa - (Gombe) - RDC
Tél : 800 00 00 00 - Email : direction@mines.cd

(Suite)

sous-tendent vos activités minières. Par conséquent, je demande à Monsieur le Chef de Division provinciale des Mines du Nord-Kivu, qui me le en amplexion, de prendre toutes les dispositions nécessaires pour l'exécution sans faille de cette mesure.

Veuillez agréer, Monsieur le Responsable, l'expression de mes sentiments patriotiques.

Antoinette N'SAMBA KALAMBAYI



Document provided to the Group by sources within the mining community

Annex/Annexe 53:

Public communiqués by M23, Rwandan authorities and Twirwaneho referring to an imminent genocide against Rwandophones

Communiqués publics du M23, des autorités rwandaises et de Twirwaneho faisant référence à un génocide imminent contre les rwandophones

(1) Official M23 comuniques referring to an “imminent genocide” against the Tutsi community

THE M23 OFFICIAL COMMUNIQUE OF NOVEMBER 22nd, 2022

The M23 Movement Directorate presents its gratitude to the East African Community, African Union, United Nations and the whole of international community for their endless efforts to find a peaceful resolution to the ongoing conflict in the Eastern part of the Democratic Republic of Congo.

Despite all the efforts by the regional leaders, the DRC Government has shown its unwillingness to restore peace in our country by totally ignoring the international community calls for a political dialogue and its continuous attacks on all M23 positions.

The M23 Movement informs the international community of the establishment of a new chaotic order and imminent genocide by the DRC Government as show below:

1. For instance in MASISI, the coalition has obliged all the Congolese Citizens of Tutsi ethnic to gather in medical centres and parishes. Those who will not show up at the said places will be considered as M23 members and shall therefore be killed.
2. In the villages where they are predominantly Tutsi, the FARDC have withdrawn and left on standby their allies FDLR and and MAI-MAI to do what they do best, GENOCIDE.

The M23 Movement reminds the international community that the DRC Government and its allies are using the similar methods to the ones of 1994 genocide against the Tutsi of RWANDA, perpetrated by the INTERAHAMWE (FDLR), the DRC Government's ally.

In away to implement the said genocidal plan, the DRC Government has appointed Brigadier General Mugabo Hassan in charge of operations in Masisi. One shall remember the horrendous crimes committed by the Brigadier General Mugabo Hassan, while he was in PARECO and his extreme collaboration with the FDLR.

The M23 reiterate its undertaken commitment to a direct dialogue with the DRC Government in order to peaceful resolve the ongoing conflict, however, it shall not standby and witness the slaughtering of a group of Congolese citizens.

Bunagana, November 22nd, 2022

The M23 Movement Political Spokesperson

Lawrence KANYUKA

Tél : Porte-Parole Politique +243899411093, Porte-Parole militaire +243814946907 Email : mouvementdu23mars2@gmail.com

M23 official communiqué of 22 November 2022



THE M23 OFFICIAL COMMUNIQUE OF FEBRUARY 3rd, 2023

The M23 Movement Directorate, informs the International and National community of the following:

1. The M23 Movement thanks our compatriots very much for their solidarity and for rejecting the DRC Government's hate speech and Genocide ideology. The M23 is calling upon those who have fled or still hiding from the targeted killings and ongoing Genocide to return to their homes and to carry on with their daily lives.
2. The M23 Movement, hereby, clarifies that it is not on a campaign to conquer territories, instead, finds itself obliged to intervene and stop the ongoing targeted massacres and Genocide perpetrated by DRC Government coalition and Mercenaries in broad daylight, under the total silence of the International Community.
3. The M23 implores the Region Leaders to urge President Felix Antoine TSHISEKEDI TSHILOMBO to stop his warmongering option as it continues to cause unnecessary loss of lives. The M23 believes that the ongoing conflict in Eastern DRC can be resolved peacefully through a Direct Dialogue with the DRC Government to address the root causes of the conflict in order to establish a lasting peace in our country.

Bunagana, February 3rd, 2023

The M23 Movement Political Spokesperson

Lawrence KANYUKA

Tél : Porte-Parole Politique +243899411093, Porte-Parole militaire +243814946907 Email : mouvementdu23mars2@gmail.com

Above: M23 official communiqué of 3 February 2023. In paragraph 2 it claims that “The M23 Movement [...] finds itself obliged to intervene and stop the ongoing targeted massacres and Genocide perpetrated by DRC Government coalition and Mercenaries in broad daylight...[...]”



THE OFFICIAL COMMUNIQUE OF FEBRUARY 11th, 2023

The M23 Movement Directorate, informs the International and National community of the following:

1. The M23 condemns in the strongest terms the DRC Government's irresponsible behaviour for its continued attacks against M23 positions and the blind bombing of heavily populated areas under the M23 control, including KIBIRIZI, KISHISHE, KILORIRWE, KABATI, RUVUNDA and their surroundings using its attack helicopters, fighter jets, Combat tanks, and heavy artillery. These attacks continue to cause the deaths of innocent civilians, destruction of their property, wounding, and displacing many local communities in total violation of the decisions derived from the 20th EAC Heads of State Extraordinary Summit of February 4th, 2023, held in Bujumbura. Despite the continue attacks by the DRC Government coalition and Mercenaries, the M23 reiterate its commitment to defending itself and protect the civilian population in the areas under its control and rescue those who are at risk of extermination.
2. The DRC Government has failed to implement Article 51 of the DRC constitution by continuing to spread hate speech, arbitrary arrests, targeted killing, the instauration of community apartheid and the ongoing Genocide against Congolese Tutsi as well as maintaining the conflict in KWAMOUTH and the killings of our compatriots in ITURI, NORTH KIVU and SOUTH KIVU.
3. The M23 remains committed and lends its support to the Regional Leaders' efforts to find lasting peace in Eastern DRC and we believe that a Direct Dialogue with the DRC Government is the best option to address the root causes of the ongoing conflict.

Bunagana, February 11th, 2023

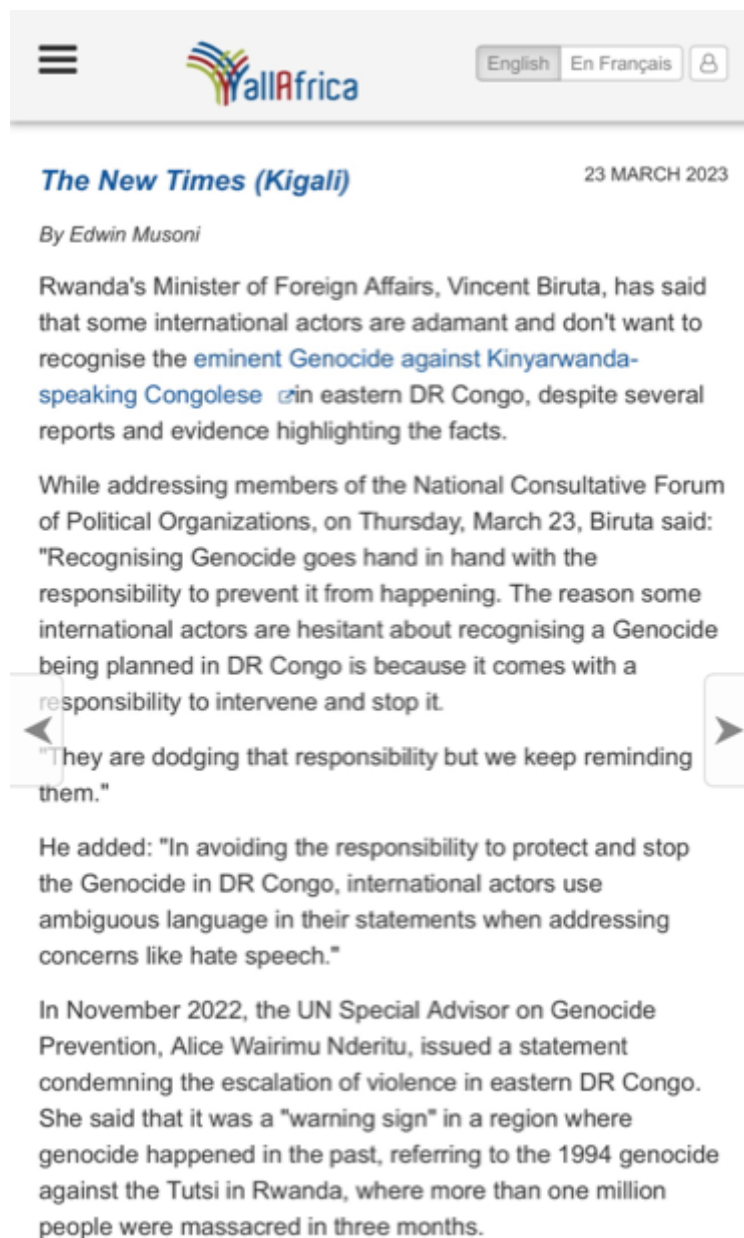
The M23 Movement Political Spokesperson

Lawrence KANYUKA

Tél : Porte-Parole Politique +243899411093, Porte-Parole militaire +243814946907 Email : mouvementdu23mars2@gmail.com

Above: Official communiqué of M23 of 11 February 2023, denouncing the ongoing “Genocide against Congolese Tutsi” and linking the different conflicts in Ituri, North Kivu, South Kivu and Kwamouth

(2) Official statements by the Government of Rwanda



The New Times (Kigali) 23 MARCH 2023

By Edwin Musoni

Rwanda's Minister of Foreign Affairs, Vincent Biruta, has said that some international actors are adamant and don't want to recognise the **eminent Genocide against Kinyarwanda-speaking Congolese** in eastern DR Congo, despite several reports and evidence highlighting the facts.

While addressing members of the National Consultative Forum of Political Organizations, on Thursday, March 23, Biruta said: "Recognising Genocide goes hand in hand with the responsibility to prevent it from happening. The reason some international actors are hesitant about recognising a Genocide being planned in DR Congo is because it comes with a responsibility to intervene and stop it."

"They are dodging that responsibility but we keep reminding them."

He added: "In avoiding the responsibility to protect and stop the Genocide in DR Congo, international actors use ambiguous language in their statements when addressing concerns like hate speech."

In November 2022, the UN Special Advisor on Genocide Prevention, Alice Wairimu Nderitu, issued a statement condemning the escalation of violence in eastern DR Congo. She said that it was a "warning sign" in a region where genocide happened in the past, referring to the 1994 genocide against the Tutsi in Rwanda, where more than one million people were massacred in three months.

Above: Excerpt from a statement attributed to Rwanda's Minister of Foreign Affairs, Vincent Biruta, denouncing an imminent genocide against Kinyarwanda-speaking Congolese in eastern DRC

(3) Statements by Twirwaneho warning of a genocide against the Tutsi and Banyamulenge



Above: [Message posted](#) on the official Twirwaneho Twitter account “@twirwaneho” on 25 November 2022

The Group notes that this was one of the first public statements in which Twirwaneho began mirroring the genocide narrative used by M23 in its public communiqués (see also paras. 142-145).



Twirwaneho
@twirwaneho

...

Nous dénonçons les actes de GENOCIDE contre les Banyamulenge, préparés et perpétrés par les @FARDC_off déployées à Minembwe.
@Presidence_RDC @AssembléeN_RDC @MONUSCO @jumuiya @GeneralNeva @fatshi13 @KagutaMuseveni @SuluhuSamia @PaulKagame @WilliamsRuto

Translate Tweet

AUTO-DEFENSE TWIRWANEHO

DENONCER LES ACTES DE GENOCIDE MENÉS PAR LES FARDC DÉPLOYÉES A MINEMBWE

Nous alertons l'opinion, tant nationale qu'internationale, des actes de génocide diligentés par les éléments de FARDC déployés à Minembwe en coalition avec les milices Mai Mai et RED TABARA

Sans prétendre être exhaustif, voyons quelques uns de ces actes commis par les FARDC récemment :

1. En date du 09/10/2022, l'assassinat par machette de l'élève de la 8ème année, MUGAZA, âgé de 15 ans.
2. En date 07/11/2022 l'assassinat de Pasteur MUZIMA BAHUNDE Par la 12ème brigade de réaction rapide des FARDC au centre de Minembwe,
3. En date du 15/12/2022, l'assassinat de Monsieur YANGABO RUTARE par les FARDC à Minembwe. Son père Rutare avait été tué par les Maimai, trois ans plus tôt.
4. En date du 20/12/22, les FARDC ont attaqué et tué Monsieur Muzungu Rusongo, dans sa maison à Muzinda /Minembwe. Muzungu était un jeune homme, membre de l'autodéfense Twirwaneho qui était venu assister à un mariage de famille. Les autorités des FARDC étaient bien invitées à ce mariage.

Ce drame se passe pendant que les assises de Nairobi 3 prénaient un cessez-le-feu.

Tous ces assassinats font suite à l'assassinat du chef de poste Abatu et de Monsieur Nkakize que les FARDC ont tue dans des circonstances pareilles et qu'ils veulent imputer à Twirwaneho par diversion.

5. Plus tôt le 16/12/22, le Col Ekembe des FARDC avait conduit une attaque des Maimai contre le village banyamulenge de Kalingi.

6. Une opération génocidaire, conjointe, fardc-Maimai-RedTabara se prépare contre les villages banyamulenge de Minembwe. Les FARDC attaqueront les villages de Marango et Kabingo, les Maimai et Red-Tabara attaqueront les villages de Gakangara, Muliza et Gakenke. Quelques arrangements maléfiques s'observent au sein de cette coalition :

- Intégration d'un commandant Maimai, autoproclame' Général KAKOBANYA dans le bataillon de FARDC déployé à Mikenge, comme le chargé des opérations

Above: [Twirwaneho announcement](#) on the official Twitter account of @twirwaneho posted on 23 December 2022, denouncing a genocide against the Banyamulenge

The reaction of the Congolese Government to the propagation of the “genocide narrative”

In response to the propagation of the genocide narrative by M23, the Congolese authorities, through FARDC spokesperson Major-General Sylvain Ekenge, publicly claimed that the FARDC had credible intelligence that Rwanda was planning a massacre of Tutsi to blame on the Congolese Government (see below).

REPUBLIQUE DEMOCRATIQUE DU CONGO
FORCES ARMEES
ETAT-MAJOR GENERAL



SERVICE DE COMMUNICATION ET D'INFORMATION

Le Porte-Parole

**COMMUNICATION OFFICIELLE DES FORCES ARMEES DE LA RDC.
FACE AU MENSONGE ET A LA RUSE, LA VERITE TRIOMPHE.**

Les Forces Armées de la République Démocratique du Congo ont pris connaissance des communiqués alambiqués et, comme d'habitude truffé de mensonges grossiers, traduisant la volonté délibérée de saper la morale publique internationale, publiés les 17 et 22 mars 2023, par l'armée rwandaise sous l'étiquette des terroristes du M23.

La précipitation avec laquelle ces communiqués ont été publiés découle de la stratégie de l'armée rwandaise de préparer l'opinion afin de justifier ensuite les graves violations des engagements et du cessez-le-feu que ces hors-la-loi et leurs alliés n'ont jamais respectés. Bien plus, ces communiqués s'illustrent par des propos insensés qui ne tiennent pas compte ni des contingences géographiques, historiques, sociologiques ou encore moins stratégiques de la RDC. Vautrés dans leur posture injurieuse et arrogante, les auteurs de ces communiqués laissent volontairement apparaître un mépris à l'endroit de la détermination du Peuple Congolais de défendre l'intégrité territoriale de son Pays.

Cette méprise les pousse à ignorer que toutes les localités et agglomérations qu'ils occupent font partie intégrante des 2.345.410 Km² de la RDC. Comme hier, aujourd'hui et demain, ces entités du territoire de la RDC ne resteront aucunement sous les bottes rwandaises dont l'unique objectif poursuivi est la commission des crimes.

N'étant pas dans la logique génocidaire comme les Forces de Défense du Rwanda et leurs forces supplétives, l'effet final recherché par les Forces Armées de la République Démocratique du Congo demeure la paix durable dans sa partie Est et dans la sous-région. Contre vents et marées, et par des moyens légaux en leur disposition, les FARDC y parviendront quoi qu'il en coûte car, qu'il neige ou qu'il pleuve, la République Démocratique du Congo restera une et indivisible, dans les limites géographiques nous léguées par nos aïeux.

Fait à Kinshasa, le 24 mars 2023.



Le Porte-Parole des Forces Armées
EKENGE BOMUSA EFOMI Sylvain
Général-Major

Contacts : +243 971 800 424 ; +243 852 327 465. Site officiel : www.fardcnet.mil.cd ; YouTube, Twitter, Instagram et Facebook : FARDC OFFICIEL SCIFA. Email : scifa@fardcnet.mil.cd

Above: Public communiqué by FARDC spokesperson General-Major Ekenge Momus Efomi Sylvain, issued on 24 March 2023

Annex/Annexe 54:**Reprisals against communities presumed to support M23****Représailles contre les communautés présumées soutenir le M23**

M23's advancement into western Rutshuru and Masisi also led to the displacement of members of the Tutsi community from these areas due to "tribalism," fearing targeted retaliatory attacks by armed groups and the population opposing M23. Members of the Tutsi community who fled the violence in the Rutshuru and Masisi territories were unable to join IDP camps such as the one in Kanyaruchinya for fear of retaliation by the other communities. They were thus constrained to setting up their own IDP camp in Goma and requested protection from the Congolese authorities.³⁰⁰

The Group obtained a list of 46 individuals of Tutsi ethnicity killed in the Masisi and Rutshuru territories between 1 July 2022 and 8 March 2023 by armed groups opposing the M23.¹

PERSONNES TUEES MEMBRES DE LA COMMUNAUTE TUTSI			
ITEM	LIEUX DE MEURTRE	DATE	NOMS
1	MAHANGA	23/11/2022	KAMBARI J. DAMASCENE
2	MAHANGA	30/10/2022	NDERERIMANA
3	BURUNGU	10/11/2022	KABERA KAYINAMURA
4	RUTARE	3/8/2022	GASAMAGERA
5	RUTARE	3/8/2022	MBEREYINKA SENKANYANDUGA
6	MAHANGA	17/09/2022	BADACOKA
7	MAHANGA	13/01/2022	MBARUSHIMANA GATO
8	MAHANGA	13/11/2022	GAFISHI JUSTIN
9	MAHANGA	13/11/2022	GASAZA INNOCENT
10	MAHANGA		MANZI SEGIPAPA
11	MAHANGA	1/7/2022	KAMANZI INNOCENT
12	MAHANGA	1/7/2022	SHUMBUSHO
13	MAHANGA	1/7/2022	DUNIYA
14	KILORIRWE	1/1/2023	BUGEGENE
15	BURUNGU		SAFARI NZANIRA
16	BURUNGU		MUNYAGIHUNDA
17	BURUNGU		CMNDT PNC PAPA NKURU
18	BURUNGU		COMNDT PNC JEAN DE DIEU
19	BURUNGU		NGERERO RUBERA
20	BURUNGU		ISAKA BYAKWERI
21	KITSHANGA (APCLS)	25/01/2023	HABIMANA MICHEL
22	KITSHANGA (APCLS)	25/01/2023	RWAMAKOTI Jonas

³⁰⁰ The Group visited the IDP camp sheltering more than 2,000 internally displaced members of the Tutsi community.

23	KITSHANGA (APCLS)	25/01/2023	FEMME DE RWAMAKOTI MUKAMUSONI N.MATAZA
24	MOKOTO BUTALE (NYATURA)	26/01/2023	NIYONSENGA Janvier
25	MOKOTO BUTALE (NYATURA)	26/01/2023	GASANA FILSTON KABOSE
26	BURUNGU (NYATURA)	31/01/2023	SEBUNORI MURAMIRA
27	BURUNGU (NYATURA)	31/01/2023	MADAME SAMVURA
28	BURUNGU (NYATURA)	31/01/2023	UMWANA WA SAMVURA
29	BURUNGU (NYATURA)	30/01/2023	GASAMAZA BUTERA
30	KILORIRWE (FDLR)	2/2/2023	NKUNDAMAHORO Danny
31		5/2/2023	RUKEMAMPUNZI
32	RUGARAMA (COALLITIONS FARDC)	26/01/2023	BISENGIMANA JEAN BOSCO
33	KAUSA RUSHINGA(NYATURA)	3/2/2023	NSHIZIRUNGU GISANABAGABO Claude
34	KILORIRWE SHANGI(FARDC)	12/2/2023	FILLE UWERA GRACE
35	BIHAMBWE(MUSHWA)	14/02/2023	BIMENYIMANA PALUKU
36	MUSHAKI (COALLITIONS FARDC)	23/02/2023	MUSAFIRI KABERA SAIBA
37	NGUNGU (MAYIMAYI MAACHANO)	25/02/2023	KAZUNGU BIZURU
38	KANIRO (FDLR/NYATURA)	27/02/2023	AMINI MBARUSHIMANA HUBERT
39	KANIRO (FDLR/NYATURA)	27/02/2023	MPUMUJE EUGENE
40	HUMURE NYATURA ABAZUNGU)	25/02/2023	KALIA JEAN PIERRE
41	KANIRO (FDLR/NYATURA)	27/02/2023	RWAMAKUBA JIMMY
42	KANIRO (FDLR/NYATURA)	28/02/2023	NSANZIMANA KAYIJAMAHE JACKSON
43	RUSEKERA (NYATURA/DOMI)	08/03/2023	BYIRINGIRO MAYAYA

Document provided by a representative of the Tutsi community

A compilation of 26 cases, documented with the identities of the victims, pictures of the bodies along with a description of the location, circumstances of killings, including incidents of decapitation and genital mutilation, as well as presumed perpetrators, was provided to the Group by representatives of the Tutsi community. The list is on file with the Secretariat.

Annex/Annexe 55:**Incidents of mob violence and harassment of Rwandophones at voting centres****Incidents de violence collective et de harcèlement des rwandophones dans les centres de vote**

In February 2023, several incidents were registered at various offices of the Independent National Electoral Commission ([Commission Electorale Nationale Indépendante](#) or “CENI”) in Goma, where members of the Tutsi community were harassed and beaten. For example, on 22 February 2023 at the Biyahi voting centre in Goma, at least 20 members of the Banyamulenge community who wanted to register to vote were attacked by a hostile crowd. Some members of the Banyamulenge community were injured. The voting centre was shut down following this incident.

See below: screenshots of a video posted on social media about the incident at the Byahi voting centre in Goma





[Facebook](#) post, posted on 24 February 2023

Similar incidents were reported in South Kivu, notably in Uvira, where hostile crowds opposed the registration of members of the Banyamulenge community in the upcoming elections.



Source: [Twitter](#), posted on 17 February 2023 on the account of @MaishaRdc

Annex/Annexe 56:**Examples of hate speech calling to chase out Rwandophones or kill them****Exemples de discours de haine appelant à chasser les rwandophones ou à les tuer**

A campaign with the hashtag “*DeRwandalisation*” was launched on social media, proposing that the solution to end the insecurity in the east was to “deRwandalise” all the public institutions of the country, including the FARDC, PNC and ANR, as the country was “infiltrated” by Rwandans at all levels.³⁰¹ Fearmongering about a Rwandan infiltration was widely echoed on social media and in public gatherings.³⁰² Activists in Goma adopted the slogan “*keba na serpent*” (in Lingala) or “*hange nyoka isikulume*” (in Swahili), which translates as “beware of the snake.”³⁰³ Witnesses interviewed by the Group reported that this slogan was understood by the local community in Goma as an incitement to hatred against Rwandophones, as it resembles language that has been used in the past to describe Tutsis, such as during the genocide in Rwanda in 1994 .



Above: Twitter video of a man speaking to a cheering crowd, launching calls to chase all Rwandans from Congo, including those in the army and the “*guardiens des vaches*” (cattle herders). If they would not leave voluntarily, they would be killed because “we cannot live in their country [the Congo] with Rwandans”:

<https://twitter.com/bbisimwa/status/1626951284975714307?s=20>

(last consulted 6 March 2023)

Below: A video circulating on social media, [posted on Twitter on 26 February 2023](#), transmitting an incendiary speech by a woman called Francine Kalala, calling for the extermination of Tutsis in Congo.

Snapshots taken from the video with the subtitles published on Twitter:

³⁰¹ Campaign organized on Twitter by Eliezer Ntambwe Mposhi (@EliezerNtambweO), former journalist and television producer, member of Parliament representing Lukula constituency in Kinshasa from 2018.

³⁰² [Twitter video](#) of a gathering where such discourse is echoed and applauded by a large crowd.

³⁰³ See Twitter account of Sankara Bin Kartumwa, @sankarabin1, LUCHA activist in Goma.



English translation: "We will not allow the Tutsi to rule Congo. You, the Tutsi, the civil war that you have known in your own land was nothing..."



English translation: "...the genocide that you suffered was a small thing. I assure you that we will exterminate you."



English translation: “Really, we will massacre you all. Women of Congo, all Congolese, if you see a Tutsi on the street, kill him/her, he/she is not a human being!”

Annex/Annexe 57:**Incidents of mob violence against Rwandophones****Incidents de violence collective contre les rwandophones**

Twitter video of a Banyamulenge FARDC officer, Adjudant Chef Furaha Kapingi, who was attacked and beaten in Kinshasa:



The video posted on Twitter:

<https://twitter.com/Bienfaiteur7/status/1605703743076536320?s=20>
(last consulted on 6 March 2023)

Contrary to the public comments on Twitter, the officer was not killed. See another video of the same incident:



<https://twitter.com/Kivutimes/status/1605589122709536768?s=20>
(last consulted on 6 March 2023)

Annex/Annexe 58:**Demonstrations in Goma on 6 and 7 February 2023 degenerated into mob violence against Rwandophones and their interests/properties****Les manifestations à Goma les 6 et 7 février 2023 ont dégénéré en violences collectives contre les rwandophones et leurs intérêts/propriétés**

Demonstrations in Goma staged on 6 and 7 February 2023 against the EACRF and MONUSCO took an unexpected ethnic dimension as several homes, businesses and churches belonging to or used by Rwandophones were attacked and vandalized by demonstrators. Rwandophones were also harassed and threatened throughout the city, forcing many to go into hiding.³⁰⁴ The “Rama” church of the Banyamulenge community in the Nyabushongo neighbourhood of Goma was vandalized by demonstrators. The roof caved in while several demonstrators were in the process of removing it.



Source: [Twitter video and images](#) posted on The Kivu News 24 official account “@kivunews24” on 6 February 2023

³⁰⁴ On 6 February 2023, demonstrators in Goma attacked and destroyed a church in Nyabushongo frequented by Tutsi and Banyamulenge. Source: video footage and open source information on social media; members of civil society; MONUSCO.

Annex/Annexe 59:

Leadership structure of CODECO factions

La structure de commandement des factions CODECO

I. TERRITOIRE DE DJUGU								
N°	GROUPES ARMES	DATE DE CREATION	Causes	LOCALISATION	CAPACITE DE NUISANCE	Mode opératoire	Sources de financement	LEADERS
1	URDPC/ CODECO	18 SEPT 2017	<ul style="list-style-type: none"> La mort du prêtre Florent à Drodro ; la mort des 4 commerçants de Kobu ; 	Secteur de Walendu-Pitsi.	Très élevé	Guérilla ; Attaque contre les civils.	Exploitation minière. Pillage et extorsion. Pays voisins ; Institution des taxes à travers les barrières illicites.	BAHATI Charité ; Désiré NGUNU KIZA : BASSA SUKPA Gershom ; MANDRO JIBA SENGEDHU.
2	ARDPC		<ul style="list-style-type: none"> l'impunité Tracasseries militaires et mauvaise distribution de la justice ; Faiblesse de l'Autorité de l'Etat ; Conflit foncier et identitaire, conflit des limites administratives et problématique des enclaves ; 	Walendu-Pitsi	Moins élevé.			NGABU NGAWI, alias SONGAMBELE ; RD'DZA KPALO Deogratias.
3	ALC		<ul style="list-style-type: none"> Manipulations politiques ; Le chômage des jeunes ; 	Walendu-Tatsi	Elevé			Justin GBESI, alias PETIT LOUP de la Montagne ; CHULU NDRUNDRO John
4	URDPC/BON TEMPLE DE DIEU		<ul style="list-style-type: none"> Endoctrinement par la secte mystico religieuse ; 	Secteur Walendu-Djatsi	Très élevée			NDRODZA KONDJO ; KADOGO
5	ROYAUME NGOTO		<ul style="list-style-type: none"> Résultats mitigés des DDR antérieurs ; 	Secteur Walendu-Djatsi	Très élevée			BIKO ; BIFALO SANDAY
6	FDBC		<ul style="list-style-type: none"> Porosité des frontières 	Secteurs Walendu-Djatsi et Banyali-Kilo	Très élevée			TCHUI MUTAMBALA NDRUNDRO

Document provided to the Group by civil society source

Annex/Annexe 60:

Weapons seized by CODECO-URDPC following its attack on the FARDC 3401st Regiment in Njala and the ambush in Pitso

Les armes saisies par CODECO-URDPC suite aux attaques sur le 3401 ier régiment des FARDC a Njala et l'Embuscade à Pitso

			Kobu ; • l'impunité • Tracasseries militaires et mauvaise distribution de la justice ; • Faiblesse de l'Autorité de l'Etat ; • Conflit foncier et identitaire, conflit des limites administratives et problématique des enclaves ; • Manipulations politiques ; • Le chômage des jeunes ; • Endoctrinement par la secte mystico religieuse ; • Résultats mitigés des DDR antérieurs ; • Porosité des frontières			Pays voisins ; Institution des taxes à travers les barrières illicites.	BASSA SUKPA Gershom ; MANDRO JIBA SENGEDHU. NGABU NGAWI, alias SONGAMBELE ; RD'DZA KPALO Deogratias.
2	ARDPC			Walendu-Pitsi	Moins élevé.		
3	ALC			Walendu-Tatsi	Elevé		Justin GBESI, alias PETIT LOUP de la Montagne ; CHULU NDRUNDRO John
4	URDPC/BON TEMPLE DE DIEU			Secteur Walendu- Djatsi	Très élevée		NDRDZA KONDJO ; KADOGO
5	ROYAUME NGOTO			Secteur Walendu- Djatsi	Très élevée		BIKO ; BIFALO SANDAY
6	FDBC			Secteurs Walendu- Djatsi et Banyali-Kilo	Très élevée		TCHUI MUTAMBALA NDRUNDRO




Pictures provided by CODECO-URDPC ex-combatant

Annex/Annexe 61:

G-5/A Letter to the facilitator of the Nairobi process Uhuru Kenyatta requesting the exclusion of CODECO-URDPC

Lettre du G-5/A au facilitateur du processus de Nairobi Uhuru Kenyatta demandant l'exclusion de CODECO-URDPC



REPUBLICQUE DEMOCRATIQUE DU CONGO
PROVINCE DE L'ITURI
COMMUNAUTES VICTIMES DES ATROCITES UNILATERALES DES FORCES
NEGATIVES HETEROCLITES EN PROVINCE DE L'ITURI

G5-A

LETTRE OUVERTE A L'ATTENTION DE SON EXCELLENCE LE
PRESIDENT HONORAIRE DE LA REPUBLIQUE DU KENYA,
FACILITATEUR DU PROCESSUS DE PAIX DE NAIROBI, MONSIEUR
UHURU KENYATA

Concerne : Répertoire des graves cruautés commises par les génocidaires et terroristes
de la CODECO contre la population civile membres de nos Communautés
victimes en Ituri : Nécessité de leur exclusion au processus de Nairobi et de
l'usage de la force contre eux

Excellence

Le G5-A est une structure circonstancielle de fait, créée à mi-2020 dans les circonstances
douloureuses afin de porter très haut les cris de détresse des communautés victimes des
atrocités aux autorités étatiques et à l'opinion internationale ainsi que de réclamer la justice et
la réparation de la cruauté que ses membres subissent.

Il regroupe les communautés ALUR, HEMA/ITE, MAMBISA, NDO-OKEBO et
NYALI/KILO qui ont signé la Charte de sa création et inclut aussi les autres peuples victimes
des atrocités des forces négatives hétéroclites que la Charte a dénommés des alliés (A) parmi
lesquels les forces armées de la RDC et les éléments de la Police Nationale Congolaise qui
payent aussi des lourds tributs.

Les violations massives des Droits de l'Homme que nos membres connaissent ont déjà fait
l'objet des qualifications dès juin 2019 en République Démocratique du Congo par le biais de
son Président, Chef de l'Etat son Excellence Felix Antoine TSHISEKEDI TSHILOMBO, à
qui nous rendons un vibrant hommage, mais aussi par la Communauté Internationale à travers
le rapport du Bureau Conjoint des Nations Unies aux Droits de l'Homme en janvier 2020, des
porteuses d'éléments des *crimes de génocide, des crimes de guerre et des crimes contre
l'humanité*.

Il vous souviendra donc que le processus de Nairobi que vous pilotez n'a rien d'autre comme
objectif que la restauration de la paix et de l'autorité de l'Etat à la partie Est de la République
Démocratique du Congo dont la Province de l'Ituri ; qui est à feu et sang depuis décembre
2017. Les acteurs en conflit à l'occurrence les groupes armés locaux ont, si pas tous mais la
grande majorité, signé l'acte d'engagement de cessez-le-feu lors de la déclaration finale de
NAIROBI 3, le 6 décembre 2022

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994 010 107 ; 818 417 993 ; 995 988 638 E-Mail : christutheki@gmail.com; vtungulo@gmail.com

et *h*

Excellence

La signature de l'engagement de NAIROBI 3 est venue s'ajouter à l'initiative prise au paravent par les communautés BIRA et LENDU avec l'appui de la MONUSCO respectivement en avril et juin 2022 où elles ont amené leurs fils regroupés au sein des milices et forces négatives hétéroclites FPIC dit CHINI YA KILIMA et CODECO à la signature des actes unilatéraux de cessation des hostilités, qui malheureusement sont restés de la poudre jetée aux yeux des autorités provinciales, nationales et internationales (MONUSCO) ; des actes que nous qualifions simplement de distraction et diversion comme ça a été le cas avec les autres assises initiées à 2020 à NIZI, FATAKI, LITA, KPANDROMA, RETTY, DRODRO, NYANKUNDE et KOMANDA par les mêmes acteurs criminels et leurs communautés et dont les résolutions ressorties n'ont jamais été respectées par ces criminels.

Ainsi pour vous en rendre compte et pour que votre personnalité et autorité ne tombe ni dans la distraction et moins encore dans les qualifications de tout genre, qu'il plaise à votre Excellence d'exclure définitivement les génocidaires et terroristes de la CODECO du processus de NAIROBI et d'ordonner à la force régionale de vite descendre en Ituri pour traquer sans complaisance lesdits terroristes afin de restaurer la paix en Ituri. Ci-dessous les différentes attaques meurtrières menées par ces deux groupes armés (CODECO et FPIC) mais principalement CODECO à la veille et au lendemain du processus de NAIROBI 3 :

1. **Le 16 novembre 2022** : attaque de la **CODECO** contre le village KPAMBALA dans le groupement ANGHAL 2 occasionnant **8 morts** et 1 blessé, des pillages ainsi que plusieurs maisons incendiées ;
2. **La nuit du jeudi 17 au vendredi 18 novembre 2022** : attaque de la **CODECO** dans la chefferie de MOKAMBO occasionnant **8 morts**, 2661 maisons incendiées dont le centre de santé de WALA et trois écoles à savoir EP. DRUU, EP. JALVIRA et EP. UBIMO ;
3. **Le 21 novembre 2022** : attaque de la **CODECO** à BERUNDA occasionnant **7 morts** et pillage des bétails ;
4. **Le 22 novembre 2022** : attaque de la **CODECO** contre le village SHABA 2 à AGHAL 2 occasionnant **5 morts** et 1 blessé grave ;
5. **La nuit du 28 au 29 novembre 2022 pendant que CODECO est à NAIROBI** : attaque de la **CODECO** contre le centre de négoce de MBIDJO en Territoire de Djugu occasionnant **6 morts** ;
6. **Le 29 novembre 2022** : exécution par la **CODECO** de **8 otages** pris à MBIDJO parmi lesquels **4 enfants** et **plusieurs maisons incendiées** ;
7. **Du 04 au 06 décembre 2022** : attaque de la milice **FPIC** à CENTRALE SOLENYAMA, à la périphérie de la ville de BUNIA faisant un bilan de **11 morts** ;
8. **Le 06 décembre 2022** : attaque de la **CODECO** à KAROMBO dans le village ZANGA-LOLOGA du Groupement Anghal II et OVIRI du Groupement ANYOLA en Chefferie des Alur Djuganda occasionnant **5 blessés graves**, 4 boutiques complètement pillées, plus de 45 chères parties et dans le village DJUPUKUNGO du Groupement Anghal II où 7 maisons ont été incendiées ;

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9. Le 08 décembre 2022 : de minuit à 2 heures du matin ; attaque de CODECO au village Djupagasa, Groupement Anghal II occasionnant un mort et 15 maisons incendiées de suite ;
10. Le 14 décembre 2022 : attaque de la CODECO à DJUPUKUNGO occasionnant 2 morts ;
11. Le 17 décembre 2022 : attaque de la CODECO à THETHE et DUBAI respectivement dans les villages JUPAGASA/AKPE et ZANGA LOLOGA du groupement ANGHAL 2, occasionnant l'incendie de plus de 471 maisons et 7 morts ;
12. Le 19 décembre 2022 : attaque de la CODECO dans le village d'AMBE 1 dans le Groupement NIOKA en chefferie des PANDURU occasionnant 2 blessés graves, pillages des biens, incendies des 15 maisons et une maman violée
13. Le 20 décembre 2022 : attaque de la CODECO dans le village TALI-ERO du Groupement ANGHAL 2 occasionnant 2 morts et plus de 50 maisons incendiées et une disparition ;
14. Le 21 décembre 2022 : attaque de la CODECO contre les Villages KINGILI, AUGBA, JUPAKETHA et JUPUJANGA-BANDA (Localité de Nzinzi) ainsi que TALI-ERO tous du Groupement Anghal II ; occasionnant plusieurs maisons incendiées et 4 morts, (un bilan encore provisoire, les recherches étant en cours) ;
15. Le 23 décembre 2022 : Enlèvement de 14 personnes membres de G5-A par CODECO à KOBU, une localité située à plus de 35kms de Bunia et sous contrôle des FARDC ;
16. Le 24 décembre 2022 : attaque de la CODECO sur l'axe KATANGA-DJALASIGA à ALINGONGO, bilan 3 véhicules brûlés et deux morts
17. Le 30 décembre 2022 : attaque de la CODECO à AFOYO RWOTH à ANGHAL 2 occasionnant 2 morts, plusieurs déplacés, et 325 maisons incendiées ;
18. Le 31 décembre 2022 : attaque de la CODECO à AYISI PUNA en chefferie des PANDURU occasionnant 1 mort et 2 blessés ;
19. Le 02 janvier 2023 : attaque de la CODECO au groupement RHONA en Chefferie des PANDURU, Territoire de Mahagi occasionnant 3 morts, 3 blessés et 2 personnes disparues ;
20. Le 03 janvier 2023 : attaque de la CODECO dans la localité ZUU, groupement RHONA, Chefferie des PANDURU en Territoire de Mahagi, occasionnant 2 morts, 4 blessés et 1 disparu ;
21. Le 04 janvier 2023 : libération des otages par la CODECO et leur remise à la MONUSCO (14 otages de KOBU et 5 otages ALUR de MAHAGI) ;
22. Le 05 janvier 2023 : attaque de la CODECO dans la localité ZUU, groupement RHONA, Chefferie des PANDURU en Territoire de Mahagi, occasionnant 3 morts ;
23. Le 06 janvier 2023 :
 - a. Attaque de la CODECO dans la localité de MBAU, un chauffeur taxi est tué et un passager blessé ;
 - b. Attaque de la CODECO dans la localité de MBECHI, occasionnant 2 blessés qui sont tous des pêcheurs ;
 - c. Pillage des maisons de commerce à NIZI par les éléments identifiés aux FARDC
24. Le 07 janvier 2023 :

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- a. Attaque de la **CODECO** dans le village HIRI en Chefferie des BAHEMA BADJERE en Territoire de Djugu occasionnant **4 morts, 3 blessés et 1 disparu** ;
- b. Attaque de la **CODECO** contre la position militaire des FARDC à KATANGA dans la Chefferie des WALENDU WATSI en Territoire de Mahagi ;
25. **Le 08 janvier 2023 :**
- a. Attaque de la **CODECO** contre les villages DRODRO, LARGU, ZDHA, RHOO, BLUKWA, NGAZBA occasionnant **24 morts** du côté de la population civile et 4 éléments des FARDC ;
- b. Extorsion de 4 véhicules et enlèvement des chauffeurs par la **CODECO** à KATANGA dans la chefferie des WALENDU WATSI en Territoire de Mahagi ;
26. **Le 09 janvier 2023 :** attaque de la **CODECO** dans le village RHOO où se trouve le camp des déplacés. Bilan : **1 mort** ;
27. **Le 10 janvier 2023 :**
- a. Attaque de la **CODECO** dans la localité de KPENGBELE non loin de PIMBO en Territoire de DJUGU occasionnant **1 mort** (une bébé d'un an), **2 blessés** et pillage des biens des passagers ;
- b. Attaque de la **CODECO** dans le village DHII, incendie et pillage des biens de la population ;
- c. Attaque de la **CODECO** dans le village PUNA à DJUPALANGU, groupement NIOKA en Territoire de Mahagi occasionnant **un blessé grave** et des maisons incendiées ;
- d. Attaque des éléments égarés de **CODECO** sur la route KASENYI ;
28. **Le 11 janvier 2023 :** attaque de la **CODECO** contre la position des FARDC dans la localité NJIA PANDA sur la route KASENYI ;
29. **Le 05 janvier 2023 :**
- a. Attaque de la **CODECO** dans les localités VIRAKPA et TSOTSO en Territoire de Djugu occasionnant **9 morts** ;
- b. Attaque de la **CODECO** dans la localité KATOTO en Territoire de Djugu occasionnant **13 morts** ;
- c. Attaque de la **CODECO** dans la localité BHŪ-KATSELE occasionnant **3 morts et 3 personnes disparues** ;
30. **Le 14 janvier 2023 :**
- a. Attaque de la **CODECO** dans la localité NYAMABA, Chefferie des BAHEMA BANYWAGI en Territoire de Djugu, occasionnant **28 morts** ;
- b. Attaque de la **CODECO** dans la localité MBOGI en chefferie des BAHEMA BANYWAGI occasionnant **6 morts** ;
31. **Le 15 janvier 2023 :**
- a. Attaque de la **CODECO** dans la localité AFOYO RWOTH, groupement ANGHAL 2, Chefferie des ANGHAL en Territoire de Mahagi, occasionnant **2 morts** ;
- b. Attaque de la **CODECO** à DJUGU CENTRE occasionnant **un mort** (une jeune fille) ;

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32. Le 16 janvier 2023 : attaque de la **CODECO** dans la localité DJUPALANGU, groupement NGOTE, Chefferie des PANDURU en Territoire de Mahagi, occasionnant **3 morts** et **2 disparus** ;
33. Le 18 janvier 2023 :
- a. Attaque de la **CODECO** dans le groupement NGOTE, Chefferie des PANDURU en Territoire de Mahagi, occasionnant **6 morts** ;
 - b. Attaque de la **CODECO** dans le village FICHAMA non loin de TCHOMIA en Territoire de Djugu occasionnant **2 morts** ;
34. Le 19 janvier 2023 :
- a. Attaque de la contre le site des déplacés PLAINE SAVO en chefferie des BAHEMA BADJERE en Territoire de DJUGU, occasionnant **6 morts** ;
 - b. Attaque de la **CODECO** sur le lac Albert occasionnant la **mort de 3 pêcheurs** Alur et **2 militaires FARDC** ;
 - c. Attaque de la **CODECO** à DJUPALANGU, chefferie des PANDURU en territoire de Mahagu ;
 - d. Découverte de **16 corps en putréfaction** dans les localités TEPUNA (6 corps), TERARA PUNA (2 corps), TER ARI (4 corps), AISI PUNA (1 corp) et ZAGU (3 corps) en chefferie des PANDURU en Territoire de Mahagi
35. Le 21 janvier 2023 :
- a. Attaque de la **CODECO** dans la localité LUGUBA, Chefferie des BAHEMA BADJERE en Territoire de DJUGU, occasionnant **1 mort** et 3 maisons incendiées mais repoussé par les FARDC ;
 - b. Attaque de CHINI YA KILIMA contre la localité TCHEKI et repoussé par les FARDC ;
36. Le 23 janvier 2023 : attaque de la **CODECO** contre le village NDZEBI, occasionnant **4 morts** dont 1 militaire ;
37. Le 26 janvier 2023 : **2 femmes tuées** par **CODECO** à DJUGU ;
38. Le 27 janvier 2023 : Attaque de la **CODECO** contre la position des FARDC à PITSO en Territoire de DJUGU, occasionnant **17 morts** des éléments FARDC dont 2 Colonels ;
39. Le 28 janvier 2023 : attaque de la **CODECO** contre un camion sur la RN 27 occasionnant la **mort du chauffeur** ;
40. Le 30 janvier 2023 : Attaque de la **CODECO** contre le village YEDI en Territoire de MAMBASA, occasionnant **6 morts** ;
41. Le 31 janvier 2023 :
- a) Attaque de la **CODECO** sur la RN 27 non loin de JINA en Territoire de Djugu, occasionnant **1 mort** (taximan moto) et **1 disparu** des éléments FARDC ;
 - b) Attaque de la **CODECO** contre le village GUGBI en Territoire de Djugu, occasionnant **1 mort** ;
 - c) Attaque de **FPIC** contre le quartier BEMBEYI en ville de BUNIA, bilan : **1 blessé grave**.
42. Le 01 février 2023 :
- a) Attaque de la **CODECO** contre village GUGBI occasionnant **6 morts** ;
 - b) Attaque de la **CODECO** contre le village MASUMBUKO occasionnant **1 mort**.

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43. Le 02 janvier 2023 : attaque de la CODECO contre le centre de négoce de KATOTO occasionnant 21 morts et plusieurs blessés ainsi que pillage de plusieurs ;

Excellence

Ce tableau démontre qu'à l'espace de deux mois seulement, ces deux groupes armés meurtriers de la population civile membre de nos communautés ont mené 62 attaques dont 3 ont visé les positions de l'armée ayant occasionnée près de 20 morts dans le rang de l'armée et 59 autres attaques n'ont visé que la population civile occasionnant près de 269 personnes tuées. En annexe quelques images qui illustrent les atrocités ci-haut étayées.

Il plaira à votre autorité de prendre acte de la présente lettre ouverte qui est en même temps un SOS des peuples victimes de l'Ituri afin non seulement d'exclure ces renégats du processus de NAIROBI, mais surtout d'ordonner la frappe militaire de l'EAC sans complaisance contre lesdits criminels et de mobiliser le monde pour stopper le génocide.

Fait à Kinshasa, le 05 Février 2023.

Pour les Communautés Victimes

Le Vice-Président de G5-A  Le Président de G5-A 
 Dr Vital TUNGULO BATIKOLO  CT Me Christian UTHEKI UDONGO

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Document provided to the Group by a member of the G5-A community

Annex/Annexe 62 :

MAPI leadership

Le commandement de MAPI

Les membres fondateurs du MAPI

N°	NOMS	POST-NOMS	PRENOMS	FONCTIONS	SIGNATURES
1	NDJANGO	LIRIPA	Jean-Pierre	Président	
2	MARINE	MUGENYI		1 ^{ier} Vice-président	
3	JOBALO	MUSINGO		2 ^{ier} vice-président	
4	LONDJIRINGA	CLAUDE		Secrétaire	
5	BARAKA	MAKI		1 ^{ier} Disciplinaire	
6	BABALA	MUSINGO		2 ^{ier} Disciplinaire	
7	ROGER	MOKILI		Chargé de liaison	
8	CHIRO	UBEGIU		Vice chargé de liaison	
9	MASEVA	RAMAZANI		Chargé de suivi	
10	ZAWADI			1 ^{ier} Chargé de suivi	
11	Benjamin	BAHATI		Porte-parole	
12	KABASEKE	JIRO		PPA	
13	SAIDI	MUGAVU		Chargé des relations publiques	
14	WILLY				
15	BINLADEN	MATESO			
16	NTUMBA				
17	MATATA	BASILOKO			
18	DANIEL	AMERICAIN			
19	JUSTIN	KABASEKE			
20	BAMARAKI	LOKANA	DANIEL		

Document provided to the Group by civil society and Zaïre combatants



*Des membres du mouvement d'autodéfense
populaire de l'Ituri, jeudi 22 décembre 2022,*

Picture provided to the Group by a civil society source.

Annex/Annexe 63:**Zaïre factions and areas of operation****Les factions du Zaïre et zones d'opération**

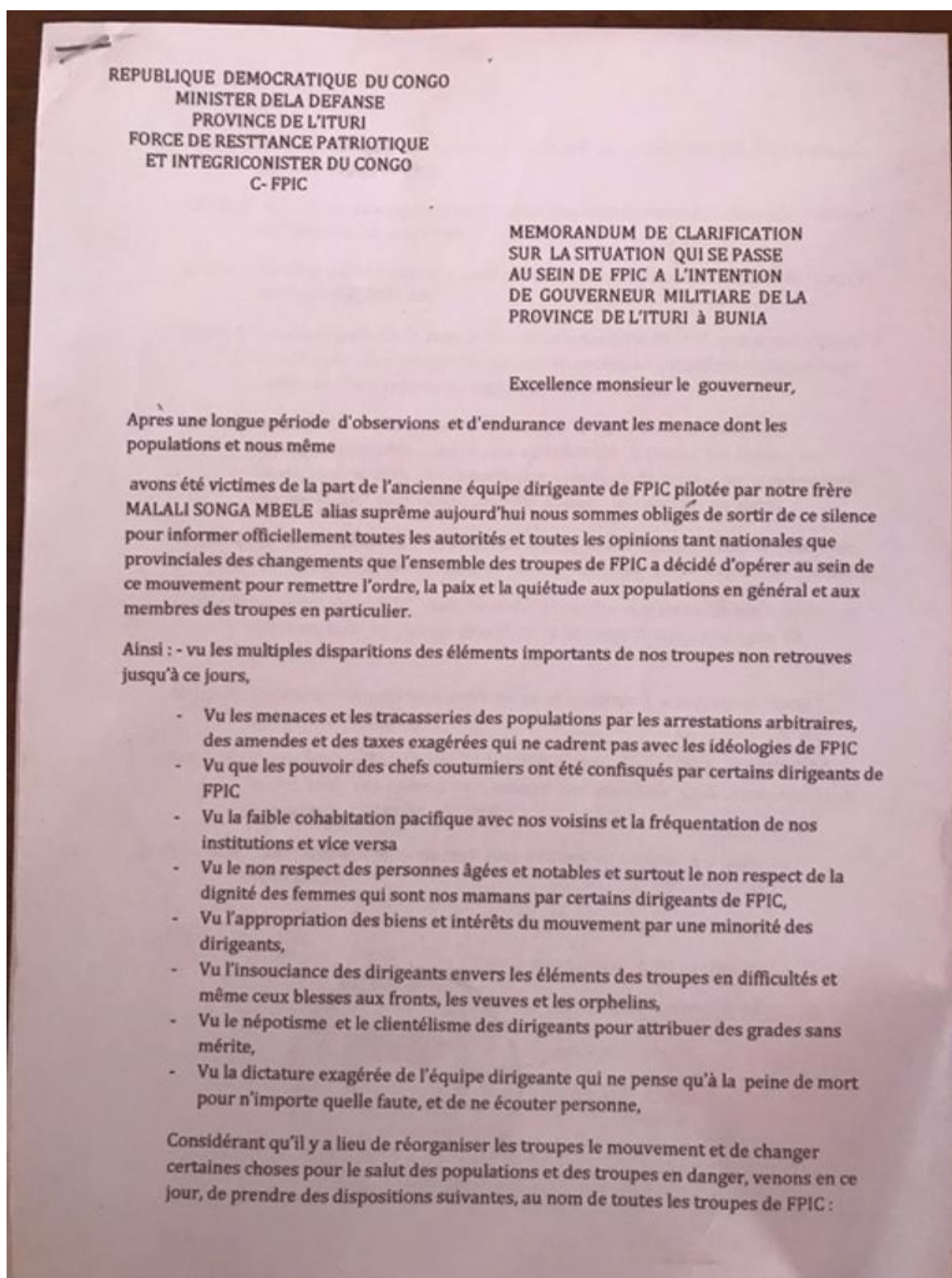
Factions	Areas of operations
Zaïre Faction K	Mabanga, Dala, Mbidjo, Pluto, Yedi, Gelé, Lenga, Lodjo, Kilo
Zaïre Malayika	Iga Barrière, Lopa, Gina, Largu, Bule, Katoto, Nizi, Kilo, Mongwalu, Largu, Tchomia, centrale Soleniama.
Zaïre mazembe	Nioka, Berunda, Kandoyi
Zaïre djamaïque	Shari/Irumu, Nderembi, Kabarole, RN4, route Kasenyi, jusqu'à Boga

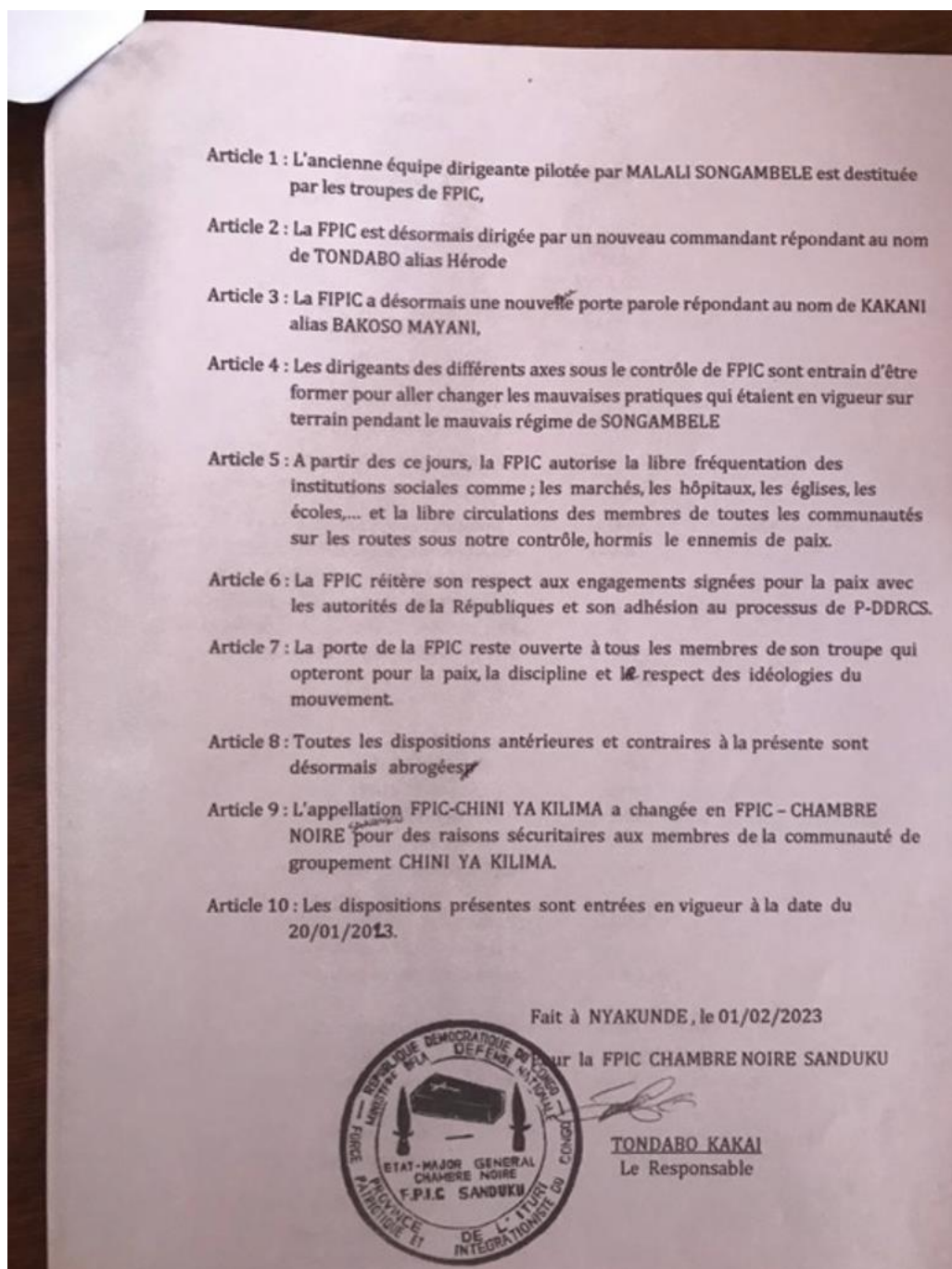
Compiled by the Group with information collected from several sources.

Annex/Annexe 64:

Communiqué by the new FPIC leaders announcing the new orientation of the armed group

Communiqué des nouveaux dirigeants du FPIC annonçant les nouvelles orientations du groupe armé



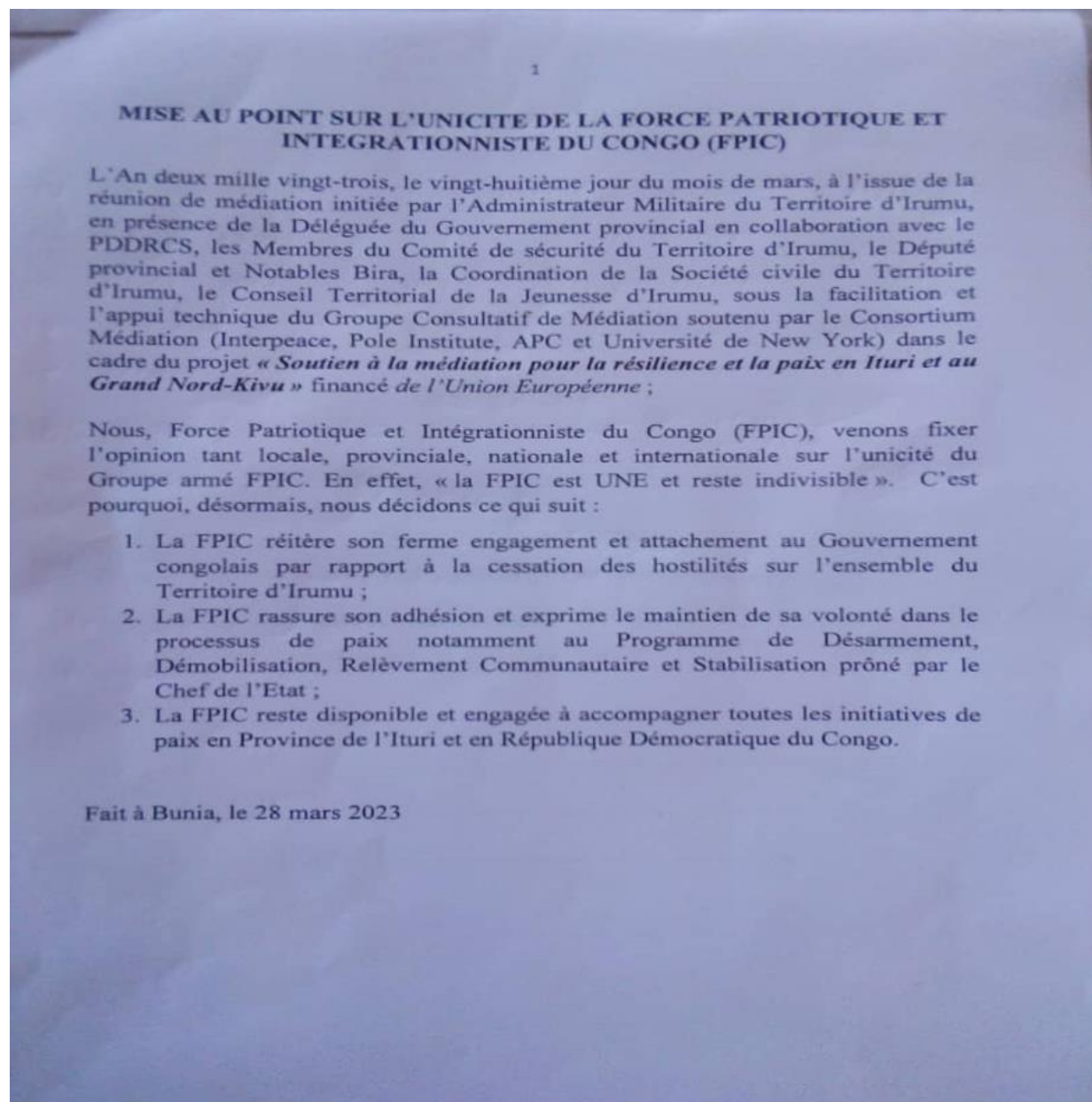


Document provided to the Group by FPIC combatant

Annex/Annexe 65:

FPIC Letter of 28 March 2023 reiterating its commitment to end hostilities, to work with the DRC Government and to adhere to the P-DDRCS process

Lettre du FPIC du 28 mars 2023 réitérant son engagement à mettre fin aux hostilités, à travailler avec le gouvernement de la RDC et à adhérer au processus du PDDRCS



LISTE DE SIGNATAIRES

N°	NOMS ET POST-NOMS	FONCTION	CONTACT	SIGNATURE
01	KABULABO NYAMABO	Porte Parole	0821900550	
02	KITEBA BAHATI	GA	0816607725	
03	MOÏSE IERA	INSTRUCTEUR	082566632	
04	MAKUKWA CHANTAL	RENSEIGNEMENT	0821931494	
05	TAGABO KATHO	OPERATEUR DES TPIC SANABO	081636165	
06	KATKOSI BAKOSI	Représentant	0810714175	
07	KIMARE NYAMABO	Représentant	0811824330	
08	SAMUEL LEBISABO	Représentant	0821879789	
09	MUZITINA CHWEKE	Représentant	0826390739	
10	MUHIMBO KAKANI	Représentant	0813745193	
11	NGUNDUKALI NGANABO	Représentant	0825750934	

Document provided to the Group by FPIC combatant

Annex/Annexe 66:

Songambele's communiqué wherein he denounced the FPIC-*Chambre Noir-Sanduku* faction and labelled it a terrorist armed group

Le communiqué de Songambele dans lequel il dénonce la faction FPIC-*Chambre Noire-Sanduku* et la qualifié de groupe armé terroriste



Document provided to the Group by FPIC combatant

Annex/Annexe 67:**Retaliatory attacks by Zaïre****Attaques de représailles du Zaïre**

While attacks on civilians by Zaïre were much less frequent than those perpetrated by CODECO-URDPC, Zaïre also engaged in kidnappings, ambushes, extorsions, occasional killings or retaliatory attacks against Lendu civilians.

The most significant attacks by Zaïre, targeting civilians, occurred in Mahagi territory, the stronghold of Zaïre Mazembe groups under the leadership of commander Pharaon.

On 15 December 2022, Alur combatants associated with the Zaïre Mazembe group³⁰⁵ simultaneously attacked the villages of Yatsi and Rutsi, in the proximity of Azimini³⁰⁶ in the Walendu Watsi “collectivité”, killing 12 Lendu civilians, including three women and six children - one girl and five boys aged between two and 17 - and burned down over 60 houses. After the attack, they pillaged the village and stole livestock. They also abducted seven civilians, a woman and six children, who were allegedly used to transport the looted goods.³⁰⁷ The attack led to the displacement of more than 500 households from the localities of Yatsi and Rutsi towards the locality of Azimini.³⁰⁸

On 19 December, Zaïre Mazembe combatants under commander Pharaon, coming from their base in the locality of Anghal2, attacked the village of Azimini, located in the Adra *groupement* of the Walendu Watsi “collectivité”. The combatants killed an elderly woman and eight children - six girls and two boys - all under 10 years of age. The victims were all members of the Lendu community.³⁰⁹ The majority were killed with machetes. They also injured three civilians, burnt down houses and pillaged livestock.

On 5 February 2023, Zaïre combatants from the Sumbuso *groupement* in the Bahema Nord *chefferie* attacked the village of Dyambu, located in the Dz’na *groupement* of the Walendu-Pitsi “collectivité”. The attackers killed 11 civilians, including two women and five children aged between two and 16, and wounded 37 others. All the victims were members of the Lendu community.³¹⁰

³⁰⁵ According to several sources, the attackers came from the direction of Karombo.

³⁰⁶ In the proximity of D’zi, Adra *groupement* of the Walendu Watsi *chefferie*.

³⁰⁷ A member of a local armed group, civil society and humanitarian sources, researchers, community leaders, FARDC and MONUSCO sources.

³⁰⁸ Civil society and humanitarian sources.

³⁰⁹ ANR source, researchers, a member of the Zaïre armed group, governmental source, civil society, and a local community leader.

³¹⁰ ANR source, civil society, community leaders, member of Zaire, a member of CODECO-URDPC, MONUSCO sources.

Annex/Annexe 68:

Tit-for-tat attacks in Mahagi territory (Ituri)

Attaques réciproques dans le territoire de Mahagi (Ituri)

In Mahagi territory, from mid-November 2022 to early February 2023 the Group documented a cycle of tit-for-tat attacks between Lendu combatants of CODECO-URDPC combatants based in the Walendu Watsi *chefferie* and local Alur combatants associated with the Zaïre Mazembe group that controls the Anghal *chefferie*. Victims on both sides were mostly women and small children, killed with machetes or shot. Entire villages were destroyed, including schools and hospitals.³¹¹

On 18 November 2022, CODECO-URDPC combatants based near Kpandroma attacked Wala village in the Mokambo *chefferie* and killed at least eight civilians with machetes, including three women, pillaged, and set fire to more than 500 homes, three schools³¹² and a hospital. This retaliatory attack followed an incident the previous day when Alur youth beat up and arrested a CODECO-URDPC combatant in the same village.³¹³

On 22 November 2022, CODECO-URDPC from Walendu Watsi *chefferie*³¹⁴ attacked the Alur villages of Shaba2 and Gele in Anghal2 *groupement*, killing eight civilians, including a woman and six children.³¹⁵ In retaliation, on 15 December 2022 Alur combatants attacked the villages of Yatsi and Rutsi, in the proximity of Azimini³¹⁶ in the Walendu Watsi *chefferie*, killing 12 Lendu civilians (see annex 67 above).³¹⁷ This prompted yet another revenge attack by CODECO-URDPC combatants on 17 December 2022, resulting in the killing of seven civilians in the villages of Akpe and Lologa in Anghal2 *groupement*.³¹⁸

On 19 December, Zaire combatants from Anghal2 attacked the village of Azimini,³¹⁹ killing an elderly woman and eight children, all under 10 years of age, of Lendu ethnicity (see annex 67 above).³²⁰ In response, on 21 December CODECO-URDPC from the area of Azimini attacked several Alur villages in the area, killing at least four civilians and setting dozens of houses on fire.³²¹

³¹¹ Based on over 30 interviews conducted with members of civil society, victims, members of armed groups, local community leaders, researchers, NGOs and iNGOs, civil and military authorities, MONUSCO sources, photographic and documentary evidence.

³¹² Primary school (EP) of Druu, EP Jalvira and EP Ubimo.

³¹³ Researchers, community leaders, NGO and MONUSCO sources.

³¹⁴ Sources identified the attackers as CODECO-URDPC from Njala, near Katanga locality in the Kambala health zone of the Walendu Watsi *collectivité*.

³¹⁵ Civil society members, researchers, community leaders.

³¹⁶ In the proximity of D'zi, Adra *groupement* of the Walendu Watsi *chefferie*.

³¹⁷ A member of a local armed group, civil society, researchers, community leaders, and FARDC sources.

³¹⁸ A member of a local armed group, civil society, community leaders, and FARDC sources.

³¹⁹ In the *groupement* of Adra, Walendu Watsi *collectivité*.

³²⁰ ANR source, a local researcher, civil society, and a community leader.

³²¹ Civil society, community leaders, and MONUSCO sources.

Annex/Annexe 69:**Attacks by CODECO-URDPC****Reprisal attacks in Djugu territory**

In Djugu territory, CODECO-URDPC combatants from the Walendu Djatsi and Walendu Pitsi *collectivités* systematically attacked Hema villages, IDP camps and civilians travelling on roads in the Bahema Nord and Bahema Badjere *collectivités*, in what were significantly disproportionate reprisals to provocations by Zaïre combatants.

CODECO-URDPC attacked Hema civilians on 22 November 2022 at Okee village³²² in the Bahema Nord *collectivité*, killing at least 26 civilians including nine children and nine women, and setting several houses on fire.³²³ The killing of a Lendu school director by Zaïre along the road leading to Bunia on 10 December 2022³²⁴ prompted a series of retaliatory attacks on road passengers by CODECO-URDPC combatants along the Katoto-Largu route,³²⁵ killing at least four taxi drivers and kidnapping several passengers.³²⁶ Sporadic attacks targeting road passengers continued in the following months, resulting in numerous killings and kidnappings, and impeding traffic in the area.³²⁷

CODECO-URDPC also continued to attack civilians in the mining areas of Djugu territory. On 10 December 2022, CODECO-URDPC conducted a revenge attack on Mbidjo town, in the Bahema Badjere *chefferie*, after Zaïre had attacked CODECO-URDPC at Damas two days earlier. CODECO-URDPC killed four civilians and injured several others, including children, and set dozens of houses on fire. Zaïre engaged in fighting and pushed back the attackers.³²⁸ CODECO-URDPC once again attacked villages near Mbidjo centre³²⁹ during the night of 11/12 February 2023 and fighting ensued with Zaïre combatants. At least four civilians were killed during the fighting and more than 300 houses of Hema inhabitants set on fire by the CODECO-URDPC assailants. This attack was allegedly perpetrated in retaliation to an attack by Zaïre on 5 February in the village of Dyambu, D'zna *groupement* in the Walendu Pitsi, during which the attackers killed 11 Lendu civilians, including several children, and injured 37 others.³³⁰

Attack on Blukwa, Largu Drodoro in the Bahema Nord chefferie, 8 January 2023

On 8 January 2023, CODECO-URDPC combatants in large numbers descended on the Hema localities of Blukwa, Largu and Drodoro in a coordinated attack.³³¹ The attack allegedly began in reprisal to the killing, by presumed Hema elements, of a Lendu schoolteacher in Blukwa.³³² However, witnesses to the event reported the presence of

³²² 145 km north of Bunia.

³²³ ANR source, members of civil society, local community leaders, researchers, and MONUSCO.

³²⁴ ANR source, civil society members, and researchers.

³²⁵ Near Kparnganza locality.

³²⁶ ANR source, civil society, local community leaders, and researchers.

³²⁷ For example, on 10 December 2022 on the route linking Bunia to Mahagi (RN27), CODECO-URDPC ambushed a convoy of vehicles and killed two people, including a small child of less than two years of age. On 27 January, near Njala, along the same RN27 between Pimbo et Pitso, CODECO fighters ambushed a FARDC convoy, killing 17 military personnel, including two of the rank of colonel, and stole their weapons and ammunition. Sources: Member of a local armed group, local media, ANR sources, MONUSCO, civil society, researchers, community leaders.

³²⁸ ANR source, researchers, civil society and a member of a local armed group.

³²⁹ The villages of Kokpe and Akwe, situated 2 km from Mbidjo centre.

³³⁰ ANR source, civil society, local researcher, photographs corroborated by local sources, and [Radio Okapi article](#).

³³¹ As reported by several eyewitnesses and two survivors, interviewed by the Group.

³³² Basa Zukpa [post on Twitter, on 8 January 2023](#), at 12:45.

a large number of CODECO-URDPC combatants in the area already several hours prior to the killing of the schoolteacher, and alerts were given of an imminent attack. Blukwa, Drodoro and Largu were attacked almost simultaneously, supporting the narrative of a premeditated attack. The attack continued into the next day and extended to other neighbouring Hema villages, including Jisa.

At least 23 civilians were killed during these attacks, including several women. Dozens of houses were pillaged and destroyed, and the local population was forced to flee.³³³ Eyewitnesses reported seeing at least ten children younger than 15 years of age among the attackers, armed with sticks and clubs.

During an interview with Mr. Desire Lokana, CODECO-URDPC *charge de la defense*,³³⁴ Mr. Lokana told the Group that CODECO-URDPC had conducted a “counterattack” at Drodoro, Jisa and Blukwa because these are places where “Zaire elements live”. He claimed that all the CODECO-URDPC elements from the area participated, and it began as a reprisal attack to a “shocking” event (referring to the killing of the schoolteacher). He claimed that CODECO-URDPC had to respond, otherwise they would have kept being “provoked” and blamed for all the acts that the Zaire group committed in Djugu territory. Asked about civilian casualties, he responded that there were no civilians, because everyone they had killed was “on the battlefield, and civilians should not be on the battlefield.” However, he also added that if CODECO-URDPC were provoked at a particular location, “everyone should tell the population in that location that we will descend upon that place.” Mr. Lokana also added that all the orders for the attacks that took place in January 2023 were given by the CODECO-URDPC leadership at headquarters, as vengeance/counterattacks to the actions of the Zaire group.

See below:

The findings of a preliminary investigation conducted in Largu, Blukwa and Bule between 21 and 22 January 2023 by the Military Auditor from the *Auditorat Militaire Supérieur* of Ituri

³³³ Witness testimonies, including survivors of the attack, interviews with civil society and humanitarian sources, FARDC, a member of an armed group, community leaders, researchers, photographic and video evidence corroborated by witness testimony, and MONUSCO sources.

³³⁴ Telephone interview conducted by the Group on 19 January 2023.

REPUBLIQUE DEMOCRATIQUE DU CONGO
JUSTICE MILITAIRE
AUDITORAT MILITAIRE SUPERIEUR
DE L'ITURI
(Mission de l'Etat-Major - Mission d'Enquête)

**RAPPORT RELATIF A LA MISSION D'INVESTIGATION
PRELIMINAIRE A LARGU ET A BULE**

I. LES FAITS

- En date du 08/01/2023 une attaque a été lancée par les combattants CODECO contre la population civile de BLUKWA et LARGU ayant entraîné la mort de plusieurs personnes civiles ;
- Durant la période allant du 18 au 21/01/2023 une série d'attaque a été lancée par un groupe armé non identifié dans le site de déplacés de SAVO et aux différents villages voisins de la localité de BULE ;
- A ce titre que Monsieur l'Auditeur Militaire Supérieur de l'ITURI a instruit à l'AGM KUMBU NGOMA Col Mag de mener les investigations pour obtenir les premiers éléments d'information pour vous permettre d'ouvrir le dossier judiciaire sur les exactions commises dans la Zone du 08 au 21/01/2023.

II. OBJET DE LA MISSION

- Obtenir les premiers éléments d'informations, déterminer les présumés auteurs des dégâts corporels, les dégâts matériels et le mode opératoire éventuellement de saisir la juridiction compétente ;

III. DUREE DE LA MISSION
48 Heures du 21 au 22/01/2023.

IV. COMPOSITION DE L'EQUIPE

- Col-Mag KUMBU NGOMA ;
- OPJ Etat-Major Secteur ;
- 09 Eléments d'escortes de l'Etat-Major Secteur
- 01 APJ GBALANO KULUTU.

V. ITINERAIRE
BUNIA – MASUMBUKU – LARGU – BLUKWA – BULE – BUNIA

VI. MOYENS LOGISTIQUES

- Une Jeep Militaire de l'Etat-Major Secteur Ops ITI ;
- 70 litres de Mazout fournis par l'EM Sect Ops ITURI.

VII. DEROULEMENT DES INVESTIGATIONS

A. A LARGU

- Entretien avec le Chef de localité DESA, Médecin de l'Hôpital Général de DRODRO et le Commandant 3202^e Regt ;
- Le Chef de groupement de GOBI le sieur NGABU MANASE ;
- La descente à BLUKWA au Bureau du Chef de groupement ;
- La descente au centre de déplacés de RO ;
- La descente à l'Hôpital Général de Référence de DRODRO.

VIII. LES ELEMENTS RECUEILLIS LORS DES INVESTIGATIONS

- En date du 08/01/2023 vers 6H 30, l'Enseignant NGABU MILLI de l'école primaire de GOBI a été tué à BLUKWA par les combattants ZAIRE dirigés par le Général auto-proclamé MAKI CADADI raison pour laquelle les combattants CODECO de TSEBI et les combattants CODECO de DERA ont fait les représailles autour de 11H 00 du de la même date ;
- Au cours de cette attaque lancée par les combattants CODECO de TSEBI et DERA contre la population civile de LARGU, de DJUDA, BLUKWA, JISA et NGAZIBA, 15 personnes ont été tuées à l'aide des machettes dont :
 - ❖ Au marché de DJUDA : 02 personnes ;
 - ❖ BLUKWA : 04 personnes ;
 - ❖ Centre LARGU : 03 personnes
 - ❖ JISA : 05 personnes ;
 - ❖ NGZIBA : 01 personne.
- Une moto DT et une batterie d'une moto AOJIN ont été pillées à l'Hôpital Général de Référence de DRODRO ;
- Selon le Président FENAPEC de LARGU, le Col AMISI s'était retiré du centre de LARGU lorsque les combattants CODECO progressés vers le Centre de LARGU. Quant au Col AMISI, c'était la Jeep FARDC qui était retournée à l'EM 3202^e Regt à MASUMBUKU pour aller changer le Mi-point 7 qui avait fait aréage ; Le même Col AMISI a souligné que les éléments de 3202^e Regt ont subi une attaque des combattants ZAIRE vers 19H 00 en date du 08/01/2023 au cours de cette attaque des combattants ZAIRE contre les éléments 3202^e Regt, un soldat FARDC a trouvé la mort.

B. A BULE

- La nuit du 18 au 19/01/2023 à 01H 00' du matin, les combattants CODECO venus de NDJAUDHA et de GOKPA ont lancé une attaque contre le site des déplacés de SAVO ;

IX. CONSTAT DU MAGISTRAT ENQUETEUR

- Au cours de cette attaque, 8 personnes ont été tuées à l'aide des machettes et 7 personnes blessées dont 2 blessées transférées à BUNIA ;
 - ❖ 13 Huttes détruites ;
 - ❖ 05 maisons incendiées au village MBUDJONA.
- Lors de cette attaque les éléments FARDC ont intervenus vers 2H 00' du matin lorsque les coups de balles ont retenti au site des déplacés tandis que les contingents MONUSCO ont intervenu à 3H 30min au niveau dudit site ;
- La nuit du 19 au 20/01/2023, les combattants CODECO venus de PETRO ont lancés l'attaque contre le village LOGOBA dont ils ont tué une personne et 3 maisons incendiées ;
- La nuit du 20 au 21/01/2023, les combattants CODECO de PETRO ont lancé l'attaque contre le village BUKATSELE situé à 4Km de BULE au cours de laquelle plusieurs maisons incendiées ;
- En date du 21/01/2023 vers 6H 30 les combattants CODECO ont lancé l'attaque contre la position militaire des éléments FARDC de BULE au cours de laquelle deux combattants CODECO tués avant de repousser ladite attaque ;
- Toutes les attaques lancées du 08 au 21/01/2023 de LARGU à BULE sont commandées par le Général Auto-proclamé NGABU et MATESO Alias TESO.

X. PROPOSITION A L'AUD MIL SUP ITURI


- Nous proposons à votre haute autorité judiciaire ;

XI. DECISION DE L'AUD MIL SUP

Ouvrir un dossier judiciaire à charge de NGABU Général Auto-proclamé de CODECO et MATESO Alias TESO pour crime contre l'Humanité par Meurtre commis à BULE et crime de guerre par Meurtre commis à LARGU ;

Ouvrir le dossier judiciaire à charge du Général Auto-proclamé MAKI KADAFI pour Participation à un mouvement insurrectionnel et Meurtre de NGABU-MILLI.

Fait à BUNIA, le 26/01/2023



KUMBU NGOMA
Col Mag
AGM

Document provided to the Group by FARDC source

Attack on Nyamamba and Mbogi, Bahema Banywagi chefferie, on 13 January 2023

In eastern Djugu, CODECO-URDPC and CODECO/ALC combatants began attacking civilians on the Bunia-Kasenyi axis, on the shores of Lake Albert. On 28 December 2022, authorities reported the mobilization of CODECO combatants of the URDPC-ALC coalition³³⁵ forewarning of potential attacks targeting Tchomia and Gbavi *groupements* of the Bahema Banywagi *chefferie*, predominantly inhabited by Hema.³³⁶

On 13 January 2023, CODECO-URDPC and CODECO/ALC combatants³³⁷ descended on the villages of Nyamamba and Bogi³³⁸ in the Gbavi *groupement* and began a door-to-door campaign of targeting civilians. According to a survivor of the attack, the assailants announced that they came to conduct an operation and that their relationship with the population was “over” from that day onwards.³³⁹

Survivors testified that CODECO combatants had arrived at dawn and began knocking on doors, simultaneously in various locations in Nyamamba, asking civilians to gather outside their homes. Combatants tied the hands of several civilians, including women, to prevent them from fleeing. The assailants then led the captive civilians towards the health centre in Nyamamba, where they began executing them, initially with machetes. When people began to flee, the assailants shot them and pursued them into the forest.³⁴⁰

Five women, including one who was eight months pregnant at the time, were abducted³⁴¹ and allegedly kept as sexual slaves in a CODECO-URDPC camp at Salimboko.³⁴²

After the attack, 31 bodies were found in the villages of Nyamamba and Mbogi and buried in communal graves³⁴³ by the villagers in the presence of FARDC.³⁴⁴ In the coming days, an additional 18 bodies were found during search operations conducted in the area, raising the number of victims to 49. Photographic and video evidence of the recovery of the bodies, examined by the Group of Experts and corroborated by eyewitness testimony, depicts several bodies with their hands still tied behind their backs, some showing signs of severe mutilation.³⁴⁵

Desire Lokana, in charge of defence operations (*chargé de la défense*) within the CODECO-URDPC armed group,³⁴⁶ told the Group that the attack on Nyamamba had been organized in reprisal to attacks by Zaïre elements on the Lendu population living in the area of Gobi. CODECO-URDPC finally decided to pursue Zaïre “in their bases where they hide among the civilian population”, including at Mbogi and surrounding villages. Lokana claimed that when CODECO-URDPC fighters attacked, Zaïre elements were being sheltered by the population, who even took up arms and began shooting. Lokana also added that all the orders for the attacks that took place in

³³⁵ A security source reported that combatants based in the Walendu Djatsi and Walendu Tatsi *collectivités* mobilized in the villages of Ndungbe, Jengu, Jogoo, Medja, Kpubu in the *groupements* of Penyi, Jili and Loga.

³³⁶ Governmental source.

³³⁷ Testimonies of two survivors of the attack, civil society sources, FARDC, and MONUSCO sources.

³³⁸ The two villages are in immediate proximity to each other.

³³⁹ Two witnesses, an armed group member and a FARDC official confirmed that the group of CODECO assailants had previously occupied the village of Nyamamba for several months, in a relatively peaceful cohabitation with the locals.

³⁴⁰ Testimonies of two survivors of the attack.

³⁴¹ Witness testimony of two survivors of the attack, civil society sources, FARDC.

³⁴² Source: a relative of one of the women who were kidnapped.

³⁴³ Twenty-four (24) bodies found in Nyamamba, and 7 in Mbogi. Sources: ANR source, FARDC, MONUSCO sources.

³⁴⁴ Sources: FARDC, eyewitnesses, photographic evidence corroborated by testimonies. The burial of 31 bodies took place on 16 January 2023 in Nyamamba, in the presence of community leaders and FARDC.

³⁴⁵ The photographs and videos of the recovery of the bodies are on file with the Secretariat.

³⁴⁶ Telephone interview conducted by the Group on 19 January 2023.

January 2023 were given by the CODECO-URDPC leadership at headquarters, as vengeance/counterattacks to the actions of the Zaïre group.

See below: The findings of a preliminary investigation conducted in Nyamamba and Mbogi by the Military Auditor from the *Auditorat Militaire Supérieur* of Ituri, issued on 18 January 2023

<p style="text-align: center;">1</p> <p style="text-align: center;">REPUBLIQUE DEMOCRATIQUE DU CONGO JUSTICE MILITAIRE AUDITORAT MILITAIRE SUPERIEUR DE L'ITURI <i>Service de l'Enquête - Service de l'Instruction</i></p> <p style="text-align: center;">RAPPORT RELATIF A LA MISSION DE NYAMAMBA</p> <p>I. LES FAITS</p> <ul style="list-style-type: none"> - En date du 13/01/2023, vers 5H00' du matin, les combattants CODECO ont lancé une attaque meurtrière contre la population civile du village NYAMAMBA une localité située à 18 Km de TCHOMIA, une zone démilitarisée ; - Cette attaque a causé la mort de plusieurs habitants ; - Cette attaque a créé une psychose au sein de la population de la RDC. <p>II. OBJET DE LA MISSION</p> <ul style="list-style-type: none"> - Mener les enquêtes sur le lieu du crime pour obtenir les éléments d'information en vue d'ouvrir un dossier judiciaire. <p>III. COMPOSITION DE L'EQUIPE</p> <ul style="list-style-type: none"> - Col-Mag KUMBU NGOMA ; - 04 escorte des 3101 Regt ; - 3 APJ de l'Aud Mil Sup <p>IV. DUREE DE LA MISSION 24 Heures</p> <p>V. ITINERAIRE BUNIA – ARU – TCHOMIA – NYAMAMBA – BUNIA</p> <p>VI. MOYENS LOGISTIQUES</p> <ul style="list-style-type: none"> - Une jeep militaire de 3101 Regt ; - AIROGUE MOTORISEE Bn Naval. <p>VII. LES ELEMENTS RECUEILLIS LORS DE LA DESCENTE</p> <ul style="list-style-type: none"> - 03 fausses communes dont : <ul style="list-style-type: none"> ❖ La 1^{re} fausse commune : on a enterré 13 personnes ; ❖ La 2^{de} fausse commune : on a enterré 7 personnes ; ❖ La 3^{de} fausse commune : on a enterré 4 personnes ; ❖ Un corps d'une maman ramené à MAHAGI ; ❖ 02 personnes tuées au village MBOGI II ; 	<p style="text-align: center;">2</p> <ul style="list-style-type: none"> ❖ Les combattants CODECO qui ont lancé ladite attaque meurtrière sont : SULO, TSEKPA, KATAROBE – NGANDO et FASUTIN. Ils étaient venus tous du village KAFE ; ❖ Déportation de 5 femmes dont une enceinte de 7 mois ; ❖ Ils ont pillé 16 boutiques et un Hôtel ; ❖ Deux pâlottes et une maison incendiée ; ❖ Les combattants CODECO sont regroupés à 4 km de NYAMAMBA au village KAFE jusqu'à ce jour ; ❖ L'attaque a été lancée le 13/01/2023 vers 5h 00' du matin. <p>VIII. PROPOSITION A L'AUD MIL SUP</p> <ul style="list-style-type: none"> - Une descente à TCHOMIA pour auditions des victimes ; - Ouverture d'un dossier judiciaire pour crime contre humanité par meurtre à charge de LOUP de la MONTAGNE Comd CODECO du côté TCHOMIA et ses combattants SULO, TSEKPA, KATAROBE – NGANDO et FAUSTIN ; - Informer le Comd OPS et ProGouv Mil, Comd 32^e Rgn Mil, Comd Sect Ops ITURI et Aud Gen FARDC. <p>IX. DECISION DE L'AUD MIL SUP</p> <p style="text-align: right;">Fait à BUNIA, le 18/01/2023</p> <div style="text-align: right;">  <p>KUMBU NGOMA Col-Mag AGM</p> </div>
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Document provided to the Group by FARDC source

Annex/Annexe 70:

Executions by Twirwaneho

Exécutions par Twirwaneho

As previously reported, Twirwaneho started conducting targeted killings against members of the Banyamulenge community that it considered to be Gumino supporters and/or not supporting Twirwaneho's views, notably regarding recruitment (see [S/2022/479](#), para. 156). Since late 2021, approximately 15 executions have been reported by multiple sources.³⁴⁷ Muzungu Rusongo (see below), a Twirwaneho commander killed during a FARDC ambush in December 2022, was cited as having carried out some of these executions³⁴⁸ under the command of Freddy Rushombo (see below),³⁴⁹ who also conducted several executions. Freddy Rushombo is Twirwaneho's S2 (in charge of intelligence) and responsible for Twirwaneho's "prison cell."³⁵⁰

In particular, Sébastien Sebakanura Abatu, a former local administrator in Minembwe, was killed in August 2021. Sebatutsi Kibingo, the local chief of Muliza as well as Ndakize Rugambwa, manager of an NGO in Minembwe, were killed in April 2022. In December 2022, Cungura Sekangumwa, a Twirwaneho combatant who was present during the attempted execution of another member of the Banyamulenge community, was also killed.



Muzungu Rusongo



Freddy Rushombo

Photographs provided to the Group by security sources

³⁴⁷ Twirwaneho ex-combatants, FARDC, security forces, researchers, intelligence, civil society and MONUSCO sources.

³⁴⁸ FARDC, researcher, intelligence, civil society and MONUSCO sources.

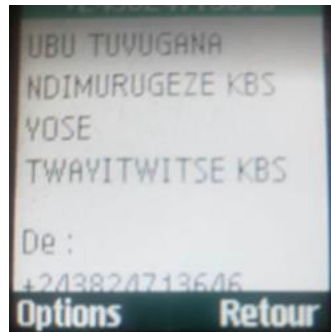
³⁴⁹ Twirwaneho ex-combatants, FARDC, researchers, intelligence, civil society and MONUSCO sources.

³⁵⁰ Several sources reported that this cell notably used to detain Twirwaneho combatants who tried to demobilize as well as the families of those who succeeded to do so, as punishment.

Annex/Annexe 71:

Text message of a Twirwaneho combatant in the attack of Rugezi in December 2023

Message d'un combattant Twirwaneho sur l'attaque de Rugezi en décembre 2023



The Group received the screenshot of an SMS sent by a Twirwaneho combatant stating “at this time, I am in Rugezi, we burnt everything down.”

Above: Screenshot provided to the Group by security sources

Annex/Annexe 72:

CNRD split and increased activity

Division du CNRD et augmentation de leurs activités

In January 2023, the *Conseil National pour le Renouveau et la Démocratie-Forces de Libération Nationale* (CNRD-FLN) leadership issued a communiqué informing of the exclusion of “Lieutenant-General” Hamada Habimana³⁵¹ as military commander of the FLN, CNRD’s armed wing.³⁵² This followed months of internal tensions, with Hamada splitting from the main group.³⁵³ In addition to the reasons mentioned in the communiqué, several sources reported that the CNRD-FLN leadership reproached him for being too inactive, refusing to send weapons and combatants to operations.³⁵⁴ They also suspected him of collaborating with Rwanda.³⁵⁵

In a subsequent communiqué, “General” Antoine Hakizimana, also known as Jeva, was referred to as FLN’s military commander. He was based in Kibira forest on the border of Burundi and the DRC,³⁵⁶ from where he launched at least two operations in Rwanda in October 2022 and January 2023. One of these operations was claimed in the communiqué, in which FLN reported that the armed group had killed at least two RDF soldiers and seized several weapons from the RDF soldiers.

Although CNRD-FLN activity declined over past years,³⁵⁷ and the group was weakened by FARDC operations,³⁵⁸ their recent operations and the intensification of CNRD-FLN communications could indicate a reactivation of the group.

³⁵¹ See [S/2012/843](#), para 94; [S/2016/1102](#), para. 28, [S/2017/672/Rev.1](#), para. 29.

³⁵² See [S/2016/1102](#), paras. 8–13 and 23–30; [S/2019/469](#), paras 44–52.

³⁵³ FARDC, researchers, civil society and MONUSCO sources.

³⁵⁴ Researchers, intelligence, civil society and MONUSCO sources.

³⁵⁵ Ibid.

³⁵⁶ Several CNRD-FLN commanders were hosted by Burundi, such as Jeva who had sought refuge in Burundi following disagreement with Hamada.

³⁵⁷ See [S/2017/1091](#), paras 23–28.

³⁵⁸ See [S/2020/482](#), para 28.

Annex/Annexe 73:

Impact of M23 crisis on South Kivu

L'impact de la crise du M23 sur le Sud-Kivu

Several armed groups operating in South Kivu expressed their willingness to fight M23, mobilising some of their elements to go to North Kivu or to prevent M23 from entering South Kivu.

On 12 and 13 February 2023, hundreds of Mai-Mai Yakutumba combatants moved north from their strongholds in Fizi territory (see below), with the reported intention of reaching North Kivu to fight M23, as explained by Yakutumba in an audio recording circulating on social media.³⁵⁹ While they were initially stopped by the FARDC in Fizi centre, other Mai-Mai elements originating from various locations were also reported as gathering in Fizi centre a few days later.³⁶⁰ Similarly, a week after, several combatants of Mai-Mai Makanaki were also reported as moving from Uvira territory towards North Kivu.³⁶¹

On 10 March 2023, several Mai-Mai Yakutumba combatants arrived in Goma, and were hosted by Colonel Amuli Akanya, ex-member of the FARDC naval force (see below).³⁶² According to several sources, FARDC authorized the combatants' arrival in Goma, which was encouraged by General Dieudonné Mutupeke amongst others.³⁶³

Ex-Mai-Mai commander Anselme Enerunga³⁶⁴ engaged with Raia Mutomboki (RM) commanders since at least June 2022, encouraging them to collaborate with FARDC to fight M23. Thereupon, RM factions started remobilizing in Kalehe and Shabunda territories,³⁶⁵ despite many having demobilized or expressed their will to do so in recent years. In particular, in January 2023 hundreds of RM elements gathered near Bunyakiri, Kalehe territory at a FARDC camp with the intention of proceeding to North Kivu.³⁶⁶ However, according to several sources, as the promises by Anselme Enerunga and then FARDC for financial and logistical support did not materialise, RM started targeting the population with an increasing number of reported cases of attacks, threats and kidnappings of civilians as well as of incursions into mining sites.³⁶⁷ In 2012, Raia Mutomboki had allied with M23, which illustrates once again the shifting nature of armed group alliances (see [S/2013/433](#), paras. 53 and 61).

Similarly, in Kalehe Territory, "General" Kirikicho, leader of Mai-Mai Kiricho,³⁶⁸ forced demobilised combatants to rejoin his armed group with the intention of preventing M23 from entering South Kivu, following increasing rumours of M23 opening a front in South Kivu (see para 42).³⁶⁹

³⁵⁹ Intelligence, researcher, civil society and MONUSCO sources.

³⁶⁰ Ibid.

³⁶¹ Source close to Mai-Mai groups, researchers, intelligence, and civil society sources.

³⁶² Source close to Mai-Mai groups, researchers, FARDC, security forces, intelligence, civil society and MONUSCO sources.

³⁶³ Ibid.

³⁶⁴ He died in January 2023. He was National Minister of Environment in 2003 and a parliamentarian.

³⁶⁵ Researcher, civil society and MONUSCO sources.

³⁶⁶ Ibid.

³⁶⁷ Civil society and MONUSCO sources.

³⁶⁸ See [S/2010/596](#), paras. 133-134.

³⁶⁹ Researcher, civil society and MONUSCO sources.

Screenshots of videos showing Mai-Mai Yakutumba combatants moving from their strongholds to fight M23 in North Kivu in February 2023



Videos circulating on social media and provided to the Group by security sources
Screenshots of videos showing Mai-Mai Yakutumba elements in Goma in March 2023 with Colonel Amuli Akanya



Colonel Amuli Akanya



Combatants equipped with 7.62x54 mm light machine guns



Combatants equipped with 7.62x39mm machine guns



Videos circulating on social media and provided to the Group by security sources.

The Group notes that all combatants appearing in the videos are equipped with weapons including at least four 7.62x54 mm light machine guns (Type 58) and five 7.62x39 mm machine guns (M72). Type 58 light machine guns had not been documented as being part of the FARDC or armed groups' arsenal prior to this video. This implies that these weapons were most likely transferred to Mai-Mai Yakutumba recently in violation of the arms embargo. The Group also notes that the combatants wear uniforms similar to those of FARDC, and that the uniforms seem to be of recent manufacture. It is therefore likely that these were provided to the combatants by FARDC. The Group continues to investigate these transfers.

Transcript of video which records the comments of the combatants (translated into English):

“Woow, the commander arrived, Colonel AMULI YAKUTUMBA.

Mass cry: "Hit them, hit them, we will hit them (the M23)."

We are fighting for our land. Coming from the Babembe region/FIZI to fight the M23.

My name is John Raban Rasta. I'm coming from FIZI to fight against the M23. I'm waiting for the FARDC to take me to the front line.

My name is AKILI MONGA Mamadou. Coming from LUSENDA/FIZI to fight against these aggressors who overwhelm our country.

I'm Gaston, coming to fight for the sovereignty of my country.

I'm the S4 Shetani GOLLA, I'm from YABOBA/FIZI. I'm coming to hunt the M23 and will do it with a vengeance.

YAKOLWA MUKOLO MZIMU Wa KANUMBA, I'm coming from FIZI to fight for the integrity of our land.

Mass cry: "Hit them, hit them (the M23)."

My name is WILONDDJA. From the JONDWE/ FIZI village, I'm here to drive the M23 (until the last one of them) out of our national territory.

I'm Barthelemy..... KIZA AMISI Joker Grand Prêtre. I'm coming to kill all the M23. Martin BAOMBWA, from FIZI.

Annex/Annexe 74:**Links between M23 and other South Kivu armed groups****Liens entre le M23 et d'autres groupes armés du Sud-Kivu**

Several sources reported that since early 2023, Colonel Seraphin Mirindi, former aide of Laurent Nkunda currently operating with M23,³⁷⁰ approached several South Kivu armed groups, such as FABB, Mai Mai Makanaki, Mai-Mai Ilunga, Mai-Mai René Itongwa and Jean Nalube's self-defence group.³⁷¹ He notably used intermediaries to initiate first contact, such as Albert Wabulakombe, a representative of Mai-Mai René Itongwa who was arrested in January 2023 by DRC authorities.³⁷² Colonel Mirindi initially tried to unite the armed groups against FDN-FARDC operations, but then offered money to armed groups to participate in meetings in Rwanda with the aim of supporting M23.

³⁷⁰ Also operating with M23 already in 2012, see [S/2012/348/Add.1](#) para. 10.

³⁷¹ Mai-Mai group representative, FARDC, Researchers, intelligence, civil society and MONUSCO sources.

³⁷² Mai-Mai group representative, security forces and MONUSCO sources.

Annex/Annexe 75:**Forced recruitment by Twirwaneho, including punishments and killings for refusal or defection****Recrutement forcé par les Twirwaneho, y compris punitions et meurtres en cas de refus ou de défection**

A local community leader acknowledged to a MONUSCO source that any attempt to exfiltrate a child from the area could lead to the killing of the child and its relatives (see also [S/2021/560](#), para. 135). Several sources, including an ex-Twirwaneho combatant and demobilized children, reported that after their defection from Twirwaneho, their relatives were arrested and detained in a dungeon dug in the ground (“andaka”) until the payment of a fine as a form of punishment/compensation.³⁷³ The ex-combatant reported that his brother was killed because he refused to join the group. A child soldier who defected from Twirwaneho reported that he fled after he heard from his comrades that his commander gave orders to have him killed, because of a previously failed attempt to desert from the group.

Defectors who left the group risked their lives to surrender or leave the area,³⁷⁴ as they could either be executed by Twirwaneho if caught, or be killed by other hostile armed groups who control the roads in the area. Roads are impassable and the only way to access Minembwe is by plane.³⁷⁵ In addition, several independent sources confirmed that passenger lists for the only commercial flight operating in the area have to be submitted to Twirwaneho for verification.

³⁷³ MONUSCO sources, governmental source, and civil society sources.

³⁷⁴ Several sources including statements of demobilized children, civil society, and MONUSCO sources.

³⁷⁵ Members of Banyamulenge community, MONUSCO, civil society, statements of demobilized children, and NGOs working in the area.

Annex/Annexe 76:

Speeches of Banyamulenge leaders based in the USA

Discours des leaders de la Banyamulenge aux Etats-unis

The [video](#) was last accessed on 15 April 2023 and is archived with the Secretariat.



Sources identified the above speaker as Patrick Edono, who resides in the state of Tennessee, United States. The following is an extract from his speech at the ceremony:

« Ikindi nasaba Mahoro na abanyamulenge mwese, mubyukuri muhe agachiro abana ba Twirwaneho. Twirwaneho muihe agachiro kuko mugihe batanze ubuzima bwabo, agasiga ubuzimabwe hariya, nu umubiriwe tugoma kuuha agachiro. Murakoze. »

“Another thing I ask Mahoro and all the Banyamulenge, really give value/consideration to the children/youth of Twirwaneho. Twirwaneho, give them consideration because when they sacrifice their lives there, even their bodies must be honoured.”



Sources identified the above speaker as Dieudonné who resides in Dayton, Ohio, United States. Sources informed the Group that during the ceremony, he represented the MPA of Ohio. The following is an extract from his speech at the ceremony:

« Nk'umuryango rero, nagirango nvuge ikindi kimwe kugirango tuza tuzirikana. Tuze tuzirikana Intwari. Nka abandi bahuriye aha ngaha, nje nari ntekereje ngo Mahoro, mubyunve, kandi tuzabibabaza kuberako tubivuze nk'umuryango yanyu, muza zirikane, tuzashiraho umunsi umwe, umunsi wokwibuka intwari, izintwari zigenda zitusiga kandi z'itangiye ubwoko. Babaye ingabo, baritanga bagasiga imiryango yabo, hari barihano, hari abari na Canada. Kandi nitutegerezeko amahoro aboneke ko twashiraho uwomunsi. Mwuwo munsi tukaza twibuka imirimo bakoze, ariko tukatanga n'ubushobozi bwihariye, itari iriya 20\$. Tukatanga ubuyobozi bwokubaka igihugu. Muziko hari abana baja kurugamba batafite n'inkweto? Muziko hari abana baja kurugamba batabasha nokubona icho barya? Nje bijabintangaza igihe bavuga ngo tutange iyo 20\$, ugasanga abandi ntibarimo ngobatange iyo 20\$.»

“As a family now, I would like to say something else so that we can have a meditation. We must meditate on our heroes. As we met here I thought Mahoro, listen to this very well, and then know that we will ask you one day because we talk about it as your family, you have to meditate, we have to establish a date, a day of commemoration of the heroes, these heroes who are leaving us when they died for our community. They were our strength, they sacrificed themselves leaving their families. Some are here, some are in Canada. We must not wait for peace to be established to set this date of remembrance. On this day, we can remember the work that these heroes did. We will also be able to make special contributions that are considerable and not just the \$20, contributions to rebuild the country. Do you know that there are people who go into battle without shoes? Do you know that there are people who go into battle without food? It surprises me when we are asked to give the \$20 and we find some who have not given any. So I'm surprised to see that some of us didn't give the \$20.”



The Group was not able to identify the individual pictured above. He played a message on his phone from an individual the Group could not identify. The following is an extract from the audio message he played from his phone at the ceremony:

« Icho twizeye nuko tufite insinzi kuko turwanira kuri kwachu. Rero mukukuri koturwanira iwachu, wherever you are, ahariho Umunyamulenge wose ari kwisi isabako abandubose bashira imbaraga bakarwanya umwanzi ushakako atumara. Kandi tugomba kubaho mubitekerezo, twitekerejeho twenyine. Mushigikire abobari kurugamba. Urugamba rugira parametre zitandukanye, hari hakorwa muburyo bwa mafaranga, hari hakorwa nuburyo butandukanye, izi zose zirakenewe

“Our hope is that we have victory because we are fighting for our home/land. So, in this truth that we are fighting for, wherever they are, Banyamulenge people all over the world have to put their strength together to fight the enemy who is trying to exterminate us. So we must be together in thought; we must think of protecting ourselves. We must support those who are in the battle. War is characterised by many factors. Sometimes you need money and sometimes you need other things. All these things are necessary.”



Sources identified the individual above as Pastor Emmanuel Rupande Musinga. He lives in Indiana, United States and is known as the leader of Abarwanashyaka, formed by ex-RCD combatants. Before starting his speech, he invited all the Abarwanashyaka present to join him on stage. The following is an extract from his speech at the ceremony:

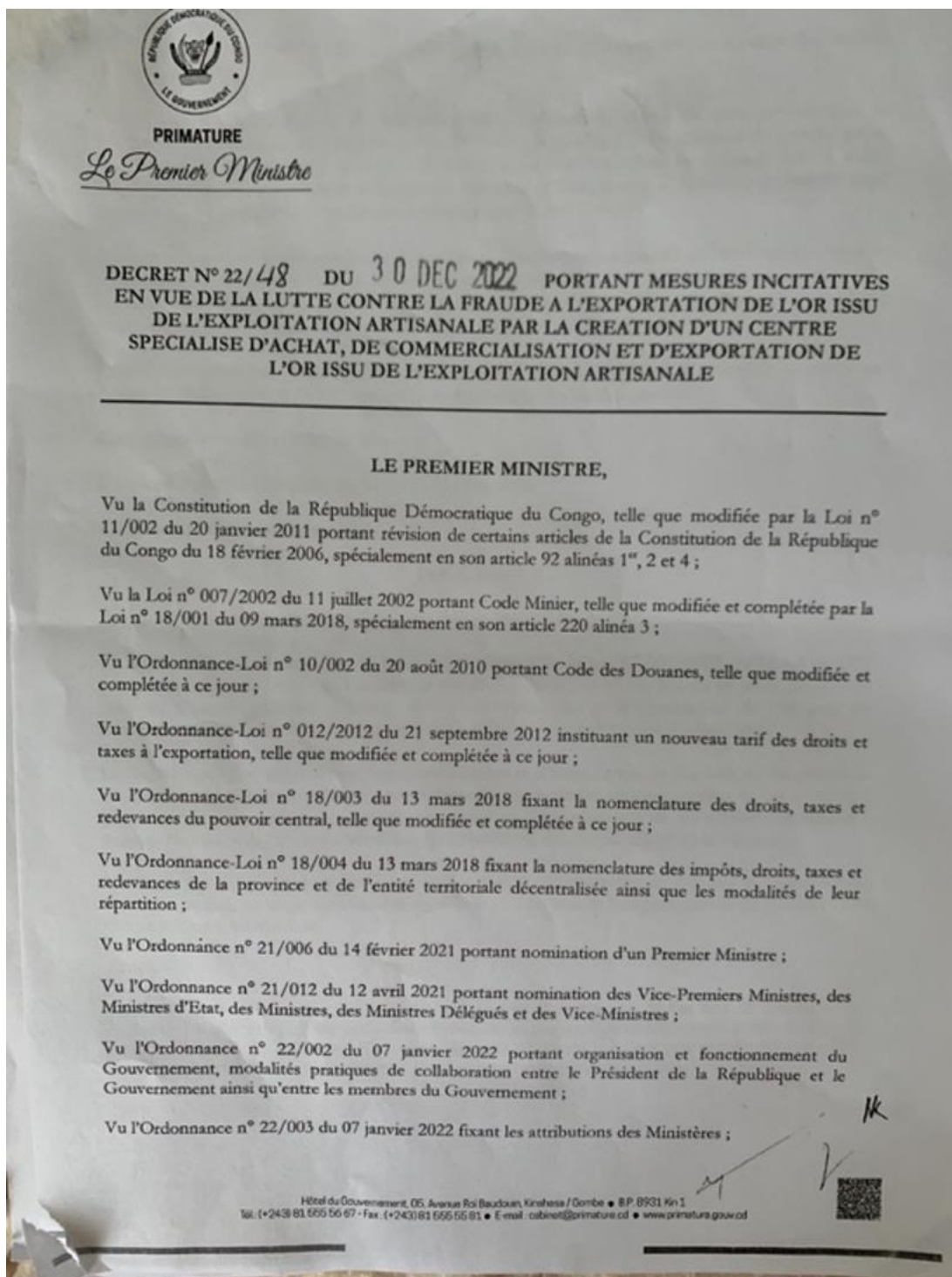
« Biteye isoni, birababaje, biteye akahinda, Bonheur kutanga ubuzima bwiwe yasize umugore n'abanabe, we ukanga gutanga makuminyabiri. Kugirango Imulenge habeho, ni maraso y'a Bonheur. Kugirango Imulenge ibeho, ni abagabo ba Imulenge bagusanye imirongwibiri. Ko uranze kuyatanga, Bonheur akatanga amarasoye. Ababagabo ubonye hano, kuva 2019 kugeza none tuvuga burimundu wose atanga mirongwirindwi zama dolare, mirongwibiri zama euro, mirongwitano yogushigikira abagabo bameze nga Bonheur. Wanze kutanga iyo \$20, Imana ikubabarire tukumenye, twakugaya. Turi Twirwaneho yomumaraso, itari yomumagambo. Turi twirwaneho yomumaraso, we are ready to die for »

“It's shameful, it hurts, it's sad; Bonheur, the fact that he gave his life, he left his wife and children but you refused to give the \$20. For Mulenge (land) to be there, it is Bonheur's blood. For Mulenge (land) to be there, it was Mulenge's men who gave the \$20. As you refused to give this, Bonheur gave him his blood. These men that you see here, since 2019 until now, each one contributes \$70, €20, \$50 to support the men who are like Bonheur. If you refuse to give that \$20, may God forgive you, if we find out, we will refuse to recognise you as one of us. We must be Twirwaneho not of the word but of the blood; We are ready to die for.”

Annex/Annexe 77:

Decree which governs Primera Gold DRC's activities

Le décret qui régit les activités de Primera Gold en RDC



Suite

Vu le Décret n° 038/2003 du 26 mars 2003 portant Règlement Minier, tel que modifié et complété par le Décret n° 18/024 du 08 juin 2018 ;

Considérant la nécessité pour le Gouvernement d'améliorer le circuit de commercialisation et d'exportation de l'or issu de l'exploitation artisanale en République Démocratique du Congo, en ce compris dans le but d'assurer davantage la transparence et la traçabilité des minerais dans le cadre des engagements internationaux et régionaux relatifs à la lutte contre la fraude et en vue de faire participer la filière aurifère à l'essor socio-économique de tout le pays ;

Considérant que la sortie frauduleuse de l'or issu de l'exploitation artisanale par les frontières situées à l'Est du territoire national trouve sa justification dans la concurrence fiscale et parafiscale au niveau régional, celle-ci étant défavorable à la République Démocratique du Congo et dans l'absence d'une filière organisée susceptible de promouvoir les exploitants miniers artisanaux ;

Considérant que la réorganisation de la filière aurifère issue de l'exploitation artisanale constitue un facteur de stabilisation et de lutte contre la multiplication des bandes armées ;

Considérant l'urgence et la nécessité ;

Sur proposition des Ministres des Mines et des Finances ;

Le Conseil des Ministres entendu ;

DECRETE :

Article 1^{er}

En application des dispositions de l'article 220 alinéa 3 de la Loi n° 007/2002 du 11 juillet 2002 portant Code Minier, telle que modifiée et complétée par la Loi n° 18/001 du 09 mars 2018, il est créé un Centre Spécialisé d'Achat, de Commercialisation et d'Exportation de l'or issu de l'exploitation artisanale, dont le siège est établi à Bukavu, dans la Province du Sud-Kivu.

Le Centre Spécialisé d'Achat, de Commercialisation et d'Exportation de l'or issu de l'exploitation artisanale accomplit ses activités sur toute l'étendue du territoire national et peut, le cas échéant, y ouvrir des bureaux provinciaux jugés nécessaires au développement de ses activités, notamment dans les Provinces de l'Ituri, du Maniema, du Nord-Kivu, du Tanganyika et de la Tshopo.

Le Centre Spécialisé d'Achat, de Commercialisation et d'Exportation de l'or issu de l'exploitation artisanale est institué par le Gouvernement avec le concours de la Banque Centrale du Congo et des Gouvernements provinciaux.

Article 2

Le Centre Spécialisé d'Achat, de Commercialisation et d'Exportation de l'or issu de l'exploitation artisanale est géré directement par le Gouvernement au travers d'un établissement public doté de la personnalité juridique créé à cet effet ou par délégation à travers une personne morale de droit privé ayant conclu avec le Gouvernement une convention de délégation de services.



*Suite***Article 3**

Un guichet unique spécialisé dans l'exportation de l'or issu de l'exploitation minière artisanale est installé dans le Centre Spécialisé d'Achat, de Commercialisation et d'Exportation de l'or issu de l'exploitation artisanale en vue de faciliter les démarches administratives nécessaires à son exportation.

Article 4

Le Centre Spécialisé d'Achat, de Commercialisation et d'Exportation de l'or issu de l'exploitation artisanale constitue la voie privilégiée par laquelle s'effectue l'exportation de l'or issu de l'exploitation artisanale de la République Démocratique du Congo.

A cet effet, le gestionnaire du Centre Spécialisé d'Achat, de Commercialisation et d'Exportation de l'or issu de l'exploitation artisanale est le partenaire privilégié pour l'amélioration de la chaîne d'approvisionnement de l'or issu de l'exploitation artisanale et la lutte contre la fraude et la contrebande des minerais.

Il s'approvisionne auprès des :

- coopératives minières agréées ;
- négociants ;
- comptoirs d'achat et de vente d'or de production artisanale.

Par dérogation à l'alinéa précédent, le Centre Spécialisé d'Achat, de Commercialisation et d'Exportation de l'or issu de l'exploitation artisanale peut également s'approvisionner auprès des titulaires des droits miniers d'exploitation désireux de recourir à ses prestations.

Article 5

Il est instauré une perception unique à l'exportation de l'or issu de l'exploitation artisanale en faveur du gestionnaire du Centre Spécialisé d'Achat, de Commercialisation et d'Exportation de l'or issu de l'exploitation artisanale au titre de droits, taxes et redevances requis à l'occasion de la sortie du territoire national.


Cette perception unique couvre tous les droits, taxes et redevances du pouvoir central, de la province et de leurs organismes auxiliaires.

Article 6

Le taux de la perception unique visé par l'article 5 ci-dessus est fixé à 0,25 % de la valeur commerciale brute constatée au moment de la sortie du territoire national de chaque lot d'or issu de l'exploitation artisanale.

Article 7

Le Ministre des Finances fixe, par voie d'arrêté ministériel, les modalités de recouvrement de cette perception unique et assure la répartition des recettes en résultant entre les différents bénéficiaires.

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*Suite***Article 8**

En contrepartie de l'incitation fiscale portée par la perception unique, le gestionnaire du Centre Spécialisé d'Achat, de Commercialisation et d'Exportation de l'or issu de l'exploitation artisanale assure l'organisation et la promotion de la filière de l'or issu de l'exploitation artisanale.

Il est tenu d'accomplir, à cet effet, toutes les missions et obligations définies par la convention de délégation des services tendant à moderniser les méthodes d'exploitation, de transformation, de commercialisation, de traçabilité et de circulation de l'or issu de l'exploitation artisanale ainsi que la mise en place d'un système de sécurité sociale et de bancarisation en faveur des exploitants artisanaux, membres des coopératives agréées.

Un mécanisme d'évaluation de l'exécution des missions et obligations du gestionnaire du Centre Spécialisé d'Achat, de Commercialisation et d'Exportation de l'or issu de l'exploitation artisanale sera mis en place en accord entre ce dernier et le Gouvernement.

Article 9

Les Ministre des Mines et des Finances sont chargés, chacun en ce qui le concerne, de l'exécution du présent Décret qui entre en vigueur à la date de sa publication au Journal Officiel de la République Démocratique du Congo.

Fait à Kinshasa, le 30 DEC 2022

Jean-Michel SAMALUKONDE KYENGE

Pour la Ministre des Mines, empêchée,

Didier BUDIMBU NTUBUANGA

Ministre des Hydrocarbures

Nicolas KAZADI KADIMA-NZUJI

Ministre des Finances

Hôtel du Gouvernement, 05 Avenue Roi Baudouin, Kinshasa - Gombe • B.P. 8931 Kin 1
Tél. (+243) 81865 66 67 • E-mail : info@primature.cd • www.primature.cd




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Documents provided to the Group by sources within the mining community

Annex/Annexe 78:

Ministerial order on the new artisanal gold export requirement in the DRC

Arrêté ministériel sur la nouvelle exigence d'exportation d'or artisanal en RDC



MINISTÈRE DES FINANCES | MINISTÈRE DES MINES

ARRÊTÉ INTERMINISTÉRIEL

ARRÊTÉ INTERMINISTÉRIEL N° 00081 /CAB.MIN/MINES/01/2023
 ET N° 006 /CAB.MIN/FINANCES/2023 DU 14 MARS 2023 MODIFIANT L'ARRÊTÉ
 INTERMINISTÉRIEL N° 489/CAB.MIN/MINES/01/2011 ET N° 295/CAB.MIN/FINANCES/2011
 DU 14 NOVEMBRE 2011 FIXANT LES TAUX, L'ASSIÈTE ET LES MODALITÉS DE PERCEPTION
 DES DROITS, TAXES ET REDEVANCES RELEVANT DU RÉGIME DOUANIER, FISCAL ET
 PARAFISCAL APPLICABLE À L'EXPLOITATION ARTISANALE DES SUBSTANCES MINÉRALES
 AINSI QUE LES PERFORMANCES MINIMALES DES COMPTOIRS AGRÉÉS

LA MINISTRE DES MINES

ET

LE MINISTRE DES FINANCES

Vu la Constitution, telle que modifiée par la Loi n° 11/002 du 20 janvier 2011 portant révision de certaines dispositions de la Constitution de la République Démocratique du Congo du 18 février 2006, spécialement en son article 93 ;


Vu la Loi n° 007/2002 du 11 juillet 2002 portant Code Minier, telle que modifiée et complétée par la loi n° 18/001 du 09 mars 2018 ;

Vu la Loi n° 11/011 du 13 juillet 2011 relative aux finances publiques, telle que modifiée et complétée à ce jour ;

Vu l'Ordonnance n° 22/002 du 07 janvier 2022 portant organisation et fonctionnement du Gouvernement, modalités de collaboration entre le Président de la République et le Gouvernement ainsi qu'entre les Membres du Gouvernement ;

Vu l'Ordonnance n° 22/003 du 07 janvier 2022 fixant les attributions des Ministères, spécialement en son article 1^{er} B, point 35 ;

Vu l'Ordonnance n° 21/012 du 12 avril 2021 portant nomination des Vices-Premiers Ministres, des Ministres d'Etat, des Ministres, des Ministres délégués et des Vice-Ministres ;

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4^{ème} Niveau, Hôtel du Gouvernement, Place Royale, Boulevard du 30 Juin – Kinshasa / Gombe – RDC
 • Site web : www.rdc.cd • E-mail : info@rdc.cd

Page 2 de l'Arrêté Interministériel n° **00081** /CAB.MIN/MINES/01/2023 et n° **006** /CAB.MIN/FINANCES/2023

Vu le Décret n° 007/2002 du 02 février 2002 relatif au mode de paiement des dettes envers l'Etat, tel que modifié et complété par le Décret n°011/20 du 14 avril 2011 ;

Vu le Décret n° 038/2003 du 26 mars 2003 portant Règlement Minier, tel que modifié et complété par le Décret n° 18/024 du 08 Juin 2018 ;

Vu l'Arrêté Interministériel n° 0340/CAB.MIN/MINES/01/2022 et n° 054/CAB/MIN/FINANCES/ 2022 du 04 août 2022 portant fixation des taux des droits, taxes et redevances à percevoir à l'initiative du Ministère des Mines ;

ARRETENT

Article 1^{er} :

L'article 5 de l'Arrêté Interministériel n° 459/CABMIN/MINES/01/2011 et n° 295/CABMIN/FINANCES/2011 du 14 novembre 2011 fixant les taux, l'assiette et les modalités de perception des droits, taxes et redevances relevant du régime douanier, fiscal et parafiscal applicable à l'exploitation artisanale des substances minérales ainsi que les performances minimales des comptoirs agréés, est modifié comme suit :

« Article 5 :

Les comptoirs d'achat et les acheteurs des substances minérales de production artisanale sont tenus de réaliser les performances minimales fixées comme suit par période spécifiée :

a) Pour le diamant

1. Comptoir

- 1^{er} trimestre : 10.500.000 USD, soit 3.500.000 USD/mois
- 2^{ème} trimestre : 12.000.000 USD, soit 4.000.000 USD/mois
- 3^{ème} trimestre : 15.000.000 USD, soit 5.000.000 USD/mois
- 4^{ème} trimestre : 10.500.000 USD, soit 3.500.000 USD/mois

2. Acheteur

- 1^{er} trimestre : 1.050.000 USD, soit 350.000 USD/mois
- 2^{ème} trimestre : 1.200.000 USD, soit 400.000 USD/mois
- 3^{ème} trimestre : 1.500.000 USD, soit 500.000 USD/mois
- 4^{ème} trimestre : 1.050.000 USD, soit 350.000 USD/mois

b) Pour l'or

1. Comptoir

- 1^{er} trimestre : 300 Kgs, soit 100 Kgs/mois
- 2^{ème} trimestre : 300 Kgs, soit 100 Kgs/mois
- 3^{ème} trimestre : 300 Kgs, soit 100 Kgs/mois
- 4^{ème} trimestre : 300 Kgs, soit 100 Kgs/mois

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2. Acheteur

- 1^{er} trimestre : 30 Kgs, soit 10 Kgs/mois
- 2^{ème} trimestre : 30 Kgs, soit 10 Kgs/mois
- 3^{ème} trimestre : 30 Kgs, soit 10 Kgs/mois
- 4^{ème} trimestre : 30 Kgs, soit 10 Kgs/mois

c) Pour la Cassitérite

1. Comptoir

- 1^{er} trimestre : 135 tonnes, soit 45 tonnes/mois
- 2^{ème} trimestre : 144 tonnes, soit 48 tonnes/mois
- 3^{ème} trimestre : 144 tonnes, soit 48 tonnes/mois
- 4^{ème} trimestre : 135 tonnes, soit 45 tonnes/mois

2. Acheteur

- 1^{er} trimestre : 13,5 tonnes, soit 4,5 tonnes/mois
- 2^{ème} trimestre : 14,4 tonnes, soit 4,8 tonnes/mois
- 3^{ème} trimestre : 14,4 tonnes, soit 4,8 tonnes/mois
- 4^{ème} trimestre : 13,5 tonnes, soit 4,5 tonnes/mois

d) Pour le Coltan

1. Comptoir

- 1^{er} trimestre : 40 tonnes, soit 13,4 tonnes/mois
- 2^{ème} trimestre : 42 tonnes, soit 14 tonnes/mois
- 3^{ème} trimestre : 45 tonnes, soit 15 tonnes/mois
- 4^{ème} trimestre : 40 tonnes, soit 13,4 tonnes/mois

2. Acheteur

- 1^{er} trimestre : 4 tonnes, soit 1,3 tonnes/mois
- 2^{ème} trimestre : 4,2 tonnes, soit 1,4 tonnes/mois
- 3^{ème} trimestre : 4,5 tonnes, soit 1,5 tonnes/mois
- 4^{ème} trimestre : 4 tonnes, soit 1,3 tonnes/mois

e) Pour la Wolframite

1. Comptoir

- 1^{er} trimestre : 60 tonnes, soit 20 tonnes/mois
- 2^{ème} trimestre : 63 tonnes, soit 21 tonnes/mois
- 3^{ème} trimestre : 63 tonnes, soit 21 tonnes/mois
- 4^{ème} trimestre : 60 tonnes, soit 20 tonnes/mois

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2. Acheteur

- 1^{er} trimestre : 6 tonnes, soit 2 tonnes/mois
- 2^{ème} trimestre : 6,3 tonnes, soit 2,1 tonnes/mois
- 3^{ème} trimestre : 6,3 tonnes, soit 2,1 tonnes/mois
- 4^{ème} trimestre : 6 tonnes, soit 2 tonnes/mois

f) Pour les pierres de couleur

Les comptoirs d'achat et les acheteurs des pierres de couleur ont l'obligation de déclarer la quantité de toute espèce achetée.

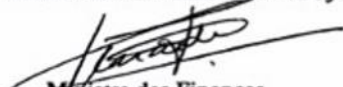
À partir du onzième acheteur, la performance du comptoir agréé telle que fixée à l'alinéa précédent sera réajusté au prorata de l'accroissement du nombre d'acheteurs supplémentaire. »

Article 2 :

Sont abrogées toutes les dispositions antérieures contraires au présent Arrêté qui entre en vigueur à la date de sa signature.

Fait à Kinshasa, le **14 MARS 2023**

Nicolas KAZADI KADIMA-NZUJI


 Ministre des Finances


Antoinette N'SAMBA KALAMBAYI


 Ministre des Mines

Annex/Annexe 79:

Official Burundian cooperatives and mining sites in Burundi

Coopératives et sites miniers officiels au Burundi


Office Burundais des Mines et Carrières
 DIRECTION GENERALE
 N°Réf: 760.07/045 /OBM/2023

**LISTE DES SITES MINIERES POUR LESQUELS L'EXPLOITATION DE L'OR EST
AUTORISEE A PARTIR DU 02 JANVIER 2023**

N°	COOPÉRATIVE	SITE	COMMUNE	PROVINCE
1	DUKORERE HAMWE DUSOZE IKIVI	Budandari-Bibare	Isare	Bujumbura
2	WINNER'S GOLD	Rusakariro-Nyabihume	Mugamba	Bururi
3	COOPERATIVE BURAMBI MINING CENTER, BUMIC	Mugonera	Mugamba	Bururi
4	AJENITEKA MINIERES	Kenyera	Mabayi	Cibitoke
5	DUKORERE HAMWE DUSOZE IKIVI	Butare	Mabayi	Cibitoke
6	DUKOMEZUMWIGA	Kabere	Mabayi	Cibitoke
7	DUKORERE HAMWE DUSOZE IKIVI	Jangwe	Mabayi	Cibitoke
8	COOPERATIVE ABASANGIRARUGENDO MINING COMPANY	Bariro IV	Gitobe	Kirundo
9	COOPERATIVE KORIBIKORWA TWIKENURE MINYAGO	Minyago	Bwambarangwe	Kirundo
10	COOPERATIVE TWIMENYE	Nyengabo	Bwambarangwe	Kirundo
11	TUGWIZE UMWIMBU	Gahararo II	Butihinda	Muyinga
12	TWJUKIRE ITERAMBERE DUTEGURE KAZOZA	Nyarubuye kw'Ishonga	Butihinda	Muyinga
13	NIYOGUSHIMWA	Ndera I	Butihinda	Muyinga
14	MUNEZERO MWIZA	Gahararo III	Butihinda	Muyinga
15	SOTB	Masaka II	Butihinda	Muyinga
16	COOPERATIVE TURIKUMWE TWESI BIRASHOBOKA COOPERATIVE MURI KAZOZA	Gishuha II	Burambi	Rumonge
17	SOCIETE DE FABRICATION ET DE COMMERCIALISATION DE LA CHAUX A USAGE AGRICOLE (SOFAGRI)	Gaterama	Kinyinya	Ruyigi
18	COOPERATIVE MINIERE DU MOSO (COMIMO)	Taba III	Gisuru	Ruyigi
19	COOPERATIVE MINIERE DU MOSO (COMIMO)	Munyinya IV	Nyabitsinda	Ruyigi
20	COOPERATIVE BLESSING BURUNDI	Rusengo	Ruyigi	Ruyigi
21	ELOHIM	Gasarenda	Ruyigi	Ruyigi

FAIT A BUJUMBURA, le 02/01/2023
 LE DIRECTEUR GENERAL DE L'OFFICE
 BURUNDAIS DES MINES ET CARRIERES
 Clairia KANKURIZE

MINISTRE DE L'HYDRAULIQUE, DE L'ENERGIE ET DES MINES-OFFICE BURUNDAIS DES MINES ET CARRIERES (OBM)
 MUNICIPALITE DE BUJUMBURA Q. KABONDO-AV. DU 13 OCTOBRE N°6, Tél: (+257) 22279668

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