

Office of the SRSG

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DEADLINE :

ORIGIN: SIDIKOU, MONUSCO, KINSHASA

SUBJECT: Conclusion of a human rights special investigation into serious allegations of human rights violations and abuses in Kasai province

Date: 25 Nov. 16	For Info	For Attention	For Action	For Consultation
SRSG	✓			
DSRSG (RoL)/Ops East	✓			
DSRSG (RC/HC)	✓			
Chief of Staff	✓			
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O/DSRSG (RoL)/Ops East	✓			
IO/DSRSG (RC/HC)	✓			
Force Commander/Deputy FC	✓			
Police Commissioner	✓			
DMS	✓			
Political Affairs Division	✓			
JMAC	✓			
JOC	✓			
Justice and Corrections Section	✓			
Chief Supply Chain				
Chief Service Delivery				
Chief Resident Auditor				
Child Protection	✓			
Civil Affairs				
Conduct & Discipline Unit				
Contract Management				
DDRRR/DDR				
Electoral Unit				
Gender				
Heads of Office All	✓			
HIV/AIDS				
Human Rights	✓			
PSCF				
Legal Affairs				
Mine Action				
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QIPs				
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Stabilization Unit				
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FROM: *for* SIDIKOU, MONUSCO, KINSHASA *D J*

DATE: 24 NOVEMBER 2016

NUMBER: CCX- 259

SUBJECT: Conclusion of a human rights special investigation into serious allegations of human rights violations and abuses in Kasai Central province

Summary: Preliminary findings of a human rights special investigation mission deployed from 7 to 17 November 2016 to Kananga as well as different villages of the territories of Dibaya, Demba and Dimbelenge, in Kasai Central province confirm that serious human rights violations and violations of international humanitarian law were committed over the period 22 July to 30 October 2016, by members of the militia Kamuina Nsapu but also by FARDC soldiers deployed to eradicate it, including killing of at least 127 civilians by FARDC soldiers and 7 by Kamuina Nsapu militiamen.

Main points

1. From 7 to 17 November 2017, as per the recommendations of a MONUSCO Joint Assessment Mission (JAM) deployed to the affected areas from 12 to 21 October 2016, the UNJHRO conducted a special investigation mission to several locations of Kasai Central province where reports indicated

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a deterioration of the security situation since April 2016, with the creation a militia affiliated to customary chief Kamuina Nsapu.

2: In August and September 2016, Kamuina Nsapu combatants reportedly committed serious human rights and international humanitarian law abuses during attacks against the cities of Tshimbulu (from 8 au 12 August 2016) and Kananga (on 22 and 23 September 2016) and during clashes with defence and security forces, leading to the killing of many civilians, State agents and militia men (including chief Kamuina Nsapu himself) as well as other human rights violations. Reports also mentioned human rights violations by defence and security forces, particularly soldiers of the *Forces armées de la République démocratique du Congo* (FARDC), including extrajudicial killings, arbitrary arrests, incommunicado detention, and cruel, inhumane or degrading treatments against several civilians suspected of collaborating with the militia.

3. The special investigation team was deployed from 7 and 17 November 2016 to Kananga and different villages of the territories of Dibaya, Demba and Dimbelenge, Kasai Central province. At least fifty sources were interviewed, including victims, members of their families, witnesses, community leaders, representatives of civil society, medical personnel and local administrative, police, military and religious authorities.

4. The investigation confirmed that, between 22 July and 3 October 2016, at least 127 people including 19 minors and 25 women were shot dead by FARDC soldiers. During the same period over 20 people were also wounded, including at least 16 by bullet, one woman raped, several others arbitrarily arrested at least 48 were victims of violations to the right to proper

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and five schools and two health centers were reportedly plundered and looted by FARDC soldiers in the context of the intervention to dismantle the anti-Government militia. In one of the most serious attacks, at least 37 people were summarily executed on 30 September 2016 in the village of Nkoto (Demba territory) and buried a few days later in a state of decomposition in seven mass graves by the local population. Reports indicate that FARDC soldiers deliberately targeted civilians suspected of collaborating with the militia.

5. The findings also indicate that at least seven people were killed and four others were wounded, all by *arme blanche*, by combatants of the Kamuina Nsapu militia. In their *modus operandi*, combatants have mostly targeted and destroyed Government installations, including at least 14 police stations and six administrative offices in the territories of Dibaya, Demba and Dimbelenge. At least eight churches, two schools and a health centre were also reportedly looted, ransacked or burned.

6. Given the number and the gravity of the violations registered and considering that fighting and insecurity continues to be reported, the Mission will urgently share these findings with the military justice authorities, for the prompt deployment of a judicial investigation in the territories of Dibaya, Demba and Dimbelenge. It will also conduct high level advocacy with the FARDC hierarchy in view of putting an end to the violations by the FARDC and to clearly identify the units involved in the latter. Strict HRDDF compliance will also be ensured by the Mission in case of requests for support received for security forces deployed in the August and September operations in the area.