

Report of the Mobile Monitoring Team mission to Tshikapa (12-16 January)

In the wake of reported clashes between Kamuina Nsapu militia and security forces in Tshikapa around the 4 December, a Mobile Monitoring Team (MMT) was deployed to Tshikapa between the 12 and 16 January to provide a joint assessment of the situation in line with OP 52 of resolution 2277 (2016) which calls on the Mission to “*monitor and report on human rights violations and abuses in the context of the elections*”. In addition to these human rights component, the MMT was also deployed to understand local political dynamics, security and humanitarian issues, and ethnic and local chieftancy problems that may have contributed to the violence as the provincial authorities and CENI face up to the challenges of voter registration and other items touched upon by the 31 December accords. The MMT was also tasked with developing a set of recommendations for forward planning.

The MMT team was comprised of the following MONUSCO staff members: a) Team Leader (O/DSRSG) b) Two JHRO staff (including one Tshiluba speaker) c) One PAD staff d) One CAS staff e) One CPS staff f) One JMAC staff g) Two UNPOL officers. It was also accompanied by a detachment of URUBATT troops who stayed with the MMT in Tshikapa, and provided security for field trips out of the city, pending their eventual deployment to Kananga to replace the RDB deployed from SKB.

Communication with authorities

Prior to the eventual deployment of the team, which had first expected to be deployed between 3 and 8 January, the SRSG and D/SRSG (Ops and RoL) intervened to ensure the authorities, notably the office of the new Interior Minister, were correctly informed about the MMT visit to Tshikapa, following a request by the Kasai Governor Marc Manyanga on 2 January 2016 to have the deployment cleared with the Interior Minister first. Standard Operating Procedures for MMT pre-deployments are now being revised and updated to ensure future deployments are not delayed due to any further misunderstandings with the authorities.

Summary of situation and findings

Kamuina Nsapu insurgency spreads west from Kasai Central to Kasai

Attacks by Kamuina Nsapu-inspired militia in Kasai province first started in late November in villages east along the Tshikapa - Kananga highway near the border between Kasai and Kasai

Central provinces and gradually spread closer to Tshikapa resulting in several PNC, FARDC, militia and civilian casualties. These attacks triggered a major reinforcement by FARDC commando troops to Tshikapa by 3 December, culminating in a bloody confrontation between militia and the FARDC on the edge of Tshikapa and nearby villages on 4 December, apparently leaving dozens more PNC, FARDC and militia men dead.

The attacks on Tshikapa point towards a growing insurgency, which first sprung up in Dibaya territory of Kasai Central in August 2016, but which now appears to have spread from the outskirts of Kananga west along the highway to Tshikapa, a distance of some 270 kilometers on a poorly maintained road cutting through a mix of forested, agricultural and diamond rich lands. While the militia appeared to sustain heavy casualties as they moved towards Tshikapa in late November and early December, they also succeeded in slaughtering several PNC officers and FARDC troops on their way into and within the city prior to and on 4 December, and ransacking and destroying almost a dozen PNC installations.

The militia attacks were ostensibly led by a chief, known as Nkanka Mbawu (see Annex 1 for photo), who has contested control of his family's *groupement* in Tshikapa sector of Kamonia territory in Kasai Province and who had allegedly been in contact in prior years with the deceased Kamuina Nsapu chief. Both Kamuina Nsapu and Nkanka Mbawu hail from the same clan of Luba speakers known as the Bajila Kasanga, who form an important community in Dibaya territory in Kasai Central and who since pre-colonial times have spread into Kasai province. Provincial security services state that Nkanka is operating in concert with a number of chiefs on the road to Kananga, many of whom they claim are Bajila Kasanga.

Eyewitness accounts describe the militia in Kasai province as composed of young male children and youth, armed only with machetes and sticks. However, senior officials in Kasai province, notably the Governor and the have suggested that an unidentified group of supporters comprised of "*retired FARDC*" are managing hidden arms caches and coordinating the deployments of the militia, who are normally identified wearing red bandanas by eyewitnesses, while some FARDC referred to the militia as having "*military training*". However, it has only been possible to confirm PNC and FARDC being killed by machetes and spears, and even the three FARDC identified by the MMT in hospital with bullet wounds are likely to have been shot by friendly fire. It is possible that among the alleged mass graves that have been described as being located in Tshikapa and

nearby villages, and in villages the MMT was unable to visit, there may be the bodies of security forces killed by firearms, but the MMT has received no evidence to suggest this might be the case.

Connection with national politics

The violence and continuing tensions in Kasai have played out in the context of the CENCO-led negotiations and the signing of the 31 December Agreement in Kinshasa, which laid out parameters for the holding of elections, the installation of a new transitional government, and for the reduction of political tensions, termed as “*décrispation politique*”. To that end, it is notable that on 15 December 2016, authorities in Tshikapa arrested and transferred to Kinshasa the recognized Federal President of the UDPS, Martin Ngenda, who continues to remain in detention at the time of the submission of this report and who has been accused by the Governor and the ANR of coordinating Kamuina Nsapu-inspired militia in Kasai Province.

These allegations will be explored further below, but the arrest nevertheless demonstrates connections between the conflict on the ground and the political process in Kinshasa at a time when authorities also continue to maintain a tight hold on political space in Tshikapa and nationwide. Indeed a number of UDPS and UDPS-linked individuals are now issuing demands similar to those issued by Kamuina Nsapu fighters on the ground, notably for the full rotation out of FARDC and PNC units who they accuse of harassing the population, and even for absorption of militia fighters into the FARDC, a demand likely to be highly unpalatable for the current Government of National Unity led by UDPS dissident Samy Badibanga, as well as some other opposition parties.

For now, tensions on the ground have eased marginally as the Governor of Kasai has emphasized peaceful means in dealing with the militia, requesting the evacuation of FARDC troops from the road towards Kananga and their subsequent garrison in Tshikapa. The Governor has instead dispatched community and religious leaders to reach out to locally based militia and begin the process of identifying arms caches and encouraging the many thousands who have fled their villages in the wake of FARDC operations to return back to their homes.

This strategy may help in deflating tensions, given the almost unanimous complaints by villagers about harassment and abuses committed by FARDC and PNC, but it may also provide the militia an opportunity to regroup and consolidate their hold on ground they now occupy and to perhaps launch further attacks should the implementation of the 31 December agreements flounder at the

national and provincial levels. Meanwhile, PAD in Kinshasa has received a purported “*plan de sortie de crise*” for the Kasai provinces being circulated by UDPS and UDPS-linked figures which now advocate for the rotation out of PNC and FARDC units, and for militia absorption into the FARDC, a very similar demand that the Kamuina Nsapu militia is itself making on the ground.

Humanitarian crisis

While the FARDC and other sources confirmed the Governor’s non-military strategy to be ongoing, it was not possible to deploy MONUSCO personnel further than Kasala village, some 15 kilometers east of Tshikapa, to verify the scale of violence prior to 4 December or the humanitarian and local security situation as the Governor and the ANR had placed pressure on the MMT not to move beyond Kasala arguing they considered the ground unsafe and emphasizing they wanted their peaceful outreach strategy to continue there without external disruption.

However, from discussions with local humanitarian actors it appears that communities for at least 130 kilometers past Kasala on the road to Kananga have been affected by violence which may have taken place long before late November 2016 and only become visible to MONUSCO as it neared Tshikapa in the run up to 4 December. Provincial authorities meanwhile say that the areas around Mbawu and east continue to be under heavy militia influence while thousands of civilians still remain in the bush, where they remain vulnerable to disease, malnutrition and exposure. OCHA and its humanitarian partners estimate 152,000 people (or 25,000 households) had fled conflict between Tshikapa and Kamuesha in early December, and that 100 civilians were reported to have died during this period on this axis.

As this was a first visit to the province and the MMT did not have independent means of transport, the MMT complied with the Governor and ANR and did not push further than Kasala, also to ensure future contacts with the authorities remain cordial. However, we will recommend a series of actions in the Recommendations section below to address the issue of access.

Local political and ethnic divisions

In addition to the above, the MMT was able to identify a number of serious local political and ethnic divisions which also need to be addressed and which may also be connected to the rise of the militia.

Firstly, according to the Kasai Province *Commission de Arbitrage des Conflits Coutumiers*, a group of 11 traditional chiefs who have in the last few weeks been tasked by the Governor to analyze and propose recommendations on local chieftancy disputes, Kasai Province has more chieftancy disputes than neighbouring Kasai Central, ranging from disputes over succession, boundaries and legitimacy. Complicating matters further, local officials point to a decree issued on 6 November 2016 by former Interior Minister Evariste Boshab which appears to have unilaterally recognized more than 170 new chieftancies in Kasai province, a decision which appears not to have been consulted with the local authorities and which has also been roundly condemned by the President of the Provincial Assembly and members of the *Commission*. One of the 170 chiefs is known as Dijinde Muimba, who allegedly forms part of Nkanka's network of insurgency chiefs, according to the Governor and ANR.

Secondly, we have identified a trend of increasing tensions and rivalries and segregation of ethnic communities that appears to be taking place in the town of Tshikapa, with the three main communities of the Pende, Tchokwe and Nyambi (a Lubaphone group) avoiding straying into each others' neighbourhoods in Tshikapa, amid reports of infiltration of militia into Lubaphone pockets of the town. Indeed, the Vice Governor of Kasai, Hubert Mbingho, a Pende, informed MONUSCO on 4 December that he believed the militia attacks were part of a "*Lubaphone politico-tribal movement*". Amid these dynamics we also observe attempts to divide the Lubaphone community in Kasai Province, with some Nyambi allied with the Bajila Kasanga, and some apparently merging their political interests with the Majority.

Outlook for elections

Should ethnic tensions in Tshikapa and ongoing insecurity on the road to Kananga persist, we would expect this to affect the voter registration process and potentially translate into the mass disenfranchisement of a significant number of civilians located in areas under the influence of militia. Most of these civilians would be Lubaphone and probably UDPS supporters. So far voter registration materials have only just begun arriving in Tshikapa from the Kananga hub with MONUSCO assistance, but are expected to deploy soon to various *groupements*, including those that are currently out of reach due to the violence. The local CENI antenna meanwhile states that it intends to deploy voter registration material to 822 registration centers in 404 areas which it classifies as "*groupements*", adding yet another layer of complexity over the patchwork of

chieftancy disputes. Meanwhile, the *Commission d'Arbitrage* states the CENI has “*overreached its competency*” in designating certain areas as *groupements*.

Chronology of events

To facilitate a clear understanding of the situation as described above, the MMT has confirmed the following chronology of events, over which further analysis and conclusions can be laid down. It should be stressed that this chronology only gives an account of the violence as it neared Tshikapa, starting in Mbawu on 28 November. It appears that serious violence affected the Kananga - Tshikapa road from the border with Kasai Central to Mbawu was subject to widespread violence as well, but no details can be accurately assessed at this point, without on-the-ground presence, which has yet to be achieved by the Inter Agency humanitarian team nor by MONUSCO.

28 November: Various sources reported that PNC officers escorting an alleged perpetrator of a rape would have been accosted by members of a youth militia near the village of Mbawu, 40 kilometers east of Tshikapa town. These youth reportedly had undergone an initiation ritual similar to that used by customary chief Kamuina Nsapu and were wearing the distinctive signs of this militia. After learning that the police tried to extort cash in exchange for releasing the perpetrator, chief Nkanka allegedly ordered the youth to beat the police officers and then have two of them decapitated, with the third (who was a Luba) allowed to escape.

29 November: A PNC detachment, supported by FARDC, is sent from Tshikapa to reinforce the position and attempt to arrest chief Nkanka and militia members, but comes under attack at Kabeya Lumbu, 25 kilometers east of Tshikapa town. Some 6 PNC and one FARDC from this group are still believed to be missing or dead. Among those killed include a prominent PNC commander from Tshikapa, Daniel Mukenge.

30 November: With the void left by PNC, the militia, an estimated 40 in number, advanced from Mbawu to Kasala where they occupied a school and set up a roadblock at the health center searching systematically passersby's belongings for PNC/FARDC equipment and uniforms. At around 1400 the militia pulled out of Kasala and returned to Mbawu. In the meantime, the chief of Kasala *groupement*, Bruno Ndala, receives a phone call in Tshikapa from a PNC officer in Tshikapa, informing him about the presence of militia in Kasala. The chief alerts the authorities in Tshikapa. A PNC detachment in two jeeps, supported by FARDC, is sent from Tshikapa to reinforce the position in Kasala and Kabeya Lumbu, 25 kilometers east of Tshikapa town.

According to chief Ndala, a delegation of the Mayor of Tshikapa, the Minister of Interior and himself descends on Kasala to verify the situation. They could not proceed further because it was not safe. The Minister of Interior and the Mayor returned to Tshikapa however Chef Bruno remained in Kasala. The President of the *Commission d'Arbitrage* is dispatched to see chief Nkanka in Mbawu but his convoy clashes with militia, and his vehicle is burned on the way to Mbawu, forcing him to flee back to Tshikapa.

1 December: According to Chef Bruno, a delegation of the Mayor of Tshikapa, the Minister of Interior and himself descends on Kasala to verify the situation. They could not proceed further because it was not safe. The Minister of Interior and the Mayor returned to Tshikapa however chief Bruno remained in Kasala. Around 1500 hours, gunfire is heard erupting in Kabeya Lumbu, for a total of 45 minutes, apparently emptying out the village, prompting chief Bruno take flight, warning the population to flee himself. A vehicle loaned to the PNC-FARDC patrol to Kasala was fired upon as it fled Kasala, also coming under militia attack. FARDC move back from Kabeya Lumbu to Kasala and from Kasala to the River Kasai in Tshikapa.

2 December: Bodies of five PNC officers and eight FARDC are identified by eyewitnesses having been stripped of their arms and left in the open in and around Kasala. Eyewitnesses claim they also see fourteen militia bodies in and around Kasala. Some militia 50 boys, carrying machete and sharpened sticks and aged between 10 and 15 are spotted by residents.

3 December: FARDC reinforcements from Kinshasa begin arriving to Tshikapa. These are Commando units, numbering two companies and known locally as “Commando Mamadou” in reference to the Commando units once commanded by Mamadou Ndala against the M23 in North Kivu. One Commando company is stationed a few kilometers back from Kasala, towards Tshikapa at Milambo, and the other one guarding the bridge over the River Kasai, on the outskirts of Tshikapa as a last defence of the town. At 1900 hours, heavy gunfire is heard again at Kasala, though residents only report seeing FARDC engaged in hand-to-hand combat.

4 December: Regular FARDC units fail to hold the militia at Kasala, and the militia begins to move down towards Tshikapa town. Eyewitnesses see the militia, armed with only sticks and machete, following FARDC troops towards the Kasai bridge. Meanwhile, one eyewitness claims to have seen at least 30 militia and civilian bodies between Kasala and Milambo. As the fighting moves towards Tshikapa, residents near the Kasai bridge hear heavy fire opening up around the

bridge, with some witnesses reporting see the bodies of at least another 30 militia dead following the clash at the bridge.

5 December onwards: Eyewitnesses state they see FARDC piling bodies onto trucks at the bridge and moving them towards Tshikapa, leaving trails of blood in their wake. The day following the final clash at the Kasai bridge in Tshikapa, FARDC reinforced positions in Kasala, where most of the residents had already fled, but following this reinforcement, were pulled back to Tshikapa and garrisoned there following the Governor's recommendations to the FARDC. Peaceful demobilization efforts were then started in Kabeya Lumbu and towards Mbawu which is the heartland of chief Nkanka's insurgency. Residents of Kasala say 33 civilians (19 of which were children) died from disease and exposure in the bush outside Kasala during the period of violence.

Killings, arrests, and various abuses, including against children

Killings

As reported above, between 12 to 16 January the MMT was only able to conduct preliminary investigations in Tshikapa and make one field site visit to Kasala (only 15 kilometers east of Tshikapa) on 15 January where it was able to gather some testimony and allegations about militia, civilians and security forces killed and other violations of human rights. As mentioned above, OCHA and its humanitarian partners estimate at least 100 civilians lost their lives in the violence in the first week of December that appears to have affected areas stretching along the road from Tshikapa to Kananga, all the way to Kaluembo, some 150 kilometers east of Tshikapa, near the border between Kasai and Kasai Central. While we were not able to confirm precise figures of those killed, we received credible reports and eyewitness accounts of dozens of militia and several FARDC and PNC killed during the clashes, as reported above, and were also able to confirm from medical sources the presence of 15 FARDC injured in hospital in Tshikapa, three of whom were shot by bullets and the rest injured by machete wounds.

Testimonies obtained by the MMT corroborated that on 5 December, following the last battle at the Kasai bridge, trails of blood were seen on the main road, Boulevard Lumumba, which matched with testimonies that bodies were piled up into FARDC trucks and taken to a location 7 kilometers from Tshikapa where the 70 bodies referenced above were buried in a parcel of land allegedly belonging to the aviation company, Blue Airlines. At Kasala, the MMT took GPS coordinates and

photographs of four alleged mass graves, although no specific witness was identified who claimed to have seen the graves being filled.

Given the above and that the MMT was only able to get a sense of the scale of violence in Tshikapa and up to Kasala, it is highly likely that the true death count from the violence in Tshikapa is going to far exceed the 31 (18 militia and 13 security forces) that were given as the official death toll by the Kasai Vice Governor after the violence dissipated following its culmination at the Kasai bridge on 4 December.

Alleged mass graves in Kasala village, pictured on 15 January 2016





Arrests

The neutralization of the attack on Tshikapa was followed up by numerous arrests of young men and children in Tshikapa and in Kamonia territory, accused of having ties to the militia. The MMT was unable to confirm the extent to which the arrests were made on legal grounds, but was able to summarize a tally of the arrests up to its departure from Tshikapa on the 16 January:

The *auditorat militaire* is prosecuting 17 adults, including an elderly woman, currently in Tshikapa. An additional 22 adults, all men, await in pre-trial detention. An additional 25 children had been arrested and subsequently transferred to the Tribunal de Paix. Twenty of these children have been released and have now been reunited with their parents and family through the efforts of a local NGO Office National Catholique pour l'Enfance (BNCE).

Physical attacks on children

The MMT was able to confirm four cases of civilian children between the ages of 16 and 17 being wounded by indiscriminate FARDC gunfire between the 4 and 8 December, including one child who lost his leg due to the need for amputation. These children have been looked after in a local medical center but require transfer to medical facilities in Kananga and Kinshasa for further care. Authorities confirmed the case of the first child and the other children were visited at the General Hospital in Kanzala in Tshikapa by members of the MMT. Another child, who also sustained bullet

wounds allegedly disappeared from the hospital on 8 December, according to the local NGO that was monitoring his case.

Pillage, forced labour, rapes and harassment by the security services children

The MMT was informed by numerous sources of widespread abuses committed by the FARDC and PNC, including pillaging, forced labour, and rapes in the run up to and during the violence of early December. Residents of Kasala for example complained that they had regularly had their livestock, clothes and documentation confiscated and their homes raided by PNC and FARDC on a regular basis, and one woman in Kasala complained of having been used as forced labour during the week of violence. Several civilian sources and residents complained that women were regularly raped by the security forces. While the authorities in Kasai province say they are moving quickly to discipline FARDC and PNC officers found to have harassed and abused the population, the MMT was unable to receive detailed information in this regard. However, the Governor of Kasai has recognized the problem which has also fed his decision to garrison FARDC troops while he attempts to demobilize militia on the Tshikapa-Kananga road. The MMT received acknowledgment by FARDC that some of the troops had been responsible for acts of pillage, but denied allegation of mass rapes.

Chieftancy disputes and their link to the conflict

The MMT met several interlocutors including the President of the Provincial Assembly, members of the *Commission d'Arbitrage des Conflits Coutumiers*, the CENI and others, to achieve a consolidated understanding of the role of chieftancy disputes in fueling the conflict in Kasai.

Indeed, the insurgency of Nkanka Mbawu, who the provincial authorities accuse of having pre-existing contacts with the deceased Kamuina Nsapu, appears to be based on one such chieftancy dispute. According to official and other sources in Tshikapa, the dispute arose following the death of the previous chief of the Bajila Kasanga *groupement* headquartered in Mbawu, between Nkanka, the brother of the former chief, and Mutela Mbawu, the previous chief's son. According to our Kananga antenna, PAD, Mutela had cultivated close connections to the former Territorial Administrator Diallo Meba, who hails from the PPRD and is the chef du cabinet of Governor Manyanga.

Indeed, several officials, including the PNC, ANR and Interior Minister of Kasai confirmed to us that Mutela had been the one to initiate calls in Tshikapa alerting the authorities of escalating violence at Mbawu. The authorities also appear to have identified a dozen other chiefs (see Annex 2) which they claim were in contact and communication with the UDPS Federal President of Kasai, Martin Ngenda, before he was arrested and transferred to Kinshasa on 15 December. While the MMT has no evidence to substantiate this claim by the provincial authorities, an important conclusion to draw nevertheless is that the authorities have clearly marked a number of chiefs as their political opponents many of whom occupy the axis between Tshikapa and Kananga (see Annex 2 for list of chiefs).

The legal administrative body that has been tasked to identify and place recommendations to resolve various chieftancy disputes in Kasai is known as the *Commission d'Arbitrage des Conflits Coutoumiers* and is comprised of eleven customary chiefs (10 chefs de *groupements* et 1 chef de *chefferie*) from all the five territories and the city of Tshikapa. The commission was created by a recommendation of the governor on 30 September 2016, and its members were appointed by the governor, formally starting their activities in January 2017.

Local media and prominent political sources in Tshikapa claim all the members belong to the PPRD or MP. It is worth bearing in mind that the commission's president, Mayi Munene Molongolola, chef de *groupement* Bena Mayi, territory of Tshikapa, was the chief dispatched to see Nkanka on 30 November, but had his vehicle destroyed en route by militia, forcing him to flee. The Rapporteur of the commission, Bruno Ndala, is the chief of Kasala, which as described above came under sustained attack by the militia between 1 and 3 December.

The commission stated that Tshikapa has hundreds of unresolved chieftancy disputes and only 10 per cent of the chiefs in the province have received their official paperwork (*arrêté*), mainly due to administrative and bureaucratic delays. The members of the commission also stated that the machinery of chieftancies has long been manipulated by "self-proclaimed chiefs" who have managed to purchase customary power through corrupt deals with officials in Kinshasa, usurping the traditional modalities of designation by family traditions, and that many of these chiefs by implication would be "non-originaires" in Kasai.

In particular the commission members, in spite of their supposed political party affiliation to the MP, appeared aggravated by a decree issued by former Interior Evariste Boshab (see Annex 3 for

decree) on 6 November which named over 170 new chiefs to the area, including one chief Dijinde Muimba who was allegedly arrested in connection with Nkanka's insurgency. The commission members, as well as the President of the Provincial Assembly condemned this move and stated openly these nomination represented a "*ticking time bomb*" for the province as the DRC moves towards holding elections.

In addition to this, the commission members also criticized the CENI for having developed its own list of *groupements* which the CENI provincial secretary in Kasai, Filibert Bongela, who has been in place since 2011, is yet to make public, although the work of identifying these sites was completed in March 2015.¹ The CENI state that over 400 *groupement* chiefs will be identified for voter enrollment and for voting come election day, but so far it is unclear whether these *groupements* will include all those named by Boshab in his 6 November decree or not. The Rapporteur of the commission, Bruno Ndala (also chief of Kasala), repeatedly states that CENI has "*overreached its competence*" by politicizing the nomination of *groupements*.

Political dynamics and restricted political space

The political environment in Tshikapa and Kasai province is dominated overwhelmingly by the MP and PPRD, and in that context the arrest and transfer of UDPS Federal President Martin Ngenda to Kinshasa on 15 December under accusation of having collaborated with chief Nkanka takes on a double significance in Kasai. Despite the former Kasai Occidental having voted overwhelmingly for Etienne Tshisekedi in the presidential elections of 2011 (perhaps as much as 75 per cent of Kasai's voters and 80 per cent of voters in Tshikapa according to UDPS stalwarts) the administration of the province is tightly controlled by the Presidential Majority dominated by the following officials:

Governor Marc Mayanga: Appointed special commissioner in October 2015 to govern temporarily the new province of Kasai, and a member of the PPRD, he was elected governor in March 2016, running unopposed. A relatively new figure in Tshikapa and a native of Ilebo, he belongs to the lele tribe. He started his career in Lubumbashi, before his appointment in Tshikapa in 2015. He benefitted from a relatively positive image upon his arrival, even among some civil society activists, an image which he appears keen to cultivate.

¹ This process may or may not have legal standing, as part of the electoral preparations under CENI's mandate, we would have to verify this with our Electoral Section, but it is clearly a source of tensions.

Vice-Governor Hubert Mbingho N’Vula: a Pende, is also member of the PPRD and a well-known figure in Tshikapa. He comes from Dibumba, the Pende-inhabited area of Tshikapa, whose residents have become increasingly anti-Luba over the last months. He was successively mayor of Tshikapa, before becoming Vice-Governor of the province. He is notably virulent against the Opposition and against Lubaphones. He was particularly active in organizing the arrest of UDPS leader Martin Ngenda in December 2016 by FARDC, probably before handing him over to the ANR.

Provincial Minister of Interior and Security Katonkola Kabue Bocketo: follows a similar path. In a communique published on 26 September 2016 installing a ban on demonstrations in the province, he goes as far as qualifying the opposition as an *enemy of the State* (“intoxication observée ces derniers temps par les ennemis de notre province). He covers the area of *affaires coutumières* (customary affairs). However, given his virulent stances against the opposition and his deep rooting in the PPRD, it is unlikely that the management of customary affairs may even partially be free from political and partisan considerations.

Other ministers include Minister of finance and budget, Minister of social affairs and development, Minister of land and energy, Minister of public works and territory planning, giving a total of five ministers, considerably less than the 10 ministers that are normally allocated by each government. Governor Mayanga justifies his smaller cabinet to save costs, although those in the opposition insist this concentrates power into fewer hands.

Provincial Assembly and Political Parties

Like for the executive power, all the 30 members of the Provincial Assembly are directly members of PPRD / PPPD, or closely affiliated. Indeed, all of the seven parliamentary groups are on the side of the majority, although its President, Francois Madila Kalamba, an ethnic Nyambi (Lubaphone) appears to be increasingly voicing his irritation against the provincial and national authorities. The great majority of the provincial assemblymen hail from the Pendes and Tchokwe tribes, which dominate the west of the province and are increasingly at odds with Lubaphones who dominate the east of the province. Other pro-Majority parties, such as PALU or SODENA are individually marginalized in local politics and seem to have had their local influence superseded by the Majority.

Rassemblement members expressed their concerns related to the obstacles set against the exercise of their political rights. They mentioned arbitrary arrests, unexpected searches by the PNC or the ANR and regular harassment, leading opponents to frequently change their place of residence, and summary denials of their purported right to hold public gatherings, which were either ruled illegal by the local authorities or matched with rival public gatherings in favour of the MP. They cited the following specific incidents as typical of the approach by the authorities to disrupt their events and close political space around them:

On 27 July 2016, at the event organized for Tshisekedi's return, 13 people were arrested although released on the same day. On the 19 September, 17 protestors were arrested, and released only after several weeks. On 15 December, Martin Ngenda was arrested and transferred, as noted above. In addition to this, two *Rassemblement* members, Matamba Matapisha and Jacob Kamuleta have also been detained in an unknown location, accused of collaborating with Kamuina Nsapu militia and chief Nkanka.

Following the signature of the 31 December agreement, *Rassemblement* members hoped that a greater inclusivity at the level of the province be reached, at every level and even at non-elective positions, such as within the CENI or in the Provincial Security Council.

Divisions within the UDPS

The MMT noted an apparent split within the UDPS at the provincial level in Kasai, which will also be worth monitoring during the course of any implementation of the 31 December accords, given that some members of the opposition claim they expect no real change in Kasai even if Felix Tshisekedi is given the post of Prime Minister.

In Kasai Province, UDPS is divided into two rival branches. There are conflicting accounts as to which branch can be considered the "official" branch, following two important developments in 2016: the resignation of former UDPS Secretary-General Bruno Mavungu in 2016 to found his own party and the final rupture between the President of the UPDS & Allies Parliamentary Group, Samy Badibanga, with the party leadership, in particular party President Etienne Tshisekedi, over his participation in the AU-facilitated Dialogue and signing of the 18 October Agreement. One of the rival branches remains closely linked to now Prime Minister Badibanga and the group of 20-25 deputies he controls within the parliamentary group.

The branch now headed by Marie-Omer Muamba Mufuana was recognized through Decision 131 on appointments for the entire province of ex Kasai Occidental, and signed Etienne Tshisekedi on 26 December 2013. However, this branch remains loyal to Prime Minister Badibanga and seems to have lost any legitimacy and popular support on the ground. At this time, it is unclear if there have been any other formal decision taken by the party leadership since the one at the end of 2013 to officially endorse the rival branch, led by the charismatic Martin Ngenda, now detained in Kinshasa. However, Ngenda now clearly represents the branch supported by the UDPS national leadership, as witnessed by his inclusion in the list of over 250 opposition members (detained, exiled, convicted, amnestied) to be reviewed and “resolved” by the Senior Magistrates Commission under the 31 December Agreement. He and a chef *coutumier* from Kasai Province both seem to have been directly incorporated in this list of cases by the central party leadership, eg Etienne Tshisekedi’s inner circle, in coordination with the *Rassemblement* leadership. PAD is following up to see exactly who Ngenda is linked to within the UDPS central leadership.

Ngenda has been detained since mid-December, when he was arrested by the FARDC and transferred shortly after to an ANR detention center in Kinshasa. In his absence, Donat Mwamba, Vice-President of the UDPS in Tshikapa, pursues this branch of the party’s activities on his behalf. A few other details confirming the positioning of Ngenda’s branch in Tshikapa as the “legitimate” one: his visible position during demonstrations or attempted demonstrations since summer 2016 which he reportedly played a leading role in pursuing a very confrontational strategy with local authorities; and his renowned position within the local *Rassemblement* coordination along with documentation and photographs showed to the JAM mission. While at the time of his arrest, Martin Ngenda was exercising the function of Director of Communication and Spokesperson of this UDPS branch, on the ground he is recognized as its Federal President. .

Marie-Omer Muamba Mufuana claims to be the official President of the federal committee of the UDPS in Tshikapa. However this branch’s ties to UDPS dissident and pro-Kabila Prime Minister Badibanga mean he and his branch have a very limited influence in the province. During a meeting with the MMT, Marie-Omer Muamba appeared relatively quiet and very eager to let his associates speak on his behalf, complaining that he has not been recognized by the local *Rassemblement* due to an “*absence of clear guidance from Kinshasa*”. Muamba Mufana did not take part in any events of the last months, in order to avoid “*endangering his militants*”. Although he denies having close ties with the Presidential Majority, many UDPS supporters in Kasai seem to perceive him as an

ally of the authorities. In a meeting between the MMT and the Governor, Marie-Omer Muamba was referred to by the Governor as “*more cooperative*” than other opposition leaders.

In addition to a copy of the *decision 131* signed by Tshisekedi, Marie-Omer Muamba handed to the MMT a folder containing documents related to the conflict between the two UDPS branches. The folder reveals that Marie-Omer Mwamba seized the disciplinary commission of UDPS in Kinshasa, asking her to take measures against Martin Ngenda, qualified of leader of a “rebellion”, preparing a “plot to destabilize the UDPS, mock its president - in this case, Marie-Omer Muamba – and promote his personal election. Asked by the MMT, Rubens Mikindo, UDPS Deputy Secretary General in charge of strategy, based in Kinshasa, confirmed that there is currently a procedure concerning this rivalry in Tshikapa, which should be solved shortly.

The MMT believes that the Kananga Antenna and PAD Kinshasa should continue following UDPS-related developments in Tshikapa as they may contribute to political and perhaps even ethnic fault lines in the future, depending on the composition of any new government in Kinshasa.

Photo of Marie-Omer Muamba (center) with two of his UDPS cadres



Ethnic Tensions

Tshikapa town and territory has historically been dominated by three major tribes, the Pende, Tchokwe and Nyambi, the latter of whom are a Lubaphone tribe. These three tribes consider themselves as the original inhabitants of the city and others as “*non originaires*”, although the Nyambi are more tolerant to other Lubaphones from Kasai Central and Kasai Oriental provinces.

Tshikapa is rich in diamond deposits thus provoking mass migration of people from different territories and provinces in search of diamond. During the colonial and post-colonial era, FORMINE, a diamond mining company, recruited people from different provinces, particularly from the former Kasai Oriental province, to work in the mines. The number of Lubaphones grew fast in the area and they occupied the majority of posts in the administration and the mines to the detriment of local population creating frustration among locals. At this stage, the conflict was generally hidden although the parties were aware of the possibility of confrontation. The conflict grew in intensity as the Pende and Tchokwe acquired important posts in administration and politics after UDPS called its supporters to boycott voters’ registration and the elections in 2006. Lubaphones have tended to support the UDPS in majority while the Tchokwe and Pende in general supported parties of the MP.

Rassemblement’s members corroborated previously collected information on the predominant position of Pendes in local political institutions. They explained that people of Kele, the Lubaphone area of Tshikapa, feel despised by people of Dibumba a mainly Pende-inhabited commune, and say they face arrests and harassment by the security services on a daily basis. More generally, anyone who does not belong to the three dominant communities (Pendes, Nyambis and Tchokwes) is considered as a *venant* (“newcomer”) and less likely to access certain positions.

With the incursion of Kamuina Nsapu militia, the Pende consider that the Lubaphones planned to massacre their community particularly their leaders. For them, a customary power conflict in a *groupement* could be transformed into an armed conflict and gain magnitude. That could explain the arrest of chief Matamba Matapisha (see reference to his arrest above) on 10 December 2016 at his home in Dibumba commune on allegations of collaborating with the militia.

Tshikapa town has five communes: Kanzala, Dibumba I, Dibumba II, Mbumba and Mabondo. Kanzala, the seat of provincial institutions, is largely occupied by Tchokwe (and Bingi) peoples. Whereas the Pende live mostly in Dibumba I and II communes alongside a minority of Lubaphones, the Nyambi and other Lubaphones occupy in large majority the Kele hill (with Mbumba and Mabondo communes). Both the Nyambi dominated communes of Mbumba and Mabondo were known to vehemently support UDPS and have the reputation of being a hotspot of demonstrations in Tshikapa. The MMT has noted with alarm that residents of different neighbourhoods in Tshikapa have reported that residents from different communities are exercising more caution when transiting through different neighbourhoods of the city, fearing ethnically-based reprisals. The MMT was also told by FARDC and other sources that the security forces continue to undertake regular cordon and search operations in Lubaphone areas of the city, notably Dibumba and Mbumba.

It is likely that the Nyambi community, which on the one hand is prevalent within local PPRD structures and on the other sympathizes with other Lubaphone tribes and “*non-originaires*”, may soon be divided by these politico-ethnic tensions. The MMT has identified two prominent Nyambi leaders, both affiliated to the Majority, aspire to be recognized as uncontested heads of their ethnic community. On the one hand, Jean-Pierre Tshimanga Buana, a national deputy elected on the CAAC list (*Congres des allies pour l’action au Congo*) and second Vice-rapporteur at the national parliament, claims the position of “Nyambi leader” in Tshikapa. On the other hand, Theo Kazadi, former federal president of the PPRD and national deputy elected on the list of MIP (*Mouvement pour l’integrite du peuple*), aspires to the same, is backed by former Minister for Education Maker Mwangi, a Pende from Kasai. Kazadi has helped establish several PPRD bureau in the Mbumba and Mabondo communes of Tshikapa. To understand whether Nkanka’s insurgency can grow, it may be further necessary to investigate these splits within the Nyambi community at a political and community level and to ascertain where the Bajila Kasanga clan of Nkanka and Kamuina Nsapu are likely to establish their foothold.

State of the Security Forces and Security Outlook

To that end, it is worth noting an interview given by Vice Governor Mbingho to PAD on 4 December 2016 where he estimated that in the run up to and during the violence of early December

at least 75 per cent of the PNC of Lubaphone extraction were thought to have abandoned their post and joined the “*Lubaphone uprising*” of Martin Ngenda, chief Nkanka and others.

While the PNC and provincial authorities would not share any official death count for the PNC, it is clear that that this institution suffered serious casualties, notably at Mbawu, Kabeya Lumbu and Kasala, and may have lost many more men that the MMT was able to document.

However, when the MMT made mention of the possibility of QIPS support for the reconstruction of destroyed PNC infrastructure, authorities became more forthcoming with details of PNC stations attacked during the violence of early December, stressing in a written note to the MMT (now in possession of UNPOL) that the militia were likely gaining strength by recovering weapons from PNC to conduct further attacks and that the militia had succeeded in destroying one PNC Commissariat and six sous-Commissariat in Tshikapa town, one Commissariat and four sous-Commissariat in Tshikapa/Kamonia territory, one Commissariat, one sous-Commissariat in Luebo, a PNC criminal investigations bureau, and a *Police de Mines/Hydro* bureau (the latter group related more to violence on the 19 December in Luebo).

The MMT visited one such Commissariat in the Mbuba commune on 15 January, and documented the following destruction there:



In respect of FARDC presence, it appears that 52 Battalion based in Tshikapa was unable to control the militia expansion from Mbawu to Tshikapa until the FARDC deployed Commando units from Kinshasa. Several eyewitnesses and other sources stated to the MMT that they had seen FARDC units flee militia boys carrying sharpened sticks and machetes, and many of them had even been attacked and killed by such rudimentary weapons. Local FARDC commanders from the 52 Battalion admitted that their men had become increasingly terrified by the militia because of their purported magical powers, and many of them truly believed that if they were unable to kill militia after one or two rounds of fire, it was because of these magical powers. The same commanders stated that they themselves were having to work on the psychology of their troops, informing the men that the fetishes used by the FARDC were more powerful than Kamuina Nsapul fetishes.

Meanwhile, it appears that the Commando units, although deployed from Kinshasa were supposedly units that had previously served in North Kivu and have been referenced locally as “Commando Mamadou” in reference to the deceased FARDC commander Mamadou Ndala, who took the FARDC to victory over M23 in 2013. These troops also include a number of Rwandaphone units which would likely fuel local opposition sentiments that the Kinshasa regime is essentially propped up by a Rwandaphone and therefore “foreign” power. Indeed, Tshisekedi’s campaign strategy during previous elections, notably the 2011 elections, has been to try and pin President Kabila as a “Rwandan”.

In its last meeting with the Governor and the ANR, the MMT was also told that the FARDC had set up a road block at Pont Luwenge, between Tshikapa and Kikwit, the largest city of neighbouring Kwilu province and which is reachable to Kinshasa via a tarmac road in several hours. The reason for this road block was to control traffic after the authorities had received multiple but unconfirmed reports of possible plans by militia to push from Tshikapa towards Kikwit. This information dovetailed by unconfirmed but independent reports received by MONUSCO in Kinshasa that FARDC defector John Tshibangu, who has political affiliations to politicians Roger Lumbala, Mbusa Nyamwisi, and Etienne Tshisekedi had been present in Kikwit recently where he was meeting the family member of Kamuina Nsapu who has taken over as the chief of the insurgency in Kasai Central. This information has yet to be confirmed, although we have confirmed that Tshibangu has been operating freely in Kampala in the last few months where he has also cultivated ties to the former members of the ex-M23 leadership.

In the evaluation of the MMT, it would seem unlikely that the militia would be able to extend its position all the way to Kikwit at this present time, since it would have to push through the Pende and Tchokwe dominated parts of western Kasai province where it would not enjoy much support as a Lubaphone militia. However, this is a front the MMT believes the Mission would have to watch carefully in the coming weeks and months, in coordination with the Bandundu antenna

Election Preparations and Humanitarian challenges

As mentioned above, OCHA and its humanitarian partners (known as the Inter Agency team) which visited Tshikapa between 14 and 17 December calculated that roughly 152,000 people had fled the violence between Tshikapa and the border with Kasai Central, near Kaluambo, 150 kilometers east of Tshikapa. While the Governor estimates that 75 per cent of this population has returned to their homes, neither the MMT nor Inter Agency team has verified this claim, and with lingering insecurity persisting from Mbawu eastwards, it is possible that the road between Tshikapa and Kananga still constitutes a humanitarian emergency zone. Certainly this is the position as expressed to the MMT by local Congolese humanitarian actors and members of civil society in Tshikapa.

With the arrival of enrollment kits expected in Tshikapa from the Kananga hub on 17 January, CENI is due to push ahead with the identification and recruitment of more than 3000 electoral agents who will be deployed across the province, a proportion of whom should be earmarked for the areas currently affected by violence. If the enrollment process continues to be hindered because of a lack of access to areas east of Tshikapa on the road to Kananga, this may exacerbate claims by Lubaphone communities that they have been disenfranchised from the enrollment process and lead to a vicious cycle linking conflict with failures to enroll votes fairly.

Logistical challenges

As MONUSCO does not have any presence in Tshikapa, the Mission's Logistics Operations Unit prepared the ground for the visit by sourcing local suppliers of vehicles to transport the 9 MMT members and their URUBATT escorts. This arrangement turned out to raise an immediate conflict of interest in that that the coordinator for these vehicles was the local boss of the state aviation authority, the RVA, and that the MMT had no choice in the selection of its drivers who were not vetted prior to or during the MMT visit. As a result, MMT members had to be additionally careful

as to whether they could use vehicles to meet confidential sources who could be exposed by any driver potentially tasked with monitoring movements of the MMT. The MMT team leader was also besieged on the first day of the team's deployment by an average of four calls an hour from URUBATT, Logistics Operations Unit in Kananga, individual vehicle owners and the boss of the RVA who all wanted to know what had been agreed in terms of the use and costs of the vehicles. Only with the deployment of a MONUSCO staff member from the Logistics Operations Unit in Kananga to Tshikapa one the next day was some order restored to chaos, prices fixed, and mutual understanding achieved with vehicle owners, drivers and the RVA chief.

The MMT team leader was also obliged to carry with him a large volume of cash to Tshikapa to pay for logistical arrangements, which constituted a security risk and an onerous financial liability. In addition, the return of the balance of unused funds to the MONUSCO's cashier required multiple attempts to confirm the correct method of return with the Head of Budget at Utex II and resulted in unnecessary friction and wastage of man hours. Further comments related to logistics will be made in the Recommendations section below.

Recommendations

It is clear that a wide array of follow up actions is required in Tshikapa following this MMT mission, although it would be crucial to ensure that such actions are coordinated and sequenced to achieve the required effect, taking into consideration that the MONUSCO footprint in Tshikapa is inexistent and the fact that this lack of presence presents challenges to the Mission to ensure that adequate "door opening" with the authorities takes place before we can expect to achieve required results.

1. An immediate visit by the Kananga Head of Antenna to Tshikapa is imperative in the wake of the MMT visit, to ensure the Governor and relevant authorities are familiar with our Kananga operations. The visit should provide the Mission an opportunity to offer the authorities any assistance possible in the reconstruction of state infrastructure destroyed by militia, and to offer to galvanize humanitarian assistance to normalize conditions between the Tshikapa and Kananga axis. The Antenna chief might also engage with the

Rassemblement and ethnic leaders in Tshikapa to ensure they work to encourage militia to keep the peace so as to facilitate electoral enrollment.

2. As part of the visit, the Head of Antenna might be accompanied with a follow-up MMT and JHRO/CPS team to conduct a fuller investigation, in collaboration with the authorities notably the *auditorat*, into the true extent of killings, violence and child recruitment and into the existence of mass burial sites. The MMT should also investigate further the capacities of the militia and stance of the security services, as well as other issues as outlined above. Cooperation is unlikely to be achieved on this front if the provincial authorities are left unpersuaded by MONUSCO's promises to assist on state reconstruction and humanitarian assistance.
3. Therefore, this visit would need to be twinned with Senior Leadership action in Kinshasa, notably engagement with the new Minister of Justice and Interior and members of the UDPS and *Rassemblement*, along with the CENCO, to encourage the implementation of *décrispation politique* as quickly as possible via the continued work of the Senior magistrates commission, which in turn may serve to deflate tensions and persuade militia leaders of a violent alternative to electoral enrollment. The recent visit by the Kananga antenna and a JHRO team to Tshimbulu revealed that the militia see MONUSCO as a harbinger of peace, and as such more political engagement in Tshikapa with UDPS, ethnic community leaders and militia sympathizers may deliver dividends.
4. Mission Leadership Team to discuss at the earliest possibility what QIPS projects may be available for deployment in Tshikapa and its environs, and to forge an understanding between Ops/RoL and RC/HC on how to twin MONUSCO's political and security assets with Inter Agency capacity, to use humanitarian aid as a political tool to unlock the conflict. QIP's guidelines and budget allocations may have to be amended to give the Mission greater flexibility to match its strategic shift towards the "west" with complementary tools such as QIPS.
5. MONUSCO's leadership may also need to request the Minister of Interior and possibly other ministries to explain the true extent of the administrative backlog on the issue of chieftancy legitimacy in Kasai Central and Kasai and to undertake a rapid (yet extensive and impartial) review of the decree issued on 6 November by former Interior Minister Evariste Boshab; and to quickly regularize the situation of all the other customary chieftancies that have not been granted the administrative recognition papers they deserve.

If these doors are opened, MONUSCO's Civil Affairs Section and Kananga Antenna will more likely succeed in prioritizing resolution of conflicts and using the logistical support it may be able to provide as leverage with the *Commission d'Arbitrage* to influence its work and steer the Commission members to implement their mandate apolitically. This work which would need to take place under the leadership of the Governor and in concert with CENI and civil society at the local level.

6. MONUSCO Leadership should also encourage GoDRC to accelerate the implementation of the decisions that were announced on 12 January 2017 by Interior Minister Emmanuel Shadary in response to a question raised by Député Martin Kabuya (UDPS, Dibaya, Kasai Central), to: i) return the body of Chief Kamwina Nsapu "to his family"; ii) organize or authorize proper (customary and other) ceremonies for his burial; iii) authorize/encourage the "ruling family" to designate his successor and issue proper administrative documents to the latter; and iv) deploy a non-partisan mission in the area to evaluate the security situation and defuse political tensions through the sensitization of the concerned local political actors.
7. Urgent investigation should be undertaken by the Kananga antenna, to contact transporters in Kananga and through them assess the state of the road to Tshikapa, both from an infrastructural and politico-security point of view.

It should be stressed that the above tasks, which are essential to the Mission's strategy of using Good Office's at the center in concert with political and operational methods on the ground can only be achieved with some additional presence in Tshikapa. To that end, the Mission must make some hard choices and decide on whether to upgrade its presence in Kasai Central and Kasai. That being considered, the MMT recommends to:

8. Upgrade the Kananga antenna to a small office, now that RDB capacity has been established in Kananga as well, and deploy a permanent Head of Office to the antenna (possibly a P4 level staff member with experience in political affairs) who can manage frequent visits from Kananga to Tshikapa (using helicopter assets in Kananga). The Kananga Office may also have to oversee escalating violence that now appears to be breaking out in Kasai Oriental, around Mbuji Mayi, and even in Sankuru province, and which may also be related to Kamuina Nsapu activities. Without an appropriate Head of Office capable of joining dots between the political and security dynamics across the Grand

Kasai in an integrated fashion, MONUSCO's stated strategy of connecting Good Offices at the national level to defusing crises at the FO level, as highlighted in its Strategic Assessment, will be diluted.

9. Any expansion of activities to Tshikapa should be accompanied by a serious reconnaissance visit by the Logistics Operations Unit to ensure that future logistics requirements can be met in an organized fashion. Any assessment would require the expertise of a political affairs officer to ensure that logistics will not be procured from individuals or entities that are party to any conflict and therefore likely to compromise MONUSCO's operation on the ground.

In terms of Mission-level working methods, the Mission may also consider the following recommendations:

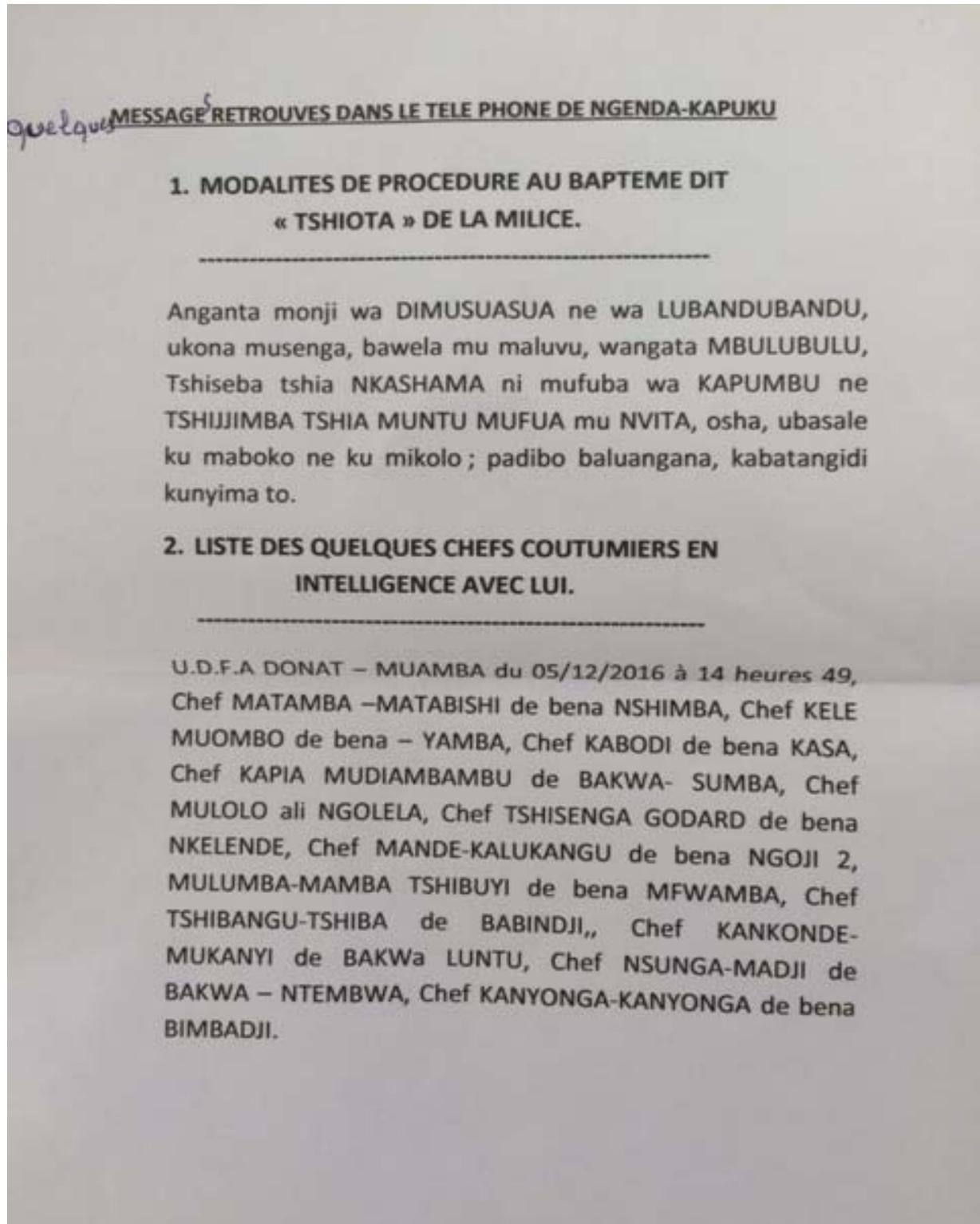
10. The MLT may wish to ensure that MMT deployments to all areas, not just including Tshikapa, include representatives from sections more broadly than JHRO, to ensure adequate investigations and analysis can be generated on the political and security front.
11. The recent events in ex-Kasai Occidental and the preparations for the coming electoral cycle have underscored the significance of customary chiefs as both political actors with influence and networks at the provincial and national levels, as well as important community leaders. This means there may be a need for MONUSCO's leadership to engage with the Ministry of Customary Affairs, in coordination with Minister of Interior and possibly other ministries, on the implementation of the Law on the Status of Customary Chiefs, including the administrative backlog on the official procedures for the recognition of chieftancies in Kasai Oriental and Kasai provinces and support for peacefully resolving related disputes. In coordination initially with the ODSRSG Ops & RoL, MONUSCO's Political Affairs Division has had some preliminary exchanges with working level officials in the Ministry of Decentralization and Customary Affairs (prior to the installation of the Badibanga GoNU) on possible ways forward. MONUSCO's Political Affairs Division and Civil Affairs Section can potentially collaborate on advice and other actions at the national level, while supporting the work of the Kananga Antenna in the field to provide good offices with provincial and local authorities in prioritizing the resolution of conflicts. Furnishing logistical support may be able to provide as leverage with both national and provincial authorities, and in particular with the *Commission d'Arbitrage* to influence its

work and steer the Commission members to implement their mandate apolitically. Work on these issues at the national and antenna levels may need to be coordinated with the Electoral Support Unit, given its direct link to the CENI's identification of electoral districts to be integrated into future legislation to be adopted.

Annex 1: Chief Nkanka (source FARDC)



Annex 2: Text messages allegedly extracted from Martin Ngenda's phone according to ANR Tshikapa. The MMT has no information to validate this claim by the ANR.



Annex 3: Boshab's decree of 6 November 2016

