

**SOS Femmes en Danger (SOS FED)**  
**Box Postale 3364 Bujumbura, Burundi**  
**Mobile: +243 819 227 701 or +243 815 338 848**  
**Email : [sos\\_femmesfizi@yahoo.fr](mailto:sos_femmesfizi@yahoo.fr)**  
**Website : [sosfedrdc.org](http://sosfedrdc.org)**

## **2009-2010 Reporting**

**Completed in Uvira and Fizi Territories/South Kivu, Democratic Republic of Congo (DRC)**

### **Introduction**

The territories of Fizi and Uvira are found in South Kivu Province of the DRC, which runs from the northern extreme of Lake Tanganyika down towards Katanga Province (see Figure 1). This region forms the main area of intervention for SOS FED, and is a key area in the DRC where women continue to suffer sexual violence at the hands of active armed groups in the region as well as civilians.

The population of the two territories is formed from the tribes following: Babembe, Bifuliru, Bavira, Banyindu, Babuyu, and Banyamulenge. The majority of the population in the region occupies itself with cultivation and small-scale commerce, as the ongoing conflict has largely prevented the formation of a traditional ‘working-class’ or business class. Thusly, the region remains in stifling poverty, with the situation further diminished by the lack of security and observation of human rights.



(Figure 1: Map of Uvira and Fizi territories)

### **Armed Groups in Fizi and Uvira: Their Location and Activities**

The aforementioned territories are vast and troubled by a variety of armed groups acting in a general atmosphere of impunity. In order to understand the reasons sexual violence continues to be such a significant program, one must first understand the armed groups operating in the region, which regularly commit human rights violations and sexual violence. The groups operating are both small (under 2000 soldiers) and large (2000-8000 soldiers), but SOS FED has noticed a particular resurgence over the last six months of small, formally marginalized armed groups:

1. **Asani Ngungu/Nta Mushobora:** This group is active in the villages of Rugezi, Byalele, Mulimba, Kitumba, Nakake, Kalingi and Kagembe. Their main base is located in Mulimba, which is roughly 50km from Minembwe, which is the principal town in this region of Haut Plateau Fizi Territory. This group, while small, is formed of a dedicated group of largely Bafulifu soldiers. Their commandant, Asani Ngungu, was formally integrated into the nationalized FARDC forces of the DRC, but has since reorganized his group under the guidance of a larger Mai-Mai contingent known as Yakutumba (see description of Yakutumba below).
2. **Mulumba:** This armed group is generally preoccupied with ‘defending the territory against foreign invasion’ and told SOS FED field workers that they formed to fight ‘...injustice, social degradation, and discrimination among the local community in their main area of activity, which is Monda village, about 100km West of Minembwe.
3. **Twirwanaeo:** This is an armed group formed under the guidance of a Banyamulenge leader Musoko. They identified their main goal as ‘protection’ but is largely believed to be heavily involved in arms trading and stockpiling. They have been known to have changing loyalties, but in recent firefighting (April 2010) they have been seen collaborating directly with the 12<sup>th</sup> brigade of the FARDC against Asani Ngungu’s soldiers. They are currently active in Minembwe, Kabingo, and Madegu villages.
4. **Bisogo-FRF:** Another group formed mostly with Banyamulenge tribe members, Bisogo is active in Kamombo, Magunda, and Mikenge villages. They are also known as Gumino by their supporters, and they are currently insisting that they are on the verge of integration with the FARDC and formal entrance in the Amani Peace Program, which is meant to lead non-state armed groups towards re-integration with the national military.
5. **Yakutumba-PARC<sup>1</sup>:** Yakutumba (Mai-Mai militia dissidents) is, like Bisogo, a signatory to the Amani Peace Program which continues to act in a disjointed, unpredictable, and distinctly un-integrated way. Their main base is at Lulimba, and they are formed largely of Babembe, who claim to be the original inhabitants of Fizi Territory. They are currently close to 6000 soldiers strong, and have refused to integrate fully into the national military.

These non-state armed groups, when combined with the FARDC (Congolese National military), form the principal threat against civilians living in SOS FED program areas.

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<sup>1</sup> After the finalizing of this report, Yakutumba became well-known in the international press when they captured and took hostage 8 workers traveling in Fizi on a consultation mission for the International Red Cross. As of this translation date the hostages still had not been released and their whereabouts in Fizi Territory are unknown.

While SOS FED has established permission to pass their roadblocks and work in the area, incidences of rape and human rights violations at the hands of these armed groups for the majority of incidents reported and addressed by SOS FED.

### **Survival by Extortion and Taxation: Financing an Armed Group**

It is necessary to comment that these armed groups are largely indistinguishable from everyday civilians, as they generally shun uniforms and typical military protocol. They are, however, heavily armed and involved in an expansive network of taxation and extortion to support their activities in South Kivu. As they are largely disconnected from an official source of revenue, their existence depends on the support of the local population. This support, if not offered, is simply taken from civilians in the area under threat of abuse and death.

The groups **Nta Mushobora, Bisogo, Yakutumba, and Mulumba** regularly use a network of roadblocks to earn money to continue their insurrection. All main roads are blocked by these groups, who simply flee in the event of FARDC troop arrival in the area. At the roadblocks, these soldiers demand a fee for passage and the 'tariff' levied on valuable agricultural produce or materials. Within villages inhabited by these armed groups, 2kg of flour (made from cassava) is collected by the militia per household each week. Non-payment of this support to the militia is not accepted. Thus, the presence of these groups decreases general security, while impoverishing some of the poorest civilians in Congo further. When group incomes are low, the soldiers simply set up a patrol to take a 'tax' from each person selling goods in the road, which adds to their militia income.

These same armed groups also have a tradition of arbitrary arrest of civilians, placement in a holding hut, and exaction of a 'fee' from the victim's family. Typically, civilians are taken for minor infractions or no infraction at all, and then are obligated to await their family, who often need to find between \$20 and \$50 to give to the militia to liberate their wrongfully imprisoned family member. Arbitrary arrests reported to SOS FED during this reporting included charges for simple arguments within ear-shot of militia members, children's fistfights, and 'annoyance' of troops in the area. Mothers and young women raising children for deceased family members often were forced to pay fees for arbitrary arrest through sexual favors, chore completion for militia soldiers, and ammunition portage accepted in lieu of money.

These groups justify their actions by stating that they bring security to the area thus the civilian population is obligated to contribute, but these forced and specious taxes ruin the local economy, and continue to increase in both frequency and amount in the SOS FED project regions. A cattle-herder in the region, for example, is currently obligated to pay around \$150 to the militia 3 times per year in order to ensure that the group does not simply steal his cattle. Armed skirmishes regularly occur within these armed groups over the 'right' to pillage a particular region or cattle-herding area. One herder who refused to pay anything based on the unofficial nature of the 'tax' was beaten and robbed of all of his animals the same night, which amounted to 4 cows and 18 sheep.

## **The FARDC: The Congolese Military**

Charged with the protection of the entire country, and given their mandate by the current government in Kinshasa, the FARDC also forms a significant threat to the well-being of civilians in Uvira and Fizi Territories. The crimes which we described above as coming from small non-state armed groups also apply to the FARDC.

Current military operations, one particular is called Kimia II, have led FARDC soldiers to begin increasing their extortion of the population under the premise that the current operations call for ‘increased support to national defenders.’ Thus, when the FARDC views that their work is indeed providing some semblance of security in the region, they begin violating the rights of the populace themselves as their reward.

The largest roadblocks in Fizi Territory, at Minembwe and Lusuku, are currently manned by FARDC charging similar taxes and tariffs on the goods and people forced to pass through. In this way, their activities resemble smaller armed groups perfectly. Roughly \$1 is collected from each person passing their roadblocks, leading many impoverished civilians to resort to remote forest passages to avoid the tax. This increases their vulnerability to attack and theft, in particular to threat of sexual violence in the case of women passing in the forest. FARDC has nominal control over the entire territory, but is centered largely in Baraka and Minembwe. The 112th and 12th Brigades of the FARDC are currently in place. These brigades also employ the tactic of collecting their ‘rations’ from civilians at the barrel of a gun, and are seldomly refused anything they demand due to their overwhelming ability to inflict harm on the local populations and their past history of doing so as the slightest provocation.

## **Armed Groups and Rape: The Consequence of State and Non-State Armed Group Control of South Kivu**

As SOS FED continues to work directly with rape victims in South Kivu, many whom suffer violations at the hands of the aforementioned armed groups, our yearly identification of rape victims and accompanying treatment revealed that the issue is very much at the heart of conflict in Congo. Uncontrollable armed groups in a region lead to increases in rape and violence against women. This is true in Fizi, Uvira, and other territories in eastern Congo.

Here, for example, is our reporting statistics on rape from July 2009 to January 2010 (see Figure 2):

Number of victims identified		Victims healed w/SOS FED assistance	Victims requiring psycho-social counseling and psychological treatment
Kazimia range	348	203	271
Kikonde range	156	154	112
Mboko range	333	149	200
Total	837	506	583

(Figure 2: July 2009-January 2010 SOS FED sexual violence reporting/treatment stats.)

Despite these areas being largely controlled either by the FARDC or the various militias in Fizi and Uvira Territories, rape continues to spiral out of control. Women left to fend for themselves are often unable to begin recovery, and SOS FED resources aid a small percentage of needy women from entering recovery programs.

### **Rape in Congo: Varying Types of Violence**

As rape is used commonly to humiliate and degrade a civilian, SOS FED thought it important to mention the different types of rape currently being committed in Congo. They range from 'traditional' sexual violence (as in one man raping one woman) to more violent tactics such as inserting foreign objects into a victim or group rapes occurring in front of family member. SOS FED has identified 5 main types of violence which regularly occur in South Kivu:

1. Rape of a single civilian-23% of cases reported to SOS FED (105 cases of 492 reported).
2. Gang rape of a single civilian-Roughly 70% of cases reported to SOS FED (390 cases of 492 reported).
3. Rape of a collective group of women (an entire family, an entire village, etc.)
4. One civilian forced to rape another. Often an example of militia or soldiers trying to humiliate a brother and sister, father and mother, etc.
5. Rape accompanied by genital mutilation or introduction of foreign materials into the vagina of the victims

An additional type of violating has begun gaining popularity in recent years, whereas male soldiers will forcibly rape other male civilians, but SOS FED has yet to witness this directly in our area of intervention.

One rape victims asked that we provide her testimony in our reporting, as an example of a 'typical' case of rape in Congo:

*"I was cutting wood in my fields when I saw the approach of 4 armed men; none were wearing any uniforms. They then offered to allow me to choose which of them would rape me. When I refused out of embarrassment and fear, they stripped me of my clothes and raped me simultaneously. They were violent and I bled profusely after they finished, until I was discovered in my fields by a neighbor who had witnessed the rape but was afraid to enter to assist me."*

### **Conclusion and Recommendations**

This brief reporting has emphasized many this SOS FED has already known about the region we work in. First, the population is close to abandoned. The soldiers in the region are either non-state and vicious or state-sponsored FARDC and vicious as well. People are left to fend for themselves, and the NGOs active in the region are generally overwhelmed and under funded. Defending thee vulnerable populations from the roaming bands of militia in the area is a priority, and will only be accomplished with direct recognition of the rape epidemic and practical solutions taken to remedy it. The current situation in Uvira and Fizi territories is summarized well by realities reported time and time again to SOS FED fields workers:

1. Permanent fear of the developments of Kimia II/Amani Leo operation and the violence taken against civilians during this operation.
2. Rise in arms possession not only by soldiers but by civilians. Many civilians are armed by militia groups established in the area.
3. Low levels of societal ability to denounce rapists, and the urging of many communities (e.g. the Banyamulenge) to keep their victims of sexual violence undercover due to shame and rejection.
4. Degradation of already perilous local economies by armed groups and their taxes, extortion, bribery, and simple theft from the civilian population.

#### **To the DRC Government:**

- Restore order in eastern Congo, especially in rural zones not currently patrolled by any controlled militia or state-sponsored armed group.
- Work to demilitarize the variety of armed groups in the Uvira and Fizi region, and successfully encourage their re-integration in an unified military.
- Ensure the compliance of FARDC soldiers with the Constitution of the DRC, which prohibits rape and other violations of human rights. Punish perpetrators of this violence as to set example for those contemplating committing crimes.

#### **To DRC-based NGOs and Civil Society Groups:**

- Encourage the forming of networks among small NGOs to maximize resources and address violence and human rights violations in Congo with a unified vision.
- Work diligently with victims of sexual violence and other violations to denounce their perpetrators, in hopes of bring justice and eliminating the currently impunity which serves to augment the amount of violence committed each year.

#### **To the International Community:**

- Encourage the media to cover violence in Congo and the link between armed groups and sexual violence, particularly in eastern Congo.
- Give material and financial support to groups working in the war-zones, as larger international NGOs seldom remain in place in contested zones due to security protocol. Use local NGOs to form a footing for larger international initiatives.
- Encourage awareness internationally of the conflict in Congo, so that civilians are offered the opportunity to join in a fight against the diminishing situation in Congo.
- Exert pressure on the Congolese government to control the FARDC, limit their violations, and re-organize their military with observance to international human rights law. Ensure the government of Congo is self-critical and willing to comply with international prescriptions for civilized government at the threat of sanctioning and reduced aid.