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New York, October 2, 2013

Open Letter to the UN Security Council from Human Rights Watch on Human Rights Abuses in the Democratic Republic of Congo

Dear Ambassador,

We write to highlight the alarming human rights situation in eastern Democratic Republic of Congo and ask that you use your visit to the region to help end human rights abuses and impunity for the worst crimes.

For the past year and a half, the Rwandan-backed M23 armed group has summarily executed and raped scores of civilians in eastern Congo, and forcibly recruited men and boys to join its ranks. Those who have spoken out against the M23's abuses have been threatened or killed. Women remain at risk of sexual violence. A woman from Rutshuru told Human Rights Watch researchers just this week how she was raped by an M23 fighter who said to her: "We also had wives, but they stayed in Rwanda. So that's why we rape you." After the woman was raped, the fighter shot her twice in both thighs. A man accused of "collaborating with the enemy" said he and other prisoners were detained in tiny cells crawling with insects, beaten, and forced to stand in human waste while M23 officers poured urine on them.

The M23 is led by some of Congo's most notorious war crimes suspects. In the past the Congolese government has granted them amnesties or offered them senior ranks in the army, sending the message that killing and raping would be rewarded with power and wealth. This time, the government has stated that M23 leaders responsible for serious abuses will not be integrated.

Like other abusive armed groups in eastern Congo in the past, the M23 since its inception has received significant military support from Rwanda, including the deployment of Rwandan army troops to Congo to fight alongside them; weapons, ammunition, and other supplies; training for new M23 recruits; and the forcible recruitment of men and boys in Rwanda, who were then sent across the border to fight for the M23.

Our research indicates that Rwandan support continues. Throughout September, Human Rights Watch received credible accounts from witnesses near the border that armed troops and recruits from Rwanda were moving to Congo to support the M23. The M23 today probably has no more than several hundred Congolese fighters, but it will remain a significant threat to Congolese civilians as long as Rwanda provides military support.

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The Congolese army has also been responsible for serious abuses. As soldiers fled the M23's advance on Goma in November 2012, they went on a rampage, raping at least 76 women and girls in and around the town of Minova, South Kivu. In the town of Kitchanga, North Kivu, soldiers from the 812th Regiment, allied with a Tutsi militia they had armed, clashed with a primarily ethnic Hunde armed group from February 27 to March 4, 2013. At least 25 civilians died in the fighting. Most of the civilians killed were Hunde, and many appear to have been targeted by army soldiers because of their ethnicity. To date, no senior army officers have been arrested or prosecuted for these abuses.

As the Congolese army redeployed to focus on the M23, other armed groups, including the FDLR and allied Congolese Hutu militias, filled the vacuum and attacked civilians. Some of the worst abuses in recent months have been by the Nduma Defense of Congo (NDC), a militia group led by Ntabo Ntaberi Sheka, who is wanted on a Congolese arrest warrant for crimes against humanity. Sheka's fighters have killed, raped, and mutilated dozens of civilians since May 2013. Just last week, on September 27, they attacked villages in Masisi territory, killing several children, raping women, and burning homes. In 2010, Sheka's troops were part of an alliance of armed groups responsible for the mass rape of nearly 400 men, women, and children in Walikale.

We urge that Security Council members take the following actions:

- Ensure that any agreement with the M23 or other armed groups does not provide amnesty or allow for integration into the army of individuals responsible for serious human rights abuses.
- Adopt a Security Council resolution requiring that Rwanda end all support to the M23, and imposing sanctions on senior Rwandan officials responsible for such support.
- Call on MONUSCO and the Congolese government to respond to threats to civilians posed by the M23 and other armed groups. Particular attention should be given to Sheka's NDC rebellion, and efforts should be made to arrest Sheka.
- Urge the Congolese government to appropriately prosecute security force officials found responsible for war crimes and other abuses, including those responsible for the mass rapes around Minova and the violence in Kitchanga.
- Support the Congolese government in the establishment of a vetting mechanism to remove and exclude those responsible for serious human rights abuses from the Congolese security forces.

My colleagues, including those based in Congo, would be happy to discuss these issues further with you or members of your staff.

Yours sincerely,



Kenneth Roth
Executive Director



Philippe Bolopion
United Nations Director