

*“We are put on the frontline because children are not
scared of fighting.”*

Testimony from a 15 year old boy formerly associated with an armed group



© MONUSCO: M23 enter Goma on 20 November 2012

Child Recruitment by Armed Groups in DRC From January 2012 to August 2013



MONUSCO - October 2013

FOREWORD BY MARTIN KOBLER

Recruiting children to take up a weapon and fight or in any way support adults who have chosen to take up arms, is a crime. Everybody knows that. It is a violation of the rights of boys and girls to a healthy life, within the shelter of their families and communities; it is a violation of their rights to education, love, affection, adequate and appropriate care, freedom of movement and expression.

I don't really need to tell you this. We've all been children. Most of us are parents, uncles, aunts, grandparents, brothers or sisters. We do not wish this onto the children we love, so we cannot accept it happening to *any* child. We all know that young people who suffer trauma, who witness or even perpetrate atrocities face more challenges in developing into responsible and happy adults. So we agree. That's a good start to create change.

Almost 10,000 children were separated from armed groups in the past five years in the Democratic Republic of the Congo (DRC) and forced to perpetrate and witness unspeakable horrors. We cannot let this continue. We must, all of us, unite to stop this. And we need to start now. Some important steps have already been taken, but it is not enough, as there are reports of child recruitment every single day.

What can we do concretely to prevent this from happening to more children? MONUSCO's mandate is very clear. In Security Council Resolution 2068 we are tasked to impose sanctions on armed groups persistently violating the human rights of children, to work on a sustainable peace process, and at the same time protect civilians, children included, from atrocities committed by parties to the conflict. We are also specifically mandated to support the government in prosecuting perpetrators of violations against children.

Not only the UN, but everyone has a role to play in the prevention of child recruitment.

Mothers, fathers, brothers, sisters, humanitarians, religious leaders, traditional chiefs, government authorities, politicians, armed group commanders: let's work together towards eliminating the phenomenon of child soldiers in the DRC.

One of the children we talked to said: "*we were told that the spirit of the child has to leave us in order to become a soldier*".

It is our duty to restore the spirit of these children who were forced to become soldiers. We need that spirit to build a peaceful future for the Democratic Republic of the Congo.

Martin Kobler,
Special Representative of the Secretary-General in the Democratic Republic of Congo and Head of MONUSCO.
October 2013

LIST OF ACRONYMS

ADF/NALU	Allied Democratic Forces/National Army for the Liberation of Uganda
AFDL	Alliance of Democratic Forces for the Liberation of Congo
APCLS	Alliance des Patriotes pour un Congo Libre et Souverain
CNDP	National Congress for the Defence of the People
DRC	Democratic Republic of the Congo
FARDC	Forces armées de la République démocratique du Congo
FDC	Forces démocratiques du Congo
FDLR	Forces démocratiques de libération du Rwanda
FDLR FOCA	FDLR - Forces combattantes abacunguzi
FDLR RUD	FDLR - Rassemblement uni pour la démocratie
FRPI	Front de résistance patriotique d’Ituri
GoDRC	Government of DRC
ICC	International Criminal Court
LRA	Lord’s resistance Army (Uganda);
M23	Mouvement du 23 mars
MONUSCO	United Nations Organization Stabilization Mission in the Democratic Republic of the Congo
NDC/Sheka	Nduma défense du Congo/Sheka
PARECO	Patriotes résistants Congolais
PRM	Patriotes résistants Mayi Mayi
RCD	Rally for Congolese Democracy
SRSR	Special Representative of the Secretary-General

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EXECUTIVE SUMMARY

The present report is the first of its kind published by the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) and provides an overview on general patterns of child recruitment by armed groups for the period 1 January 2012 to 31 August 2013. It contains detailed analysis on the three major perpetrators of child recruitment during the reporting period, namely *Forces démocratiques de libération du Rwanda* (FDLR), Nyatura and *Mouvement du 23 mars* (M23). The report raises recommendations on concrete action to address the situation.

The main finding of this report is that child recruitment by armed groups in the Democratic Republic of the Congo (DRC) is systemic. During the reporting period MONUSCO documented the recruitment of 996 children, including 79 girls, into more than 25 armed groups. About half of the cases of child recruitment documented during the reporting period (451) were attributed jointly to FDLR, Nyatura and M23.

The creation of the M23 in May 2012 and consequent reinforcement of other armed groups and Mayi Mayi militia, who either fought against or alongside M23, or who took advantage of the redeployment of the national army - *Forces armées de la République démocratique du Congo* (FARDC) - to strengthen their influence, resulted in an increase in documented cases of child recruitment and reports of mass recruitment campaigns by armed groups, particularly in North Kivu. In the majority of cases, children were abducted and forced to join the group. Others joined voluntarily after having been promised money, education, jobs or other benefits by recruiters. Children were used as porters, cooks, spies, sex slaves, guards and combatants, and were reportedly often subjected to intensive military training. Minors formerly associated with M23 described how they had to bury bodies of adults and children who died on the battlefield during clashes with FARDC or other armed groups. Girls faced specific challenges during their association with armed groups; many were subjected to rape and other sexual violence, making them vulnerable to early motherhood and sexually transmitted diseases; their status as concubines of armed group combatants upon their return to their communities prevented many from escaping the group and returning home.

By monitoring and reporting these violations, the UN continues to support the fight against impunity and to advocate for accountability of perpetrators of all grave child rights violations at the national and international level. MONUSCO recommends to the Government of the DRC and all child protection the partners to focus their efforts on the prevention of child recruitment and sustainable, long term community based reintegration programmes for girls and boys who are victim of child recruitment.

1. CONTEXT

Over the past 20 years, the recruitment of boys and girls into armed forces and groups, which is a violation of international human rights law², has been of grave concern in the DRC, notably in the Eastern part of the country. Despite awareness raising campaigns and attempts to pacify armed groups, recruitment of children remains endemic in the country, with high numbers of children recruited in the past two years as a result of renewed hostilities in the east of the country. Against this background and in the framework of UN support to the Government of DRC to stop and prevent underage recruitment and use of children for military purposes, MONUSCO analysed patterns of child recruitment by armed groups between January 2012 and 31 August 2013 in the areas most affected by the armed conflict.

During the period under review, from January 2012 to 31 August 2013, MONUSCO documented the recruitment of 996 children into armed groups in the DRC. The present report focuses on the three most egregious perpetrators responsible for approximately half of the documented cases, namely Nyatura (190), FDLR (137), and M23 (124).³ FDLR and M23 are listed for recruitment of children in the Annex to the Secretary-General Report on Children and Armed Conflict⁴ published on 15 May 2013.

Other non-state armed actors identified as having recruited minors into their ranks include Rayia Mutomboki (98), FRPI (68), ex-PARECO/UPC (30) and LRA (33). The remainder of the children were recruited by Mayi Mayi groups including Kata Katanga, APCLS, PRM, Simba, Yakatumba and community based self-defence groups in the Kivu's and Katanga. Armed groups identified and documented as perpetrators of less than ten verified cases during the reporting period include ADF, FDC, MPRC⁵ and NDC/Sheka. Ninety two percent of recruitment took place in DRC, predominantly in North Kivu (56 %), followed by South Kivu (25 %), Oriental province (5%) and Katanga (6%)⁶. Seventy five children (8%) were reportedly recruited by armed groups in neighbouring countries to combat on DRC territory, namely Rwanda (57), Uganda (9), Sudan (6) and Central Africa (3). Of particular concern are the allegations that 30 to 40% of NDC/Sheka elements under leadership of Ntabo Ntaberi Sheka are under 18; reportedly the children rarely succeed in surrendering or escaping as the punishment for leaving the group is allegedly bullet to the knee or decapitation. MONUSCO was only able to verify three cases due to security and accessibility constraints. It is worth noting that Sheka and his group have been included in the travel ban and assets freeze list of the Security

² Annex 1: [Legal framework](#).

³ Annex 3: [General statistics on child recruitment since 2009](#)

Since the beginning of 2009, MONUSCO Child Protection Section documented 9,114 children released from the integrated armed forces and at least 30 armed groups.

⁴ Annual Report of the Secretary-General on Children and Armed Conflict A/67/845 – S/2013/243 dated 15 May 2013.

⁵ [APCLS](#) *Alliance de Patriotes pour un Congo Libre et Souverain*; [ADF](#): Formerly [ADF/Nalu](#), *Allied Democratic Forces/National Army for the Liberation of Uganda*; [LRA](#): Lord's resistance Army (Uganda); [PARECO/UPC](#) *Patriotes résistants Congolais*; [FRPI](#) *Front de Resistance Patriotique d'Ituri*; [FDC](#) *Forces Democratiques du Congo*; [PRM](#) *Patriotes Résistants Mayi Mayi*; [NDC/Sheka](#) *Nduma Defence du Congo/Sheka*.

⁶ Isolated incidents of child recruitment were also reported in Maniema, Kananga, Equateur and both Kasai provinces; they are related to the redeployment of FARDC integrated brigades (including ex-CNDP) to those areas.

Council Committee established pursuant to Resolution 1533 (2004) for perpetrating serious violations of international law involving the targeting of children.

Eight percent of documented children associated with all armed groups in the DRC were girls (79). The majority were aged between 15 and 18, but approximately a third of all documented children were under the age of 15, including 17 who were ten years or younger, including four 6-year olds.⁷

The creation of the M23 in May 2012 and consequent reinforcement of other armed groups and Mayi Mayi militia, who either fought against or alongside M23, or who took advantage of FARDC redeployment to strengthen their influence, resulted in an increase in documented cases of child recruitment and reports of mass recruitment campaigns by armed groups, particularly in North Kivu. During the reporting period, MONUSCO collected information, including direct testimonies from more than one thousand adults and children, the majority formerly associated with the armed groups, to identify patterns of recruitment and roles and responsibilities assigned to children while associated with the Nyatura, FDLR and M23.

2. MONUSCO MANDATE ON CHILD PROTECTION

MONUSCO was established on 1 July 2010, succeeding MONUC. MONUSCO was authorized to use all necessary means to carry out its mandate relating to the protection of civilians, humanitarian personnel and human rights defenders under imminent threat of physical violence and to support the Government of the DRC in its stabilization and peace consolidation efforts. The mandate of MONUSCO on Protection of Civilians was further detailed in Security Council Resolutions 2053 (2012) and 2098 (2013).

MONUSCO has specific obligations regarding child protection that go beyond the MONUSCO mandate on protection of civilians and is governed by Security Council Resolutions on Children and Armed Conflict (CAAC)⁸. MONUSCO's Child Protection Section consisting of 35 staff focuses on monitoring and reporting on the situation of children in armed conflict, specifically on six grave child rights violations⁹ perpetrated by parties to the conflict to enhance prevention, advocacy and accountability. The child protection mandate also includes engagement in dialogue with perpetrators to end the recruitment and use of children associated with armed forces and groups and other child rights violations¹⁰.

⁷ See chart in *Annex 2*. It needs to be noted that age determination can be a challenge. Staff trained on age verification were almost always involved in the identification of minors, but MONUSCO cannot confirm with 100% certainty that all victims of recruitment interviewed were below the age of 18.

⁸ UN Security Council Resolutions on Children and Armed Conflict 1261 (1999), 1314 (2000), 1379 (2001), 1460 (2003), 1539 (2004), 1612 (2005), 1882 (2009), 1998 (2011) and 2068 (2012); UN Security Council Resolutions on MONUSCO mandate 2053 (2012) and 2098 (2013)

⁹ The six grave child rights violations identified by the UN Security Council are: killing and maiming, recruitment and use, sexual violence, abduction, attacks against schools and hospitals and denial of humanitarian access. Violations are committed against children by parties to the conflict, in the context of the armed conflict.

¹⁰ On 4 October 2012 the UN/GoDRC Action Plan to stop and prevent underage recruitment, sexual violence and other grave child rights violations by Congolese security forces was signed by MONUSCO SRSG and the Prime Minister, and co-signed by UNICEF and the Vice Prime Minister, Minister of Defence.

3. METHODOLOGY

Information contained in this report was gathered through MONUSCO Child Protection Section's systematic monitoring activities in DRC between 1 January 2012 and 31 August 2013, as well as by other Mission components, including investigative missions, meetings with national civil and military authorities and representatives of civil society organizations. The information contained in this report only reflects the cases verified and documented by MONUSCO in the context of constraints related to security and accessibility. Thus the present report does not intend to present a comprehensive examination of child recruitment by all parties to the conflict in DRC.

MONUSCO staff conducted interviews with victims of, and witnesses to, the grave child rights violations described in the report. All information contained in the report was collected through primary sources (victims, eye witnesses, perpetrators) and substantiated through other secondary sources (relatives, local child protection actors, peacekeeping staff) and/or other type of evidence (UN reports, weapons and ammunition brought by the victims, body scars and wounds and reports of independent human rights bodies) before being assessed as credible and accurate by trained and reliable monitors. During the interview process, the fundamental principles relating to the best interest of the child were given utmost consideration. Measures were taken to ensure the highest ethical standards, including the appropriate approach depending on age, gender, cultural sensitivity, the victim's state of mind and the interview setting. Children providing information on violations they experienced or witnessed were always informed of the intent and purpose of the interview especially in relation to analysis and advocacy, while ensuring that personal data would not be disclosed to third parties.

4. CHILD RECRUITMENT BY NYATURA, FDLR AND M23 IN 2012-2013

4.1 NYATURA

Nyatura consists mainly of Hutu deserters from the FARDC who established a presence in Southern Walikale, Masisi and Kalehe territories (border between North and South Kivu). The group does not have a political agenda and is not unified under a single chain of command. Nyatura can be considered generally as hostile towards the M23 rebellion, which allegedly accelerated the creation and mobilisation of Nyatura groups after April 2012. Sources of financing for the group reportedly originate from control of mining sites and illegal taxation of local communities. Nyatura is intrinsically fragmented, with an estimated 25 Nyatura groups in Masisi. A number of these sub-groups fought alongside the FARDC and surrendered with the objective to be integrated. In the framework of the United Nations/Government of DRC Action Plan, physical screening of Nyatura elements who surrendered in North and South Kivu was conducted in collaboration with the FARDC to identify and separate minors among their ranks. The screenings resulted in the separation of 227

minors from Nyatura in 2012 and 2013.¹¹ However, in the absence of a vetting mechanism, this case highlights how integration of armed groups into the FARDC can result de facto in granting impunity to perpetrators of child rights violations. Similarly, the fact that the FARDC cooperates and fights along militias having children in their ranks constitutes a violation of their commitment to end and prevent child recruitment as enshrined in the Action Plan.

4.1.1 Patterns of Child recruitment by Nyatura

Between 1 January 2012 and 31 August 2013, 185 boys and five girls, between the ages of 11 and 17, were documented by MONUSCO as newly recruited by Nyatura. Out of the total of 190, 185 were reportedly of Congolese nationality and five of Rwandan nationality. All were recruited on Congolese territory mainly in North Kivu (141) and South Kivu (49)¹². Most of the boys were 16 and 17 years old (respectively 52 and 72 recruits), followed by 15 year olds (33); 34 of the documented children were under 15 years of age, with the youngest child being 11 years old. The girls were between 14 and 17 years old.

Of the 190 cases of child recruitment by Nyatura documented during the reporting period, more than half occurred between January and August 2013, the majority in North Kivu; this coincides with increased military activity in the east of the country, a period in which the Nyatura group reportedly reinforced its strength through recruitment campaigns. Most documented minors were separated from the Nyatura during screening exercises, 78 of them managed to escape during clashes, or when they spotted a MONUSCO patrol. Five were captured by FARDC elements and later released from detention through MONUSCO advocacy.

Out of the 190 children documented as formerly associated with Nyatura, most were initially recruited on the road heading to the market and in the market place itself, on the way back from school, when farming or while walking back from their fields. Three boys reportedly joined the Nyatura group following appeals from community elders for youth to join the group in order to protect the community from threats by armed groups such Rayia Mutomboki.

Four witnesses formerly associated with Nyatura reported intensive recruitment campaigns in and around schools in the Bitonga area of Masisi territory in April 2013 under the command of [Colonel] Oussama¹³.

A recruiter for Nyatura told MONUSCO:

“My commander ordered the group to go into the school and choose the older boys who were fit. Teachers tried to stop us but we chased them away from the classrooms.”

¹¹ Leaders of different Nyatura groups were identified as [Colonel] Marcel Habarugira, [Colonel] Eric Bagege, Erasto Ntibaturama, Emmanuel Nyunga Munyamariba, Kapopo Sebaragona, [Colonel] Kasongo Karamo, and [Colonel] Noheri.

¹² A majority of the children (134) were recruited in Masisi territory, North Kivu.

¹³ Oussama Ndungutse

Confirmed reports indicate that in some cases teachers were involved in recruiting for Nyatura. Five girls aged between 14 and 17 years were reportedly abducted by Nyatura elements when they were walking along the road with a group of women. They were used as combatants, cooks and domestics and reportedly subjected to rape and other forms of sexual violence and physical abuse, such as beating with sticks after attempting to escape or when they were too tired from walking or performing heavy chores.

Re-recruitment after family reunification and reintegration can be a challenge. Out of the 190 minors documented, 27 were allegedly recruited twice into the armed group, usually a few months after being reunited with their families.

A 17 year old boy explained:

“I went back home but I was recognized by my old group members. My father wanted to give them our only goat to pay for the weapon I had escaped with. It did not work so they threatened to kill me if I didn’t go with them. They took the goat too.”

The prevalence of re-recruitment into Nyatura can be explained in part by constant presence and monitoring by elements of the areas under their control.

4.1.2 Use and treatment of children during association with Nyatura

Once recruited by Nyatura, children were taken to military bases (mainly in Masisi territory), where the boys were reportedly used as cooks, escorts, ammunition suppliers and combatants. Their main activities consisted of conducting looting expeditions and taking part in clashes. Twenty witnesses reported the presence of girls and young women in the Nyatura group who were between 13 and their early twenties. The youngest children were reportedly used for domestic tasks, but more than half of the documented children (98) were purportedly used as combatants. Witnesses reported the killing of at least six children on the battlefield as a result of the clashes¹⁴, including two boys aged 12 and 13. Girls were reportedly also sent to the battlefield to fight during particularly violent clashes, such as the ones in Kitchanga in February and March 2013 when Nyatura supported FARDC against the armed group APCLS. MONUSCO documented the cases of two girls aged 14 and 15 who were forced to be concubines. For girls it is more difficult to escape, as they are seen as commander’s wives, and many are allegedly pregnant or with small children¹⁵.

A 14 year old girl explained:

¹⁴ Due to the inaccessibility to the locations of the alleged gravesites, MONUSCO has not yet been able to physically verify these allegations.

¹⁵ Another challenge for girls associated with armed groups is that they often resist separation/community reintegration because they fear stigmatisation and lack of support in bringing up children fathered by armed group elements. Despite raising the issue consistently to Nyatura elements and FARDC during screening sessions, no increase in surrender of girls and women among their ranks has been noted.

“I was cooking and cleaning in the house of the commander but he only gave me soap if I had sex with him. He forced me to have sex three times. I tried to escape but I was caught.”

Children associated with Nyatura were allegedly subjected to military training in which they learnt basic military tactics and how to handle a weapon. The training allegedly lasted from a few days up to three weeks, and ill-treatment was common. Children reportedly punished for insubordination were beaten frequently with wooden sticks and jailed underground without access to food. In one documented case, a boy was so seriously beaten that he lost mobility of his left shoulder and arm¹⁶. In another case, a child who had tried to escape was put in an underground cell and received 30 lashes as punishment.

The main perpetrators of recruitment of the documented children were cited as [Colonel] Muchoma, [Colonel] Oussama Ndungutse and [Colonel] Habarugira. Muchoma surrendered to the FARDC in Bweremana with his combatants for integration, Oussama was captured with his escorts in the area of Sake (Masisi territory) and Habarugira was allegedly integrated into the FARDC with his elements in October 2012 and reportedly assigned the command of the 814 Battalion. Two victims reported that [Colonel] Habarugira had beaten them harshly following desertion and re-capture and [Major] Eric Kibonge for detaining children in a subterranean jail. Fifteen witnesses cited [Colonel] Ngwiti as commander of the Nyatura faction in Bigogwe (Masisi territory). Ngwiti reportedly led the clashes in February/March 2013 in Kitshanga resulting in at least three child casualties on the battlefield.

4.2 FDLR

The FDLR became operational as an armed group in the DRC between 1996 and 1999. Under the leadership of [General] Silvestre Mudachumura¹⁷, the group included former Interahamwe Hutu combatants responsible for the genocide of Tutsi in Rwanda in 1994. The original group, named FDLR FoCA (*Forces combattantes abacunguzi*) is operational in Rutshuru, while a splinter group called FDLR RUD (*Rassemblement uni pour la démocratie*), led by [General] Musare established a presence in Lubero territory (North Kivu) since 2007. FDLR do not have formal alliances with other armed groups nor with the FARDC, although different patterns of cooperation both in military operations and in the context of the illegal exploitation of natural resources has been documented by the United Nations with various Mayi-Mayi groups and more recently with Nyatura.

4.2.1 Patterns of Child recruitment by FDLR

Between 1 January 2012 and 31 August 2013, 136 boys and one girl, between the ages of 9 and 17, were recruited by FDLR (including FDLR FOCA and FDLR RUD) as documented by MONUSCO child protection officers. Out of the total of 137 children recruited by the armed group, 127 were reportedly of Congolese nationality, nine Rwandan and one Ugandan (FDLR RUD). One boy was allegedly recruited on Ugandan soil, while the remainder of the children were recruited in North

¹⁶ Child protection officers observed injuries consistent with the allegation

¹⁷ The ICC issued a warrant for his arrest in July 2012. See annex 5:

Kivu (128) and South Kivu (8). Most of the boys were 16 and 15 years old (respectively 37 and 31 recruits), followed by 14 year olds (23), and 17 year olds (20). It is of great concern that 26 of the children documented by MONUSCO as recruited by FDLR during the reporting period (almost 20%) were aged 13 or younger. While boys in the armed group are reportedly aged from 9 up to 17, girls associated with the FDLR are reportedly a little older, being between 12 and 17.

Of the 137 cases of child recruitment by FDLR documented by MONUSCO, 21 were reported between January and August 2013, the majority in North Kivu, which is consistent with increased military activity in the east of the country following the M23 rebellion and subsequent redeployment of FARDC to the area. An increase in escapes of Congolese minors from the FDLR was noticed at the beginning of 2013 which according to witnesses was due to rumours within the group of impending attacks by FDLR in Rwanda, which young Congolese recruits did not want to be part of.

Children documented as formerly associated with FDLR, were mostly abducted to carry looted items from their village to the FDLR camp and thereafter forced to remain in the armed group. A few minors were recruited in this manner after looting expeditions and attacks on their villages (4), on the road heading to the market or in the market itself (7). Others were abducted on their way from school (5) or while working in the field (6). Some were reportedly affiliated with FDLR through family members and forced to join. Witnesses also mentioned intensive recruitment campaigns taking place in the Mpati area (Masisi territory) in February 2013 when young adults (such as teachers) and minors (farmers and pupils) were targeted and recruited from schools, the roadside and the market place. A Ugandan boy was reportedly recruited for FDLR in the Nakivale refugee camp in Isingiro District, Uganda, where he was offered work in the DRC by a civilian. For a few boys, the incentive to join the FDLR was the death of their parents and their marginalized life and feeling of hopelessness as a consequence. A 15 year old girl told MONUSCO that she was abducted with two other girls (13 and 15 years old) and a woman when the public transport minibus they were travelling on was ambushed by the FDLR. On joining the group, they girls were subjected to sexual exploitation.

Children reportedly often escaped from the FDLR during the evening, while fetching water, conducting looting expeditions or being sent to the market. Victims reported that in escaping from the armed group they faced the risk of re-recruitment and severe punishment if they were caught, especially if they had run away with a weapon. One boy reported he was beaten on his lower back with a stick under the order of an FDLR commander after an attempt to escape. Two witnesses reported incidents of children who were killed after unsuccessful attempts to flee the group.

Based on the experience accumulated by MONUSCO and its partners, due to the persistent insecurity children are at risk of re-recruitment irrespectively of whether they are separated and reunified with their families by child protection partners through a reintegration programme, or when they spontaneously return to their communities. Out of the 136 minors documented, 21 were recruited twice into the FDLR, often a few days after being reunited with their families. Three minors were

reportedly recruited three times into the same armed group at intervals of two to four months after having escaped. The influence of family members associated with FDLR also plays a role.

A 17 year old boy explained:

“I was scared to go back home because FDLR [FOCA] soldiers know where I live.”

Re-recruitment of children into FDLR can also be explained in part by active monitoring by FDLR elements of the areas under their control, and as explained children are often reunited with their families in areas that are not secure.

A young boy formerly associated with FDLR told MONUSCO:

“I was back in my village but my neighbour betrayed me. People recognized me and started shouting and abusing me because I was part of the group that looted the village last year. I left without saying goodbye to my parents and went to Commander Nkusi. He welcomed me back in the group without even beating me.”

4.2.2 Use and treatment of children during association with FDLR

Children formerly associated with FDLR told MONUSCO that living conditions in the FDLR camps were extreme; reportedly there was often a lack of food and medicine, and forced labour was ordinary practice. Children’s tasks allegedly included 24 hour shifts to guard the camps, walking long distances with heavy loads and partaking in armed combat. Their main activities consisted of conducting looting expeditions and collecting taxes by the roadside. The youngest ones were mostly used as porters, spies and cooks. Twenty four minors formerly associated with FDLR reported being subjected to military training that included rigorous physical exercise, instruction on how to handle a weapon, hide when attacked and attend parade. Training reportedly lasted from two weeks up to one month, and ill-treatment was endemic. Children were reportedly beaten frequently with wooden sticks and denied food if they broke the rules. Two witnesses reported that they had been trained in Kabuye (Kabare territory, South Kivu) in a centre they called “Guantanamo” where FDLR elements, including children, were trained before receiving their specific roles within the group¹⁸. From witness statements, it became clear that young children are not systematically used on the battlefield by FDLR, but they are prepared and partake in clashes when the FDLR camps are attacked or during ambushes. Reports were documented of children having been used in clashes against FARDC, Raiya Mutomboki, NDC/Sheka and M23.

Five witnesses formerly associated with FDLR reported the presence of girls and young women in their group who were between 12 and 20 years of age who were predominantly used as cooks, concubines, and to be dispatched at checkpoints (as *Personnel militaire féminin-PMF*) during their association. Reportedly, a 14-year old girl who had who spent a year and a half in the FDLR was

¹⁸ This centre does not longer exist since FDLR were repelled from Kabare territory by Raiya Mutomboki

raped by five FDRL elements when she arrived in the camp, and was subsequently systematically raped on a daily basis by different men. For girls it is reportedly more difficult to escape, as they are used as concubines or sex slaves, and some are pregnant or with small children. Apart from lacking opportunities to escape, girls and women fear the stigma of having been sexually abused by armed group elements upon the return to their villages.

[Colonel] Marius allegedly ordered children to beat other children following misbehaviour. [Major] Bahati Musheka reportedly killed a 15-year old boy because he had run away with a weapon and was unable to recover it when ordered to do so. Another boy reportedly received a bullet wound to his arm by an FDLR element under the command of [Colonel] Claude Muchoma while attempting to escape. A young teenager was reportedly abducted after witnessing the killing of his father by FDLR elements in Katoyi, under the command of [Colonel] Richard.

A 16 year old boy explained to MONUSCO:

“We were sent to a village to loot the fields but we failed in our mission because we saw PARECO combatants and fled. When we returned to the camp, we were beaten with a stick by [Colonel] Mudachumura. This is when I decided to escape.”

4.3 M23

The *Mouvement du 23 mars* (M23) was officially created on 6 May 2012 in Rutshuru, North Kivu province, by a group of FARDC deserters previously affiliated with the *Congrès national pour la défense du peuple* (CNDP) and/or with the *Patriotes résistants Congolais* (PARECO)¹⁹ under the reported leadership of FARDC General Bosco Ntaganda. Colonel Emmanuel Sultani Makenga²⁰ was officially designated as the coordinator of the movement. The vacuum left by this defection and the consequent redeployment of FARDC to counter the M23’s offensive contributed to an overall climate of lawlessness and insecurity. This situation was characterized by widespread, systematic and violent attacks on the civilian population by a variety of armed groups, in an attempt to gain control over land and resources. Increase in child recruitment by armed groups, especially in North and South Kivu, was the result.

4.3.1 Patterns of child recruitment by M23

Between 1 May 2012 and 31 August 2013, MONUSCO documented 124 cases of child recruitment by M23. Eighty-two children were reportedly of Congolese nationality, 40 Rwandan and two Ugandan. Of the 40 alleged Rwandans, 25 were reportedly recruited on Rwandan territory between April 2012 and January 2013, while fifteen others were recruited in North Kivu province, DRC. The

¹⁹ The group’s name makes reference to the agreement concluded between the Government of the Democratic Republic of the Congo and the CNDP on 23 March 2009, which led to the integration of the CNDP into the FARDC and which, according to the M23, was not fully implemented.

²⁰ Insert which of M23 leadership has been on UN sanctions list since 2009 and 2012 + national and international arrest warrants

two Ugandan boys were reportedly recruited in Kampala, Uganda, in May 2013. Of the 82 Congolese children formerly associated with M23, 75 were allegedly recruited between April 2012 and June 2013 in North Kivu (69), while two were documented in South Kivu and four in Rwanda. The remaining seven were reportedly recruited between 2011 and March 2012 by ex-CNDP elements in the FARDC who later defected and joined the M23. Information gathered indicates that the children were either recruited by force (80%) or through deception (20%) by elements of the M23 and/or civilian intermediaries both in Rwanda and in the DRC. Adult and child witnesses explained how recruitment of young people in Rwanda was systematic and well-organised, with a sophisticated hierarchical structure of recruiters who received either financial or other professional incentives. Recruiters reportedly enticed large groups of young adults and children by promising them cash rewards, job opportunities, education or recruitment into the Rwandan Defence Force (RDF). New recruits were purportedly brought to assembly points or transit hotels in Rwanda, such as Hotel Bushokoro²¹ in Kinigi where they were prevented from leaving, and then brought to the border with DRC by truck from where they were sent on foot to the training camps in DRC.

In two separately reported incidents in May 2013, two Ugandan boys were allegedly recruited in Kampala, Uganda, after being promised work at MONUSCO in DRC²² by two civilians²³. They were reportedly dropped off at a bus station in Kampala by the recruiters, who paid their bus fares to reach Kisoro (in Uganda, close to Rwandan and DRC borders²⁴), whereupon they were accompanied across the border by a go-between. When reaching Bunagana (Rutshuru territory) they met other boys who had been newly recruited and were reportedly received by M23 elements and transported by truck to the M23 training camp in Rumangabo. Reportedly, to prevent them from running away, the new recruits were tied up and some of them were blindfolded during the trip.

According to the majority of witnesses, new recruits were reportedly first used as porters for carrying heavy loads, including weapons, ammunition, food, medicine, mattresses and jerry cans filled with petrol and water. Once they reached the M23 camps in Rutshuru and Nyirangongo territories, North Kivu province, they were used as cooks, escorts, night guards, spies and combatants. Ten of the witnesses reported that girls and young women (aged between 15 and 20) were a regular presence in some M23 camps, specifically in Runyoni and Rumangabo (Rutshuru territory). The girls were allegedly used as combatants, police elements in charge of check points which they reportedly call *Personnel militaire feminine* and for sexual purposes by commanders²⁵.

Children reportedly took the opportunity to escape from M23 in groups of two to four individuals while fetching water or firewood, during the night or during clashes between M23 and FARDC. The

²¹ Hotel Boshokoro was referred to by several witnesses as 'Bosco Ntaganda's Hotel'

²² The Ugandan boys were allegedly promised a salary of 1000 \$USD a month with MONUSCO after the signing a document with a MONSUCO logo.

²³ The civilian recruiters were identified by the witnesses as a man called Emmanuel Muhereza and a woman called Grace²³.

²⁴ Bunagana in DRC and Rwengeri in Rwanda

²⁵ A witness reported that in Rwanda the territory Administrator of Kibumba was collaborating with the M23 to find and recruit girls/young women named *Inore* (meaning 'whom we can trust') for specific tasks within the M23 (e.g waitresses, secretaries, combatants).

fear of being discovered was constant, as children who were caught were systematically and severely punished and even killed as an example to other recruits contemplating the same.

4.3.2 Use and treatment of children during association with M23

The main M23 training camps in DRC were reportedly in Runyioni, Tchanzu, Nyongera, Bunagana, Rumangabo (Rutshuru territory, North Kivu province). In the camps children were allegedly subjected to harsh military training consisting of mandatory nightly runs, rigorous physical exercises, parading and handling guns. Training lasted from a few days to two months. According to several witness statements, four boys, including a Congolese national, received military training by RDF in Rwanda, at camps in Bigogwe, Ruhengeri-Nyarubanda and the former university campus in Mundende, for periods ranging from two days to two weeks, before being handed over to the M23 in the DRC.

According to testimonies collected through monitoring and investigations carried out by MONUSCO during the reporting period, at least 50 boys fought as combatants within the ranks of the M23 during clashes, including those leading to the occupation of Goma in November 2012, the clashes between the M23 factions led by commanders Bosco Ntaganda and Sultani Makenga in March 2013, and the ones against the Governmental forces in July and August 2013 in the Nyiragongo territory. Minors were reportedly among those posted at the frontline and witnessed the killing of many other children associated with the group. One of the tasks assigned to minors was the burial of M23 combatants who died during the fighting.

A teenager formerly associated with M23 told MONUSCO:

“Many children died during the fighting. Some had no feet or legs. When a child is seriously injured and we know that he will die, we facilitate his death. All soldiers have to do it.”

The presence of several communal graves in North Kivu was repeatedly reported, where bodies of M23 combatants, children and adults, are allegedly buried in groups of two and more. A seventeen year old boy told MONUSCO that he was in charge of digging graves and burying bodies of children and adults. Commanders were allegedly buried alone, children sometimes three to a grave. According to several witnesses, the bodies of dead child combatants often remained on the battlefield²⁶. Many injured M23 were reportedly brought to Tchanzu and Bunagana, and the seriously wounded to hospitals in Rwanda.

Children formerly associated with the group stated that a number of the top M23 commanders were directly involved in serious violations of children’s rights, including the recruitment of children, killing of recruits and subjecting them to acts amounting to torture and cruel, inhuman and degrading treatment and punishment. A few children mentioned the use of the ‘*agafuna*’, a local hammer, as an instrument used for punishment of recruits by commanders, among them [Colonel] Innocent

²⁶ Due to accessibility constraints to the alleged burial sites, MONUSCO has not been able to confirm this information.

Zimurinda. Reportedly, weak or disobedient combatants, including children, were killed using the ‘*agafuna*’.

A 14 year old boy explained:

“I was carrying heavy bags and walked slowly, I was always beaten. I saw one boy of about 16 being killed because he fell down under the weight of the bag and refused to continue. He was left on the ground.”

Sultani Makenga²⁷ is reported to have personally given orders to his elements to kill any recruit, including children, who attempted to escape. Some officers allegedly forced boys to kill other recruits, including children. For example two boys who were subjected to military training in Rumangabo and Nyongera (Rutshuru territory), were reportedly forced to summarily execute three adults in the group who had disobeyed orders by shooting them, under threat of being killed themselves by Muhire²⁸, Kazarama²⁹ and an individual identified as ‘Lieutenant’ Biringiro.

A 15 year old boy told MONUSCO:

“Colonel Zimurinda³⁰ is very nasty. He uses a punishment called ‘the bird’, for combatants who try to escape. He ties your arms behind your back and then attaches you to a tree while pulling your arms up. If you can hold it for ten minutes, that means you are very strong.”

Numerous other witnesses also mentioned Zimurinda, Ndayabaje Nyangara alias ‘Kipanga’³¹, Vianney Kazarama³², Bienvenu Kazungu³³, Baudouin Ngaruye³⁴, Gasana³⁵, Alexis Muhire³⁶, Justin Gacheri³⁷, Leon Kanyamibwa³⁸, Edmond Simbato³⁹, Mboneza⁴⁰ and Bagabo⁴¹ as officers who actively participated in the recruitment of children, sending them to the battlefield, killing recruits and subjecting them to acts amounting to torture, cruel, inhuman and degrading treatment and punishment.

²⁷ Emmanuel Nziramakenga, former Colonel in FARDC; before that sergeant in APR (Rwanda), in armed group UPC active in Ituri and CNDP; identified by the UN as having command responsibility in 28 cases of children recruited into RCD/CNDP between 2003 and 2009, and 44 children into M23. Sanctioned by 1533 Committee (See [Annex 5](#)).

²⁸ Alexis Muhire Bujati, former CNDP.

²⁹ Vianney Kazarama Katusi, former Lieutenant Colonel in FARDC; former CNDP.

³⁰ Innocent Zimurinda, former Colonel in FARDC, before that APR (Rwanda), UPC in Ituri and CNDP. Sanctioned by 1533 Committee (see [Annex 5](#)).

³¹ Ndayabaje Nyangara, formerly Lieutenant Colonel in FARDC, before that RCD and CNDP.

³² Vianney Kazarama, former Colonel in FARDC, before that RCD and CNDP.

³³ Bienvenu Kazungu – little information available at this time except that he is reportedly commander of the 4th Battalion of the first brigade of M23

³⁴ Baudouin Ngaruye Wa Mpumuro, former Colonel in FARDC, before that RCD and CNDP; identified by UN as having command responsibility of at least 40 children into CNDP, FARDC and M23. Sanctioned by 1533 Committee (see [Annex 5](#)).

³⁵ Justin Gasana Ndanga, a.k.a. Innocent Gasana or Kaina, or ‘India Queen’; former Major in FARDC; formerly CNDP (commander of Laurent Nkunda’s bodyguard).

³⁶ Alexis Muhire Bujati, former Lieutenant-Colonel in FARDC; before that RCD and CNDP.

³⁷ Justin Gacheri Masanga son of Erasto; former Lieutenant Colonel in FARDC; ex-CNDP and RCD.

³⁸ Leon Kanyamibwa; former Lieutenant Colonel in FARDC; Rwandan; before that RDF deserter and CNDP.

³⁹ Edmond Simbato Sadam – no information available on this individual at this time

⁴⁰ Yusufu Mboneza, former Lieutenant Colonel in FARDC; before that RCD and CNDP

⁴¹ Pascal Bagabo, former Lieutenant Colonel in FARDC; before that RCD and CNDP.

5. CONCLUSIONS AND RECOMMENDATIONS

MONUSCO is deeply concerned by reports and allegations indicating that hundreds of children have continued to be recruited before and during the reporting period and that many are still reportedly within the ranks of armed groups, including Nyatura, FDLR and M23. MONUSCO is also alarmed at the reports of other grave violations to which children are subjected following their recruitment by these armed groups, in particular killing and maiming, sexual exploitation and abuse, torture and ill treatment.

In addition, MONUSCO is gravely concerned at the trend emerging from the findings of this report that reintegration doesn't always represent a sustainable solution in the context of continued insecurity and hostility within communities.

Despite notable progress in the implementation of the Action Plan signed by the Government of the DRC and the United Nations, the process of open ended integration of armed groups into the FARDC remains an obstacle to ensuring accountability of perpetrators of child rights violations.

To address child recruitment and other grave child rights violations, MONUSCO recommends:

The Government of the Democratic Republic of Congo at the highest level including the President to publicly emphasize that promotion and protection of the rights of children are an integral part of peace, reintegration and reconciliation throughout DRC, and a central pillar of the country's political, economic and security sector reform strategies.

In particular, national authorities should

- Ensure full and effective implementation of the Action Plan to end and prevent child recruitment and use, sexual violence and other grave child rights violations against children;
- Ensure to hold perpetrators of grave child rights violations accountable for their crimes under international and national law and that no amnesty be granted to perpetrators, in particular in the context of integration of armed groups responsible for having recruited and used children;
- Support MONUSCO in gaining access to negotiate for the release of children from armed groups;
- Ensure that armed groups who wish to integrate into the FARDC are screened for the presence of minors who must be handed-over to MONUSCO or child protection partners;
- Ensure long-term and sustainable social and economic reintegration of children formerly associated with armed groups, while taking into account the security situation allows for their safe return.

All armed groups operating in the DRC are in violation of international humanitarian, human rights and criminal law; they should immediately stop all abuses, including child recruitment, abduction, killing and maiming and sexual violence against children and attacks on schools and hospitals.

Armed groups should

- Immediately release all boys and girls from their ranks and hand them over to MONUSCO or child protection partners;
- Remove all physical and tactical impediments preventing children from assessing MONUSCO or child protection partners, including removal of their combatants close to MONUSCO bases;
- Immediately stop retaliation against children and their families or communities for escaping from the armed group.

International donors should increase support to Government and civil society initiatives aimed at preventing child recruitment and efforts to implement the UN/GoDRC Action Plan to stop and prevent child recruitment and sexual violence against children in the context of the armed conflict.

The International Community must ensure that children are not reunified with their families if a) the security conditions do not allow safe return; b) communities are ready to receive the children without retaliating against them.

Annex 1: Legal framework - Reference to relevant international and national instruments ratified by/relevant for DRC

A. Convention on the Rights of the Child (2 September 1990)

Article 1 defines a child as every human being below the age of 18 (article 1)

Article 38: “State parties undertake to respect and to ensure respect for rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child”, specifically referring to unlawful recruitment and use of children under the age of 15.

Article 39: “State parties shall take all appropriate measures to promote physical and psychosocial recovery and reintegration of child victims”.

- Ratified by DRC on 27 September 1990

B. Optional Protocol II to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (12 February 2002)

Optional Protocol II raises the minimum age for recruitment by parties to conflict (compulsory or voluntary) to 18 years (Article 1, 2, 3, 4). It states that parties to conflict shall take every feasible step to ensure that children under the age of 18 years do not take part in hostilities.

- Ratified by GoDRC on 11 November 2001

C. ILO Convention 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (18 November 2000)

The Convention prohibits, inter alia, forced or compulsory recruitment of children for use in armed conflict.

- Ratified by GoDRC on 28 March 2001

D. Rome Statute of the International Criminal Court (1 July 2002)

The Rome Statute establishes the International Criminal Court that shall have jurisdiction in respect to war crimes in particular when committed as a part of policy or as a part of a large scale commission of such crimes. The Statute made the conscription, enlistment or use of children under 15 by national armed forces or armed groups a war crime.

- Ratified by GoDRC on 30 March 2002

E. African Charter on the Rights and Welfare of the Child (1999)

The charter states that all necessary measures need to be taken to ensure that no child should take a direct part in hostilities and refrain, in particular, from recruiting any child (article 1). In article 3, it states that States Parties, in accordance with obligations under international humanitarian law, are to ensure protection and care of children who are affected by armed conflict and that such rule shall apply also to children in situations of internal conflicts, tension and strife.

F. The Paris Conference of February 2007 was held to review the Cape Town Principles of 2002 to protect children unlawfully recruited by armed forces and groups and resulted in two important documents: The Paris Commitments and The Paris Principles and Guidelines on Children Associated with Armed Forces or Armed Groups.

The **Commitments** are a concise set of principles endorsed by more than 200 member states, while the **Principles** provide detailed guidance for those who implement programmes and response; both draw from international law and standards while incorporating knowledge and lessons learned on prevention, protection, release and reintegration of children associated with armed forces and groups. The Principles recognise that “in a situation of armed conflict, States and armed groups are the primary actors responsible for the protection of civilians in their effective control”.

- Endorsed by the GoDRC in February 2007

G. Congolese Child Protection Law (“Loi portant Protection de l’Enfant”) (2009)

The law prohibits the recruitment and use of any person below the age of 18 in armed forces and groups as well as the national police (Article 71) and sets the sanction at 10 to 20 years imprisonment for perpetrators.

H. United Nations/Government of the DRC Action Plan to stop and prevent underage recruitment, sexual violence and other grave child rights violations (4 October 2012)

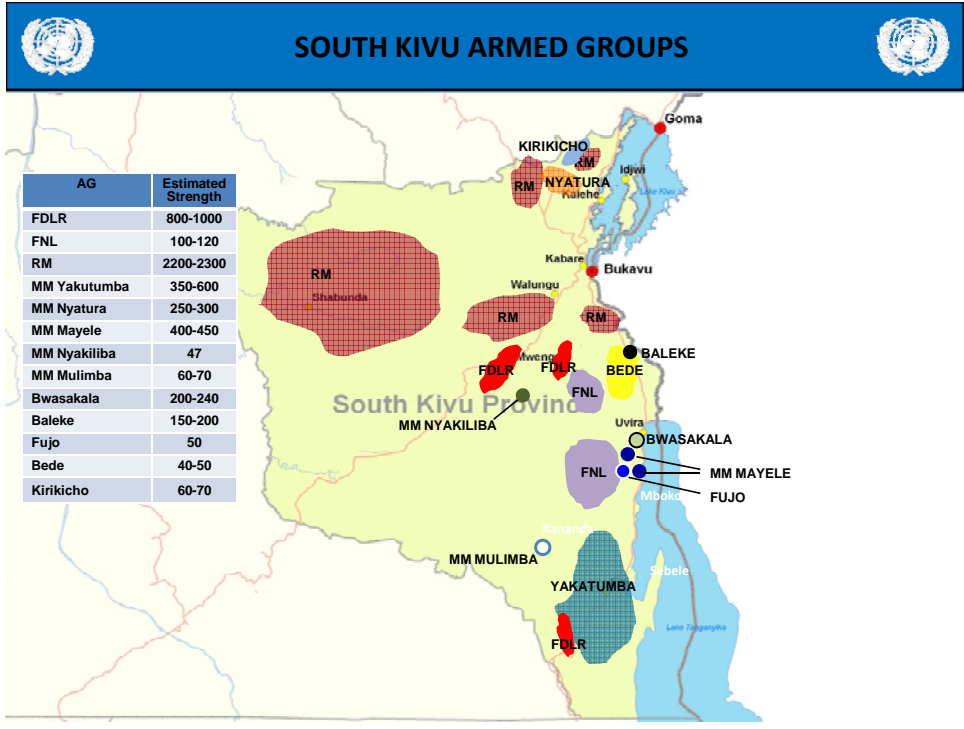
The UN/GoDRC Action Plan applies to armed forces and security services of the DRC and includes provisions on national and foreign armed groups operating in the country. The Congolese government commits to work closely with the UN Country Task Force on Children and Armed Conflict and the Office of the Special Representative of the Secretary-General on Children and Armed Conflict to stop and prevent underage recruitment and sexual violence against children. The implementation of the Action Plan focuses on four pillars:

Separation and release of all children associated with armed forces and groups;

Response through comprehensive and sustainable reintegration programmes for child victims of the armed conflict;

Prevention through training, advocacy, comprehensive awareness raising campaigns and Government directives to security forces and services;

Impunity by ensuring accountability for perpetrators of grave child rights violations.



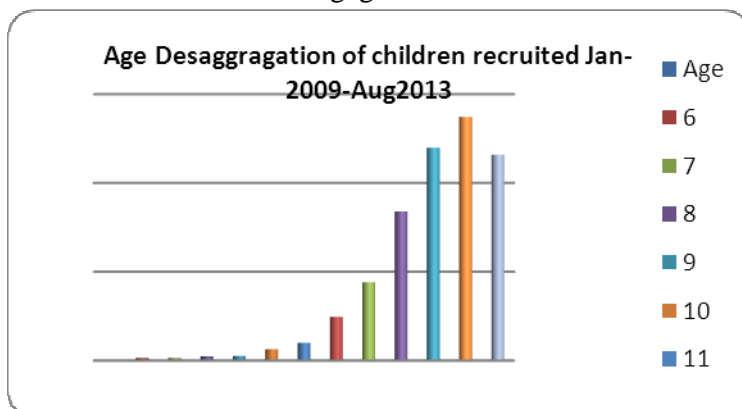
Annex 3: General statistics on child recruitment from 1 January 2009 to August 2013



As the chart demonstrates, the number of recruitment and releases of children from armed forces and groups decreased since 2009, when the so called “Fast Track Integration” process resulted in 12,074 armed group elements integrated into FARDC. A total of 2,797 children (2,668 boys and 129 girls) escaped or were released in the course of 2009. The vast majority of children released from the FARDC had been formerly associated with the armed group *Congrès National pour la Défense du Peuple* (CNDP) and *Patriotes résistants Congolais* (PARECO).

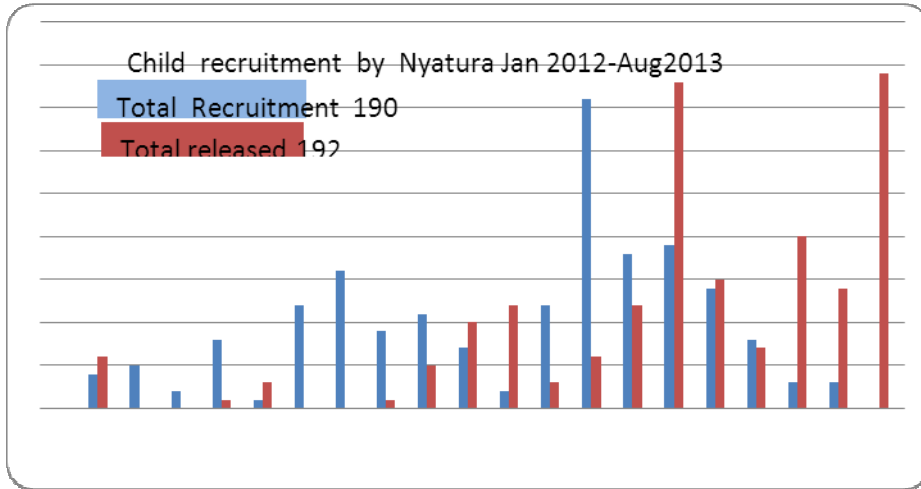
Forty per cent of the released children had been recruited before 2009, while 5,505 of them (60%) were recruited between 2009 and August 2013, averaging 1,800 new underage recruits per year. The number of recruitment and releases of children from armed forces and groups decreased since 2009, when the so called “Fast Track Integration” process resulted in 12,074 armed group elements integrated into FARDC. The vast majority of children released from the FARDC during that process had been formerly associated with the armed group *Congrès National pour la défense du peuple* (CNDP) and to a lesser extent *Patriotes résistants Congolais* (PARECO).

During the past four years, the Ministry of Defence and its security forces (FARDC) have collaborated with the UN to ensure children among their ranks were separated with a view to their family reunification and social and economic reinsertion. The signature of the UN/GoDRC Action Plan to prevent and stop child recruitment by armed forces and groups, on 4 October 2012, and the establishment of a UN/GoDRC Joint Technical Working Group to oversee its implementation confirmed Government engagement.

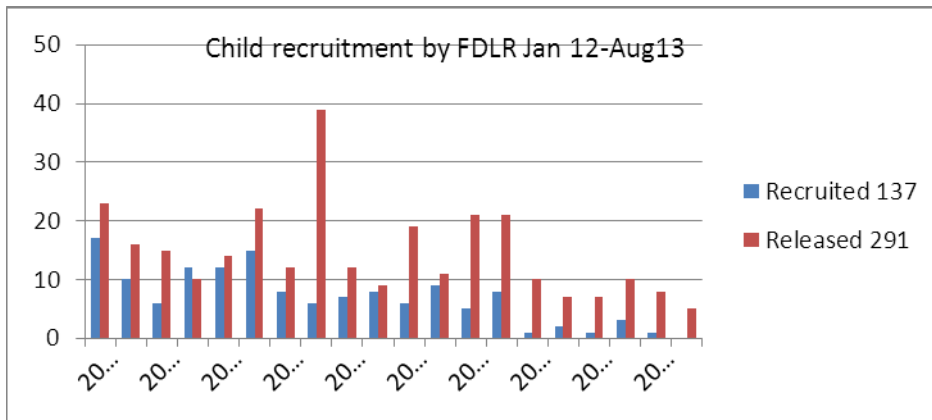


Annex 4: Charts Recruitment and release 2012-2013 Nyatura, FDLR and M23

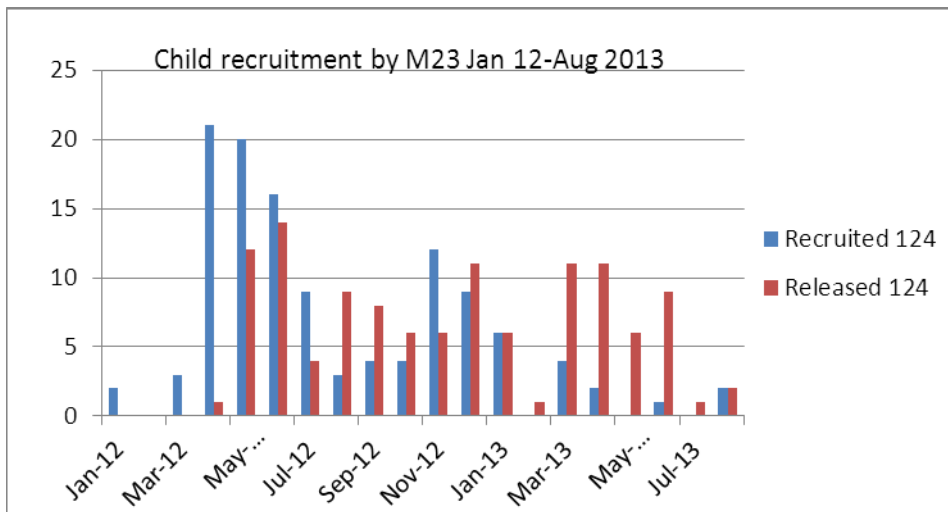
NYATURA



FDLR



M23



Annex 5: List of Individuals listed for UN sanctions

List of individuals and entities subject to the measures imposed by paragraphs 13 and 15 of Security Council Resolution 1596 (2005) as renewed by paragraph 3 of Security Council Resolution 2078 (2012)⁴².

BADEGE, Eric (M23)
IYAMUREMYE, Gaston (FDLR)
KAINA Innocent (M23)
KATANGA, Germain (FRPI)
MAKENGA Sultani (M23)
MBARUSHIMANA Callixte (FDLR)
MUDACUMURA Sylvestre (FDLR)
MUGARAGU Leodomir (FDLR)
MUJYAMBERE Leopold (FDLR)
MUKULU, Jamil (ADF)
MURWANASHYAKA, Ignace (FDLR)
MUSONI Straton (FDLR)
NGARUYE WA MYAMURO Baudoin (M23)
NGUDJOLO Mathieu Chui (FRPI)
NTANAGDA, Bosco (M23)
KNUNDA, Laurent (CNDP)
NSANZUBUKIRE Felicien (FDLR)
NTAWUNGUKA Pacifique (FDLR)
NZEYIMANA Stanislas (FDLR)
RUNIGA Jean-Marie (M23)
SHEKA, Ntabo Ntaberi (NDC/Sheka)
ZIMURINDA, Innocent (M23)

The full list including justifications is available at the following link:

http://www.un.org/sc/committees/1533/pdf/1533_list.pdf

⁴² The assets freeze and the travel ban were originally imposed by paragraphs 13 and 15 of SCR 1596 (2005) and subsequently renewed and/or amended by Resolutions 1649 (2005), 1698 (2006), 1771 (2007), 1799 (2008), 1857 (2009), 1952 (2010) 2021 (2011) and 2078 (2012). The criteria for listing are contained in paragraph 4 of Resolution 2078 (2012).