DEMOCRATIC REPUBLIC OF CONGO ASSESSMENT

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Country Information and Policy Unit

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I SCOPE OF DOCUMENT

1.1 This assessment has been produced by the Country Information and Policy Unit, Immigration and Nationality Directorate, Home Office, from information obtained from a variety of sources.

1.2 The assessment has been prepared for background purposes for those involved in the asylum determination process. The information it contains is not exhaustive, nor is it intended to catalogue all human rights violations. It concentrates on the issues most commonly raised in asylum claims made in the United Kingdom.

1.3 The assessment is sourced throughout. It is intended to be used by caseworkers as a signpost to the source material which has been made available to them. The vast majority of the source material is readily available in the public domain.

1.4 It is intended to revise the assessment on a 6-monthly basis while the country remains within the top 35 asylum producing countries in the United Kingdom.

1.5 This country assessment has been placed on the Internet in the Home Office website: http://www.homeoffice.gov.uk. An electronic copy of the assessment has been made available to the following organisations:

Amnesty International UK

Immigration Advisory Service

Immigration Appellate Authority

Immigration Law Practitioners' Association

Joint Council for the Welfare of Immigrants

JUSTICE

Medical Foundation for the care of Victims of Torture

Refugee Council

Refugee Legal Centre

UN High Commissioner for Refugees

II GEOGRAPHY

A. Physical

2.1 Covering an area of 2,344,885 sq km (905,365 sq mi), the Democratic Republic of Congo (formerly Zaire) is, after Sudan, the largest country of sub-Saharan Africa. The country shares borders with the Republic of Congo to the north west, the Central African Republic and Sudan to the north, Uganda, Rwanda, Burundi and Tanzania to the east and Zambia and Angola to the south. There is a short coastline at the outlet of the River Congo. Lying across the Equator, the DRC has an equatorial climate in the whole of the central region. Average temperatures range from 26 degrees centigrade in the coastal and basin areas to 18 degrees centigrade in the mountainous regions. Rainfall is plentiful in all seasons. The only arid region is an extremely small area on the bank of the lower Congo. **[1]**

B. Social and Economic

2.2 The DRC has a population of around 48 million. About 80% of the DRC's inhabitants reside in rural areas. The average density of population is low and the population is unevenly distributed. Kinshasa, the capital city, is the principal urban centre. Other major centres of population are Lubumbashi, Mbuji-Mayi, Kananga and Kisangani. **[1]**

2.3 The major ethnic groups are the Bantu, comprising mainly the Luba, Kongo, Mongo, Lunda, Tchokwe, Tetala, Lulua, Bangala and Ngombe, who make up 80% of the population. The remainder are of Sudanese origin (the Ngbandi, Ngabaka, Mbanja, Moru-Mangbetu and Zande); Nilotes (including the Alur, Lugbara and Logo); Pygmies; Bambutis; and Hamites. Many ethnic groups are split by the national boundaries of the region. The national language is French but the majority of these ethnic groups speak Bantu languages of which there is great diversity. To overcome the problem of inter-tribal communication, intermediary languages such as a Kongo dialect, a Luba dialect, Swahili and Lingala are used as well as the use of French. **[1][2][3][6]**

2.4 Politically, the country is divided into 11 administrative provinces: Bandundu, Bas-Congo, Equateur, Kasai Occidental, Kasai Oriental, Katanga, Kivu-Maniema, North Kivu, Province Oriental, South Kivu and Kinshasa. **[1]**

2.5 The country is richly endowed with natural resources and an abundance of mineral reserves, in particular, copper and cobalt in Katanga, diamonds in Kasai and offshore petroleum production. Agriculture and forestry employ over 60% of the population. Food can be easily grown but cannot be easily transported to the main population centres due to the poor road and rail infrastructure. Congo river traffic is the most significant means of transport but the journey between Kinshasa and Kisangani can take several weeks. **[1][6]**

2.6 Despite its natural riches the economic history of the country has been one of decline, especially since the 1990s. Production and incomes have fallen steadily as the financial institutions have virtually collapsed. Many parts of the country have reverted to a barter system. Economic deprivation has been an important condition underlying the violent crime and extortion practices which are widespread especially in the major cities. The riots of September 1991 and January 1993 in which members of the military took a leading role in the disorder reflected popular discontent. Foreign economic assistance was limited or withdrawn on more than one occasion in response to allegations of abuses of human rights under the Mobutu regime. The rebellion of August 1998 and subsequent foreign intervention has had a further adverse effect on the economy. **[1][2][4][5]**

2.7 Most sectors of the economy are in a serious state of decline. Production and incomes continue to fall. The infrastructure of the country is also in a serious state of decline. Financial institutions have collapsed and the public health and education system have seriously deteriorated. The economy is characterised by subsistence activities, a large informal sector and widespread bartering. The public sector cannot provide basic public services and public sector employees are not paid on a regular basis. The rebel-held areas have been increasingly integrated into the Rwnandan and Ugandan economies. **[5]**

III HISTORY

The Mobutu Years

3.1 The country gained independence from Belgium on 30 June 1960 as the Republic of the Congo and in 1971 the country was renamed the Republic of Zaire. Following an army mutiny and power struggles full executive power was assumed by Joseph Desire Mobutu in 1965. He remained head of an authoritarian regime until 17 May 1997. **[1]**

3.2 In order to consolidate his power, Mobutu imposed a five-year ban on party politics and in 1966 founded the Mouvement Populaire de la Revolution (MPR) to facilitate the concentration of power in the hands of the president who became the sole legislator and the head of government. The number of provinces was reduced from 21 to 8 and governors appointed to administer the provinces and in turn were accountable to the president. In June 1966, a new constitution was approved establishing a presidential regime. The constitution allowed for a maximum of two officially approved political parties but the claims of existing political groups to official recognition were ignored. The constitution was amended to make the government, legislature, judiciary, institutions of the MPR and all citizens party members. By 1970, Mobutu had eliminated all potential opposition. **[1]**

3.3 It was not until April 1990 that external and internal pressure obliged Mobutu to introduce political pluralism and declare an end to the one-party state although he retained a hold on his personal power. Nearly 400 political parties emerged following the announcement of 24 April 1990, notably the Union des Federalistes et Republicains Independants (UFERI), led by Nguza Karl-i-Bond, and the Parti Democrate et Social Christien (PDSC), as well as the UDPS. The Union Sacre de l'Opposition Radicale (USOR) organisation comprised 130 parties at July 1991. **[1]**

3.4 A Sovereign National Conference (CNS) on a revised constitution, which was previously opened in 1991 and in abeyance during the political crises of the following months, was re-opened in 1992 under the chairmanship of Archbishop Monsengwo to act as an interim legislature. It was consistently at loggerheads with Mobutu in his attempts to retain power. **[1]**

3.5 A number of governments were formed in response to the various political and economic crises which beset the country over the following years. In September 1991, a number of violent demonstrations of civil unrest took place, with heavy casualties. These reflected the general frustration with the political situation and massive inflation. In 1991, the "government of crisis" headed by the leading UDPS opposition figure, Etienne Tshisekedi, was followed by another headed by Karl-I-Bond (UFERI). In December 1992, the CNS was succeeded by a High Council of the Republic (HCR) which acted as a parliament. During 1993, power struggles between Mobutu and the HCR led to the establishment of two competing governments, headed respectively by Tshisekedi and Faustin Birindwa (ex-UDPS). **[1]**

3.6 In January 1994, the HCR was reconstituted as a transitional legislature (HCR-PT) which endorsed the organisation of a constitutional referendum and presidential and legislative elections and elected Leon Kengo Wa Dondo as prime minister in June of that year. Although its proposals to draw up an electoral timetable were delayed beyond the intended date of July 1995, it was announced that elections would be held in mid-1997, to be preceded by a constitutional referendum. **[1]**

3.7 In August 1996, Mobutu left the country for cancer treatment in Switzerland and remained there for four months. Although he remained nominally in control, his prolonged absence led to a significant decline in his authority. The caretaker government of Kengo wa Dondo was left to confront a rapid escalation of violence in the east. What initially appeared to be a regional movement seeking to protect the Tutsi population in South Kivu soon gathered momentum and and emerged as a national rebellion with the support of Rwanda seeking to overthrow the Mobutu regime. Tutsi rebels were joined by other dissidents to form the Alliance des forces democratiques pour le liberation du Congo-Zaire (AFDL) led by Laurent Kabila. By November 1996, AFDL forces occupied a substantial area of the east of the country. **[1]**

3.8 Mobutu returned to Kinshasa in December 1996 and ordered the formation of a crisis government still headed by Kengo wa Dondo but including some opposition members. It excluded the UDPS which prompted the faction headed by Tshisekedi to mount a campaign of civil disobedience and, in January 1997, to declare its support for the AFDL. In February 1997, Mobutu banned all demonstrations and industrial action. In the ensuing three months further territory fell to AFDL troops with little opposition from government forces. In March 1997, following the fall of the strategic town of Kisangani the HCR-PT voted to dismiss Kengo wa Dondo. He was replaced briefly at the beginning of April 1997 by Tshisekedi. On 8 April, Mobutu declared a national state of emergency, dismissing the government and appointing General Likulia Bolongo as the head of a further government of national salvation. **[1]**

3.9 Following inconclusive peace talks between Mobutu and Kabila mediated by President Mandela, Mobutu refused to resign and Kabila reiterated his intention to seize Kinshasa by force. A hastily assembled regional initiative to transfer interim power to Archbishop Monsengwo, chairman of the HCR-PT, was rejected by the rebels as a procedural device designed to afford Mobutu a dignified withdrawal from office. **[1]**

3.10 On 16 May 1997, Mobutu and his entourage left Kinshasa travelling to Togo then to Morocco. Many of his family and supporters fled to the neighbouring Republic of Congo. Mobutu died in Morocco in September 1997. **[1]**

The Laurent Kabila Regime

3.11 On 17 May 1997, following a Tutsi-dominated uprising originating in the north-east of the country the previous year, power was seized by the Alliance des Forces Democratiques pour la Liberation du Congo-Zaire (AFDL), under the leadership of Laurent Kabila. The AFDL force was said to be assisted by other countries such as Rwanda, Zambia, Zimbabwe and Angola. **[1][3]**

3.12 In May 1997, the country was renamed the Democratic Republic of the Congo and a transitional government was appointed with Kabila at its head holding executive, legislative and military power. The new government announced on 23 May 1997 was dominated by AFDL members but also included members of the UDPS and the Front Patriotique and avoided a

potentially unpopular large preponderance of ethnic Tutsis. Following several demonstrations, on 26 May, Kabila issued a decree banning all political parties and public demonstrations. To consolidate his power, on 28 May Kabila issued a constitutional decree, which accorded him legislative and executive power as well as control over the army and the Treasury. On 29 May 1997, at a ceremony attended by foreign heads of state, Kabila was sworn in as President of the DRC. **[1]**

Rebellion in the East

3.13 In August 1998, a rebellion began in the east of the country when a group calling itself the Rassamblement Congolais pour la Democratie (RCD) announced its intention to oust Kabila. The rebels were a disparate group of disaffected ex-Kabila civilian and military and opposition figures from outside and inside the country. The first political leader emerged as Ernest Wamba dia Wamba, a former lecturer at Dar-es-Salaam University. **[1][2][4][5][40]**

3.14 The RCD rebels, assisted by Rwandan and Ugandan forces captured a large area comprising most of the east of the country. However, their initial attempt to take Kinshasa was stalled after military support to Kabila was provided by Zimbabwe, Namibia and Angola and later Chad. Internal disagreements later emerged within the RCD which subsequently led the RCD being split into two factions: one headed by Ernest Wamba dia Wamba (RCD-ML), and the other by Dr Emile Ilunga (RCD-Goma). In November 1998, a new rebel group emerged called the Mouvement pour la Liberation du Congo led by Jean-Pierre Bemba. The MLC based itself in the Equateur Province and has large numbers of former Zairean soldiers in its ranks. The MLC developed close ties with the Ugandan Government. In January 2001, the RCD-ML rebel group merged with Jean-Pierre Bemba's MLC rebel group to form the Congo Liberation Front (CLF). Bemba is the leader of this newly formed group. The area under the control of the CLF corresponds with the areas that were under the control of the MLC and RCD-ML. **[1][2][4][40][59][60]**

3.15 Intensive diplomatic efforts to promote a ceasefire and a negotiated settlement which meets the security concerns of neighbouring countries resulted in a ceasefire agreement by all belligerent countries on 10 July. The rebel groups - MLC and RCD - signed up to the ceasefire agreement in August 1999. The ceasefire agreement, called the Lusaka Peace Accord, sets out arrangements for an end to the fighting and the start of a national dialogue. **[14][15][16]**

3.16 Despite the ceasefire agreement, numerous violations of the ceasefire have been reported in different parts of the country with each of the warring factions blaming one another for them. Tensions between the warring parties remain tense in what is a very volatile military situation. There have also been reports of fighting between the rebel forces themselves in Kisangani which is in one of the rebel-held areas. The civilian population have been adversely affected by the ongoing fighting. The Health Minister, Dr Mashako Mamba, has recently reported that there has been an upsurge in cases of war-related stress among the country's civilian population. **[17][18][19][20][27][34][35][36][37][38][43][44][45][46][48]**

3.17 Peace talks were held at the UN Headquarters in January 2000 to discuss the political impasse which has protracted the conflict between the rebels and the government forces. President Kabila was in attendance as well as representatives of the other African nations involved in the conflict. **[13][22]**

3.18 Following the peace talks at the UN Headquarters in January 2000, the UN decided to send

5,037 troops to the DRC to support the work of the 500 ceasefire monitors. The UN decided to suspend the deployment of this peacekeeping force until the security situation throughout the country improved. The Laurent Kabila Government hampered the deployment of UN forces by employing obstructionist tactics. **[13][21][23]**

3.19 In August 2000, representatives of the warring parties attended peace talks in Lusaka in Zambia to try and break the military and political deadlock the conflict is currently in but this failed. President Kabila was largely blamed for the failure of this summit. The military and political situation in the country remain very volatile with the rebel forces occupying roughly one half of the country. **[41][42]**

3.20 On 16 January 2001, President Laurent Kabila was assassinated in the Presidential Palace in Kinshasa, reportedly by one of his soldiers. A government public announcement was made on 18 January confirming that Laurent Kabila had been assassinated. The country's airports and borders were temporarily closed for security reasons but were soon re-opened. There were no reports of widespread civil unrest. Laurent Kabila's funeral took place a few days later and his son, Joseph Kabila, was sworn in as President of the DRC on 26 January 2001. **[53][54][55]**

3.21 Representatives from the six warring countries and the rebel groups attended a United Nations Security Council meeting in New York to discuss the conflict in the DRC in February 2001. In a resolution negotiated with all the parties, the Security Council demanded that the rebel forces withdraw an initial 15 km from their current positions by 15 March 2001 and plan for a complete withdrawal by 15 May 2001. An official for the United Nations mission in the DRC reported in March 2001 that soldiers from the rebel forces were withdrawing from their frontline positions in accordance with the agreement reached at the UN Security Council meeting in February. **[56][57][58]**

IV ORGANS OF THE STATE

The Political System

4.1 In May 1997, the AFDL established a new order by formally taking power and naming its president, Laurent Desire Kabila, as head of state with full executive, legislative and military powers. The previous constitution and state institutions were abolished with the exception of the judiciary. A 15-point constitutional decree established a president, a government, and courts and tribunals. This constitutional decree remains in force until a formal constitution is approved. The country has a highly centralised government. Political parties are allowed to exist but public political activity is banned. Political parties have to be registered with the Government to be officially recognised. The country is not a democracy despite its name as citizens do not have the right to change their government in democratic elections. In July 2000, President Kabila set up a transitional parliament nominating 240 legislators by decree. This parliament is based in the southern city of Lubumbashi. A government-appointed commission selected most of the parliament members. The parliament is intended to enable the Congolese people to participate in the running of the country but it is not clear how this will work in practice. The Laurent Kabila regime ended when he was assassinated on 16 January 2001. **[3][5][49][50][53]**

The Constitution

4.2 The Laurent Kabila regime came to power in May 1997 and abolished the previous constitution. In May 1998, a transitional constituent assembly was decreed with powers to approve a draft constitution and pave the way for the promised elections. In October 1998, the

President Kabila instead set up a commission which examined the draft constitution and submitted comments. The final text provides for a 2-chamber parliament in which the president appoints a prime minister; provincial assemblies; English as an official language in addition to French; a new High Judiciary Authority headed by the president; and restrictions on members of political parties joining international organisations. The draft constitution has been criticised for not including the agreements of the National Sovereign Conference and for the lack of public consultation, also for not addressing the issue of nationality legislation which discriminates against persons of Rwandan origin. **[3][5][6]**

The Judiciary

4.3 The judiciary is the responsibility of the Justice Department under the control of the Minister of Justice. The judiciary comprises a Supreme Court, Courts of Appeal, County and Magistrates Courts. The judiciary is ineffective in protecting citizens from the actions of the security forces and is ineffective in protecting the basic freedoms granted by law and by international human rights conventions to which the Government has subscribed. It has been underfunded and ineffective since independence and is subject to widespread corruption among judges and magistrates. The Government has also resorted to the use of military courts to try civilians. **[1][3][5]**

4.4 The Transitional Act of the former Mobutu Government and Decree Law No.3 provide for the independence of the judiciary. In practice, however, the judiciary has never been independent of the executive. The president can appoint and dismiss magistrates, judges and the Public Prosecutor. **[3]**

4.5 In August 1997, a Military Order Court (COM) or Cour d'ordre Militaire was established by decree. This has been used to try civilians and has imposed sentences of imprisonment and death for murder and armed robbery. There is no right of appeal to a higher court and only the president can alter the court's judgements. The court has also been used to try critics and opponents of the regime. In Kinshasa alone, at least 25 death sentences were handed down during 2000 by the COM. In the past, people sentenced to death by the COM have been executed within days or even hours of their trial. **[3][5][62]**

The Security Forces

4.6 The Government's security forces consist of a national police force under the Ministry of Interior, a National Security Council (CNS), the National Intelligence Agency (ANR), and the Congolese Armed Forces (FAC), which includes an Office for the Military Detection of Unpatriotic Activities (DEMIAP). The Presidential Guard was integrated into forces of the 7th Military District to form the Forces d'Intervention Rapide (FIC) during 2000. The Immigration Service, Direction Generale de Migrations (DGM) and the Autodefence Forces (FAP) and CPPs (People's Power Committees) also function as security forces. There is also a security force called the Special Intervention Force for the Defence of the Capital (FIS). During 1999, Kabila gave Mai Mai leaders commisssions in the FAC and co-ordinated operations with the Mai Mai and Hutu militias; the Government also formed People's Defence Committees (CPDs), which are armed elements of the CPPs and operates outside the formal structure of the Government. The police force was re-organised in 1997 and handles basic criminal cases. The CNS shares responsibility for internal and external security with the ANR which includes border security. Military police have jurisdiction over armed forces personnel. The security forces have reportedly committed numerous serious human rights abuses both under the Mobutu and the

Laurent Kabila regimes. **[4][5][62]**

The Education System

4.7 Primary education begins at age 6 and ends at 12 years but a high percentage of children do not have access due to a lack of facilities and a lack of teachers. In public schools, parents are formally required to pay a fee and are often expected informally to pay teachers' salaries. Many parents cannot afford these fees resulting in their children being denied a basic education. Secondary education begins at age 12 and ends at 18. The estimated average literacy rate for the total population in 1995 was 77.3%. The country has 4 universities, situated in Kinshasa, Kinshasa/Limete, Kisangani and Lumbumbashi. **[1][4]**

V HUMAN RIGHTS IN THE DRC

A. Human Rights in the Government-Held Area

5.1 The Government controls roughly one half of the country - the other half is in the control of rebel forces. The Government's human rights record is poor. Citizens do not have the right to change their government peacefully. Security forces have reportedly been responsible for numerous extrajudicial killings, disappearances, torture, beatings, rape and other abuses. In general, security forces committed these abuses with impunity although a special military tribunal tried and executed some security force members for human rights abuses. Prolonged pre-trial detention remains a problem and citizens are often denied fair public trials. The special military tribunal tried civilians for political offences and executed civilians, often with total disregard of due process. The judiciary remains subject to government influence and suffers from a lack of resources, inefficiency and corruption. Security forces have reportedly used excessive force and committed violations of international law in the war that started in August 1998. The Government has restricted freedom of speech and of the press by harassing and arresting newspaper editors and journalists and seizing individual issues of publications. Private radio broadcasting is also subject to restrictions. Freedom of movement, assembly and association are severely restricted by the Government. Party political activity is banned and security forces are used to stop political demonstrations. Members of opposition political parties and human rights workers working for NGOs are subject to harassment and imprisonment by the security forces. **[4][5][11][28][30][40]**

B. Human Rights in the Rebel-Held Area

5.2 There have been many reports of widespread human rights abuses by soldiers of the rebel forces against the civilian population living in areas under rebel control. Rebel forces have reportedly been responsible for acts of murder, disappearances, torture, rape, theft, extortion, robbery, arbitrary arrests and detention, harassment of human rights workers and journalists and forcible recruitment of child soldiers. Rebel forces have reportedly severely restricted freedom of speech, assembly and association in the areas they control. They have also been reports of inter-tribal violence in rebel-held areas. **[4][24][28][39][40][47]**

5.3 In eastern DRC, the RCD and its Rwandan allies have reportedly used arbitrary arrest, illegal detention, torture and ill-treatment to harass and intimidate members of human rights groups, women's associations and other NGOs. The RCD has also reportedly tortured and ill-treated persons arrested for criminal offences and have disregarded due legal process. Persons detained by the RCD are often not informed of the reasons for their arrest and held for weeks or months without being charged. Prisoners are frequently subjected to beatings, torture and other forms of

ill-treatment. Women have reported to being raped or sexually abused during detention in urban areas under RCD control. In an effort to control information both within their zone and that disseminated to the outside world, RCD authorities have censored or banned publications and radio programmes. They have threatened, detained and harassed journalists, human rights workers and senior members of Christian churches. **[24][39][40][47]**

5.4 The RCD has taken over the existing judicial institutions and retained most of their personnel in the areas they control. Many government employees, including magistrates, prison guards and others have rarely been paid for their services since the beginning of the war. In an increasingly desperate economic situation, judicial personnel often demand bribes to carry out their duties and people are forced to pay to obtain justice. Many people deplore the reluctance of the authorities to act on criminal complaints, particularly when crimes involve RCD or Rwandan soldiers. These soldiers can commit human rights abuses with impunity. **[24][39][40]**

C. Human Rights: Specific Issues and Specific Groups

Freedom of Assembly and Political Association

5.5 There is no legal protection for freedom of assembly and association and the Government severely restricts this right in practice. The Government considers the right to assemble and associate subordinate to the maintenance of public order. The Government requires all organisers to apply for permits which are granted at the Government's discretion. Public activities generally are dispersed by the security forces. **[5]**

5.6 The Kabila Government banned public political activities when it came to power in 1997 but not political parties themselves and, therefore, being a member of a political party is not illegal in itself. In practice, the Government has banned political activity beyond small administrative meetings. In January 1999, President Laurent Kabila issued a decree that partially lifted the ban on political activity. Political parties can now register with the Government to be officially recognised provided they have members from all provinces of the country. This is a requirement that is difficult to meet as roughly half of the country is in rebel hands. **[4][5][11][30]**

5.7 Political party offices by and large remain open and members of political parties can carry out internal administrative functions. At different times and for different reasons, the headquarters of various political parties are under surveillance, padlocked or patrolled by soldiers. The Government effectively prevents public political gatherings and even arrested opposition activists in small private meetings. The effects of these restrictions on opposition political parties varies widely throughout the country and are less enforced in some provinces than in others. The ban on public political activity has generally been enforced by violence, arrests and detention for varying periods. Critics of the regime have also been arrested and ill-treated on a number of occasions although the majority have been released after a short time. **[3][4][5][30]**

Freedom of Speech and the Media

5.8 The law allows for freedom of speech and the press but the Government restricts these rights in practice. The People Power Committees (CPPs) monitor people's speech as well as association and movement of people in residential areas, workplaces and schools. They report speech critical of the Government to the security forces. The CPPs are not part of the formal structure of the state but can be regarded as agencies of the Government. **[5]**

5.9 Journalists are frequently harassed, intimidated and detained by the security forces and violations of press freedom are common. In 1999, the security forces arrested and detained more than 80 journalists. Some journalists have been harassed, beaten and tortured. The security forces sometimes seize individual issues of various newspapers or printing equipment. Other methods of silencing the broadcasting media include the burning down of radio stations and expelling journalists from their homes. The Kinshasa-based organisation, Journaliste en Danger, has submitted a report to the UN Commissioner for Human Rights, Mary Robinson, highlighting the difficult circumstances in which the media operate. **[4][29][30][32]**

5.10 Almost 400 newspapers are licensed to publish and a number of them appear regularly in Kinshasa. Of the Kinshasa-based newspapers, eight are dailies; the rest of the newspapers that appear regularly are published between one and three times a week. News publications tend to emphasise editorial comment and analysis rather than factual descriptions of events and some are critical of the Government. The Government restricts the freedom of the press but there is, however, no formal censorship regime. The newspaper industry is regulated by a press law enacted in 1996. Publishers must deposit copies of their publications with the Ministry of Information. Criminal libel laws exist but have not been used against journalists.The Government does not overtly control any newspapers. Government officials criticised or implicated in fraudulent practices by the press sometimes resulted in the police to arresting the journalists responsible. **[4][5][11][51]**

5.11 Due to limited literacy and the high cost of newspapers and television sets, radio remains the most important medium of public information. There are about ten radio stations. In 2000, the Government nationalised one radio and television station. The state-controlled radio station is called La Voix du Congo (The Voice of Congo). It broadcasts in French, Swahili, Lingala, Tshiluba and Kikongo. The state-owned television channel is called Radio-Television Nationale Congolaise (RTNC). Church radio networks are growing but the state-controlled broadcasting network reaches the largest numbers of citizens. In 1997, the Government lifted the Mobutu regime's ban on news broadcasts on private radio. Opposition parties are unable to gain access to state-owned radio and private radio is markedly less critical of the Government than private newspapers. A number of private radio stations also operate and broadcast foreign source news programmes. Some private radio stations have been closed down by the Government for broadcasting news unfavourable to the present regime. In September 2000, ten private radio and television stations were banned from broadcasting by the Government on charges ranging from non-payment of licensing fees to failure to file certain required documents. Eight television stations broadcast in the Kinshasa area, two of which are state-controlled and two of which are religious. The Government severely restricts foreign broadcasts including those of the BBC, Radio France Internationale and Voice of America. **[4][5][61]**

Prison Conditions

5.12 The present regime operates 220 known prisons and other places of detention, and in all such facilities, conditions remain harsh, unsanitary and life-threatening. The Government provides food at some prisons but not in sufficient quantities to ensure adequate nutrition for all inmates. The penal system suffers from serious shortages of money, medical facilities, food and trained personnel. Overcrowding and corruption in prisons are widespread. Prisoners reportedly are beaten to death, tortured, deprived of food and water and die of starvation. Prisoners are wholly dependent on their families for their survival. The Government has exacerbated the problem of overcrowding of prisons by imprisoning many soldiers who have refused to fight for the Government in the conflict with the rebel forces. In July 2000, President Laurent Kabila

pardoned and ordered the release of around 500 former Zaire Armed Forces (FAZ) soldiers held at Makal Prison; however, there were reports that these soldiers immediately were re-enlisted into the present Congolese army and sent to fight against the rebels. **[5]**

5.13 The Government allows some international humanitarian organisations to visit political prisoners on a regular basis but when the detainees are held in official prisons. The Government does not allow these organisations to visit the numerous unpublicised and unofficial detention sites throughout the country where most newly arrested detainees are held, questioned and sometimes subjected to abuse. **[5]**

Arbitrary Arrest and Detention

5.14 Despite legal provisions governing arrest and detention procedures, the security forces have reportedly been responsible for numerous cases of arbitrary arrest and detention. Under the law, serious offences do not require a warrant for a suspect's arrest. Only a law enforcement officer with judicial police officer status is empowered to authorise arrest. This status is also vested in senior officers of the security services. The law instructs security forces to bring detainees to the police within 24 hours and be brought before a magistrate within 48 hours, who may authorise provisional detention for varying periods. In practice, these provisions have been violated systematically. Security forces, especially those carrying out the orders of any official who could claim authority, use arbitrary arrest to intimidate outspoken opponents and journalists. **[5][30]**

Freedom of Religion

5.15 The Transitional Act of the Mobutu regime provided for freedom of religion and this provision has been respected in practice with the reservation that public order and morals are not disturbed. There is no state religion. Approximately 50% of the population are Roman Catholic, 20% are Protestant and 10% are Muslim. The remainder largely practice traditional indigenous religions. The establishment and operation of religious institutions is provided for and regulated through a statutory order on Regulation of Non-Profit Associations and Public Utility Institutions. A 1971 law regulating religious organisations grants civil servants the power to recognise, suspend recognition of, or dissolve religious groups. There have been no reports of the Government suspending or dissolving a religious group since 1990 when the Government suspended its recognition of the Jehovah's Witnesses religion. This suspension was subsequently reversed by a court. This law restricts the process of recognition but in practice religious groups that are officially recognised are free to establish places of worship. In practice, members of religious groups that are not officially recognised are also free to worship freely. The Government does not prohibit or punish assembly for peaceful religious services regardless of faith. **[8][9]**

5.16 In the areas held by the rebel forces, human rights groups have reported human rights abuses by the rebel forces on the Roman Catholic clergy. These reports have been confirmed by various independent sources including the Roman Catholic Church itself. Human rights abuses reportedly took the form of attacks on Catholic missions, killings of priests, the rape of nuns, and the burning of churches. **[8][9]**

Freedom of Movement

5.17 The law allows for freedom of movement but the Government restricts freedom of movement in practice. The war has resulted in new restrictions on internal travel even within the Government-controlled and rebel-controlled areas. Movement between the two zones is difficult

and dangerous. **[4][5]**

5.18 Security forces set up roadblocks - more than can be justified by public safety considerations - with the main aim to extort money and goods from travellers to supplement their low income. This has made internal travel more expensive, more time-consuming and more dangerous. Violent acts against travellers including shootings by the security forces are not uncommon at these roadblocks. **[4][5]**

5.19 In Kinshasa, police and soldiers commonly erected roadblocks in order to extract bribes from taxibus drivers and passengers. On 18 January 2000, in the Gombe district of Kinshasa, there were unconfirmed reports that security forces forced passengers who allegedly were riding in excess of the capacity of a taxibus to pay bribes. There has reportedly been no investigation into this case. Also in January 2000, FAC (government) soldiers and police erected roadblocks in various districts of Kinshasa in order to extort money from each minibus passenger who crossed the roadblocks. **[5]**

5.20 The Government requires exit visas for all foreign travel. Security forces occasionally hinder foreign travel by citizens, including journalists. There have been cases where political leaders have been denied exit visas. **[5]**

5.21 In January 2000, immigration officials prevented FONUS opposition leader Joseph Olenghankoy from travelling abroad. The Government gave no explanation for its actions. On 8 March 2000, immigration security agents again detained Olenghankoy as he attempted to depart Kinshasa for Brazzaville, Republic of the Congo. Immigration officials confiscated all of his documents and prevented him from leaving the country. **[5]**

5.22 On 16 February 2000, immigration officials confiscated the passport and airline ticket of Christophe Lutundula Apala, a member of the Mouvement Solarite pour la Democracie et le Development (MSDD), a think-tank, as he prepared to board a plane to attend an international conference on democratic transitions in Benin. He departed on 18 February after La Francophonie and other organizations petitioned the Government to permit his departure. **[5]**

5.23 In June 2000, President Laurent Kabila and government authorities prevented the departure of a number of opposition and civil society leaders, including Joseph Olenghankoy (president of FONUS), Francois Lumumba (President of the MNC/L), and Catherine Nzuzi wa Mbombo (President of the MPR) who were invited to participate in a preparatory meeting of the Inter-Congolese Dialogue in Benin, as authorized by the Lusaka Accords. The Government already had expressed its intention not to participate in the U.N.-sponsored forum, which had been organized by Inter-Congolese Dialogue facilitator and former Botswana Prime Minister Sir Ketumile Masire. The Government successfully prevented initial efforts to launch the forum by preventing civil society and opposition groups from participating and confiscating all travel documents of intended participants. At the end of 2000, the Government still had not returned the travel documents of these individuals. **[5]**

5.24 The risk of rape restricts the freedom of movement at night for women in many neighbourhoods. Some people have started neighbourhood watch programmes but women in Kinshasa and Lubumbashi do not leave their homes at night due to fear of attack. **[4]**

Interference With Privacy

5.25 Security forces routinely ignore legal provisions for the inviolability of the home, the

family, and private correspondence. Security force officials often harass and rob persons. Government security forces routinely kept under surveillance the headquarters of opposition parties and the movements of leading opposition political figures. Security forces repeatedly raid private businesses, including newspapers, banks and law firms, seized documents and other property, and arrested and detained employees whom they accused of collaborating with rebel forces. Security forces routinely ignore requirements for search warrants, entering and searching at will. When unable to locate a specific individual, authorities routinely arrest or beat the closest family member. For example, in July 1999, military personnel held hostage the wife and sister of Innocent Kyuma until Kyuma appeared. He was arrested on July 9, 1999, without a warrant and for no apparent reason; his release still had not been reported at the end of 2000. **[5]**

5.26 Security agents force their way into private homes without search or arrest warrants, often beating the inhabitants and stealing money and goods. There have been reports that security forces raped women during these raids. The police often raid opposition party leaders' residences, make arrests, and seize files. For example, in November 2000, a group of armed government soldiers searched and robbed the house of Athanese Matenda Kyelu, the manager of the Chamber of Commerce, in the Ngaliema district of Kinshasa. **[5]**

Use of Torture and other Cruel or Degrading Punishment

5.27 The law forbids torture but in practice security forces and prison officials use torture and often beat prisoners in the process of arresting or interrogating them. Incidents of physical abuse by security forces has occurred during the arrest or detention of political opponents, journalists and businessmen. There are legal provisions governing arrest and detention procedures but the security forces are responsible for many cases of arbitrary arrest and detention. Security forces use arbitrary arrest to intimidate outspoken opponents and journalists. Detention without charge is a frequent problem. **[5][30]**

5.28 Despite assurances given by the Government both to Amnesty International and the UN High Commissioner for Human Rights that it was committed to a moratorium on executions, the death penalty continues to be applied. As many as 200 members of the security forces and civilians have been executed since Laurent Kabila took power in May 1997. At least 35 people are known to have been executed in Kinshasa and Maluku during 2000. Executions are often carried out in secret. In September 2000, five soldiers and three civilians were taken from the CPRK (main prison in Kinshasa) in the middle of the night and reportedly executed at the Inspectorat de police de Kinshasa (IPK) or Police Inspectorate of Kinshasa. No official announcement was made and no names were released. At the end of 2000, up to 60 people remained on death row at the CPRK. **[62]**

Ethnic Issues

5.29 Ethnic tensions, which are a long-standing issue, are reflected in DRC internal and external politics. The Congo people are made up of over 200 distinct ethnic groups. These ethnic groups generally are concentrated regionally and speak distinct primary languages. There is no majority ethnic group - the four largest are the Mongo, Luba, Kongo and Angbetu-Azande. **[4]**

5.30 Societal discrimination on the basis of ethnicity is widely practiced by members of virtually all ethnic groups. People from Laurent Kabila's home province, Katanga, and from his Mulaba tribe, fill a disproportionate number of positions in the current administration and in the senior ranks of the civil service and dominate the FAC officer corps. Birth on national territory

reportedly does not necessarily confer Congolese citizenship. The Government refuses to recognise the citizenship claims of long-time residents whose ancestors immigrated to the country, including the Tutsis. **[5]**

5.31 The province of Shaba, now Katanga, has tried to secede since independence and there is friction with the Luba from Kasai-oriental. There is the question of discrimination against the Banyamulenge who are Congolese Tutsis of Rwandan origin who have been living in the east since the nineteenth century and are resented because of their ownership of land. Attempts to exclude them from citizenship were made in legislation of 1972 and 1981 and may again arise in the context of the proposed constitution, pre-election census and the registration of new political parties. There is also conflict in North Kivu between residents of Rwandan descent, the Banyarwanda, and the Hunde and Nyanga tribes over land property rights in which the 1981 legislation sought to undermine the Banyarwanda's claim to citizenship. **[3][4]**

5.32 Existing tensions in the east of the country were exacerbated by the crisis in Rwanda in 1994 when millions of Rwandan refugees crossed the border. They were placed in a number of camps in the area and were subjected to acts of vandalism and violence from the Zaire military and the local populace, and also from units of the Rwandan militia (the Interhamwe) living within the camps. **[3]**

5.33 Tutsis dominate one of the rebel groups - the Congolese Rally for Democracy - which controls one third of the country and for this are viewed by the Government as a potential threat. In addition to this, Tutsis are generally resented and viewed with suspicion by other tribal groups who make up the civilian population of the country. In August 1998, at the start of the rebellion, the Government's security forces systematically arrested and detained Tutsi civilians throughout the country. Many Tutsis have been killed, beaten and tortured both by security forces and civilians and the Government has encouraged this by inciting violence against them in radio broadcasts. Violent acts against the Tutsis have lessened in intensity since 1999 and the Government no longer incites mob violence against unarmed Tutsis. The widespread killings that occurred in 1998 did not occur in 1999. During 2000, there were no reports of extrajudicial killings of non-combatant Tutsis in government-controlled areas. Tutsis have either left the Government-controlled areas or are in hiding, sought refuge abroad or in government custody. In addition to this, many Tutsis have been evacuated to safe countries in evacuation programmes by the UNHCR. Persecution and harassment of Tutsis is now sporadic and not part of a systematic and concerted campaign. Many people who are not Tutsis but physically resemble Tutsis have been detained or beaten on suspicion of being a Tutsi. **[4][5]**

5.34 The long-standing violent conflict between the Tutsi and Hutu ethnic groups continues inside the country. Congolese Hutu militias have increased their recruitment from populations of Hutu refugees form Rwanda and Burundi, the Republic of Congo and Zambia. The Government reportedly welcomes the support of these Hutu groups in the fight against the Tutsi-dominated RCD and the Tutsi-dominated Rwandan Government. **[4][5]**

5.35 Brutal inter-tribal fighting has been reported recently between the Hemas and the Lendus. These two tribes used to live in the same villages in Eastern DRC but since June 1999 have been practising a form of ethnic cleansing. Thousands of people are reported to have been killed in the fighting and thousands of people have been forced to leave their homes. **[25][26]**

Medical Facilities and Health Issues

5.36 The war between the Government and the rebel forces has resulted in the country's basic health care system collapsing. The Ministry of Health suffers from a serious lack of resources. Irregular and extremely low salaries offer inadequate motivation to health workers to keep the various health districts running. Of the 300 health districts in the country, 79 are more than a 100 km from their referral hospital. The lack of government funds and foreign aid means that 100 districts are left without any funding at all. Human resources fare no better as the country's population of around 50 million people have only 2,000 Congolese doctors to serve them. Life expectancy is 45 years. Maternal deaths are currently 1,600 per 100,000 live births in government-controlled areas and 3,000 maternal deaths per 100,000 live births in rebel-controlled areas. Maternal deaths in the DRC are the highest in Africa. One in four children will die before they reach the age of five. Large parts of the country are inaccessible to humanitarian assistance. The disappearance of and deterioration of medical equipment, the lack of spare parts supplies and the failure to maintain buildings, has also contributed to the deterioration of the country's health care services. **[7][12][52]**

5.37 The disintegration of the health care system and the ongoing ravages of war has resulted in the widespread outbreak of many diseases. Continual outbreaks of meningitis, cholera, shigellosis (bloody diarrhoea) and measles are coupled with periodic outbreaks of diseases such as polio, Marburg disease, plague, AIDS and sleeping sickness. Few AIDS patients can afford proper treatment and some go on to contract other serious infectious diseases such as tuberculosis. Measles is a major cause of death amongst children. There has been an increase in tuberculosis cases. Malaria remains the number one disease and is responsible for many deaths, especially among children. The deterioration of basic health care and increasing resistance to standard drugs are allowing this disease to spread unchecked. Extremely infectious epidemics of haemorrhagic fever occur regularly and cannot be identified or isolated promptly. The poor working conditions in medical institutions make this disease a real threat for personnel, patients and visitors. **[7][12]**

People Associated With Mobutu's Regime

5.38 Political activity in exile opposing the Kabila regime has mainly taken place in Belgium. The former Mobutist prime minister Leon Kengo wa Dondo formed a government in exile in February 1998. In July 1998, Justine Kasavubu, formerly the DRC ambassador to Belgium, set up a new opposition party called the Rally for Congolese Democracy. **[31][33]**

5.39 In January 1998, the UNHCR issued guidelines for refugees and asylum seekers from the DRC who claim to be at risk of persecution on account of their association with the former regime. **[10]**

5.40 In general, the UNHCR have assessed the following categories as being at risk:

♦ Soldiers of the Division Speciale Presidentielle (DSP).

These were mainly from Mobutu's tribe (Ngbandi) or region (Equateur). Members of the Ngbandi tribe were not assessed to be at risk purely on account of their ethnic origin.

♦ Few officials of the National Security Council were likely to deserve international protection.

♦ The activities of the security agencies SNIP and SARM were described without any recommendation.

♦ Forces Armees Zairoises (FAZ). The majority of the 60,000 soldiers of the former regime are still in the country. The majority were from Equateur region. They are to be integrated into the AFDL forces, but there are concerns about the fate of those who were sent to retraining camps. High ranked FAZ officers would have a well-founded fear of persecution.

♦ Garde Civile. Apart from being involved in 1991 and 1993 riots and lootings no serious crimes that might be considered as exclusion clauses have been reported against the staff, with the exception of its head, General Baramoto (who is now associated with the rebel cause).

♦ Leading and active members of the MPR, the Forces Politiques du Conclave and other pro-Mobutu parties; also political allies and Mobutu family members and close collaborators, especially those from Ngbandi tribe or Equateur region.

♦ Former ministers and ambassadors; opposition leaders and activists, but not sympathisers or members who were not playing a substantial role within their political parties.

♦ Some former Mobutu political opponents who had left the country during the previous regime would not necessarily be safe to return, depending on their relationship with the AFDL.

♦ Human rights activists, journalists and other intellectuals are not for the time being facing any systematic or latent persecution, their applications should be assessed on a case by case basis, based on individual merits.

♦ Prosperous businessmen are suspected of having connived with the Mobutu regime in economic crimes. Some have been arbitrarily arrested and detained, and deprived of their property, whether or not they are connected with Mobutu or the MPR. An Office of Ill-Gotten gains has been set up.

♦ Ex-Zairean General Managing Directors of national companies were appointed by Mobutu on considerations of political support or affiliation, or membership of specific ethnic groups rather than competence or aptitude. Many have fled to avoid being subject to the DRC justice system and may be considered as economic criminals rather than victims of any possible persecution. **[10]**

Human Rights Groups

5.41 The Laurent Kabila regime had a track record of opposing non-governmental organisations (NGOs) and human rights organisations, asserting that were hostile political organisations attempting to destabilise the Government and protect anti-government elements in the refugee camps. Local human rights activists are subject to frequent harassment, arrest and detention by the security forces. Human rights groups and members of political, religious and other non-governmental organisations in the rebel-held areas are frequently harassed and detained on suspicion of helping the Government. The main domestic human rights organisations operating in the country include Comite Droits de l'Homme Mainenant, a national network of human rights organisations; VSV, an active Kinshasa-based organisation; Group Amos, a Christian-inspired group that focuses on human rights and democracy issues; Tofges, an international association of lawyers and judges involved with human rights and Associations de Defence des Droits de l'homme (ASADHO). **[3][4][5]**

Treatment of Refugees

5.42 The law includes provisions to grant refugee status and asylum in accordance with the provisions of the 1951 UN Convention Relating to the Status of Refugees and its 1967 Protocol. The Government provides first asylum to refugees and co-operates with the UN High Commissioner for Refugees. Refugees were accepted into the country from the Republic of Congo (ROC) during 2000 and approximately 330,000 refugees from neighbouring countries, including Rwanda, Burundi, Angola, Uganda and Sudan live in the country. The Ministry of Human Rights and in particular Human Rights Minister She Okitundu played an active role in organising the protection and voluntary departure of Tutsis who were not imprisoned before their departure from the country. During 2000, there were no known reports of the forced repatriation of refugees. **[4][5]**

5.43 According to international human rights NGOs, approximately 300,000 Congolese refugees lived in neighbouring countries during 2000, including approximately 100,000 in the Republic of Congo and 9,000 in the Central African Republic. During 2000, some refugees also fled to Zambia to avoid the increased fighting in the Katanga Province. **[5]**

Women

5.44 Many women suffer from domestic violence and rape but there are no known government or NGO statistics to verify this. The police rarely intervene in domestic disputes and the press rarely report incidences of violence against women. Women mainly work as agricultural labourers and small-scale traders. They are relegated to a secondary role and rarely occupy positions of authority or responsibility. The law discriminates against women in many areas of life.Women are required by law to obtain their husband's permission before selling or renting property, opening a bank account, accepting employment, or applying for a passport. Widows often have their possessions and their children taken from them with no legal recourse and women are denied custody of their children in divorce cases although they have the right to visit them. Polygyny is practiced although it is illegal. Father/child relationships resulting from polygynous unions are legally recognised but only the first wife is legally recognised as a spouse. Prostitution is not a crime and there has been an increase in prostitution due to poor economic conditions. Some women become prostitutes by their families due to economic necessity. **[4][5]**

Children

5.45 There are no reported cases of child abuse by government security forces but children suffer from the same social disorder and human rights abuses that adults suffer from. Thousands of children have been abandoned by their families and are suffering from malnutrition, disease, unemployment, poverty, mistreatment, lack of shelter or hygiene facilities and a lack of educational facilities. The Government has made use of child soldiers and has not removed these soldiers from the country's armed forces although it intends to do so once the current conflict is over. Rebel forces have also made use of child soldiers but there have been no reports of the recruitment of additional child soldiers in 1999. **[4]**

5.46 Government spending on children's programmes is virtually non-existent. Primary school education is not compulsory, free, or universal. Primary school enrollment rates dropped to less than 70 percent during 2000. In state schools, parents are required formally to pay a small fee but parents often are expected informally to pay teachers' salaries. Extremely poor economic circumstances often hamper parents' ability to afford these added expenses, meaning that children may not be able to attend school. Most schools function only in areas where parents have formed co-operatives. The Government's economic policies have resulted in massive

unemployment, inflation, and a devaluation of the currency, putting basic education out of reach of many families. There have been reports of economic circumstances forcing children to hunt or fish for their family's livelihood instead of attending school. In both the government/rebel-controlled areas, poverty brought on by the war has led to greatly diminished educational opportunities for girls. Parents under severe economic hardship no longer can afford to educate both their sons and their daughters, resulting in the withdrawal of many girls from school. **[5]**

5.47 The Juvenile Code includes a statute prohibiting prostitution by children under the age of 14; however, child prostitution is common in Kinshasa and in other parts of the country. There were reports during 2000 that girls as young as 8 years of age were forced into prostitution to provide income for their families. **[5]**

5.48 The number of orphans and street children increased in 2000. Street children in Kinshasa are subject to severe harassment and exploitation, particularly by soldiers and the police. There were credible reports that the FAC sexually exploited homeless girls. **[5]**

5.49 Some children as young as 10 years of age have been allowed to enlist as soldiers in the FAC. The Government has not taken comprehensive measures to remove child soldiers from its armed forces, although it has stated its intention of demobilizing child soldiers once the war is over. While many child soldiers continued to serve in the armed forces, during 2000 the Government recruited fewer children into the armed forces; however, the Government continues to encourage the enlistment of children in paramilitary organizations. Commanders reportedly often concealed child soldiers during visits by human rights NGOs and other monitoring groups. There were credible reports that the FAC forcibly conscripted homeless boys to fight. **[5]**

5.50 Rebel forces reportedly continued to use child soldiers already in service but greatly reduced recruitment of them during 2000. Credible reports have indicated that rebel forces have conscripted forcibly boys as young as age 10 and there were reports that this practice continued during 2000. **[5]**

5.51 Female genital mutilation (FGM), which is condemned widely by international health experts as damaging to both physical and psychological health, is not widespread but it is practiced on young girls among isolated groups in the north. The Government has not addressed the problem. **[5]**

ANNEX A

PROMINENT PEOPLE

Bayona BAMEYA

Mobutu political associate. Head of national electoral commission set up in December 1995 to implement a timetable for elections.

Jean-Pierre BEMBA

Leader of the Movement for the Liberation of Congo (MLC) before it merged with RCD-ML in January 2001 to form the Congolese Liberation Front. Bemba is the leader of this new rebel group. Son of business magnate Bemba Saolona. The Bemba family, which was closely associated with Mobutu before his fall, has wide ranging business interests.

Faustin BIRINDWA

Former UDPS member and adviser to Tshisekedi. Prime Minister of "government of national salvation" appointed by Mobutu from March 1993 until the following year in contest with the administration appointed by the HCR and headed by Tshisekedi.

Deogratias BUGERA

North Kivu Tutsi and founding member of the RCD.

Lunda BULULU

Former legal adviser to Mobutu and first State Commissioner 1990-91. Continued in opposition politics. Joined rebel RCD and appointed co-ordinator of its executive committee.

Joseph ILEO (or Ileo Nsonga Amba)

Prime minister 1960-61. Leader of PDSC. Vice-president of CNS December 1991. Died in 1995.

Emile ILUNGA

Leader of RCD-Goma rebel faction until November 2000 when he was deposed. A long-time political activist from Katanga.

Joseph KABILA

Son of Laurent Kabila and current President of the DRC. He was appointed as the President of the DRC in January 2001 after the assassination of his father - Laurent Kabila.

Laurent Desire KABILA

Former President of the DRC. He was the leader of AFDL forces which toppled Mobutu in May 1997 after a prolonged military campaign which started in the east of the country. He became President of the DRC in May 1997 and remained the president until his assassination in January 2001.

Bizimi KARAHA

Former foreign minister under Kabila. Later external affairs spokesman for the RCD rebel group which sought to overthrow the regime in August 1998. Remains with RCD Goma faction.

Nguza KARL-I-BOND

Lunda ethnic origin. Minister in Mobutist governments in the 1970s. Sentenced to death in 1977 for alleged treason, the sentence was commuted to life imprisonment. Reinstated to government post in 1979. Leader of FCD in 1982. Leader of UFERI in 1990. First state commissioner on 22 November 1991 under Senegal proposals for new constitutional arrangements.

Justine KASAVUBU

Appointed ambassador to Belgium by Kabila. She resigned and formed an opposition party in exile in Brussels in June 1998.

Leon KENGO WA DONDO

Appointed first state commissioner by Mobutu in November 1982 and November 1983 for a few months on each occasion. He was appointed Prime Minister from June 1994 until the last days of Mobutu's presidency. Press reports state he is now head of a government in exile in Belgium.

Frederic KIBASSA-MALIBA

Founder member of UDPS and president of USORAL 1994-6. During this period he was involved in a power struggle with Tshisekedi. Appointed Minister of Mines in Kabila government in 1997.

Francois LUMUMBA

Leader of MNC/L Party. Lives in Belgium.

Patrice LUMUMBA

First Prime Minister after independence. Leader of MNC (Mouvement national Congolais) which favoured the creation of a federal state. In the post-independence secession of Katanga, Lumumba lost control to Kasavubu who was supported by Mobutu. He was murdered in February 1961. The current Lumumbiste party (PALU) support similar federalist views.

Catherine Nzumi Wa Mbombo

Leader of the MPR political party.

Joseph Ruhana MIRINDI

UDPS politician. Leader of reformist wing which took part in the Kengo Wa Dondo administration in 1994.

Joseph-Desire MOBUTU (Mobutu Sese Seko Kuku Ngbendu Wa Za Banga after 1972)

Took control of the country in 1965 and remained President of the DRC until 1997. From 1965 to 1990 opposition activity was banned and power was concentrated in Mobutu's hand's and those of his immediate supporters. Eventually, in 1990, amid allegations of corruption, extravagance and human rights abuses, Mobutu announced a return to pluralist politics and

promised elections and a constitutional referendum, which never took place. In August 1996, Mobutu left the country for 4 months for cancer treatment. During his absence the AFDL rebels led by Kabila extended the revolt which had arisen from ethnic tensions in the east and eventually took control of the whole country in May 1997. Mobutu and his family left for Morocco where he died in September 1997.

Monsignor Laurent MONSENGWO PASINYA

Former Roman Catholic Archbishop of Kisangani. President of CNS November 1991, and its successor, the HCR, from December 1992.

Joseph OLENGHANKOY

Leader of FONUS political party. Detained in January 1998 on unspecified charges, he was later sentenced to 15 years imprisonment by the Military Court for violating the ban on political activity. He was released in June 1999.

Jean-Pierre ONDEKANE

Military commander of rebel RCD forces.

Etienne TSHISEKEDI Wa Mulumba

UDPS founder member and leader. During the 1990s he was at the centre of the political activity following Mobutu's 1990 announcement of a return to a multi-party state, often in conflict with other leading figures, including Mobutu, and with members of his own party. In April 1996, divisions with Kibassa-Maliba led to a power struggle for control of the party. During the last days of the Mobutu regime Tshisekedi continued to be excluded from the government, although he again held the premiership briefly in April 1997. In early 1997, his faction of the UDPS declared its support for the AFDL takeover. After they came to power, however, he refused to recognise the new regime, and was not offered a post in the new government. In February 1998, he was arrested on the grounds that he had violated the ban on public political activity, and sent to live in internal exile in his home village for 5 months. In October 1998, he was prevented from travelling to Brussels to address the European Parliament. He is currently living in Belgium.

Ernest WAMBA DIA WAMBA

Chairman of the RCD from the start of the rebellion in August 1998. He was later ousted by the Goma-based faction of the RCD led by Emile Ilunga and became the head of RCD-ML until it merged with the MLC in January 2001.

Adolphe Onusumba Yemba

President of RCD-Goma rebel group since November 2000 replacing Emile Ilunga.

Arthur Z'AHIDI NGOMA

Political opponent of Mobutu and Kabila under Forces du Futur party. In May 1998, he was found guilty by a military tribunal of violating the ban on public political activity and given a one year suspended sentence. He then emerged as a leader of the rebel RCD group, but left in January 1999 after a disagreement.

ANNEX B

CHRONOLOGY

1885

Congo Free State established under the sovereignty of King Leopold of Belgium.

1908

Following reports of exploitation and abuses the Belgian Parliament voted to annex the territory, which was then renamed the *Belgian Congo*.

1959

The Belgian Government announced a timetable leading to independence.

1960

Republic of the Congo was proclaimed under President Kasavubu and Prime Minister Lumumba. Political and military disagreements ensued and the eastern provinces of Katanga and South Kasai resolved to secede. Later that year, Col Mobutu, as Army Chief of Staff, suspended political institutions and assumed control of the country. Kasavubu was allowed to remain as President. Lumumba was murdered in 1961.

1964

Rebellions in the Kwilu region, and in the South Kivu and northern Katanga provinces were eventually defeated with the help of Belgian troops. The political leader of the eastern separatists, Moise Tshombe, became Prime Minister pending legislative elections, and the country was renamed the *Democratic Republic of the Congo.*

1965

Mobutu again intervened, following the political deadlock which ensued from elections. He assumed full executive powers and declared himself the President of the "Second Republic". The legislature was suspended and a five year ban on party politics was imposed. During this period power was progressively concentrated in the office of the President. By 1970, no senior politicians remained as potential rivals to Mobutu, the main candidates having been either ignored, or appointed to overseas diplomatic posts, subsequently accused of plotting against the President, and dismissed or arrested.

1970

Presidential and legislative elections were held. Mobutu, as sole candidate, was elected President, and members of a national legislative council were elected from a list of candidates presented by Mobutu's political party, the Mouvement populaire de la revolution (MPR). The government, legislature and judiciary became institutions of the MPR and all citizens automatically became party members. In 1971, the country was renamed the *Republic of Zaire* as part of the campaign for authenticity.

1975

National economic difficulties became a major problem, exacerbated by the high level of the regime's extravagance and corruption and the collapse of copper prices in 1977.

1977

An invasion of Shaba province by former Katangese rebels from Angola was repulsed with assistance from France and Morocco (the First Shaba War).

Mobutu created the post of first state commissioner (equivalent to prime minister) and announced a legislative election for 1980. He was then re-elected unopposed for a further term of office.

The commissioner for foreign affairs, Nguza Karl-I-Bond, was dismissed and sentenced to death for alleged treason, later commuted to life imprisonment.

1978

The military establishment was purged when a number of senior officers and civilians were executed after the alleged discovery of a coup plot.

The "Second Shaba War" occurred when several thousand men, originally from Angola, invaded Shaba from Zambia in May. French paratroopers assisted Zairian forces to recapture Kolwezi, a major mining centre. In June a Pan-African peacekeeping force was sent to Shaba and remained there for more than a year.

1980

The economic crisis worsened, despite massive IMF loans and aid from various western countries.

1982/3

Internal opposition groups became active, notably the UDPS, led by Etienne Tshisekedi, which was then banned, and the FCD coalition, headed by Karl-I-Bond. A substantial political opposition movement in Belgium was also formed. In response to a highly critical Amnesty International report Mobutu offered an amnesty to political exiles.

1984

Mobutu was again re-elected without opposition and continued with political and financial policies to reinforce his personal position. Two UDPS members were imprisoned for insulting the head of state.

1986

A further Amnesty International report condemned human rights abuses, and the illegal arrest, torture and murder of UDPS supporters.

1987

Results of regional and municipal elections were annulled due to alleged electoral malpractice. External opposition continued and several UDPS members, including Tshisekedi, returned to Zaire under amnesty terms. Some UDPS members were appointed to government posts.

1988

Tshisekedi was arrested twice for political activities and announced his withdrawal from politics later that year.

1989

Thirty seven people were killed in student demonstrations in Kinshasa and Lubumbashi. Tshisekedi was placed under house arrest.

1990

Further demonstrations took place in February and April in Kinshasa and other towns. In early May, between fifty and one hundred and fifty (according to different reports) were massacred at Lubumbashi University by members of the Presidential Guard acting on Mobutu's orders. Strong international condemnation followed and Mobutu announced an internal enquiry, although he refused to permit an international investigation.

Mobutu announced various political changes, including the inauguration of the Third Republic, and a transitional government, although he retained his hold on power. Legislation permitting the operation of political parties and free trade unions was enacted, and a special commission to draft a new constitution by April 1991 was announced. Tshisekedi was released from house arrest.

In November, following renewed allegations of human rights abuses, and speculation that for many years Mobutu had been misappropriating foreign aid, the USA terminated economic and military aid.

1991

The announcement of a timetable for the restoration of multi-party politics led to the proliferation of political parties, notably, UFERI, led by Karl-I-Bond, and the PDSC, which united with the UDPS, to form a coalition, the USOR.

In April, Mobutu announced a national conference to discuss the drafting of a new constitution, which would be subjected to a national referendum. Widespread anti-government demonstrations followed and forty two people were killed, and many others wounded, when security forces opened fire on demonstrators in Mbuji-Mayi, in central Zaire.

In September, political demonstrations developed into widespread disorder reflecting frustration with the national conference and economic hardship caused by massive inflation and corruption. French and Belgian troops were sent to suppress the rioting.

In October, following pressure from France, Belgium and the USA in the wake of the riots, the "government of crisis" was formed, headed at first by Tshisekedi, then by Mungal Diaka, leader of the Rassamblement democratique pour la Republique (RDR). When this failed to gain both internal and external acceptance a new government led by Karl-I-Bond was appointed. The national conference resumed in December, only to be suspended by Mobutu in January 1992.

1992

Violence intensified as a response to the suspension of the conference. On 16 February, over 30 people were killed by security forces in Kinshasa, the "March of the Christians".

Under pressure at home and abroad, Mobutu reconvened the national conference in April which then became the Sovereign National Conference (CNS), with power to take legislative and executive decisions, with Mobutu remaining as head of state. The CNS was to prepare a draft constitution for a referendum, and a timetable for legislative and presidential elections. Disagreements between Mobutu and the CNS soon arose over its powers.

In August, the CNS appointed Tshisekedi as transitional first state commissioner, who also clashed with Mobutu.

On 6 December, the CNS dissolved itself and was succeeded by a 453-member high council of the republic (HCR), which again clashed with Mobutu over its stated intention to consider a report on allegations of corruption, and in its declaration of Tshisekedi as head of government.

1993

In January, the HCR declared Mobutu to be guilty of treason and threatened impeachment proceedings unless he recognised the transitional government. Civil disorder again broke out in a brief general strike and campaign of civil disobedience organised by the USOR which resulted in five deaths. Army units also rioted in protest at an attempt by Mobutu to pay them with discredited zaire banknotes. Sixty five people were killed and French and Belgian troops were required to restore order.

In March, Mobutu convened a "conclave" of political forces to debate the country's future, which appointed Faustin Birindwa, ex-UDPS, as Prime Minister, in a rival government to that of Tshisekedi and the HCR. Instability and political stalemate ensued in the following months, despite the attempted mediation of a UN envoy. In September an agreement reached between Mobutu representatives and opposition groups over arrangements for a transitional period failed to finalise over the HCR insistence that Tshisekedi should continue as Prime Minister.

1994

In January, an agreement was reached to form a government of national reconciliation. Mobutu then announced the dissolution of the HCR, the dismissal of the Birindwa government, and a contest for the premiership between Tshisekedi and Molomba Lokoji, to be decided by a transitional legislature - the HCR-PT - which convened and immediately rejected Mobutu's proposal for the selection of a new Prime Minister.

In the following months a number of inconclusive political moves occurred but by July a new administration had been established under Leon Kengo Wa Dondo, which sought to introduce a measure of stability. In October an expanded opposition grouping - USURAL - resumed participation in the HCR-PT, and in November a reformist wing of the UDPS, led by Joseph Ruhana Mirindi, agreed to join the government.

Meanwhile, the country's economic difficulties had been compounded in September by the circulation of some 30 tons of counterfeit Zaire currency. Austerity measures were announced but by December the country's financial reserves were virtually exhausted.

1995

The Kengo Wa Dondo Government continued despite opposition frustration at the failure to finalise a timetable for elections. In July, at an anti-government rally organised by PALU,

clashes with the security forces resulted in the deaths of nine civilians and one police officer. A further anti-government demonstration in Kinshasa in August organised by USORAL, which passed off peacefully, was attended by an estimated 5000 Tshisekedi supporters.

1996

In April, it was announced that multi-party presidential and legislative elections would take place in May 1997, and regional and municipal elections in June and July of that year, to be preceded by a referendum on a new constitution in December 1996, later put back to February 1997.

In August, Mobutu left the country for treatment in Switzerland of a serious form of cancer. The hiatus created by his absence and ill-health proved to be a decisive factor in bringing his rule to an end as the Kengo Wa Dondo Government proved unable to deal with the outcome of the rapidly escalating situation in the eastern provinces of North and South Kivu. Rwandan Hutu militia who had taken refuge there in 1994 began to try to carve out an area for themselves with the support of local Hutus, and members of the Zaire armed forces (FAZ), killing and expelling local Tutsis and other ethnic groups. The situation was affected by long-standing ethnic friction in the area. In October, Tutsis in South Kivu were ordered to leave the area provoking a backlash in which combined Tutsi forces supported by Rwandan armed forces made rapid advances against the Hutus and FAZ. What appeared at first to be a regional movement soon gathered momentum and emerged as a national rebellion aiming to overthrow the Mobutu regime. The rebels were joined by dissidents of diverse ethnic origin to form the Alliance des Forces Democratiques pour la Liberation du Congo-Zaire (AFDL), led by Laurent-Desire Kabila, a former Lumumba aide and opponent of the Mobutu regime since the 1960s. Despite attempts by the government to control the situation the rebel forces continued to make progress in taking over a large area of the east, including the towns of Goma and Bukavu, by the end of the year.

1997

In January, following Mobutu's return from abroad and the formation of a crisis government in Kinshasa, a counter-offensive by Zaire troops failed to make any significant gains and the AFDL forces continued to advance, taking the second city, Lubumbashi, by April. Attempts at mediation between the two sides failed, and with control of all the country's main resources Kabila was in a commanding position.

On 8 April, Mobutu declared a state of emergency, dismissed the government headed by Tshisekedi, who had replaced Kengo Wa Dondo a few days previously, and appointed General Likulia Bolongo as Prime Minister. Following inconclusive peace talks with Kabila mediated by the South African president, Nelson Mandela, Mobutu refused to submit to international pressure and the realities of the situation and resign. On 16 May, however, he left Zaire, having accepted a proposal to transfer interim power to the speaker of the HCR-PT, Monsignor Monsengwo Pasinya. He took refuge with his family and entourage in Morocco, where his health continued to deteriorate and where he died in September.

On 17 May, AFDL troops entered Kinshasa and Kabila declared himself President of the Democratic Republic of the Congo. He announced that there would be presidential and parliamentary elections in April 1999 and a programme of national regeneration would be pursued meanwhile. Kabila also issued a constitutional decree to remain in force until the adoption of a new constitution which allows him legislative and executive power and control over the armed forces and treasury. Of the previously existing institutions, only the judiciary was

not disbanded. A government was formed which, while dominated by AFDL members, also included UDPS and other party members.

In June, a number of senior officials from the Mobutu period were arrested. The UDPS leader, Tshisekedi, was detained overnight after addressing a student meeting.

In July, a protest march against the ban on political activity resulted in three civilian deaths following clashes with troops. The Government blocked efforts by UN investigators to enquire into allegations of massacres by AFDL troops in eastern DRC but subsequently allowed them to resume in November.

In August, a military court was established by decree.

In October, the president appointed a 42-member Constitutional Commission (originally due to be appointed in June) to draft a new constitution by March 1998.

In November, Kabila re-affirmed the ban on public political activity until the holding of presidential and legislative elections in 1999. Clashes between rival army factions took place at the end of the month. It was apparent that Kabila had yet to gain control over the eastern provinces where ethnic violence continued between the Tutsi and Bantu groups.

1998

In February, Tshisekedi was arrested and banished to his native village allegedly because of his continued involvement in subversive part political activity in defiance of the ban imposed in May 1997. He was freed in July and returned to Kinshasa. It was reported that government control had been restored in the east, however, clashes reportedly continued and a statement issued by the citizens of Kivu province expressed indignation at the arrest of traditional chiefs and university lecturers.

A government in exile was formed in Brussels headed by Leon Kengo wa Dondo.

In April, the government banned the country's main human rights group AZADHO and took action against other groups. The draft constitution was submitted to the president. The draft was accompanied by a list of 250 names of people who would not be allowed to stand for office which was later disowned.

In May, a decree provided for the establishment of a 300-member constituent and legislative assembly to carry out a number of functions, including the preparation of a draft constitutional bill. Restrictions of previous good character and associations with the Mobutu regime were placed on membership.

In August, reports were received of an organised rebellion from the east of the country which was aiming to topple the regime. The rebels, calling themselves the Rassemblement Congolais pour la Democratie (RCD), were assisted by Rwanda and Uganda who were angered by Kabila's failure to contain attacks on their territory by insurgents based in eastern DRC. The rebels captured a number of eastern towns and made a flight to the west to take other assets, including the country's only port, Matadi, and the Inga hydroelectric dam, which were vital to Kinshasa. They reached the outskirts of Kinshasa by late August but then received a number of military setbacks from government forces who were by then being aided by Zimbabwe, Angola and Namibia, and subsequently by Chad.

The rebels continued to make progress in the east and captured more than one-third of the country by the end of the year.

In October, another rebel group, the Movement for the Liberation of Congo (MLC) joined the fighting in northern DRC.

Later in the year and in early 1999, reports of mass movements of refugees displaced by the war and of atrocities committed by both sides were issued. Kinshasa remained generally calm, although suffering the economic effects of the war. The security situation in government areas outside Kinshasa was dependent on the attitude and ability of the local police or army commander. Diplomatic efforts to end the fighting were inconclusive.

1999

In January, government decrees lifted the ban on public political activity and announced arrangements for registering new political parties. These were widely criticised for being too restrictive.

In April, the government stated that the country needed new-style political parties which should be national in character and not reflect narrow interests and stated that elections could only take place on a nationwide basis. The election that was due to take place in April 1999 was postponed.

A peace accord was signed in Lusaka by the governments of the DRC and other countries involved on 10 July and by the MLC rebel group on 1 August. The RCD factions, however, stayed outside the deal. On 31 August 1999, the RCD also signed the peace deal. Attention turned to the next steps of setting up arrangements to monitor the ceasefire and to hold a national debate about restoring central administration and to pave the way for elections

In August/September, the UN Special Rapporteur visited the country. He expressed concern at human rights issues on both the government and rebel sides and made recommendations.

Despite the ceasefire agreement, violations of the ceasefire by both the government forces and the rebel groups have been reported.

2000

In January, peace talks were held at the UN Headquarters in New York to discuss the political impasse in the DRC which is protracting the conflict between the rebels and the government forces. President Kabila of the DRC was in attendance as well as representatives of the other African nations involved in the conflict.

Following the peace talks at the UN Headquarters in January, the UN decided to send 5,037 troops to the DRC to support the work of the 500 ceasefire monitors.

Violations of the ceasefire agreement by both the Government forces and the rebel groups continue to be reported. New ceasefire agreement in April fails to bring lasting peace. Serious fighting between Ugandan and Rwandan forces in Kisangani.

Transitional parliament set up by President Kabila.

Peace talks between the warring parties in Lusaka in Zambia in August aimed at ending war

completely fails.

2001

On 16 January, President Laurent Kabila was assassinated in Kinshasa. He was given a full state funeral. His son - Joseph Kabila - was sworn in as the new President of the DRC.

In February, representatives from the six warring countries and the three main rebel groups attended a United Nations Security Council meeting in New York on the DRC in February 2001. In a resolution negotiated with all the parties, the Security Council demanded that rebel forces withdraw an initial 15 km from their current positions by 15 March 2001 and plan for a complete withdrawal by 15 May 2001.

ANNEX C

GLOSSARY

AFDL

Alliance des forces democratiques pour la liberation du Congo-Zaire Ruling party of President Kabila on coming to power. Mainly Tutsi and comprising 4 political parties, all from eastern DRC: PRP (Popular Revolution Party), founded by Kabila in 1967; PDA (Peoples Democratic Alliance led by AFDL Secretary-General, General Bugera, and comprising largely Congolese Tutsis, the Banyamulenge; RMLZ (Revolutionary Movement for the Liberalisation of Zaire) led by Masusu Nindaga, mainly supported by the Bashi in the Bukavu area; and, NCRD (National Council for resistance for Democracy) led by the late Andre Kisase Ngandu, supported by the Luba tribe. In April 1999, President Kabila dissolved the AFDL.

ANR

National Intelligence Agency (Agence Nationale de Renseignements). One of the Government's security forces.

ASADHO

Formerly AZADHO. Human rights group banned by Kabila in April 1998.

Authenticity

Process in early 1970s whereby cities, provinces etc were given local titles, eg the country was renamed Zaire, Katanga was renamed Shaba, and foreign companies were appropriated.

Banyamulenge (Congolese Tutsis)

Congolese Tutsis of Rwandan origin. Long-term residents of South Kivu. Formed the basis of the AFDL group which brought Laurent Kabila to power but now compromised by association with Rwandan opposition to the Kabila regime. Tutsis were systematically persecuted by the security forces and Congolese people from other ethnic groups in August 1998 when the RCD rebellion against the Laurent Kabia regime started.

Banyarwanda

Collective name for Congolese people of Rwandan origin, either Hutu, Tutsi or Twa. Those in DRC living mainly in North Kivu but without equal nationality and land ownership rights, a situation which led to violent ethnic conflicts, especially after the influx of Rwandese Hutu refugees in 1994, when thousands were massacred.

Congolese Liberation Front

Formed in January 2001 following a merger between the MLC and RCD-ML and backed by the Ugandan Government. Leader - Jean-Pierre Bemba. The CLF is in control of the areas that were in the control of the MLC and RCD-ML.

CNS (1)

National Sovereign Conference (Conference nationale souveraine). Group comprising

representatives of political parties, civil society and the regions which was convened first by Mobutu in 1991 to consider drafting new constitution, then reinstated in April 1992 when it declared itself sovereign with the power to take legislative and executive decisions. Dissolved itself in December 1992 and succeeded by HCR.

CNS (2)

Nationality Centre. Government security agency.

DEMIAP

Military Detection of Anti-Patriotic Activists. One of the Government's security forces.

DESN

Investigation and National Security directorship. Government security agency.

DGM

Direction Generale de Migrations. Government security force with immigration control responsibilities.

DSP

Special Presidential Division. Mobutu's security force, controlled by loyalist generals.

FAC

Force Armee Congolaises or Congolese Armed Forces.

FAZ

Zaire armed forces under Mobutu.

FCD

Front congolais pour la retablissement de la democracie. Opposition coalition group formed in 1982 and led by Karl-I-Bond.

FDC

Front democratique congolais. 1960s opposition bloc whose leader, Evariste Kimba, was briefly prime minister in 1964.

FONUS

Innovative Forces for the Sacred Union (Forces Novatrice pour l'Union Sacree). Opposition party grouping. The chairman, Joseph Olenghankoy has been detained on several occasions under both the previous and former regimes. In May 1998 Olenghankoy and others were sentenced to terms of imprisonment by a military court. Olenghankoy was released in June 1999.

FPC

Forces politiques du conclave. Pro-Mobutu political grouping in 1993 conflict between Mobutu's

appointed conclave and the HCR.

Gecamines

Generale des Carrieres et des Mines. State-owned mining corporation sold to a Swiss company SWIPCO in 1995.

HCR

High Council of the Republic. Multi-party interim executive and legislative body formed in 1992 under the chairmanship of Archbishop Monsengwo, empowered to adopt a new constitution and organise elections, also to examine corruption allegations.

HCR-PT

Succeeded HCR in 1994 (haut conseil de la republique-parlement de transition).

ICRC

International Committee of the Red Cross.

Interhamwe

Rwandan Hutu militia groups who lived in refugee camps in Kivu. Responsible for most of the massacres which took place in Rwanda during the genocide and involved in the ethnic clashes in Kivu. Controlled many of the refugee camps in the Kivus. Dispersed with the camps but many groups are still in eastern DRC and opposing Rwandan military involvement in the country. They are allied with government forces but operate independently.

Lusaka Peace Accord or Lusaka Ceasefire Agreement

This ceasefire agreement was signed in Lusaka by representatives of the DRC war combatants - DRC, Namibia, Rwanda, Uganda, Zimbabwe and Angola on 10 July 1999 and by the MLC rebel group on 1 August 1999. On 31 August 1999, the RCD also signed the peace agreement.

Mai-Mai

Militia based in North Kivu, drawing support from local tribes and opposed to Rwandan occupation. They are allied with government forces but operate independently.

MLC

Mouvement de Liberation du Congo. Rebel group which emerged in late 1998 in northern DRC. Operating in Equateur province with Ugandan backing. Leader - Jean-Pierre Bemba. Merger with RCD-ML in January 2001.

MONUC

United Nations Organisation Mission in the DRC created in August 1999. Originally authorised to deploy 5,537 observers and armed troops by the UN Security Council.

MPR

Mouvement populaire de la revolution. Founded in 1966 by Mobutu and the only authorised

party until 1990. During this period the government, legislature and judiciary all became MPR institutions and all citizens automatically became party members.

PALU

Parti lumumbiste unifie. Political party named after the late prime minister, Patrice Lumumba, which supports his federalist policies.

PDSC

Parti democrate et social chretien. one the main opposition parties set up when pluralism was allowed in 1990. Part of the USOR group.

PF/FP

Patriotic Front. Political party.

RCD

Rebel group. Formed by rebels in August 1998. Split into two separate groups in 1999: RCD-Goma and RCD-Kisangani, later renamed RCD-ML.

RDR

Rassemblement democratique pour la Republique. Opposition political party set up after 1990. Part of the USOR group. Led by Bernardin Mungal Diaka, who was a former close political associate of Mobutu and first state commissioner in the government of crisis in 1991.

RDL

Rassamblement des democrates liberaux. Opposition political party linked with UFERI. On 14 January 1992 it claimed that seven of its supporters had been killed in Kasai Oriental, a USOR stronghold, in political clashes.

RPA

Rwandan Patriotic Army. Armed forces of Rwanda.

RPF

Rwandan Patriotic Front. Tutsi-dominated movement which forced out the Hutu regime in Rwanda following the 1994 genocide.

SARM

Service d'action et de renseignements militaires. Mobutist military security agency.

SNIP

Service national d'intelligence et de protection. Mobutist civilian security agency.

UDPS

Union pour la democratie et le progres social. Opposition party founded in 1982. In 1991, UDPS

was a main participant in setting up the USOR. In 1994 four members, including Joseph Mirindi, accepted government posts, while other members continued to participate in the HCR-PT under the USORAL grouping. In April 1996 internal tensions led to divisions between Tshisekedi and the USORAL leaders. UDPS members were included in the crisis government formed by Mobutu in November 1996 in response to the AFDL offensive, and Tshisekedi was prime minister for a few days in April 1997, but after the coup Tshisekedi's faction declared its support for the AFDL. On 14 and 15 April the UDPS organised a two day anti-government general strike which was widely observed. The government formed by Kabila on taking power also includes UDPS members, although Tshisekedi was not offered a cabinet post and refused to recognise the new government.

UFERI

Union des federalists et republicains independants. Opposition political party formed after 1990 led by Nguza Karl-I-Bond. Leading participant in the USOR in 1991. Instrumental in setting up a new political coalition in late 1991, the Alliance of Patriotic Forces, grouping thirty parties opposed to political extremist measures in obtaining political reform. Favoured greater regional autonomy, including tacit support for the 1993 attempt by Shaba to separate from the rest of the country.

UNTC

Union nationale des travailleurs congolais. Main trade union organisation formed in 1967. Organised several general strikes, notably a three day one in February 1991.

URD

Union pour la republique et la democratie. Opposition party, expelled from USOR in May 1994, whose members held several posts in the transitional government at that time.

USOR

Union sacree de l'opposition radicale. A political opposition grouping set up in July 1991, and comprising some 130 parties, notably PDSC, UDPS and UFERI. Participated in national conference which led to HCR and HCR-PT. Largely excluded from 1991 government. At a demonstration organised by USOR and christian churches on 16 February 1992 in Kinshasa over thirty people were killed (March of the Christians). Internal tensions frustrated attempts to form a united opposition to Mobutu in the early 1990s and an expanded grouping (USORAL) was then formed.

USORAL

Union sacree de l'opposition radicale at ses allies. Set up in 1994 as an expanded successor to USOR and resumed participation in the HCR-PT in October of that year. Organised anti-government protest in August 1995 in Kinshasa. Despite various internal tensions USORAL continued to take part in the HCR-PT.

ANNEX D

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