



The Impact of Armed Conflict on Children in the Democratic Republic of Congo (DRC)



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Watchlist on Children and Armed Conflict
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For security reasons not all sources will be attributed to an author.

The political situation in the Democratic Republic of Congo (DRC) is unstable and rapidly shifting in some areas. This report contains the most current information available about Congolese children up to early June 2003.

INDICATORS	DEMOCRATIC REPUBLIC OF CONGO (DRC)	HIGH-VULNERABILITY AREAS¹																
Population	50,948,000 total 28,223,000 under age 18 (55%) (UNICEF, 2003)	Unknown																
Voting Age	Age 18 (Government Elections)	Not applicable																
GNP per Capita	US\$110 (Red Cross of the DRC, 1998)	In some parts of eastern DRC, people live on less than US\$0.18 per day. (<i>No End in Sight</i> , ² 2001) 2.5 of 7 million people in Kinshasa live on less than US\$1 per day. (<i>No End in Sight</i> , 2001)																
Refugees and Internally Displaced Persons (IDPs)	Estimated 2.7 million IDPs ³ (OCHA, 2003) Estimated 378,000 Congolese refugees (OCHA, 2003) DRC hosts estimated 330,000 refugees (OCHA, 2003)	Estimated IDPs: <table style="width: 100%; border: none;"> <tr> <td style="width: 80%;">Equateur</td> <td style="text-align: right;">167,629</td> </tr> <tr> <td>Kasai (East and West)</td> <td style="text-align: right;">143,500</td> </tr> <tr> <td>Katanga</td> <td style="text-align: right;">347,364</td> </tr> <tr> <td>Kinshasa</td> <td style="text-align: right;">25,000</td> </tr> <tr> <td>Maniema</td> <td style="text-align: right;">180,000</td> </tr> <tr> <td>North Kivu</td> <td style="text-align: right;">929,000</td> </tr> <tr> <td>Orientale</td> <td style="text-align: right;">641,000</td> </tr> <tr> <td>South Kivu</td> <td style="text-align: right;">271,000</td> </tr> </table> (OCHA, 2003)	Equateur	167,629	Kasai (East and West)	143,500	Katanga	347,364	Kinshasa	25,000	Maniema	180,000	North Kivu	929,000	Orientale	641,000	South Kivu	271,000
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Infant Mortality	128/1,000 (UNICEF, 2001)	Unknown																
HIV Rates	Recent reports suggest up to 20% of the population may be infected. (UNICEF, 2003). Estimates at end of 2001: –4.9% adult prevalence rate –1,300,000 people with HIV/AIDS –200,000 children (under age 15) with HIV/AIDS –930,000 orphans with AIDS (UNAIDS/WHO, 2002)	Many infections occur as a result of rape and other forms of sexual violence against women and girls.																

INDICATORS	DRC	HIGH-VULNERABILITY AREAS
Education	<p>Primary school enrollment (gross)⁴: Male 66% and Female 51%</p> <p>25% of adult females and 47% of adult males have secondary education. (UNICEF, 2001)</p>	Unknown
Gender-Based Violence⁵	<p>Gender-based violence, especially rape, against women and girls is widespread. (Human Rights Watch, 2002)</p>	<p>In conflict zones, especially in eastern DRC, sexual violence against women and girls is rampant and used as a weapon of war by most forces involved in conflict. Rape and other forms of sexual brutality are integral to the war and often carried out with impunity. (Human Rights Watch, 2002)</p>
Landmines and Unexploded Ordnance (UXO)	<p>Information about scale of landmine and UXO contamination and numbers of victims is limited and difficult to obtain.</p>	<p>Areas of Equateur, Orientale, Eastern Kasai, Western Kasai, Katanga, South Kivu, Bandundu and other provinces are likely mined, including civilian areas near hospitals, homes and markets. <i>(Landmine Monitor, 2002)</i></p> <p>Indications of landmine use in Ituri District exist in 2003.</p>
Small Arms	<p>The war is primarily fought with small arms. Millions are in circulation.</p>	Same
Child Soldiers	<p>Tens of thousands of child soldiers are recruited and used by all parties to conflict. Both boys and girls are recruited and used.</p> <p>10 parties to conflict were named by UN Secretary-General as recruiters and users of child soldiers in 2002.</p>	<p>The DRC government, MLC, RCD-Goma, RCD-National, RCD-Kisangani/ML, UPC (Hema militia), Masunzu's forces, Lendu militias, Ex-FAR/<i>Interahamwe</i>, Mai Mai, Rwandan Defence Force (formerly RPA) and other irregular armed groups forcibly recruit and use children as soldiers.⁶ Estimated 50% of Mai Mai militias are children. (S/2002/1146)</p>

INTERNATIONAL STANDARDS:

	DEMOCRATIC REPUBLIC OF CONGO
<p>Convention on the Rights of the Child (CRC)</p> <ul style="list-style-type: none"> • Optional Protocol on the Involvement of Children in Armed Conflict • Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography 	<p>Ratified, September 28,1990</p> <p>Ratified, November 11, 2001</p> <p>Announced, June 2001, but has not completed ratification</p>
<p>Other Treaties Ratified</p>	<p>Geneva Conventions; International Covenant on Civil and Political Rights; International Covenant on Economic, Social, and Cultural Rights; International Convention on the Elimination of All Forms of Racial Discrimination; African Charter on Human and Peoples’ Rights; Convention on the Elimination of All Forms of Discrimination against Women; Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment; Refugee Convention and 1967 Protocol, Mine Ban Treaty; Rome Statute of the International Criminal Court (signed)</p>
<p>Recent UN Security Council Resolutions</p>	<p>1484 (May 2003); 1468 (March 2003); 1457 (January 2003); 1445 (December 2002); 1417 (June 2002); 1399 (March 2002); 1376 (November 2001); 1355 (June 2001); 1341 (February 2001); 1332 (December 2000); 1323 (October 2000); 1316 (August 2000); 1304 (June 2000); 1291 (February 2000); 1279 (November 1999); 1273 (November 1999); 1258 (August 1999); 1234 (April 1999)</p>

SUMMARY

This report is a call to all parties to conflict in DRC to immediately halt abuses against children and uphold all international obligations to protect children’s security and rights. It is also a call to the international community, particularly the UN Security Council, to work vigorously to ensure the end of abuses against Congolese children and adolescents. This includes abuses committed by all parties to conflict and international personnel stationed in DRC. To this end, the UN Security Council must press for special attention to the security and rights of children in peace negotiations, an end to impunity for crimes against children and support for programs and policies to protect and improve the lives of Congolese children, even as the conflict continues.

The ongoing conflict in the Democratic Republic of Congo (DRC) has claimed an estimated 3.3 million lives since 1998, mostly women, children and elderly according to the International Rescue Committee (IRC) report, *Mortality in the Democratic Republic of Congo: Results from a Nationwide Survey, Conducted September to November 2002, reported April 2003*.⁷ The conflict, fueled by exploitation of natural resources and power struggles, is characterized as one of the world's worst humanitarian crises and the most deadly war ever documented in Africa. Over the past five years, the forces of at least six African countries and numerous non-state armed groups have been involved in the conflict in DRC. Both foreign and domestic parties to the conflict have committed gross violations of international human rights and humanitarian law, including widespread abuses against Congolese children and adolescents. The situation in DRC is also a result of decades of poor governance and broader regional insecurity.

The war has taken an enormous toll on children and other civilians. **Over 12 percent of children do not reach their first birthday**, according to the United Nations Children's Fund (UNICEF). In 2001, Médecins sans Frontières (MSF) reported that approximately one quarter of all children under age five in Basankusu, Orientale Province, an area that was close to the front line at that time, had died over a 12-month period, while the normal mortality rate over the same time period for the same age group is 3.6 percent. MSF attributes the increased death rate in Basankusu and other parts of DRC mainly to an increase in infectious diseases and malnutrition due to loss of food, assets, basic services and medicine because of war-related violence. According to a local human rights NGO, Project GRAM-Kivu (GRAM), operating in South Kivu, many children in Shabunda and other areas die while hiding in the bush.

Many children who survive are traumatized by acts of vandalism and barbarity perpetuated by armed groups. They witness horrendous scenes in which their own families and friends are killed, sometimes hacked to death in front of them. Many young people have lost years of schooling. They are raised in communities with eroded family and societal structures, in camps for displaced people, on the streets, in active duty with armed groups and in other dangerous situations. A variety of natural disasters, such as the eruption of Mount Nyiragongo in Goma in 2002, exacerbate the humanitarian crisis and its impact on children.

Despite the availability of information about the humanitarian emergency and the egregious human rights abuses, there is an enormous gap between the scale of this tragedy and the weakness of the international response, according to Refugees International and other analysts. Since the outbreak of the war in 1998, few comprehensive national studies addressing human security issues have been conducted, in large part due to insecurity and poor infrastructure. Humanitarian agencies operating in DRC, however, repeatedly argue that enough data is available to elicit a stronger response by the international community to the enormous human rights and humanitarian catastrophes.

The UN Security Council has taken several decisions regarding conflict in DRC, including the adoption of 18 resolutions and the establishment of a peacekeeping operation that contains a number of child protection advisers (CPAs). At the same time, **the UN Security Council has contributed to the lack of protection of civilians in**

DRC by failing to vigorously hold accountable those parties that violate relevant resolutions. These resolutions include 1216, 1314, 1379 and 1460, which establish a comprehensive framework for protection of children in armed conflict, Resolution 1325 on women, peace and security, the Aide Memoire on Protection of Civilians and others.

Additionally, donor support for programs and policies needed to improve the security and rights of Congolese children is lacking. In 2002, the UN received only 40 percent of the US\$202 million requested in its Consolidated Appeal Process (CAP) for DRC. In May 2003, CAP appeal for US\$268 million, launched in November 2002, did not appear to be faring better. According to sources, some donors have the urgently needed funds at hand to support programs in DRC. However, their disbursement is contingent on the implementation of the transitional government and other markers of progress towards peace.

CONTEXT

Political Background

The current crisis dates back to 1998, when Laurent Kabila and his Alliance of Democratic Forces for the Liberation of Congo-Zaire (AFDL) overthrew the regime of Mobutu Sese Seko with the help of Rwandan and Ugandan military forces. Earlier instability erupted in DRC due to severe mismanagement by Mobutu's government, the 1994 Rwandan refugee crisis, an outbreak of violence in 1996 and other difficult circumstances.⁸

The war broke out fully in August 1998 when Kabila attempted to expel Rwandan and Ugandan military forces that had helped him to power. Opposition groups supported by Rwandan and Ugandan forces gained control of over 50 percent of the territory. After Laurent Kabila's assassination in January 2001,⁹ his son, Joseph Kabila, succeeded him to power. Since then, President Joseph Kabila has vowed to renew peace negotiations (see below, *Peace Initiatives*) and uphold civil and political rights for Congolese civilians. While efforts towards peace have progressed, repression and rights abuses have continued.

Parties to Conflict—Regional Involvement

Many of the armed forces operating in DRC have splintered into various movements and shifted alliances over the years. Rights abuses committed against children by combatants associated with all armed groups in DRC are egregious and well documented. Moreover, the occupation of large portions of DRC by the armies of neighboring states has caused considerable suffering among children and other vulnerable groups. In 2002, most foreign armed forces withdrew from positions in DRC (see below, *Peace Initiatives*).

When conflict erupted in 1998, the governments of Angola, Namibia and Zimbabwe supported the DRC government by deploying elements of their national armed forces to positions in DRC. At the same time, Rwandan and Ugandan armed forces fought alongside the Congolese opposition groups, many of which they helped to create, including Congolese Rally for Democracy-Goma (RCD-G), the Movement for the Liberation of Congo (MLC) and the Congolese Rally for Democracy-Kisangani (RCD-K), now known as Congolese Rally for Democracy-Kisangani/Liberation Movement (RCD-K/ML).¹⁰

National armed forces of neighboring countries have also used DRC territory to fight against armed opposition groups from their own countries, many of which use DRC as a base and are widely believed to receive support from the DRC government. For example, Burundian armed forces were deployed in the Kivu provinces, where they primarily conducted military operations against Burundian armed opposition groups operating from there. The Council for the Defense of Democracy-Forces for the Defense of Democracy (CNDD-FDD, commonly referred to as FDD) is the primary Burundian armed opposition group operating out of DRC. Members of the former Rwandan government army, FAR, and the exiled Rwandan *Interahamwe*, some of who were responsible for acts of genocide in Rwanda in 1994 and have received sanctuary in DRC, now operate from DRC territory. Allied Democratic Forces (ADF), a Ugandan armed opposition group, has also participated in violence in the northeastern area of DRC.

The Mai Mai is an umbrella term for a loose association of Congolese local defense forces often aligned with government forces but known for varied agendas and shifting political alliances. The Mai Mai and many other irregular armed groups, such as the Union des Patriotes Congolais (UPC), also known as one of the ethnic Hema militia groups; Commander Masunzu's forces;¹¹ and the ethnic Lendu militias have also engaged in fighting in areas of eastern DRC.

Peace Initiatives

In July 1999, under the auspices of the Organization of African Unity (OAU), the DRC government, Congolese armed opposition groups and foreign states signed the Lusaka Ceasefire Agreement.¹² To monitor this agreement as requested, the UN deployed a peacekeeping operation, United Nations Organization Mission in the Democratic Republic of the Congo (MONUC).

Also, in accordance with the agreement, several foreign countries involved in the conflict began to disengage. Most foreign troops, including those of Angola, Namibia, Rwanda, Uganda and Zimbabwe, withdrew during 2002. The Rwandan and Ugandan withdrawals were arranged through two separate bilateral peace agreements with the government of DRC. Most signatories have not upheld peace agreements, and fighting has continued in eastern DRC, particularly in Ituri District and the Kivus.

The Inter-Congolese Dialogue (ICD) was first convened in 2001, in an effort to address the internal aspects of the DRC conflict. In December 2002, the parties to the ICD signed the Global and Inclusive Accord for the Transition in DRC, paving the way for the establishment of a transitional government to be installed in June 2003. It included all the main Congolese belligerents.¹³ ICD participants adopted 36 resolutions relating to the establishment of sustainable peace, including a resolution on the demobilization and reintegration of child soldiers and vulnerable persons and a resolution relating to the emergency programs in different social sectors that outlines specific policies for emergency social aid for children and youth.

More than 90 percent of the battalions of Uganda People's Defence Forces (UPDF) withdrew from positions in DRC in October 2002,¹⁴ but retained a presence in Bunia, in accordance with the bilateral agreement signed between Uganda and DRC. Amnesty

International (AI) and other human rights groups have raised concerns about the lack of impartiality by the UPDF in violence in Ituri District. In accordance with agreements, UPDF forces officially withdrew from Ituri District in April 2003, leading to an outbreak of extreme violence and insecurity. (see below, *Focus on Displacement and Abuses in Ituri District*).

As evidenced by the crisis in Ituri District, the withdrawal of foreign troops from positions in DRC has not brought peace, ended economic exploitation or stopped human rights abuses. While troop withdrawals have been strongly endorsed by the international community and have undoubtedly fueled initiatives towards peace, the lack of security and ongoing violence have cast a dark shadow on the overall progress of the Lusaka Agreement and also jeopardized the sustainability of positive results achieved thus far.

In addition to the situation in Ituri District, the International Crisis Group and other analysts point to ongoing conflict in the Kivus as a fundamental obstacle to the achievement of sustainable peace. This situation has not been adequately addressed in negotiations to date. Reports in spring 2003 confirm ongoing attacks, looting, pillaging, recruitment of children and targeting of social infrastructure in the Kivus, particularly by RCD-G. Humanitarian organizations report an increase in the number of victims of sexual abuse, including rape of young girls by RCD-G in South Kivu.

Illicit Exploitation of Natural Resources

Since July 2001, the UN Security Council has received reports from a panel of independent experts on the illegal exploitation of natural resources in DRC. A 2002 report (S/2002/565) states that armed combatants are driven by a desire to control resources and finance their operations by riches gained from the exploitation of key mineral resources: cobalt, coltan, copper, diamonds and gold. The use of children as forced laborers is a key component in the illicit exploitation of natural resources (see below, *Trafficking and Exploitation*). Forced displacement, killings, sexual assaults and abuse of power for economic gain are directly linked to military forces' control of resource extraction sites or their presence in the vicinity. Almost no revenues are allocated to public services, such as utilities, health services and schools.

Local and foreign actors, including foreign armies, foreign armed opposition groups, Congolese armed opposition groups and Mai Mai militias, are implicated in the exploitation of natural resources in DRC. For example, Rwanda is alleged to export millions of dollars of coltan annually; Uganda is alleged to export huge quantities of gold and diamonds; Zimbabwe has rights to export Congolese tropical timber; and Angola has control of a large segment of the Congolese petrol industry. The panel of independent experts has also named 85 international business enterprises based in Africa, Asia, the Caribbean, Europe, the Middle East and North America that are considered to be in violation of the guidelines for multinational enterprises of the Organization for Economic Co-operation and Development (OECD).¹⁵ Burundi, Central African Republic, Kenya, Mozambique, Republic of Congo, Rwanda, South Africa, Tanzania, Uganda, Zambia and Zimbabwe are named as key transit routes for commodities from DRC. The panel of independent experts also reports that links to individuals, companies, governments and criminal networks in the trafficking of natural resources are well established.

The Lusaka Agreement does not address the illegal exploitation of natural resources and other economic interests, which, according to Oxfam, are a stronger driving force than political power for the continuation of conflict in DRC. Analysts argue that action must be taken to address the illicit exploitation of natural resources in DRC if sustainable peace is to be achieved. In this context, the government of DRC officially launched its national diamond certification program on January 7, 2003, as part of its participation in the Kimberly Process Certification Scheme, which is intended to limit the illicit exploitation of diamonds.¹⁶

MONUC

The United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) is the UN's peacekeeping operation in DRC, established in 1999. In December 2002, the Security Council authorized a size increase of up to 8,700 military personnel, principally comprised of two task forces to be deployed in succession, when the caseload of the first task force can no longer be met by its capacity (UN Security Council Resolution 1445, para. 10). According to MONUC representatives, as of early June 2003 the force size is approximately 6,000 military personnel. Deployment of the second task force has not yet been authorized. MONUC also includes up to 700 military observers supported by specialists in human rights, humanitarian affairs, public information, political affairs, **child protection** and medical and administrative support.

In addition to other duties, MONUC is mandated to facilitate humanitarian assistance and human rights monitoring, with attention to vulnerable groups including women and children. This includes special attention to demobilized child soldiers. However, MONUC's mandate to protect civilians is limited to civilians in imminent danger in the presence of MONUC armed units.¹⁷

MONUC also strictly prohibits any act of sexual abuse and/or exploitation by members of the military and civilian components of MONUC and considers such behavior as a serious act of misconduct. In December 2002, the UN Special Representative of the Secretary-General circulated a memorandum clarifying MONUC's policy on prohibition of sexual abuse and/or exploitation by all civilian and military components of MONUC. Among the prohibited activities are any exchange of money, goods or services for sex; and sexual activity with persons under age 18.¹⁸

In January 2001, a MONUC peacekeeper was accused of raping a 10-year-old girl in Goma. UN sources say that rumors of abuse and sexual exploitation of women and girls circulate regularly. However, confirmed information is limited and few formal complaints have been lodged with MONUC. According to sources, MONUC investigates all formal allegations that are brought to its attention. MONUC would benefit from a broader range of expertise on investigative techniques to ensure that investigations into such allegations could be as thorough as possible.

Child Protection Section, MONUC

MONUC's Child Protection Section is the largest of any UN peacekeeping operation and is the first to include Child Protection Advisers (CPAs) deployed in the field. The high

level of attention paid to the protection of children in DRC by the UN is, in part, a result of the work of this Section.

In 2003, the Watchlist published research on the abysmal record of attention to child protection issues in all UN Security Council resolutions and reports of the UN Secretary-General on conflict situations. However, resolutions and reports on the DRC have addressed child protection more than those relating to any other conflict area in the world. This is a direct testament to the efforts of the Child Protection Section of MONUC.

The mandate for the Section derives from Security Council resolutions related to DRC and to children and armed conflict (CAC). CPAs have been deployed as part of MONUC since February 2000.

Primary tasks and priorities of the Section include:

- Ensuring a child-conscious approach within MONUC in all its activities;
- Monitoring, reporting and advocacy related to minors on violations of international human rights and humanitarian law;
- Focusing on the need to end impunity;
- Facilitating and supporting together with UNICEF and other partners the disarmament, demobilization and reintegration of Congolese child soldiers;
- Facilitating and supporting disarmament, demobilization and repatriation of foreign child soldiers;
- Training and other capacity-building activities;
- Ensuring that the Department of Peacekeeping Operations, the UN Special Representative of the Secretary-General for Children and Armed Conflict and other MONUC sections are adequately informed about issues related to CAC;
- Providing advice on strategies and advocacy for child protection;
- Sensitization activities to raise awareness of the rights of the child, especially related to CAC;
- Providing funding for certain CAC projects (through Norwegian Trust Fund);
- Promoting inclusion of child protection issues in the peace process and transitional period.

At the time of writing, the staff of the Child Protection Section includes a chief of Section and seven CPAs. The Section also has five national assistants and one administrative assistant. While the Section is the largest of any UN peacekeeping operation, the magnitude of the country and huge scale of violations against children present challenges in the course of carrying out its mandate.

Humanitarian Crisis

The poor health situation of children in DRC is in part a result of lack of access to basic services and to humanitarian assistance. The primary causes of this lack of access are poor infrastructure and denial of access by parties to conflict. The UN reports an excess of 1 million IDPs who are in dire need, but unable to access humanitarian aid (see below, *Refugees and IDPs*). According to the UN Office for the Coordination of Humanitarian Affairs (OCHA), some 500,000 of these IDPs are in Ituri District, most of who have not

had access to humanitarian assistance since 1999. Over 1 million IDPs are in the Kivus, fleeing violence between the Mai Mai militias and RCD-G.

In some instances, armed groups have deliberately denied humanitarian aid workers access to certain regions. Until July 2002, RCD-G restricted all access by humanitarian workers to the population in Uvira, South Kivu, which hosts approximately 50,000 IDPs. In other instances staff of international NGOs, the International Committee of the Red Cross (ICRC), UN agencies and MONUC have been intimidated, harassed, taken hostage and deliberately targeted by combatants and killed by the FDD, *Interahamwe*, Mai Mai, RCD-G and other armed groups, such as the brutal murders of six members of ICRC in Ituri District in 2001.

The restriction of nationwide movement has complicated the coordination of humanitarian assistance and economic activities between the eastern and western areas of the country. For example, various armed forces regularly set up checkpoints along roads and rivers, demanding payment for permission to pass. This makes travel between urban areas difficult and insecure. In other cases, poor infrastructure or other logistical obstacles obstruct delivery of humanitarian assistance. Both of these elements combined with the sheer size of the country make DRC the most expensive country to deliver aid to in the world.

Focus on Unaccompanied and Street Children

War, poverty and the breakdown of traditional coping mechanisms have forced children onto the streets or away from their original home environment into situations where they are facing neglect and exploitation. Refugees International describes the complexity of the situation for these children by listing the many categories used to describe them: children in the street (during the day), children of the street (during day and night), children in prison, child laborers, child prostitutes, children accused of sorcery, demobilized or escaped child soldiers, unaccompanied displaced children, displaced children and abandoned children. A new category has also been created for children orphaned by AIDS. All of these young people are in serious need of protection and assistance. Many fit into more than one of these categories.

The number of Congolese children on the street in urban areas has increased, according to UNICEF and other agencies operating in DRC. AI reports that the number of street children in Goma and Bukavu has increased significantly. In 2001, an estimated 10,000 unaccompanied children were living on the streets in Bukavu. One source in Kinshasa estimates 40,000 children on the streets of the capital city. In Brazzaville in the Republic of Congo, over 50 percent of the street children affiliated with IRC's programs originate from DRC. Approximately 60 percent of all unaccompanied children in Brazzaville are from DRC.

Young girls who are orphaned and separated from their families or other caregivers are at particular risk of neglect and abuse. These girls are discriminated against for access to services and are subject to sexual violence. The result is that many have adolescent pregnancies, become child-mothers or are forced to turn to sex work to survive. Street children are criminalized under Congolese law and are regularly targeted for roundups by authorities, police and /or military and other forms of abuse by various sectors of society.

Separation from families also increases young people's risk of forced recruitment by armed groups. Other children are left in such desperate economic circumstances that they may voluntarily join armed groups in search of food and "security." (See below, *Child Soldiers*)

International and local organizations have programs to provide housing, education and food for some vulnerable children. The ICRC, UNICEF and others run limited prevention and child reunification programs. In February 2003, ICRC reunited nearly 200 children with their families after many had been separated for several months as a result of conflict. According to Save the Children, some separated children from previous conflicts are still awaiting reunification.

Focus on Children Accused of Sorcery

Girls and boys all over DRC have been accused of witchcraft or sorcery. According to reports, this phenomenon is relatively new and is likely the result of the breakdown of family and community structures due to war and poverty. The increasing presence of revelation churches in areas where traditional beliefs still have strong roots has also been linked to the development of this problem. Families are encouraged to look for signs of sorcery in their women and children and then to engage in exorcism rituals.

Many children on the streets of Kinshasa and other urban areas have reportedly been evicted from their homes because their families have accused them of witchcraft. In Shabunda, GRAM estimates that the Mai Mai has sequestered many girls from their village because they are accused of being witches or sorceresses. The problem is often accentuated in poorer areas, such as in the Kadutu and Ibanda areas in Bukavu.

REFUGEES AND IDPS

An estimated 2.7 million Congolese are internally displaced and approximately 378,000 are refugees in neighboring countries, according to OCHA. This includes approximately 140,000 in Tanzania; 82,000 in the Republic of Congo; 56,000 in Zambia; and others in Angola, Burundi, Central African Republic, Kenya, Rwanda, Uganda and Zimbabwe. Many IDPs have been displaced repeatedly during the war. The Interagency NGO report *No End in Sight* notes that 80 percent of families in rural areas of North and South Kivu have been displaced repeatedly since the start of the war.

Precise estimates of the displaced population, including the percentage of children, are impossible to obtain because of the immense size of the country, its poor infrastructure and inaccessibility in certain areas. As is the case with other displaced populations, the Women's Commission for Refugee Women and Children estimates that approximately 80 percent of all displaced people are women and children.

Massive displacement due to ongoing fighting continues all over DRC. In January 2003, at least 130,000 people were displaced around Beni and Lubero, apparently due to conflict involving MLC, RCD-K/ML and RCD-N. In November 2002, hundreds of displaced people fled to North Kivu following fighting between the armed groups RCD-K/ML and RCD-N in Orientale Province. The displaced were scattered in villages along the roads without food, shelter, housing, clothing, etc. A local NGO, Commission de Vulgarisation des Droits de l'Homme et de Développement (CVDHO), based in

Lubumbashi, estimated that 100 civilians were killed and 75,000 displaced due to fighting between government forces and Mai Mai militias in northern Katanga in November 2002. In May 2003, hundreds of thousands of people, mostly women and children, fled their homes due to fighting in Bunia (see below, *Focus on Displacement and Abuses in Ituri District*).

In addition to the internally displaced population, DRC hosts approximately 330,000 refugees from Angola, Burundi, Central African Republic, Rwanda, Sudan and Uganda who are scattered throughout the country.

Refugee Children

The majority of Congolese refugees live in Burundi, Republic of Congo, Rwanda, Tanzania, Uganda and Zambia. Conditions in refugee camps vary in different countries and even within different camps in the same country.

Children in some camps, such as those in Zambia, reportedly have regular access to educational opportunities, medical care, food and water. Tanzanian refugee camps and others are reportedly plagued by chronic insecurity, lack of protection and other challenges. In Tanzania and elsewhere, these circumstances are often attributed to underfunding for the Office of the United Nations High Commissioner for Refugees (UNHCR) and other agencies operating the refugee camps. Other Congolese refugees live in urban or rural areas outside of refugee camps. For example, the vast majority of the Congolese refugees in the Republic of Congo live scattered along a 300-mile stretch of river in the north. They remain vulnerable to violence in DRC that occasionally spills over the border and makes access by humanitarian aid workers difficult. In 2002, over 9,000 Congolese refugees living in refugee camps in Rwanda were forcibly repatriated under extremely poor conditions to North Kivu, where many had originated.¹⁹

Congolese refugee women and children, particularly single or widowed women and unaccompanied children, are especially vulnerable to violations of their security and rights, such as forced recruitment and gender-based violence, whether inside or outside of refugee camp settings.

IDP Children

Nearly 90 percent of the estimated 2.7 million IDPs are in the eastern portion of the country, according to UN estimates. Large numbers of people are also displaced in the west and north of the country. According to the Global IDP Database, at least 400,000 of the internally displaced people are likely to be children of primary school age.

There are relatively few camps for IDPs in DRC, and those that do exist often face violent attacks from armed groups. Many displaced people flee into forests or into small villages where they reside with family and friends, in churches, warehouses and other buildings. The high mortality rate among IDPs results from food insecurity, malnutrition, disease, unsanitary living conditions and other problems. Some reports indicate that the IDPs and the general war-affected population often share similar humanitarian and protection needs. For example, a nutritional assessment in 2001 in the Kivus showed that both host families and IDPs were malnourished.

Malnutrition is a serious problem among IDP children. According to the Global IDP

Database there is:

- major malnutrition among displaced children arriving in Lubumbashi (2000)
- 14.7 percent rate of acute malnutrition among IDP children in North Kivu (2000)
- 13.9 percent rate of serious malnutrition among IDP and resident children under five in Rwanguba, North Kivu (2002)
- sign of malnutrition in Maniema IDP and resident children

Access to the IDPs is limited in both government and rebel-held territories, although access in government areas has improved in recent months. According to OCHA's IDP Unit Mission report, some IDPs in government-controlled regions are totally destitute and will not emerge from forests without assistance, including clothing.

The majority of IDP children have been deprived of proper or any schooling since 1998, according to the UN. Displaced children have almost no access to education, making them more vulnerable to recruitment into armed forces. In eastern Katanga, some parents pay double school fees to enable displaced children to attend.

Focus on Displacement and Abuses in Ituri District

The Ituri District of Orientale Province in northeast DRC currently suffers one of the world's gravest humanitarian and human rights crises, according to AI. The governments of DRC, Rwanda and Uganda, as well as armed opposition groups and militias, have committed widespread human rights abuses against each other, civilians and humanitarian workers.²⁰ Armed groups have also obstructed access to humanitarian assistance.

In Ituri District, more than 60,000 people have been killed and others maimed or severely mutilated since June 1999 (S/2003/566). In the same time period, more than 500,000 people have been displaced. Most deaths have been civilians in the ethnic Lendu community. The UN verifies that massacres of the Hema community have also occurred. Violence in Ituri District is increasingly attributed to disputes of ethnic identity between the Lendu and Hema communities. However, power struggles over economic interests, manipulation by other armed forces and exploitation of natural resources, such as gold, diamonds and timber, all play a significant role in the perpetuation of violence and human rights abuses.

The litany of violations against children's security and rights in this district is shocking. Typical violations, most often committed with impunity, include unlawful mass killings, systematic rape, abduction, sexual torture, illegal arrest and detentions, forced displacement and other extreme forms of torture and cruelty. According to reports, children are both perpetrators and victims of attacks. In February 2003, sources told Refugees International that 75 percent of the UPC's 15,000 soldiers in Ituri District are under age 16. (See below, *Child Soldiers*)

AI recently documented violations against civilians, including children, in its report, *DRC: On the precipice – the deepening human rights and humanitarian crisis in Ituri*. The following are explicit examples from the report of some of the most horrific abuses against children: children being forced to witness parents and grandparents being hacked to death; young girls being raped in front of their family members; children being forced

to kill their close relatives; children and other hospital patients being dragged from their beds and killed, and their bodies remaining rotting in the open for several days; children, including infants, dying after being locked up without food or water; and children killed, some shot in the back, in massacres along with hundreds of other civilians.

A MONUC Special Investigation Team to the Beni/Mambasa area in January 2003 confirmed systematic human rights violations, including acts of cannibalism and forced cannibalism preceded by mutilation by armed groups in the area. Following the investigation, MONUC's director of information was quoted saying, "There were horrifying things in the report [a preliminary report on the investigation submitted to the Security Council] concerning cannibalism, such as babies whose hearts were torn out and taken away or given to someone to eat, of small children who were killed, mutilated, and of people who were executed in front of their families." According to the team, the acts were part of a planned military operation called "Effacer le tableau" or "Wiping the slate clean," in which MLC and RCD-N forces went from town to town to destroy everything they could. This fighting reportedly caused the displacement of approximately 180,000 people, leaving Mambasa, regularly with 30,000 residents, a "virtual ghost town."

The MLC has admitted to the allegations and charged and tried 27 soldiers accused of committing the violations. The UN High Commissioner for Human Rights has argued that legally recognized authorities should dispense justice.

At the same time, warring parties have caused the deaths of countless civilians in Ituri District by deliberately halting the delivery of humanitarian assistance. Armed forces have regularly intimidated and committed human rights abuses against international aid workers as a way of blocking relief to rival groups. AI has documented several incidents of brutality against aid workers. The IDPs in Ituri District are in dire need of humanitarian assistance in the form of food, clean water, shelter, medicine, clothing, blankets and kitchenware and other utensils. IDP children and others in Ituri District suffer from malnutrition, malaria, measles, respiratory infections and other diseases.

The Ituri Pacification Commission (IPC) was inaugurated in Bunia, the major city in Ituri District, on April 4, 2003. The 177-member IPC was primarily tasked designing and establishing a new administrative authority in Ituri District, including structures for law and order.²¹ Shortly after its inauguration in April, the IPC made a formal appeal for the protection of children. The UPDF also committed to withdraw from DRC on April 24, in accordance with a revised calendar of the September 2002 Luanda Agreement.

At the same time, the UN and others were expressing serious concerns about the ongoing violence in the District. The UN Security Council adopted Resolution 1468 in March 2003, expressing deep concern over the heavy fighting in Bunia and demanding that all parties to the conflict in Ituri District immediately cease hostilities and sign an unconditional cease-fire agreement (S/RES/1469 2003).

Following the UPDF withdrawal on April 24, Bunia erupted into violence and insecurity as the UPC and other militias fought for control of the area. The UN estimates that over 415 people were killed in the following days, including two volunteers of the Red Cross. Two MONUC military observers were also killed in Ituri District. According to UNHCR,

at least 20,000 refugees, mostly women and children, had fled to Uganda to escape violence in Ituri District. MONUC is sheltering 12,000 people primarily at its Bunia headquarters and a logistical camp near the airport.

Top UN officials have cautioned of the looming humanitarian catastrophe and possibly genocide. On May 30, 2003, the UN Security Council adopted Resolution 1484 authorizing the deployment of an Interim Emergency Multinational Force to help stabilize the situation in Bunia, following a request by the UN Secretary-General. At the time of writing, France has announced intentions to lead the multinational force.

HEALTH

The health infrastructure, already in tatters before the outbreak of war in 1998, is now even further damaged. Many health facilities no longer function because personnel have fled, supplies are not available or buildings have been damaged or deliberately destroyed to threaten and intimidate civilians. For example, *No End in Sight* reports that 40 percent of the health infrastructure has been destroyed in Masisi, North Kivu. The constant outbreak of epidemic diseases further strains the system.

UN agencies report that over 70 percent of the Congolese do not have access to formal health care either because they are too poor to pay for services or because they are unable to access the facilities. The IRC's *Mortality in Eastern Democratic Republic of Congo: Results from Eleven Mortality Surveys, 2001*, reports that the majority of deaths among children under five were ascribed to febrile illnesses, diarrhea, neonatal mortality, acute respiratory infections, measles and malnutrition. IRC also reports that health conditions in the east are far worse than in the west. Health conditions in the west are relatively poor compared to Africa generally. In 1998, there were only 2,560 doctors serving the entire population of over 50 million; 930 of these were in Kinshasa, according to *No End in Sight*.

Only 45.7 percent of people in DRC have access to safe drinking water, according to UNICEF's Multiple Indicator Cluster Survey (MICS) on DRC, released in 2002 and based on research in 2001. Access varies from region to region, with 23.7 percent in Equateur and 89 percent in Kinshasa. Oxfam-GB reports that in some rural areas that figure may be as low as three percent.

Food Security and Malnutrition

- **41 percent rate of global malnutrition among children under age five in areas controlled by opposition armed forces** (Global IDP Database, 2001–2002)
- **42 percent rate of global malnutrition among children in certain parts of areas controlled by the government** (Global IDP Database, 2001–2002)
- **16 percent rate of children under age one suffering acute malnutrition** (UNICEF, 2001)

At a regional conference on nutrition, held in Kinshasa in October 2002, a representative of the DRC Ministry of Health said, "Malnutrition is at the root, every year, of close to 54 percent of children's deaths registered in hospitals in our respective countries."

In November 2002, the UN Food and Agriculture Organization (FAO) reported that

between 10 and 30 percent of the population in many areas of eastern DRC, including Orientale Province, North Kivu and South Kivu, are suffering from acute malnutrition; women and children are the most affected. In southern and eastern DRC, nutritional surveys have repeatedly shown very high rates of acute malnutrition and mortality. In Kasai Orientale Province, a survey by the UN Standing Committee on Nutrition in June 2002 found that 75 percent of all children interviewed had experienced an episode of sickness during the two weeks prior to the survey, indicating poor nutritional levels, as well as exposure to other diseases. In parts of Katanga, malnutrition rates are as high as 28 percent among young children, according to the Global IDP Database. In spring 2001, the World Food Programme (WFP) conducted a nutritional assessment in Kasika, South Kivu, an area that had recently opened to humanitarian assistance. At first, the assessment team was surprised to find higher malnutrition levels among adults than children and then realized that “the children had already died.”

Chronic and severe food insecurity characterizes many parts of DRC, particularly in high-vulnerability areas near the front lines of fighting. Many of these areas have enormous agricultural potential, according to the UN Standing Committee on Nutrition, *Report on the Nutrition Situation of Refugees and Displaced Populations (RNIS)*. Fighting in both urban and rural areas has had a profound negative impact on food security and has resulted in both poor food availability and poor access to food sources. The breakdown of the economy and the extremely high rates of unemployment hamper purchasing power throughout the country.

The capital Kinshasa has been cut off from traditional trade routes, leaving the city to rely primarily on nearby provinces and on foreign imports for food. This has caused a sharp increase in food prices, which are now often beyond the financial reach of local residents. RNIS 2001 studies on food intake in Kinshasa have revealed that the average daily calorie intake is approximately 40 percent lower than internationally accepted norms. RNIS also reports an 18 percent chronic malnutrition rate among children in Kinshasa, 30 percent in the city’s periphery (2001).

Many international NGOs and UNICEF, with the support of the WFP and FAO, have established nutrition centers or airlifted food into the most affected areas to assist these populations, yet resources and access remain insufficient.

Disease

High rates of infectious diseases and low immunization levels are fundamental problems throughout DRC. Malaria and measles are the two main causes of mortality in DRC. Diarrhea, dysentery, malaria, measles, meningitis, tuberculosis and other treatable diseases kill thousands of children every month. In 2002, cholera and measles reached epidemic proportions in various areas. Epidemics of haemorrhagic fever broke out in Orientale; flu in Equateur; and acute respiratory infection in East Kasai. In Katanga Province, a cholera outbreak resulted in 25,000 reported cases between September 2001 and October 2002. Kalemie, Mbuji Mai in Kasai and Bunia in Ituri District were also severely affected. The majority of deaths from such epidemics are often of young children and people over age 60.

According to the UNICEF MICS, 44 percent of children surveyed did not have a

vaccination card available on the day of the survey in 2001. UNICEF also reports that only 15 percent of children under age one are fully immunized for diphtheria, tetanus and pertussis (DPT) and that approximately 54 percent of children have not been vaccinated against the measles. During 2002, measles killed at least 220 children in DRC, primarily in Kinshasa, the Kivus and Katanga. UNICEF aims to vaccinate 28.5 million children in DRC in 2003. In 2002, UNICEF, MSF and others carried out measles vaccinations in specific areas, particularly in the East. In 2003, the Global Alliance for Vaccines and Immunization will support the government's plan to inoculate approximately 700,000 children in DRC against yellow fever at the same time as they receive the measles vaccine.

National Vaccination Days Against Polio, financed by UNICEF and WHO, have been relatively successful since 1999. However, children in some areas of Orientale Province, South Kivu and Maniema have never been vaccinated against polio due to insecurity. In 2002, the polio vaccination drive in eastern DRC yielded "generally satisfactory results" according to the UN. The WHO announced that 9.1 million children had been vaccinated in two phases of the program, but the third phase was less successful due to renewed hostilities in some areas.

Maternal Services

Pregnant women appear two to three times more likely than other women to die a violent death, according to IRC's 2001 survey *Mortality in Eastern Democratic Republic of Congo*. The abnormally high maternal mortality figure in eastern DRC—2,000 deaths per every 100,000 births in urban areas—is an indicator of the impact of armed conflict. Lack of transport and drugs, as well as poor health equipment, is a key problem.

The risk of maternal mortality is higher for adolescents than for older women. This, combined with the fact that the rate of adolescent motherhood in DRC is very high, especially in rural areas and among women and girls with lower educational levels, may be partial cause for the high maternal mortality figure. According to the UNICEF MICS, 20 percent of adolescent girls in DRC, aged 15 to 19, have at least one child.

HIV/AIDS

According to UNAIDS and WHO, some 1,300,000 people in DRC were living with HIV/AIDS in 200; the adult prevalence rate was estimated at 4.9 percent. UNICEF states that more recent reports suggest up to 20 percent of the population may be infected. In 2001, there were an estimated 120,000 deaths due to HIV/AIDS and an estimated 930,000 children under 15 years old had lost either their mother or both parents due to AIDS since the outset of the epidemic.

Significant pockets of HIV/AIDS infection were evident in DRC in the years prior to the outbreak of conflict in 1998. In part, this is attributed to high traffic on two major African highways running into DRC from the south and east, linking a zone of high HIV/AIDS devastation, in Goma, Beni, Uvira, Bukavu, Baraka, Lubumbashi and other population centers in DRC.

Today, both urban and rural populations are affected by the HIV/AIDS epidemic. According to World Vision, the most affected areas are Kinshasa, Orientale Province,

North Kivu Province, South Kivu Province, Maniema Province and the urban centers of Lubumbashi, Likasi and Kolwezi in Katanga Province. The rates in the south and east of the country are likely to be increasing very rapidly due to the conflict and the traffic routes. An independent experts' assessment, *Women, War, Peace* reports on a study in North Kivu that estimated infection rates of 54 percent among adult women, 32 percent among adult men and 26 percent among children.

Key factors fueling the spread of HIV in DRC include:

- movement of large numbers of displaced people
- high presence of soldiers
- presence of soldiers from countries with a relatively high HIV/AIDS prevalence rate like Angola, Burundi, Rwanda, Uganda and Zimbabwe
- scarcity and high cost of safe blood transfusions in rural areas
- lack of testing (most health districts do not have HIV testing kits)
- high levels of STIs among sex workers and clients and low availability of condoms (particularly outside Kinshasa and provincial capitals)
- sexual violence
- absence of sexual and reproductive health services

In addition, the conflict has caused a massive breakdown of the economy, which has led to extreme poverty and forced women and girls to sell sex for money or sex for “protection.”

Lack of access to education and information about how the virus is transmitted is also cited as a primary cause for the spread of HIV/AIDS. For example, there is a common belief in DRC that HIV/AIDS infection is a result of witchcraft or a punishment by God. Some people believe that a phantom or a ghost has been cast upon the HIV/AIDS victim. Although DRC was one of the first African countries to recognize HIV/AIDS in the early 1990s, the war has meant a lack of development of HIV/AIDS educational programs.

EDUCATION

DRC is on the World Bank's list of five countries around the world with the largest number of children out of school. In total, 66 percent of boys of primary school age and 51 percent of girls of primary school age were enrolled in 2001, according to UNICEF; the attendance rate is likely to be much lower. UNICEF also estimated that 3 to 3.5 million children between ages 6 and 11 in DRC did not have access to basic education in 2000-2001; 2 million of these were estimated to be girls. This means that approximately 50 percent of children of primary school age are completely outside the educational system.

Churches and church networks all over DRC have set up and run schools. Despite this important effort, estimates of children who do not have access to school are as high as 70 percent in the East. Some areas of forced displacement, desertion or recent return of displaced persons do not have any functioning schools. Schools in Fizi, Bunyakiri, Mwenga and Shabunda in South Kivu often do not function according to a local source. Only 64 percent of enrolled children make it to grade five, according to UNICEF's 2002 report, *State of the World's Children*. In urban areas, there is a marked increase in the number of dropouts, as many families are unable to afford high education fees.

Teachers are often severely underpaid. In North Kivu, teachers received their last state salary of US\$5.82 per month in 1995. Since that time, it has been up to individual schools to collect enough to pay teachers and cover other costs. In most, if not all areas, parents are expected to contribute to school costs. Teacher salaries vary from US\$1 to US\$15 per month in rural areas and between US\$15 and US\$30 in urban areas in Ituri District. Due to hyperinflation, the take-home pay is often significantly lower. Many school buildings throughout DRC are dilapidated. Books are not widely available and pupils often do not have uniforms.

Less than 1 percent of the national budget is allocated to education, according to UNICEF. The government has explained that the primary focus at this time is the war effort. In areas outside government control the situation is no better. For example, in Ituri District and North Kivu the controlling forces have not instituted regular educational programs.

The 15 percent gender gap in school enrollment is a result of several barriers for girls to educational opportunities. For example, the opportunity cost of girls' education is extremely high, considering the prohibitively high educational fees and girls' regular participation in household and farming duties. The patriarchal nature of society prompts many families struggling with scarce resources to send boys to school at the expense of girls. Some parents choose to keep their daughters at home due to safety and security considerations. Schools are often a long distance from home, the conditions of the schools are extremely poor, and there is increasing evidence of sexual harassment of girls by their teachers. In addition, the learning environment is generally not conducive to girls' achievement.

GENDER-BASED VIOLENCE

All parties to conflict in DRC perpetrate sexual violence and use rape as a weapon of war. According to Human Rights Watch (HRW), *The War within the War: Sexual Violence Against Women and Girls in Eastern Congo*, the problem is rampant in the eastern part of the country. HRW documents the widespread, and in some cases systematic, use of rape by Rwandan troops and their armed allies, the RCD-G, Mai Mai and armed opposition groups from Burundi and Rwanda.

HRW reports that combatants rape women and girls during military operations to punish the local civilian population for allegedly supporting the "enemy." In many instances, the Mai Mai abduct and rape women and girls and use them as sexual slaves and domestic servants, sometimes for periods of more than a year. Women and girls are often attacked while engaged in everyday activities, such as cultivating fields, collecting firewood or traveling to school or a market.

HRW and others have documented extraordinary brutality. For example, *The War within the War* documents two cases of assailants having inserted firearms into the vaginas of their victims and then shooting them. In other instances, assailants mutilated female sexual organs with knives and razor blades. Some of the attacked girls were as young as five years old. The victims are frequently traumatized and stigmatized by the population. Many victims also contract STIs, including HIV. In some cases, women and girls are so

badly injured that they require reconstructive surgery. The lack of medical services throughout DRC leaves most victims with little hope for treatment of injuries or STIs.

Several reports in spring 2003 document widespread sexual violence, including rape of women and young girls by RCD-G in South Kivu.

TRAFFICKING AND EXPLOITATION²²

DRC is a significant country of origin for trafficking in persons, according to a July 2001 U.S. State Department *Trafficking in Persons Report*. The Congolese government is making little or no effort to deal with its trafficking problems, and the Congolese legal system does not include anti-trafficking legislation.

Congolese women, presumably including adolescent girls, are trafficked to Europe, mainly France and Belgium, for sexual exploitation, according to the U.S. State Department. Boys are reportedly trafficked by Ugandan troops and rebel groups for military service. Mai Mai, RCD-G, Rwandan and Ugandan soldiers have reportedly abducted Congolese women and girls from their villages during military raids. Insurgent groups from neighboring countries have also abducted a number of Congolese children to be labor or sex slaves or to serve in military forces.

Prostitution involving women and girls is widespread in DRC and in some camps for Congolese refugees in neighboring countries. According to Project GRAM's 2002 annual report, *Human Rights Situation in South Kivu Province: Born for War, Violence or Peace? Children Sacrificed in Eastern DR Congo*, poor children, living in poor neighborhoods, towns and even in quarries, are managed and exploited by professional prostitutes and are not provided with condoms as protection against HIV and other STIs. It is widely known that prostitutes who do not use condoms are able to charge higher fees.

Many children work for their families, some traveling more than 10 kilometers on foot to look for food and other provisions. In Kalonge, South Kivu, most families have lost their personal possessions through looting by armed forces, often assisted by children.²³

In Shabunda and elsewhere, different armed groups use children to help transport goods ravaged from their own families. According to a local NGO, in some areas, police reportedly use children to accost small vendors and steal cassava, meat or other food. AI reports that in Shabunda, the Rwandan military and RCD-G forced children as young as 13 to take part in a practice known in Kiswahili as *Ulinzi* (security), in which families were required to give up one of their family members on a daily basis to carry out security patrols.

Child Labor in the Exploitation of Natural Resources

According to the Report from the UN Panel of Experts (S/2002/565), the humanitarian toll from the continuing exploitation of natural resources in DRC is widespread, particularly in eastern DRC:

Local populations, including children, are being conscripted by some military forces in different regions and used as forced labor in the extraction of natural resources. Other

tactics, such as the destruction of the infrastructure for agricultural production, are allegedly employed by different armed parties in order to constrain local populations to participate in the extraction of resources.

Children are also used as stone crushers, commonly called “Twangeuses,” to make gravel in quarries. When crushed, coltan, which is used in electronic devices, may pose a health risk due to increased radioactivity. AI’s 2003 report, *Our Brothers Who Helped Kill Us*, cites a report by the local NGO *Heritiers de la Justice*, which points to the rise in respiratory problems suffered by large numbers of women who transported and crushed coltan. In the Lubero region of North Kivu, an increase in deformed and stillborn children born to mothers who crushed and transported coltan has been reported.

Sexual exploitation of women and children is reported in and near coltan mines. AI reports that girls as young as 12 or 13 in South Kivu in 2001 who were abandoned by their families or displaced by the conflict were provided with accommodation and food in return for earning money as prostitutes at the mines. Impoverished families push children into prostitution or give their daughters to men, to take with them to the mines in exchange for money or goods. Many of these girls are reported to have contracted HIV/AIDS and/or become pregnant.

LANDMINES AND UNEXPLODED ORDNANCE

DRC acceded to the Mine Ban Treaty on May 2, 2002. However, landmines are still in use by various parties. Insecurity and limited infrastructure make comprehensive data collection on landmine injuries and deaths impossible. No national landmine impact survey has been conducted.

At an international conference on Mine Action hosted by the DRC government in 2002, a representative of RCD-G stated that his group would try to adhere to the principles of the treaty but still intends to use antipersonnel mines. In addition to government and opposition forces, troops from Burundi, Rwanda, Uganda and Zimbabwe had long been alleged to use mines in DRC, according to the *International Campaign to Ban Landmines (ICBL)*. Recent evidence of continued use is not available. However, several reported landmine injuries in Ituri District, including the death of a MONUC military observer on April 26, 2003, may indicate recent usage in that area.

In February 2002, the UN Mine Action Service established the Mine Action Coordination Center in Kinshasa (MACC), with initially one regional office in Kisangani. According to an initial assessment of MACC: “It appears that most of the belligerents, including all international allies, have laid landmines extensively, especially along the successive confrontation lines. In addition, UXO is scattered in many places where fighting took place.”

Mines have been planted in or around places such as markets, airports, agricultural zones, hospitals, pathways, roads and houses, according to an informal survey of the mines in the eastern part of DRC that was reported in ICBL’s *Landmine Monitor 2000*. This part of the country is thought to be the most mine-affected. Consequently, mines have a significant impact on the population, limiting access to civilian areas and ultimately inhibiting distribution of humanitarian assistance. Children are particularly threatened by

these circumstances.

SMALL ARMS

The ongoing war is primarily fought with small arms. Millions of small arms are in circulation, particularly in eastern DRC. According to the 2001 report by Oxfam, *Under Fire: The Human Cost of Small Arms in North-East Democratic Republic of Congo*, these arms fuel both ethnic conflicts and the larger war in DRC. Violence against civilians, including children, with these weapons is indiscriminate, according to Oxfam. In some areas, daily incidents of armed violence are reported, and civilians are often caught in the crossfire during military clashes. An estimated one in every eight households in eastern DRC has experienced a violent death since the start of the war, according to IRC's 2001 survey. Approximately 80 percent of these deaths were women and children.

Widespread proliferation of small arms is in part responsible for the alarming death rate of approximately 750 people per 100,000, according to *Disarmament: Stop the Scourge: The Democratic Republic of Congo (DRC)*, by UN Association-United Kingdom (UNA-UK). The weapons are also used in armed violence and human rights abuses, including rape, assault, summary executions and forced displacement. The widespread availability of weapons also perpetuates criminality, arbitrary violence and the militarization of society, as individuals, including young people, increasingly turn to weapons for non-military purposes. Project GRAM reports that violence in villages is increasing as a result of the proliferation of light arms.

Evidence to verify the exact trails of illicit arms flowing into DRC is difficult to obtain. The heavy presence of small arms in DRC is fueled by a complex network of channels through neighboring countries, according to UNA-UK and Pax Christi International. While arms are known to arrive from Rwanda, Sudan and western neighboring countries, UPDF soldiers bring the majority of small arms into Ituri District and North Kivu. The DRC government has also been alleged to supply rebel groups. Uganda has used private companies, including a Swiss company, to fly weapons into eastern DRC, according to Oxfam. North Korea has supplied both the governments of Uganda and DRC. Firms from Belarus and Israel have also been linked to sales to Uganda, which officially makes purchases from South Africa and the United States.

In 2001, the UN Panel of Experts reported (S/2001/49) that armed groups, motivated by the desire to control and profit from natural resources, finance their armies with the illicit exploitation of these resources. Businessmen or soldiers may bring in new supplies from foreign armies.

CHILD SOLDIERS

Tens of thousands of children are child soldiers in DRC, according to the International Coalition to Stop the Use of Child Soldiers (the Coalition).²⁴ On November 26, 2002, in the *Report of the Secretary-General on Children and Armed Conflict*, the UN Secretary-General listed the parties to armed conflict that recruit or use children in violation of relevant international obligations, in situations of which the Council is seized. Regarding the situation in DRC, the Secretary-General listed 10 of the parties to conflict: government of DRC, MLC, RCD-G, RCD-N, RCD-K/ML, UPC, Masunzu's forces, Lendu militias, Ex-FAR/*Interahamwe* and Mai Mai.

In February 2003, the *Thirteenth Report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of Congo* (S2003/2111) reported that **child soldiers are still present in all armed groups in DRC, in some cases representing up to 35 percent of troops and are being sent to the front lines.** The report also notes that new recruitment, sometimes of already demobilized child soldiers, continues in some areas.

Several of the parties known to use and recruit children have made commitments to the UN Special Representative to the Secretary-General for Children and Armed Conflict, Olara Otunnu, to refrain from these practices (see below). Some of these parties are also signatories of the Lusaka Agreement, which imposes a similar restriction. To date, only the government and RCD-G have initiated processes for disarmament, demobilization and reintegration (DDR) of child soldiers. RCD-K/ML of Mbusa has also recently agreed to initiate DDR for child soldiers. However, both groups continue to use children in their armed forces and RCD-G continues to recruit children. The Coalition indicates that demobilization efforts confront daily challenges caused by ongoing conflict, generalized poverty, degradation of basic socioeconomic infrastructure and re-recruitment.

In addition to forced conscription, many children are known to voluntarily join the military or militia forces. In the context of generalized poverty and breakdown of basic social services, unaccompanied children or orphans may be seeking protection, food and/or a place in society. Both forced and voluntary recruitment are illegal according to Congolese national law and international law. The Congolese Transitional Constitution (2003) prohibits the recruitment of children under age 18 into the armed forces, as well as their participation in hostilities (Article 184).

Recruitment and use of girls by the different armed groups is difficult to assess. The numbers of girl recruits is likely to be lower than that of boys. According to the report *No End in Sight* and other sources, girls are notably present in RCD-G, Congolese Armed Forces (FAC) forces, RCD-K/ML and Mai Mai. While it appears that some girls receive military training, few probably see combat. Girls are typically used for domestic work and sex. Many girls remain “wives” of commanders and may even return with them to their country of origin. Others may resort to prostitution to support themselves and their children after being abandoned or widowed.

Government Forces

The armed opposition group, Alliance of Democratic Forces for Liberation (AFDL), while under the leadership of Laurent Kabila during the war against former President Mobutu in 1996–1997, liberally recruited and used child soldiers. It is estimated that more than 10,000 children fought with the AFDL. After 1997, when Kabila came to power, some children recruited into the AFDL continued to serve in the FAC under Kabila, while many others became street children.

On June 9, 2000, then-President Laurent Kabila issued a decree to eliminate the government’s use of child soldiers and to halt forcible conscription of children by the FAC or any other public or private armed group. However, this decree has not been fully implemented. In December 2001, President Joseph Kabila formally demobilized between

200 and 300 children from the armed forces during an official ceremony meant to launch a campaign to demobilize all child soldiers. It was later revealed that between 45 and 90 of the youth demobilized were over age 18, while many younger children remained in the armed forces.

Reliable sources reported to the Watchlist other details about the irregularities of this process that did not come to public attention at the time. For example, children associated with the FAC reportedly began to “disappear” out of the sight of those involved in DDR after the Presidential decree was issued. Also, some children who were qualified to participate in the demobilization process were not permitted to do so; some were reportedly hidden during the ceremony. Sources also told the Watchlist that the FAC rounded up children who were of little use to their army, including the youngest soldiers, and held them in the barracks for several days, where they were beaten and robbed.

UNICEF and other agencies, with support from the World Bank and the International Labor Organization, have been engaged in special reintegration initiatives, including professional training for 120 of former FAC child soldiers demobilized in the 2001 ceremony. These demobilization activities and other initiatives will eventually be incorporated into development of the transitional government’s national DDR structure and planning.

Some former child soldiers face detention, unfair trial and harsh punishments by the government. Although illegally recruited, some children are in prison accused of desertion. Children have languished in prison with adults for months on end, with little access to health care or consideration of their vulnerability and special needs and rights. Some children have faced closed and unfair trials before military courts, with no legal representation and some have been sentenced to death.²⁵

In 2001, it was reported that children as young as 10 years old were allowed to voluntarily enlist, despite the Presidential decree. An eyewitness account from Refugees International confirms continued FAC child soldier recruitment, both forced and voluntary, as recently as February 2003.

Mai Mai

According to the Report from the UN Panel of Experts (S/2002/1146), UN sources estimate that 50 percent of the Mai Mai forces are children. During the 1996–1997 uprising, the Mai Mai reportedly recruited children as young as eight years old.

According to the Coalition *1379 Report* of November 2002 and other credible sources, Mai Mai child recruitment still continues. In 2003, a limited number of Mai Mai forces in the Kindu area, including approximately 20 children, spontaneously demobilized from the militias.

The MLC, RCD-K/ML and Ugandan Forces

The Ugandan armed forces have assisted MLC and RCD-K/ML groups with their efforts to conscript Congolese children. The armed wing of the RCD-K/ML is the Congolese People’s Army (APC). Forced recruitment and abductions of children by these groups continues, according to the Coalition.

HRW and others report that the MLC and RCD-K/ML have recruited large numbers of children as soldiers. During 2000, recruiters for the RCD-ML routinely toured villages in recruitment missions, returning with truckloads of 100 to 200 young people of ages 13 to 18. UPDF instructors would then provide three to six months of infantry and weapons training at Nyaleke camp, where conditions were so deplorable that many children died before completing the training. In particular, the UPDF trained hundreds of recruits from the RCD-K/ML camps in Beni and Bunia. Young women and girls were also abducted from the villages during the raids. Unaccompanied children have been easy targets for recruitment, a practice witnessed by Refugees International in February 2003. In August 2000, the Ugandan government brought to Uganda 703 youth, many under the age of 18, for military training. Many of these young people were RCD-K/ML defectors, while others were students on vacation who were promised a one-month training session to learn how to defend their villages.

In mid-February 2001, the Ugandan government granted UNICEF full access to the training camp and agreed to release those under the age of 18. The 165 children identified, including two girls, were to be rehabilitated and reunified with their families. However, the Coalition reports an abysmal record of re-recruitment, detention and death for many of these released children, given the intensification of the conflict in that area.

The RCD-Goma (RCD-G) and Rwandan Defence Force (formerly RPA)

The RCD-G and the Rwandan Defence Force (formerly RPA) are known to press-gang and kidnap children for conscription. Both Congolese and Rwandans have been targeted.

The UN Special Rapporteur on the Situation of Human Rights in DRC reported to the Commission on Human Rights in 1998 that children between the ages of 9 and 13 had been recruited into the RPA and used as human shields and that about 300 children had been recruited in Congolese territory and sent to Kigali for training.

Some children, who were originally recruited into the RCD-G's armed local defense force, have "progressed" into the ranks of the RCD-G's armed forces. In March 1999, then-RCD-ML leader Ernest Wamba dia Wamba stated, "We want to make sure that the age of recruitment doesn't go beyond the accepted age of 18." He promised to speak with opposition military commanders to ensure no children under the age of 18 were recruited or deployed and that young recruits would be "eased out" of the military. In May 2000, the RCD-G announced a decision to create an interdepartmental commission for the demobilization and social rehabilitation of the Congolese National Army child soldiers.

While child recruitment continued, with few child soldiers being demobilized, the RCD-G claimed in December 2000 that its commanders had been instructed not to recruit children and denied that such recruitment was occurring. Instead, RCD-G claimed it had "inherited" child soldiers recruited by the late President Kabila. Rwandan forces had also trained these previously recruited child soldiers.

In 2001, HRW and Refugees International reported on RPA and RCD-G's systematic abduction of children and youth, both boys and girls, from roadsides, markets and their homes in eastern DRC. These groups reportedly sent unarmed children into battle as a diversionary force, resulting in large numbers of casualties. The UN estimated that at

Mushaki, a training camp in Masisi, more than 60 percent of 3,000 newly trained soldiers were under age 18. Refugees International reported in January 2003 that this percentage has dropped and explained that it is likely that many of the young trainees are now located at a new camp in Katanga Province, which is more difficult for the international community to access and verify.

In September 2001, UNICEF and RCD-G officials discussed joint measures for DDR for children. Subsequently, the RCD-G officially committed to ending the recruitment and use of children under age 18 and adopted a plan of action under which UNICEF and partner organizations would demobilize 2,600 child soldiers. The Coalition reports that demobilization has been slower than anticipated due to lack of political will by local authorities. In April 2002, the RCD-G released 104 child soldiers into UNICEF custody.

In 2001, the Coalition reported that the RCD-G received support from Rwandan forces, including voluntarily and forcibly recruited children and that Rwandan forces had also assisted in recruitment drives and military trainings. In July 2002, RCD-G carried out an extensive child recruitment campaign.

Children accused of desertion from the RCD-G face severe penalties if caught. Some are detained in the Central Prison of Bukavu in deplorable conditions. While efforts by local and international organizations have secured the release of some children, others have been redeployed in the armed forces.

Ex-FAR and Interahamwe

The former Rwandan government army, FAR, and exiled Rwandan *Interahamwe* Hutu militia are also thought to be associated with armed groups in DRC and to recruit and use children. According to sources on the ground, up to 20 percent of *Ex-FAR/Interahamwe* forces in some areas may be children. Children are generally used as porters and for pillaging. Accounts also indicate that some girls are associated with the *Ex-FAR/Interahamwe*. They have been kidnapped or are dependents of *Ex-FAR/Interahamwe* fighters.

UN SECURITY COUNCIL ACTION

The UN Security Council (UNSC) has given extensive attention to DRC. Yet this has not translated into sustained and commensurate political interest and investment, according to the Henry Dunant Centre for Humanitarian Dialogue. This is apparent in the continuing weakness of the MONUC mandate and force size and the huge gap between need and humanitarian response by all sectors.

UNSC Resolutions and UN Secretary-General's Reports

Since 1999, the UN Security Council has passed 18 resolutions addressing the situation in DRC.²⁶ Among other things, these resolutions have supported the Lusaka Agreement, encouraged the end to hostilities and established MONUC. Several resolutions address the situation of children in armed conflict.

UNSC Resolution 1468 (2003) reiterates its demand in UNSC Resolution 1460 that all parties to the conflict provide information without delay on steps they have taken to halt their recruitment or use of children in armed conflict in violation of the international obligations applicable to them, as well as its demands with regard to the protection of

children contained in its Resolutions 1261, 1314, 1379 and 1460 (para. 15).

UNSC Resolution 1445 (2002) calls upon MONUC to pay special attention in carrying out its mandate to all aspects relating to gender perspective, in accordance with Resolution 1325 (2000), as well as to the protection and reintegration of children, in accordance with Resolution 1379 (2001) (para. 12).

UNSC Resolution 1376 (2001) requests a report from the Secretary-General on cooperation by the parties with MONUC military and logistical operations, as well as its humanitarian, human rights and child protection activities (para. 12).

UNSC Resolution 1355 (2001) expresses deep concern at the increased rate of HIV/AIDS infection, in particular amongst women and girls in DRC, and grave concern about the continued recruitment and use of child soldiers. It also calls on all parties to ensure that urgent child protection concerns—including DDR of child soldiers, the plight of girls affected by armed conflict, the protection and safe return of refugee and internally displaced children and registration and reunification of unaccompanied or orphaned children—are addressed in all national, bilateral and regional dialogues and that solutions are designed in accordance with international best practices (para. 14).

UNSC Resolution 1355 (2001) also condemns the use of child soldiers and demands an end to all forms of recruitment, training and use of children in armed forces (para. 18); calls on parties to ensure the full, safe and unhindered access of relief personnel to all children affected by conflict (para. 19); and calls on the Secretary-General to ensure sufficient deployment of child protection advisers (para. 35).

UNSC Resolution 1341 (2001) expresses deep concern at the increased rate of HIV/AIDS infection, in particular amongst women and girls in DRC and grave concern by the continued recruitment and use of child soldiers. It also calls on all armed forces and groups involved in the DRC conflict to bring an effective end to the recruitment and use of children as soldiers and to ensure the speedy demobilization, return and rehabilitation of such children (para. 10).

The UN Secretary-General has submitted 17 reports to the Security Council regarding the situation in DRC, several of which specifically contain sections on child protection.

UN Special Representatives on DRC and Children and Armed Conflict

Of the UN Secretary-General's nine reports on DRC since 2001, eight address child protection concerns.²⁷ In February 2003, the Secretary-General reported that child soldiers are still present in all armed groups in DRC (see above, *Child Soldiers*) and CPAs have participated in investigations into serious human rights violations where children were among the victims. It also calls attention to the particular need to address impunity for war crimes and other abuses against children.

The UN Secretary-General's Special Representative on Children and Armed Conflict visited DRC in May–June 2001 and proposed a five-point plan of action for ending child soldiering in DRC.²⁸ The DRC government and other warring parties accepted this plan at the time; however, parties to the conflict are still known to recruit and use child

soldiers.

Action on Children and Armed Conflict

The United Nations Security Council has repeatedly called the protection of children in situations of armed conflict a matter of international peace and security and made commitments to protect children in these situations (**UNSC Resolutions 1261, 1314, 1379 and 1460**). In addition to the UN Security Council, other UN agencies and bodies have taken action to address the conflict in DRC and child protection specifically.

In April 2003, in Kinshasa, UNICEF and the United Nations Development Programme (UNDP) hosted a four-day workshop to address guiding principles for DDR of child soldiers from all armed groups in DRC. It was the first meeting focused entirely on humanitarian issues with participation from Mai Mai, RCD-G, MLC, civil society and NGOs.

URGENT RECOMMENDATIONS FOR ACTION

To All Parties to the Conflict:

Humanitarian Access: Guarantee safe, unimpeded and sustained access to humanitarian assistance for all civilians and allow free nationwide movement of humanitarian personnel and emergency relief supplies. Special attention should be given to children and other particularly vulnerable civilians in need, in accordance with UNSC Resolutions 1379 and 1460, the Convention on the Rights of the Child and other international legal instruments.

End Abuses against Children: Immediately halt all violations against the security and rights of children. Comply with all signed agreements and uphold international humanitarian law and international human rights law, particularly the Convention on the Rights of the Child.

To the UN Security Council:

The Watchlist urges the UN Security Council to continue giving priority attention to the situation in DRC and to effectively implement UNSC Resolutions on DRC and Children and Armed Conflict by taking the following actions:

Peace Process: Ensure the inclusion of children's security and rights as a priority agenda item in discussions and agreements towards peace and throughout the transitional period. Children and women's groups and other members of civil society should be supported and included in all such negotiations, as set out by UNSC Resolutions 1261, 1314, 1325, 1379 and 1460 (para. 12).

Ensure that peace negotiations immediately and adequately address the situations in Ituri District and the Kivus and the impact of ongoing violence and insecurity in children in these areas.

Programs and Policies for Children: Urge all donor governments and agencies to provide MONUC, UNICEF and implementing partners with sufficient human and financial resources to adequately protect children in DRC. This should include major contributions towards the UN Consolidated Appeals Process for 2003. Funds should be

provided for emergency and humanitarian services and should not be contingent on a peace agreement. Funding areas should include, but not be limited to:

- basic medical care and immunizations for Congolese children;
- emergency care to improve health of mothers and newborns;
- educational opportunities, with attention to youth who have missed opportunities to go to school during the war;
- HIV/AIDS education, prevention and treatment, with attention to vulnerabilities of girls and adolescents;
- mine-risk education, with focus on displaced children;
- birth registration and family reunification programs, to protect separated and orphaned children, street children, children associated with armed forces and other unaccompanied minors.

Ensure that policies to protect the security and rights of Congolese children are included in all institutions and policies of the **DRC transitional government**.

MONUC: Strengthen MONUC's capacity to protect children:

Rights violations: Expand the mandate and capacity of MONUC to include protection of civilians, including children and adolescents, against violations of international law. This should include protection of women and girls from rape and other forms of gender-based violence.

Child Protection Section:

- Maintain MONUC's Child Protection Section and ensure sufficient resources to address child protection concerns in DRC, in accordance with MONUC's mandate.

Abuse and Sexual Exploitation:

- Support efforts to train MONUC civilian and military personnel in child protection issues. (UNSC 1379, para. 10b).
- Call for implementation of HIV/AIDS education and HIV testing and counseling services for all UN peacekeepers, in accordance with UNSC 1460 (para. 11).
- Call on troop-contributing countries to incorporate the Six Core Principles of the Inter-Agency Standing Committee on Emergencies into pertinent codes of conduct for peacekeeping personnel, in accordance with UNSC 1460 (para. 11).
- Strengthen capacity within MONUC to properly investigate allegations of abuse, sexual exploitation or other forms of misconduct; apply appropriate disciplinary measures for MONUC personnel and encourage troop-contributing countries to take similar action, in accordance with UNSC 1460 (para. 10).

Ituri District:

- Monitor the impact of the Interim Emergency Multinational Force in Bunia and expand its mandate to stabilize the situation in areas outside of Bunia.

Child Soldiers: Call on all parties to conflict to immediately halt the recruitment and use of all children associated with regular and irregular armed forces. To this end, call on the DRC government to immediately implement commitments not to recruit or use children, as required by ratification of the Optional Protocol to the Convention on the Rights of the Child and Congolese national law. Call on all non-state armed groups to officially endorse the standards set by the Protocol and take immediate measures to uphold this

standard.

Enter into dialogue with all parties in DRC that recruit or use child soldiers, as listed by the Secretary-General in his 2002 report on Children and Armed Conflict “in order to develop a clear time bound action plan to end these practices,” as set out in UNSC Resolution 1460 (para. 4).

Call on the 10 parties to the conflict in DRC identified in the Annex to the Secretary-General’s list “to provide information on steps they have taken to halt their recruitment or use of children in armed conflict in violation of the international obligations applicable to them,” in accordance with UNSC Resolution 1460 (para. 5).

DDR: Call on all parties recruiting or using child soldiers to work with UNICEF, MONUC and partner agencies in the development and implementation of a coordinated strategy for DDR for children according to an agreed set of guidelines and principles. All children, both boys and girls, should be equally included in these plans, without regard for association to any particular armed group, even before the complete cessation of violence. Programs should also include monitoring re-recruitment of children by armed groups and emphasize community rehabilitation and psychosocial support and education. They should allot enough time to ensure successful transition, as set out in UNSC Resolution 1460 (para. 13).

Call on donors to support ongoing development and implementation of a national strategy for the demobilization and reintegration of all children associated with regular and irregular armed groups.

ONGOING RECOMMENDATIONS FOR ACTION:

To the UN Security Council:

End Impunity: Support and encourage all efforts to seek accountability for crimes against children in DRC, including recruitment and use of child soldiers, in accordance with UNSC 1379 (para. 9a). This includes:

- 1) calling on DRC government to implement sections of the Pretoria agreement calling for a National Observatory on Human Rights and a Truth and Reconciliation Commission;
- 2) calling on DRC government to cooperate with the International Criminal Court in seeking prosecution of war crimes or crimes against humanity, including crimes against children;
- 3) calling on DRC government to pass the national implementation legislation to facilitate prosecution of war crimes or crimes against humanity, including crimes against children, by the International Criminal Court;
- 4) supporting efforts to establish an effective international criminal tribunal for DRC as necessary;
- 5) ensuring that any amnesty for crimes committed in DRC does not include crimes committed against children;
- 6) encouraging development of rule of law in DRC.

Child Labor and the Exploitation of Natural Resources: Call on all parties using children in the illegal exploitation of natural resources to immediately halt this practice.

Encourage signatories of the Lusaka Agreement to negotiate an addendum to the Agreement addressing the illicit exploitation of natural resources, with particular attention to the impact of this exploitation on children involved in the plunder of natural resources. This should include a provision to ensure that revenue from commercial sale/use of natural resources should contribute to programs to protect children's security and rights.

Response Coordination and IDPs: Encourage UN agencies, NGOs, donors and others operating in DRC to improve coordination in responding to the humanitarian and human rights crisis in DRC. This includes addressing gaps in protection and essential services for the internally displaced population, with particular emphasis to IDP children and adolescents.

Education: Call on the developing transitional government to make resumption of the public education system in DRC a top priority and to resume regular payment of teachers' salaries so all children have access to basic education, regardless of their parents' income.

Landmines: Call on all armed forces and groups to stop the use of landmines in DRC. Encourage political, technical and financial support to strengthen mine action programs. This includes mine awareness education, landmine and UXO removal, mine impact assessment and recovery programs for individuals injured by landmines, with special attention to the threat and impact of landmines on children.

Small Arms: Call on all armed forces and groups operating in DRC, as well as neighboring and other countries providing arms in DRC, to end the illicit trade and stockpiling of small arms and light weapons. Call on the developing transitional government to include weapons collection and destruction programs, with special emphasis on weapons in the hands of young people, in its earliest work plans. The transitional government should also develop norms for possession of small arms and light weapons.

Unaccompanied Minors: Call for an integrated response to the problem of unaccompanied minors, including funding for prevention, protection and reunification programs and taking into account the special vulnerabilities of boys and girls. An integrated response must highlight access to food, shelter, healthcare and free education available to all children. Prevention programs should target impoverished and otherwise vulnerable children and their families and ensure that children who are reunified do not return to the streets. They should also facilitate the participation of local NGOs and civil society in all of these activities.

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¹ High-vulnerability areas are generally areas in the eastern part of DRC where most heavy fighting has occurred, especially in Ituri District, North and South Kivu, northern Katanga Province, Maniema Province and Orientale Province.

² See Christian Aid, Oxfam-GB, Save the Children, *No End in Sight: The human tragedy of the conflict in the Democratic Republic of Congo*, August 2001.

³ This number is a rough estimate. It is very difficult to obtain precise numbers due to the country's vast size, inadequate infrastructure and lack of access to various conflict areas.

⁴ Gross Primary Enrollment Ratio refers to the number of children enrolled, regardless of age, divided by the population of the age group that officially corresponds to the same level.

⁵ Gender-based violence (GBV) is an umbrella term used for any harm that is perpetrated on a person against her/his will that has a negative impact on the physical and/or psychological health, development and identity of the person and is the result of gendered power relationships determined by social roles

ascribed to by males and females. Violence may be physical, sexual, psychological, economic or sociocultural, and is almost always and across all cultures disparately impacting women and children.

⁶ All of these armed groups, except for the former RPA, were named as parties to conflict that recruit or use children as soldiers by the UN Secretary-General in his report (S/2002/1299), *Report of the Secretary-General on children and armed conflict*, November 26, 2002.

⁷ According to IRC, mortality, including rate of death from violence in the East, has decreased in 2002 compared to previous years. This is attributed to a peace accord that stopped hostilities along the traditional war front in 2001, an increase in the number of humanitarian aid programs and the breadth of their services, and the posting of over 5,500 UN observers in DRC.

⁸ For further background on the causes of armed conflict in DRC, in-depth political analyses are available in several sources listed above, including reports by International Crisis Group, Amnesty International, Human Rights Watch, Oxfam and others.

⁹ According to some analysts, Laurent Kabila's four years in power did more harm to the Congolese economy than Mobutu's entire tenure.

¹⁰ The Movement for the Liberation of the Congo (MLC) and the Congolese Rally for Democracy (RCD) split into two factions in 1999, the RCD-Goma (RCD-G) and the RCD-Kisangani (RCD-K), which later became RCD-K/ML. The armed forces of Uganda have traditionally supported the RCD-K/ML and the MLC, while the armed forces of Rwanda have traditionally supported RCD-Goma.

¹¹ Commander Masuznu is the leader of a Banyamulenge-based uprising among RCD troops.

¹² Angola, Namibia, Rwanda, Uganda, Zimbabwe and the MLC signed the cease-fire. The RCD and Burundian, Rwandan and Ugandan opposition armed groups that operate in DRC were not signatories to the Lusaka Agreement.

¹³ According to the agreement, Joseph Kabila will remain as the President of DRC for two years, leading to a general election. Four vice presidents will represent key groups: the government, the MLC, the RCD and the non-armed opposition. In reality, the DRC government and the MLC will likely share control over approximately 70 percent of the country. For further details on the structure of the transitional government, see UN Affected Populations or other political analyses.

¹⁴ *New Vision*, the Ugandan government-owned newspaper, reported that over 2,000 children fathered by UPDF soldiers are left behind in DRC following the UPDF withdrawal.

¹⁵ For complete list of businesses, see Final Report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the DRC (S/2002/1146), Annex III. For more information on the OECD guidelines, see www.oecd.org.

¹⁶ The Kimberly Process is a negotiating procedure to establish minimum, acceptable international standards for national certification schemes of import and export of rough diamonds in an effort to stem the flow of rough diamonds from conflict areas, thereby contributing to the sustainability of peace and protecting the legitimate diamond industry. For more information on the Kimberly Process, see www.kimberlyprocess.com.

¹⁷ Critics of MONUC have argued that the force is weak and unable to improve the human rights situation for three primary reasons: 1) the small size of the force operating in a vast area; 2) the limited civilian protection mandate; and 3) the general atmosphere of insecurity. According to the International Crisis Group, the addition of at least 3,000 troops in Phase III of the operation, to total 8,700, will not be enough to make a difference.

¹⁸ This provision does not apply to national staff of MONUC involved in a bona fide relationship in respect of Congolese national law or customs.

¹⁹ U.S. Committee for Refugees reported that the forced repatriation was a cover for the reinsertion of Rwandan soldiers and other combatants in eastern DRC, after the formal withdrawal of Rwandan troops in 2002.

²⁰ Uganda had militarily controlled Ituri since 1998. However, Uganda never assumed direct administrative or political control for the district. Rather, it has acted as "kingmaker" to various armed groups vying for control of the area. The principal armed political groups operating in the district are the RCD-K/ML, MLC, RCD-N and UPC. Many other armed groups including, the Mai Mai and *Interahamwe*, operate in Ituri. According to Amnesty International, all of the armed political groups fighting in Ituri are in some respect protégés of the Ugandan government.

²¹ After two weeks of deliberation, the IPC adopted an agreement establishing an interim administration, consisting of a 32-member Special Assembly, an 18-member Executive Organ and three sub-commissions on security and the consolidation of cessation of hostilities; the reestablishment of public services and the rule of law; and humanitarian assistance and rehabilitation, including an "Observatoire" on human rights.

²² According to the UN Convention Against Transnational Organized Crime, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, trafficking in persons includes the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation refers to the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs.

²³ See Project GRAM's report, March--August 2002, for a list of looting incidents involving children in Kalonge during that period.

²⁴ A widely recognized definition of child soldiers was established in 1997 in the Cape Town Principles and Best Practices. "[A child soldier is] any person under 18 years of age who is part of any kind of regular or irregular armed force or armed group in any capacity, including but not limited to cooks, porters, messengers, and those accompanying such groups, other than purely as family members. It includes girls recruited for sexual purposes and forced marriage. It does not, therefore, only refer to a child who is carrying or has carried arms."

²⁵ See Coalition to Stop the Use of Child Soldiers' 1379 Report entry on DRC for more information on government treatment of suspected child soldiers and efforts by local and international groups to secure their release.

²⁶ For a summary of all 18 resolutions on DRC, see www.un.org/Depts/dpko/monuc/monucDrs.htm; for the full text of all Security Council resolutions on DRC see www.un.org/documents; for an analysis of conflict-specific UN Security Council Resolutions, including on DRC, that address children's issues, see the Watchlist's report, *Protecting Children: Implementation of UN Security Council Resolution 1379*, on www.watchlist.org.

²⁷ For an analysis of conflict-specific Secretary-General's reports, including on DRC, that address children's issues, see the Watchlist's report, *Protecting Children: Implementation of UN Security Council Resolution 1379*, on www.watchlist.org.

²⁸ The UN Special Representative on Children and Armed Conflict's five-point plan includes: 1) complete stop to all recruitment and participation; 2) establishment of a mechanism to monitor and report on compliance; 3) major public awareness campaign; 4) joint visits to military camps and barracks to conduct surveys of child soldiers; and 5) establishment of programs for reception and DDR for child soldiers.

The Watchlist works within the framework of the provisions adopted in Security Council Resolutions 1261, 1314 and 1379, the principles of the Convention on the Rights of the Child and its protocols, and other internationally adopted human rights and humanitarian standards.

Information is collected through an extensive network of organizations that work with children around the world. Analysis is provided by a multidisciplinary team of people with expertise and/or experience in the particular situation. Information in the public domain may be directly cited in the report. All sources are listed in alphabetical order at the end of report to protect the security of sources.

General supervision of the project is provided by a Steering Committee of international nongovernmental organizations known for their work with children and human rights. The views presented in any report do not represent the views of any one organization in the network or on the Steering Committee.

For further information about the Watchlist Project or specific reports, or to share information about children in a particular conflict situation, please contact: watchlist@womenscommission.org