

# DEMOCRATIC REPUBLIC OF THE CONGO

## RELUCTANT RECRUITS: CHILDREN AND ADULTS FORCIBLY RECRUITED FOR MILITARY SERVICE IN NORTH KIVU

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## SUMMARY

For nearly three years, rebel movements backed by Rwanda and Uganda have waged a disastrous war against the government of the Democratic Republic of the Congo (DRC) and its foreign allies. According to the most recent estimates by demographic experts, some two and a half million persons have perished in combat or through war-related deprivation of food, water, and medical aid. The Congolese government and its allies Zimbabwe, Angola, and Namibia; the Congolese Rally for Democracy-Goma (Rassemblement Congolais pour la Démocratie-Goma, RCD-Goma) and its backer, Rwanda; and the Congo Liberation Front (Front pour la libération du Congo, FLC) and its supporter, Uganda agreed under the terms of the 1999 Lusaka Accords to halt the conflict. Only in February 2001 did Rwanda and Uganda begin pulling back their troops from the front lines. Anticipating continued progress towards peace, the United Nations deployed observers and troops as part of the United Nations Organization Mission in the Democratic Republic of Congo (MONUC).

But soon after both Rwanda and Uganda called into question the prospects for peace. In early April Rwandan President Paul Kagame stated that Rwandan troops would not finally leave Congo until his government judged its security assured. In early May Ugandan President Yoweri Museveni announced that his government was no longer bound by the Lusaka Accords, although he then reversed himself and said that Uganda would abide by the agreement and withdraw its troops from most areas. The Rwandan ally and surrogate, RCD-Goma, at one point refused to allow MONUC troops to land at Kisangani although it later relented and troops of the Ugandan ally, the FLC, have refused to pull back from the front lines.

In addition, local observers report that at least some of the Rwandan and Ugandan troops being withdrawn from the front lines are being redeployed elsewhere in eastern Congo. Others report that additional Rwandan troops entered the Kivus in early May. And the Rwandan-backed RCD-Goma has continued to forcibly recruit adults and children in violation of international human rights standards and apparently in preparation for further conflict.<sup>1</sup>

This report, based upon a mission to the region in December 2000 and subsequent research, documents an intensive campaign of forcible recruitment of adults and children begun by RCD-Goma and its Rwandan allies in the last quarter of 2000. RCD-Goma was able to take control of much of the eastern Congo in mid-1998 with the assistance of soldiers of the Rwandan Patriotic Army (RPA) and continues to rely upon them to maintain its hold over the region. The leaders of RCD-Goma operate under the influence of the Rwandan authorities with whom they are frequently in contact.

Human Rights Watch researchers found evidence in December 2000 that Congolese soldiers of RCD-Goma and soldiers of the Rwandan Patriotic Army (RPA) had abducted both children and young men from roadsides, markets, and their homes.<sup>2</sup> They had taken the unwilling recruits to military training camps in preparation for armed combat against their own government and their fellow countrymen. The head of RCD-Goma's Department of Foreign Affairs confirmed to Human Rights Watch researchers that a military recruitment campaign was going on but denied that any children were being recruited or that anyone was recruited against his will.<sup>3</sup>

As the international community has begun to criticize the forcible recruitment of children, recruiters have shifted their activities further from town to escape observation and they have in some cases moved from the use of force to the use of coercion or the promise of rewards to enroll new recruits.

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<sup>1</sup> Human Rights Watch interviews, London, May 9, 2001 and Kampala, by telephone, May 19, 2001.

<sup>2</sup> Under international law, persons below the age of eighteen are considered children (article 1 of the Convention on the Rights of the Child, September 2, 1990). All states are party to the Convention on the Rights of the Child except for the United States of America and Somalia.

<sup>3</sup> Human Rights Watch interview with Joseph Mudumbi, Goma, December 19, 2000.

## **RECOMMENDATIONS**

### **To the RCD-Goma**

- Issue and enforce clear orders to all RCD-Goma forces to stop the recruitment, abduction, training, and use of child soldiers. Demobilize, disarm, rehabilitate, and return to their homes all current child soldiers.
- Stop all forcible recruitment into the forces of RCD-Goma and allow recruits who do not wish to be in the armed forces to leave.
- Insist that the inter-departmental commission on the demobilization and reintegration of child soldiers established by RCD-Goma on May 15, 2000 begin to function effectively and allocate the necessary resources for it to do so.
- Allow MONUC and UNICEF access to military and local defense training camps.

### **To the Government of Rwanda**

- Issue clear instructions to all Rwandan soldiers operating in the DRC to stop the recruitment, abduction, training and use of child soldiers in the armed forces of RCD-Goma or in the RPA and demobilize, disarm, rehabilitate, and return to their homes all current child soldiers. Those suspected of recruiting children should be arrested, investigated, and punished according to the law
- Issue clear instructions to all Rwandan soldiers operating in the DRC to stop all forcible recruitment of persons for RCD-Goma or RPA forces and allow recruits who do not wish to be in the armed forces to leave.
- Sign and ratify the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict without reservations, and submit upon ratification, a binding declaration establishing a minimum age of at least eighteen for voluntary recruitment.
- Ratify the 1991 Rwandan signature of the African Charter on the Rights and Welfare of the Child.

### **To the International Community**

- Vigorously and publicly denounce the recruitment, abduction, training, and use of child soldiers and all forcible recruitment by all sides to the conflict in the DRC.
- Urge all parties to the conflict to initiate and make operational disarmament, demobilization, and rehabilitation programs for children, including the RCD-Goma inter-departmental commission on demobilization and reintegration of child soldiers, in accordance with their instruction of May 15, 2000, and assist with required funding.
- Provide political, financial, and technical support to civil society organizations focusing on human rights and particularly those monitoring the problem of child-soldiers.
- Support the Office of the United Nations High Commissioner for Human Rights Field Office in Congo and increase its monitoring and technical assistance programs. In particular, the U.N. Office should be given the necessary support to place field officers in RCD-held eastern Congo and throughout government territory.
- Support and increase the human rights monitoring programs of MONUC.

## **RECRUITMENT APPEALS BY THE RDC-GOMA**

Several Goma residents told Human Rights Watch researchers that they had heard broadcasts by representatives of the RCD-Goma on the local radio station in mid-November 2000 and later, appealing to parents send their children into the armed forces. In an early December statement, the secretary-general of the United Nations mentioned radio broadcasts on November 15 and 16 by the head of RCD-Goma asking parents to allow their children to be recruited into the armed forces of the movement. He cited a similar call by the governor of

North Kivu Province urging that children be enrolled for “local defense.”<sup>4</sup> When U.N. officials raised the issue of these broadcasts with RCD-Goma authorities, they reportedly claimed that they did not mean children in the sense of those under eighteen years of age, but rather “children” in the metaphorical sense of children of the Congo.<sup>5</sup> In this region of the Congo, unmarried young people over the age of eighteen can still be referred to as “children.”

RCD-Goma officials were also apparently required to carry out recruitment for the movement in their home areas.<sup>6</sup> According to local residents, authorities including traditional chiefs, administrators, and group, neighborhood, community, and village leaders were called to Kigali, Rwanda for a meeting in late 2000. There, a senior official of the Rwandan Patriotic Front (RPF), the dominant political party in Rwanda, reportedly promised promotions to anyone who delivered large numbers of new recruits to the RCD-Goma’s armed forces and threatened demotions or loss of their posts to any who failed in this task.<sup>7</sup>

Despite the incentive and the threat, not all local authorities complied with the order. According to residents of Masisi, some of the traditional chiefs from their area were in Goma in mid-December 2000 and were refusing to assist in the recruitment campaign. Thus, one resident claimed, “there is no one [i.e., no civilian authority] to keep order at the local level. It is the military who make the laws.”<sup>8</sup>

As numerous testimonies make clear, many ordinary people oppose this recruitment campaign. A Goma resident told Human Rights Watch:

We know that there is no one who would go voluntarily. Now when they come to persuade us to let one of our sons go to the army, the first question the parents ask is where are the sons we already gave you? And who are you fighting against and why?<sup>9</sup>

Authorities have acknowledged and sought to justify the recruitment campaign. In an interview broadcast on January 24, 2001 on the RCD-Goma’s Radio Goma, journalists asked Commander Obert Rwibasira of the RCD-Goma’s G5 military division why the movement continued to enroll very young recruits. He replied that RCD-Goma needed a young and dynamic army.<sup>10</sup> A student told Human Rights Watch: “The current recruitment campaign is public. They have announced it on the radio and everything. But we are concerned about forced recruitment. The justification they are giving for the drive is the generalized insecurity in rural areas, and lack of improvement on that front. There is lack of security even in the outskirts of Goma.”<sup>11</sup> According to some local residents, RCD-Goma claimed to need the recruits to build a national army to replace foreign troops, presumably meaning the Rwandans who are generally regarded with some hostility by Congolese and who are, in any case, supposed to be withdrawing from the Congo. The head of the Department of Foreign Affairs of RCD-Goma gave the same explanation to Human Rights Watch researchers.<sup>12</sup>

Some Goma residents suggested that RCD-Goma was also trying to replace troops lost in recent battles. One said: “The war is not succeeding; they need numbers at the front. They say it is being done voluntarily. But if you disagree you are considered hostile to the RCD and are the enemy.”<sup>13</sup> Another Goma resident commented:

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<sup>4</sup> United Nations, Secretary-General, Fifth report on the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) (S/2000/1156, December 6, 2000, paragraph 73).

<sup>5</sup> Identity withheld to protect author, written communication to Human Rights Watch, January 19, 2001.

<sup>6</sup> Human Rights Watch interviews, Goma, December, 2000.

<sup>7</sup> Human Rights Watch interview, Goma, December 7, 2000.

<sup>8</sup> Human Rights Watch interviews, Goma, December 19, 2000.

<sup>9</sup> Human Rights Watch interview, Goma, December 19, 2000.

<sup>10</sup> Identity withheld to protect author, written communication to Human Rights Watch, January, 2001.

<sup>11</sup> Human Rights Watch interview, Goma, December 7, 2000.

<sup>12</sup> Human Rights Watch interview with Joseph Mudumbi, Goma, December 19, 2000.

<sup>13</sup> Human Rights Watch interview, Goma, December 7, 2000.

“The forced recruitment started [in early November 2000]. They didn’t find enough youth to come forward voluntarily so they had to do it by force.”<sup>14</sup> A resident of Masisi commented:

They say everyone from fifteen to forty should be in the army. Why? we ask. We don’t know what is the point of this war. They say they will take us one way or another. Until now there have been threats that if you don’t come voluntarily, they will take you by force. No one goes voluntarily.<sup>15</sup>

## FORCED RECRUITMENT

According to numerous testimonies gathered by Human Rights Watch researchers, RCD-Goma has forcibly detained young men and boys to be soldiers in their armed forces and has done so in an arbitrary manner, according to no set procedure. Recruits have no say in whether or not they agree to join the armed forces of RCD-Goma, nor are they given any advance warning of conscription, any indication of how long they will be forced to serve, any idea of where they will be taken for training or for combat nor any indication of whom they will be required to fight against. Recruits, even those who support the government, may be ordered to fight against government forces made up of fellow countrymen and possibly family members. They may be forced to commit human rights violations and adults as well as children may be traumatized by their ordeal.

Many Goma residents told Human Rights Watch researchers that RCD-Goma soldiers frequently picked up young men and boys in night-time raids on their homes and on the roads, in markets, and at schools.<sup>16</sup>

Witnesses said that RPA soldiers helped RCD-Goma troops in this forced recruitment. These soldiers were identified as Rwandan because they spoke a Rwandan form of Kinyarwanda and because they differed somewhat in appearance from Congolese.<sup>17</sup> Residents of Goma reported that the soldiers raided for men more often in neighborhoods known to be inhabited primarily by Rwandan Hutu, perhaps because they lacked a network of local connections to protect them. “The majority of people in the neighborhoods where they are recruiting are Hutu. Most they pick up haven’t studied, aren’t educated, and so can’t defend themselves,” one person commented.<sup>18</sup>

One young man related his narrow escape after soldiers tried to forcibly recruit him in the center of Goma in the middle of the day:

I was on my way to look for work in construction sites towards Himbi and had a stomach ache so I went home. I took the second road towards the president’s house and when I arrived at “RVA 1” [Regie de Voies Aeriennes, in the center of town] I met two people dressed as civilians. They were Congolese. They approached me and asked where I was going. I said home because I was a little sick. They said they were in the middle of looking for soldiers. I said I wasn’t capable of being a soldier. They said, we’ll see.

About 300 meters further on we reached some soldiers. They took me, and searched me. I was beaten up, mistreated. There were about five others [civilians] sitting at the side of the road. They [the soldiers] said: “See them? They are going to be soldiers, like you.”

They took my briefcase with my tools. I’m an electrician. I was left there for an hour without speaking. One of them then said I didn’t look like a soldier and so he let me go. But he said that I mustn’t tell anyone—if I did they would get me, they had seen my face.

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<sup>14</sup> Human Rights Watch interview, Goma, December 7, 2000.

<sup>15</sup> Human Rights Watch interview, Goma, December 19, 2000.

<sup>16</sup> Human Rights Watch has also received as yet unconfirmed reports that RCD-Goma soldiers abducted women and girls, including girls under the age of eighteen.

<sup>17</sup> Human Rights Watch interview, Goma, December 18, 2000. Some Congolese of Rwandan origin also speak Kinyarwanda but with a different accent.

<sup>18</sup> Human Rights Watch interview, Goma, December 19, 2000.

The two civilians [recruiters] were about 200 meters away and they watched me when I left to see if I spoke to anyone. A little further away I passed a friend. When he got to them [the civilian recruiters] they tried to take him. He fled—the soldiers chased him. He knows the neighborhood and hid in a toilet. The soldiers didn't find him.<sup>19</sup>

Eyewitnesses in Goma report the frequent passage of trucks seen leaving Goma containing new recruits, mostly young men and boys. In some cases they say they have seen children they thought were in their early teens. One local resident said:

One day we saw them [soldiers] on the main road [in an area of Goma called Afia Bora in the Katindo neighborhood]. We fled. Soldiers get out and quickly tell people to get into the truck. They do it at around 7 a.m. and 5 p.m.—the day I saw them it was 7 a.m. People flee when they see the military trucks, especially young men.<sup>20</sup>

Another eyewitness also described recruits being taken away in trucks:

The children and adults have shorn heads but because of the size of the children, all you see is their heads and their hands waving and saying goodbye. Sometimes they are waving and saying goodbye and sometimes they are silent. Soldiers sit on the edge of the truck. They go out on the Sake Road, always in the same direction.<sup>21</sup>

An eighteen-year-old student who was picked up in a Goma market in the first week of December 2000 said:

I went out with my mother to the market at Virunga to get some things. It was about 5 p.m.. While we were shopping we saw a group of soldiers coming towards us. They told me to go with them. We knew they wanted to take me to go and train to fight. They took five of us—all young men—from the market. I didn't know the others.<sup>22</sup>

Another student described events one morning in early December:

This happened yesterday in my residential area of Katindu Droite. I was at home at 5:30 a.m. listening to the news when I heard gunfire. I looked outside and saw military dressed as civilians but they were armed. They had already taken some kids. Some were my age, some looked a lot younger. I'm nineteen; some of those they picked up looked like they were thirteen and fifteen, but there was also an elderly man in the group.<sup>23</sup>

In early December 2000 soldiers came to collect young men at the lakeside market of Kituku.<sup>24</sup> People crossing Lake Kivu in motorized canoes to bring their produce to market turned back as they approached the shore when they saw soldiers waiting there. On subsequent market days, few men risked coming to the market, leaving women to carry on trade.<sup>25</sup> Residents elsewhere reported the same development. "The markets in the interior don't function as they should now because of the fear of men being recruited," explained a woman who

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<sup>19</sup> Human Rights Watch interview, Goma, December 20, 2000.

<sup>20</sup> Human Rights Watch interview, Goma, December 18, 2000.

<sup>21</sup> Human Rights Watch interview, Goma, December 18, 2000. The road to Sake continues to Mushaki in Masisi, where there is a training camp for new recruits.

<sup>22</sup> Human Rights Watch interview, Goma, December 18, 2000.

<sup>23</sup> Human Rights Watch interview, Goma, December 7, 2000.

<sup>24</sup> Kituku market is in the Keshero neighborhood of Goma.

<sup>25</sup> Human Rights Watch interview, Goma, December 18, 2000.

frequently travels from one market to another in and around Goma.<sup>26</sup> The quantity and choice of produce was limited because of the absence of vendors.<sup>27</sup>

## Escaping Recruitment

Because of the practice of forced recruitment, men and boys in some areas run away or hide if they see groups of soldiers. As one young man told Human Rights Watch, “On the first of December [2000] I was accompanying a friend home after he visited me. We saw a group of soldiers blocking the road. They already had two children. We ran for our lives.”<sup>28</sup> Another seventeen or eighteen-year-old student also managed to avoid being picked up on his way to school in Goma in early December. He described what happened:

Yesterday morning I left for school at about 7 a.m. When I arrived at the entrance of the museum, there were soldiers there. They wanted to catch us. We fled. There were ten of us, from different parts of the city. We all had our school uniforms on. When we arrived we saw that they had already caught a number of other school children and others. We ran away immediately. We hid for the day and returned to our homes in the evening.<sup>29</sup>

Other potential recruits go to even greater lengths to avoid being taken. In Nyarigonge zone, approximately twenty kilometers from Goma, for example, those who fear recruitment often choose to sleep outside rather than at home where they might be abducted during the night.<sup>30</sup> Residents of Masisi also reported that men slept outside in the bush to avoid forcible recruitment.<sup>31</sup>

Local people have developed other strategies as well. The inhabitants of the Virunga and Majengo neighborhoods of Goma apparently reacted to the arrival of soldiers who were starting to pick people up on the evening of December 7, 2000 by shouting and banging drums. “They took some people but with the noise and so on they couldn’t do as much as they wanted,” said an eyewitness to the night-time swoop by RCD-Goma and RPA soldiers.<sup>32</sup>

Some young men who have been picked up were later freed because family or friends used their influence or made payments to have them released. One young recruit said he was taken at a market by nine soldiers, some from RCD-Goma, some from the Rwandan army:

Then another Congolese soldier who behaved like a commander came. He tried to plead for us but they ignored him and put us in a covered pickup truck. There were about twenty other young men in the pickup truck. It was dark and we were scared. We were driven somewhere; I don’t know where. It took about ten minutes for us to get there. It was a big building, dark and without windows. As we arrived, others [like us] were being taken out.

The young man’s mother went with other family members and found the Congolese soldier who had spoken for him when he was taken. They paid him the equivalent of approximately U.S. \$12 and he arranged for the youth to be released.<sup>33</sup>

In another case a father “paid” RCD-Goma soldiers to release his twenty-year-old son after he had been picked up at night at his workplace in the North Mabanga neighborhood of Goma. The father was asked to supply a case of beer to obtain his son’s release but managed to negotiate the price down to three bottles. He later also

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<sup>26</sup> Human Rights Watch interview, Goma, December 19, 2000.

<sup>27</sup> Human Rights Watch interview, Goma, December 19, 2000.

<sup>28</sup> Human Rights Watch interview, Goma, December 7, 2000.

<sup>29</sup> Human Rights Watch interview, Goma, December 7, 2000.

<sup>30</sup> Human Rights Watch interviews, Goma, December 17 and 19, 2000.

<sup>31</sup> Human Rights Watch interview, Goma, December 19, 2000.

<sup>32</sup> Human Rights Watch interview, Goma December 8, 2000.

<sup>33</sup> Human Rights Watch interview, Goma, December 18, 2000.



collected money from the neighborhood to obtain the release of about seven others taken with his son. “I had to do it immediately,” said the father, “or else they would have been sent to Mushaki for training.”<sup>34</sup>

### **Mistreatment of Recruits**

According to many accounts, new recruits are beaten and ill-treated. One youth, fortunate to have escaped harsher treatment, described an initiation for recruits: soldiers dragged their hands down the recruits’ faces from their foreheads over their eyes and down to their jaw, pulling the skin and eyelids down, digging their fingers in and applying pressure so that it hurt. Several other persons confirmed this practice by soldiers.<sup>35</sup> In some cases, soldiers confiscate the identity papers of recruits, making it more risky for them to attempt to escape from training camps. Four young men who escaped from Mushaki camp were later caught. Because they had no identity papers they were detained and severely beaten; a commander finally intervened to send them home because of their injuries. They were even given a written order dated December 15, 2000 saying they could not be recruited again because of ill-health.<sup>36</sup>

## **ABDUCTION AND RECRUITMENT OF CHILDREN**

At a celebration of the fifty-second anniversary of the signing of the Universal Declaration of Human Rights on December 10, 2000, an RCD-Goma official told national human rights groups and U.N. officials that RCD-Goma was not recruiting children.<sup>37</sup> In a meeting with Human Rights Watch on December 19, the head of the Department of Foreign Affairs of RCD-Goma repeated this denial and said that instructions had gone out to all RCD-Goma commanders not to recruit children.<sup>38</sup> But Human Rights Watch researchers found that as part of general recruitment efforts, RCD-Goma soldiers, together with RPA soldiers, have recruited and continue to recruit children, often forcibly, and to train them for combat.

### **Past Recruitment of Children**

While denying that RCD-Goma was recruiting children, the head of their Department of Foreign Affairs did admit that they had “inherited” child soldiers recruited by the late President Laurent-Désiré Kabila for the campaign he waged together with Rwandan forces against the Mobutu government in 1996 and 1997.<sup>39</sup>

As head of the Alliance of Democratic Forces for the Liberation of Congo (AFDL), Kabila enrolled thousands of young *kadogos* (meaning “the little ones” in Swahili) in his armed forces.<sup>40</sup> Rwandan army soldiers and officers helped the AFDL train its recruits, including the child soldiers. Col. James Kabarebe, one of the top Rwandan commanders in the Congo, spoke with pride of the RPA success in training these children. According to the journal *Le Soft*, quoting an interview published originally in Kinyarwanda in the newspaper *Ingabo*, Kabarebe said:

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<sup>34</sup> Human Rights Watch interview, Goma, December 19, 2000.

<sup>35</sup> Human Rights Watch interview, Goma, December 17, 2000.

<sup>36</sup> Human Rights Watch interview, Goma, December 18, 2000.

<sup>37</sup> Human Rights Watch interview, Goma, December 17, 2000.

<sup>38</sup> Human Rights Watch interview with Joseph Mudumbi, Goma, December 19, 2000.

<sup>39</sup> Ibid.

<sup>40</sup> Led by then-rebel Laurent-Désiré Kabila, the AFDL was a coalition of political parties from eastern Congo that, with support from Rwanda, Uganda, Angola, and Burundi overthrew President Mobutu in a seven-month war which began in October 1996. For more details, see Human Rights Watch, “Democratic Republic of Congo: What Kabila is Hiding, Civilian Killings and Impunity in Congo,” *A Human Rights Watch Report*, vol. 9, no. 5 (A), October, 1997 and “Uncertain Course: Transition and Human Rights Violations in the Congo,” *A Human Rights Watch Report*, vol. 9, no. 9(A), December, 1997 (also available in French).

The young army that we [the RPA] put in place when we arrived in Congo and which we called Kadogo is by far the best army in Congo. It was an army made up of youngsters, obedient and disciplined, but who needed to be better supervised, better trained.<sup>41</sup>

Despite pledges from the Congolese government to demobilize children, Kabila's army continued recruiting them. Kabila broke with his erst-while allies in mid-1998 and told the Rwandans to withdraw their troops. Instead the Rwandan government and its newly created ally, the RCD, began a war against the Congolese government. Both the government and the RCD then stepped up recruitment and training of children, including by reenlisting previously demobilized child soldiers.<sup>42</sup>

Three boys who had been forcibly recruited in 1997, 1998, and 1999 at the ages of seventeen, thirteen, and sixteen recounted their experiences to a Human Rights Watch researcher. Two of these boys happened to be related but had been picked up separately some time apart, one on his way home from church and one on his way home from school. They ended up in the same training camp at Rumangabo, about eighty kilometers from Goma. They spoke of the two most important people in the camp being Rwandan army trainers, known by the names of Afandi Padiri and Innocent. The young men both escaped in April 2000 and said that they had heard that Afandi Padiri and Innocent had been redeployed to Kisangani.

One said: "They gave us wooden sticks shaped like guns—if you lost it, you'd be killed. We were shown real guns and how to work them but they always took them back later. Only when you got to the front were you given a gun."

The first time the two had tried to escape, they were caught and had been badly beaten as punishment. They said a third who had tried to escape was killed on the spot. On the second attempt the two boys were successful and with the help of villagers who hid them, they gradually made their way to safety.<sup>43</sup> Another boy who had been thirteen when he was picked up in Goma in 1998 told Human Rights Watch:

I was coming from school at about 5 p.m. I went to school in the afternoon. I was heading home when soldiers in a vehicle stopped me and made me get in. They were Rwandans. There were lots of other young boys in the vehicle. We went to the airport in Goma and from there to Kalemie by plane. We were all ten, twelve, thirteen years old and older. Then we were sent to Camp Vert in Moba and trained there. Lots were killed in the training. Lots died of sickness. The food was poorly prepared and many got dysentery.

The boy said that in Moba the commander of the Camp Vert military training camp was a Rwandan named Rugazura who had also been involved in training the recruits. This boy too had been beaten during the training and had visible scars on his head where he claimed he had been hit following a failed escape attempt. When he did escape, he too relied on the local population to hide him and give him food as he made the long journey back to Goma. On arriving in Goma he found that his father had been forcibly recruited and his mother had vanished. He was helped to flee and was, by chance, reunited with his mother. His mother said that until he reappeared she had had no idea of what had happened to him and had gone through the traditional mourning, believing him dead.<sup>44</sup>

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<sup>41</sup> "Homme-mythe, le Colonel James Kabarebe lève un coin de son voile," an interview with Col. James Kabarebe published in Kinyarwanda in the review *Ingabo*, no 51, translated into French by *Le Soft International* and posted on [www.lesoftonline.net/james.html](http://www.lesoftonline.net/james.html).

<sup>42</sup> See Human Rights Watch, "Casualties of War: Civilians, Rule of Law, and Democratic Freedoms," *A Human Rights Watch Report*, vol. 11, no. 1 (A), February 1999; Human Rights Watch campaign statement, *The Use of Child Soldiers in the Democratic Republic of Congo*, 1999 at [www.hrw.org/hrw/campaigns/crp/congo.htm](http://www.hrw.org/hrw/campaigns/crp/congo.htm); and "Human Rights Watch Condemns Recruitment of Child Soldiers in Congo," August 11, 1998, at [www.hrw.org/hrw/press98/aug/cong0811.htm](http://www.hrw.org/hrw/press98/aug/cong0811.htm).

<sup>43</sup> Human Rights Watch interview, December, 2000.

<sup>44</sup> Human Rights Watch interviews, December, 2000.

A former RCD instructor said that he had deserted from RCD-Goma because he objected to the forced recruitment of children:

I was sent to certain zones to recruit people for the RCD army. Because none would volunteer, the RCD forced people into joining its army. In 1999, I was involved in the recruitment of children aged eleven to fifteen in the localities of Kasongo and Kalima in Maniema province. The RCD would usually recruit children from local schools, but the schools were closed down because parents feared the campaign. The RCD sent recruiters on a Sunday to wait for children who were on their way to church. A total of 500 children were rounded up that day in the two localities. They were taken by truck to the airport of Kalima and from there were airlifted to the training camp in Kalemie, a port town on the shore of Lake Tanganyika in Katanga province.

He said that children were trained at two camps in Kalemie, Camp Marin and Camp Mayito, where Rwandan army officers oversaw the training. According to this former instructor, children received between two and three weeks of basic physical training and then they were deployed to the battlefields.

They were trained on how to use arms and how to shoot, and that was the end of it. Some of the kids were even sent to battle without arms. They were sent ahead of battle-ready troops of the RCD and RPA to create a diversion. They were ordered to make a lot of noise, using sticks on tree trunks and the like. When they succeeded in diverting the attention of government troops, that is to say when they drew government fire on their unarmed elements, these units, known as the Kadogo Commando, would be literally allowed to fall like flies under government fire. The experienced troops would then attack the government troops when their attention was diverted to the Kadogo Commando.

The former RCD-Goma soldier said that he himself had witnessed this tactic near Kindu in a village called Lodja. The children involved had been recruited at Mateve in Kibumbo. In another battle at Kirungu village near Moba town in February 1999, he had witnessed the killing of at least a hundred Kadogo Commandos, the vast majority of them unarmed. "The lucky ones were buried in a mass grave," he said. "Others were left to the vultures."<sup>45</sup>

### **Recent Abduction of Children by RCD-Goma**

Recent U.N. reports have estimated that between 15 and 30 percent of all newly recruited combatants in the Congo are children under eighteen years of age, and a substantial number are under twelve years old.<sup>46</sup> The number recruited by the government and by each armed faction is unknown. In the RCD-Goma training camp of Mushaki in Masisi, the U.N. estimates that of the over 3,000 newly recruited young soldiers, more than 60 percent are under the age of eighteen.<sup>47</sup>

According to a resident of Rutshuru, RCD-Goma and RPA soldiers abducted children from his community on or about November 17, 2000. "They come into the houses and take all the young children between thirteen and twenty and say they are to go and be soldiers. They also take young girls. It is done day or night, on operations [house to house] or by taking groups of children," he said.<sup>48</sup>

Both because children and young men have taken to sleeping away from home, as mentioned above, and because recruitment can be more quickly done in public places, soldiers raid for potential recruits at schools, on the roads, and at markets.

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<sup>45</sup> Human Rights Watch interview, December, 2000.

<sup>46</sup> Fifth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo, S/2000/1156, December 6, 2000, paragraph 72.

<sup>47</sup> Sixth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo, S/2001/128, February 12, 2001, paragraph 65.

<sup>48</sup> Human Rights Watch interview, Goma, December 7, 2000.

In one case reported to Human Rights Watch three students of the Kashofu Institute, aged fifteen and sixteen, from Idjwi Island were picked up on November 29, 2000 as they returned home from school at midday. Soldiers in a motorized canoe with another twenty-six young men on board drew alongside. They took the students by force and threw them into the canoe. In the process, the students threw their schoolbooks to other younger children who were watching the scene. They were taken to the north end of the island where they were put with 170 other boys and young men brought earlier from the south of the island. On December 3, 2000 they were taken to Goma on a boat called "Karisimbi." The next day they were taken to Mushaki training camp where there were another 200 young people, including a girl, they said. One of them tried to escape but was caught and severely beaten. The trainers, who were RPA soldiers, stole one of the victim's trousers, shoes, and shirt. The boys managed to escape a short while after in late 2000.<sup>49</sup>

In a case recently reported to Human Rights Watch, two boys, aged twelve and thirteen, escaped from Mushaki training camp in the first week of January 2001. One explained how he had been picked up by soldiers in the middle of Nyanzale market in Rutshuru on Christmas day 2000 at around 10 a.m.

I was forced to climb aboard a truck. In an hour the truck was full of children. We set off and a few minutes later when we arrived in a center the vehicle stopped and other children, some younger than me, were forced to get on board. Suddenly we found ourselves at Mushaki and the next day the training began. We didn't know why we had been taken there and what we had to do and that is the reason we thought we had better escape because that was the only way open to us to get out of this hell [sortir de l'enfer]. Our parents don't know where we are right now. I know they are worried. I would like to go back to them as soon as possible which will delight them. I do not want to be a soldier. I dream instead of being a farmer or a carpenter.<sup>50</sup>

Because soldiers are known to abduct children from school, the mere appearance of soldiers in the vicinity of a school can cause the children to panic. According to local sources, soldiers approached the secondary school at Kibumba in Nyarigonge zone, approximately twenty kilometers from Goma, one morning in mid-December 2000 while classes were underway. The students all scattered and ran and the school did not function for some time after as parents and pupils were not prepared to take the risk of possible further recruitment attempts.<sup>51</sup> As a resident of Rutshuru commented: "Parents are scared to let their children go out. Previously children were taken ... and didn't return. So the parents are very worried."<sup>52</sup>

A teacher told Human Rights Watch of another incident when soldiers passed near his school on the outskirts of Goma. His pupils panicked believing the soldiers were coming to the school to take them away for military training. "They wanted to climb out of the windows to escape," said their teacher. In the event the soldiers passed by without stopping.<sup>53</sup>

### Freeing children

As noted, soldiers are sometimes willing to free abducted children and young people in return for payment. One boy, now sixteen years old, said in written testimony that he was first recruited for rebel forces in 1996 and was then forcibly reenlisted three times. At one point he was taken to a transit camp at Kinyogote while waiting to be transported to Mushaki. "There, there were about seventy young people among whom there were old and new recruits and among whom there were boys fourteen, fifteen, sixteen, and seventeen years old," he said. He said his uncle once paid about U.S. \$15 to have him released.<sup>54</sup> A local resident recounted similar cases in Maniema Province where children, some under twelve years old, were recruited in Kasongo area, particularly

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<sup>49</sup> Name withheld to protect identity, written communication to Human Rights Watch, January, 2001

<sup>50</sup> Human Rights Watch source January 1, 2001.

<sup>51</sup> Human Rights Watch interviews, Goma, December 17 and December 19, 2000. Human Rights Watch has not confirmed whether the school has reopened.

<sup>52</sup> Human Rights Watch interview, Goma, December 7, 2000.

<sup>53</sup> Human Rights Watch interview, Goma, December 18, 2000.

<sup>54</sup> Written testimony provided by a local observer to Human Rights Watch, Goma, December 19, 2000.

in the communities of Mulu and Maringa. Children could be bought back from soldiers for a payment of ten goats, he said.<sup>55</sup>

### THE LOCAL DEFENSE FORCE

In late 2000, RCD-Goma also recruited extensively for local defense units in North and South Kivu provinces. These groups, chosen among the young men and boys of a community, receive minimal military training and then are called upon to protect their communities against attack by such forces as Mai Mai and Interahamwe militia. They continue to live at home and apparently receive no salary, meaning they demand few resources from authorities of the rebel movement. They are, however, sometimes armed, giving them the power to extort money and goods from the local population.

An RCD-Goma military trainer said that RPA soldiers and officers oversaw the training for the local defense forces and that this recruitment often was followed by transfer into the regular military. He continued:

The RCD introduced the system of Local Defense to overcome the reluctance of the population to join its army voluntarily. Trainers were sent to villages. After a while, the RCD would come and round up the young men who were instructed in the use of arms and take them to far away battlefields.<sup>56</sup>

According to another source, parents in one community saw their children and young men go off to Kalemie, supposedly for local defense training. The children never came home.<sup>57</sup>

In Rwanda Local Defense Forces have existed for some time and may have provided the model for those established by RCD-Goma. The Rwandan Local Defense Forces include children as well as young men who receive military training, are given access to arms, and are supposed to defend their communities. Some of them, too, have been sent to wage war in Congo as part of the Rwandan Patriotic Army.<sup>58</sup>

### DEMOBILIZATION OF CHILDREN

RCD-Goma has acknowledged a responsibility to demobilize the child soldiers it “inherited” from the Alliance des Forces Démocratique pour la Libération du Congo (ADFL) after the first war, but the head of their Department of Foreign Affairs said that they cannot be demobilized without ensuring rehabilitation programs for them. Otherwise, he argued, they could find their way on to the streets or be recruited into militias.<sup>59</sup> RCD-Goma issued an order on May 15, 2000 establishing an inter-departmental commission on the demobilization and reintegration of child soldiers, but the commission has not yet begun to function effectively.<sup>60</sup>

Former child soldiers, however, are likely to be sent to war again by RCD-Goma itself. Unless the RCD-Goma and RPA troops stop recruiting children, its rhetoric on demobilization will continue to be meaningless. As one Goma resident commented: “We are speaking of demobilization but they will be recruited again immediately.”<sup>61</sup>

Recent statistics collected at a center for demobilizing child soldiers show that RCD-Goma recruited far more children itself than it “inherited” from the ADFL. Of the children who have passed

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<sup>55</sup> Human Rights Watch interview, Goma, December 8, 2000.

<sup>56</sup> Human Rights Watch interview, December, 2000.

<sup>57</sup> Human Rights Watch interview, Goma, December 7, 2000.

<sup>58</sup> Human Rights Watch, “Rwanda: The Search for Security and Human Rights Abuses,” *A Human Rights Watch Report*, vol. 12, no. 1 (A), April 2000.

<sup>59</sup> Human Rights Watch interview with Joseph Mudumbi, Goma, December 19, 2000.

<sup>60</sup> Fifth report of the Secretary-General on the United Nations Observer Mission in the Democratic Republic of the Congo, S/2000/1156, December 6, 2000, paragraph 73.

<sup>61</sup> Human Rights Watch interview, Goma, December 7, 2000.

through the center, 256 were enrolled directly by RCD-Goma and fifteen came from the RCD-Goma ranks after having first served in the ADFL. Of the other children in the center, fifteen had fought first with the Mai-Mai and then had been incorporated into RCD forces and another 41 had first served as Local Defense Forces before being transferred into the ranks of the regular army, as described above. In addition, the center housed seventy-three children who had been fighting with the Mai-Mai and had not been part of the RCD forces.<sup>62</sup>

## INTERNATIONAL LAW AND HUMAN RIGHTS STANDARDS

International humanitarian law prohibits an occupying power from forcibly recruiting persons in areas it controls, and limits voluntary recruitment. According to the Fourth Geneva Convention, meant to protect citizens who find themselves under the control of an enemy state, an “Occupying Power may not compel protected persons to serve in its armed or auxiliary forces.”<sup>63</sup> Moreover, “[n]o pressure or propaganda which aims at securing voluntary enlistment is permitted.”<sup>64</sup> The convention further prohibits such actions as corporal punishment, torture, and “any other measures of brutality” (article 32). To the extent that Rwanda is the occupying power in eastern DRC and its troops have participated in the forcible and often brutal recruitment of DRC civilians into the army of RCD-Goma, it is acting in violation of international humanitarian law.

Forcible recruitment by RCD-Goma under the authority of Rwandan forces would likewise be in violation of international humanitarian law. Unlike states<sup>65</sup> dissident forces normally have no legal authority to conscript persons into armed service. They may assert such authority when a responsible command, in control of substantial territory and population for a sustained period of time, effectively exercises governmental-like authority within that territory. Even then, Human Rights Watch holds that conscription must be carried out in accordance with law and with a measure of fairness, rather than at the unfettered discretion of local authorities. Conscripts should know how long they must serve and should be able to notify their families of their whereabouts.

Even were RCD-Goma to exercise the necessary governmental-like authority to lawfully impose conscription in eastern DRC, it has not recruited persons in accord with any law or any measure of fairness. Local civilian and military authorities conscript men and children at their discretion, fail to inform them about how long they are to serve, and typically given them no opportunity to inform relatives of their whereabouts.

Protocol I to the Geneva Conventions prohibits the recruitment of children under the age of fifteen and requires States Parties to take all feasible measures to ensure that those under fifteen not take part directly in hostilities.<sup>66</sup> The Convention on the Rights of the Child, ratified by Rwanda in 1991, provides similar prohibitions in article 38.<sup>67</sup> Rwanda has signed, but not ratified, the African Charter on the Rights and Welfare of the Child, which requires that states parties refrain from recruiting children, defined as persons under the age of eighteen, and that they take all necessary measures to ensure that no children participate in hostilities.<sup>68</sup>

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<sup>62</sup> Information gathered by researchers of Refugee International, April 19, 2001.

<sup>63</sup> Fourth Geneva Convention of August 12, 1949, article 51. The convention applies to “all cases of partial or total occupation of the territory of a High Contracting Party, even if the said occupation meets with no armed resistance.” (article 2.) Both Rwanda and the DRC are parties to the Geneva Conventions; Rwanda is also a party to Protocol I to the Geneva Conventions.

<sup>64</sup> Ibid.

<sup>65</sup> International law provides few restrictions on the ability of governments to raise armies and provide for the national defense. It is limited only by prohibitions against the conscription and military deployment of children under the age of eighteen (see below), and against cruel, inhuman, or degrading practices to compel compliance with conscription (see, e.g. Geneva Conventions of 1949, common article 3, and Protocol II, article 4(2)(a) and (c); the International Covenant on Civil and Political Rights, article 7; and the African Charter on Human and People’s Rights, article 12).

<sup>66</sup> Additional Protocol I to the 1949 Geneva Conventions, article 77 (Protection of Children).

<sup>67</sup> General Assembly resolution 44/25 of November 20, 1989, 44 U.N. GAOR Supp. (No. 49) at 167, U.N. Doc. A/44/49 (1989), entered into force September 2, 1990. The Optional Protocol to this convention establishes eighteen as the minimum age for direct participation in hostilities, for compulsory recruitment, and for any recruitment or use in hostilities by nongovernmental actors as well as by governmental forces, but Rwanda has not signed this protocol.

<sup>68</sup> OAU Doc. CAB/LEG/24.9/49 (1990), entered into force November 29, 1999, articles II and XXII.

In addition to general prohibitions against conscription, RCD-Goma is legally bound by Protocol II to the Geneva Conventions, which applies to all forces in a noninternational armed conflict.<sup>69</sup> Protocol II prohibits recruiting children under the age of fifteen or using them in hostilities.

Both Rwanda and RCD-Goma signed the Lusaka Accords of 1999 in which all parties agreed to end the recruitment and use of child soldiers.<sup>70</sup> By recruiting children and training them for combat, both Rwanda and RCD-Goma have violated provisions of the Geneva Conventions as well as the Lusaka Accords of 1999.

In support of these international standards, Human Rights Watch takes the position that no one under the age of eighteen should be recruited (voluntarily or involuntarily) into the armed forces of state or nonstate actors, or take direct part in hostilities.

## INTERNATIONAL RESPONSE

In its eagerness to promote the Lusaka Accords and a settlement to the conflict, the international community used its diplomatic pressure largely to try to move Rwanda towards ending the war but it said little about abuses committed by Rwandan troops, including the use of child soldiers in this war.

### **The United Nations**

#### ***The Security Council:***

After declining for months to name Rwanda and Uganda in its calls for withdrawal of foreign troops from the Congo, the Security Council lost patience in 2000 and by resolutions 1304 (2000) and 1332 (2000) demanded that Rwanda and Uganda withdraw their forces from Congolese territory. It did not, however, take any meaningful steps to hold them accountable for abuses by their forces in Congo.

In February 2000, the Security Council established MONUC to monitor observance of the Lusaka agreement. Although the refusal of the parties to actually end the combat hindered implementation of the force, the Security Council extended its mandate on December 14, 2000 and strengthened its responsibilities for protecting human rights. By February 2001, however, in an effort to get the observers deployed more quickly, the Security Council cut the number of troops by more than half from 5,537 to 2,300 and limited their role to protecting 550 U.N. military observers. In accord with the international emphasis on promoting military disengagement, the force was to monitor the cease-fire and troop withdrawal from the front lines and would not be charged with protecting civilians.<sup>71</sup>

Reports by MONUC and UNICEF personnel about the recruitment of Congolese children and their transportation to Uganda for military training pushed the Security Council to long over-due action on the problem of child soldiers. In Resolution 1332 (2000) of December 14, 2000 it expressed grave concern over “the continued recruitment and use of child soldiers by armed forces and groups, including cross-border recruitment and abduction of children.” Although spurred by information from zones controlled by Uganda, the resolution was not limited to that region and called on “all armed forces and groups immediately to cease all campaigns for the recruitment, abduction, cross-border deportation and use of children, and [demanded] immediate steps for the demobilization, disarmament, return and rehabilitation of all such children with the assistance of relevant United Nations and other agencies and organizations.”<sup>72</sup>

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<sup>69</sup> Article 4(3)(c)-(d).

<sup>70</sup> Article I(2).

<sup>71</sup> "Sixth report of the Secretary-General on the United Nations organization Mission in the Democratic Republic of the Congo," United Nations, Security Council, S/2001/128, February 12, 2001.

<sup>72</sup> United Nations, Security Council, Resolution, 1332 (2000), December 14, 2000, paragraph 14.

U.N. officials, including the Special Representative of the Secretary-General on Children and Armed Conflict, raised the issue of recruitment of children with the RCD-Goma leadership in November and December of 2000.<sup>73</sup> Apparently as a result, cases of forcible recruitment generally and cases of recruitment of children in particular reportedly diminished in the town of Goma where the majority of U.N. and humanitarian agencies are based. Human Rights Watch, however, has received reports that such recruitment continues further afield in most of the provinces held by RCD-Goma.<sup>74</sup>

In resolution 1341 of February 22, 2001, the Security Council expressed concern about violations of human rights and international humanitarian law in Congo, condemning the massacres and other atrocities, and reminded all parties—including occupying forces—that they were obliged to protect the civilian population. But it neither specifically mentioned the problem of child soldiers nor did it call for accountability for abuses as part of any credible reconciliation process.<sup>75</sup>

### ***The U.N. High Commissioner for Human Rights***

Mary Robinson, the U.N. high commissioner for human rights, visited the DRC in early October 2000 to underscore her concern at the grave violations of human rights and international humanitarian law in the country, particularly in eastern Congo. In talks with Congolese government and the RCD-Goma, she asked for the end of a number of human rights violations by the government and the rebels.<sup>76</sup>

### ***United Nations Children's Fund (UNICEF)***

For several years UNICEF and the U.N. special representative of the secretary-general for children and armed conflict, Olara Otunnu, have worked to end abductions of children by rebel groups. Reports by UNICEF staff as well as by child protection officers attached to MONUC sparked the Security Council resolution mentioned above which denounced the use of child soldiers. But Congolese children trained by Uganda and Rwanda for their respective Congolese rebel allies and deployed in combat zones have generally received less attention than other groups, such as the children forcibly incorporated into the Lord's Resistance Army (LRA) in northern Uganda.<sup>77</sup>

### **International Financial Institutions**

Bilateral and multilateral donors, including the World Bank and the International Monetary Fund (IMF), have done little to discourage Rwandan participation in the Congolese war or resulting abuses. They have continued to provide substantial assistance to the Rwandan government without taking effective steps to ensure that this support does not facilitate Rwanda's transfer of additional resources to pay for an abusive war. In late 2000, ten members of the board of the World Bank abstained on a vote concerning aid to Rwanda, reportedly linking their refusal of support to the continued Rwandan military presence in the DRC.<sup>78</sup> Although the loan was

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<sup>73</sup> United Nations, Fifth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo, S/2000/1156, December 6, 2000, paragraphs 73 and 74.

<sup>74</sup> Written communication. Human Rights Watch, January, 2001; also United Nations, Sixth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of Congo, S/2001/128, February 12, 2001, paragraph 65.

<sup>75</sup> United Nations, Security Council, Resolution 1341, February 22, 2001.

<sup>76</sup> United Nations press release found at <http://www.unhchr.ch/hurricane/hurricane.nsf/newsroom>.

<sup>77</sup> United Nations, Security Council, press release concerning the 4176 meeting, July 26, 2000, "Security Council holds debate on children and armed conflict," posted at: <http://www.reliefweb.int/w/rwb.nsf/d2fc8ae9db883867852567cb0083a028/021562a6bc41b078c12569290054f2ed?OpenDocument>

<sup>78</sup> Human Rights Watch interview, February 2001.



then approved, the vote demonstrated the new seriousness with which donor governments were examining Rwandan participation in the Congolese war.

### ***European Union***

The European Commission in June 1999 cautioned the European Union (E.U.) Council of Ministers and Parliament that donors must seek to keep development funds from being misused for military purposes. But the E.U. took no effective steps to implement this warning when it gave assistance to Rwanda. In political dialogue with Rwanda and through missions to the region by its envoy, Aldo Ajello, the E.U. stressed the importance of implementing the Lusaka Accord. It indicated its readiness to help by providing assistance for resettling the displaced, facilitating reconciliation, and beginning rehabilitation of the economy.<sup>79</sup> The E.U. also repeatedly stressed the importance of avoiding human rights abuses in the Congo conflict. But it failed to require either compliance with the Lusaka agreement or an end to abuses by Rwandan troops as conditions for further assistance.

The European Commission assists Rwanda in the context of its five-year National Indicative Programs (NIP). In March 2000, the commission signed such an agreement with Rwanda, providing for 110 million euros over a period of five years. It apparently did not use this occasion to raise any concerns about Rwandan military abuses, such as the use of child soldiers, in Congo.

By February 27, 2001 the E.U. General Affairs Council was ready to echo the U.N. Security Council resolution 1341 and “expressed its deep concern at the continuing serious human rights violations in the DRC.” The General Affairs Council went on to remind “the governments concerned of their responsibility and accountability for upholding the respect for human rights by their own armed forces as well as by the armed forces under their de facto control.” The council also voiced its “dismay at the continued recruitment and use of child soldiers in the conflict” and urged all parties to end this practice immediately. It welcomed the request of the U.N. Security Council in its resolution 1341 “to mandate the special representative for children and armed conflicts to pursue this objective on a priority basis.” The council stated that the E.U. would “consider appropriate measures which could be imposed” if the parties to the conflict did not honour their commitments under the Lusaka agreement and relevant U.N. Security Council resolutions.<sup>80</sup>

### ***The United States***

The new administration in the U.S. under President George W. Bush inherited an Africa policy meant to promote regional stability and prevent renewed genocide and mass killings in Central Africa. U.S. decision makers for years narrowly equated preventing genocide with neutralizing the former Rwandan Armed Forces (ex-FAR) and Interahamwe militia who executed the 1994 Rwandan genocide and remained at large in eastern Congo.<sup>81</sup> Disarming, demobilizing, and, where appropriate, prosecuting these combatants remains a collective responsibility for the world community, but stability in the region also requires accountability from Rwandan forces for abuses committed in Congo and inside their own country.<sup>82</sup>

As the Clinton administration drew to a close, it was increasingly clear that the “new leaders” policy which it once championed had lost credibility as the leaders once thought to be beacons of hope were more and more identified with serious human rights abuses. In August 2000 a U.S. government team led by Ambassador-at-Large for War Crimes Issues David Scheffer collected information in Kinshasa, Kisangani, Goma, and Butembo

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<sup>79</sup> European Union, “Declaration of the Presidency on behalf of the European Union on implementation of the Lusaka Agreement,” Brussels, September 22, 2000, (press release 311), p. 130/00.

<sup>80</sup> European Union, General Affairs, “The Council Discussed the Developments in the Democratic Republic of Congo,” Brussels, February 26-27, 2001, (press release 6506/01).

<sup>81</sup> See, for example, the testimony of Richard Holbrooke, then U.S. ambassador to the U.N., before the House Subcommittee on Africa of the International Relations Committee, February 15, 2000.

<sup>82</sup> See Human Rights Watch, “What Kabila is hiding.”

that pointed to violations of international humanitarian law by armed groups supported by the DRC government, Congolese rebel movements, and Ugandan and Rwandan troops.<sup>83</sup>

U.S. military training for Rwandan troops under the International Military Education Training Program (IMET) was suspended after Rwandan and Ugandan troops fought each other at Kisangani in June 2000. For the fiscal year 2001, the U.S. government has plans to contribute nearly \$25 million to Rwanda, most of it aid for development or humanitarian aid programs. Although U.S. financial support has not been substantial, its political support has been of great importance to Rwanda. The Bush administration seems unlikely to offer such firm support in the immediate future.

### **A Show of Compliance**

Apparently in reaction to criticism by the Security Council, expressions of concern by the Special Representative of the Secretary-General on Children and Armed Conflict, and continuing pressure from UNICEF and MONUC representatives on the ground, RCD-Goma is changing its approach to recruitment, particularly of children. In towns and other areas most accessible to outside observers, they are shifting away from actual abduction to greater reliance on the use of coercion and promises of rewards to persuade children to enroll. Distant from towns, however, RCD-Goma soldiers continue to use force to recruit unwilling children and adults.

As at the end of 2000, RCD-Goma continues to rely on local authorities to assist in these recruitment efforts. To promote greater cooperation in the recruitment campaign as in other measures which they wish to see carried out in eastern Congo, Rwandan authorities undertook a training program with local officials and traditional leaders. A group of 425 Congolese authorities from the Kivus, Oriental, and Katanga provinces were summoned to Goma on February 9, 2001, supposedly for a meeting with the governor. There they were loaded on buses and transported across the border to Camp Kami, a military camp in Rwanda. They had not been informed that they would be required to leave Goma nor were they given any opportunity to inform their families of their whereabouts.

At the camp, the Congolese authorities were submitted to a rigorous program of ideological and paramilitary training. They began the day at 5:30 a.m. and engaged in physical training before being exposed to long sessions meant to persuade them to accept the Rwandan view of current events in the region. They trained at marching in formation and learned how to handle firearms. Some of the more elderly participants suffered ill-effects from the rigorous program and one, a man from South Kivu, died on February 18.

According to participants, leading Rwandan military and political figures, including representatives of the Rwandan Patriotic Front, came to the training camp to review their progress. One participant reported that they were told that they would be allowed to return home only after agreeing that Rwanda should exercise the determining influence on events in eastern Congo.<sup>84</sup>

On March 18 Roberto Garreton, the Special Rapporteur on the Democratic Republic of the Congo for the U.N. Commission on Human Rights, inquired about the continued detention of the men in a Rwandan military camp. Two days later they were permitted to return home.<sup>85</sup> Dressed in military uniforms, they were presented to the local population of Goma at the stadium.

Under continuing pressure from U.N. representatives, RCD-Goma authorities promised in early April that they would end the recruitment of child soldiers and would demobilize those already in their forces. They undertook to work with U.N. and other international agencies to help return these children to their homes. The president of RCD-Goma reportedly pledged specifically to hand over 267 children to UNICEF from Kamama

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<sup>83</sup> United States, Department of State, press statement, August 29, 2000.

<sup>84</sup> Information provided to researchers of Refugees International.

<sup>85</sup> Written communication of Mr. Garreton to Human Rights Watch, April 30, 2001.

camp in Kasai Oriental and 400 more from Mushaki camp in North Kivu, a camp frequently mentioned by witnesses who spoke with Human Rights Watch researchers.

But at a ceremony several days later marking the end of a training program at Mushaki, nearly 1800 of the 3,000 graduates were children aged twelve to seventeen. Along with the adults, they received new uniforms and firearms, indicating that they would be serving in the army. Important RCD-Goma leaders and high-ranking Rwandan military officers attended the ceremony.<sup>86</sup>

According to witnesses, a truck with some forty children was seen heading for the Rwandan frontier on April 5, reportedly en route for Camp Kami. On April 10, at about 1 p.m., other observers saw two Rwandan army trucks, each carrying some sixty children, and accompanied by Rwandan soldiers leaving Goma in the direction of the Rwandan border. From the Rwandan side of the border, witnesses have also reported the arrival of Congolese children for training in one or more military camps.<sup>87</sup> This information suggests that both RCD-Goma and Rwandan military authorities continue their efforts to transform reluctant recruits into child soldiers.

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<sup>86</sup> Written communication to Human Rights Watch, April 27, 2001.

<sup>87</sup> Ibid., Human Rights Watch interview, Kigali, May 3, 2001.