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**OFFICE OF INTERNAL OVERSIGHT SERVICES
INVESTIGATIONS DIVISION**

*This Report is protected under paragraph 18 of
ST/SGB/273 of 7 September 1994*

**Overview report of allegations of misconduct by Indian peacekeepers
deployed with the United Nations Mission in the Democratic
Republic of the Congo**

ID Case No. 0648/06

**STRICTLY
CONFIDENTIAL**

7 February 2008

I. Introduction

1. On 4 July 2006, the Investigations Division of the Office of Internal Oversight Services (OIOS) received from the Conduct and Discipline Team (CDT) of the United Nations Mission in the Democratic Republic of the Congo (MONUC), allegations of misconduct by peacekeepers of the Indian military contingent (INDBATT) deployed with MONUC and based in the North Kivu province.

2. In the original complaint, it was alleged that:

- a) members of INDBATT may have been maintaining an inappropriate relationship with negative forces, particularly representatives of the *Forces democratiques de liberation du Rwanda* (FDLR);
- b) members of INDBATT deployed to the North Kivu village of Nyabiondo provided confidential information to representatives of FDLR on planned military operations by Congolese armed forces;
- c) members of INDBATT deployed to Nyabiondo traded United Nations rations with members of the FDLR for United States currency and unwrought gold;
- d) members of INDBATT deployed to Nyabiondo may have engaged in the trafficking of minerals with members of the FDLR.

3. In July 2007, these allegations gained international attention after a report by the French-based news agency *Agence France-Presse* released some details of the complaint.

4. On 9 August 2007¹, the Secretariat of the United Nations wrote to the Permanent Mission of India to the United Nations requesting its assistance in the investigation of these allegations. On 9 October 2007², the Permanent Mission of India to the United Nations responded and advised that it had appointed Lieutenant [REDACTED] to lead a joint investigation into the allegations of misconduct in the North Kivu Brigade. In this regard, the Permanent Mission requested that a UN team be sent to India to discuss and finalize terms of reference for a joint investigation and to communicate the findings of initial investigations carried out by the United Nations and India. It was agreed that ID/OIOS would conduct further field-based investigations to determine whether the allegations are credible and require full investigation by India and the United Nations.

5. OIOS conducted initial field-based inquiries between July and November 2007, in order to establish the relative merit of the allegations. During the course of these inquiries, a number of additional allegations were received. The new complaints brought the total number of allegations received to forty-four.

6. The purpose of this report is to provide an overview of the allegations and their current status; the practical difficulties associated with investigating these allegations and their likely impact on future investigative activity. The report will also make recommendations on the way forward.

¹ "Note verbale from Indian Permanent Mission to DFS," referenced in Citrx document no. 56

² Case file document no. 203 provided to ID/OIOS by Phillip Cooper/DFS.

II. Background Information

North Kivu – Political Context

7. North Kivu is one of the most strategic provinces of the Democratic Republic of the Congo (DRC), located on the border with Uganda and Rwanda, whose security concerns, as well as economic and political interests, have twice forced the DRC into armed conflict since 1996. North Kivu is controlled by a number of different, largely ethnic-based, Congolese armed political groups, each supported at one time or another by the three governments and their national armies. The province is home to a mix of ethnic groups with historically troubled relations. It is also of prime economic importance with substantial mineral deposits and evolving agriculture and livestock industries.

8. One of the key armed political groups is the *Forces Démocratiques de Libération du Rwanda* (FDLR). The FDLR is based in eastern DRC and is comprised of key perpetrators of the Rwandan genocide of 1994, plus Hutu members of the former Rwandan army, as well as a mix of displaced Rwandan Hutus. The group has been based in eastern Congo for many years, fighting alongside Congolese armed forces against rebel movements backed by the Tutsi-dominated Rwandan government.

9. The United Nations Mission in the Democratic Republic of Congo has been attempting to repatriate the estimated 15,000 FDLR members to Rwanda. Many of these fighters are now fully integrated into Congolese life. They have married Congolese women, fathered children and established profitable businesses in the region. One of the factors inhibiting repatriation is the possibility of prosecution in Rwanda for crimes committed by FDLR members during the genocide.

10. General Laurent Nkunda leads a second major North Kivu based militia group. Nkunda was an officer in the Congolese Rally for Democracy (RCD) fighting on the side of Rwandan, Ugandan, Burundian and other Tutsi-aligned forces. In 2003, with the official end of the Second Congo War, Nkunda joined the integrated national army of the Transitional Government of the DRC and by 2004 was promoted to General. He subsequently rejected the authority of the Congolese government and retreated with some of the RCD troops to the forests of North Kivu.

11. Nkunda is perceived to be sympathetic to Congolese Tutsis and the Tutsi-dominated government of Rwanda. Along with his supporters in the Rwandan government he is suspected of smuggling minerals out of North Kivu to Rwanda. The sources of these minerals lie near Walikale, Masisi and Rutshuru, all areas in which Nkunda has been active.

12. In early 2007, the Congolese government attempted to reduce the threat posed by Nkunda by trying to integrate his troops into the *Forces Armées de la République Démocratique du Congo* (FARDC) in what was referred to as a 'mixage' process. In late August 2007, Nkunda withdrew his troops from the mixed brigades and began attacking government soldiers whom he accused of aiding Hutu forces targeting Tutsis living in the Kivu region. The increased instability in North Kivu is largely attributed to fighting between Nkunda elements and Hutu militias including FDLR.

13. How best to deal with the issue of foreign armed forces operating in eastern DRC has been the subject of debate by the Tripartite Commission Plus One. Comprised of the DRC, Uganda, Rwanda and Burundi, the Commission has designated the Nkunda elements and the FDLR as negative forces and has appealed to MONUC to intensify efforts to work with the FARDC to reduce the security threat posed by these negative forces in eastern DRC. Peacekeepers from India make up the bulk of the MONUC forces in North Kivu and so it has been largely their responsibility to promote the United Nations mandate in the region.

III. Methodology

14. OIOS conducted an initial assessment into the allegations between July and October 2007. This first phase of the assessment inquiry involved collection and analysis of background information intended to form a foundation for further investigative activity. Intensive field-based inquiries commenced on 24 October 2007, when a small team of investigators was dispatched to eastern DRC. This second phase was initiated to explore specific allegations selected from the analysis done in Phase I. The field-based inquiries were completed on 30 November 2007 and included deployments to Rutshuru, Walikale, Masisi and Nyabiondo. The purpose of this deployment was to assess the relative merit of the allegations so as to inform any future more comprehensive investigative activity.

15. The security environment and limited time and resources precluded the careful examination of all forty-four allegations. Initially, a broad approach was employed. Investigators interviewed a range of UN and non-UN personnel and conducted a number of site examinations. However, as the assessment advanced, investigative resources were gradually allocated to more focused lines of inquiry. The aim of pursuing a smaller number of allegations was to establish, without delay, if there was any *prima facie* evidence of specific misconduct by INDBATT personnel.

A. Impediments to Investigation

16. The initial inquiries conducted by OIOS were encumbered by several factors unique to North Kivu. These factors are largely attributable to the tensions amongst the various regional actors, most prominent amongst them the Hutu and Tutsi ethnic groups. The Tutsi Nkunda elements and the Hutu FDLR rebel group receive widespread support from their respective ethnic bases in the region. Investigators cannot discount the possibility that the intensity of the hostility between these two elements resulted in the provision of false information intended to disadvantage the rival group.

17. It is also apparent that widespread dissatisfaction with the role played by MONUC in North Kivu has fueled and added another dimension to these pre-existing biases. For example, elements of the FARDC, already largely divided along ethnic lines, expressed frustration at MONUC's reluctance to provide support to military operations targeting negative forces. In the context of these rivalries, MONUC action or inaction is often perceived as the UN providing tacit or real support to negative forces. Once again, investigators cannot discount the possibility that in some instances, this has led to the provision of false or misleading information.

18. This animosity towards MONUC also negatively impacted on the willingness of many witnesses to cooperate with any UN-based inquiry. A number of the witnesses interviewed by OIOS resided in areas dominated by Nkunda elements or FDLR and were reluctant to provide information that would adversely affect the interests of the dominant negative force. In order to obtain their cooperation, it was necessary for investigators to spend considerable time establishing rapport with witnesses prior to the conduct of a formal interview. This significantly impacted on the projected time frame for the completion of the initial investigation and will have to be factored into plans for further investigative activity in the region.

19. Another factor affecting time projections is that many of the witnesses reside in remote locations not easily accessible by road or air. Because these remote locations often have no mobile phone coverage, it was not unusual for investigators to spend resources and time traveling to a location only to find that the witness was not available. Alternative strategies such as extricating such witnesses to a neutral location proved to be both problematic and a time-consuming process.

20. Two of the themes emerging from the initial investigation centre on allegations that members of the Indian Battalion engaged in misconduct with negative forces. To assess those allegations, investigators established contact with representatives of the FDLR in order to interview those militia members suspected of maintaining corrupt relationships with members of the Indian contingent. Whilst they were initially receptive to such contact, this changed following circulation of the so-called 'Nairobi communiqué', signed on 9 November 2007.

21. In this document, representatives of the governments of the DRC and Rwanda pledged '*a common approach to address the threat posed to our common security and stability by the [FDLR]*'. The agreement was facilitated by the United Nations and witnessed by the United States and European Union. It calls for military action by FARDC with MONUC support to dismantle illegal armed groups. The involvement of the United Nations in facilitating the communication, coupled with the threat of military action derailed OIOS attempts to interview senior members of the FDLR.

22. The Nairobi communication has increased tensions in North Kivu, which was already experiencing armed clashes between Nkunda's elements and the FARDC. The communication draws special attention to the need to contain Nkunda, whose military campaigns have been a major contributing factor in the humanitarian disaster. Also ranged against Nkunda are the Mayi Mayi militia, and the *Patriotes Résistants du Congo* (PARECO), a militia force essentially made up of Congolese Hutus, both working in close collaboration with the FDLR. The deteriorating security situation will make it difficult to conduct inquiries without significant force protection. The widespread distrust of MONUC, and by extension INDBATT, will make it difficult to use UN forces for protection and still achieve the investigative objectives.

IV. Assessment of the Allegations

21. The forty-four allegations catalogued by OIOS can be broadly grouped under five themes:

- a) Allegations of misconduct against INDBATT forces and the *Forces Democratiques de Liberation du Rwanda* (FDLR)

- b) Allegations of misconduct between INDBATT forces and the rebel faction led by Laurent Nkunda
- c) Allegations of misconduct by General Satyanarayan, the former commander of the North Kivu Brigade
- d) Allegations of illicit gold transactions by INDBATT personnel not related to negative forces
- e) Allegations of misconduct in the handling of UN rations, fuel and other miscellaneous allegations

22. Details of the forty-four allegations, a summary of the evidence / information obtained to date and the status of each allegation is attached to this report at 'Annex A'.

23. Of those forty-four allegations, five of the matters were unfounded, that is, credible evidence was adduced to conclude that the alleged misconduct did not occur; seventeen of the allegations were based only on hearsay statements and were not actively pursued; twelve of the allegations contained direct evidence of misconduct by INDBATT personnel, but were unable to be pursued due to time and resource constraints; four of the allegations were partially supported by circumstantial evidence obtained by OIOS; and corroborative evidence was adduced through the OIOS inquiry to support the remaining six allegations.

A. Corroborated Allegations

24. This section will provide an overview of the six allegations for which there is corroborative evidence. It should be noted that these allegations have not been the subject of full investigation. All will require additional investigative activity before a final determination on the disposition of the allegation.

a. Purchase of counterfeit gold and unlawful detention

25. During the initial stages of the inquiry, OIOS received information from a number of sources that members of the INDBATT company stationed at [REDACTED] had procured unwrought gold from a member of the FDLR. It was further alleged that the gold in question was determined to be counterfeit, resulting in the dealer's illegal arrest and detention in the INDBATT camp. The dealer was allegedly released when other FDLR members paid INDBATT for his release.

26. While corroborative of each other's accounts, the sources that provided the initial information were generally reporting hearsay evidence. OIOS aggressively sought out and eventually succeeded in locating and interviewing the alleged gold dealer as well as several independent witnesses involved in various aspects of the alleged transaction.

27. The direct evidence obtained from the seller of the gold and other individuals involved in various stages of the incident is generally consistent. However, there are contradictions regarding some significant aspects. Abundant direct evidence indicates that an individual living in a village called [REDACTED] which was a regular stop along the INDBATT patrol route, procured a small glass bottle of what appeared to be

powdered unwrought gold and sold it to members of INDBATT stationed at [REDACTED]. Statements diverge as to the origin of the gold, whether a middleman was used in the transaction, and whether or not the gold was authentic.

28 OIOS interviewed an interpreter for INDBATT in [REDACTED] who purported to have brought two members of the contingent, whom he believes to be the buyers of the gold, to an appraiser in Goma, where it was determined that the "gold" was actually a pulverized gold-colored padlock. This same witness provided the names of the two individuals in question and upon viewing a photographic identification parade, identified [REDACTED] as the officers in question. Pursuant to this discovery, the witness stated that [REDACTED] ordered the arrest of the dealer.

29. The circumstances of the dealer's arrest are generally corroborated but significant differences exist in the recounting of the details. Generally speaking it is agreed that the dealer was arrested in his home by members of INDBATT, who were again conducting a patrol in the area. He was brought back to the [REDACTED] where the Indian buyer(s) accused him, through interpreters (interviewed by ID/OIOS), of selling them counterfeit gold. He was then detained in a dilapidated building within the camp perimeter and told that his release was contingent on his returning of the money he had been paid for the gold. The dealer has told investigators that whilst in detention he was subject to a number of physical assaults, was required to perform menial tasks in the camp and was propositioned for sex by one of the peacekeepers.

30. The dealer was able to describe the details of the building where he alleged to have been detained, including very specific details that could not be known to someone who had never been inside that building. The allegation that the dealer was detained, against his will, in the INDBATT [REDACTED] camp, is corroborated by many parties, including interpreters working in the camp, visitors, and MONUC personnel. The discrepancies lie in the length of his detention, the source(s) of the order to detain him, and the exact circumstances of his release. Specifically, there is broad corroboration for the fact that he was released only after he returned the money to the Indian buyers who paid for the gold; however, this amount is in question, as are the identities of those who provided the release money.

31. Identification of the subjects remains incomplete, but during a photographic identification procedure, the seller positively identified [REDACTED] and [REDACTED] as two of the prominent participants in the transaction. The seller also implicated an individual he believed to be the commander of the [REDACTED] company in his detention and eventual release. Shown a photographic identification parade, he identified [REDACTED] as the individual who was in command of the camp during his detention and who ultimately authorized his release. Two other witnesses corroborated the involvement of these three men in this incident.

32. Another factor that remains unclear is the degree to which the seller is associated with the FDLR – a point that is significant given the implicit misconduct in INDBATT's engaging in financial and illegal mineral transactions with a member of a negative force. While some parties describe the dealer as being a member of the FDLR military branch, there is more support for the notion that he is a 'civilian FDLR

member.' Even for those on the ground, however, this seems to be a term that proves elusive to define. While military FLDR members are issued and carry identification cards labeling them as such, civilian members are generally defined in terms of various nebulous factors, including familial, business or friendly association, ideological accord and/or physical proximity coupled with any of the former factors.

33. Inquiries conducted so far have yielded sufficient evidence to conclude that members of the Indian company in [REDACTED] paid a certain undetermined amount of money to an individual who has FDLR connections, in exchange for what was presented to them as authentic unwrought gold, but that was later deemed to be counterfeit. This transaction led to the detention of the seller for an undetermined length of time with his release made contingent on his repayment of the money provided by the Indian contingent members. The detainee was ultimately able to collect sufficient money to regain his freedom and was released after paying a total of US\$480.

b. Sale of United Nations rations to members of FDLR

34. A number of people spoken to by OIOS said that the Indian contingent deployed to [REDACTED] in the latter part of 2005 was involved in the sale of rations to local people including members of the FDLR.

35. A former lieutenant colonel in the FDLR claimed that Indian peacekeepers deployed to [REDACTED] in the latter part of 2005 were selling UN rations to fund gold purchases or in some cases, were exchanging UN rations directly for gold. In early 2006, an Indian officer, later identified as Major [REDACTED] allegedly asked him to source a quantity of gold. The witness stated that he entered the Disarmament, Demobilization, Repatriation, Resettlement and Reintegration (DDRRR) program before he had the opportunity to actually supply the officer with gold.

36. A second FDLR defector claimed to have seen an FDLR intelligence officer in possession of food items that the intelligence officer said were provided to him by members of the Indian contingent at [REDACTED]

37. The involvement of peacekeepers in the sale of UN rations was corroborated by a number of witnesses. One witness – the same witness allegedly detained by INDBATT at [REDACTED] – claimed that in the late 2005 he personally saw INDBATT selling rations at towns between [REDACTED] and [REDACTED]. He said he later entered into a commercial relationship with a peacekeeper he identified as [REDACTED] in which he said he purchased quantities of UN rations several times a week from [REDACTED] and then sold them at a profit to members of the local community. This witness provided OIOS with a notebook in which he had recorded the details of some of the transactions relating to rations sales.

38. The sale of these rations and the involvement of this person in a commercial relationship with INDBATT at [REDACTED] was corroborated by two of the MONUC interpreters deployed to that company at the time. They identified the two Indian officers principally involved in these sales as [REDACTED] and [REDACTED]. Two residents of [REDACTED] also told investigators that INDBATT peacekeepers were involved in the sale of UN rations in their town in the latter part of 2005.

c. INDBATT purchased cannabis from FDLR

39. A former major in the FDLR told OIOS that he had heard reports that a junior FDLR officer in the [REDACTED] area of North Kivu had provided cannabis to an Indian officer in exchange for UN rations.

40. OIOS interviewed one witness who claimed to have provided a small quantity of cannabis to an Indian peacekeeper at [REDACTED] identified as [REDACTED] on three occasions in late 2005 or early 2006. It was apparently provided to [REDACTED] at the witness's house where he smoked a portion of it prior to leaving the premises. A MONUC interpreter who facilitated conversations between the two men corroborated the supply of cannabis by this witness to this peacekeeper.

d. Failure to support the DDRRR process

41. OIOS received a number of complaints about INDBATT from former and current members of the DDRRR Section at MONUC. These complaints alleged that INDBATT had not supported and in some cases had deliberately undermined the DDRRR process in North Kivu.

42. A number of interviews were conducted with a view to establishing the relative merit of these allegations. One witness, a former Lieutenant Colonel in the FDLR, told investigators that he heard reports that two junior FDLR combatants surrendered to an Indian military facility only to be handed back to their commanders in unclear circumstances. The witness said that he suspected the two men had then been summarily executed but he was unable to provide any further detail.

43. A second witness told OIOS that he had heard reports that the Indian contingent at [REDACTED] had refused to accept unarmed militia members seeking to demobilize. He claimed to have received general information that these combatants were sometimes arrested by the local authorities and summarily executed.

44. A former major in the FDLR told OIOS that he attended meetings - dates unknown - chaired by an unidentified INDBATT captain at [REDACTED] who openly discouraged FDLR from entering the DDRRR process. This witness stated that he had also heard reports that INDBATT were giving some FDLR officers advance warning of planned FARDC/MONUC military action. This was supposedly done so that FDLR could avoid incurring casualties.

45. Another witness, a sensitizer with DDRRR, told investigators that an FDLR combatant attempting to demobilize was refused entry to the INDBATT camp at [REDACTED]. The witness could not recollect the date of this incident. He said the man was forced to hide in nearby bush until the witness could extricate him and enter him in the DDRRR program. This incident was corroborated by a second DDRRR sensitizer who also claimed that there were two additional incidents where INDBATT at [REDACTED] had refused to accept persons claiming to be FDLR combatants. In the first incident, the witness claimed that he was forced to house an FDLR husband and wife in his own residence until they could be repatriated. In the second incident, he claimed he

secured an FDLR combatant in the Military Observers premises at [REDACTED] ending that person's transfer to the DDRRR facility in Goma.

e. INDBATT and FDLR exchanged ammunition for ivory

46. OIOS interviewed two individuals who claimed to have been in the vicinity of Virunga National Park, which is located in the Rutshuru area of North Kivu, when a UN helicopter landed in the park. One of the individuals, standing on a nearby ridge at the time, saw the helicopter fly overhead and descend into the park. The second witness, a sensitizer working for the MONUC DDRRR Section, stated that he observed the helicopter land near an FDLR camp in the same area of the park. Neither witness was able to provide a specific date other than to speculate that it may have occurred in October 2006. Without a specific date, OIOS was unable to identify the movement in question through an inspection of flight manifests.

47. One of the witnesses stated that several FDLR soldiers and two FDLR officers met an Indian officer who exited from the helicopter. Several members of INDBATT exited the helicopter and unloaded multiple boxes that the witness believed to contain ammunition, as they were consistent in appearance to ammunition boxes he had seen in the past. In addition many boxes believed to contain food rations were also unloaded. The witness then observed the INDBATT personnel and the FDLR soldiers load several sacks containing what he believed to be ivory tusks into the helicopter. He stated that he was later told by one of the FDLR soldiers that indeed the sacks did contain ivory.

48. The witness told OIOS that one of the FDLR soldiers later provided him with a sample of the same ivory that was allegedly traded for the ammunition brought by INDBATT. OIOS took possession of the sample, which was then examined by the Provincial Director of the Congolese Institute for the Conservation of Nature, who verified that the sample was indeed ivory and estimated it to have come from a two-year-old elephant.

f. INDBATT fraternization with armed members of FDLR

49. OIOS received allegations that members of INDBATT in the [REDACTED] territories, specifically in [REDACTED] and [REDACTED] towns, habitually fraternize with armed members of the FDLR and fail to disarm them, despite the latter's categorization as negative forces. Two individuals interviewed, one of them a commander from the [REDACTED] contingent based in Goma, provided direct statements to the effect that they had seen INDBATT personnel associating and fraternizing with armed FDLR members.

50. Further information and complaints were received stating that the FDLR comfortably resides, congregates and patrols in areas that are under INDBATT control without any hindrance or restraint from INDBATT.

51. OIOS investigators personally observed many armed FDLR members openly walking around [REDACTED] town, in close proximity to and even in front of the [REDACTED] INDBATT camp, seemingly not concerned about being stopped or disarmed by members of INDBATT.

52. The issue in regards to this allegation becomes one of mandate and obligations to which the Indian contingent in these areas is subject. While direct corroborative evidence exists to suggest that INDBATT is complacent to the presence of armed FDLR elements in its area of responsibility, it remains to be clarified whether the MONUC forces present in these particular locations are mandated to actively disarm these elements. Further inquiries are necessary to clarify these issues.

V. Assessment

53. Based on the information developed during the OIOS assessment, OIOS is of the view that there exists sufficient evidence with respect to the six allegations detailed in this report that Indian peacekeepers previously deployed to North Kivu have engaged in misconduct. In the absence of a completed investigation, this is only a preliminary position.

54. There are considerable practical difficulties associated with investigating these allegations. The lack of infrastructure, remote nature of many of the key locations and the risks arising from the prevailing security environment will present a number of significant challenges. The information adduced from any further investigative activity will have to be meticulously corroborated.

VI. OIOS Proposal for the Way Forward

55. Despite the fact that there has been sustained investigative activity into a number of these allegations, many allegations remain untested and many avenues of inquiry are yet to be pursued.

A. Corroborated Allegations – Avenues of Inquiry

56. For those six allegations in which corroborative evidence has been obtained, the following base line inquiries remain outstanding.

a. Purchase of counterfeit gold and unlawful detention

57. A number of key and peripheral witnesses are yet to be located and interviewed. Preliminary interviews with Indian peacekeepers adversely named are required and documentation relating to the operations of the Indian contingent at Nyabiondo needs to be identified, collected and reviewed.

b. Sale of United Nations rations to members of FDLR

58. An assessment of ration consumption during the relevant period should be undertaken to determine unexplained excesses. Other individuals, including members of the FDLR also need to be located and interviewed to ascertain their involvement, if any, in the purchase of rations.

c. INDBATT purchased cannabis from FDLR

59. There is a requirement to interview the Indian officer adversely named in this allegation. A review of company disciplinary cases also needs to be conducted to establish whether there have been any other similar allegations handled by the contingent.

d. Failure to support the DDRRR process

60. In order to further this allegation, interviews must be conducted with DDRRR personnel. Defectors and those allegedly refused access to the program also need to be identified, located and interviewed. Investigators will also be required to establish the mandate and obligations of the contingent in dealing with potential defectors.

e. INDBATT and FDLR exchanged ammunition for ivory

61. The remaining FARDC and FDLR witnesses must be located and interviewed. Flight manifests and other relevant documentation must be obtained and reviewed in order to establish whether there are any irregularities that might reveal unusual use of helicopters consistent with the reported exchange.

f. INDBATT fraternization with armed members of FDLR

62. A number of FDLR witnesses are yet to be interviewed. Investigators also need to establish the mandate and obligations incumbent on the contingent with respect to the disarming of militia groups. A review of battalion documentation may also reveal whether there is any legitimate explanation for significant and sustained contact between peacekeepers and FDLR.

B. Other Allegations

63. A number of other significant allegations remain untested. OIOS considers that some of these allegations are so serious and the potential consequences of taking no action so grave, that they should not be left unexamined. The general nature of these allegations is well known in eastern-DRC and it seems inevitable that they will become the subject of scrutiny by the international media. Such exposure has the real potential to damage the reputation of the Indian military, MONUC and the United Nations.

64. Of particular concern are allegations that:

- Members of the Indian Battalion deployed to [REDACTED] provided confidential information to representatives of the FDLR on planned military operations by MONUC / FARDC;
- Weapons identical to those used by the Indian Battalion were observed in the possession of the FDLR;

- Convoys of vehicles belonging to General Laurent Nkunda frequent the Indian military camp at [REDACTED]
- Members of the Indian Battalion sold United Nations rations to General [REDACTED] and [REDACTED] of the FDLR;
- Members of the Indian Battalion deployed to [REDACTED] exchanged United Nations fuel and AK47's for money, gold and ivory;
- Members of the Indian Battalion provided food, ammunition and information to General Laurent Nkunda;
- Members of the Indian Battalion deployed to [REDACTED] traveled to [REDACTED] and exchanged weapons for unwrought gold;
- On 1 October 2007, members of the FARDC captured a pro-Nkunda element in possession of an Indian Battalion firearm;
- Members of the Indian Battalion were using Indian military aircraft to illegally export minerals from the DRC;
- MONUC provided military uniforms to General Laurent Nkunda which were then used to approach and attack FARDC; and
- Members of the Indian Battalion supplied weapons and ammunition to Nkunda elements.

VII. Recommendation

65. In order to further progress this matter, OIOS recommends that a briefing on the findings of the investigation to date be provided to officials designated by the Government of India.

66. OIOS remains available to provide support to the Indian investigation led by [REDACTED] and recommends that a meeting between major stakeholders take place to discuss the scope and purpose of any future investigative activity and, if appropriate, reach agreement on the modalities for the conduct of any joint investigation.

67. OIOS provides this overview report to the Department of Field Services for their information and consideration.