

FEBRUARY 2009

SUMMARY AND KEY RECOMMENDATIONS

THE CHRISTMAS MASSACRES

LRA attacks on Civilians in Northern Congo

HUMAN
RIGHTS
WATCH



Items of clothing found at the massacre site in Batande. Human Rights Watch researchers and local civil society members went to massacre sites to document the location of graves and to collect remaining evidence. The team found the cords used to tie up the victims, the blood-stained bats and items of clothing, all of which were moved to a secure location.

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Cords used to tie up victims found at one massacre site.

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THE CHRISTMAS MASSACRES

(right) An axe and sticks used by the LRA in Faradje to kill civilians. At least 143 civilians were killed in Faradje on Christmas day.

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The LRA were quick at killing. It did not take them very long and they said nothing while they were doing it. They killed all 26. I was horrified. I knew all these people. They were my family, my friends, my neighbors. When they finished I slipped away and went to my home, where I sat trembling all over.

— A 72-YEAR-OLD MAN WHO HID IN THE BUSHES AND WATCHED AS THE LRA KILLED HIS FAMILY ON CHRISTMAS DAY IN BATANDE, NEAR DORUMA. HE IS ONE OF ONLY A HANDFUL OF PEOPLE STILL ALIVE IN HIS VILLAGE.

I cry everyday for her. You can't imagine what it's like to have your daughter taken from you. It makes me ill when I think about what they [the LRA] could be doing to her in the bush. I don't know if I'll ever see her again, or even if she's still alive.

— A MOTHER WHOSE 13-YEAR-OLD DAUGHTER WAS ABDUCTED BY THE LRA IN SEPTEMBER 2008.

In late December 2008 and into January 2009, the Lord's Resistance Army (LRA) brutally killed more than 865 civilians and abducted at least 160 children in northern Democratic Republic of Congo (DRC). LRA combatants hacked their victims to death with machetes or axes or crushed their skulls with clubs and heavy sticks. In some of the places where they attacked, few were left alive.

The worst attacks happened in a 48-hour period over Christmas in locations some 160 miles apart in the Doruma, Duru and Faradje areas of Haut-Uele district of northern Congo. The LRA waited until the time of Christmas festivities on December 24 and 25 to carry out their devastating attacks, apparently choosing a moment when they would find the maximum number of people all together. The killings occurred not just in Congo but also in parts of Southern Sudan where similar kinds of weapons and tactics were used.

The Christmas massacres in Congo are part of a longstanding practice of horrific atrocities and abuse by the LRA. Before shifting its operations to the Congo in 2006, the LRA was based in Uganda and southern Sudan where LRA combatants





also killed, raped, and abducted thousands of civilians. When the LRA moved to Congo, its combatants initially refrained from targeting Congolese people, but in September 2008 the LRA began its first wave of attacks, apparently to punish local communities who had helped LRA defectors to escape. The first wave of attacks in September, together with the Christmas massacres, has led to the deaths of over 1,033 civilians and the abduction of at least 476 children.

LRA killings have not stopped since the Christmas massacres. Human Rights Watch continues to receive regular reports of murders and abductions by the LRA, keeping civilians living in terror. According to the United Nations, over 140,000 people have fled their homes since late December 2008 to seek

safety elsewhere. New attacks and the flight of civilians are reported weekly. In some areas, people are frightened to gather together believing that the LRA may choose such moments to strike, as they did with such devastating efficiency over Christmas.

Even by LRA standards, the Christmas massacres in Congo were especially brutal. LRA combatants struck quickly and quietly, surrounding their victims as they ate their Christmas meal in Batande village, or as they gathered for a Christmas day concert in Faradje. In Mabando village, the LRA sought to maximize the death toll by luring their victims to a central place, playing the radio and forcing their victims to sing songs and to call for others to come join the party. In most of the

15. Nakolelika
 16. Mopedi
 17. Babile
 18.

	LIEU	NOM	SEXE	AGE
155	KATINGA	ANIDAVULU - GABRIEL	M	
156	GBANZAIKATINGA	GBINZAKO MOLANI	M	
157	KATINGA	INIKOYO	M	
158	"	BILIPAI	F	
159	"	KULUSANI		
160	BAMA	ZANUNGA	F	
161	KWADATNO "	KPALATIYO	M	
162	EN	ZAPAI	F	
163	BAMA	GINIZANGA	F	
164	"	KUTIYOTE	M	
165	"	GBAKAZ	M	
166	BAKULAGBA	ROGER-VANSOMBEKE	M	
167	"	DADJUTILANI JONATHAN	M	
168	"	FULALE	M	
169	"	MARTIN-MAKUTA	F	
170	"	MBOLIHINIE	F	
171	"	ZANUNGA		M
172	"	GBANGALA		
173	GANBALA	ALAKOYO-NGBANDIRO		M

DATE	+	OBSERVATION
Le 31/12/2008		
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Le 27/12/2008		
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Le 1/1		
32 ans		
65 ans		
10 ans		
75 ans		
12 ans		
48 ans		
69 ans		
22 ans		
	Le 10/01/2009	

Lists of villages attacked by the LRA, with numbers of victims killed and children abducted. The lists were put together by local community members with the assistance of Human Rights Watch.

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attacks they tied up their victims, stripped them of their clothes, raped the women and girls, and then killed their victims by crushing their skulls. In two cases the attackers tried to kill three-year-old toddlers by twisting off their heads. The few villagers who survived often did so because their assailants thought they were dead.

The widespread, virtually simultaneous nature of the attacks as well as the similar means used to kill the victims points to a coordinated operation carried out under orders from a single command structure. Captured LRA combatants, interviewed by Human Rights Watch, said that LRA leader Joseph Kony himself ordered attacks on civilians beginning in September 2008, at a time when Kony was still promising to sign the peace accords. An LRA spokesman contacted by Human Rights Watch denied all responsibility for the attacks, saying they had been carried out by Ugandan soldiers pretending to be LRA combatants. Human Rights Watch found no evidence to support this assertion.

Under international law, Individuals who commit, order or plan murder, rape, torture, abductions and use child soldiers during armed conflict are responsible for war crimes.

The LRA attacks occurred 10 days after the Ugandan and Congolese armed forces launched a joint military operation against the LRA, beginning with an aerial bombardment of the LRA's main camp in Garamba National Park. When previously attacked in northern Uganda and Southern Sudan, LRA combatants used similar brutal tactics against surrounding populations, retaliating against civilians rather than hostile forces.

Three current LRA leaders, including Kony, have outstanding arrest warrants against them, issued by the International Criminal Court (ICC) at The Hague for war crimes and crimes against humanity committed in Uganda. Since 2006, Kony took part in protracted peace negotiations with Uganda, insisting that the ICC warrants were an obstacle to peace and should be rescinded. However, there is evidence that during the peace negotiations the LRA was rebuilding and restocking its forces.

After Kony repeatedly failed to sign a peace agreement that he indicated he would endorse, Uganda, Congo and Southern Sudan organized a joint military campaign against the LRA.



The paillote (a makeshift thatched marquee) outside the Catholic church in Batande where people had gathered for Christmas lunch when the LRA attacked. At least 82 people were brutally slaughtered.

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The United States provided substantial planning, logistical, and intelligence assistance to the operation. When Kony once again failed to sign the peace agreement in late November 2008, the military campaign was launched.

On December 14, the joint operation began with a surprise aerial strike at the main LRA camp in Garamba National Park. Kony had unexpectedly departed from the camp shortly before the attack, sparing him injury and allowing him to organize subsequent LRA operations. LRA combatants dispersed into several groups and redeployed to attack towns and villages in areas near the national park. As they scattered, it became harder for the joint force to locate them and to impede their attacks. Joint operation planners told Human Rights Watch that they had intended to safeguard women and children held by the LRA, many of whom were in another

camp, but troops meant for this purpose arrived late because bad weather and other complications hampered air transport. Planners did not make adequate contingency plans in the event their first plan failed and military forces were unprepared when the LRA began their devastating attacks on surrounding civilian areas on December 24 and 25.

The United Nations peacekeeping force in the Congo, MONUC, was not involved in the planning for the joint operation and had limited forewarning about it. With only some 200 troops in the area who were designated primarily to provide logistical support to the Congolese army—not to protect civilians—MONUC peacekeepers were too few and too ill-equipped to assist civilians who came under attack. On December 22, the UN Security Council authorized the renewal of the MONUC mandate for another year, and expanded its force by 3,000 troops, bringing its total troop level to nearly 20,000 blue helmets. The council instructed MONUC to provide the highest priority in its operations to the Kivu provinces of eastern Congo, a request that MONUC officials said hampered them from moving needed troops and equipment to the area where LRA attacks were occurring.



A woman whose husband was killed by the LRA in Aligi suburb, on the outskirts of Faradje, on Christmas Day.

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A headmaster from a local school near Dungu who narrowly escaped being killed by the LRA. The LRA abducted 65 of his students, many of whom have not returned.

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An 18-year-old boy who was abducted by the LRA and spent five months with them before he escaped.

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A victim of the Christmas day attacks in Faradje.
The LRA beat him and cut off his ear.
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A market burned by the LRA in Faradje. The LRA burned over 600 houses and other buildings when they attacked the town on Christmas day. They brutally slaughtered 143 people and abducted over 160 children.

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Nevertheless, the troop increase was important and could provide some extra capacity to help civilians at risk of further LRA attacks, yet none had yet arrived at the time of writing. On February 3, UN Secretary-General Ban Ki-moon deplored the lack of response from troop-contributing nations to the request for the additional 3,000 peacekeepers. With only minimal pledges made and no new troops on the ground, MONUC has no additional capacity to protect civilians in Haut-Uele and the mission continues to struggle to respond to the urgent protection challenges.

Given the LRA's history of turning against civilians when under attack, the governments carrying out the military operation—Uganda, Congo and Southern Sudan—should have taken greater measures to protect civilians in the area from reprisal attacks by the LRA. They should also have given higher priority to rescuing abducted children and adults who remain with the LRA. At the end of January, after nearly six weeks of military operations, only 114 people had been rescued, out of some 600 believed to be held by the LRA. Higher figures presented by Ugandan government authorities of those they said had been rescued could not be verified.

To minimize further harm to civilians, the forces involved in the joint military operation should urgently prioritize the protection of civilians and coordinate their efforts with MONUC. The UN Security Council needs to provide direction



and additional resources, including further logistical capacity, to MONUC and the United Nations Mission in Sudan (UNMIS) to enable them to protect civilians at risk of LRA attack.

The ICC arrest warrants for LRA leaders remain outstanding. In late January, the LRA's second-in-command, Okot Odhiambo, wanted on an ICC arrest warrant, contacted the International Organization for Migration (IOM) expressing a desire to surrender with an unknown number of his combatants. At the time of writing he had not yet done so. Any ICC suspect who is captured or surrendered during military operations against the LRA should be sent to the ICC for trial.

As of latest reports from mid-February, the LRA continued to attack villages and kill civilians.

A house burned by the LRA in Faradje.

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On February 9, John Holmes, the UN Emergency Relief Coordinator arrived in Doruma, a small town devastated by the Christmas massacres where no UN peacekeepers have yet deployed and where minimal humanitarian assistance has reached the beleaguered population. He was greeted by a small crowd of desperate local citizens, one of whom held up a sign that read, "We laugh to stop ourselves from crying."

A boy, displaced by LRA attacks, waits in a makeshift home in Dungu. Over 130,000 people have fled their homes since the LRA began to attack civilians on December 25, 2008.
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RECOMMENDATIONS

TO THE GOVERNMENTS OF DR CONGO, UGANDA AND SOUTHERN SUDAN

- Coordinate with MONUC all efforts for protecting civilians, rescuing abducted persons and obtaining the surrender of LRA combatants.
- During military operations against the LRA, make the protection of civilians and rescue of abducted persons a priority. Deploy troops as necessary to protect civilian populations from LRA reprisal attacks.
- Establish reception points near LRA positions to make it easier for combatants to surrender or for escaping abductees to seek help by avoiding populated areas where aggrieved residents may attack them. Hand over captured or escaped children as soon as possible to appropriate authorities, such as UNICEF and appropriate local and international nongovernmental organizations tasked with reunifying children with their families and providing psychosocial support.
- Hand over to the International Criminal Court those LRA leaders who surrender or are captured and who are wanted by the ICC for war crimes and crimes against humanity.

TO MONUC

- Cooperate with Congolese, Ugandan and Southern Sudanese armed forces to establish a tactical headquarters focused on protecting civilians, rescuing abducted persons, obtaining the surrender of LRA combatants, and the capture of LRA leaders wanted by the ICC. Provide necessary resources and staff, including staff with expertise on international humanitarian law and children's rights.
- Increase the logistical support, including further aerial support, for the Congolese armed forces and other forces as necessary, to ensure rapid deployment of troops for the purpose of civilian protection.
- Assist the Congolese and Ugandan armed forces in setting up reception points for LRA defectors and abducted persons. In coordination with UNICEF, ensure that facilities and psychosocial services are established for children, with an emphasis on reunifying them with families as soon as possible.
- Deploy a civilian multidisciplinary team including human rights, international humanitarian law, and children's rights experts, to Dungu to ensure ongoing monitoring of abuses by all parties to the conflict.

TO THE UN SECURITY COUNCIL

- Direct the United Nations secretariat to give priority to the prompt recruitment and deployment of the additional 3,000 MONUC peacekeepers agreed to in resolutions 1843 and 1856. Provide additional resources, including further logistical capacity, to MONUC and the United Nations Mission in Sudan (UNMIS) to enable them to protect civilians at risk of LRA attack.
- Support a strategy to apprehend LRA commanders wanted by the ICC and others who have committed war crimes or crimes against humanity with minimum risk to civilians and request member states to provide the necessary financial and operational resources.

TO UNICEF AND OTHER CHILD PROTECTION AGENCIES

- Urgently increase teams working in the countries affected by the LRA to document abductions and the mistreatment of children and set up programs to support tracing, assistance to those who have fled the LRA, and family reunification.

TO THE INTERNATIONAL CRIMINAL COURT PROSECUTOR

- Investigate recent LRA crimes in DRC and Southern Sudan with a view to expanding the charges for those LRA leaders already subject to ICC arrest warrants and bringing cases against additional persons.

TO CONCERNED GOVERNMENTS AND REGIONAL BODIES

- Provide MONUC, UNMIS, and members of the Ugandan-led coalition with the necessary logistical capacity, intelligence, communications, and other resources to ensure that forces in the area of operations are adequately prepared to protect civilians, rescue abducted persons, and obtain the surrender of combatants.
- Cooperate with regional governments, MONUC, and UNMIS to ensure apprehension of LRA leaders wanted by the ICC, including those who may be captured or surrender as part of the military operations against the LRA. Provide essential operational and financial resources to support apprehension of ICC suspects in a way that makes civilian protection, including that of abducted persons, a priority.
- Provide MONUC with the rapid response capabilities and the additional 3,000 troops authorized by the UN Security Council in November 2008 to enhance MONUC's ability to respond quickly and protect civilians, including in LRA affected areas.

TO INTERNATIONAL DONORS

- Provide emergency support to UN agencies and local and international nongovernmental organizations to assist the victims and the communities affected by LRA violence.

METHODOLOGY

In early December 2008 Human Rights Watch researchers visited Yambio, Sudan, to document the attacks against civilians that had occurred in Congo and in the Sudan in September, October, and November 2008. Subsequently, Human Rights Watch researchers, together with a colleague from the Congolese human rights organization Justice Plus, traveled to northeastern Congo to document the December and January killings 10 days after the worst massacres had occurred and while sporadic attacks were still taking place in the region. They interviewed dozens of victims, witnesses, children and adults who had escaped LRA abduction, captured LRA combatants, civil society groups, Congolese government authorities, UN officials, and Congolese, Ugandan, and MONUC military officials. They visited sites of killings, including those of the Batande and Faradje massacres, and helped to collect physical evidence present at one of the sites. With the help of local civil society members, Human Rights Watch compiled lists of the persons killed and abducted by the LRA, which are printed in the annex to this report.

Human Rights Watch focused its investigations on attacks in three areas of northeastern Congo adjacent to Garamba National Park¹: the Doruma area to the west of the park and near the border with Central African Republic (CAR) and Southern Sudan; Faradje, southeast of the park; and the Duru area west of the park, near the border with Southern Sudan (see map on page 20).

¹ Garamba, one of the first national parks in Africa, adjoins Sudan's Lantoto National Park and is surrounded on its southern, eastern and western sides by the Gangala-na-Bodio, Mondo Missa and Azande hunting reserves. The total area of the Garamba Park and reserves is 12,427 square kilometers. In this report the hunting reserves and the national park are referred to as Garamba National park. Garamba is the world's only remaining natural habitat for the critically endangered white rhinoceros. African Parks Foundation, Garamba National Park, Annual Report 2006 (http://www.african-parks.org/apffoundation/index.php?option=com_docman&task=doc_view&gid=3&Itemid=31).



Human Rights Watch senior researcher Anneke van Woudenberg interviews a witness at the gravesite of a local preacher killed by the LRA on December 25, 2008, in Aligi, just outside Faradje.
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THE CHRISTMAS MASSACRES

LRA attacks on Civilians in Northern Congo

Over the 2008 Christmas period, the Lord's Resistance Army (LRA) brutally killed more than 865 civilians and abducted at least 160 children in northern Democratic Republic of Congo (DRC). The LRA waited until the time of Christmas festivities on December 24 and 25 to carry out their devastating attacks, simultaneously targeting numerous villages and towns hundreds of miles apart in the Haut-Uele district of northern Congo. LRA combatants hacked their victims to death with machetes or axes or crushed their skulls with clubs and heavy sticks.

The LRA attacks occurred 10 days after a coalition of Ugandan, Congolese and Southern Sudanese armed forces launched a joint military operation to destroy the LRA, when its leader, Joseph Kony, again failed to sign a peace agreement. The LRA's response—brutally turning on civilians—was hauntingly similar to tactics previously used by the group in northern Uganda and Sudan.

Few preparations were made by the armed forces participating in the operation to protect civilians from reprisal attacks. United Nations peacekeepers, excluded from the planning of the operation, had only 200 peacekeepers in the area and were too few and too ill-equipped to assist civilians who came under attack. Help, when it did arrive, came too late.

Based on extensive research in northern Congo just weeks after the massacres took place, this report details the brutality inflicted on Congolese people by the LRA and the failure to protect them by coalition forces and the thinly stretched and ill-prepared UN peacekeeping forces. As the killings continue, this report calls on the governments of Uganda, Congo and Southern Sudan to urgently prioritize protection of civilians as part of their military campaign and urges the UN to send more troops to the area to help protect communities at risk.

Top: A grandfather abducted along with his four grandchildren in Dungu by the LRA on November 1, 2008. He was kept for four days and forced to carry heavy loads. The LRA killed a man beside him who refused to carry his load. He was later released but his grandchildren were not.

Bottom: Cords used to tie up victims found at one massacre site. Human Rights Watch researchers and local civil society members went to the massacre sites to document the location of graves and to collect remaining evidence. The team found the cords used to tie of the victims, the blood-stained bats and items of clothing, all of which were moved to a secure location.

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