

## **PRESS RELEASE**

### **UN expert expresses grave concern for civilian security in the Democratic Republic of the Congo**

Geneva, 2 June 2010.

The human rights situation in key parts of the Democratic Republic of the Congo remains extremely serious, according to a report by a UN expert. Philip Alston, the UN Special Rapporteur on extrajudicial executions, warned that killings, rapes, mutilation, village burnings, and displacement would continue to take place unless civilian protection measures are urgently improved. He noted an increase in 2010 of attacks on civilians by the Lord's Resistance Army (LRA) rebel group, continued reprisal attacks by the Forces Démocratiques de Libération du Rwanda (FDLR) rebel group, as well as abuses by the Congolese army itself. Alston conducted a fact-finding mission to the DRC in October 2009, and the UN released his final mission report today.

The warning came less than a week after the UN Security Council agreed to withdraw 2,000 UN peacekeepers by June 2010, and to rename the UN mission the UN Organization Stabilization Mission in DRC (MONUSCO). The Council did not agree to the Government's request to authorize a full UN withdrawal by late 2011, and instead extended MONUSCO's mandate to June 2011, with procedures in place to regularly reassess the security situation and withdrawal timeline.

"It is clear that the major human rights violations which I identified in October have continued to plague the country in the intervening period", Alston said. "The alarm that I sounded at the time and the warnings made by NGOs and humanitarian organizations have been largely ignored. We have continued to see poorly planned and under-resourced military operations, reprisal attacks by rebel groups on unprotected civilians, the failure to arrest war criminals serving in the Congolese army, many hundreds of civilians killed, and many more displaced and gravely injured, often at the hands of the very troops whose duty it is to protect civilians."

"During my mission, the Government told me that they had essentially run the LRA out of the country. However, my report made clear that this was not at all the case, and that the risk of further violence remained high. Subsequently, LRA attacks have risen: at least 400 have been killed, and hundreds have been abducted or had their lips or ears chopped off. This is a crisis, and it is still not receiving the urgent attention that is required. The Government and the UN must strengthen their military presence in Province Orientale. And the international community, and especially the countries in which the LRA continues to operate – Uganda, the Central African Republic, the DRC, and the Sudan – need to develop a strong regional military strategy to deal with the LRA."

In the Kivus, Alston said that NGOs and the UN have documented extensive abuses by senior commanders currently serving in the Congolese army. "Their names have been provided to the Government, but the Government still refuses to investigate and arrest them. This is a travesty." Alston singled out the DRC's failure to arrest senior military commanders Innocent Zimurinda and Bosco Ntaganda (who is wanted by the International Criminal Court), as "emblematic of the failures in accountability that permit extrajudicial executions and other gross human rights violations to continue."

Alston also called upon the UN mission in the Congo to make public its “conditionality policy”, which sets out the terms on which it provides support to the Congolese army. During 2009, many concerns were expressed by NGOs and others that the UN was supporting Congolese troops who were in turn abusing civilians. Alston noted that the conditionality policy appears to have only been developed in late 2009, many months after UN military operations started. He said that the policy “must be based on sustained and credible monitoring and investigation of allegations of human rights abuses against the Congolese army.” Alston added that, “The ability of the UN to monitor rights violations in accordance with the principles of impartiality, effectiveness and credibility would be greatly enhanced with the creation of an independent mechanism to conduct such investigations. Detailed information on the operation of the policy should be reported to the Security Council.”

“The many challenges facing the Government of the DRC and the international community require both concerted and well-planned large-scale military action that prioritizes civilian protection, as well as key reforms which are more immediately achievable. I have made recommendations for a number of reforms targeted at ending impunity, for example, including that UN assistance be pre-conditioned on the Government providing uniforms to soldiers that identify their name and rank, as well as the indictment of senior commanders accused of war crimes. The will of the Government and the international community to protect Congolese citizens and to achieve greater security for them can be measured by whether, and how quickly, these recommendations are implemented.”

Alston’s investigations and his report (A/HRC/14/24/Add.3) also focus on political killings in Kinshasa and Bas Congo; deaths in prisons; killings of accused “witches”; killings of human rights defenders and journalists; and vigilante killings.

\* \* \*

Philip Alston is John Norton Pomeroy Professor of Law and co-Director of the Center for Human Rights and Global Justice at New York University School of Law. He was appointed UN Special Rapporteur on extrajudicial executions in 2004 and reports to the United Nations Human Rights Council and the General Assembly. He has had extensive experience in the human rights field, including eight years as Chairperson of the UN Committee on Economic, Social and Cultural Rights, principal legal adviser to UNICEF in the drafting of the Convention on the Rights of the Child, and Special Adviser to the UN High Commissioner for Human Rights.

For further information or press inquiries, please contact Philip Alston at [sarah.knuckey@nyu.edu](mailto:sarah.knuckey@nyu.edu).