

**LETTER OF THE BANYAMULENGE COMMUNITY TO THE SECRETARY-GENERAL
OF THE UNITED NATIONS**

H.E. António Guterres,
Secretary-General
United Nations
New York, NY

27 April 2020

CC/:

- H.E. Félix Tshisekedi, President of the DRC
- H. E. Leila Zerrougui, SR and head of MONUSCO
- H.E. Cyril Ramaphosa, Chairperson of the African Union
- H.E. Yoweri Museveni, President of the Republic of Uganda
- H. E. Paul Kagame, President of the Republic of Rwanda
- H.E. Pierre Nkurunziza, President of the Republic of Burundi
- H.E. Moussa Faki Mahamat, Chairperson of the AU Commission
- H.E Charles Michel, President of the EU Council
- H.E. Madame Ursula Von Der Leyen, President of the EU Commission
- H.E Hage G. Geingob, Chairperson of SADC
- H.E Denis Sassou Nguesso, ICGLR Chairperson
- H.E. Michelle Bachelet, UN High Commissioner for Human Rights
- H.E. Adama Dieng, Special Adviser of the Secretary-General on the Prevention of Genocide
- Ms Fatou Bensouda, ICC Prosecutor

Re: Call for Action to Stop the Ethnic Cleansing of the Banyamulenge in Minembwe/hauts-plateaux of South Kivu Province in the DRC

Dear Secretary-General,

It is with great sadness that we, the undersigned acting on behalf of the Banyamulenge community, write this letter to bring to your attention our deep concerns about the escalating violence increasingly taking the shape of genocidal killings and ethnic cleansing targeting members of the Banyamulenge in the Minembwe and wider *hauts-plateaux* of the South Kivu province in eastern Democratic Republic of Congo.

On 18 April 2020, two Banyamulenge women Nyamwiza Francine and Nyiramutarutwa Naziraje were tortured and killed by the Mai Mai after being subjected to the most atrocious forms of torture and humiliating acts of sexual violence. The graphic images of their mutilated bodies reminiscent of the tragic fate of many killed women in Rwanda during the 1994 genocide of the Tutsi leave one without words. The victims were part of a group of half a dozen of women who left their precarious place of refuge in Minembwe in desperation and

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headed to their neighbouring village to harvest some food, with an escort of the Congolese army (FARDC). On their journey, they were attacked by Mai Mai groups who captured three women and a man, Adoni Sebarezi who was also killed. Accounts from the sole female survivor, freed after intense negotiations led by Congolese military authorities raise concerns about the ambiguous role played by some soldiers of the FARDC in this but also similar attacks that have been taking place for more than a year and a half.

The Banyamulenge, just like many other Congolese communities, were established on the territory of what was to become the Democratic Republic of Congo far before the demarcation of African colonial boundaries. Under the Congolese Constitution and applicable laws, the Congolese citizenship of Banyamulenge is unquestionable, as reiterated by President Tshisekedi in a speech to the Congolese diaspora in London on 19 January 2020. However, patterns of discrimination and targeted killings over the years have created conditions whereby they have constantly been treated by neighbouring communities and some authorities as foreigners or second-class citizens.

The worrying situation of insecurity and violence in the *hauts-plateaux* of South Kivu, particularly Minembwe and surrounding areas, the homeland of the Banyamulenge, has previously been brought to your attention through various sources, including through MONUSCO and in the DRC reports of the UN group of Experts. Since August 2018 there have been waves of violence that have claimed several hundreds of casualties, pushed thousands to flee after witnessing the burning of their villages, thus, losing all their possessions including through a systematic looting of their livestock. Indicatively, hundreds of thousands of cows have been stolen with a clear intention to deprive the Banyamulenge of the core resource that sustains their livelihoods. Survivors have sought refuge by the thousands in camps in Minembwe where they live under constant fear of attacks and in precarious conditions due to poor shelters and limited humanitarian assistance. Others have fled the area and sought refuge by thousands in neighbouring countries, including Burundi, Rwanda, Uganda, Kenya and Tanzania where they live in very fragile conditions. All communities living in the *hauts-plateaux* are negatively impacted by the unfolding tragedy but the pattern of systematic attacks directed against the Banyamulenge clearly demonstrate an intent to cleanse the area of all members of this community through killings and destruction of anything that sustains their livelihoods

Attacks are being carried out by a coalition of Mai-Mai militia from neighbouring ethnic communities, in collaboration and concertation with armed militia from neighbouring countries, most prominently RED-TABARA, FNL and FOREBU from Burundi. According to various sources, including the United Nations, some of these foreign groups are allegedly supported by countries from the region. As the above most recent but also previous incidents show, the widespread attackers have been using sexual violence, including rape, as a weapon of war as several victims were killed after being subjected to inhumane and degrading treatments.

The cruelty of these attacks is, in part, a result of hate speech, including incitement to commit genocide against the Banyamulenge, propagated by diverse actors including Mai Mai groups, their supporters from neighbouring communities and elsewhere in the country and Congolese diasporas, including public figures in the DRC. The rising hate speech against the Banyamulenge recycles many themes carried by Rwanda's hate media more than 26 years ago was denounced by UN officials in the DRC in October and November 2019, including François Grignon, MONUSCO's Special Representative for Protection and Operations and Abdoul Aziz

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Thioye, the Director of the United Nations Joint Human Rights Office in the DRC who warned actors involved of consequences.

Months after these denunciations of anti-Banyamulenge hate speech, the atrocious killing of the three persons in Minembwe is clear evidence that the weak responses from the FARDC, MONUSCO and others has emboldened actors involved who have been acting in plain sight with impunity. Instead of protecting the targeted innocent civilians, credible sources from the ground allege that members of governmental forces have colluded with Mai Mai groups in attacks against the Banyamulenge and their property. This sad reality calls for effective strategies by the Congolese authorities and the international community to protect this minority threatened of extermination. Congolese authorities, particularly President Tshisekedi, have, publicly or in exchanges with representatives of the Banyamulenge community, expressed their willingness to addressing the tragic situation of insecurity and violence mostly targeting the Banyamulenge in Minembwe and surrounding areas. However, these good intentions are yet to materialize into decisive actions.

It is important to reiterate that while current attacks against the Banyamulenge as a group have taken a different turn, they are not a new phenomenon. In October 1996, Zairian authorities announced that the Banyamulenge were foreigners and, handed them a six-day ultimatum to leave the country. The then South Kivu vice-governor who announced this ultimatum was Mr. *Ngabo Lwabandji* who is the current provincial Minister in charge of internal security in South Kivu. The implementation of that decision played a role in the outbreak of the 1996 Congo war. Two years later, in 1998, former president Laurent Kabila's entourage called for the extermination of the "*scum and vermin that must be methodically eradicated and with determination*". Following those calls, including by then foreign affairs minister *Abdulaye Yerodia Ndombasi*, thousands of Banyamulenge and other Congolese Tutsi were massacred across the whole country. Moreover, around 40,000 Banyamulenge who lived Vyura, in the current Tanganyika Province excised from the former Katanga were systematically attacked by the government soldiers and militias from other local communities, some 600 of them were killed, their villages burnt down and their cattle looted in attacks that are very similar to those currently taking place in the Minembwe area. All survivors were forcibly expelled from the Katanga province and sought refuge in South Kivu. In 2004, the Banyamulenge were selectively massacred in Gatumba refugee camp in Burundi by a coalition of Burundian and Congolese armed groups in an ethnically motivated attack that, again, mirrors those currently taking place in the *hauts-plateaux*. Promises of accountability made by diverse regional and international actors for this attack that was widely documented, including by a joint investigation by UN peacekeeping forces in Burundi and the DRC (MONUC and ONUB) have never been followed up by action.

Mr Secretary General,

In view of the multiple recent attacks and hate speech reflected in the barbaric killing of the two women, we are very worried that our parents, mothers, brothers and sisters face clear threats of genocide if nothing is done to stop the attacks by the coalition of Mai Mai, regional armed groups, with possible complicity of elements of regular Congolese armed forces. What is certain is that the systematic, widespread and multifaceted attacks against the Banyamulenge, as described above, constitute criminal acts under international law. For that reason, this letter is intended to draw your attention to this crisis that has so far attracted limited international attention in comparison with other crises in eastern DRC or elsewhere. In raising awareness over the unfolding tragedy, this letter is also intended to ask the United Nations, acting in collaboration of all actors of good will to use their political leverage to

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contribute to a return to stability and peaceful coexistence between communities in this area. In concrete terms, we strongly recommend the UN, working in collaboration with other actors, including regional and subregion organization as well as other international institutions and individual countries to:

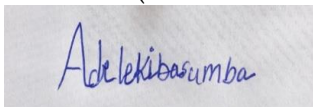
- Pressure and assist the DRC government, particularly President Tshisekedi, to genuinely invest in restoration of security in the *hauts-plateaux* by stopping the targeted killings and other atrocities committed against the Banyamulenge to avert an imminent extermination or cleansing of this community;
- Investigate, prosecute and punish all local and foreign actors implicated in the killings and other atrocities mainly targeting the Banyamulenge and others;
- Shed light on allegations on the complicity of some Congolese public figures and FARDC soldiers who are deployed in the Minembwe/*hauts-plateaux* area, who are accused of collusion with the Mai Mai and other attackers;
- Mobilise and provide as soon as possible adequate humanitarian assistance to internally displaced persons in the Minembwe and surrounding areas to avert desperate situations like medical supplies and food shortages that led the recent victims to leave their place of refuge;
- Establish a disarmament and demobilization program targeting armed groups and combatants operating in the area and design a credible program of peacebuilding aimed at restoring cohesion between local communities;
- Engage regional countries for effective disarmament and repatriation of all foreign armed groups operating in eastern DRC particularly those operating in the Minembwe area in connivance with Mai Mai groups;
- Create conditions whereby the Banyamulenge, like any other Congolese community, can fully enjoy their human rights as citizens, including global standards protecting rights of marginalized communities such as minorities.

It is our hope, Mr Secretary General, that this letter on an unfolding tragedy, read in conjunction with other relevant information in UN records, will trigger swift action to avert another genocide in the region, with the international community as bystanders. We look forward to further engagement with the UN on the matter and remain hopeful that the organization will lead a concerted action and live up to its promise of peace and security.

Mutualitee

Yours sincerely

Ms. Adele Kibasumba
Banyamulenge Community in the USA
President (Mahoro Peace Association)



Mr. Michel Makebo
Banyamulenge Community in Europe
President (Mutualité Belgium)



Mr. Charles Mukiza
Banyamulenge Community in the DRC/Kinshasa
President (Mutualité Kinshasa)

