

Press Release

16 December 2009

UN expert on extrajudicial executions calls on UN to end support to Congolese military operations commanded by known war criminals

GENEVA -- "As the UN Security Council considers renewing the mandate of the UN peacekeeping force in the Democratic Republic of the Congo (MONUC), it should ensure that no further support is given to Congolese military operations commanded by individuals who have committed grave human rights abuses," according to the UN Special Rapporteur on extrajudicial executions, Philip Alston.

"It is a contradiction of basic UN principles for UN peacekeepers to cooperate with a military operation led by individuals who stand accused of war crimes and grave human rights abuses," said Alston. "The situation is all the more problematic as a result of the continuing reports of major abuses committed against the civilian population," stated the UN independent expert.

Through 2009, MONUC has supported "Kimia II," a Congolese military operation against the FDLR rebel group in eastern Congo. The Special Rapporteur stated that while action against the FDLR is necessary, the manner in which this operation has been carried out to date has been "absolutely catastrophic" for civilians in the Congo.

"There has been insufficient planning for civilian protection, and civilians have been raped to death and massacred in revenge attacks by the rebels. Shockingly, civilians have also been gang raped and hacked or shot to death by the Congolese army – the very force that is supposed to protect them."

The Special Rapporteur traveled to the Democratic Republic of the Congo in October this year, and gathered evidence of unlawful killings by all sides, including civilian massacres led by Congolese army commander Innocent Zimurinda in an area called Shalio. "The UN has clearly taken important steps in response to my statements following the mission," said Alston, "but it appears that Colonel Zimurinda remains in command, and that the UN has not implemented a strong conditionality policy that would prevent it from supporting units led by him or by Bosco Ntaganda, for whom the International Criminal Court has issued an arrest warrant for war crimes."

The Security Council will vote on a renewed mandate for MONUC this Friday, 18 December 2009. The Special Rapporteur urges the Security Council, as it negotiates a new MONUC mandate, to require MONUC only to participate in or support Congolese operations that respect human rights, humanitarian, and refugee law. "Civilian protection must be at the centre of both the planning and carrying out of military operations in the Kivus," said Alston. "Strong conditionality, especially with respect to the removal of war criminal commanders from Congolese army leadership positions, must underpin MONUC support for military operations."

The Special Rapporteur also called on MONUC to make public the terms of any conditionality policy it currently implements, and to ensure that it has adequate monitoring in place to guarantee that the conditions are being observed.

The UN Special Rapporteur on extrajudicial executions carried out a human rights fact-finding mission to the DRC in October 2009. He found widespread unlawful killings by all sides to the conflict in the Kivus, including by the FDLR rebel group, and by the Congolese army. His press statement, delivered at the conclusion of his mission, is available here: English http://www2.ohchr.org/english/issues/executions/docs/PressStatement_SumEx_DRC.pdf

French http://www2.ohchr.org/english/issues/executions/docs/PressStatement_SumEx_DRC_fr.pdf

Learn more about the mandate and work of the Special Rapporteur on extrajudicial executions:

<http://www2.ohchr.org/english/issues/executions/index.htm>

OHCHR Country Page - The Democratic Republic of the Congo:

<http://www.ohchr.org/EN/Countries/AfricaRegion/Pages/ZRIndex.aspx>

For additional information and media requests, please contact the Special Rapporteur Philip Alston (Tel.: + 1 212 992 8873 / e-mail: philip.alston@nyu.edu)