



# **Mass Killings in Beni Territory: Political Violence, Cover Ups, and Cooptation**

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## CONGO RESEARCH GROUP | GROUPE D'ÉTUDE SUR LE CONGO

**The Congo Research Group (CRG)** is an independent, non-profit research project dedicated to understanding the violence that affects millions of Congolese. We carry out rigorous research on different aspects of the conflict in the Democratic Republic of the Congo. All of our research is informed by deep historical and social knowledge of the problem at hand, and we often invest months of field research, speaking with hundreds of people to produce a report.

We are based at the Center on International Cooperation at New York University and we work in collaboration with the Centre d'études politiques at the University of Kinshasa. All of our publications, blogs and podcasts are available at [www.congoresearchgroup.org](http://www.congoresearchgroup.org) and [www.gecongo.org](http://www.gecongo.org).

# **Mass Killings in Beni Territory:**

## **Political Violence, Cover Ups, and Cooptation**

<b>Executive Summary</b>	<b>2</b>
<b>1. Introduction</b>	<b>5</b>
<b>2. Overview of Beni’s Mass Killings</b>	<b>8</b>
<i>The role of the ADF</i>	<i>11</i>
<i>Who was Responsible for the Killings?</i>	<i>13</i>
<b>3. Development of Beni’s Armed Politics (1980s-2010)</b>	<b>17</b>
<i>ADF/NALU’s Political Integration (1980s-1997)</i>	<i>18</i>
<i>Second Rebellion (1998-2003)</i>	<i>19</i>
<i>Post-Conflict Entangled Military Networks (2004-2010)</i>	<i>21</i>
<b>4. Mass Killings: The First Movers (2013)</b>	<b>29</b>
<i>The precursors to the massacres:</i>	
<i>ex-APC mobilization during the M23 Crisis (2012-2013)</i>	<i>29</i>
<i>Killings in Watalinga and Ruwenzor</i>	<i>31</i>
<b>5. Mass Killings in 2014-2015</b>	<b>38</b>
<i>Transitioning between waves of violence: First movers’ plans for killings (2014-2016)</i>	<i>39</i>
<i>Second movers: How the FARDC coopted existing groups</i>	<i>44</i>
<b>6. Case Studies</b>	<b>51</b>
<i>Boikene Massacres of October-November 2014</i>	<i>51</i>
<i>Killings in Bambuba Kisiki</i>	<i>56</i>
<b>7. Kinyarwanda Speakers’ Involvement in the Killing</b>	<b>65</b>
<b>8. Conclusion</b>	<b>69</b>
<b>References and Notes</b>	<b>71</b>

## EXECUTIVE SUMMARY

Since 2013, a mysterious string of mass killings has taken place around Beni, in northeastern Democratic Republic of Congo. This startling wave of attacks transformed Beni territory from an area of relative calm into one of the country's most violent theaters of conflict in a decade.<sup>1</sup> These killings—primarily machete attacks—bring unprecedented levels of brutality to the area, with an estimated death toll of at least 800 and over 180,000 displaced since the main wave of violence hit in October 2014.

The gravity of the violence is accompanied by an unusual opacity: years after the killings began, it remains extremely difficult to identify the perpetrators. Despite the unusual scale of violence, there have been no comprehensive investigations into the violence. This report by the Congo Research Group (CRG) presents new evidence that uncovers the identities of some of the perpetrators of the mass killings, assesses their motivations, and examines why the violence has been so difficult to parse.

Violence in Beni is often attributed to the Allied Democratic Forces (ADF), an Islamist armed group that crossed from Uganda to Congo in the early 1990s.<sup>2</sup> This focus, however, elides the deep roots that the ADF has put down in the region and the intimate involvement of several other armed groups in the violence around Beni. Local observers have often noted the involvement of the national army, local militias, or “*enfants du milieu*” in the killings. Preliminary investigations by the UN Peacekeeping and Stabilization Mission in Congo (MONUSCO), the UN Group of Experts, and national parliamentarians have found evidence of a broader range of perpetrators, including mixed groups of combatants that join for operations.<sup>3</sup> However, these analyses have fallen short of a comprehensive account for the violence.

This report divides those responsible for Beni's killings into “first movers,” drawn primarily from local armed groups and the ADF; and “second movers” linked to pro-Kinshasa networks in the national army who sought to build influence in this opposition stronghold by coopting local rivals, escalating the violence, and organizing mass killings. Both sets of actors have worked through the same local militias for disparate political ends—part of a political jockeying that left even direct witnesses of attacks unable to make sense of the perpetrators.

This complex array of networks draws on the history of violence in the region. Since the 1980s, persistent, albeit fickle, links have grown between three key sets of actors: the ADF, local militias linked to customary chiefs, and networks of former officers of the *Armée populaire congolaise* (APC), which was the armed branch of the *Rassemblement Congolais pour la Démocratie/Kisangani-Mouvement de Liberation*, RCD/K-ML) rebellion. These relations offered Congolese militias an important resource—the ability to use the ADF identity as a cover for their activities when it was politically expedient.

With these relationships as a backdrop, CRG finds that the original actors, or the “first movers” behind the killings, emerge from the mobilization of armed networks in Beni during the M23 rebellion in 2012 and 2013. During this period, ex-APC officers sought to lay the groundwork for a new rebellion in Beni, the ADF maneuvered to stay alive, and local militias from minority communities—especially the Vuba and Bapakombe communities—tried to reassert their control over land and political power. This wave of mobilization led to a first wave of machete attacks along the Congo-Uganda border in 2013.

When large-scale massacres erupted around Beni in October 2014, however, a different dynamic was soon on display. Direct participants explained that the ADF, ex-APC and local militias continued to play a prominent role in these attacks on civilians. Perversely, however, the Congolese army also became involved in the killings in an effort to coopt and weaken its rivals. This change in strategy occurred when leadership of the Sukola I military campaign was handed over to General Muhindo Akili Mundos in late August 2014; Mundos was then personally involved in organizing and carrying out killings. Adding another layer of complexity, all groups operated through relations with Kinyarwanda-speaking combatants, whose presence in this area of Congo has puzzled analysts.

In face of this complexity, the responses by the Congolese government and its foreign partners have been inadequate. While the initial Sukola I operations aggressively targeted the ADF—at the cost of the lives of hundreds of Congolese soldiers—the subsequent commander of operations became complicit in the killing himself. This reflects poorly on the military operations of the United Nations peacekeeping mission, which provided uncritical support to the Congolese army throughout much of this period. More generally, it demonstrates that a purely military strategy will be insufficient to stabilize this area. Instead, supporters of armed violence should be arrested, while the Congolese government and donors should take steps to attenuate cynical manipulations of armed groups, understand linkages between violent networks and the state, and to promote reconciliation among local communities.

This report is the result of research conducted by a team of CRG researchers between 2015 and 2017. Together, they interviewed 249 sources, including 34 perpetrators and 22 other eyewitnesses to the killings. We have also obtained evidence from internal United Nations reports, transcripts of speeches given by ADF leaders, and signed arrest records documenting participation in the mass killings.



### **Recommendations:**

- The office of the Congolese chief military prosecutor should expand its investigation to examine the involvement of senior FARDC officers, including General Muhindo Akili Mundos and his staff.
- Congolese parliament should set up a serious parliamentary inquiry into the violence, with the mandate to question FARDC officers and other actors involved in the conflict.
- MONUSCO should suspend military cooperation with the FARDC around Beni pending their own internal investigations into the massacres, FARDC complicity, and MONUSCO's own conduct.
- In general, MONUSCO should shift investments from military support to the FARDC to intelligence gathering and analysis in order to map relations among violent networks, including within the national army.
- Donors should support opportunities for displaced persons who are unable to return to land to build sustainable economic livelihoods and, in the absence of a functional national demobilization program, should support local DDR initiatives.
- Provincial authorities should undertake a comprehensive and public registration of Kinyarwanda-speaking migrants in southern Ituri and Beni territory in order to attenuate communal tensions.
- The provincial assembly of North Kivu should launch its own fact-finding mission, with a focus on understanding the social dynamics that led to the participation of local chiefs in the violence, in view of proposing long-term reconciliation initiatives.
- The United Nations Security Council should take action on the reports submitted by the UN Group of Experts and sanction individuals involved in the violence around Beni.
- Acting under Article 58 of its Charter, The African Commission on Human and People's Rights should constitute an investigative team to establish responsibility for the massacres around Beni between October 2014 and December 2016.
- The Ugandan government should set up a comprehensive demobilization, deradicalization and reintegration plan to reduce recidivism of ADF returnees, and it should implement a national strategy to counter the radicalization of its vulnerable citizens to ADF recruitment.
- The Ugandan and Congolese governments should strengthen their border controls to prevent cross-border smuggling and recruitment by armed groups.

*The Congo Research Group is a non-profit, independent research center based at New York University's Center on International Cooperation. For further information, visit us at [www.congoresearchgroup.org](http://www.congoresearchgroup.org) or send an email to [info@congoresearchgroup.org](mailto:info@congoresearchgroup.org).*

## 1. INTRODUCTION

This report traces the development of the mass killings in Beni and the groups participating in them. More than simply identifying perpetrators, the violence requires understanding a set of strategies that have often gone overlooked. Reflecting the long history of militarization in eastern Congo, the nature of armed group organization in Beni places diverse armed groups in complicated relations with one another. Among the Congolese groups, alliances can shift abruptly as rivals are bought off and assimilated, often defying any clear ideology or notions of loyalty. Given the weakness of the armed groups involved, and a cynical Congolese political culture, protagonists in the conflict often prefer to coopt and infiltrate their rivals rather than defeat them militarily, even when this comes at a cost to the local population. Although the report describes the particularities of Beni, the dynamics of duplicity, opportunistic coalition building, and links spanning armed groups and the national army are relevant to understanding conflict elsewhere in the Congo.

Much of this report is dedicated to describing and understanding the protagonists of the conflict in Beni territory. Stretching along the Congo-Uganda frontier, Beni and the adjacent Lubero territory make up the Grand Nord of North Kivu province. This area was the base of the *Rassemblement Congolais pour la Démocratie/Kisangani-Mouvement de Liberation* (Rally for Congolese Democracy/Kisangani-Movement for Liberation, RCD/K-ML) rebellion and its armed branch, the *Armée Populaire Congolaise* (Popular Congolese Army, APC) during the Second Congo War. While several armed networks linked to this former rebellion have persisted in the Grand Nord, they have been largely overshadowed by insurgencies in the southern part of North Kivu.

Instead, Beni is arguably best known for a foreign armed group that sought refuge on its soil in the early 1990s: the Ugandan ADF. Nearly all academic or policy papers on the ADF highlight its deep roots in local society, including its significant proportion of Congolese troops, business agreements with local chiefs, intermarriage into local society, and ties with other armed groups.<sup>4</sup> Yet the myth of the ADF as a purely external actor has persisted, compounded by its Islamist origins and reputation for secrecy.<sup>5</sup> Fabricated claims of the ADF's connections with international terrorist networks have embellished this image, providing a convenient screen for other armed actors to deflect attention from domestic sources of violence.<sup>6</sup> Our findings emphasize that the ADF is indeed a dangerous armed group, and that it played an important role in carrying out Beni's mass killings. However, the ADF acts within a broader conflict environment, where it operates alongside other armed groups.

### Methodology and Sourcing

This report draws on 249 separate sources with direct knowledge of the mass killings or active armed groups in Beni. CRG researchers carried out interviews, sometimes on multiple occasions, with 220 sources and consulted an additional 29 records, including signed legal statements of perpetrators' testimony as well as demobilization interviews conducted by the UN peacekeeping mission.

Table 1 summarizes these sources. Some sources straddle multiple affiliations: for example, perpetrators may also be ex-APC, ADF, or local authorities. For this reason, the number of sources presented by category is not equivalent to the total number of sources consulted.

**TABLE 1. Sources for CRG Research**

<b>ADF</b>	<b>52</b>
ADF elements interviewed	26
ADF collaborators interviewed	10
Additional testimony of suspected ADF (obtained from MONUSCO)	16
<b>Ex-APC and affiliated network</b>	<b>72</b>
Ex-APC officers and combatants	46
RCD/K-ML and ex-APC support network	26
<b>Local militia members and supporters</b>	<b>28</b>
Mayangose militia	16
Vuba militia	13
<b>State security services</b>	<b>26</b>
FARDC	17
State intelligence (civilian and military intelligence)	9
<b>Perpetrators and planners of mass killings</b>	<b>34</b>
<b>Direct witnesses of mass killings</b>	<b>22</b>
<b>Local authorities</b>	<b>66</b>
Customary chiefs	12
Administrative (e.g., state bureaus, administrative chiefs, ICCN)	29
Civil society	17
Kyaghanda-Yira cultural association	8
<b>UN Peacekeeping Mission</b>	<b>7</b>

CRG consulted investigative reports of the UN peacekeeping mission, the UN Group of Experts, and the Government of the Democratic Republic of the Congo, as well as photographic evidence and participants' arrest statements. To shed light on the inner workings of these groups, team members met with self-described participants and recruiters. Since rank-and-file combatant often lack insight into hierarchies' decision-making, CRG also met with intermediaries with knowledge of the planning and relied on rank-and-file participants to study the composition of groups perpetrating attacks. Almost all of these reports were conducted confidentially to protect the sources and to obtain access to their testimony. For similar reasons, the identity of the researchers employed for this project also remains confidential. CRG is grateful to this research team and to the report's anonymous main author.



The report proceeds as follows. The next chapter, Chapter 2, provides an overview of Beni's mass killings, introduces the key actors involved, and summarizes our findings. Chapter 3 develops the background for the killings by tracing the emergence of armed groups in Beni between the 1980s and 2010, linking them to developments in national politics. In describing these networks—which connect the ADF, the APC, and local militias—we clarify characteristics of the violence, such as the tendency for mixed groups of combatants to conduct operations together, and the difficulty of identifying perpetrators.

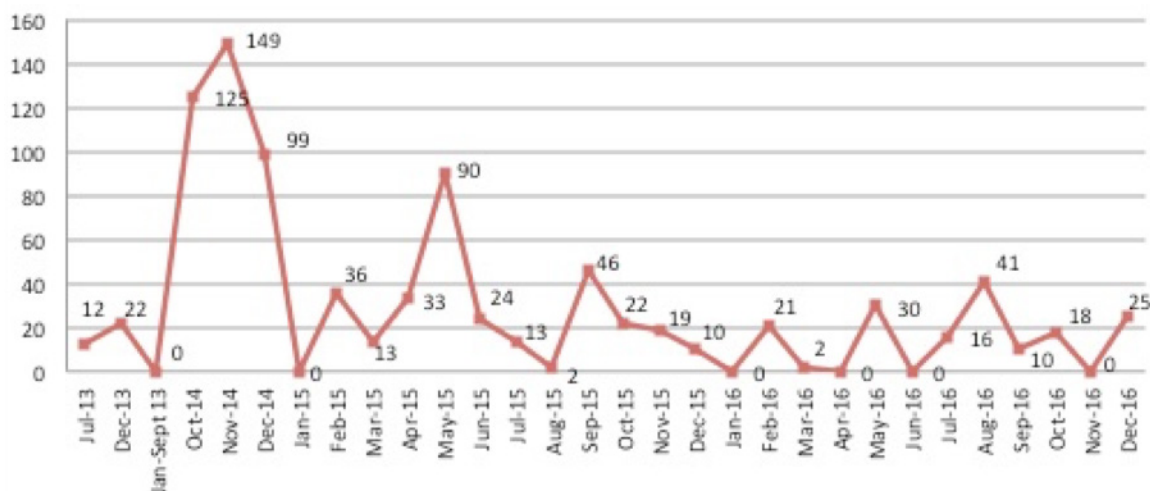
From here, Chapter 4 examines the mass killings. The first section of this chapter addresses a first set of killings unfolding in July and December 2013 along the Congo-Uganda border. A second part illustrates how the interests behind these attacks—linking ex-APC affiliates to the ADF, local militias, and Kinyarwanda speakers—represent the first movers in the subsequent wave of 2014 attacks. We then describe the transition between first and second movers when members of Sukola I tried to coopt these initial networks, continuing and escalating the violence. Subsequent sections of this chapter examine the evidence of ADF involvement in the killings and analyze potential explanation for Kinyarwanda speakers' participation in the attacks.

## 2. OVERVIEW OF BENI'S MASS KILLINGS

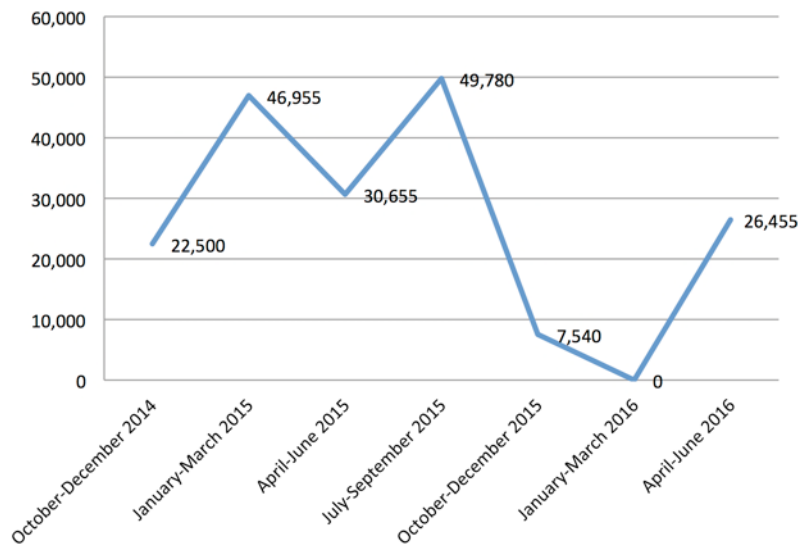
Certain aspects of the violence around Beni are relatively clear: how many people were killed, where, and when. It is much more difficult to identify the perpetrators and to understand their motives. In this section, we first describe the broad sequence of events during the killings, then present an explanation for the killings based on our field research. We provide a more detailed account of the sequence of actions, the actors and their motivations in Chapters 3 and 4.

Over 800 people were killed and 180,000 displaced between October 2014 and December 2016, coming on top of an earlier rash of an estimated 800 kidnappings.<sup>7</sup> Some patterns are easy to detect: the largest killings happened early on, and the frequency of killings peaked in early 2015, while the targets of the attacks shifted slightly from civilians to military installations over this period. The attackers mostly used machetes and crude weapons, although some also used firearms, and victims were often bound before they were killed.<sup>8</sup> Charts 1 and 2 present estimates of civilian deaths and displacement over the course of main wave of violence. Map 1 illustrates the geographic progression of the attacks over time.

**CHART 1. Civilian Deaths in Beni's Mass Killings (July 2013-December 2016)**



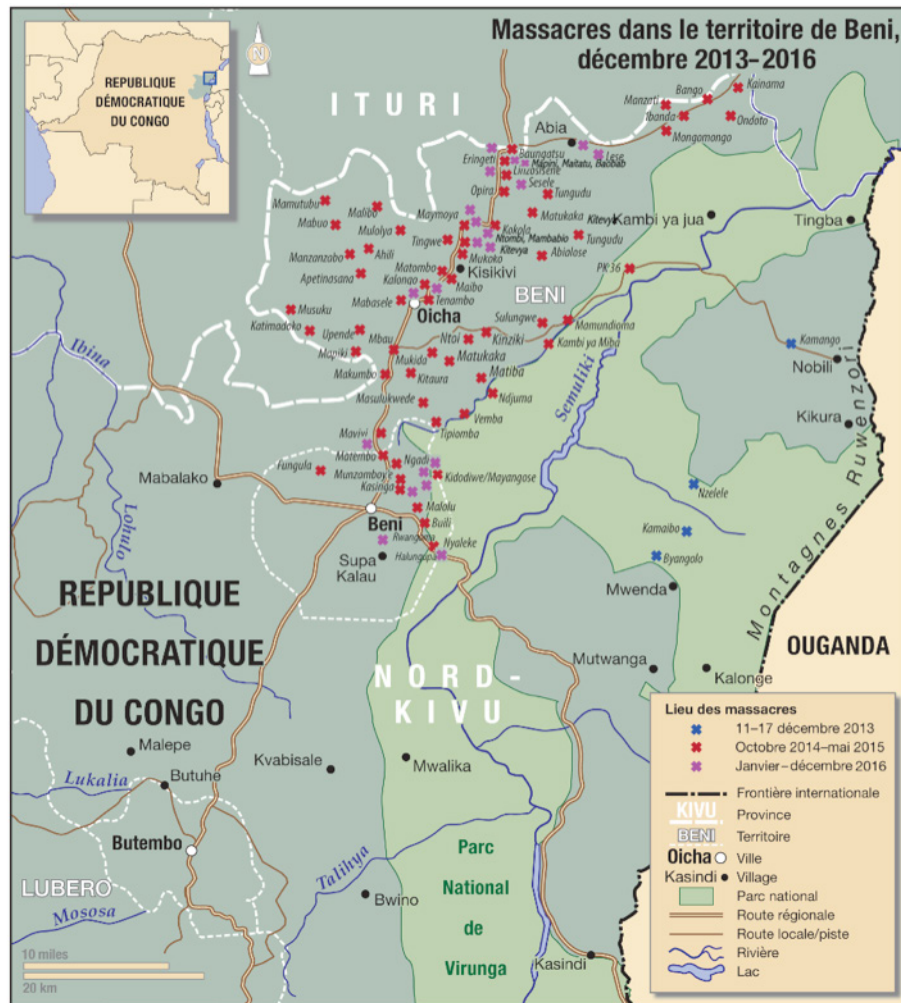
The killings can be divided into three overall waves. The first wave began with isolated attacks in July and December 2013 in Watalinga *chefferie* and Ruwenzori *secteur* along the Congo-Uganda border. These killings were smaller in scope than those that followed roughly a year later, but certain aspects of the attacks—especially the use of machetes, the targeting of local chiefs, and perpetrators joining from different armed groups—reappeared in the second wave of violence of 2014. CRG interviews with perpetrators indicate that killing squads in the 2013 attacks included the ADF, but also ex-APC officers and combatants seeking to launch a new rebellion, and local militia seeking to fight back against their perceived marginalization.

**CHART 2. Population Displacement during Beni's Killings**

In January 2014, the Congolese army, backed by MONUSCO, launched a large offensive against the ADF, known as Operation Sukola I. Both the ADF and the FARDC suffered hundreds of casualties as the offensive pushed the ADF out of its longtime strongholds in the foothills of the Ruwenzoris and the Semliki Valley. Jamil Mukulu, the commander of the ADF, left the country, his group fled in different directions, and its members faced starvation in the Virunga National Park.<sup>9</sup> On the side of the Congolese army, the two first commanders of Sukola I were killed, both in mysterious circumstances, leading to the nomination of General Muhindo Akili Mundos as the head of operations in late August 2014. Under General Mundos, operations against the ADF stalled and a new wave of massacres began.

The killings that began in Beni territory in October 2014 constitute the second wave of violence. This wave was more brutal than anything this region had seen in recent history. The largest attack killed an estimated 80-200 people with crude weapons, including women, children, and the elderly. Attacks in this period shifted toward new centers of violence in Beni-Mbau secteur (Map 1). Killings began as small-scale attacks in early October with two to three victims before larger attacks broke out in Oicha and Boikene localité (including in the villages of Ngadi, Kadou and Vemba) later that month. The attacks at Ngadi and Kadou drew the first significant national and international attention to the massacres. The largest single massacre occurred on November 20, 2014 at Vemba, with a death toll announced at 80, although perpetrators describe killing closer to 200 civilians.<sup>10</sup> The focus of the killings then shifted northward to Bambuba-Kisiki groupement. Attacks centered along the National Road #4, which leads from Beni town to Ituri province. As killings continued, residents fled their homes, leaving villages along the road north of Oicha largely vacant.

### MAP 1. Geography of Beni's Mass Killings (July 2013-December 2016)



Following widespread suspicion of his involvement in attacks, General Mundos was redeployed away from Beni in mid-2015 to nearby Mambasa, in Ituri. Some of his troops were transferred to Komanda, just north of Beni, where large camps of displaced people from Beni territory had formed.<sup>11</sup> General Marcel Mbangi Mashita took over as the head of Sukola I in June 2015.<sup>12</sup> Since Mundos' transfer, the violence has grown more sporadic and less deadly. After September 2015, most of the attacks involved firearms, while earlier killings were predominately committed by machetes.<sup>13</sup>

A new shift in conflict dynamics emerged in mid-2016, arguably forming a third wave of violence, and seeing the rise of new armed groups. This wave coincided with renewed military operations against ADF. A string of massacres killed 30 civilians near Eringeti in May 2016 and spurred protests throughout Congo. Sukola I leaders redoubled efforts against the ADF later that month, arresting dozens of rebels, including the ADF second-in-command, in June. New militias began emerging during this period, purportedly as self-defense groups to protect the local population.

The largest massacre of 2016 occurred in August in the Rwangoma neighborhood of Beni city. Attackers used crude weapons, mostly axes and machetes, to kill at least 36 civilians.<sup>14</sup> This site had been the target of a Mai-Mai attack against a new FARDC base at Rwangoma the month before,<sup>15</sup> and it followed weeks after FARDC drove the ADF from its base at Mwalika. One militia formed during this period, the Corps du Christ, took the rare action in October to attack MONUSCO. The offensive coinciding with other attacks against FARDC that month<sup>16</sup> and a spate of intermittent killings on the outskirts of Beni city. It was in this context that a large prison break was orchestrated in Beni in June 2017, freeing an estimated 900 prisoners.<sup>17</sup>

This sequence of these events between 2013 and 2016 is relatively clear. The protagonists, however, are shrouded in mystery. This is unusual for the eastern Congo, where researchers have been usually able to discern the main perpetrators and their supporters in major bouts of violence. It is clear that armed actors around Beni have invested substantial resources to dissimulate their actions, create distractions, and intimidate potential traitors.

These strategies of obfuscation play out in many ways. Participants describe fear of retaliation for sharing information about their armed groups. Eyewitnesses find it difficult to identify perpetrators;<sup>18</sup> perpetrators have adopted the garb of their rivals or collaborators to deflect blame, donning FARDC uniforms or robes associated with Islam.<sup>19</sup> Others wear simple camouflage uniforms that are used by many different armed groups.<sup>20</sup> As an FARDC intelligence source warned, “the perpetrators tried to create a diversion by speaking many languages and clothing themselves at one moment in FARDC uniforms and another as Muslims.”<sup>21</sup> Similarly, one perpetrator explained that the composition of killing squads was intended to conceal their identity, explaining “we adopted the mode opératoire of the ADF in order to dissimulate.”<sup>22</sup>

### **The role of the ADF**

In public and internal conversations, the Congolese government in Kinshasa has, for the most part, insisted that the ADF are to blame for the killings. International press accounts and the United Nations also reproduced this rhetoric.<sup>23</sup> The logic appears to be solid: by mid-2014, the ADF had been pushed out of their main strongholds, had suffered heavy casualties, and were desperate. The ADF have also committed mass atrocities in the past—most notoriously, the burning alive of at least 50 students in at the Kichwamba technical school in western Uganda in 1998.<sup>24</sup> In this context, some United Nations officials and diplomats have interpreted the killings as an attempt to alleviate pressure on ADF camps by drawing FARDC to other locations closer to population centers.

We find that the ADF played an important role in the conflict. According to defectors, as well as Ugandan and Congolese military intelligence, the ADF participated from the beginning in the killings.<sup>25</sup> ADF faced a significant threat from Sukola I, and participated in killings to intimidate civilians from collaborating with the FARDC, enforce their local extortion rackets, and prevent further attacks against their camps. Despite suffering heavy casualties, the ADF maintained most of its command structure during the attacks.<sup>26</sup>



However, the ADF alone cannot account for all of the killings or explain the most puzzling aspects of the violence. An exclusive focus on the ADF fails to recognize that this Ugandan armed group had been active in eastern Congo since 1995, forging deep ties with local armed groups. More importantly, it also ignores a rich body of evidence, including reports from the Congolese government, civil society, and various United Nations bodies, that finds evidence of participation by a wide variety of actors.<sup>27</sup>

While the United Nations has often placed the blame for the violence on the ADF, internal UN reports paint a more complex picture. One of the first UN reports about the massacres noted that local militias operated “under the ADF umbrella” to kill.<sup>28</sup> Another early UN intelligence report identified a “new armed group” consisting of “demobilized APC, Ugandans, former M23, Tutsi” and local combatants that was different from the ADF but operated in a possible alliance with it.<sup>29</sup> Other internal UN reports emphasized ADF’s linkages with local armed groups, describing the ADF as the “main supplier or facilitated access to war supplies for some Congolese Mayi Mayi groups [and] developed relations with outcast Congolese politicians (Nyamwisi),”<sup>30</sup> and noted meetings between ex-APC commanders, ADF, and ex-M23 “to draw up a common strategy (alliance).”<sup>31</sup> These reports help to focus attention on the need to identify the full range of participants standing behind the killings and to examine the relations among perpetrators.

Similarly, Congolese intelligence officials have stated that the ADF committed some attacks, but that other local combatants were also involved.<sup>32</sup> The United Nations Group of Experts also noted that local militias carried out some attacks,<sup>33</sup> especially surrounding Beni town.<sup>34</sup> Customary chiefs and many residents have also openly discussed the involvement of locals in the killings,<sup>35</sup> arguing in one case that “the kidnappings and massacres could never occur without the involvement of the *enfants du milieu* who facilitate them.”<sup>36</sup> An investigation by Congolese parliamentarians implicated the national army in facilitating attacks, while military courts have condemned local Mai-Mai groups for some killings and interrogated them for relations with Sukola I commanders during attacks.<sup>37</sup>

A convincing explanation of the killings must account for the puzzling aspects of Beni’s violence. First, existing research has found that killers joined from diverse linguistic backgrounds, including a strong presence of Kinyarwanda speakers, indicating a perplexing web of coalitions. An explanation for the violence must therefore account for the mixed composition of the killing squads and demonstrate how these groups of erstwhile competitors formed. Second, an explanation must account for the timing of attacks, which broke out as FARDC pressure against ADF waned. Finally, the participation of FARDC in not only facilitating, but in actively organizing mass killings is unprecedented in Congo. An explanation must account for the motivations for this scale of violence from state actors.

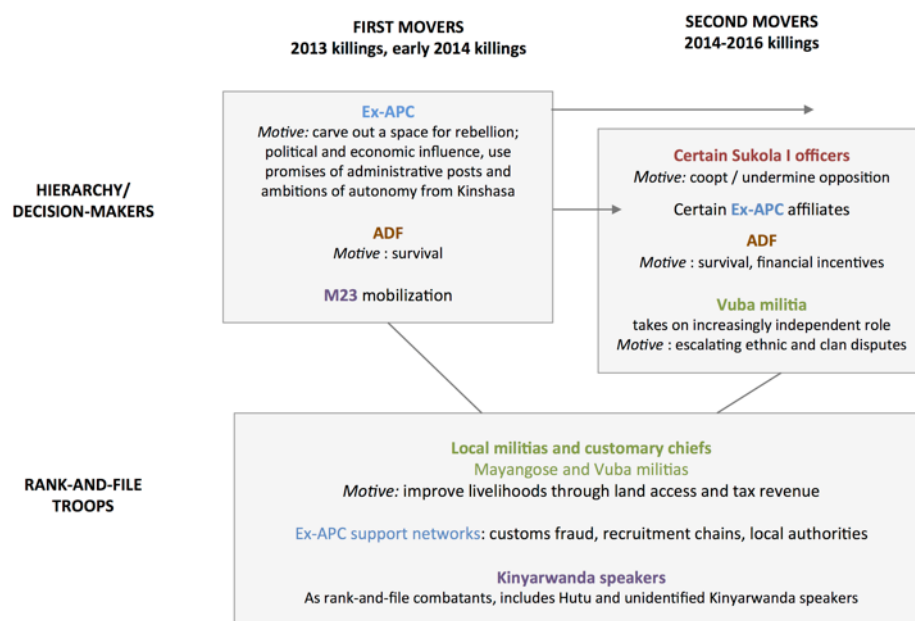
## **Who was responsible for the killings?**

The conclusion of eight months of CRG research, which consulted 249 sources, including eyewitnesses and perpetrators, provides a more complicated and sometimes ambiguous story. While the ADF participated in many of the massacres, it is clear that several overlapping networks of actors were also involved, waxing and waning in prominence, sometimes collaborating and other times competing with each other. Specifically, it is clear that ex-APC officers initiated the massacres that began in 2013, in conjunction with partners, including the ADF and Kinyarwanda-speaking combatants. At some point in mid to late 2014, government agents were able to penetrate these networks that organized attacks. Instead of bringing the perpetrators to justice, however, they appear to have coopted these networks and continued the violence. All sides benefitted from being able to blame a foreign, Islamist organization for the killings.

Our research is not able to definitely confirm who was at the head of some of these networks, or to comprehensively attribute responsibility and causality in what is a complicated and highly secretive conflict. For example, we do not know whether Mbusa Nyamwisi was involved in the planning; in an interview with CRG, he rejected any blame, but confirmed that ex-APC officers were involved, arguing that they had done so after having been coopted by Kinshasa. We also do not take a position on the active involvement of the Congolese military hierarchy outside of Sukola I. While it is clear that the FARDC failed to investigate and sanction its officers despite repeated serious accusations against them, we cannot conclude that Kinshasa gave orders to General Mundos and his colleagues to carry out the killings, although it would be difficult for Kinshasa to be unaware of their undertakings.

CRG research finds that the killings feature mixed groups of combatants instead of cohesive groups with singular political agendas. These networks included former members of the APC (from here on, the “ex-APC”), the Congolese army, local militias (namely, Mai-Mai Mayangose and the Vuba militia), and Kinyarwanda-speaking combatants. They also involve FARDC officers from within Operation Sukola I, who often facilitated safe passage for assailants and, in some cases, organized the killings. Relations among groups do not imply that they work in perfect coordination, but that they interacted closely toward individually opportunistic ends.

Figure 1 sorts these actors according to their different roles in the killings. It distinguishes “first movers” who initiated the killings from “second movers” who organized massacres in response to the first movers. We make another distinction between leaders who provided the primary impetus for the attacks, and rank-and-file combatants who carried them out. As the figure illustrates, first and second movers draw on the same tactics, rank-and-file recruits, and local intermediaries, compounding the opacity of violence. Rather than a remote, extraneous actor, we find that the ADF is deeply embedded in these relationships.

**FIGURE 1. Allocating Responsibility among Actors in Beni's Mass Killings****First movers**

Our research shows that the origins of the massacres do not stem simply from an ADF reaction to the Sukola I operations, as is often suggested, but also from armed groups that mobilized in Beni during the period of the M23 rebellion between 2012 and 2013. Ideas for mass killings stemmed at least partially from ex-APC officers who searched for new means to safeguard their influence in the Grand Nord at this time. The RCD/K-ML transformed into a political party during the transitional government in 2003, yet a loose-knit network of former officers, local authorities, and ex-APC combatants persisted (see Box 1, “Note on labeling the ‘ex-APC’”). This network launched subsequent bouts of mobilization from 2006 onwards to contest economic and political power in the region, and remained closely integrated into trafficking in the area. Those involved with laying the groundwork for killings included Kakolele, his long-standing collaborator, Adrian Loni, and Edouard Nyamwisi, working in conjunction with ADF.

These ex-APC networks worked in tight collaboration with other groups, which had their own reasons for participating in the massacres. The ADF played a key role throughout all of the massacres, working in conjunction with ex-APC, local militia, and FARDC officers (particularly in the 2014 killings) at different points in time. Perpetrators of the 2013 killings describe carrying out attacks as mixed groups of ex-APC and ADF combatants.<sup>38</sup> Participants independently described joint recruitment chains, carrying out operations together, and living in camps that hosted both ex-APC and ADF. In these operations, ex-APC formed an impetus behind the early killings, but the balance of power and hierarchies for the individual massacres remains unclear. The ADF had its own motives for initiating violence to preserve trade routes and retaliate against the FARDC.

Eyewitnesses and perpetrators report the presence of Kinyarwanda speakers in the attacks, including in 2013.<sup>39</sup> One potential explanation for their involvement stems from documented troop exchanges between the ex-APC and the M23 at the time. Other ex-APC sources describe installing Kinyarwanda speakers from the Petit Nord to armed groups in Beni, which assisted in the December 2013 attack. These Kinyarwanda-speaking combatants reportedly represented rank-and-file participants in attacks, rather than decision-makers for the killings.

A final set of rank-and-file combatants came from local authorities and affiliated militias, which ex-APC officers often rely on for recruits and weapons trafficking. Ex-APC commanders and affiliates drew especially on the Mai-Mai Mayangose militia to organize armed groups in 2013 and to carry out some of the initial, and most deadly attacks in 2014. This armed group, based in Boikene localité along the outskirts of Beni city, provided an armed branch for ex-APC commanders across various periods of mobilization. Its precursor group organized as a farmers' militia during the Second War to protect access to farmland in the neighboring Virunga National Park, but around 2009 Chief Mbonguma Kitobi took over and deviated from these original objectives.<sup>40</sup> Since this time, Mbonguma's group worked closely with ex-APC officers and the ADF,<sup>41</sup> and the militia sometimes uses "ADF" or "NALU" as a pseudonym for its activities.

A second militia drew many combatants from the Vuba (or Bambuba) minority group in Bambuba-Kisiki groupement.<sup>42</sup> This militia operates in conjunction with the ADF and often with the Mayangose militia, with an aim to restore access to land, secure livable tax rates on land, and reserve influential posts for native populations.

### **BOX 1. Note on labeling the "ex-APC "**

This report adopts the terminology that participants use to describe themselves. There is no armed group officially named "ex-APC," but combatants often describe their group this way. State security services also use this label.<sup>44</sup> Key mobilizations of broad ex-APC networks occurred in 2010 and 2012 to 2013.

Clearly, not all former APC combatants or officers are linked to this structure, and by using this term we do not imply that all former leaders of the APC and RCD/K-ML are responsible for this group and its actions. Nonetheless, the term provides a conceptual tool to capture a common affiliation. It implies some base level of coordination, but not necessarily cohesion. It is important to highlight that some members of this network, for example Bwambale Kakolele, may have been working for the government and against the interests of other members of this group, for some time before the massacres began.

The ex-APC hold a loose goal of building influence or autonomy over Beni's political and economic affairs, including administrative appointments and lucrative trade.<sup>45</sup> This affiliation invokes real or imagined ties with former RCD/K-ML leader Mbusa Nyamwisi.<sup>46</sup> Some combatants in affiliated groups who were active during the period of the killings describe loyalty to Mbusa, although the nature of these ties is unclear.<sup>47</sup> The idea of Mbusa's political restitution in Congo can be used as a mobilizing tactic, even if he is not directly involved. CRG was not able to substantiate allegations that Mbusa was personally involved in this mobilization. Mbusa himself claims that these ex-APC officers were working throughout for the Kinshasa government.

## ***Second movers***

Pro-government networks in the national army, particularly within the 31st brigade of the Sukola I campaign acted as “second movers” for the killings. The best interpretation supported by available evidence is that FARDC leadership of Sukola I coopted preexisting groups, with a potential aim of weakening the opposition networks responsible for them. Instead of bringing an end to the violence, this approach fueled further killings.

The key figures in this process were FARDC commanders within the Sukola I operations who came to prominence when General Mundos took over as commander in August 2014.<sup>48</sup> Mundos and other Sukola I commanders recruited for killings. There are reliable reports that Sukola I officers met with local chiefs in Beni and sought ADF collaboration to do so.<sup>49</sup>

While it is difficult to know the exact thinking of the decision-makers, sources close to them describe that the leadership of Sukola I was more intent on neutralizing political opposition to the government than bringing an end to the violence. After its mobilization push weakened, ex-APC sources describe that they looked for a new strategy to maintain control and an armed base, including by killing civilians. CRG interviews show that certain Sukola I commanders learned of these plans, and responded in kind. Sukola I commanders infiltrated militias run by ex-APC commanders and local authorities, using the same rank-and-file combatants to carry out killings, and later arresting their erstwhile collaborators for the attacks.

As Mundos assumed leadership of Sukola I, appointments to the campaign suggest that Kinshasa aimed to infiltrate ex-APC networks and their allies. One important facilitator of this was Adrian Loni (aka “Muhumuza” or “Yesse”).<sup>50</sup> Collaborators describe that Adrian was introduced to the APC during the Second War and maintained close relationships with many ex-APC commanders and allied customary chiefs in its aftermath.<sup>51</sup> An influential local chief and known ADF collaborator said that “Adrian was their [APC] confidante since the time of the rebellion,”<sup>52</sup> and had worked alongside ex-APC officers to lay armed groups later used in killings. Adrian became a Lieutenant-Colonel in Sukola I through his connections in the Congolese government. From this position, he organized mass killings. Illustrating a similar pattern, another ex-APC officer closely involved in armed groups and kidnappings in 2013-2014, Muhindo Charles Lwanga, was appointed to Sukola I, also maintaining connections with local combatants involved in killings.

When Mundos was transferred away from Beni in mid-2015, Colonel “Tipi Ziro Ziro” facilitated attacks,<sup>53</sup> working with Vuba authorities and combatants to do so. Violence in Bambuba-Kisiki evolved in part into a clearer ethnic agenda to restore Vuba control vis-à-vis migrant Nande. These Sukola I officers involved in killings also facilitated the entry of Kinyarwanda speakers, to the area.

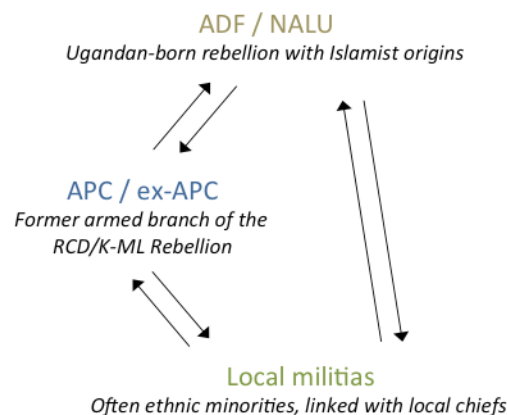
CRG finds that ADF remained active across these networks, maneuvering between these other armed actors at different points in time to gain from all sides of the violence. Specifically, perpetrators and witnesses identify the roles of ADF officers Feza, Baluku, and Braida in organizing and carrying out attacks.<sup>54</sup>



### 3. DEVELOPMENT OF BENI'S ARMED POLITICS (1980S-2010)

The dynamics that gave rise to the massacres are deeply rooted in the past. This section traces the development of armed politics in Beni that joins the ADF, local militias, and members of the former APC in fluid yet persistent relationships. Understanding this past helps to clarify puzzling aspects of the mass killings, such as the use of the “ADF” brand by several different groups and the links among different armed groups for joint attacks. Figure 3 depicts these building blocks of armed politics in Beni.

**FIGURE 2. Building blocks of armed politics in Beni**



#### ADF/NALU'S POLITICAL INTEGRATION (1980S-1997)

Beni occupies a critical place in the region, as both a prosperous town and a hub for armed groups. It is the entry point for much of the trade coming from East Africa, and its hinterlands provide large amounts of timber, gold, and palm oil for regional markets. At the same time, the Ruwenzori mountains have hosted rebellions from both sides of the border since the 1980s. These armed groups, especially the ADF, have forged strong ties with local political and customary elites from Beni's diverse ethnic groups.

While there have been armed rebellions in this region dating back to the colonial period, the junction between politics and insurgency was largely forged under President Mobutu Sese Seko. In his search for political influence in the region, Mobutu offered safe haven to regional rebellions.<sup>55</sup> These included the National Army for the Liberation of Uganda (NALU), which organized in 1986 with an aim to overthrow the Ugandan government. NALU soon crossed into Beni and settled along the border in the foothills of the Ruwenzoris.<sup>56</sup>

Mobutu supported NALU as means to nettle his Ugandan counterpart, and looked to Beni's leading political figure, Enoch Muvingi Nyamwisi, to do so.<sup>57</sup> A Nande from the foot of the Ruwenzoris, Enoch held a variety of ministerial posts in Mobutu's government and headed the *Démocratie Chrétienne et Fédéraliste/Nyamwisi* (DCF/N) political party. Enoch played a key role with the local Kasindiën militia, which trafficked in timber, gold, and ivory across the border, and which initially received support from Uganda to destabilize NALU.<sup>58</sup> Foreshadowing the kind of political duplicity that has become commonplace, Mobutu then used the Kasindiën to bolster recruitment for NALU, with Enoch's apparent help.<sup>59</sup>

Ethnic ties with Beni's populations also facilitated NALU's integration into local society. NALU was in many ways a successor to the earlier Ugandan Rwenzururu rebellion, whose aim was to restore the customary power of the Bakonjo and Baamba communities. These ethnic groups are affiliated to the Nande and Talinga communities in Congo, respectively, which share a common language and culture.<sup>60</sup>

In 1995, another Ugandan insurgency, the Allied Democratic Forces (ADF) organized, originating out of a dispute within the Ugandan Muslim community. ADF drew its membership from the Tabliq Muslim sect and military officers associated with the deposed President Idi Amin.<sup>61</sup> The group was quickly pushed out of Uganda into the Congo, where it merged with the NALU. (The NALU branch of ADF/NALU demobilized in 2007, although Beni residents still use "ADF" and "NALU" interchangeably). Under Mobutu's patronage, the ADF/NALU operated relatively freely, recruiting openly in Beni city's center, and receiving supplies from the Congolese and Sudanese governments.<sup>62</sup> Its members intermarried and established business ties with the local population.<sup>63</sup>

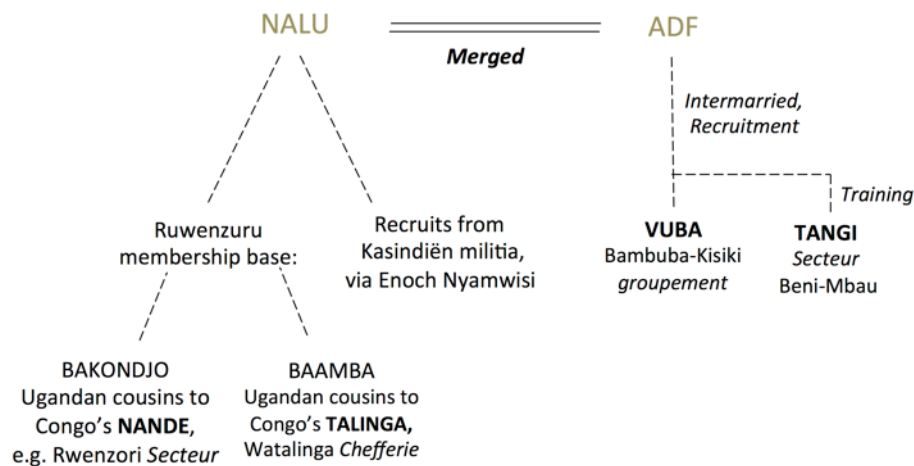
Political tides shifted as Mobutu's regime crumbled during the First Congo War (1996-97). The Ugandan army invaded northeast Congo and began targeting ADF/NALU positions. Under pressure, the ADF/NALU increased its reliance on local support.<sup>64</sup> Part of their troops sought safe haven in Bambuba-Kisiki *groupement* in northern Beni,<sup>65</sup> relocating some of their bases from areas where Nande are dominant to zones under Vuba customary authority.

The move reinforced ties between Nande politics, Beni's ethnic minorities, and ADF/NALU. Mateso Bwanadeke illustrates this balance well. A Vuba from Kisiki, Mateso was a friend of Enoch Nyamwisi and member of his DCF/N party.<sup>66</sup> He mobilized support for the DCF/N in Bambuba-Kisiki,<sup>67</sup> but also fiercely promoted the interests of the Vuba community, whose land was increasingly being bought by migrant Nande from Lubero territory. Mateso helped embed the ADF/NALU in Bambuba-Kisiki, and used his family ties to area chiefs to introduce the ADF/NALU to Vuba leaders and to recruit troops.<sup>68</sup> Local authorities and family members believe that Mateso's sister married into the family of Idi Amin,<sup>69</sup> some of whose military officers integrated into the ADF.<sup>70</sup> Deepening these linkages, Mateso's son, Winny Bwanadeke, later became the highest-ranking Congolese commander in the ADF/NALU, leveraging his family ties with the Vuba and Batalinga communities to recruit and gather intelligence.<sup>71</sup>

Similarly, Bambuba-Kisiki residents widely consider ADF/NALU officer Feza as having family ties in the *groupement* and treat him as a local (Feza is commonly described as a member of Mateso and Winny's family, although CRG could not confirm this relationship).<sup>72</sup> With this background, Feza became known locally as leader of Vuba combatants in the ADF.<sup>73</sup> Other ADF/NALU commanders, such as Braida, also later married into Vuba chiefs' families.<sup>74</sup>

Reflecting these linkages, it is common to hear such sentiments as: "for the Vuba, most support the ADF because they are their brothers and sisters"<sup>75</sup> and "it is us who installed the ADF."<sup>76</sup> Many Vuba combatants joined ADF/NALU, and the group purchased land for camps from Vuba chiefs and collaborated with them to traffic gold and timber.<sup>77</sup> These relations provided both military assets and liabilities, allowing Vuba chiefs to call on the ADF/NALU to intimidate migrant Nande as well as ADF/NALU to maneuver local disputes to its advantage.<sup>78</sup>

**FIGURE 3. ADF/NALU Social Ties with Beni's Various Ethnic Groups**



This social integration across Beni's various ethnic groups became consequential to the development of the area's armed politics. Local ties proved key to the ADF/NALU's survival, enabling it to remobilize after consecutive military campaigns.<sup>79</sup> On the flipside, these ties also required Beni's majority community, the Nande, to maintain good relations with minorities that joined ADF/NALU and received military training—this included the Vuba, Batangi, Batalinga, and Bapakombe.<sup>80</sup> The advent of a homegrown armed group in Beni during the Second Congo War reinforced this balancing act.

### **Second Rebellion (1998-2003)**

A new rebellion based in Beni and led largely by local Nande elites emerged during the Second Congo War (1998-2003): the RCD/K-ML. The rebellion was formed as a splinter faction, initially backed by Uganda, of the *Rassemblement congolais pour la démocratie* (Congolese Rally for Democracy,

RCD). Mbusa Nyamwisi became the RCD/K-ML's president in 2000, taking up the mantle as the Grand Nord's political leader, much as his late brother, Enoch Nyamwisi, had done in the 1980s and early 90s. (Enoch Nyamwisi was killed in 1993).

### **RCD/K-ML military collaboration with ADF/NALU**

The Second War constituted a precarious moment for ADF/NALU. The Ugandan military deployed large numbers of troops into the Congo. It launched Operation Mountain Sweep against the ADF/NALU in 1999 and attacked the group along the Congo-Uganda border in 2000.<sup>81</sup> Meanwhile, the RCD/K-ML's relationship with Uganda was contentious, and infighting within the group often placed Mbusa in tension with the government in Kampala.

Although officially at odds, mutual military need spurred collaboration between the ADF/NALU and the RCD/K-ML.<sup>82</sup> Combatants recounted the RCD/K-ML providing uniforms to the ADF/NALU during the rebellion in order to make them appear Congolese to the Ugandan army.<sup>83</sup> The groups established a joint camp at Kikingi (Watalinga), where ADF/NALU trained APC combatants.<sup>84</sup> According to national park authorities, RCD/K-ML soldiers were also present at Mwalika camp, commonly associated with ADF/NALU.<sup>85</sup>

Collaboration included some joint operations. One instance occurred in 2001 after Uganda attempted to merge the RCD/K-ML with another Congolese proxy (the *Mouvement pour la Libération du Congo*, MLC). The merger gave an upper hand to the MLC. In response, the RCD/K-ML drew on ADF/NALU support to attack the MLC, route the group from Beni, and secure Mbusa's control of the area.<sup>86</sup> As an ex-APC commander explained, "we saw the ADF was stronger than us, so we joined with them to fight."<sup>87</sup> International Crisis Group describes that ADF/NALU forged an "alliance" with Kakolele, Mbusa, and the RCD/K-ML this year.<sup>88</sup>

ADF/NALU also buttressed the RCD/K-ML in battles against rival militias.<sup>89</sup> As a Mai-Mai combatant recalled, "I went to fight against the coalition of APC and ADF; it was a coalition against the Mai-Mai who refused to support Mbusa."<sup>90</sup> Through these relations, combatants and state intelligence note that the APC drew some troops from ADF/NALU, and vice-versa, during the Second War.<sup>91</sup>

Some APC commanders maintained that their relationship with ADF/NALU aimed to infiltrate the group and gather intelligence on it. Key figures in APC intelligence such as Samuel Birotsho are said to have worked in this regard,<sup>92</sup> while Kakolele reportedly played a key role in the APC-ADF/NALU interface, such as by providing ADF/NALU with national army uniforms.<sup>93</sup>

### **Minority Militias, Administrative Posts, and the RCD/K-ML**

During the period of RCD/K-ML rule in Beni (2000-2003), local communities lobbied and mobilized to restore political power and land to Beni's "original" inhabitants.<sup>94</sup> Ethnic minorities sought to reclaim power and land from Nande migrants from Lubero who had become majority

landholders in some areas. This was particularly the case in Bambuba-Kisiki, where land was available for purchase at low rates.<sup>95</sup> Around the time the RCD/K-ML took control of Beni, members of the Vuba community joined with other minorities that held a common narrative of marginalization to organize a militia to secure land access and influential administrative positions (including in schools, churches, and hospitals).<sup>96</sup>

Although the RCD/K-ML was led by Nande, political opportunism outweighed ethnic agendas. Mbusa shored up his base by providing military training and uniforms to chiefs from Beni's ethnic minorities, with whom the ADF/NALU had already forged ties.<sup>97</sup> In doing so, Mbusa also played up his often-tense relationship with Butembo (Lubero's largest city and commercial center) for local gain. The RCD/K-ML was embroiled in conflict with Mai-Mai who were backed by Butembo traders and the powerful Catholic Church in Lubero.<sup>98</sup> Mbusa, who is Nande but grew up mostly in Beni territory, cultivated ties with Vuba community leaders and supported Oicha's protestant denomination that is closely linked with Vuba ethnic identity.<sup>99</sup>

Bapakombe chief Grégoire Kitobi also founded a militia during the Second War.<sup>100</sup> This community had been resentful for many years about the boundaries of the Virunga National Park, which it says encroaches on its chiefdom in Boikene. Mbusa redrew the park limits during the rebellion, extending the chief's territory and access to tax revenue, and receiving Kitobi's support in turn.<sup>101</sup> One of the members of the militia recalls: "the leaders who trained this group of Vuba and Bapakombe were from the APC. Mbusa trained the members so that he would arrive in power."<sup>102</sup>

The RCD/K-ML also formed smuggling rackets with local authorities.<sup>103</sup> As one machinist recalls of the timber trade, "I cut trees for Colonel Hilaire Kombi during the period of the APC of the RCD/K-ML... almost all of the RCD/K-ML officers exploited timber in Bambuba-Kisiki during that period."<sup>104</sup> Trafficking also reinforced the relationship with the ADF/NALU.<sup>105</sup> Kakolele brought combatants to the ADF/NALU during the war, on the pretext that they would harvest timber from his concessions.<sup>106</sup> He purchased land at Tchuchubo ostensibly to harvest timber, but helped to build ADF/NALU's camps, and smuggling conduits linking ex-APC, Vuba chiefs, and ADF/NALU, in the process.<sup>107</sup> A Vuba chief describes personally providing Kakolele a timber concession, noting "Kakolele was visible there with armed men. Curiously, it became an ADF camp."<sup>108</sup>

### **Post-Conflict Entangled Military Networks (2004-2010)**

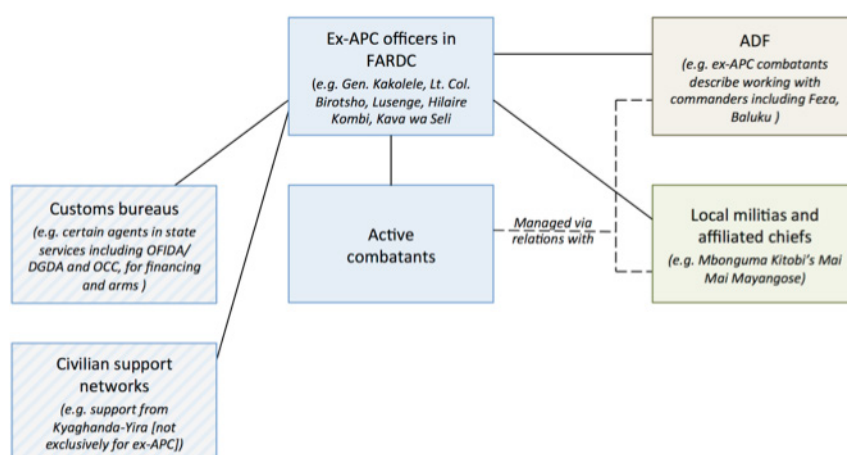
Near the end of the Second Congo War, the RCD/K-ML shifted course to ally with President Joseph Kabila in 2002, much to the dismay of his former Ugandan allies. Allying with Kinshasa provided the RCD/K-ML with a favorable arrangement in the Transitional Government (2003-2006). The RCD/K-ML transformed to a political party and Mbusa Nyamwisi was appointed minister of regional cooperation (2003-2006) and later foreign minister (2007-2010). Many RCD/K-ML integrated into the government, and ex-APC officers gained key military intelligence posts.<sup>109</sup>



Political reunification aimed to integrate the main belligerents into a national army, but also spurred resistance by military actors apprehensive that demobilization could compromise their economic and political interests. Even though the RCD-K/ML had become a political party, it maintained its sphere of military and economic influence. The ex-APC maintained weapons caches;<sup>110</sup> as one commander recalls, “they did not want to integrate into the FARDC with all their arms.”<sup>111</sup>

Ex-APC commanders continued to foster ties with allied groups, militias, and authorities. Summarizing the relations described below, Figure 4 depicts the loose structure of ex-APC influence that emerged in the post-conflict period between 2003 and 2010.

**FIGURE 4. Maintaining an ex-APC post-conflict sphere of influence**



Ex-APC networks remained capable of providing patronage to their loyalists by naming them to administrative posts, in particular at the Kasindi border, where custom agents helped smuggle arms and ammunition.<sup>112</sup> Weapons continued to enter, and an arms trafficking study reported “strong indications that a network of high-ranking ex-APC officers and civilian authorities was involved in arms trafficking operations from Uganda to Beni through Kasindi” during the transitional government.<sup>113</sup> According to government records, branches of the OFIDA customs bureau in Beni still openly collaborated with RCD/K-ML in 2005.<sup>114</sup>

Certain chiefs acted as intermediaries for ex-APC commanders by guarding weapons caches or managing combatants.<sup>115</sup> One prominent chief bluntly recalled that, “the arms that Ugandan General James Kazini sold to Mbusa, even after the reunification, passed through me.”<sup>116</sup> The Bapakombe militia remained an important ally.<sup>117</sup> As one local authority describes, ex-APC officers, “know the forest of Mayangose very well, that serves as their *maquis* when their leader is in difficulty.”<sup>118</sup>

Many ex-APC soldiers remained in Beni.<sup>119</sup> As International Crisis Group noted, “Nyamwisi retain[ed] good command of his troops in the Beni-Lubero region on the Ugandan border” during the transitional government.<sup>120</sup> As an ex-APC officer described activities at reunification:

We did not all integrate. One part went to the government. Another part stayed here as “demobilized” combatants, who lived as civilians. Some of these were a group of nationalists who did not demobilize, but who would stay in the town as reserves, as the militia of the town.... I am a Major in the reserves. We stayed well in the town, we were not worried, because the whole government [of Beni] supported the RCD-K/ML.<sup>121</sup>

Other ex-APC remained active combatants outside of the military.<sup>122</sup> The Beni office of MONUSCO observed that some ex-APC remained active in the Semliki valley during the transitional government.<sup>123</sup> As one ex-APC explained, “at the time of *brassage*, some soldiers didn’t leave [the forest]. They stayed: a battalion there, a brigade there.”<sup>124</sup> A decade later, MONUSCO noted that the estimated 1,000 ex-APC combatants in Beni created a persistent source of insecurity.<sup>125</sup>

Parallel command chains linked ex-APC in and outside the national army.<sup>126</sup> Certain ex-APC officers who remained in Beni, such as Samuel Birotsho, stayed in contact with these “demobilized” combatants.<sup>127</sup> An ex-APC officer described: “At the reunification of the country, I opted for demobilization. But, I continued to work under another form... Birotsho continued to use me in intelligence, given my experience. Certain ADF commanders, like Feza and Baluku, worked with me.”<sup>128</sup> As this quotation implies, the ex-APC looked to relations with the ADF to help preserve a sphere of influence.

### **Ex-APC Relations with ADF/NALU (2003-2010)**

The Second War had weakened the ADF/NALU. Ugandan military campaigns had reduced the group to only a few hundred combatants, and the organization had lost its ability to penetrate into Uganda.<sup>129</sup> The ADF/NALU transformed from an organization intent on taking power in Uganda to one bent on its own survival, deeply involved in trafficking, and using a version of Islam to maintain behavioral codes within its camps. According to a former commander, “In 2003, the ADF realized they were fighting a losing battle [against the Ugandan government]. We started fighting a jihad.”<sup>130</sup> Yet, as the ADF/NALU looked to regroup, it did so “mainly through the recruitment of Congolese fighters,” which transformed the group’s demographics into an estimated 60 percent of Congolese combatants by 2007.<sup>131</sup> When its leader Yusuf Kabanda died, Musa Baluku took over as the field commander under the authority of Jamil Mukulu, who was often abroad.

CRG spoke with nineteen active and former combatants who described participating in relations between the ex-APC/ADF after the close of the Second War, two individuals who operated support roles to this group, including through recruitment and financing, and four additional direct observers of this collaboration including members of state security services.<sup>132</sup>

One member with direct knowledge explained this partnership at the end of the Second War:

It was a strategic measure for training... Their entry into the ADF was organized, but the problem was that they lacked Congolese instructors as a counterweight to the ADF. At first, it was strategic... troops were told, ‘you will go there to spy, to understand their training, and then we will create our own our bastion.’ The ADF accepted them in their group in order to have a Congolese branch.<sup>133</sup>

Senior ADF commander Winny recalled working with APC combatants in 2004 and stated that Mbusa left some arms with ADF at the end of the war.<sup>134</sup> In December 2005, the Congolese army and the UN peacekeeping mission then launched joint operations against the ADF for the first time, driving them largely out of their camps in the Ruwenzori mountains and forcing them to cross the Semliki river toward Eringeti. UN military observers noted that during the Operation Keba I military campaign in 2005, ADF/NALU divided into two groups, Ugandan and Congolese ADF/NALU combatants.<sup>135</sup>

National politics shaped these relations. A key juncture was the 2006 elections, in which Mbusa ran for president. Former armed group commanders who had integrated into the FARDC hedged their bets at elections by sending soldiers into the bush; for the ex-APC, frustration with military ranks, together with political pressure, led to a wave of defections from the army.<sup>136</sup> As the UN Group of Experts finds, during this period, many “combatants were also sent to the forest near Mwalika by their leaders, Antipas Mbusa Nyamwisi and...General Frank Kakolele....This group called itself ADF and had interactions with ADF.”<sup>137</sup> A senior UN official working in Beni at the time also observed that some ex-APC who did not integrate into the army “camouflaged” themselves as ADF.<sup>138</sup>

After his unsuccessful presidential bid, Mbusa became foreign minister in 2007. At least three separate sources—an ex-APC combatant, an RCD/K-ML cadre, and an FARDC commander—stated that Mbusa helped further ADF-APC relations from this position.<sup>139</sup> As a combatant explained, “When Mbusa Nyamwisi was the minister of foreign affairs, he built an enormous relationship with the ADF through dangerous ex-APC officers...in order to build a rear base.”<sup>140</sup> These relations extended to trafficking. As Romkema found in 2007, “the illegal exploitation of mineral resources in the Beni-Butembo region and in parts of southern Ituri is a joint venture of local businessmen, former RCD/K-ML leaders and the Ugandan rebels.”<sup>141</sup>

In 2007, the NALU branch of ADF/NALU took advantage of a demobilization deal with Kampala, and Jamil Mukulu took over as leader.<sup>142</sup> ADF begun negotiations with Kampala, but the emergence of the *Congrès National pour la Défense du Peuple* (CNDP) rebellion in eastern Congo stalled the talks. The ADF was further weakened, as the Ugandan army began to use ex-NALU officers in their operations against them. Despite these operations against them, however, the ADF refrained from large-scale killings of the kind that would come between 2013 and 2016.

Some ex-APC officers joined with the CNDP, but membership in armed groups was not exclusive. Two members of Congolese security services based in Beni reported to MONUSCO that Kakolele approached an ADF camp in December 2007 to request ADF reinforcements and to forge a coalition between the ADF and the CNDP.<sup>143</sup> ADF reportedly rejected Kakolele's request. Nonetheless, Kakolele, often operating as a free agent, forged another militia that reportedly "started to cooperate" with ADF.<sup>144</sup>

As a result of these connections, it is common for ex-APC commanders to recall this post-conflict period with statements such as, "I am an ex-APC and was also in the ADF" (here, referencing a period prior to 2009).<sup>145</sup> Ex-APC officers and combatants describe that they maintained relations with ADF officers such as Baluku and Feza<sup>146</sup> (currently, the head of the main ADF group and a senior operations commander, respectively). Many people describe Mbusa as still linked to these networks,<sup>147</sup> however CRG found no direct evidence to support or disconfirm this.

### **2010 Remobilization**

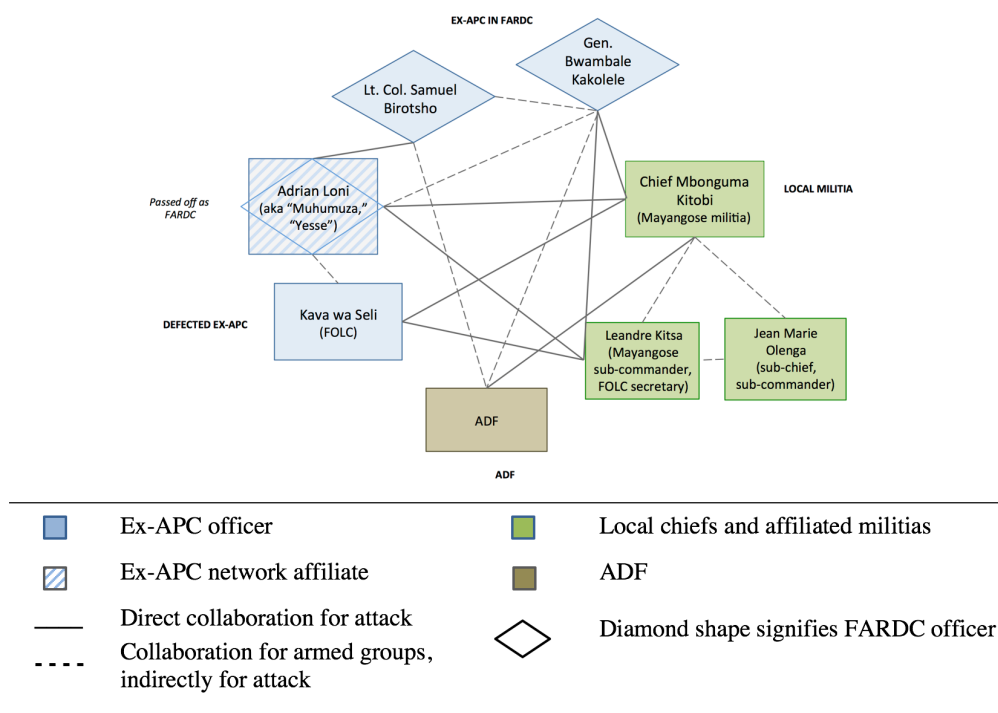
Ahead of national elections that were held in 2011, Mbusa Nyamwisi left President Kabila's ruling coalition and joined the political opposition. After another failed presidential bid, he took a seat as national parliamentarian in 2011, and soon left Congo to go into self-imposed exile.

As in the 2006 electoral cycle, ex-APC called for widespread defections in advance of 2011 national elections.<sup>148</sup> An ex-APC officer recounted, "At the government elections, the RCD/K-ML called on the army of the children [members] of the APC to go to the forest."<sup>149</sup> Insecurity in Beni grew in April in the aftermath of a meeting in Kampala that reportedly assembled RCD/K-ML leaders to plan a new rebellion.<sup>150</sup>

This period illustrates the persisting relations and blurred lines between ex-APC networks, local militias, and the ADF. The largest attack at the time, against the Nyaleke military base in April 2010, illustrates these dynamics. It also shows that key attributes of the later mass killings—such as mixed groups of combatants and relations with mysterious collaborators—were already laid.

#### ***Joint attack at Nyaleke: ADF, ex-APC, Mayangose militia***

The attack on Nyaleke killed an estimated 26 people, including women, children, and national park guards.<sup>151</sup> Ex-APC officers (Kakolele and Birotsho) in FARDC provided behind-the-scenes support, while defected ex-APC officer (Kava wa Seli) provided visible leadership, looking to an allied chief's militia (Mbonguma Kitobi's so-called "Mai-Mai Mayangose") and receiving support from ADF. Figure 5 depicts these relations.

**FIGURE. 5 Joint Attacks: Nyaleke Military Base (April 2010)**

Mai-Mai Mayangose provided one branch of forces that led the attack. As an affiliate described, “at the time of the vote, when Mbusa became a national MP and no longer got along with the President, he called on [Kitobi] to reinvest in the group that protected the town.”<sup>152</sup> Ex-APC Captain Kava wa Seli drew on ties with Mbonguma Kitobi’s militia (at the time, Seli led the *Force Oecuménique pour la Libération du Congo*, FOLC).<sup>153</sup> As Mbonguma describes, “we supplied the troops” and provided land for Seli’s combatants,<sup>154</sup> in exchange for promises of expanded access to land in the national park.<sup>155</sup>

The attack also reveals the close integration of Adrian Loni—a pivotal but enigmatic figure in subsequent killings—into Beni’s armed networks. Ex-APC officers, including Samuel Birotsho and Bwambale Kakolele, were standing collaborators of Adrian<sup>156</sup> and also supported the Mayangose militia and armed it for the attack.<sup>157</sup> Operating under his “Yesse” (or “Lesse”) pseudonym,<sup>158</sup> Adrian spent three days at Nyaleke prior to the attack, masquerading as an FARDC element under Birotsho’s military intelligence bureau<sup>159</sup> and acting as a “scout” for the assailants.<sup>160</sup> Adrian worked directly with chiefs and commanders of Mayangose militia,<sup>161</sup> which joined with Seli’s troops to carry out the attack.<sup>162</sup> International Crisis Group reports that the ADF joined militia members in the operation.<sup>163</sup> A similar confluence of actors and groups would feature in the Beni massacres more than three years later.

### ***Using the “ADF” logo***

During this remobilization, ex-APC networks and affiliates went to great lengths to conceal their identities. One strategy was to take on the “ADF” as a cover for their activity. Members of FOLC and the Mayangose militia commanders distributed a written threat in Beni town in 2010, which MONUSCO recovered. Instead of signing the warning with name of a Congolese group (such as FOLC or Mai-Mai Mayangose), these ex-APC and local militia combatants signed the threat: “*We, Commanders of [ADF]NALU army in Beni Territory.*” They bolstered a list of demands with the threat that “*NALU do not joke.*”<sup>164</sup>

Another brother of Mbusa, Edouard Batotsi Nyamwisi, helped spearhead the recruitment drive, leveraging his position as Chief of Ruwenzori Sector.<sup>165</sup> As an ADF collaborator explains, Edouard and the RCD/K-ML:

...saw they had lost posts in the government and wanted to create a new war... but they used the name of ‘NALU.’ They didn’t declare their own name, they did not want to be known. If they declared a name, their activities would be more easily tracked.<sup>166</sup>

The “ADF” logo holds some element of truth: Mbonguma and a sub-chief were arrested for exchanging weapons and supplies with ADF prior to the Nyaleke attack.<sup>167</sup> (See Section: “Boikene killings”, below ) Another combatant describes acting as the “intermediary” between ex-APC officer Kava wa Seli, Edouard Nyamwisi, and the ADF at this time.<sup>168</sup> The goal, he states, was to “to create a new rebellion of the [RCD]K-ML.”

### ***Ex-APC recruitment rhetoric***

Recruiters drummed up persisting fears that Beni’s natives had lost political sway, at a time when the RCD/K-ML had also lost administrative appointments, and knitting dispossession from administrative posts in common narrative with insufficient military ranks to incentivize defection. As a high-ranking ex-APC officer explained: “they saw that all the administrative posts were occupied” by non-natives so created a militia.<sup>169</sup> A recruitment tract dropped in May 2010 in Beni illustrates the linkage between administrative offices and militia politics, reading:

The children [natives] of Beni do not even occupy 10% of command posts in state offices and agencies. In our own town, we cannot tolerate such nonsense. Nowhere in this country are the autochthones so minimized in their own fief. The Nande cannot occupy a leadership post in the state enterprises in their own area; we cite: OGEFREM, SONAS, INSS, BCDC, Armée, PNC, DGI, OCC, D[GRAD], ANR, RVA, DGDA, DGRNK, FPI, Office des Routes, Titres Immobiliers, TRANSCOM, Tourism, TRIPAIX, Parquet, Auditorat, and others. The list is not exhaustive. Dear brothers and sisters, it is time to act, to liberate ourselves.<sup>170</sup>



These activities illustrate the ex-APC's simultaneous portrayal of working on behalf of the “*enfants du milieu*,” or “natives of Beni,” while exploiting an “ADF” logo.<sup>171</sup>

#### *OPERATION SAFISHA RUWENZORI*

Just as this new recruitment drive gained momentum, the FARDC launched Operation *Safisha Ruwenzori* (Swahili, Clean the Ruwenzori) against the ADF in June 2010. The military dismantled several ADF camps, weakening their supply routes, and spurring counterattacks attributed to the group.<sup>172</sup> ADF relations with local communities soured as some civilians worked as scouts for FARDC, prompting retaliation against civilians.<sup>173</sup>

Others suggest Operation Ruwenzori served broader ends, including responding to the remobilizations from RCD/K-ML or affiliates in the preceding months. UN intelligence describes Operation Ruwenzori as “a show of force before the Congolese presidential elections,”<sup>174</sup> coinciding with Mbusa’s presidential bid. International Crisis Group describes the campaign as a response to the “joint attack” by local militias and ADF on Nyaleke weeks before.<sup>175</sup>

#### **4. MASS KILLINGS: THE FIRST MOVERS (2013)**

The massacres around Beni built on these existing dynamics: A network of ex-APC officers seeking to retain influence, local chiefs intent on reclaiming land and authority they felt they had lost, and a group of ADF bent on survival.

Contrary to many media accounts, a first wave of massacres began in 2013 with a series of killings close to the border with Uganda. Existing research traces the broad contours of ex-APC mobilization in this 2012-2013 period, finds evidence of ADF involvement in the 2013 killings, and uncovers preliminary traces of APC connections to the killings. CRG interviews with perpetrators, recruiters, and local authorities help fill in more pieces of this puzzle. Drawing on interviews with dozens of perpetrators, eyewitnesses, and sources with knowledge of the mobilizations, we show that these attacks featured mixed groups of ADF, ex-APC, and Kinyarwanda-speaking combatants, with ex-APC affiliates and ADF sharing primary responsibility.<sup>176</sup>

It is unclear whether the 2012-2013 remobilization included a plan for mass killings. Yet many self-described perpetrators of the 2013 and 2014 massacres state that they were recruited for militias by ex-APC affiliates during this period.<sup>177</sup> Some recruiters and participants in the later killings suggest that the idea was laid during this time.<sup>178</sup>

It is clear, however, that many participants saw their involvement through the lens of past mobilizations as a continued struggle to assert local power against outside interests. One participant provided a common explanation: “The objective of this network was to take back the former territory of the RCD/K-ML and to retake the financial institutions of Beni.”<sup>179</sup> These are not new goals: these formed explicit objectives in earlier mobilizations, including in 2010, and provide a convenient recruitment framework to expand local influence.

#### **The precursors to the massacres: ex-APC mobilization during the M23 Crisis (2012-2013)**

A wave of armed mobilization took hold of the eastern Congo in 2012, prompted by the M23 rebellion to the north of Goma. The M23 had intended to launch simultaneous attacks across the eastern Congo; the ex-APC were supposed to play a key role in this in Beni and Lubero territories, calling on their former comrades-in-arms to join them.

Although it is unclear who was ultimately in charge of the ex-APC mobilization, the UN Group of Experts, ex-APC commanders, and rank-and-file recruits report that Mbusa Nyamwisi held at least partial responsibility. Mbusa encouraged ex-APC officers to desert from the FARDC.<sup>180</sup> Major Hilaire Kombi defected in June 2012 to join ex-APC officer Kava wa Seli’s FOLC, recovering “dozens of weapons in the residence of Mr. Nyamwisi in Beni” before joining Seli in the Semliki.<sup>181</sup> Mbusa supported Hilaire and encouraged recruits to join his group.<sup>182</sup> Others deserted and joined up with FOLC, also on Mbusa’s instruction.<sup>183</sup> The movement continued as Hilaire

Kombi created the *Union pour la Réhabilitation de la Démocratie du Congo* (URDC) in October 2012, replacing FOLC.<sup>184</sup> David Lusenge and Charles Lwanga<sup>185</sup> defected from the FARDC and joined the movement in November 2012, organizing troops in Watalinga and Ruwenzori.<sup>186</sup> An entire FARDC regiment defected in December 2012, on instruction from their ex-APC commander, to work under Lusenge.<sup>187</sup>

Ex-APC officers secured support from other armed groups. Ex-APC officers, including Hilaire Kombi, were in regular contact with M23 leader Colonel Sultani Makenga.<sup>188</sup> Lusenge also “coordinated his operations with Hilaire,” and, like other ex-APC officers, was in “regular contact with M23 commanders.”<sup>189</sup> Meanwhile, Mbusa Nyamwisi traveled to Rwanda to meet officials while another ex-APC officer recruited troops there.<sup>190</sup> Eventually, ex-APC took on high-ranking positions in the M23.<sup>191</sup>

The rebellion had high ambitions and a regional reach: On the Ugandan side, the UN Group of Experts reported that Ugandan General Saleh unsuccessfully attempted to create a “unified M23 command for Beni territory” that would join Mbusa and Kakolele.<sup>192</sup> Three participants also described how the Kyaghanda-Yira cultural association helped to bring recruits across the frontier, largely through Kasese.<sup>193</sup>

Unsurprisingly given their past relations, the ex-APC involved in this new movement also drew on ties with the ADF. The UN peacekeeping mission observed that Hilaire Kombi’s URDC had ties with the ADF throughout Beni, including in Rwenzori and Watalinga,<sup>194</sup> and noted potential military training provided by ADF and APC military commanders to the URDC’s precursor group, FOLC.<sup>195</sup> UN intelligence also linked ex-APC groups to the ADF, describing in 2013 that, “ADF have developed links with...Antipas Mbusa Nyamwisi or are collaborating with local armed groups such as Hilaire’s group.”<sup>196</sup> One ADF combatant told UN military intelligence that Hilaire Kombi approached his group, on instructions from Mbusa, to request collaboration to seize Beni while FARDC was preoccupied with the M23.<sup>197</sup> CRG could not verify this specific encounter, but received accounts of similar meetings. A Ugandan ADF officer told CRG that Hilaire worked with ADF leader Jamil Mukulu around this time, with the goal of carving out space for a new rebellion.<sup>198</sup> Two militia members and a government demobilization officer confirmed Hilaire’s linkages with the ADF,<sup>199</sup> while multiple other combatants and recruiters described participating in armed groups managed through joint ex-APC and ADF ties at the time.<sup>200</sup>

This period is possibly the genesis of recent collaboration between Kinyarwanda speakers and ex-APC networks. The Group of Experts found that the M23 sent some troops to join Hilaire Kombi’s rebellion in May 2013,<sup>201</sup> while, an ex-APC officer recruited troops in Rwanda.<sup>202</sup> In addition, two other ex-APC independently told CRG that they helped bring Kinyarwanda speakers from the Petit Nord to Beni at the time.<sup>203</sup>

By early 2013, an eclectic coalition of armed groups had formed. These relationships do not imply that the varied armed groups hold the same goals or cooperated harmoniously, but rather that

each party saw collaboration as a means to shore up their influence. A May 2013 attack against the OZACAF military base, weeks before the first mass killings in Kamango, illustrates how coalitions of ex-APC, Kinyarwanda speaking combatants, local militias and ADF joined in operations (See Box below).

**BOX 2. Armed group coalitions for mixed attacks: OZACAF military base (May 2013)**

The attack on the OZACAF military base was one of several attacks around Beni that left 28 dead on May 15, 2013. Although this attack is not directly linked to the mass killings, it demonstrates that one of the mysterious attributes of the later massacres—the collaboration of disparate armed groups in attacks—had already developed.

Reflecting the ex-APC's tendency to tap into local militias, this attack saw Hilaire Kombi's URDC collaborate with the Mayangose militia under Chief Mbonguma Kitobi. One branch of Hilaire's URDC was based at Mayangose, and militia members here described being in direct contact with Hilaire and Mbusa Nyamwisi.

Mbonguma Kitobi helped lead the attack at OZACAF. The operation also featured other ex-APC partnerships, including with Kinyarwanda-speaking combatants. The attack occurred the same month the M23 brought troops to Hilaire Kombi's group, and a Mayangose militia commander participating in the OZACAF attack described that Mbonguma divided assailants into two groups for the operation, one including Kinyarwanda-speaking troops. In a signed legal statement, he explained: "The second group was constituted of Tutsi soldiers. Given that the Mai-Mai could not get along with Tutsi soldiers, this is why they were separated." Although militia commanders collaborated with Tutsi combatants, they also mobilized recruits by claiming their objective was to combat Rwandan influence.

In independent signed statements, Mbonguma and other militia commanders explain that Hilaire Kombi brought troops from Mwalika—commonly known as an ADF base—to reinforce the OZACAF attack. Mwalika has well-documented links to ex-APC officers: Hilaire and Kava wa Seli recognized each other's role in maintaining troops there, ex-APC combatants independently describe meeting with ADF there, while MONUSCO observed both ADF and ex-APC around Mwalika at this time.

The attack demonstrates that the alliances between armed groups, characteristic of the mass killings of July and December 2013, and escalating in 2014, had already been laid.

**Killings in Watalinga and Ruwenzori**

The first mass killings broke out along the Congo-Uganda border in July 2013, weeks after the attack against OZACAF. The modus operandi and the scale of the killings at Kamango on July 2013 and along the Mwenda-Kikingi road in December 2013 make these the first of the Beni massacres.

Kamango, the capital of Watalinga *chefferie*, was attacked July 11, leaving twelve dead. Combatants presenting themselves as ADF instructed civilians to evacuate the area.<sup>215</sup> The attackers killed several local authorities, including Chief Nelson Buliya of Bawisa groupement, and burned down

administrative offices. The attack prompted an estimated 66,000 civilians to flee to Uganda.<sup>216</sup> On July 14, 2013 combatants attacked Kikingi, south of Kamango, looting its pharmacies and shops, and ordering the local population to leave.<sup>217</sup>

Another series of attacks unfolded between December 11 and 17, 2013, killing around twenty just south of the July attacks, between Mwenda and Kikingi in Ruwenzori secteur. One participant recruited for the 2014 killings described the December 2013 killings as “the first test of the massacres.”<sup>218</sup>

Existing research attributes these attacks exclusively to the ADF. CRG interviews also show an important role for the ADF. The FARDC were threatening to disrupt an ADF supply route that led through Kamango in mid-2013, and the ADF retaliated. According to debriefs with ADF defectors, Kamango was a major pathway for moving people between its camps in the Ruwenzori region. Evidence of ADF involvement in the July 2013 killings includes written ambush instructions recovered at Kamango after the attack, as well as testimonies by villagers, and a sermon by Jamil Mukulu.<sup>219</sup>

However, in the immediate aftermath of the July attacks, a UPDF spokesperson stated that he received intelligence from the Congolese army that attackers were not the ADF.<sup>220</sup> New CRG research paints a more complex picture that demonstrates the ADF’s role as well as the involvement of other armed groups. Drawing on the testimony of eighteen direct participants, two additional combatants with close knowledge, and two eyewitnesses, our findings uncover evidence that the ex-APC officers and local militias were also involved in the attacks, as well as Kinyarwanda speakers. We have two levels of evidence: rank-and-file recruits, and members of the elite involved in the planning.

### **Ex-APC rank-and-file collaboration with the ADF**

Rank-and-file troops and local recruiters detailed how groups affiliated with ex-APC officers colluded with the ADF and other partners to carry out attacks. Recruitment drew on local support networks that blurred lines between the ex-APC and the ADF. Mbusa Nyamwisi’s elder brother, Edouard Batotsi Nyamwisi, became personally involved in the 2012-2013 mobilization, using his property near Mutwanga as a recruitment site.<sup>221</sup> He became a focal point in coordinating this recruitment, including by managing relations between ex-APC and the ADF.<sup>222</sup> Echoing the ex-APC line, Edouard encouraged mobilization through promises to restore land and administrative positions to Beni’s populations.<sup>223</sup>

Affiliates of the Kyaghanda-Yira Nande cultural association also assisted in recruitment and supplies,<sup>224</sup> including for the camp where attackers were based.<sup>225</sup> Combatants said that Kyaghanda-Yira members worked hand-in-hand with Edouard for recruitment<sup>226</sup> and supplies.<sup>227</sup> ADF senior officer Winny Bwanandeke also discussed the role of Edouard and Kyaghanda-Yira in organizing armed groups.<sup>228</sup>

In CRG interviews with participants in the 2013 killings, sources often blur the lines between the ADF versus ex-APC, and show how Kyaghandanda-Yira and Edouard collaborated to support groups with mixed affiliations. Because these relations have not been systematically recorded or analyzed, the Box below presents testimony at length from participants in the 2013 attacks and recruitment. These sources corroborate the Islamist nature of the ADF, and participants who remained active after the onset of Sukola I provided credible descriptions of what the ADF experienced including their acute lack of food. All sources maintained that they were ex-APC and were recruited through ex-APC affiliates and supported by ex-APC officers.

### **BOX 3. Mixed ADF-ex-APC Operations**

#### ***Recruiter #1:***

“Edouard Nyamwisi got me involved in this work. It’s work I do with the Ugandans... they ask us to look for young men. We recruit and send them to Edouard Nyamwisi, and he sends them to the forest. We were getting paid around \$50.

The ADF would come at night, I would see them face-to-face. Many of the boutiques in the area operate for the ADF. The ADF come here to resupply.

Our objective was for Mzee [Mbusa Nyamwisi] to return to power to become president. Other ex-APC like Birotsho would help, and customary chiefs too... Kyaghandanda-Yira would sensitize recruits in Butembo and Beni. We coordinated by talking on the telephone: Kyaghandanda-Yira would send us troops, and we would go to pick them up. They would pass through Bulongo and enter the forest around Kikura.<sup>229</sup>

We operated on a condition set by the ADF: we needed to keep our operations hidden. The ADF don’t allow you to tell others when you are meeting with them or working for them. We know they are our allies, but what is said is a secret between each supporter and the ADF.. Another recruiter started to leak the secrets of what we were doing, so the ADF attacked him.”<sup>230</sup>

Combatant #1, recruited in 2012 by RCD/K-ML Affiliates, active through Sukola I:

“I was recruited by a politico cadre member of the RCD/K-ML, who called me on the phone and took me to Kasindi.... He offered me \$100... I didn’t have a visa to cross, but I received an authorization form from a customs officer and another member of RCD/K-ML..

I met with other soldiers, in the ADF. It’s an Islamist organization. Our head was Hood Lukwago, who worked with Jamil Mukulu... it was a mixed group with ADF... we traveled through Kasese to Bundibugyo, then returned to Congo around Kamango, near Biangolo.

The political cadre of RCD/K-ML recruited me... the Ugandans gave us training, we were under the ADF. We were sure that we would fight Beni and take over the area...



I stayed Christian in the camp, but around 80% of people were Muslims. There were many people in the group, but then we fell to less than 80 with Sukola I. We went for two weeks with nothing to eat. If you try to escape, they will kill you. If you wanted to run, you were eliminated. Us low-ranking troops were kept in a separate place from the leaders. The leaders have their own space.”<sup>231</sup>

***Combatant #2, Self-described Participant in 2013 killings, Mwenda-Kikingi and Kamango :***

“People working with Kyaghanda-Yira sent me to the forest. They recruit youth by promising us \$100. They tell recruits to go to Edouard Batotsi [Nyamwisi]’s place. This was in 2013... there were 17 people, and they went to a meeting at night at Edouard Batotsi’s place, said “in a short time, we will take over our country again. Children, don’t be afraid, the country will improve, we will become the leaders to direct our country.” We passed Mutwanga, along the road to Kikingi, and entered the national park. A leader of the ADF met us.

We spent two months there in training. It was a large camp divided into many sections. The Congolese were under the Ugandans, the Ugandans had all the power. Feza stayed there....

The recruits learned how to use guns.. in the camp, the Congolese recruits had their own place, in a camp with Congolese officers, but the Congolese troops couldn’t approach the officers... There were many ex-APC there...

We had one leader whose name was Musa [Baluku]. The overall leader was a Ugandan officer named Feza. We stayed together in the forest, but we had our own area, and the ADF had their own place, and we couldn’t go there. But we joined together during operations, some Congolese and some Ugandans. In the camp there were Congolese, Ugandans, Rwandans, and Somalis.”<sup>232</sup>

***Combatant #3, Self-Described Participant in 2013 Killings:***

“I went to the bush...after arriving at Mutwanga you enter the park and continue until the bank of the Semliki. When I arrived, I saw many officers, Congolese and Ugandan. (Q/ How did you know they were Ugandans?) I lived in the forest for years and years and I knew them there, we worked together. By good luck, I also saw Congolese officers that I had worked with in the APC...

The leaders were the Ugandans. Congolese could be commanders, but could not hold superior posts above the Ugandans.... there in the camp, you can’t talk openly. Some people tried to escape, but if the patrols catch you, you will be killed. The Ugandans have no mercy... The Congolese can be Christians in the camp, but almost everyone is Muslim.”<sup>233</sup>

the people from the town, like Kyaghanda-Yira, came to reinforce us. And many supplies came from Edouard Batotsi... Tahanga Nyoro was the spokesperson. They would send us to go recover things, and many things came from Edouard Nyamwisi.”<sup>234</sup> Kakolele was the leader who was reinforcing us in the bush. He was recruiting in secret. He brought us guns, ammunition. They tell us that we will become leaders: some of us will become generals, others will become ministers. This isn’t something that was hidden; it was just Mzee. We were told that “Mzee” will become President.

We were masked during the attacks... Many people died. When we encountered the FARDC, many of us were killed.”<sup>235</sup>

Three combatants involved in the joint ADF-ex-APC camp described above also recount participating in killings.<sup>236</sup> As one ex-APC combatant described carrying out the attacks on Mwenda and Kamango in 2013:

The orders came from the Ugandans. The Ugandan officers told the Congolese officers to carry out operations, and they would come to the area where the Congolese recruits stayed and would take some. They told us we were going on a mission. We arrived at Mwenda... we arrived at a group, and the leaders gave us permission to kill... this was my first time to see how someone could be slaughtered, like a goat. When I saw this, I began to tremble. We finished the operation and returned to the camp.

The ADF are secretive. They don't want different groups to know each other. They join for operations, but they don't want to be known... When we set out for the attacks, we masked ourselves. You couldn't see someone's face.<sup>237</sup>

### ***Elite partnerships between the ex-APC and local authorities***

CRG was able to identify some of the leaders who helped organize these killings in 2013. One group revolved around Bwambale Kakolele and included at various moments ex-APC officers David Lusenge, Charles Lwanga, Sibenda Kambale, as well as Adrian Loni. Kakolele and Lusenge worked with their partner, Adrian, to recruit in Kampala in early 2013,<sup>238</sup> and Adrian liaised with chiefs throughout Beni to support militia organization with ex-APC commanders.<sup>239</sup> The UN Group of Experts found that Adrian recruited armed groups during the subsequent 2014 wave of violence.<sup>240</sup> Lusenge sent collaborators and ex-APC affiliates from Beni to meet with Adrian in Kampala while en route to join the M23,<sup>241</sup> and also participated with Adrian in bringing Ugandans across the border to Beni.<sup>242</sup> One self-described recruiter for the mass killings also described making this trip, suggesting that this idea for the massacres was already laid in 2013:

Those days, it was 2013, I went with three commanders to Uganda... Adrian brought us there to him in Kampala. We stayed there, we were told to recruit... This was in 2013. It was to prepare for the massacres. We talked a lot about the massacres and the mission.<sup>243</sup>

These commanders set up bases in Watalinga *chefferie* (notably, in Ndama) and Rwenzori sectors. The chief of Watalinga *chefferie* and known ADF collaborator, Saambili Bamukoka, worked with Lusenge in organizing his armed group,<sup>244</sup> while sub-chief Muganda of Ndama *localité* facilitated militia contacts for Lusenge and Lwanga, including into Uganda.<sup>245</sup> Lusenge purchased a field at Ndama that became a military position and arms cache,<sup>246</sup> and that included both Congolese and Ugandan troops.<sup>247</sup> Alongside these ex-APC commanders, Adrian also met with these chiefs and an affiliated local militia.<sup>248</sup>

A MONUSCO report on the July killing at Kamango helps link this group to the attacks. This UN report described a meeting the day before the July attack, in which sub-chief Muganda warned Saambili Bamukoka, of "armed insurgents who were not known in the area."<sup>249</sup> Participants in this

meeting clarify that the Muganda had warned Saambili of Lusenge and Adrian's activities more specifically.<sup>250</sup> Saambili blamed Adrian's men for some of the killings.<sup>251</sup> A local observer noted that combatants in the July killings attacked from bases near Kikingi and Ndama<sup>252</sup> (where ex-APC officers and collaborators, including Hilaire Kombi, Lusenge, Lwanga, and Adrian managed combatants<sup>253</sup>), while another source told CRG that he deposited troops at Ndama on behalf of the ex-APC, and that they participated in the killings.<sup>254</sup> As far as local authorities working with this group, local populations accused Chief Bamukoka of involvement in the July 2013 killing,<sup>255</sup> in part due to clan disputes and militia activity in the area. The Group of Experts also noted that these killings unmasked a larger web of relations between ADF and local chiefs.<sup>256</sup>

These people had collaborated before. As militia collaborators describe, Lwanga and Adrian also assisted in some of the high-profile kidnappings at the time, which are usually attributed to ADF. One militia commander and another direct collaborator describe coordinating kidnappings with the ADF, including the disappearance of three priests from Mbau in late 2012.<sup>257</sup> Through this group related to Adrian and local partners, "we sold them to Feza... the goal was to make it appear that it was the ADF that kidnapped them."<sup>258</sup> (Other ex-APC groups, including under Hilaire Kombi, also contributed to many of the kidnappings.<sup>259</sup>)

These connections held for the December 2013 killings. Two perpetrators directly involved with Kakolele also admitted responsibility for the December 2013 killing. Two additional combatants based at the joint ex-APC-ADF camp near the Semliki stated that they participated in the attacks along the Mwenda-Kikingi road,<sup>260</sup> and one ADF combatant also implicated troops who Kakolele had brought to this camp.<sup>261</sup> One participant recruited under Kakolele for the 2014 killings described the December 2013 killings as "the first test of the massacres" and recounted receiving payment after the December attack.<sup>262</sup> Ex-APC commanders explained the mass killings as a means to "search for positions...and to conquer a space."<sup>263</sup>

Like the July killing, the December 2013 killing unfolded together with the ADF.<sup>264</sup> Meanwhile, the ADF had its own reasons for participation. In addition to the rationale described above, one ADF element told CRG that the group that it would be the target of an FARDC offensive in 2014, and started to make preparations.<sup>265</sup>

### ***Explaining the involvement of Kinyarwanda speakers***

This period saw an influx of Kinyarwanda-speaking combatants to Beni's armed groups, and possibly explains the collaboration between Kinyarwanda speakers and ex-APC networks around Beni during the subsequent massacres. While numerous testimonies point to troops who spoke Kinyarwanda, it is not clear whether these troops were linked to the M23 or were Hutu migrants looking for land, who were manipulated into participating in the massacres.

According to the UN Group of Experts, some M23 combatants were sent to the Grand Nord to join Hilaire Kombi's rebellion.<sup>266</sup> As the Group notes, in May 2013, the "M23 had sent troops and arms to Hilaire [Kombi] in an attempt to establish an M23 presence in Lubero and Beni territories before the deployment of the Force Intervention Brigade" that targeted the M23.<sup>267</sup>

Two close affiliates of Kakolele described traveling to the Petit Nord in mid-to late-2013 to help bring an apparently different set of Kinyarwanda speakers up to Beni's armed groups.<sup>268</sup> This trip reportedly followed an August 2013 meeting in Kakolele's residence in Boikene that discussed the killings.<sup>269</sup> Sibenda Kambale—a close associate of Kakolele, Lusenge and Edouard Nyamwisi—acknowledged to CRG that the Kinyarwanda speakers he brought to Beni participated in the December 2013 attack. As Sibenda told CRG, "People attribute the massacres of Kikingi-Mwenda to the APC who were with us at Nzelube, but they forget that there were Hutu who were installed... before that. The provincial authorities know this situation." Another militia commander and a self-described ADF combatant stated that Kakolele and other ex-APC officers including Lusenge brought Kinyarwanda speakers to Watalinga around this time,<sup>270</sup> while Kakolele had also reportedly installed Kinyarwanda speakers in Beni earlier, after leaving the CNDP in 2010.<sup>271</sup>

## 5. MASS KILLINGS IN 2014-2016

Suddenly, in October 2014, violence around Beni erupted into some of the worst violence in the Congo in recent history. Over 800 people were killed in gruesome massacres, including women and children. The perpetrators used machetes, axes, and other crude weapons for much of the killing, massacring over 120 people on one single occasion.

The sequence of events is relatively clear. After defeating the M23, the FARDC shifted its focus northward and launched Operation Sukola I against the ADF in January 2014, together with the UN peacekeeping mission. The first commander of operations against the ADF, Colonel Mamadou Ndala, was ambushed and killed in the opening days in an attack attributed to ADF working with ex-APC officer Birotsho.<sup>272</sup> Under his successor, General Lucien Bahuma, Sukola I proved an initial success, dismantling ADF camps, retaking territory, and prompting massive defections from the ADF.<sup>273</sup> Hundreds of FARDC soldiers and ADF combatants reportedly died during the fighting. While it is difficult to obtain comprehensive figures, estimates suggest that, under Bahuma, ADF ranks dropped from an estimated 1,200 in the Madina camp<sup>274</sup> to as low as 150 people overall.<sup>275</sup>

The ADF fragmented into smaller, mobile groups following the fall of their main camp, Madina, in April 2014. Many ADF senior officers disappeared in the days prior to the Madina attack,<sup>276</sup> suggesting intelligence leakages or complicity between the ADF and members of the FARDC.<sup>277</sup> ADF commander Jamil Mukulu fled the country and was eventually arrested in Tanzania a year later. Yet ADF leadership remained largely intact.<sup>278</sup> Musa Baluku took over as the head of the main group of ADF, while operations commander Feza led another branch in Bambuba-Kisiki *groupement*.<sup>279</sup> The ADF splintered into smaller groups and begun hit-and-run operations against the FARDC.<sup>280</sup>

On August 31, 2014, General Bahuma died in controversial circumstances after a meeting in Kasese, Uganda. Brigadier General Muhindo Akili Mundos took over and operations against the ADF slowed down. Shortly thereafter, in October 2014, the massacres of civilians began. The violence started as small-scale attacks, killing two to three people. The attack on Oicha on October 9 represented an uptick in violence, killing at least ten people with machetes. Violence escalated further with the killings at Ngadi and Kadohu on the outskirts of Beni city, and peaked with the massacre at Vemba that killed an estimated 80 to 200. Attacks continued throughout 2015 to 2016, although the number of people killed dropped significantly after mid-2015.

As with the massacres in 2013, several overlapping networks were responsible for this new wave of violence, including the ADF, ex-APC, and local militias. This time, however, the FARDC itself became involved, as officers within Operation Sukola I also organized mass killings by tapping into preexisting armed groups.

What explains this mixture of organizers? Based on CRG interviews with planners, perpetrators, and witnesses of the killings, as well as signed statements of confession and more circumstantial evidence, the best interpretation is that a set of “first movers” linked to the ex-APC and ADF held initial responsibility for planning killings. Government forces within the national army discovered preexisting plans for killings and responded in kind. Certain Sukola I officers worked through the same militias involved with ex-APC and ADF, escalating the killings and projecting the image of “ADF” to camouflage their activities.

### **Transitioning between Waves of Violence: First Movers’ Plans for Killings, 2014-2016**

A closer look at the events leading up to the 2014 killings can help uncover the causes for the massacres. The lead-up to this 2014 wave attacks reveals parallel struggles for political control in the area: Sukola I targeted the ADF—a lynchpin of armed influence in Beni that other groups including the ex-APC looked to when mobilizing—while Kinshasa had also attempted to weaken local armed groups. With these struggles as a backdrop, CRG interviews with planners, perpetrators, supporters, and witnesses of the killings find that the best interpretation of massacres is that government forces discovered preexisting plans for killings, laid by the ex-APC and ADF, and responded by coopting these groups and continuing the massacres. For these officers, controlling the armed groups in the region was more important—and perhaps more feasible—than bringing an end to the violence.

#### ***ADF involvement and motivations***

There is little doubt about ADF involvement in the killing. CRG met with six ADF combatants who said that the ADF participated in the mass killings, including five who admitted to participating in the massacres themselves. In addition, CRG also interviewed six other perpetrators affiliated with other groups but who also joined with ADF combatants to carry out massacres. These testimonies paint a consistent picture, identifying a set of ADF commanders involved in attacks, including their leaders Baluku, Feza, and Braidia.<sup>281</sup>

ADF had their own reasons to participate in the killings. General Bahuma’s assault against the ADF during Operation Sukola I was disastrous for the group. Between January and April 2014, FARDC was able to dismantle many of the ADF’s camps. Sukola I operations pushed the ADF out of their positions, deprived them of food and supplies, and placed them and their families on the brink of starvation. Hundreds of ADF—in particular their dependents—may have died due to starvation in the inhospitable Virunga National Park, while hundreds of others were killed in the fighting. One estimate suggests that only a small core of perhaps 150 to 250 people remained in the forest, including many ADF leaders.<sup>282</sup>



The ADF had anticipated Sukola I with apprehension. One ADF imam told CRG that the ADF knew that it had to prepare for Sukola I.<sup>283</sup> Another ADF defector told CRG that Jamil Mukulu had announced the strategy for killings due to Sukola I: “He told us that because FARDC will attack the groups, we will kill back. We will kill people in the big markets, in the large churches, in public places and in many towns around Beni.”<sup>284</sup> Particularly concerning for the ADF was the prospect that earlier civilian collaborators would turn on the group to support FARDC operations. Jamil Mukulu voiced this concern in a sermon he recorded before the massacres began, sometime between July 2013 and April 2014. Lacing his instructions with religious tropes, Jamil warned ADF combatants to prevent civilian collaboration with FARDC:

This is why Allah The Most High said; ...these [disbelievers] are like cattle. In fact, they are further astray. These are the heedless....Even when they see us in villages as we pass by, they must report this to their forces FARDC, if he [the civilian] sees you [ADF Muslims], kill the polytheists collectively just as they fight [kill] you collectively slaughter him or her, behead them immediately never give it a second thought, do not hesitate to behead them. Why? The one asking reasons why you must slaughter civilians. Are you stupid, don't you recite the Quran? Do you wait that they [civilians] inform their armed forces to come hunting you down, or fellow Muslims you think by sparing civilians you are brain-washing them or spreading propaganda of being good or you think you are putting matters right!<sup>285</sup>

The ADF had retaliated against civilians who provided intelligence to FARDC during earlier military campaigns, such as the 2010 Operation Ruwenzori, albeit never to such a degree. In light of the above, the massacres can be seen as an attempt to alleviate pressure on ADF camps by drawing FARDC away from their positions, including to areas closer to the National Road #4 where the killings took place.

However, the ADF was not the only party responsible. Pressure on the ADF had already tapered off following Bahuma's death in August 2014. It is unclear why the ADF would wait until October to launch massacres until after the main assaults against it had lessened, particularly given the group's foreknowledge of FARDC operations. Moreover, CRG uncovered substantial evidence of complicity between Sukola I officers who organized some of the killing squads and the ADF. If the ADF stood as the exclusive force behind the killings to alleviate FARDC pressure, it would be curious for the ADF to have started the killings at a time when their access to sympathetic FARDC commanders had increased.

Many non-ADF elements also admit participation in the original band of violence in October 2014, indicating that ADF did not operate alone. Initial UN investigations also found evidence of local militias' involvement. As massacres broke out, internal UN reports noted that local militias operated “under the ADF umbrella” to kill,<sup>286</sup> and that some perpetrators operated in “alliance” with the ADF, but who were not the ADF.<sup>287</sup> Another UN report from this time said the ADF was the “main supplier or facilitated access to war supplies for some Congolese Mayi Mayi groups, developed relations with outcast Congolese politicians (Nyamwisi).”<sup>288</sup> Moreover, family members

of many of the Congolese associates, including local chiefs and militia organizers, were present with the ADF at Madina camp,<sup>289</sup> and ADF commanders sent their wives to Beni and Goma for protection.<sup>290</sup>

CRG interviews with perpetrators and planners find that the ADF participated in many attacks, but often alongside local partners, including local militias (e.g., the Vuba militia and the Mayangose militia), ex-APC (many through the Mayangose militia), Kinyarwanda speakers, and even with support from some Sukola I officers. It is possible that a weakened ADF during Operation Sukola I made the group open to partnerships. The main wave of the killings did not occur until well after the ADF had fragmented, and it is possible that this fragmentation may have also radicalized the group as its hierarchy shifted. Possibly reflecting this fragmentation, interviews with active ADF painted a picture of a divided ADF on different sides of the killings.<sup>291</sup>

It is also possible that the ADF solicited the support of local militias to participate in killings on its behalf. One Mai-Mai element explained his participation in the killings, “We received the enormous support of the ADF/NALU elements, who asked us to rally to them given our close knowledge of the area.”<sup>292</sup> Other perpetrators described ADF commanders providing orders for the killings, and stopping en route to attacks, such as the one in Eringeti in November 2015, to pick up other groups,<sup>293</sup> and CRG found substantial evidence that the group worked with local authorities, including Mbonguma and Vuba chiefs, to carry out killings.<sup>294</sup>

These partnerships indicate a multiple converging interests. Two active ADF supplied some possible points of crossover between the ADF and other partners who also took on roles of first movers in the killings. One ADF element stated that Kakolele arrived with the idea of creating a zone for rebellion by carving out territory.<sup>295</sup> Another active ADF element described that some commanders participated with other partners in Bambuba-Kisiki and Boikene in order to “conquer a space by terrorist methods”<sup>296</sup>

Findings that violence was perpetrated in conjunction with other groups does not mean that the ADF did not have their own reasons for participating in the killings.<sup>297</sup> Opportunistic ties with other perpetrators indicate that the group is either able to maneuver across multiple sides of a conflict for its own gain, or that its fragmented components were able to secure survival by persuading others to partner in their agendas. Examining the motivations and involvement of other groups involved in the massacres demonstrates that parallel efforts to plan killings were already underway.

### **Ex-APC motivations and involvement (Part I)**

Based on the testimony of direct witnesses to the planning of the mass killings, CRG finds that ex-APC affiliates helped initiate the 2014 wave of violence, in conjunction with partners drawn from the ADF and local militias. As perpetrators described to CRG, groups formed during the ex-APC remobilization in 2012 and 2013 persisted, participated in some of the most violent attacks in 2014, and continued over the course of the killings.

According to interviews with key players on all sides, the killings around Beni were seen by its protagonists as part of a struggle for political control in the Grand Nord's opposition stronghold. When the ex-APC remobilized during the M23 rebellion, Kinshasa initially tried to defuse the threat, dispatching Apollinaire Malu Malu, the former head of the election commission and a Butembo native, to integrate armed groups into the national army. Malu Malu was partially successful: he brokered the reintegration of commanders such as Hilaire Kombi and David Lusenge in 2013. Provincial authorities working with Kinshasa also encouraged Beni's armed groups to reintegrate through the 2013 Dialogue sociale conference in Oicha.

National Security Council (CNS) member Colonel Franck Bwamunda Ntumba also arrived in the Grand Nord in June 2013 as "a military analyst in President Kabila's office."<sup>298</sup> Ntumba launched a campaign to reintegrate Mai-Mai into the national army. He stayed on in the area through Sukola I, and was in contact with many participants in the killings.<sup>299</sup>

By the onset of the Sukola I campaign, the ex-APC had come under pressure. Sources with knowledge of planning said that ex-APC viewed Kinshasa's influence in the area as a threat,<sup>300</sup> and adapted their plans in response. As influential ex-APC officers were arrested or coopted and taken to Kinshasa—Hilaire Kombi, Kava wa Seli, David Lusenge—the network began the killings as part of a new strategy. As one ex-APC officer involved in recruitment for the killings explained: "We needed to have a group to trouble the non-originares of Beni-Lubero, since Malu Malu had just played his card by bringing Hilaire [Kombi] to Kinshasa."<sup>301</sup>

Four ex-APC sources with direct knowledge of this stage in planning told CRG that ex-APC affiliated groups originally wanted to carry out smaller-scale killings, with the goal of maintaining an armed base to pressure Kinshasa and carving out an area where a larger rebellion could be installed.<sup>302</sup> Targeting civilians was supposed to serve two purposes: prompt displacement to carve out a larger area to install armed groups, and challenge Kabila's legitimacy in the area.

An ex-APC officer explained the logic of the 2014 violence:

Our vision was to sow terror like in the time of the FLC, when Mbusa had decided to chase Bemba from Beni. At that time, every evening of every day there was at least one death in the town of Butembo. This was the method that we used to chase the "bakuyakuya" [outsider] administrators away from Beni-Lubero. To kill two birds with one stone, we would destabilize Kabila by the same method, from Beni. This is the strategy that other groups applied in what are called the "massacres of Beni."<sup>303</sup>

Another ex-APC officer, who had supported groups in the 2013 killings, also confirmed this strategy, explaining "We will weaken Kabila in the same way we did to Bemba during the FLC époque: he will carry responsibility for the killings of Beni, like Bemba carried for our assassinations in Butembo in 2001."<sup>304</sup> A similar strategy had also been used in 2010, when, as a collaborator explained, Edouard Nyamwisi and the RCD/K-ML "wanted to create a new war," but "they protect their own name and convince people that it is the government that kills."<sup>305</sup>

Many of the testimonies obtained by CRG attest to this strategy, and the progression of events they reveal can help explain the timing of the 2014 violence. Three ex-APC combatants describe that they were recruited in August-September 2014 for a new, ex-APC affiliated, rebellion underway.<sup>306</sup> A first source explained he was contacted in August 2014 to join “a new movement in gestation in our home of Beni,” in which “ex-APC officers” had the goal of “spreading terror to chase away farmers” so they could install a base for their armed group.<sup>307</sup> Another ex-APC officer within the FARDC corroborated this course of events, recounting his own recruitment experience in September 2014:

Some officers were contacted by the planners of the massacres in order to weaken the government of Kinshasa from Beni....An old friend that I had worked with in the APC/RCD/K-ML contacted me in September 2014 to tell me that a new movement was entering Beni and that the leaders of this movement included ex-APC officers. Money was circulating to encourage these officers to enter. My friend John Tshibangu arrived in the area to command an advanced group... in the killings at Mayi Moya and Mukoko, the assailants’ objective was to create a sense of terror among farms so that they would abandon their fields. The group wanted to take over these areas to serve as bases to launch attacks on the larger population areas.<sup>308</sup>

Another ex-APC described his involvement in the October 2014 attacks, presenting a similar version of events:

It was the former APC that we had worked with during the [second] rebellion...General John Tshibangu joined us in the bush at Nyaleke and brought us to Mayi Moya. It was upon our arrival at Mayi Moya that he told us that we needed to kill two civilians per day in different villages in order to instill fear in farmers. This would allow our men to install themselves in abandoned fields and to calmly organize attacks against the FARDC.<sup>309</sup>

Participant testimony suggests the continued involvement of John Tshibangu and Bwambele Kakolele<sup>310</sup>—both of whom also hold position as Generals within FARDC—and describe other ex-APC commanders as also involved.<sup>311</sup> Stated goals to “sow terror” or “instill fear” among civilians fit the brutality of violence and demonstrate that local armed groups engage in this type of radical rhetoric.

However, it is difficult to label this as a broad APC push in the same way that the 2013 killings may represent. Whereas many ex-APC officers participated in the 2012 and 2013 mobilization, the number that continued appears to have dissipated with the failure of the M23. CRG found no direct evidence for Mbusa’s personal role in the killings. Nonetheless, recruits in killing squads often believed they were operating on behalf of a broader ex-APC agenda, having been promised access to land and administrative posts, and told that they would rebuild Mbusa’s influence.<sup>312</sup> As militia commanders note, APC officers often look to ex-APC networks and combatants to remobilize, regardless of whether they are working toward a broader group goal, since invoking these ties convinces “many ex-APC to join this rebellion.”<sup>313</sup>

## **Second movers: How the FARDC coopted existing groups**

A new set of perpetrators was observable within the opening days of the mass killings. These participants, or “second movers” in the killings, who were linked to some Sukola I officers, introduced a new set of perpetrators without replacing the “first movers,” who also remained active. Deepening the complexity of violence, the Sukola I officers who organized mass killings did so by seeking out support from key first movers, colluding with or infiltrating preexisting groups. Below, we discuss evidence for FARDC involvement in the killings, then present an explanation for what motivated the unprecedented participation by the national army in this scale of violence and for how relations were forged among these various perpetrators.

### ***Evidence for FARDC Involvement in the Killings***

There is copious evidence for FARDC inaction and smaller acts of complicity. After taking over as Sukola I Commander in August 2014, General Mundos failed to take action to protect civilians.<sup>314</sup> Witnesses to massacres informed FARDC as attacks occurred, but as the UN Group of Experts noted, “In each case, the response of FARDC was the same: it was too dangerous, it was dark, the soldiers were ill-equipped or they had insufficient manpower to react.”<sup>315</sup> A parliamentary inquiry found that FARDC and national police failed to take action when civilians warned them of attacks, intervening late or not at all.<sup>316</sup> Some of these attacks occurred within one kilometer of FARDC bases.<sup>317</sup>

More than just failure to take protect the population, some FARDC commanders actively obstructed soldiers from intervening to prevent killings or from revealing information about perpetrators. The parliamentary investigation found that in October 2014, an FARDC major instructed his soldiers not to intervene to prevent attacks, and even removed the ammunition clips of soldiers who attempted to do so.<sup>318</sup> In another case documented by the UN Group of Experts, one FARDC officer was instructed not to pursue perpetrators after a mass killing. When he apprehended attackers against orders, the assailants were not brought before the military prosecutor.<sup>319</sup>

Other perpetrators said that FARDC officers arranged their release after they were arrested.<sup>320</sup> A state intelligence source told CRG that a former APC commander working in military intelligence for Sukola I helped free several known collaborators of the ADF and Vuba militia members.<sup>321</sup> FARDC soldiers and officers arrested for the killings were also released.<sup>322</sup>

These allegations are accepted by most independent observers, including diplomats and the leadership of the UN peacekeeping mission. There is greater skepticism about direct FARDC involvement in the massacres—after all, MONUSCO continued providing military support to Sukola I operations throughout much of the period of massacres.

And yet, there is ample evidence for direct FARDC complicity. Massacre participants, ADF combatants, and FARDC explained that some FARDC supported the armed groups that carried out the killings.<sup>323</sup> CRG interviewed five members of Sukola I who implicated officers in this

operation in organizing some of the mass killings. According to CRG interviews with at least nine direct witnesses, including three members of Sukola I, General Mundos supported and in some cases organized killings. The UN Group of Experts independently confirmed Mundos' involvement in the massacres in their 2016 report.<sup>324</sup> According to the Group, Mundos' involvement included supplying weapons, ammunition, and military uniforms to perpetrators.<sup>325</sup> CRG interviewed two perpetrators who stated they received money from Mundos to carry out mass killings. Two participants and one local authority involved in the killings stated that Mundos recruited known Congolese militia members and individuals with ties to the ADF to serve as scouts.

According to numerous sources, Mundos worked with other Sukola I officers, including ex-APC officers, to facilitate the killings.<sup>326</sup> This included the deputy commander of Sukola I, ex-APC officer Colonel Dieudonné Muhima.<sup>327</sup> As one military intelligence officer revealed:

When we would alert Muhima about the presence of a suspicious group in one village or another, he gave contrary information to the [FARDC] elements on patrol. And the following day, we'd learn that there had been a massacre in the locality indicated by our information sources.<sup>328</sup>

The source suspected that killings were planned during closed-door meetings between Mundos and Muhima.

Other FARDC officers in the 808th regiment of Sukola I, including ex-CNDP Colonel Murenzi, also worked with FARDC in Beni to arrange killings.<sup>329</sup> An FARDC officer also described that Murenzi ordered troops "not to leave, to stay standby, and to not patrol the camp."<sup>330</sup>

Direct perpetrators, civil society, and government investigations reveal that FARDC soldiers, often from the 31st brigade (also described as *Hiboux*) under Mundos, facilitated killings. This included securing the perimeter around the attacks to enable rank-and-file combatants to operate during the killings.<sup>331</sup> One perpetrator described how his group operated under the supervision of Sukola I officers:

When we go to kill, we are surrounded by soldiers of the 31st brigade... We could not only kill with firearms, we also used machetes and axes. The soldiers know how to tie up victims: first they tie up the people, then the people who are paid do the killing. Mundos or his assistant, Colonel Muhima came to verify the killing... Every time there was a massacre, the 31st brigade secured the area so that no one could flee... During the massacres, someone keeps a phone and is in touch with someone on the outside, speaking in Lingala.<sup>332</sup>



Another participant in the killings, describing himself as ADF, recounted a similar pattern of working with Sukola I members. As he told CRG:

When you organize a massacre, you need an officer that is in command to also plan with you... when you hear many bullets, this means that the ‘work’ has finished... it goes like this: we enter, we burn, we kill people first. Then, we wait for the command of the [FARDC] leader. He receives the order to attack, [but] when they come and shoot bullets, they are told to shoot at an angle up in the sky.”<sup>333</sup>

As this testimony intimates, Sukola I officers rarely operated alone. FARDC officers organized killings by tapping into preexisting armed networks in Beni: they operated alongside ex-APC commanders, tapped into local militias in Boikene and Bambuba-Kisiki,<sup>334</sup> in some cases coordinated with ADF, and facilitated the entry of Kinyarwanda speakers into these groups.<sup>335</sup> The following sections present evidence of FARDC complicity with the ADF, then develop an explanation for these seemingly curious partnerships.

### ***Explaining Sukola I involvement***

Why would the FARDC organize attacks? FARDC elements have often supported armed groups elsewhere in the Congo, and have been guilty of pillage, rape, and extortion, but proactively organizing mass killings of civilians on such a large scale goes beyond most FARDC abuses in recent history.

Ascertaining motivation is always difficult, as it requires obtaining information about internal discussions and the intent of the actors. CRG has been able to obtain information from individuals who were privy to the planning of the massacres, as well as from other associates. Based on this information, as well as on more circumstantial evidence, the best interpretation is that government forces discovered preexisting plans for killings and responded by coopting these groups and continuing the massacres. For these officers, controlling the armed groups in the region was more important—and perhaps more feasible—than bringing an end to the violence.

General Mundos’ initial attitude toward the networks that had carried out the killings in 2013 was probably similar to other envoys that Kinshasa had dispatched; he saw these as groups he needed to coopt, demobilize, or control.<sup>336</sup> FARDC involvement in the killing appears to have begun like this. Sukola I officers appropriated ties with armed groups and ratcheted up killings, suggesting a violent competition for political influence in the area.

Three ex-APC officers said that the ex-APC plan for the killings was “betrayed” or “infiltrated” by Sukola I networks linked with Mundos. One member of the security services detailed how this may have unfolded, pointing to Colonel Muhima, an ex-APC officer who was deputy commander of Sukola I :

The ex-APC Colonel Muhima betrayed the project to Mundos, who had also proposed to the head of state to apply the same strategy to block the road for the men of Mbusa Nyamwisi commanded by John Tshibangu. Colonel Muhima, who had the whole plan, applied the plan with Mundos using the same team that had already been recruited by the ex-APC for terrorism to lead to the fall of Beni [to the group].<sup>337</sup>

A different FARDC source in Sukola I described a similar process, saying that ex-APC Lieutenant-Colonel Charles Lwanga had betrayed his co-conspirators:

David Lusenge asked him for a favor, to help protect the elements of John Tshibangu for a new rebellion against Kabila... Lwanga, who knew this plan of John Tshibangu, informed General Mundos, providing all the details of the plan.<sup>338</sup>

These accounts also help explain the timing of the killings. The first few attacks are consistent with the small-scale killings that ex-APC described as their objective. For instance, ex-APC affiliates took responsibility for the attacks at Mukoko (October 2, 2014), Kokola (October 2, 2014), and Mayi Moya (October 6, 2014) that killed two or three people each.<sup>339</sup> Yet one perpetrator in these attacks explained to CRG that when a subsequent attack occurred at Oicha, where attackers killed ten people, it took their group by surprise, as it was committed by a different group of perpetrators.<sup>340</sup>

A FARDC officer suggests a meeting on October 7, 2014 during which time Mundos and other officers, “decided to use the same mode opératoire of the enemy in order to block its advance.”<sup>341</sup> An FARDC soldier described the October 9, 2014 killing at Oicha as the first attack in which FARDC participated: “After the massacre at Oicha on 9 October 2014, my direct chief, Colonel X, exclaimed, ‘*Voilà*, the men of Mundos have started to kill civilians.’”<sup>342</sup> Another perpetrator describes that Mundos and Muhima supported his killing squad during the attack at Apetinasna the same week.<sup>343</sup>

Another FARDC member confirmed this meeting and strategy to CRG, describing that, “when the commander of Operation Sukola I discovered the *mode opératoire* of the enemy... unfortunately, to block this new rebellion in gestation, the commander opted for the same *mode opératoire* in order to sow confusion...”<sup>344</sup> A paid recruiter for the killings, working under Mundos, independently recounted a similar sequence of events: “We had to organize something here to kill many people because the people of Mbusa were already preparing a rebellion in the bush. So we organized a group to put the blame on Mbusa.”<sup>345</sup>

Appointments to Sukola I around this time lend support for the explanation that Mundos sought to infiltrate or coopt plans for the killings. First, Colonel Muhima was promoted to deputy commander of Sukola I after Bahuma’s death. Two additional appointments then raised eyebrows: Adrian Loni (alias “Muhumuza,” alias “Yesse”) and Colonel Muhindo Charles Lwanga. Both were intimately involved in the development of ex-APC affiliated armed groups in Beni in 2012-2013. After joining Sukola I, both continued to work with these groups, especially the Mayangose militia, to support the mass killings, then turned on their erstwhile collaborators.

*Adrian Loni* (aka “*Muhumuza*” or “*Yesse*”) is a mysterious and controversial figure. He facilitated recruitment for Kakolele and Lusenge in 2013 while trafficking weapons with both in Mayangose and Watalinga. Lusenge described Adrian as a member of the Ugandan army, which is consistent with his activities there. Regardless of his primary affiliation, Adrian had long worked alongside ex-APC officers and had deep knowledge of Beni’s armed groups as a “confidante” of ex-APC commanders and apparently participated with them in liaising with the ADF.<sup>346</sup> The Group of Experts found that “Mr. Muhumuza also asked an ADF cadre in 2013 to join a new armed group that would also be called ‘ADF.’”<sup>347</sup>

Weeks before the mass killings, Adrian was appointed as a Lieutenant-Colonel in the 31st Brigade under General Mundos.<sup>348</sup> In August 2014, Adrian had surrendered to MONUSCO, casting himself as a regional ADF recruiter.<sup>349</sup> Adrian told the UN he escaped custody in Kampala in May 2013 and returned to ADF,<sup>350</sup> but multiple militia commanders said that he collaborated with Kakolele to build up armed groups, including through partnerships with the so-called Mai-Mai Mayangose. His put forward outlandish claims about the ADF’s connections with Al-Qaeda in debriefs with the UN.<sup>351</sup>

The timing of Adrian’s appointment to Sukola I, early October 2014, constituted a politically volatile moment in Beni. The trial for the assassination of the first commander of Sukola I, Colonel Mamadou Ndala, was underway. From his position in Sukola I, Adrian supported Kinshasa’s attempts to infiltrate ex-APC affiliated groups with whom he had earlier collaborated. One important step in this was Mamadou’s trial. Adrian became the star witness, charging an ex-APC officer and Adrian’s former collaborator, Samuel Birotsho, with working with the ADF to assassinate Mamadou.<sup>352</sup> One member of the security services explained that Adrian’s knowledge of the relations between the ADF and ex-APC made him of use to Kinshasa and earned him his Sukola I appointment:

When the military prosecutor [Ntumba] had indications that Birotsho was implicated in the assassination of Colonel Mamadou Ndala, he looked for someone who had a deep knowledge of the relations between Birotsho and the ADF. This is how he stumbled upon Adrian. Colonel Ntumba used Adrian in order to have all the elements possible about the relations with the ADF and certain ex-APC soldiers. This is how he [Adrian] testified against Birotsho in the Mamadou trial.<sup>353</sup>

Adrian’s testimony was not fiction. As an FARDC intelligence officer with a permanent base in Beni, Birotsho had indeed been in touch with the ADF,<sup>354</sup> along with other ex-APC associates such as Edouard Nyamwisi and Mbonguma.<sup>355</sup> Some combatants even referred to Birotsho as the “head of the fake ADF.”<sup>356</sup> Adrian’s testimony was a personal betrayal of Birotsho, with whom he had coordinated armed group operations.<sup>357</sup>

After joining Sukola I, Adrian worked to organize some of the massacres. As a recruiter for the mass killings described, Mundos, Ntumba and Adrian later worked together to mobilize and pay

this group.<sup>358</sup> Adrian did so by partially working with the Mai-Mai Mayangose,<sup>359</sup> with whom he had a long-standing relationship, to organize killings on the outskirts of Beni town.

Ex-APC officer, *Colonel Muhindo Charles Lwanga* was appointed S3 of Sukola I under Mundos.<sup>360</sup> From this position, Lwanga was in charge of naming commanders within Mundos' 31st brigade. Lwanga had previously worked with Mundos in Goma when he had been a member of the North Kivu Governor's security team, as well as in Dungu.<sup>361</sup> A former APC captain, Lwanga participated in the APC remobilization in 2012-2013, alongside David Lusenge and Hilaire Kombi from Watalinga.<sup>362</sup> Together with Adrian and local militia commanders, he was involved in high-profile kidnappings, including of three Catholic priests at Mbau.<sup>363</sup>

Sukola I's cross-infiltration of ex-APC networks can be read within the preexisting struggle for influence in the area, as well as an effort to build influence over the nature of coalitions that ADF held. Over the course of operations, and in organizing killings, some Sukola I officers also developed ties with the ADF, as the following section shows.

### ***ADF Involvement (Part II): Complicity with Sukola I Officers***

After Mundos took over as the head of Operation Sukola I, progress against the ADF stalled. While some of this may have had to do with the more decentralized nature of the ADF after the fall of Madina, several FARDC officers and UN officials confirmed reports that the FARDC command showed much less determination under Mundos to pursue the ADF. Soldiers contrasted the turnover in leadership, stating that they fought hard against the ADF under General Bahuma, but much less so under Mundos.<sup>364</sup> Another FARDC element told CRG that as Mundos took over, he asked Sukola I soldiers to abandon the bases they had recovered in the forest and move closer to towns.<sup>365</sup> Other Sukola I officers, including Colonel Muhima, harvested timber in areas known to be under ADF control.<sup>366</sup>

More troubling, four ADF elements and one ADF collaborator described to CRG how Sukola I officers collaborated directly with ADF. Four ADF combatants described meetings between ex-CNDP and/or ex-APC officers in the 31st brigade and ADF commanders to coordinate operations.<sup>367</sup> One ADF imam who participated in such a meeting said that a member of the 31st Brigade came to meet ADF in their camps.<sup>368</sup> According to this source, some Congolese ADF elements even joined the 31st brigade. As he describes, "the combatants could be from anywhere-they could be from Butembo, from Kisangani, from Beni, but it was important that they be Congolese." A military intelligence officer separately said that Mundos appointed a known ADF collaborator to a position in the T2 intelligence bureau.<sup>369</sup>

Appointees to Sukola I also indicated that FARDC officers aimed to make connections with the ADF. In 2016, CRG and the UN Group of Experts discovered the phone number of Colonel Lwanga, the S3 of Sukola I at the onset of the killings, on a SIM card recovered from a known ADF combatant. Another ADF collaborator and militia organizer said that Mundos met clandestinely with Vuba and Bapakombe combatants who had connections with ADF officer Feza.<sup>370</sup>

Two ADF elements independently described working with members of the 31st brigade to set up false ambushes as cover ups to exchange supplies.<sup>371</sup> As one ADF element told CRG, “For each ambush you see along the [Mbau-]Kamango road, the person who sent us to do it was commander Mundos. Mundos said that we suffered a lot under Bahuma, so here is a gift for you.”<sup>372</sup>

Other direct sources go further, describing to CRG and the UN Group of Experts that Sukola I officers, including Mundos, actively worked with the ADF to organize some of the killings. One member of the 31st brigade told CRG that officers working under Mundos organized massacres and used ADF collaborators as scouts for the killings.<sup>374</sup> The UN Group of Experts found that Mundos approached some combatants in an ADF camp near Mwalika and recruited them to participate in killing squads.<sup>375</sup> CRG met with two self-described perpetrators who explained that Mundos helped facilitate supplies for their groups that carried out killings.<sup>376</sup> One recruiter for the killings stated that Mundos approached him, a known ADF collaborator, to help organize killing squads, looking for seasoned combatants with “hardened hearts.”<sup>377</sup>

Reflecting on these linkages, a military intelligence source said that “the accomplices of ADF who massacre the population are in the ranks of the FARDC, especially the ex-APC and the ex-CNDP.”<sup>378</sup> Perpetrators said that the ADF operated in complicity with FARDC. As one Mai-Mai element who participated in mass killings with the ADF explained, “we had the total support of the FARDC during our attacks, in terms of safe passage during our massacres.”<sup>379</sup>

It is important to emphasize that it was parallel networks within Sukola I—which are not necessarily controlled by Kinshasa—that collaborated with ADF in the killings. Many FARDC soldiers participated genuinely in the battle against the ADF, reflected in the high numbers of FARDC soldiers and ADF elements who perished under Sukola I.

## 6. CASE STUDIES

In order to illustrate some of the dynamics described above, and to provide further evidence to the responsibility for the massacres, we focus on two case studies, each of which involves FARDC, local militias, ex-APC, Kinyarwanda-speakers, and the ADF.

### **Boikene Massacres of October-November 2014**

Some of the first and deadliest attacks took place in Boikene, along the northern limits of Beni city, between October and November 2014. This included the largest single massacre in Vemba, which killed an estimated 80 to 200. Participants, militia members, and eyewitnesses confirmed that Sukola I officers used militia members to perpetrate these killings, then turned on erstwhile collaborators by arresting them, confiscating arms, and bringing them to trial.

#### ***Preparations for the attacks***

Led by Mbonguma Kitobi, the Mayangose militia based in Boikene was formed with the stated objective of restoring land access within the neighboring Virunga National Park. This militia also provided a local support branch for ex-APC officers, with whom it often carried out timber trafficking in the park. These relations took an important turn during 2012 and 2013, when ex-APC sought to create a larger rebellion. During this time, Kakolele drew on ties with Mbonguma and other militia commanders to install a local base for a movement he was creating with Adrian and other collaborators. Six rank-and-file militia members interviewed by CRG who were involved in the 2014 killings stated that they were recruited during this period, sensitized by local chiefs with the promises they were working on behalf of the ex-APC and Mbusa Nyamwisi (See box, below).

Chief Mbonguma Kitobi and his commanders worked hand-in-hand with Kakolele and Adrian to create and supply an armed group near Boikene in 2012 to 2013.<sup>380</sup> As Adrian recruited in Kampala on behalf of Kakolele and Lusenge, they also organized their base throughout Beni, including along the western banks of the Semliki river near Mayangose.<sup>381</sup> As Mbonguma described in his signed arrest statement:

In 2013, precisely in February, I worked with Colonel David Lusenge of FARDC who wanted to start a rebellion with Kakolele and Sibenda [Kambale]... This rebellion was for the group of Kakolele that was forming in Uganda saying [they would] attack Congo

When Adrian Loni returned to Beni from Kampala after his arrest and subsequent release by Ugandan authorities in May 2013, he worked closely with commanders in the Mayangose militia. He reportedly presented himself as a member of the ADF at this time, as one Mayangose militia commander explained:



[Mbonguma] told me that he had elements he wanted to put at the disposal of the leaders of [ADF]NALU to attack the town of Beni. It is in this circumstance that he showed us Mr. Adrian, telling us that Adrian was a leader of [ADF]NALU who we should coordinate with.<sup>382</sup>

Five militia commanders who were involved in the killings in 2014 describe working with Kakolele and Adrian during this period, around July 2013, to traffic arms and install foreign combatants.<sup>383</sup> A commander of the militia reported bringing weapons to Kakolele's residence in Boikene around with Adrian.<sup>384</sup> Reflecting recruitment activities in Kampala, this group operating with Mbonguma's militia included Ugandans.<sup>385</sup> A training center was set up along the banks of the Semuliki River, where troops were prepared. Here, a militia commander reported, "we were in reconnaissance with the Ugandans."<sup>386</sup> Similarly, the Group of Experts reported that Ugandan nationals recruited and armed by Kakolele and Lusenge were arrested in Congo around this time.<sup>387</sup>

Leaders of this militia also describe how other important ex-APC commanders worked with this group during this earlier 2012 to 2013 period, including Kava wa Seli, Hilaire Kombi, Samuel Birotsho, and Charles Lwanga.<sup>388</sup> Kakolele and Adrian remained closely connected with Mbonguma and these same militia commanders during the deadliest attacks in the area, flaring up in October to November 2014.

### ***The 2014 killings***

Mbonguma confessed that this group participated in the mass killings in his own signed statement.<sup>389</sup> In a signed confession, another local commander said that this group had been formed in order to carry out attacks near the city of Beni in 2014.<sup>390</sup> As militia members and local authorities reported, this militia participated in several of the major mass killings in 2014. These included attacks at Ngadi and Kadou<sup>391</sup> (October 2014, 31 killed), Muzambayi,<sup>392</sup> Masulukwede,<sup>393</sup> Vemba (November 2014, 80 to 200 killed),<sup>394</sup> and Kasinga.<sup>395</sup> Rank-and-file participants from the Mayangose militia described to CRG that they believed they were operating on behalf of the ex-APC and Mbusa (see Box, below).

Mayangose is known as an ex-APC "maquis," having participating in the ex-APC mobilization of 2010 and 2012 to 2013. These connections surfaced during the killings. As one self-described perpetrator in the massacres described his militia group: "80 per cent of us are APC. I myself was APC. The leaders of our group are people who we worked with in the APC."<sup>396</sup> Participants in the 2014 killings reported support from Kakolele, Bosco Pendani, Tshibangu, and Lwanga.<sup>397</sup> Internal UN sources said that Colonel Birotsho visited a camp of perpetrators in Mayangose in 2014, and perpetrators and sub-commanders cited Kakolele as the "patron" of their group.<sup>398</sup> As one participant in the killings said, "Kakolele is our 'coach,'... he brought arms, ammunition, uniforms, and food... Kakolele and Lwanga sent weapons from FARDC to our chief Mbonguma."<sup>399</sup> Another militia coordinator said, Birotsho and Lwanga were in charge of "supporting our men in Mayangose," and admitted that "our men" collaborated with FARDC in planning the massacres.<sup>400</sup>

Militia members also described operating in conjunction with the ADF during the attacks. Mbonguma's linkages with the ADF had been forged earlier, as the militia had collaborated with ex-APC and ADF during earlier operations, including in 2010 against Nyaleke with Adrian's support, and the 2013 attack against the OZACAF military base that killed civilians, including women and children. Reflecting on the 2014 killings, one local authority involved in supporting the group explained, Mbonguma met with ADF members and transmitted orders to his sub-chiefs after these meetings:

Us lower ranking chiefs [under Mbonguma] also worked with the ADF. Our job was to bring them food... The ADF were our rear base, and we worked together. Mbonguma would go talk with the ADF and then return to bring the orders back to [sub-chiefs].<sup>401</sup>

One perpetrator of the killings around Boikene described that a Ugandan commander led their operations, explaining that the ADF “are the force behind us that we rely on for support. We don't go on an operation without the ADF, when we go on an operation, we go together with them.”<sup>402</sup>

These affiliations transformed this militia into an obvious target as the FARDC looked to coopt the most powerful armed actors in the area. Direct participants stated that Mundos met with chiefs in the area in advance of the killings, including Mbonguma and his secretary.<sup>403</sup> Mbonguma's secretary as well as a recruiter for the mass killings said that Mundos and Ntumba approached Mbonguma at the beginning of the attacks with promises of payment for collaboration. Although there are different accounts on whether Mbonguma accepted the offer, one combatant told CRG that Mundos recruited him and informed him of a training camp for his elements in Mayangose. Two of Mbonguma's collaborators described a trip he made to Kinshasa for meetings, returning with money for his militia.<sup>404</sup>

Close collaborators of the militia, Adrian and Lwanga, received positions in Sukola I. As one ex-APC element working with the Mayangose militia stated, “Mundos came to work with the militia, and he placed Lwanga as an agent for relations between Mbonguma, Kakolele, and himself.”<sup>405</sup> After their appointments, Lwanga and Adrian continued to collude with militia members to support killings.<sup>406</sup>

### ***Massacre at Vemba***

All of these relationships were on display during the Vemba massacre, the largest loss of life in any attack. This massacre on November 20, 2014 unfolded in conjunction with killings at Tepiomba and Masulukwede, with around 120 total victims.<sup>407</sup> Estimates place the death toll at Vemba at 60 to 80, but perpetrators place the figure closer to 200.<sup>408</sup> Local reporters and MONUSCO faced restricted access to Vemba after the killing through obstruction by state authorities.<sup>409</sup> Because bodies were buried and outside observers denied access to the killing site, the exact death toll remains uncertain.

The attack featured a mixed group of combatants that included Mayangose militia members, ADF troops, and Sukola I commanders. The day before the attack, sub-chiefs under Mbonguma (including Saliboko, Pharaon, and Caros) instructed area residents to attend a meeting that Chief Mbonguma had scheduled for the following day.<sup>410</sup> Leandre Kitsa—a militia commander and close collaborator of Kakolele and Adrian—also reportedly encouraged farmers to attend the meeting.<sup>411</sup>

Once the farmers arrived at the meeting site, they were attacked and killed. Eyewitnesses and UN investigators noted that the perpetrators had tied up some victims before killing them.<sup>412</sup> As in other attacks, “visitors”—outsiders not known to the locals, in contrast with some of the local recruits—arrived in the days prior to the Vemba massacre,<sup>413</sup> interacted with the locals, and were seen drinking beer in the hours before the attack.<sup>414</sup> Some of these visitors wore FARDC uniforms<sup>415</sup> and told the population that they were FARDC.<sup>416</sup> These visitors then took part in the killings.

Many of the descriptions of the attack by locals and the perpetrators confirmed the involvement of multiple groups. Three eyewitnesses and three militia members recruited by Mbonguma and his sub-chiefs confirmed that the Mai-Mai Mayangose perpetrated the Vemba attack.<sup>417</sup> Four militia participants told CRG that they collaborated with the ADF.<sup>418</sup> As one perpetrator of the attack described, “we were mixed, us Mai-Mai and the ADF... at the massacre at Vemba, it was Mbonguma, Saliboko, Pharaon who organized, and people from ADF.”<sup>419</sup> This corroborates another participant’s description of how the attack was organized:

The ADF were our rear base, the force behind us that supported us...We didn’t go on an operation without them. We would go with at least 20 people, and we would mix with the ADF... they would tell us we would go on an operation, we would start to take people, we started to kill.<sup>420</sup>

There is also substantial evidence of FARDC involvement in the killings. A local member of civil society reported that the 31st brigade secured a perimeter during the attack, allowing the killers to operate without interference.<sup>421</sup> An FARDC military intelligence source also suggested that Colonel Muhima collaborated with Mbonguma and Leandre for the attack.<sup>422</sup> Leandre confirmed to CRG that General Mundos met Chief Mbonguma in the days prior to the attack and that he served as a scout for “Lieutenant-Colonel” Adrian during the attack, including leading Kakolele to Mayangose and Adrian to Vemba ahead of the attack. He also described collecting payments from Adrian in the 31st Brigade jeep of FARDC Operation Sukola I after the Vemba killing. Illustrating the complex web of relations at play during this period, Leandre explained that, “I thought that it was the ex-APC who wanted to pass via Adrian.”

#### **BOX 4. Militia members describe rationale for massacre participation**

Three members of the Mayangose militia described how they came to participate in the mass killings in this same area:

*Perpetrator 1:* “Chief Mbonguma came to give us morale: we’ll take over Beni, some people will become leaders, those in our group would receive good ranks [in the army... all that I now is that they told us we would take over Beni and Lubero, that they would become our country, and that we would put in our President. Our own people would be our leaders... They say that Mzee Mbusa would be president.”<sup>423</sup>

*Perpetrator 2:* “Our objective of killing people was to turn people against the government,. All that has happened because of the massacres, it is the natives from the town (watoto wa mugini) that plan it. Kakolele and their president, Mzee [Mbusa], are those who plan the massacres.”<sup>424</sup>

*Perpetrator 3:* “First, the goal was to trouble the government. Second, the killings were a strategy to discourage the population against the government. Third, when the population will tire of massacres and insecurity, people will no longer trust in the government. And us, we will create our own government.” (Q/ Which government?) A/ “The Nande government. They want to take Lubero until Beni, this was their objective. Mzee will be president. (Q/ “Which Mzee?”) A/ “The Mzee who was the president of the RCD/K-ML.”<sup>425</sup>

#### ***Political betrayal***

Sukola I officers worked in tandem with militia members, then turned on erstwhile collaborators, suggesting that the killings served both to clamp down on rivals as well as to coopt armed groups. The role of “Lieutenant-Colonel” Adrian illustrates this dynamic. After years of operating alongside ex-APC, Adrian helped state security services to arrest or convict many of his collaborators, including those who had assisted him in the mass killings.<sup>426</sup>

In early October 2014, Adrian became the central witness to accuse ex-APC Lieutenant-Colonel Samuel Birotsho of killing the first commander of Sukola I. The Vemba massacre took place days after Birotsho was convicted alongside Jamil Makulu of terrorism and belonging to the ADF, largely based on testimony from Adrian, and sentenced to death.

Through systematic arrests of local militias and affiliates of opposition armed networks,<sup>427</sup> Kinshasa was able to expose its previous collaborators while at the same time covering its tracks. Adrian also helped stage the arrest of Mayangose militia commanders for the Vemba massacre in December 2014. This included Leandre Kisa,<sup>428</sup> whom Adrian had paid following the killing, and who described Adrian as a “friend.”<sup>429</sup>

Adrian also directed FARDC to ex-APC weapons caches, including in Mayangose, that he had played a role in managing.<sup>430</sup> Another second weapons cache of ex-APC officers was seized at Ndama, where Adrian had previously helped deposit weapons with ex-APC commanders, including David Lusenge.<sup>431</sup>

## **Killings in Bambuba-Kisiki**

In northern Beni territory, Bambuba-Kisiki *groupement* grew into an epicenter of violence. Killings here reflect close connections between the ADF and its local partner: chiefs and combatants from the minority Vuba group. As elsewhere in Beni, killings also featured the complicity of certain high-ranking FARDC officers, including within the Sukola I leadership, in facilitating the massacres. Violence here also formed part of a new phase of violence. As attacks tapered off around Beni city, they persisted in areas along the road from Oicha to Eringeti, prompting residents to abandon much of the area.

### ***Background: ADF's local partners***

Ethnic agendas were easy to decipher in the killings in Bambuba-Kisiki. The minority Vuba faced declining access to land and tax revenue as Nande migrants purchased farmland and grew economically and demographically dominant in the area. Violence primarily targeted these Nande and moderate Vuba chiefs.

The ADF had intimate ties in Bambuba-Kisiki, and Vuba leaders had relied on the ADF over time to build their own militia. ADF trained Vuba militia members<sup>432</sup> and Vuba troops that integrated into ADF.<sup>433</sup> Military intelligence told CRG that the militia exchanged resources for arms with ADF, and Vuba authorities joined in trafficking minerals and gold near ADF camps.<sup>434</sup> Influential chiefs gained ranks in the ADF, such as “Major” Okabo, the chief of Kisiki localité.<sup>435</sup> Vuba leaders could draw on relations with the ADF to settle scores in disputes with Nande constituents.<sup>436</sup>

Mass killings launched in 2014 represented the latest approach to restoring access to land, tax revenue, and resources such as timber and gold. Residents interpret the violence as aimed at “dislodging the Nande through the mass killings.”<sup>437</sup> Nande living in the *groupement* were threatened by local chiefs,<sup>438</sup> while victims report that assailants asked, “why don’t you leave the area?”<sup>439</sup> This goal aims to restore access not only to land, but also to socially prominent posts in the hospital and churches.<sup>440</sup> Over time, Nande had come to control these coveted posts, sparking resentment among the Vuba. At the onset of killings in 2014, Vuba authorities warned Nande migrants, as one civil society representative describes:

We will chase people from this area, so that it returns to us. Haven’t you heard? To those who have important functions or leadership roles, we say: leave. Leave organizations like FEC, chiefs, leaders of development committees and *mutualités*. Leave the leadership of churches like CECA 20. You’ve taken over the leadership of the state posts and the directing roles of NGOs. You’ve eaten your fill, leave this area.<sup>441</sup>

While killings enacted a particularly violent strain of a longer-standing Vuba objective, they cannot be reduced to Vuba agendas. These disputes had never before been so violent. A fragmented and more virulent ADF, coupled with new partnerships from Sukola I officers the 31st Brigade, changed local dynamics and escalated violence.

## ***Development of Killings***

The killings in Bambuba-Kikisi followed three main stages. As elsewhere in Beni, killings broke out during an ambiguous phase, as control shifted from first to second movers. A second stage unfolded as Operation Sukola I fragmented the ADF, triggering a more violent implementation of Vuba's long-standing objective to assert access to land and influential administrative positions. During this stage, Sukola I officers also contributed to the escalation of violence. In a third stage, a more virulent strand of Vuba leaders emerged, with the visible participation of Vuba militia members alongside the ADF in attacks, and violence deteriorating into clan disputes. Kinyarwanda speakers were involved across these stages.

### ***1) Initial Planning (first movers)***

Bambuba-Kisiki has played host to several of Beni's armed groups. First, Bambuba-Kisiki played a role in the broader push of armed group mobilization around 2013. MONUSCO reported that Hilaire Kombi cooperated with ADF in Bambuba-Kisiki in 2013,<sup>442</sup> and Hilaire told two sources he had troops in this area.<sup>443</sup> MONUSCO also noted that David Lusenge had troops northwest of Eringeti, and Lusenge himself acknowledged visiting this area at the same time that he was also organizing bases in Watalinga and Ruwenzori.<sup>444</sup> Other ex-APC affiliates such as Edouard Nyamwisi were active in the area, and collaborated with Vuba chiefs and the militia.<sup>445</sup> Ex-APC officers including Kakolele also collaborated with Vuba chiefs in timber trafficking.

Although collusion between ex-APC and Vuba may appear contradictory, tensions in Bambuba-Kisiki are directed specifically against Nande migrants from Lubero; Nande from Beni, who had their own customary authorities did not pressure Vuba land and were considered "brothers in the forest."<sup>446</sup> Moreover, ex-APC ties with ADF in Bambuba-Kisiki would all but require Vuba involvement, given their close linkages with the ADF. One Vuba authority explained that early ideas for the killings may have been laid through these connections:

The head of Kakolele's group gave three strategies for recovering power: 1) make war, but they rejected this because the local authorities didn't have sufficient arms. So we adopted a second system: 2) kidnapping of the families who are in power. When we implemented this strategy, when we had a specific target, we would also take other people surrounding them so that our strategy would not be exposed by showing our targets. Unfortunately, this did not accomplish the objective. 3) The third strategy was the massacres. Those who were targeted were not all the population, but the families who had power.<sup>447</sup>

Reflecting another point of integration into Beni's broader conflict environment, the Vuba militia is often described as part of the same group as Mbonguma's Mai-Mai Mayangose, reflecting the Vuba and Bapakombe's common narrative of marginalization. Consequently, a prominent Vuba militia organizer referred to Mbonguma's militia as "our group."<sup>448</sup>

The fragmentation of the ADF under pressure from the FARDC in early 2014 impacted the organization of this militia. Two militia leaders told CRG that family members of prominent



Vuba were in the ADF during Sukola I, including at Madina when FARDC stormed the group's headquarters in April 2014.<sup>449</sup> Commanders with close ties to the Vuba, such as Feza and Braida, retained prominent roles in Bambuba-Kisiki.<sup>450</sup> Feza had long been close with Okabo, the chief of Kisiki localité, so much so that residents suspect Feza to have family ties to Kisiki.<sup>451</sup> Feza was viewed as the leader of the Vuba troops within the ADF prior to the fall of Madina, and kept a leading role among the Vuba as the ADF fragmented and the killings began.<sup>452</sup> Braida had worked with Kakolele there.<sup>453</sup> As a combatant described, Vuba chiefs had continued to help supply the ADF after the onset of Operation Sukola I.<sup>454</sup>

These relations were evident in the first stage of the killings in 2014. According to perpetrators, a group at Oicha reinforced the Mayangose-based militia to carry out killings,<sup>455</sup> One perpetrator of the 2013 killings, who described connections with Edouard, ADF, and several ex-APC commanders, told CRG that an affiliated group was based near Oicha.<sup>456</sup> Two participants in groups that carried out the December 2013 killings at Mwenda-Kikingi, and who operated with ADF and ex-APC affiliates, told CRG that they travelled to ADF camps after this point (one source stating that he stayed in Makoyoba I, Makoyoba II and Madina II) and participated in the subsequent mass killings with ADF (according to the first source, the 2015 Eringeti attack and according to the second, attacks at Oicha, Kokola, and Kisiki).<sup>457</sup>

#### **BOX 5. Overview of the Vuba militia<sup>458</sup>**

The Vuba militia, described by the UN Group of Experts as “Groupe Matata,” draws on a multi-ethnic base from Beni and southern Ituri including Vuba, Lese, Nyali, and Batalinga. It aims to reclaim land and favorable taxation rates vis-à-vis migrant Nande to Bambuba-Kisiki. Its earlier membership included Bapakombe, although this seems to have tapered off as Sukola I progressed and the mass killings unfolded. They hold in common the perceived threat of Nande expansion in their zones and a broader goal against these migrants and participate in smuggling of gold and timber.<sup>459</sup>

##### *Commanders*

- Castro: Castro worked with Chiefs Okabo (Kisiki) and Boroso (Baungatsu-Luna).
- Unde (or Onde, Undebe) Pascal: M'vuba from Upira is another commander or leader. Unde worked with Chief Boroso.

##### *Partnerships with other armed groups*

- The militia operates alongside the ADF.
- Mbonguma's militia at Mayangose

##### *Bases during Killings*

- Bango
- Ndimbo
- Kamakombu

## **2) 31st Brigade Involvement: relations with Vuba militia members and ADF**

“Second movers,” or FARDC commanders in Sukola I, were involved in Bambuba-Kisiki from the beginning of the massacres. As elsewhere in Beni, they appear to have provided the impetus to scale up the violence. According to local authorities and combatants in the area, Mundos looked to local authorities with ties to the ADF to facilitate his own access to the group.

Mundos met chiefs from Bambuba-Kisiki and the surrounding area ahead of the massacres.<sup>460</sup> According to Okabo (Kisiki localité), when Mundos became the head of Sukola I, “he called all of us customary chiefs to Eringeti,”<sup>461</sup> including Okabo Mabruki (Kisiki), Jonas Kibondo (Mayi Moya), Undebibi Adongya XI (Eringeti), Boroso (Baungatsu-Luna) as well as Vuba community leader Banihasi Makasi, a pastor at the CECA 20 church.<sup>462</sup> On the surface, these meetings are not problematic. While there is no evidence that Mundos used this occasion to discuss armed mobilization, it shows that Mundos was attentive to the need to involve local chiefs in his counterinsurgency efforts.

One Vuba leader described how Mundos drew on local authorities in these meetings in order to access the ADF:

[Mundos] clandestinely worked with Vuba youth, whom he used as scouts. Mundos often invited us to meetings to ask for help—which meant putting him in contact with young Vuba and Bapakombe that were in contact with ADF commander Feza.<sup>463</sup>

This source also describes that Mundos took his daughter—a member of the ADF—as his concubine.

CRG uncovered indications that Sukola I commanders were complicit in the early attacks in Bambuba-Kisiki. This was evident during first attack at Eringeti on October 17 and 18. A investigation by national parliamentarians found that members of the 1003rd and 1007th regiments of the FARDC created a safe perimeter as they “fired guns in the air while the population was massacred.”<sup>464</sup> A civil society member confirmed this to CRG.<sup>465</sup>

As one military intelligence source and other sources told CRG, Sukola I officers also worked alongside the Vuba militia, including its commander Onde Pascal.<sup>466</sup> A militia member describes cooperating with the 31st Brigade based at Eringeti.<sup>467</sup> An ADF combatant in Bambuba-Kisiki, under Vuba commanders, describes that Adrian visited his camp.<sup>468</sup>

When Mundos was transferred to Mambasa in 2015, Colonel Tipi Ziro Ziro took over the 312th battalion at Eringeti, one of two battalions the 31st brigade that remained in Beni. Prior to Mundos’ transfer, residents report that Tipi Ziro Ziro made a good faith effort to fight the ADF.<sup>469</sup> Following an attack on Kainama, Tipi Ziro Ziro killed eight “ADF,” earning the admiration of civilians.

When Mundos left, however, local sources began to observe Tipi Ziro Ziro's involvement in attacks.<sup>470</sup> One Sukola I soldier described that Mundos enlisted and paid Tipi Ziro Ziro to facilitate attacks.<sup>471</sup> According to one of Tipi Ziro Ziro's local collaborators: "We would go drink a lot. Once, when he was drunk, he described that [the person behind the attacks] was Mundos and it was for money."<sup>472</sup> One perpetrator of the mass killings said that soldiers under Tipi Ziro Ziro, were present when his group carried out attacks. After perpetrators' "work" finished, soldiers shot bullets in the air, as an apparent diversion:

Tipi Ziro Ziro, his intervention is like this: we enter, we burn, we kill people first. Then we wait for the command of the leaders. He receives the order to attack, [but] when they come and shoot bullets, they are told to shoot at an angle up in the sky."<sup>473</sup>

In other instances, civilians informed Tipi Ziro Ziro of suspicious activities in advance of attacks and of movements of supposed "ADF," but he failed to take preventative action.<sup>474</sup>

Residents said Tipi Ziro Ziro worked with Vuba chiefs to coordinate attacks and to access the ADF. One paid participant described riding in an FARDC vehicle with Tipi Ziro Ziro to attend a meeting with Vuba chiefs and ADF commander Braida.<sup>475</sup> As this participant said, "Adongya Undebibi XI told me to distribute the money to carry out the carnage." Local sources describe Tipi Ziro Ziro as facilitating ambushes along the main road around this time.<sup>476</sup> Following an attack on Mayi Moya, FARDC identified two bodies of perpetrators as soldiers operating under Tipi Ziro Ziro.<sup>477</sup>

According to militia members and a military intelligence source, Tipi Ziro Ziro worked with the Vuba militia under Castro<sup>478</sup> and chiefs known to support the militia.<sup>479</sup> A military intelligence source and one combatant told CRG that the Vuba militia exchanged gold for weapons with Tipi Ziro Ziro.<sup>480</sup>

The following box overviews two of the main attacks that unfolded in Bambuba-Kisiki groupement. As it demonstrates, important attributes of the killings remained consistent over time: the killings joined the ADF with Vuba militia members, and they unfolded through the complicity of certain FARDC commanders, including allegedly Tipi Ziro Ziro. Finally, these attacks, one year apart, joined Kinyarwanda speakers in the killing squads.

**BOX 6. Overviewing Key Attacks in Bambuba-Kisiki****November 2015 attack at Eringeti:**

The November 2015 attack was one of the major massacres in this wave of violence, leaving 24 dead. An armed group consisting of men, women, and children attacked Eringeti, looted supplies, and targeted the hospital, killing medical personnel and patients.<sup>481</sup> Assailants were well armed and sustained the attack for several hours. A MONUSCO armored personnel carrier sustained heavy damage during the attack, and one peacekeeper was killed.<sup>482</sup> CRG interviewed four sources who participated in or supported this attack and four additional witnesses, including two medical doctors present at the hospital during the attack.<sup>483</sup>

The attack displayed the collaboration of ADF, Sukola I officers, Vuba interests, and Kinyarwanda-speaking combatants. The UN Group of Experts noted that the Baluku group of ADF participated in the attack.<sup>484</sup> Reflecting ADF objectives, area shops whose owners had reneged on business arrangements with the ADF were targeted. Two ADF elements told CRG that they participated, and one of these elements and another ADF collaborator described ADF commander Braida's participation and injury in the attack.<sup>485</sup> One ADF element in the attack stated that assailants wore FARDC uniforms and that some attackers dressed in Muslim clothes when going to participate in the killings.<sup>486</sup>

CRG found indications of FARDC complicity to assist the operation. According to the Group of Experts, an ex-APC Colonel provided the ADF with information on FARDC positions in Eringeti in advance of the attack, in addition to other supplies.<sup>487</sup> The commander of the 312th battalion based at Eringeti, Col. Tipi Ziro Ziro, was brought before a military court for negligence in failing to protect civilians but ultimately pardoned.<sup>488</sup> Direct witnesses suggest that his complicity ran deeper. Civil society reports that some civilians denounced suspected elements to Tipi Ziro Ziro in advance of the attack, but those who denounced the suspicious actors were imprisoned.<sup>489</sup> As one resident of Eringeti described, before the attack, "Tipi Ziro Ziro told us not to run if we heard bullets."<sup>490</sup>

ADF and Tipi Ziro Ziro also benefited from the involvement of Vuba authorities and militia members. One direct participant in the exchange describes that Tipi Ziro Ziro provided Vuba chiefs with payment after this attack.<sup>491</sup> Reflecting joint attacks, one ADF element present at the Eringeti attack told CRG and the UN Group of Experts that the overall leader in his camp was a Ugandan ADF officer, but the second in command was Pascal Undebi, the leader of the Vuba militia (or "Groupe Matata").<sup>492</sup> According to this source, a few days before the attack, a Vuba ADF element, originally from Eringeti, was sent from his camp to conduct a reconnaissance mission in Eringeti.<sup>493</sup> One of the ADF groups to join in the Eringeti attack left from a camp at Bango, near the confluence of the Bango and Semliki rivers.<sup>494</sup> CRG met with two other combatants who confirmed a mixture of core ADF and Vuba militia leaders, and who described Vuba chiefs' visits to the camp. Also indicating the involvement of Vuba authorities, a relative of Chief Placide Malifuno was reportedly killed in the attack.<sup>496</sup>

From the Vuba side, the health system represents a key flashpoint of conflict in the area, with Nande doctors holding influential posts. Nande doctors at the Eringeti hospital were threatened in earlier periods, and another Nande doctor in Oicha was pushed out of post during the killings.<sup>497</sup>

Participants describe receiving reinforcements from other groups in order to carry out the attack. The UN Group of Experts noted that two perpetrators said that Kinyarwanda speakers came to their support after crossing the border from Uganda to join in the attack.<sup>498</sup> CRG met with one perpetrator who described being reinforced by a group of Kinyarwanda speakers that arrived with their own arms.<sup>499</sup>

### **December 2015 attacks at Mapini, Ntombi, and Bauba**

A series of attacks unfolded in Mapini, Mayi Moya and Ntombi on 24 December 2015.<sup>500</sup> Attacks were carried out by a mix group of assailants. As one eyewitness and a UN investigative team described, attackers were lead by combatants in FARDC uniform at the front of their group, followed by people in civilian clothing and older clothes.<sup>501</sup> The group spoke mixed languages, including Lingala, Swahili.<sup>502</sup> The composition, with FARDC in front, “you would think that they were soldiers” as they passed.<sup>503</sup>

When FARDC retaliated against the attackers, some of the combatants killed turned out to be Vuba militia members.<sup>504</sup> One perpetrator killed included a family member of Chief Jonas Kibondo (Mayi Moya), known as Abanza,<sup>505</sup> who held a commander position within the militia.<sup>506</sup> Easily distinguished by his trademark beard, Abanza was sighted leading a squad of combatants between attack sites.<sup>507</sup> CRG obtained photographic evidence of Abanza’s death in the attack. Another militia member killed included the son of Chief Tito Avingani (Kasana).<sup>508</sup> These deaths expose the close linkages between the perpetrators and Vuba authorities.

A UN investigative mission found that Tipi Ziro Ziro was present in the areas where killings later took place.<sup>509</sup> One investigator described that Tipi Ziro Ziro encouraged civilians not to flee but to prepare food for “visitors” who would arrive.<sup>510</sup> According to a civil society source, the population had informed FARDC that they had seen the “enemy” in their fields in advance of the attack, but the FARDC officer did not react.<sup>511</sup> The attack also expresses the pattern of certain FARDC failing to intervene. An FARDC base under the command of Tipi Ziro Ziro was in close proximity to the killing at Mapini.<sup>512</sup> As one resident of the area recounts, “we heard the bullets of ‘ADF’ 500 meters from the FARDC barracks. Just close to here. We called the FARDC soldiers on the phone, and they said that ADF had come. But their commander had given orders not to fire.”<sup>513</sup>

### ***Spirals of Violence in Bambuba-Kisiki***

The killings promoted a virulent strand of Vuba leadership, exacerbating clan disputes and prompting criticism from more moderate chiefs. As a local leader described, since the onset of the killings, the phrase “the Ruwenzori has started falling on us” has grown into usage. The phrase indicates growing rifts between Vuba and Nande native to Beni (indicated here from Ruwenzori sector).<sup>514</sup> Since the onset of Sukola I and the subsequent killings, certain Vuba leaders have taken a more visible stand, issuing public letters and declarations against Nande organizations. As one open letter from Vuba chiefs to Kyaghanda-Yira stated:

At this dramatic stage in our history, we are obliged to put the truth on the table to find a solution to the differences between our ethnic group and... certain politico-administrative authorities of your group who violate our customary rights, sell our land, and present themselves in the name of the M’vuba community to hijack the social advantages of our community sine their arrival on our customary land.<sup>515</sup>

Whereas Nande leaders, including those linked with Beni's Kyaghandanda-Yira branch, had colluded with Vuba authorities prior to the war, these relations also soured and turned violent. As one well-known Vuba combatant described, "Some Vuba accuse others of allying with Kyaghandanda-Yira" and were arming against it.<sup>516</sup> Involved with the Vuba militia,<sup>517</sup> hard-line chief Jonas Kibondo (Mayi Moya),<sup>518</sup> threatened Kyaghandanda-Yira meetings in his jurisdiction.<sup>519</sup> Box \_\_ presents some Vuba authorities working with the Vba militia, under the guise of the "presumed ADF."<sup>520</sup>

Clan disputes also turned violent. Clan disputes center on the Bohio clan, whose ancestry was linked with Nande installed under the colonial government. The lineage continues to divide Vuba, and a fragmented ADF—which had earlier traversed all sides of this divide—appeared to inflame these tensions. As a civil society source explained to CRG:

In the zone where there are many massacres, there is a desire to split the groupement in three: one groupement for the Bamba, for the Bohio, and for the others [Ombi]. This internal conflict started so that each clan would have their own groupement, but that provoked a generalization of massacres as each clan vying for a groupement provokes disorder.<sup>521</sup>

Vuba leadership divided along how narrowly to draw these agendas. The militia does not represent a cohesive community front, and killings also divided moderate versus hardline Vuba leaders.

### ***ADF Involvement in Bambuka Kisiki***

As the killings continued into 2015, evidence of Sukola I complicity remained but, as the UN Group of Experts noted, the ADF became primarily responsible for killings in Bambuba-Kisiki and along the Mbau-Kamango road.<sup>522</sup> Split amongst various branches, it is not clear whether the ADF could be considered a unified group at the time,<sup>523</sup> but Musa Baluku led the largest branch during this period. This group participated in many of the attacks along the road, including on FARDC targets, and joined other groups including ADF factions to carry out attacks.<sup>524</sup> Feza's group, which liaised with Baluku's, was primarily constituted of Congolese combatants from around Beni, although operating under ADF commanders and maintained strict behavioral codes.<sup>525</sup> Combatants and local authorities describe that Feza continued to work closely with Vuba militia members.<sup>526</sup>

CRG met with three ADF elements and three elements of groups that operated in conjunction with the ADF who described participating in killings throughout Bambuba-Kisi groupement.<sup>527</sup> These combatants describe operating using machetes and guns, and stated that killing squads included people speaking Kinyarwanda and Lingala.

As the killings progressed, attacks shifted toward operations against FARDC bases. ADF began releasing notes, which CRG obtained, warning FARDC and MONUSCO to cease operations. In late 2016, ADF released some Congolese elements at Kainama with a message to FARDC and MONUSCO to stop attacking the ADF and bombing ADF camps, and threatening that the mass killings would continue until the Sukola I offensive abated.<sup>528</sup> CRG met with one of these



combatants released with the warning message, who confirmed ADF's attacks FARDC and also described communications with local armed groups and the presence of "enfants du milieu" who assisted with the killings.<sup>529</sup>

Three ex-APC combatants active from 2012-2013 independently said that they continued to collaborate with ADF throughout the period of the killings, and described their continued linkages with certain ADF commanders and participation in attacks in Bambuba-Kisiki.<sup>530</sup> As one ex-APC combatant explained, "I carried out attacks with [ADF]NALU at Oicha, the first attack at Kokola, and at Kisiki. We work with them... we mix together during attacks."<sup>531</sup>

## 7. KINYARWANDA SPEAKERS' INVOLVEMENT IN THE KILLINGS

The perplexing involvement of Kinyarwanda speakers compounds the mystery of Beni's attacks. There are no native Kinyarwanda speakers in this region, and Congolese Hutu and Tutsi communities have had extremely strained relations with the Nande community in the past. Their involvement, however, is clear. In our earlier report, CRG found that a third of direct witnesses heard Kinyarwanda spoken by the killers, representing the second-most frequently spoken language in the attacks.<sup>532</sup>

CRG was not able to conclusively explain this involvement but finds that all of the major protagonists in the killings cultivated relationships with Kinyarwanda-speaking combatants. Below, we present evidence of involvement from ADF, ex-APC, Sukola I officers, and local authorities in facilitating Kinyarwanda speakers' arrival, and in some cases, participation in the killings. We are not able to definitively conclude whether these combatants were Hutu migrants, M23 combatants, or a mixture of both.

### *1) Involvement of Migrants*

Peaceful migrations to areas in and north of Beni began around 2008 and scaled up in 2013.<sup>533</sup> Many migrants pass through Beni to southern Ituri, where Rwandophone representatives placed the number of migrants between 10,000-15,000 in 2016.<sup>534</sup> One of the migration routes passes through hotspots of violence, following the road from Eringeti through Kainama to reach southern Ituri. Civil society sources along the road from Eringeti to Chabi indicate that the pace of migration slowed by late 2016.<sup>535</sup>

Four direct sources and additional indirect sources describe the involvement of migrants, including from Chabi, in the attacks.<sup>536</sup> The alleged rationale for migrants' participation was to recover empty land from areas where civilians fled. One recruiter stated that Adrian instructed him to mobilize local troops who could act as scouts for Hutu who would come from areas near Kainama to carry out attacks.<sup>537</sup> These reports fit with the testimony of one participant who said that his group was reinforced by Kinyarwanda speakers during the killings, whom he believed to be migrants to Ituri as a result of conversations he had with them.<sup>538</sup>

Nonetheless, significant questions remain. Although it is possible that some migrants took part in the killings, CRG did not find evidence to suggest that migrants participated systematically. CRG recovered inflammatory and apparently fake documents that said Rwandophones wanted to remove the local population to take their land<sup>539</sup>—rumors that play into common conspiracy theories in the area.

## **2) Explaining Involvement : ADF**

The UN Group of Experts found that, as the ADF fragmented, its varied branches operated with reinforcements of Kinyarwanda-speaking combatants. These combatants, coming from Uganda or Rutshuru, were often “fully armed and wearing military uniforms,” stayed in separate camps from the core ADF, but provided reinforcements for the killings.<sup>540</sup> One ADF defector described to CRG that his group was reinforced by these elements during the killings.<sup>541</sup> The UN Group of Experts noted reinforcements of Kinyarwanda speakers in the November 2015 attack on Eringeti.<sup>542</sup> CRG met with two additional ADF elements who described their branches as partnering with Kinyarwanda speakers, but they could not settle on an ethnic origin for these participants.<sup>543</sup> One told CRG that his branch, which also liaised with ex-APC, received payments from Kinyarwanda speakers during attacks.<sup>544</sup> ADF elements told the UN Group of Experts and CRG separately that ADF leadership the arrival of Kinyarwanda speaking combatants had been a point of division within the ADF.

## **3) Explaining Involvement : ex-APC Connections**

As described in Chapter 4, it is clear that ex-APC networks, working with local partners, facilitated the entry of Kinyarwanda speakers to Beni’s armed groups before 2014. This does not definitively explain the identities or motives of those involved in the 2014 killings, but signals that partnerships had already been established. The UN Group of Experts reported that the M23 sent troops to join Hilaire Kombi’s groups in May 2013. Local militia members in these areas stated they carried out attacks with “Tutsi” the same month. Ex-APC also recruited troops from Rwanda to join their group.<sup>545</sup>

Eugene Serufuli, the former governor of North Kivu and the current minister of social affairs, facilitated Hutu migrations to other areas of North Kivu (notably, Kigaligali in Rutshuru).<sup>546</sup> Park authorities who investigated these movements found that Serufuli passed off some Rwandans as Congolese, and received support from Kinshasa.<sup>547</sup> An independent investigation by civil society activists found that Serufuli also supported the movement of Kinyarwanda speakers toward the Grand Nord or Ituri, which an FARDC Colonel assisting the migrations confirmed.<sup>548</sup> Three ex-APC affiliates explained to CRG that they directly worked with Serufuli to facilitate some of these movements to Beni.<sup>549</sup> Another ex-APC officer supporting armed groups in the area explained that these so-called Hutu “joined the ex-APC who were in the farm of Edouard Nyamwisi.”<sup>550</sup>

Some sources describe that certain ex-CNDP officers collaborated with ex-APC commanders to organize killings.<sup>551</sup> One recruit for the massacres describes attending an August 2013 meeting with Bisamaza in Kakolele’s residence in Boikene to discuss the killings.<sup>552</sup> A weapons trafficker for the ex-APC stated that he received money from ex-APC leaders to host some of Bisamaza’s troops on his land in Ruwenzori sector in late 2012.<sup>553</sup> Another participant described that Lusenge supported this same group after his defection from the FARDC,<sup>554</sup> while other ex-CNDP officers visited and armed the troops here.<sup>555</sup> CRG also found evidence of land purchases by ex-CNDP officers in these areas in state records of Beni’s land registrar.

#### **4) Explaining Involvement: Local chiefs**

Many Vuba and Bapakombe authorities also helped facilitate population movements.<sup>556</sup> For these minority communities, support for migrants was couched as a solution to land problems vis-a-vis a dominant Nande majority and a financial opportunity.<sup>557</sup>

Kakolele convinced minority chiefs to receive Kinyarwanda speakers, approaching Vuba chiefs in Bambuba-Kisiki (apparently discussing their possible involvement in timber trafficking).<sup>558</sup> As one Vuba militia organizer said, Kakolele and Chief Mbonguma installed Kinyarwanda speakers in “our group.”<sup>559</sup> One source said that Vuba authorities initially refused to collaborate, but Kakolele persuaded them with promises of doubling their tax revenue.<sup>560</sup> One self-described ADF who stated he received money from ex-APC and Kinyarwanda-speakers stated that Kinyarwanda speakers would gain access to land through killings and pay increased taxes.<sup>561</sup> As one member of the 31st brigade explained of the migrants, “When they come, they will pay well for the land (\$2,000 per hectare), compared to the Nande, who purchased the land with a goat for \$50.”<sup>562</sup>

One militia member explained that the Vuba partnered with Kinyarwanda speakers as minorities against the Nande.<sup>563</sup> Two minority chiefs and one indirect source told CRG that attackers had already purchased fields from local chiefs, including Chief Boroso, especially land east of the road.<sup>564</sup> Other land purchases are described as extending to Watalinga and Beni-Mbau, Banande-Kainama, and Mayangose.<sup>565</sup> CRG could not confirm whether land transfers have occurred.

#### **5) Explaining Involvement : Sukola I Officers**

Some of the same Sukola I officers, General Mundos, Adrian, and Colonel Tipi Ziro Ziro, were involved in the arrival of Kinyarwanda speakers.<sup>566</sup> However, it is unclear to what extent they provided a new impetus to Kinyarwanda speakers’ participation in attacks, versus appropriating preexisting dynamics.

One intelligence source, two members of the 31st brigade, one civil society leader, and two combatants, said that Mundos was involved in the migrations.<sup>567</sup> Two 31st brigade members said Mundos worked with certain other Sukola I commanders to secure migrants’ passage, including along the Eringeti-Kainama-Boga road.<sup>568</sup> Others said that Mundos worked with Kinyarwanda-speaking combatants to carry out killings.<sup>569</sup> One participant and one recruiter under Mundos said that Congolese troops acted as scouts for migrants during the killings.<sup>570</sup> The UN Group of Experts noted that Mundos supported attackers who were reinforced by Kinyarwanda speakers, without identifying who these Kinyarwanda speakers were.<sup>571</sup>

When General Mundos was transferred away from Beni, Tipi Ziro Ziro continued this support. CRG witnessed a phone call in which Tipi Ziro Ziro acknowledged working with Serufuli to facilitate the migrations through Beni during the mass killings.<sup>572</sup> One 31st Brigade officer and one recruiter for the killings also stated that Serufuli worked with Mundos in this way.<sup>573</sup>

It is clear that Sukola I officers were also reacting to efforts by local chiefs and ex-APC to use Kinyarwanda speakers. For example, in Mayangose Adrian had collaborated with Kakolele, Lusenge, Mbonguma, in 2013 to install “Rwandans” in jointly organized armed groups. He continued these activities when organizing the attacks. A recruiter for the mass killings stated that Adrian informed him that Hutu would participate in the attacks; “Adrian said that the Banyarwanda would live in these places after the Nande farmers who had invaded the areas would leave.”<sup>574</sup> One Mayangose militia commander described Adrian as working with Kakolele and Birotsho to bring “Rwandophone soldiers to our area in Mayangose” and “negotiating many times with Mbonguma” for this to occur.<sup>575</sup>

After Adrian entered the 31st brigade, he continued these activities. This commander describes that Adrian worked with Mundos to bring Rwandophones to Chief Mbonguma in September 2014, and that Adrian brought around ten Kinyarwanda speakers to Mbonguma in the days prior to the Ngadi and Kadohu attacks to participate in the killings.<sup>576</sup> Another source with direct knowledge said that Mundos met with Mbonguma to discuss the migrants, describing their so-called “special mission” and promising Mbonguma payment to install them.<sup>577</sup> Kakolele and Adrian reportedly paid Mbonguma to provide fields for Kinyarwanda-speaking combatants.<sup>578</sup>

Some local participants said that chiefs accepted Kinyarwanda speakers under apparent government encouragement. As one prominent chief in Watalinga describes, “the government simply wanted to oblige chiefs to accept Rwandophones in their areas.”<sup>579</sup> Another participant in the killings explains a national minister approached Vuba and Bapakombe chiefs in mid-2013, promising payments to install these populations.<sup>580</sup> CRG recovered travel authorizations for migrants signed by the mayor of Beni city. Other authorities including a Vuba chief described that migrants hold travel authorizations is signed by North Kivu Governor Julien Paluku, but CRG was unable to verify this claim.<sup>581</sup>

## 8. CONCLUSION

Almost four years after the first killings, little has been done to find out who the perpetrators are or to hold them accountable. The Congolese justice system has held a series of trials, but these have mostly targeted opposition members and local chiefs. While some of the testimonies that have resulted from these trials have been interesting, the military prosecutor—General Timothée Mukuntu, who was detached from the presidency to lead the investigation—has not taken seriously evidence pointing to the involvement of Congolese military officers.

Meanwhile, MONUSCO has finally invested resources in strengthening its office in Beni with civilian staff in 2016, and its troops have stopped providing supplies to their Congolese counterparts. Nonetheless, its military still conducts joint operations with the Congolese army, and there has been no formal evaluation of possible missteps the mission may have made during the Beni crisis.

Since late 2016, the rate and scale of killings has abated, and international attention has passed on to focus on the Kasai region—where violence in 2016 displaced over a million people—and to the battle over President Joseph Kabila’s succession.

Nevertheless, Congolese and foreign partners alike should not forget about Beni. This is not just a matter of accountability and respect for those who died there. The dynamics on display in Beni provide useful lessons for conflict elsewhere in the Congo, they can give us an insight into how the Congolese army and justice system function, and the strategies that military entrepreneurs—like the ex-APC officers described here—can employ to survive and prosper. In particular, the use of violence as a means to justify repression or insurgency, or as a way of coopting and controlling rivals, is a cynical tactic employed in Beni both by opposition networks as well as by the Congolese army. It fundamentally undermines the assumption, on which UN stabilization exercises are grounded, that the government’s priority is the stabilization of the country.

Another of the strategies has been the systematic confusion and dissimulation employed by the perpetrators. One participant recalled:

We adopted the *mode opératoire* of the ADF; to dissimulate, we adopted their method... women and children were included in the group. They killed, because this is the style of the ADF... children killed, because we knew that when the ADF travels, they bring these people. This is so that the traces of the ADF would be widely cited in the massacres.<sup>582</sup>

Participants often intentionally obscured their identity through their uniforms during attacks, and groups that were not the ADF often called themselves by an “ADF” “logo” during the killings. As one longtime recruiter and financier summarized Beni’s killings, “the business of the massacres is so complicated, to the point that one can participate in it without even knowing.”<sup>583</sup>

This report has attempted to lift this confusion. We have highlighted five separate, but intertwined dynamics underlying the massacres:



- The attempt by networks of former APC officers and members of the RCD-K/ML to assert control and protect their interests;
- A mobilization of minority ethnic communities—in particular, the Vuba and Bapakombe—against Nande outsiders, who controlled much of the land and local power structures;
- The attempt by the FARDC and Kinshasa elites to coopt members of these two networks, to repurpose the violence to their own ends;
- Efforts by the ADF to survive by using violence to distract and delegitimize the FARDC and intimidate local communities, while furthering their relations with other armed actors.
- Another network—which may consist of multiple groups—of Kinyarwanda speakers was also involved in the massacres, but it is unclear whether they engaged on a mercenary basis or in order to further outside political interests.

These dynamics together explain a sequence of events that saw these networks compete, overlap, and be subsumed in each other. While some of this was led and orchestrated by the FARDC, it is possible that the initiative for other massacres came from other groups. All the groups, however, had an interest in deflecting responsibility onto the ADF, reinforcing the misleading notion that the killings were the sole result of a radical Islamist group.

By the end of 2016, the intensity of violence had decreased. While other armed groups emerged, led by some of the same actors, they no longer resorted to mass violence against civilians as a tactic. ADF groups remained, with their leadership structure largely intact, and some FARDC units were rotated out to other places in the country, especially the Kasais.

This account still leaves many questions unanswered. To what extent were the ex-APC networks that initially mobilized around 2010 working under a clear hierarchy and linked to Mbusa Nyamwisi? What role, if any, did the former leaders of the M23 play in the violence? And to what extent was the FARDC hierarchy in Kinshasa aware of and controlling General Mundos' activities around Beni?

The report also raises serious questions for international actors, especially the United Nations, whose peacekeeping mission provided substantial military support to the FARDC throughout much of this period. What does this mean for policy makers operating in such a complex environment? How can the UN take preventative action when conflict is the product of many shifting alliances, in which the ultimate perpetrators and their motives are difficult to parse?

## REFERENCES AND NOTES

<sup>1</sup>Throughout this report, “Beni” references “Beni territory,” while “Beni city” references the city of Beni.

<sup>2</sup>For example, “Rapport du Bureau conjoint des Nations Unies aux droits de l’homme sur les violations du droit international humanitaire commises par des combattants des Forces armées Démocratiques (ADF) dans le territoire de Beni, province du Nord-Kivu, entre le 1er octobre et le 31 décembre 2014,” Mai 2015.

<sup>3</sup>“ADF Update November: ADF/Armed Group activity Oct/Nov 2014” MONUSCO G2 Military Intelligence, 25 November 2014; Final Report of the Group of Experts on the Democratic Republic of Congo, S/2016/466, paras. 51-69, 182-213; Final Report of the Group of Experts on the Democratic Republic of Congo, S/2015/19, para. 41; “Rapport de la Mission d’Information et de Réconfort auprès des Populations de la Ville de Beni et des Agglomérations du Territoire de Beni, Victimes des Tueries du 02 au 21 Octobre 2014” Assemblée Nationale, 2ème Législature de la 3ème République, 9 Novembre 2014.

<sup>4</sup>For example, Final Report of the Group of Experts on the Democratic Republic of Congo, S/2014/42, para. 86; Final Report of the Group of Experts on the Democratic Republic of Congo, S/2011/738, para. 58 and paras. 63-65; International Crisis Group (2012) “Eastern Congo: The ADF-NALU’s Lost Rebellion” Crisis Group Africa Briefing No 93, 19 December 2012, p. 11; “ADF Evaluation 1” DPKO, 29 November 2014; Romkema, Hans (2007) *Opportunities and Constraints for the Disarmament & Repatriation of Foreign Armed Groups in the Democratic Republic of Congo*, June 2007 (Washington, DC: The World Bank); Titeca, Kristof, and Koen Vlassenroot (2012) “Rebels without borders in the Ruwenzori borderland? A biography of the Allied Democratic Forces.” *Journal of Eastern African Studies* 6.1: 154-176; Scorgie-Porter, Lindsay (2015) “Economic Survival and Borderland Rebellion: The Case of the Allied Democratic Forces on the Uganda-Congo Border.” *The Journal of the Middle East and Africa* 6.2: pp. 191-213.

<sup>5</sup>On the reputation for mystery: Titeca and Vlassenroot (2012), p. 154.

<sup>6</sup>ADF has no ties to international terrorist groups: Final Report of the Group of Experts on the Democratic Republic of the Congo, S/2015/19, para. 7.

<sup>7</sup>On numbers of killings: Congo Research Group / Groupe d’Étude sur le Congo (2016) “Qui sont les tueurs de Beni?” Rapport d’Enquête No 1, Mars 2016, internal CRG data compared with Final Report of the Group of Experts on the Democratic Republic of the Congo, S/2016/466. “Annex 55: Attacks in Beni Territory.” Civil society places the number of killings at 1,200. “Massacres à Beni: la société civile réclame une enquête de la CPI” Radio Okapi, 2 October 2016. Local human rights organizations and civil society cite the number of kidnappings at 800. “Encore 33 civils kidnappés en Territoire de Beni,” Société Civile du Nord-Kivu [Email correspondence], 23 September 2013. Displacement figures are a compilation of OCHA trimestrial reports on displacement, available at [www.humanitarianresponse.info](http://www.humanitarianresponse.info).

<sup>8</sup>Midterm Report of the Group of Experts on the Democratic Republic of Congo, S/2015/797, para. 84; Final Report of the Group of Experts on the Democratic Republic of the Congo, S/2016/466. “Annex 55: Attacks in Beni Territory.”

<sup>9</sup>Final Report of the Group of Experts on the Democratic Republic of the Congo, S/2015/19, paras. 8-14.

<sup>10</sup>A provincial governor minister announced the death count at only 49. “DR Congo: Scores Killed in Rebel Attacks” Human Rights Watch, 15 December 2014. Perpetrators suggest 200. Interviewee S-14, Komanda, 1 March 2017; Interviewee S-16, Komanda, 8 March 2017. Local human rights organizations place the number at 120: Final Report of the Group of Experts on the Democratic Republic of the Congo, S/2016/466. “Annex 55: Attacks in Beni Territory.”

<sup>11</sup>“Statistique Actualisé des Sites de Komanda” Obtained at the displacement site in Komanda, 7 February 2017.

<sup>12</sup>In September 2016, Sukola I operations divided into two operational sectors: a southern sector (Sukola I Sud) based at Nyaleke (under General Mbangu) and a northern sector (Sukola I Nord) at Eringeti (under General Fall Sikabwe).

<sup>13</sup>Final Report of the Group of Experts on the Democratic Republic of the Congo, S/2016/466. “Annex 55: Attacks in Beni Territory.”

<sup>14</sup>Midterm Report of the Group of Experts on the Democratic Republic of the Congo, S/2016/1102.

<sup>15</sup>“Beni: les FARDC repoussent une attaque des miliciens à Rwangoma” Radio Okapi, 6 July 2017.

<sup>16</sup>For instance, Corps du Christ attacked Butembo (October 15) and Kabasha (October 20).

<sup>17</sup>Coinciding with other Mai-Mai attacks the same month. “RDC: 13 morts après combats entre l’armée et les miliciens à Beni” Radio Okapi, 17 June 2017.

<sup>18</sup>Final Report of the Group of Experts on the Democratic Republic of Congo, S/2015/19, para. 42.

<sup>19</sup>Interviewee F-29, Eringeti, 30 December 2015; Interviewee S-1, Ngadi, 20 January 2017; Interviewee Z-13, Beni, 7 December 2016; “Rapport de la Mission d’Information et de Réconfort auprès des Populations de la Ville de Beni et des Agglomérations du Territoire de Beni, Victimes des Tueries du 02 au 21 Octobre 2014” Assemblée Nationale, 2ème Législature de la 3ème République, 9 Novembre 2014; Congo Research Group (2016), p. 7, 29.

<sup>20</sup>*Ibid.*

<sup>21</sup>Interviewee Z-13, Beni, 7 December 2016.

<sup>22</sup>Interviewee D-4, Beni, 4 January 2016.

<sup>23</sup>Maman Sidikou on Twitter, October 18, 2014: “I call for decisive joint military actions of #FARDC and #MONUSCO in order to relieve the population from the terror imposed by the #ADF.” “ADF attacks in Makembi and Eringeti: Maman S. Sidikou, Head of MONUSCO, strongly condemns the ADF attacks against civilians, FARDC and MONUSCO bases in Makembi and Eringeti,” MONUSCO Press Statement, November 30, 2015. “Report of the United Nations Joint Human Rights Office on International Humanitarian Law Violations Committed by Allied Democratic Forces (ADF) Combatants in the Territory of Beni, North Kivu Province, Between 1 October and 31 December 2014” UN Office of the High Commissioner of Human Rights, May 2015; “MONUSCO and FARDC respond to renewed ADF aggression” Code Cable to UN New York, 5 December 2016; “Kivu : Des recrutements qui posent question” Le carnet de Colette Braeckman, 8 March 2015; Gérard Prunier, “Why the Congo Matters” Atlantic Council Africa Center Issue Brief, March 2016.

<sup>24</sup>“HRW Condemns Deadly Attack By Ugandan Rebels On School Children” Human Rights Watch, 10 June 1998.

<sup>25</sup>Interviewee J-6, Kampala, 18 June 2017; interviewee J-2, Beni, 12 November 2015; Email communication with NGO that included information about debriefs of ADF defectors, 12 September 2017; Interviewee J-4, Kinshasa, 2 April 2016.

<sup>26</sup>Final Report of the Group of Experts on the Democratic Republic of Congo, S/2015/19, paras. 4-5; Midterm Report of the Group of Experts on the Democratic Republic of Congo, S/2015/797, para. 14.

<sup>27</sup>For example: “ADF update November,” MONUSCO G2 Military Intelligence, 25 November 2014. From Congolese government sources: “Rapport de la Mission d’Information et de Réconfort” Assemblée Nationale, 7 November 2014; “Nord-Kivu: Julien Paluku accuse Mbusa Nyamwisi de préparer une nouvelle rébellion” Radio Okapi, 16 November 2014; From local human rights organizations: “Rapport Sur Les Massacres de la Population de Beni Ville et Territoire, Un Complot Orchestré,” Convention pour le Respect des Droits Humains- (CRDH)- Oicha September 2015; “Ville Et Territoire De Beni Veritables Boucheries D’hommes à l’Est” (CRDH)- Oicha 3 April 2015.

<sup>28</sup>“Rapport Sommaire sur les Incidents à Beni et Environs Survenus Depuis le 1er Octobre 2014 et les Investigations du BCNUDH en Cours” Bureau Conjoint Des Nations Unies Aux Droits De L’homme en RDC (BCNUDH) MONUSCO- HCDH/.

<sup>29</sup>“ADF update November” MONUSCO G2 Military Intelligence, 25 November 2014.

<sup>30</sup>“ADF Evaluation 1” DPKO, 3 October 2014.

<sup>31</sup>“About Alliance with ADF of Mbusa Nyamwisi” Internal MONUSCO report, Email correspondence, 11 November 2014.

<sup>32</sup>Final Report of the Group of Experts on the Democratic Republic of Congo, S/2015/19, para. 43.

<sup>33</sup>Final Report of the Group of Experts on the Democratic Republic of Congo, S/2016/466.

<sup>34</sup>Final Report of the Group of Experts on the Democratic Republic of Congo, S/2015/19, para. 41.

<sup>35</sup>Sample sources include : Interviewee D-10-A, Beni, 5 March 2016; Interviewee D-12, Butembo, 22 January 2016; Interviewee D-47, Boikene, 21 October 2015; Interviewee D-48, Beni, 12 October 2015; Interviewee F-24, Halungupa, 4 April 2016; Interviewee IC14-1, Eringeti, 26 April 2015; Interviewee X-6, Eringeti, 27 November 2016; Interviewee X-31, Oicha, 29 December 2016; Interviewee Z-21, Beni, 25 January 2017; Witness statement, public proceedings of the trial into Beni’s mass killings, Beni, 23 May 2017.

<sup>36</sup>Interviewee D-41, Beni, 9 January 2016.

<sup>37</sup>Rapport de la Mission d’Information et de Réconfort” Assemblée Nationale, 7 November 2014; “Beni: deux miliciens condamnés à mort” Radio Okapi, 13 December 2016; “Procès Verbal de Reddition #A-4, Beni, 4 February 2015; Statement of General Mukuntu at the trial into Beni’s mass killings, 14 February 2017, Beni.

<sup>38</sup>Interviewee S-7, Mwenda, 11 February 2017; Interviewee S-9, Byakato, 18 February 2017; Interviewee S-14, Komanda, 1 March 2017; Supported by Interviewee D-43, Beni, 10 January 2016; Interviewee S-5, Bulongo, 1 February 2017; Interviewee S-6, Lose Lose, 8 February 2017.

<sup>39</sup>On Kinyarwanda speakers’ presence waves of killings begun in 2013 and 2014: Interviewee D-1; Interviewee D-4, Beni, 4 January 2016; Interviewee D-8, Beni, 19 February 2016; Interviewee F-18, Oicha; 31 March 2016; Interviewee T-1, Goma, 14 January 2017; Interviewee T-13, Oicha, 24 January 2017; Interviewee T-34-A, Beni, 8 February 2017; Interviewee W-5, Oicha, 13 January 2017; Interviewee W-6, Beni 16 January 2017; Interviewee W-9, Oicha, 2 February 2017; Interviewee W-12-B, Eringeti, 7 February 2017; Interviewee X-1, Eringeti, 5 November 2016; Interviewee X-4, Mwenda, 4 November 2016; Interviewee W-6, Beni, 16 January 2017; Interviewee X-18, Eringeti, 24 January 2017; Interviewee X-25, Oicha, 18 February 2017; Interviewee X-26, Oicha, 15 February 2017; Interviewee Y-1-B; Interviewee Y-23; Interviewee Y-24, Beni, 16 December 2016; Interviewee Z-12, Beni, 7 December 2016; Interviewee Z-22, Beni, 26 January 2017; Interviewee Z-24, Beni, 29 January 2017; Interviewee Z-24-B, Beni, 8 February 2017; Interviewee Z-28, Beni, 13 February 2017 Final Report of the Group of Experts on the Democratic Republic of Congo, S/2015/19, para. 42; “Rapport de la Mission d’Information et de Réconfort” Assemblée Nationale, 7 November 2014; Rapport Sur Les Massacres De La Population De Beni Ville Et Territoire” (CRDH), Oicha, September 2015, p. 3.

<sup>40</sup>“Procès Verbal de la Réunion de la Commission Mixte ‘Comité de Dialogue’ d’Enregistrement et d’Evacuation Pacifique des Cultivateurs du Parc à Mavivi/Mayangose Tenu au Nouveau Cal le 25 Octobre 2005 de 10H00-13H00.” (p.3). “P.V. de la Réunion de la Commission d’Evacuation

Pacifique des Paysans du Parc de Mayangos ce 08/12/2005.” “Compte Rendu de la Réunion de la Commission d’Evacuation Pacifique des Cultivateurs du Parc” 29 October 2005, Beni. Interviewee D-2, Beni, 2 January 2016; Interviewee D-37, Ngadi, 22 October 2015. Interviewee D-10-A, Beni, 18 March 2016.

<sup>41</sup>Interviewee D-1, Beni, 31 December 2015; Interviewee D-2, Beni, 2 January 2016; Interviewee D-26, Beni, 22 October 2015; Interviewee D-28, Beni, 4 October 2015; Interviewee D-37, Ngadi, 22 October 2015; Interviewee D-38, Beni, 24 March 2016; Interviewee S-14, Komanda, 1 March 2017; Interviewee S-15-A, Komanda, 4 March 2017; Interviewee T-3, Goma, 16 January 2017; Interviewee T-34-A, Beni, 8 February 2017; Interviewee Z-22, Boikene, 26 January 2017.

<sup>42</sup>Vuba authorities explain M’vuba (singular), Vuba (plural) as their ethnic group’s preferred spelling. Interviewee T-16-A, Beni, 25 January 2017; Interviewee T-18-A, Beni, 26 January 2017.

<sup>43</sup>For instance, ex-APC affiliates describe “the ex-APC” as an entity able to betray and be betrayed, forge relations with other armed groups, recruit combatants, keep secrets, and pursue objectives. These sources discuss the ex-APC not as an individual ex-APC officer, but use the “ex-APC” to reference a broader coordination or entity, and they speak from personal experiences participating with the ex-APC networks. A sample of CRG sources with direct knowledge include: Interviewee D-2, Beni, 2 January 2016; Interviewee D-10-A, Beni, 5 March 2016; Interviewee F-5, Beni, 9 January 2016; Interviewee F-6-A, Beni, 27 February 2016; Interviewee F-7-B, Beni, 30 March 2016; Interviewee F-18, Oicha, 31 March 2016; Interviewee F-13, Beni, 24 March 2016; Interviewee S-6, Lose Lose, 8 February 2017; Interviewee S-7, Mwenda, 11 February 2017; Interviewee S-9, Byakato, 18 February 2017; Interviewee T-3, Goma, 16 January 2017; Interviewee T-4, Goma, 16 January 2017; Interviewee T-8, Butembo, 21 January 2017; Interviewee T-16, Beni, 25 January 2017; Interviewee V-2, Kinshasa, 29 January 2017; Interviewee X-23, Mavivi, 16 February 2017; Interviewee X-31, Lume, 27 February 2017; Interviewee Z-4, Mutwanga, 15 November 2016; Interviewee Z-6, Kasindi, 29 November 2016; Interviewee Z-11, Oicha, 6 December 2016; Interviewee Z-14, Oicha, 8 December 2016; Interviewee Z-28, Beni, 13 February 2017.

<sup>44</sup>For instance: Interviewee D-10-A, Beni, 5 March 2016; Interviewee F-6-A, Beni, 27 February 2016; Interviewee Z-13, Beni, 7 December 2016.

<sup>45</sup>Interviewee D-10-A, Beni, 6 March 2016; Interviewee D-41, Beni, 9 January 2016; Interviewee F-5, Beni, 9 January 2016 and F-5-B, Beni, 26 January 2016; Interviewee T-16-A, Beni, 25 January 2017; Interviewee X-18, Eringeti, 24 January 2017; Interviewee X-31, Lume, 27 February 2017; Interviewee Y-16, Beni, 11 December 2016; Interviewee Z-4-A, Mutwanga, 15 November 2016; Interviewee Z-17, Kyavinyonge, 22 December 2016; Untitled Mobilization Tract, May 2010.

<sup>46</sup>Sample CRG sources include: Interviewee D-10-A, Beni, 5 March 2016; Interviewee F-5, Beni, 9 January 2016; Interviewee F-7-B, Beni, 30 March 2016; Interviewee S-9, Byakato, 18 February 2017; Interviewee S-14, Komanda, 1 March 2017; Interviewee S-16, Komanda, 8 March 2017; Interviewee T-16, Beni, 25 January 2017; Interviewee X-23, Mavivi, 16 February 2017. Interviewee Z-9-C, Kasindi, 18 February 2017; Interviewee Z-10-B, Beni, 19 February 2017; Interviewee Z-11, Oicha, 6 December 2016; Interviewee Z-17, Kyavinyonge, 22 December 2016; Interviewee Z-29-B, Kasindi, 21 February 2017.

<sup>47</sup>Sample CRG sources include: Interviewee S-5, Bulongo, 1 February 2017; Interviewee S-6, Lose Lose, 8 February 2017; Interviewee S-7, Mwenda, 11 February 2017; Interviewee S-14, Komanda, 1 March 2017; Interviewee S-16, Komanda, 8 March 2017; Interviewee T-16, Beni, 25 January 2017; Interviewee Z-4-B, Lume, 30 November 2016; Interviewee Z-9-C, Kasindi, 18 February 2017; Interviewee Z-10-B, Beni, 19 February 2017; Interviewee Z-28, Beni, 13 February 2017.

<sup>48</sup>Interviewee D-1, Beni, 31 January 2015; Interviewee D-4, Beni, 4 January 2016; Interviewee W-6, Beni, 16 January 2017; Interviewee W-7, Beni, 24 January 2017; Interviewee X-18, Eringeti, 24 January 2017; Interviewee Z-11, Oicha, 6 December 2016; Interviewee Z-12, Beni, 7 December 2016; Interviewee Z-14, Oicha, 8 December 2016; Interviewee Z-19, Oicha, 4 January 2017; Final Report of the Group of Experts on the Democratic Republic of the Congo, S/2016/466, para. 201.

<sup>49</sup>Final Report of the Group of Experts on the Democratic Republic of the Congo, S/2016/466, para. 201; Interviewee T-37, Beni, 14 February 2017; Interviewee W-6-B, Beni, 24 January 2017; Interviewee X-4-B, Murambi, 28 January 2017; Interviewee X-11-B, Mutwanga, 28 January 2017; Interviewee X-13-C, Mwenda, 28 January 2017; Interviewee Z-13, Beni, 7 December 2016; Interviewee Z-16, Oicha, 18 December 2016.

<sup>50</sup>Noting that Adrian is a mysterious figure: Daniel Fahey notes that Adrian is a mysterious figure: “Congo’s Mr. X: The Man who Fooled the UN” World Policy Journal, Summer 2016. Perpetrators of Beni’s attacks, recruiters, and militia commanders organizing killing squads correctly identify Adrian and describe their direct relations with him. Sample sources include: Interviewee D-1, Beni, 5 January 2016; Interviewee Z-24-B, Beni, 8 February 2017; Interviewee S-14, Komanda, 1 March 2017; Interviewee S-15-A, Komanda, 4 March 2017; Interviewee S-16, Komanda, 8 March 2017; Interviewee X-19, Beni, 25 January 2017; Interviewee Z-24-B, Beni, 8 February 2017; Interviewee Z-28, Beni, 13 February 2017 (both ex-APC links and suspected killings); Procès Verbal d’Audition #A-3, Beni, 12 November 2014; Procès Verbal d’Audition #A-4, Beni, 7 February 2015; Pro-Justitia Procès Verbal d’Audition #A-5-A and A-5-B (28 November 2014), #A-5-C (3 December 2014), #A-5-D (4 December 2014), #A-5-E (6 December 2014), and #A-5-F (11 December 2014); Procès Verbal d’Audition #A-7, Beni, 2 February 2015.

<sup>51</sup>Second War: Interviewee Z-3, Beni, 15 November 2016; Interviewee Z-9, Ighabiro, 1 December 2016; Interviewee Z-28, Beni, 13 February 2017; After Second War: Interviewee D-1, Beni, 31 December 2015; Interviewee D-10-A, Beni, 5 March 2016; Interviewee F-2-B, Beni, 6 April 2016; Interviewee F-3, Beni, 5 November 2015; Interviewee S-16, Komanda, 8 March 2017; Interviewee T-34-A, Beni, 8 February 2017; Interviewee V-2, Kinshasa, 30 January 2017; Interviewee Z-3, Beni, 15 November 2016; Interviewee Z-6, Kasindi, 29 November 2016; Interviewee Z-24-B, Beni, 8

February 2017; Pro-Justitia Procès Verbal d'Audition #A-3, Beni, 12 November 2014; Pro-Justitia Procès Verbal d'Audition #A-4, Beni, 7 February 2015; Pro-Justitia Procès Verbal d'Audition #A-5-A and A-5-B (28 November 2014), #A-5-C (3 December 2014), #A-5-E (6 December 2014), and #A-5-F (11 December 2014); Pro-Justitia Procès Verbal d'Audition #A-7, Beni, 2 February 2015; Pro-Justitia Procès Verbal d'Audition #A-8, Beni, 9 February 2015; CRG also consulted the MONUSCO Contact Record with Adrian, dated 27-28 August 2014, which confirms his relations with APC during and after the war.

<sup>52</sup>Interviewee Z-28, Beni, 13 February 2017; describing the source this way: Final Report of the Group of Experts on the Democratic Republic of Congo, S/2011/738, para. 58

<sup>53</sup>Interviewee D-6-B, Beni, 23 January 2017; Interviewee F-18, Oicha, 31 March 2016; Interviewee T-1, Goma, 14 January 2017; Interviewee T-10, Butembo, 22 January 2017; Interviewee T-26, Eringeti, 3 February 2017; Interviewee X-4-B, Murambi, 28 January 2017; Interviewee X-25, Oicha, 18 February 2017; Interviewee Z-11, Oicha, 6 December 2016; Interviewee Z-12, Beni, 7 December 2016.

<sup>54</sup>All the following sources describe personally working with the ADF: Interviewee D-53, Bulongo, 31 December 2015; Interviewee S-7, Mwenda, 11 February 2017; Interviewee S-9, Byakato, 18 February 2017; Interviewee S-16, Komanda, 8 March 2014; Interviewee T-29, Komanda, 7 February 2017; Interviewee W-6, Beni, 16 and 24 February 2016; Interviewee X-23, Mavivi, 16 February 2017; Interviewee Z-2, Eringeti, 11 November 2016.

<sup>55</sup>Prunier (2004) "Rebel Movements and Proxy Warfare: Uganda, Sudan, and the Congo, African Affairs, Vol. 2013(412): pp. 359-383; Prunier (1999) "L'Ouganda et les guerres congolaises," *Politique africaine*, No. 75 (October): pp. 43-59

<sup>56</sup>International Crisis Group (2012), p. 3.

<sup>57</sup>Stanislas Bucyalimwe Mararo (2005) "Kivu and Ituri in the Congo War" in Stefaan Marysse and Filip Reyntjens, eds, *The Political Economy of the Great Lakes Region in Africa: The Pitfalls of Enforced Democracy and Globalization*, New York: Palgrave MacMillan. p. 190- 222. See particularly p. 211.

<sup>58</sup>Interviewee D-49, Beni, 19 June 2011; Interviewee T-16, Beni, 25 January 2017; International Crisis Group (2012), p. 3; Raeymaekers (2014), p. 97. On Ugandan support to the Kasindien via Kisasu Ngandu, see Mwanawavene p. 151, 166-7; Mararo (2005) p. 211; Prunier (2004).

<sup>59</sup>Interviewee D-49, Beni, 19 June 2011; Mararo (2005) p. 211; Mwanawavene (2010) p. 160; Raeymaekers and Jourdan, p. 321, footnote 32; Romkema (2007), p. 85; "ADF Evaluation 1" DPKO, Internal Document from the UN Peacekeeping Mission, 3 October 2014.

<sup>60</sup>The British colonial administration placed Baamba and Bakondjo under Toro rule, sowing the seeds for the joint Rwenzururu rebellion. Interviewee F-12, Kamango, 12 October 2015; Prunier (2004), p. 368; International Crisis Group (2012), p. 17; Titeca and Vlassenroot (2012) pp. 156-7.

<sup>61</sup>Romkema (2007), p. 84.

<sup>62</sup>Titeca and Vlassenroot (2012): p. 159; Interviewee D-23, Beni, 22 September 2015; Interviewee D-40, Beni, 21 September 2015; Interviewee D-41, Beni, 9 January 2016; Interviewee D-42, Beni, 31 December 2015; Interviewee F-20, Oicha, 14 January 2016.

<sup>63</sup>Interviewee D-23, Beni, 22 September 2015; Interviewee F-13-B, Tenambo, 24 December 2015; Interviewee Z-2, Eringeti, 11 November 2016; Titeca and Vlassenroot (2012): p. 155.

<sup>64</sup>Romkema (2007), p. 85.

<sup>65</sup>Mwanawavene (2010) p. 161; Interviewee D-31-A, Oicha, 25 September 2015; Interviewee D-46, Beni, 12 January 2016; Interviewee F-14, Oicha, 27 December 2015; Interviewee F-20, Oicha, 14 January 2016; Interviewee F-23, Beni, 24 March; Interviewee F-28, Mbau, 4 October 2015; Interviewee T-16, Beni, 25 January 2017; Interviewee T-22, Goma, 1 February 2017; Interviewee D-42, Beni, 31 December 2015; Although the exact year is unknown, residents with good knowledge report the move occurred as AFDL destabilized ADF/NALU, around 1996-7 (Interviewees F-20, T-16).

<sup>66</sup>Interviewee F-13-B, Tenambo, 24 December 2015; Interviewee F-14, Oicha, 17 December 2015; Interviewee F-28, Mbau, 4 October 2015; Interviewee T-16, Beni, 25 January 2017; Interviewee T-18, Beni, 26 January 2017.

<sup>67</sup>Interviewee T-16, Beni, 25 January 2017; Interviewee T-18-A, Beni, 26 January 2017.

<sup>68</sup>Interviewee D-23, Beni, 22 September 2015; Interviewee F-11, Mukoko, 14 January 2016; Interviewee F-14, Oicha, 17 December 2015; Interviewee F-16, Eringeti, 6 January 2016; Interviewee F-18, Oicha, 31 March 2016; Interviewee F-20, Oicha, 14 January 2016; Interviewee T-16, Beni, 25 January 2017.

<sup>69</sup>Mangada Nyaviropo Madeline, the maternal aunt of Okabo Mabruki. Interviewee F-13-A, 8 November 2015; Interviewee F-11, Mukoko, 14 January 2016; Interviewee F-14, Oicha, 27 December 2015; Interviewee F-15, Eringeti, 28 December 2015; Interviewee F-16, Eringeti, 6 January 2016; Interviewee F-20, Oicha, 14 January 2016; Interviewee T-16, Beni, 25 January 2017; Interviewee T-18, Beni, 26 January 2017; Interviewee W-5, Oicha, 3 November 2015. Sources include Mateso's son, the Chief of Kisiki, two Vuba chiefs, and another Vuba leader.

<sup>70</sup>Romkema (2007), p. 84; Prunier (2004) "Rebel Movements and Proxy Warfare." Other residents describe Amin's ties in and near Bambuba-Kisiki: Interviewee D-31-A, Oicha, 25 September 2015; Interviewee V-4, Kinshasa, 1 December 2016.

<sup>71</sup>Interviewee F-13-A, 8 November 2015; Interviewee F-14, Oicha, 27 December 2015; Interviewee F-20, Oicha, 14 January 2016; Interviewee T-16, Beni, 25 January 2017.



- <sup>72</sup>Interviewee F-11, Mukoko, 14 January 2016; Interviewee F-14, Oicha, 27 December 2015; Interviewee F-15, Eringeti, 28 December 2015; Interviewee F-20, Oicha, 14 January 2016; Interviewee X-26, Oicha, 15 February 2017. Final Report of the Group of Expert S/2016/466, para. 61.
- <sup>73</sup>Interviewee F-15, Eringeti, 28 December 2015; Interviewee F-29, Eringeti, 30 December 2015; Interviewee W-5, Oicha, 3 November 2015.
- <sup>74</sup>Braida married “Brida,” in the family of Chief Mutembesi III (Linzosisene). Interviewee F-6-B, Beni, 29 February 2016; Interviewee T-18-B, Beni, 10 February 2017; Interviewee W-11, Eringeti, 7 February 2017; Interviewee X-4-B, Murambi, 28 January 2017.
- <sup>75</sup>Interviewee F-17, Oicha, 20 September 2015.
- <sup>76</sup>Interviewee T-16, Beni, 25 January 2017.
- <sup>77</sup>Interviewee D-19-A and D-19-B, Beni, 4 and 6 March 2016; Interviewee D-23, Beni, 22 September 2015; Interviewee #D-55, Beni, 2 April 2016; Interviewee D-57, Beni, 27 December 2015; Interviewee F-6-A, Beni, 27 February 2016; Interviewee F-11, Mukoko, 14 January 2016; Interviewee F-13-B, Tenambo, 24 December 2015; Interviewee F-14, Oicha, 27 December 2015; Interviewee F-15, Eringeti, 28 December 2015; Interviewee F-19, Eringeti, 25 September 2015; Interviewee F-21, Eringeti, 28 December 2015; Interviewee F-16, Eringeti, 6 January 2016; Interviewee F-20, Oicha, 14 January 2016; Interviewee F-18, Oicha, 31 March 2016; Interviewee D-54, Beni, 2 April 2016.
- <sup>78</sup>See Sweet, “Out of the Shadows” Rift Valley Institute, 2017.
- <sup>79</sup>International Crisis Group (2012).
- <sup>80</sup>Interviewee D-10-B, Beni, 18 March 2016; Interviewee D-38, Beni, 24 March 2016; Interviewee D-58, Boikene, 21 and 25 September 2015; Interviewee F-11, Mukoko, 14 January 2016; Interviewee F-18, Oicha, 31 March 2016; Interviewee F-23, Beni, 24 March 2016; Interviewee F-28, Mbau, 4 October 2015; Interviewee D-1, Beni, 6 April 2016; Interviewee F-20, Oicha, 14 January 2016.
- <sup>81</sup>“International Crisis Group (2012), p. 5; Romkema (2007: 87). Titeca and Vlassesenoort (2012) present Romkema’s information and wording throughout their article, p. 159.
- <sup>82</sup>Interviewee D-11, Beni, 12 January 2016; Interviewee D-42, Beni, 31 December 2015; Interviewee D-43, Beni, 10 January 2016; Interviewee S-6, Lose Lose, 8 February 2017; Participants in Beni’s mass killings explain that this trope that ADF will help the APC to takeover Beni continues.; Interviewee S-9, Byakato, 18 February 2017.
- <sup>83</sup>Interviewee D-11, Beni, 12 January 2016; Interviewee D-43, Beni, 10 January 2016; Interviewee D-46, Beni, 12 January 2016; Interviewee F-23, Beni, 24 March; Interviewee F-23, Beni, 24 March; Direct observation of CRG research team.
- <sup>84</sup>Interviewee D-11, Beni, 12 January 2016; Interviewee F-23, Beni, 24 March 2016; Interviewee T-3, Goma, 16 January 2017; Email correspondence on state intelligence source, 22 February 2016.
- <sup>85</sup>Interviewee T-3, Goma, 16 January 2017.
- <sup>86</sup>Interviewee D-23, Beni, 22 September 2015; Interviewee D-38, Beni, 24 March 2016; Interviewee D-42, Beni, 31 December 2015; Interviewee F-26, Beni, 4 March 2016; Interviewee T-35, Beni, 9 February 2017. On ADF military support more broadly, Interview D-46, Beni, 12 January 2016; Interviewee F-6-A and F-6-B Beni, 27 and 29 February 2016.
- <sup>87</sup>Interview D-46, Beni, 12 January 2016.
- <sup>88</sup>International Crisis Group (2012), p. 17.
- <sup>89</sup>Interviewee D-11, Beni, 12 January 2016; Interviewee D-46, Beni, 12 January 2016; Interviewee F-23, Beni, 24 March 2016.
- <sup>90</sup>Interviewee F-23, Beni, 24 March; Interviewee F-24, Halungupa, 4 April 2016; Interviewee F-25, Beni, 21 March 2016.
- <sup>91</sup>Interviewee D-11, Beni, 12 January 2016; Interviewee D-42, Beni, 31 December 2015; Interviewee F-6-B, Beni, 29 February 2016; Interviewee F-23, Beni, 24 March; Interviewee Z-15, Oicha, 13 December 2016; Direct observation of CRG research team; Reflecting these relationships, Romkema (2007) notes that the “RCD/K-ML facilitated the integration of NALU sources into local society” (p. 85).
- <sup>92</sup>Interviewee Z-3, 15 November 2016, Beni; Interviewee Z-9, Ighabiro, 1 December 2016; Interviewee Z-10-A, Kasindi, 2 December 2016. Including after war’s end: Interviewee D-10-C, Beni, 18 March 2016.
- <sup>93</sup>Including after the war’s end: Interviewee D-2, Beni, 2 January 2016; Interviewee F-23, Beni, 24 March 2016; Interviewee Z-3, 15 November 2016, Beni. Including to killing squads working with ADF: Interviewee S-14, Komanda, 1 March 2017; Interviewee S-15, Vungusu, 4 March 2017.
- <sup>94</sup>Interviewee F-5-B, Beni, 26 January 2016; Interviewee F-25, Beni, 21 March 2016; Interviewee F-26, Beni, 4 March 2016.
- <sup>95</sup>Sweet (2017).
- <sup>96</sup>Interviewee D-1, Beni, 10 April 2016; Interviewee D-16, Oicha, 25 September 2015; Interviewee D-24, Beni, 5 March 2016; Interview F-1, Mayi Moya, 20 January 2016; Interviewee F-11, Mukoko, 14 January 2016; Interviewee F-20, Oicha, 14 January 2016; Interviewee T-18-A, Beni, 26 January 2017; Interviewee Z-15, Oicha, 13 December 2016; Interviewee Z-16, Oicha, 18 December 2016. Some describe this militia’s creation during the Second War, while some members describe earlier efforts to create a militia during the shift to multi-party rule in the 1990s.
- <sup>97</sup>Interviewee D-2, Beni, 2 January 2016; Interviewee D-9, Boikene, 28 December 2015; Interviewee D-10-A, Beni, 5 March 2016; Interviewee D-41, Beni, 9 January 2016; Interviewee F-26, Beni, 4 March 2016.



- <sup>98</sup>Mwanawavene, (2010): pp. 199, 206-7. Interviewee D-11, Beni, 12 January 2016; Interviewee D-39, Beni, 16 July 2011; Interviewee D-49, Beni, 19 June 2011.
- <sup>99</sup>Interviewee D-12, Butembo, 22 January 2016; Interviewee D-29, Beni, 23 June 2011; Interviewee D-30-A, Oicha, 6 July 2011 and 25 September 2015; Interviewee D-31, Oicha, 25 September 2015 and 11 January 2016; Interviewee D-39, Beni, 16 July 2011; Interviewee D-41, Beni, 9 January 2016; Interviewee F-11, Mukoko, 14 January 2016; Interviewee F-18, Oicha, 31 March 2016;
- <sup>100</sup>Interviewee D-2, Beni, 2 January 2016; Interviewee D-27, Ngadi, 22 October 2015; Interviewee D-47, Boikene, 21 October 2015; Interviewee F-5-B, Beni, 26 January 2016; Interviewee Z-22, Boikene, 26 January 2017. Mbonguma's brother, Jean-Pierre Kitobi, led the militia until 2009.
- <sup>101</sup>Interviewee D-29, Beni, 23 June 2011; Multiple correspondence with land mapping program in Beni, 2015-2017.
- <sup>102</sup>Interviewee D-24, Beni, 5 March 2016. Affiliates commonly refer to the Vuba and Bapakombe militias as an integrated group.
- <sup>103</sup>Interviewee D-10-B, Beni, 18 March 2016; Interviewee F-9, Oicha, 13 November 2015; Interviewee T-2, Goma, 15 January 2017.
- <sup>104</sup>Interviewee F-9, Oicha, 13 November 2015.
- <sup>105</sup>Interviewee F-6-B, Beni, 29 February 2016; Interviewee T-2, Goma, 15 January 2017; Interviewee X-23, Mavivi, 16 February 2017
- <sup>106</sup>Interviewee F-6-B, Beni, 29 February 2016; Interviewee F-19, Eringeti, 25 September 2015; Interviewee F-28, Mbau, 4 October 2015.
- <sup>107</sup>Interviewee D-38, Beni, 24 March 2016; Interviewee F-6-B, Beni, 29 February 2016; Interviewee F-15, Eringeti, 28 December 2015. Noting ADF's continued involvement in timber and gold smuggling, with the apparent support of local authorities: Supported by Final Report of the Group of Experts on the Democratic Republic of the Congo S/2014/42, para. 88.
- <sup>108</sup>Interviewee F-15, Eringeti, 28 December 2015.
- <sup>109</sup>Interviewee T-39, Beni, 5 March 2017; MONUSCO Presentation to DPKO, 16 July 2004.
- <sup>110</sup>Interviewee T-16, Beni, 25 January 2017.
- <sup>111</sup>Interviewee, U-1, Kinshasa, transmitted 6 November 2016.
- <sup>112</sup>Interviewee D-10-A, Beni, 6 and 18 March 2016; Interviewee D-11, Beni, 12 January 2016; Interviewee D-12, Butembo, 22 January 2016; Interviewee F-6-A, Beni, 27 February 2016; Interviewee T-8, Butembo, 21 January 2017; Interviewee X-4-B, Murambi, 28 January 2017; Interviewee X-31, Lume, 27 February 2017; Interviewee Z-5, Kasindi, 30 November 2016; Interviewee Z-6, Kasindi, 29 November 2016; Interviewee Z-9-C, Kasindi, 18 February 2017.
- <sup>113</sup>"Arms flows in Eastern DR Congo" All Party Parliamentary Group on the Great Lakes Region, December 2004, p. 27.
- <sup>114</sup>"Charge d'exploitation SEP," Office des Douanes et Accises (OFIDA), 28 March 2005, Beni; "Note Circulaire No 103/CAB/COORDO/OFIDA/RCD/KIS-ML/2004" RCD/K-ML Office des Douanes et Accises OFIDA Coordination, 15 May 2004, Beni (North Kivu).
- <sup>115</sup>Interviewee D-2, Beni, 2 January 2016; Interviewee F-3, Beni, 5 November 2015; Interviewee T-8, Butembo, 21 January 2017; Interviewee Z-17, Kyavinyonge, 22 December 2016; Interviewee Z-28, Beni, 13 February 2017.
- <sup>116</sup>Interviewee Z-28, Beni, 13 February 2017.
- <sup>117</sup>Pro-Justitia Procès Verbal d'Audition #A-4, Beni, 7 February 2015; Interviewee CD21-1, Beni (Boikene) 9 July 2015; Interviewee D-2, Beni, 2 January 2016; Interviewee D-9, Beni, 28 December 2015; Interviewee D-10-C, Beni, 27 March 2016; Interviewee D-12, Butembo, 22 January 2016; Interviewee D-26, Ngadi, 22 October 2015; Interviewee D-38, Beni, 24 March 2016; Interviewee D-43, Beni, 10 January 2016; Interviewee X-19, Beni, 25 January 2017; Interviewee Z-22, Beni, 26 January 2017.
- <sup>118</sup>Interviewee CD21-1, Beni (Boikene) 9 July 2015. Corroborated by Interviewee D-9, Beni, 28 December 2015.
- <sup>119</sup>International Crisis Group "The Congo's Transition is Failing: Crisis in the Kivus" Africa Report No 91, 30 March 2005, p. 7.
- <sup>120</sup>Ibid.
- <sup>121</sup>Described as an order received from Tahanga Nyoro. Interviewee D-11, Beni, 12 January 2016
- <sup>122</sup>Interviewee D-2, Beni, 2 January 2016; Interviewee D-11, Beni, 12 January 2016; Interviewee D-12, Butembo, 22 January 2016; Interviewee D-42, Beni, 31 December 2015; Interviewee S-6, Lose Lose, 8 February 2017; Interviewee Q-2, Phone exchange, 27 March 2017.
- <sup>123</sup>Interviewee Q-2, Phone exchange, 26 March 2017.
- <sup>124</sup>Interviewee D-42, Beni, 31 December 2015.
- <sup>125</sup>MONUSCO Beni Report, March 2013.
- <sup>126</sup>Interviewee D-42, Beni, 31 December 2015; Interviewee D-43, Beni, 10 January 2016; Interviewee F-23, Beni, 24 March 2016; Interviewee Z-10-B, Beni, 19 February 2017.
- <sup>127</sup>Interviewee S-5, Bulongo, 1 February 2017; Interviewee V-4, Kinshasa, 1 December 2016; Interviewee Z-10-B, Beni, 19 February 2017.
- <sup>128</sup>Interviewee Z-10-B, Beni, 19 February 2017.

<sup>129</sup>Romkema (2007), p. 85.

<sup>130</sup>Interviewee J-2, Kampala 18 July 2017.

<sup>131</sup>Romkema (2007), p. 85; Vlassenroot and Titeca (2012).

<sup>132</sup>Including: Interviewee D-10-C, Beni, 18 March 2016; Interviewee D-13, Beni, 10 January 2016; Interviewee D-42, Beni, 31 December 2015; Interviewee D-43, Beni, 10 January 2016; Interviewee D-56, Nya Nya, 19 March 2016; Interviewee F-5-B, Beni, 26 January 2016; Interviewee F-18, Oicha; 31 March 2016; Interviewee S-5, Bulongo, 1 February 2017; Interviewee S-7, Mwenda, 11 February 2017; Interviewee S-9, Byakato, 18 February 2017; Interviewee S-14, Komanda, 1 March 2017; Interviewee S-15-A, Komanda, 4 March 2017; Interviewee S-16, Komanda, 8 March 2017; Interviewee T-16, Beni, 25 January 2017; Interviewee T-19, Kinshasa, transmitted 6 November 2016; Interviewee X-19, Beni, 25 January 2017; Interviewee X-23, Mavivi, 16 February 2017; Interviewee X-27, Murambi, 28 January 2017; Interviewee Z-4-A, Mutwanga, 15 November 2016 and Z-4-B, Lume, 30 November 2016; Interviewee Z-9-C, Kasindi, 18 February 2017; Interviewee Z-10, Kasindi, 2 December 2016; Interviewee Z-10-B, Beni, 19 February 2017; Interviewee Z-17, Kyavinyonge, 22 December 2016; Supported by “FOLC” MONUSCO DDDRRR, “URDC” MONUSCO DDDRRR, Beni; Final Report of the Group of Experts on Democratic Republic of the Congo, S/2016/466, para. 193.

<sup>133</sup>Interviewee D-12, Butembo, 22 January 2016.

<sup>134</sup>Interviewee, T-19, Kinshasa, transmitted 6 November 2016, and Beni, 26 January 2017.

<sup>135</sup>“Weekly Military Brief” 23 December 2005, MONUC Kinshasa.

<sup>136</sup>Interviewee Q-3, Butembo, 23 January 2017.

<sup>137</sup>Final report of the Group of Experts on Democratic Republic of the Congo, S/2016/466, para. 193.

<sup>138</sup>Interviewee Q-2, phone call, 26 March 2017.

<sup>139</sup>Interviewee F-23, Beni, 24 March 2016; Interviewee X-21, Murambi, 29 January 2017; Interviewee X-23, Mavivi, 16 February 2017.

<sup>140</sup>Interviewee X-23, Mavivi, 16 February 2017.

<sup>141</sup>Romkema (2007) p. 88.

<sup>142</sup>International Crisis Group (2012), p. 6-7; Military Information FHQ Weekly Threat Assessment, 15-21 April 2007, MONUSCO.

<sup>143</sup>DAILY SITUATION REPORT (359/07)–24 1600B DEC 07 TO 25 1600B DEC 07, MONUSCO Eastern Division Headquarters, 25 December 2007.

<sup>144</sup>Steven Spittaels and Filip Hilgert, “Cartographie des motivations derrière les conflits: Cas de l’Est de la RDC” IPIS, 11 March 2008, Anvers. p. 7.

<sup>145</sup>Interviewee Z-4-B, Lume, 30 November 2016.

<sup>146</sup>Interviewee D-53, Bulongo, 31 December 2015; Interviewee S-7, Mwenda, 11 February 2017; Interviewee S-9, Byakato, 18 February 2017; Interviewee S-16, Komanda, 8 March 2014; Interviewee W-6, Beni, 16 and 24 February 2016; Interviewee X-23, Mavivi, 16 February 2017; Interviewee Z-4, Mutwanga, 15 November 2016; Interviewee Z-10-B, Beni, 19 February 2017; Interviewee Z-17, Kyavinyonge, 22 December 2016.

<sup>147</sup>See endnote 51.

<sup>148</sup>Interviewee D-9, Beni, 28 December 2015; Interviewee D-10-A, Beni, 5 March 2016; Interviewee D-11, Beni, 12 January 2017; Interviewee T-16, Beni, 25 January 2017; Interviewee T-34-A, Beni, 8 February 2017.

<sup>149</sup>Interviewee D-11, Beni, 12 January 2017. Similarly, An ex-APC military intelligence source described of 2010: “they wanted an army of ex-APC, either inside or outside of the national military.” (Interviewee D-10-A, Beni, 5 March 2016.)

<sup>150</sup>On this meeting at Nakesero: Interviewee IC14-1, Eringeti, 26 April 2015; Interviewee T-2, Goma, 15 January 2017; Interviewee T-34-A, Beni, 8 February 2017; “Rapport sur l’alliance rebelle en territoire de Beni: Positions et Mouvements” 5 June 2010, Butembo. The report of the meeting describes “the head of the delegation of the Chef de Secteur Ruwenzori, Monseigneur Edoard Nyamwisi, older brother of Minister Mbusa Nyamwisi,” joined by others in ANR, an Intelligence officer in Beni, and with Prosper Nyamwasa “current President of Kyaghandu-Beni charged with sensitization.” Kava wa Seli was present. Maj. Akulema commanded a battalion at the camp at Kikingi. Beni-Lubero Online publishes an incomplete version of the report that omits mentions of the former RCD/K-ML, APC, or the Nyamwisi family. This redacted version portrays rebellion as a push only of the CNDP and Ugandan forces, removing local involvement. See « Révélation: Les Opérations Ruwenzori, Cheval de Troie de l’occupation de Beni et Mambasa » Beni-Lubero Online, 22 September 2011; “Des rebelles ougandais candidats députés nationaux pour Beni-Territoire” Beni-Lubero Online, 12 October 2011. A local human rights organization describes this Nakesero meeting in: “Veritables boucherie,” Convention pour le Respect des Droits de l’Homme (CRDH), Oicha, p. 1; “Rapport Sur Les Massacres De La Population De Beni Ville Et Territoire” CRDH, Oicha October 2015, p. 4. UN news sources describe an uptick in insecurity in Beni in April 2010, immediately following the Nakesero meeting: “La Société Civile de Beni Lance un SOS Face au Regain de l’Insecurité” Radio Okapi 20 April 2010; “Insecurité à Beni: La Société Civile Propose la Demilitarisation de la Ville” Radio Okapi, 23 April 2010.

<sup>151</sup>“Cinquante FOLC du Colonel Bana défient la République depuis Beni” Les Coulisses No 215, 25 April-15 May 2010.

<sup>152</sup>A common reference to this Mayagrose militia. Interviewee D-9, Beni, 28 December 2015; CD21-1, Beni, 9 July 2015.

<sup>153</sup>“Acte Constitutionnel FOLC,” 27 March 2013, Butembo; “FOLC Organization” MONUSCO-Beni, March 2013.

<sup>154</sup>Procès Verbal d’Audition #A-5-A and A-5-B, Beni, 28 November 2014; Procès Verbal d’Audition #A-9, Beni, 1 December 2014; Procès Verbal de Confrontation #A-3 (A-3 v. A-5) 8 December 2014; Procès Verbal de Confrontation #A-5 (A-5 v. A-3), Beni, 8 December 2014.

<sup>155</sup>Interviewee D-2, Beni, 2 January 2016. Interviewee D-14, 6 April 2016, Beni.

<sup>156</sup>Procès Verbal d’Audition # A-4, Beni, 7 February 2015; Interviewee T-34-A, Beni, 8 February 2017; Interviewee Z-3, Beni, 15 November 2016; Interviewee Z-22, Boikene, 26 January 2017; Interviewee Z-24, Beni, 8 February 2017. Militia commanders also report that Kakolele placed Adrian in touch with Leandre.

<sup>157</sup>Interviewee D-2, Beni, 2 January 2016; Interviewee D-35, Ngadi, 15 October 2015; Interviewee D-37, Ngadi, 22 October 2015; Interviewee T-7, Butembo, 21 January 2017; Interviewee T-16, Beni, 25 January 2017; Interviewee Z-3, Beni, 15 November 2016.

<sup>158</sup>Procès Verbal d’Audition #A-8, Beni, 9 February 2015.

<sup>159</sup>*Ibid.*

<sup>160</sup>Interviewee Z-3, Beni, 15 November 2016; *l’Eclaireur et espion des assaillants* Les Coulisses No 215, 25 April-15 May 2010. One FOLC and one FARDC element told CRG that Adrian participated in this attack at Birotsho’s request. (Interviewees Z-3, T-7).

<sup>161</sup>Interviewee D-14, Beni, 22 September 2015; Interviewee D-40, Beni, 21 September 2015; *l’Eclaireur et espion des assaillants* Les Coulisses No 215, 25 April-15 May 2010. See also endnote 169.

<sup>162</sup>Procès Verbal de Confrontation #A-3 (A-3 v. A-5) 8 December 2014; Procès Verbal de Confrontation #A-5 and security services in (A-5 v. A-3) 8 December 2014; Procès Verbal d’Audition #A-5-A and A-5-B, Beni, 28 November 2014; Procès Verbal de Confrontation #A-3 (A-3 v. A-5) 8 December 2014; Procès Verbal d’Audition #A-9, Beni, 1 December 2014; Procès Verbal de Confrontation #A-4 (A-4 v. A7), 3 February 2015; Procès Verbal de Confrontation #A-7 (A-7 v. A4), 3 February 2015; “Grand entretien: Selly Ghundi Kwabwirwa alias Bana” Les Coulisses No 215, 25 April-15 May 2010; “Les FARDC pourchassent les FOLC dans Mayangose” 30 April 2010, Les Coulisses No 215, 25 April-15 May 2010. In 2010, there was a military training with Mbonguma and sub-commanders under Seli at Kasinga.

<sup>163</sup>International Crisis Group (2012), p. 7; Rapport mensuel, situation humanitaire, Nord Kivu”, Office for the Coordination of Humanitarian Affairs (OCHA), April 2010, p. 1. Supported by Interviewee X-4, Mwenda, 4 November 2016.

<sup>164</sup>“Strong Notice” [Letter to “All government officials, the Mayor of Beni town, Army Commanders, All the Members of Parliament” from “National Army for the Liberation of Uganda”], 30 June 2010. Accessed at MONUSCO- Beni, JIOC bureau.

<sup>165</sup>Interviewee T-2, Goma, 15 January 2017; Interviewee T-16, Beni, 25 January 2017; Interviewee IC14-1, Eringeti, 26 April 2015; “Rapport sur l’alliance rebelle en territoire de Beni” Butembo, 5 June 2010.

<sup>166</sup>Interviewee T-16, Beni, 25 January 2017.

<sup>167</sup>Birotsho was involved in their release. Procès Verbal d’Audition #A-2, Beni, 29 November 2014. At the same moment, Sibenda Kambale, who received land from Mbonguma to install a militia, is also accused of supplying ADF from him base in this area. Procès Verbal d’Audition #A-6, Beni, 2 December 2014.

<sup>168</sup>Interviewee X-4, Mwenda, 4 November 2016. Supported by Interviewee T-2, Goma, 15 January 2017.

<sup>169</sup>Interviewee F-5, Beni, 9 January 2016; Supported by Interviewee D-49, Beni, 19 June 2011, Interviewee T-16, Beni, 25 January 2017.

<sup>170</sup>Untitled recruitment tract, dated May 2010. Available at [benilubero.com/tracts-chute-de-mutwanga-aux-mains-des-nalu-ce-1062010/](http://benilubero.com/tracts-chute-de-mutwanga-aux-mains-des-nalu-ce-1062010/)

<sup>171</sup>Ex-APC and military intelligence explain that these terms—“enfants du milieu” or “watoto wa Beni”—are used to reference the ex-APC. “If they used the name ‘APC,’ everyone would know it was them, but instead they use the name watoto wa Beni, so it would not be clear they were APC... When you talk about the APC, it’s the Watoto wa Beni. That [APC] name is finished” (Interviewee D-10-A and D-10-C, Beni, 6 March and 27 March 2016). As another ex-APC describes, “to erase the concept of the APC, we said, okay, we are the enfants du milieu, or in Swahili, it’s the Watoto.” Interviewee D-49, Beni, 31 December 2015.

<sup>172</sup>International Crisis Group (2012), p. 7; Final Report of the Group of Experts on the Democratic Republic of the Congo, S/2011/596, para. 29; “Beni: Les Fardc Récupèrent les Positions des ADF-NALU après Affrontements”, Radio Okapi, 10 July 2010.

<sup>173</sup>Interviewee D-23, Beni, 22 September 2015; Interviewee X-23, Mavivi, 16 February 2017; Interviewee D-31-A, Oicha, 25 September 2015. UN OCHA reports the military campaign displaced nearly 100,000 civilians.

<sup>174</sup>“Allied Democratic Forces (ADF)” JMAC Note on the ADF, MONUSCO, 2 August 2013, p. 1.

<sup>175</sup>Final Report of the Group of Experts on the Democratic Republic of the Congo, S/2011/596, para. 29; International Crisis Group (2012) “Eastern Congo: The ADF-NALU’s Lost Rebellion,” p. 7. Local news sources and human rights organizations also suggest a partial response to local groups at the time: Rapport Sur Les Massacres De La Population De Beni Ville Et Territoire” CRDH, Oicha, September 2015, p. 4; « Révélation: Les Opérations Ruwenzori, Cheval de Troie de l’occupation de Beni et Mambasa » Beni-Lubero Online, 22 September 2011.

<sup>176</sup>CRG interviewed eighteen direct participants in combatant and support roles for groups in these 2013 attacks (including four self-described

perpetrators, three ex-APC officers who supported the camps, eight local authorities and recruiters directly organizing and supporting the group, and three additional combatants present in camps), two other combatants with close knowledge, and two eye-witnesses of the July and December 2013 attacks in Watalinga and Ruwenzori.

<sup>177</sup>Interviewee D-43, Beni, 10 January 2016; Interviewee S-5, Bulongo, 1 February 2017; Interviewee S-7, Mwenda 11 February 2017; Interviewee S-9, Byakato, 18 February 2017; Interviewee Z-9-C, Kasindi, 18 February 2017; Interviewee S-10, Mavivi, 23 February 2017; Interviewee S-11, Mavivi, 25 February 2017; Interviewee S-12, Mavivi, 25 February 2017; Interviewee S-14, Komanda, 1 March 2017; Interviewee S-15-A, Komanda, 4 March 2017; Interviewee S-16, Komanda, 8 March 2017.

<sup>178</sup>Including: Interviewee D-1, Beni, 31 January 2015; Interviewee X-4-B, Murambi, 28 January 2017; Interviewee Z-25, Beni, 7 February 2017. Procès Verbal d'Audition #A-5-A and A-5-B, Beni, 28 November 2014; Procès Verbal d'Audition #A-7, Beni, 4 April 2015; Procès Verbal d'Audition #A-9, Beni, 1 December 2014.

<sup>179</sup>Interviewee X-31, Lume, 27 February 2017.

<sup>180</sup>Interviewee V-2, 30 January 2017, Kinshasa; Interviewee V-3, Kinshasa, 11 February 2017; Interviewee Z-6, Kasindi, 29 November 2016; Interviewee Z-9-C, Kasindi, 18 February 2017; Interviewee Z-17, 22 December 2016, Kyavinyonge; Final Report of the Group of Experts on the Democratic Republic of Congo, S/2012/843, para. 68.

<sup>181</sup>Final Report of the Group of Experts on the Democratic Republic of Congo, S/2012/843, para. 65.

<sup>182</sup>Interviewee Z-17, 22 December 2016, Kyavinyonge; Interim Report of the Group of Experts on the Democratic Republic of Congo, S/2013/433, para. 62.

<sup>183</sup>Such as Tahanga Nyoro. Ibid, para. 65. Mbusa's instructions to Hilaire and Nyoro to join Seli corroborated by Interviewee V-3, Kinshasa, 11 February 2016.

<sup>184</sup>Interim Report of the Group of Experts on the Democratic Republic of Congo, S/2013/433, para. 62.

<sup>185</sup>Lwanga became the S3 under Sukola I.

<sup>186</sup>Lusenge commanded a battalion of Hilaire's troops at Kikingi. "URDC" MONUSCO DDRRR, Beni, 2013; Interviewee Z-28, Beni, 23 February 2017; Interviewee Z-32, Lume, 19 February 2017; Procès Verbal d'Audition #A-5-A and A-5-B, Beni, 28 November 2014.

<sup>187</sup>MONUSCO Beni Report, March 2013; Interviewee D-43, Beni, 10 January 2016. Interviewee V-2, Kinshasa, 30 January 2017; Interviewee Z-10-B, Beni, 19 February 2017; Statement of General Mukuntu at the trial into Beni's mass killings, Beni, 14 February 2017. Other ex-APC officers also mobilized troops in this area, including Kava wa Seli.

<sup>188</sup>And Nyoro. Final Report of the Group of Experts on the Democratic Republic of Congo, S/2012/843, para. 66.

<sup>189</sup>Interim Report of the Group of Experts on the Democratic Republic of Congo, S/2013/433, para 65-66.

<sup>190</sup>Final Report of the Group of Experts on the Democratic Republic of Congo, S/2012/843, para. 66.

<sup>191</sup>*Ibid.*

<sup>192</sup>Final Report of the Group of Experts on the Democratic Republic of Congo, S/2012/843, para. 68.

<sup>193</sup>Interviewee S-8, Mutwanga, 13 February 2017; Interviewee Z-17, Kyavinyonge, 22 December 2016; Interviewee Z-20, Butembo, 12 January 2017; Supported by Interview with Winny Bwanandeke by CRDH, transmitted 7 June 2017.

<sup>194</sup>"URDC Organization" MONUSCO DDRRR, Beni Office, 2013.

<sup>195</sup>More specifically, RCD/K-ML military commanders. "FOLC Organization" MONUSCO DDRRR, Beni Office, 2013.

<sup>196</sup>"Allied Democratic Forces (ADF)" JMAC Note on the ADF, MONUSCO, 2 August 2013, p. 2.

<sup>197</sup>Email correspondence with MONUSCO G2 Military Intelligence officer, 13 November 2014. According to this source, Hilaire met with Hood Lukwago, but the ADF judged Mbusa too unreliable a partner, given his shifting affiliations.

<sup>198</sup>Interviewee X-11, Kikingi, 17 December 2016.

<sup>199</sup>Interviewee F-5-B, Beni, 26 January 2016; Interviewee F-18, Oicha; 31 March 2016; Procès Verbal d'Audition #A-5-A and A-5-B, Beni, 28 November 2014

<sup>200</sup>See below.

<sup>201</sup>Interim Report of the Group of Experts on the Democratic Republic of Congo, S/2013/433, para. 68,70,

<sup>202</sup>Final Report of the Group of Experts on the Democratic Republic of Congo, S/2012/843, para. 66.

<sup>203</sup>Interviewee Z-25, Beni, 7 February 2017; Interviewee Z-34, Bulongo, February 2017; Supported by Interviewee X-31, Lume, 27 February 2017.

<sup>215</sup>Congo Research Group (2016), p. 14. Interviewee CA7-1; 2013/7 – Radio Okapi – les rebelles ADF

<sup>216</sup>Final Report of the Group of Experts on the Democratic Republic of the Congo, S/2014/42 para. 81.

<sup>217</sup>Ibid.

<sup>218</sup>Interviewee Z-25, Beni, 7 February 2017.

<sup>219</sup>Final Report of the Group of Experts on the Democratic Republic of Congo S/2014/42, Annex 35.

<sup>220</sup>Daily Monitor “Who attacked Kamango? It doesn’t look like ADF” Accessed 31 November 2014; “UPDF Rules Out ADF Attack on Congolese Town” Ugandan Radio Network, 13 July 2013.

<sup>221</sup>Interviewee S-5, Bulongo, 1 February 2017; Interviewee S-7, Mwenda 11 February 2017; Interviewee S-9, Byakato; Interviewee Z-10-B, Beni, 18 February 2017; Interviewee Z-32, Lume, 18 February 2017.

<sup>222</sup>Edouard Nyamwisi as supporting armed groups, including with ADF: Interviewee D-10-B, Beni, 18 March 2016; Interviewee D-42, Beni, 31 December 2015; Interviewee D-43, Beni, 10 January 2015; Interviewee F-5-B, Beni, 26 January 2016; Interviewee S-5, Bulongo, 1 February 2017; Interviewee S-7, Mwenda 11 February 2017; Interviewee S-9, Byakato, 18 February 2017; Interviewee T-2, Goma, 15 January 2017; Interviewee T-16-B, Beni, 9 February 2017; Interviewee X-21, Murambi, 29 January 2017; Interviewee X-23, Mavivi, 16 February 2017; Interviewee X-31, Lume, 27 February 2017; Interviewee Y-16, Beni, 11 December 2016; Interviewee Z-4, Mutwanga, 15 November 2016; Interviewee Z-9-C, Kasindi, 18 February 2017; Interviewee Z-10-B, Beni, 19 February 2017; Interviewee Z-34, Bulongo, February 2017.

<sup>223</sup>Interviewee S-7, Mwenda, 11 February 2017; Interviewee T-16, Beni 25 January 2017; Interviewee X-23, Mavivi, 16 February 2017.

<sup>224</sup>Kyaghanda Yira is a Nande cultural association. Describing Kyaghanda-Yira as supporting armed groups through financing, recruitment, and traditional medicine are: Interviewee D-10-A, Beni, 5 March 2016; Interviewee D-42, Beni, 31 December 2015; Interviewee S-5, Bulongo, 1 February 2017; Interviewee S-6, Lose Lose, 8 February 2017; Interviewee S-7, Mwenda 11 February 2017; Interviewee S-8, Mutwanga, 13 February 2017; Interviewee S-9, Byakato, 18 February 2017; Interviewee S-16, Komanda, 8 March 2017; Interviewee T-8, Butembo, 21 January 2017; Interviewee T-16, Beni, 9 February 2017; Interviewee T-33, Beni, 8 February 2017; Interviewee Y-12, Bwera, 4 December 2016; Interviewee Y-16, Beni, 11 December 2016. For instance, Interviewee D-10-A describes Kyaghanda-Yira as supporting the ex-APC. “We started hearing about APC and Mai-Mai working together to safeguard the Yira... Kyaghanda Yira and the [ex-APC] are one group but with their own work... Kyaghanda-Yira helps with moral support, especially money.”

<sup>225</sup>Interviewee S-7, Mwenda 11 February 2017; Interviewee S-9, Byakato, 18 February 2017.

<sup>226</sup>Interviewee S-5, Bulongo, 1 February 2017; Interviewee S-7, Mwenda, 11 February 2017.

<sup>227</sup>Interviewee S-9, Byakato, 18 February 2017.

<sup>228</sup>Interview with Winnie Bwanandeke by local human rights organization, Beni transmitted 7 June 2017.

<sup>226</sup>Interviewee D-43, Beni, 10 January 2016; Interviewee S-7, Mwenda, 11 February 2017; Interviewee S-9, Byakato, 18 February 2017; Supported by Interviewee S-6, Lose Lose, 8 February 2017.

<sup>237</sup>Interviewee S-7, Mwenda, 11 February 2017.

<sup>238</sup>Midterm Report of the Group of Experts on the Democratic Republic of Congo, S/2013/433, para. 65.

<sup>239</sup>Interviewee D-1, Beni, 31 December 2015; Interviewee Z-3, Beni, 15 November 2016; Interviewee Z-28, Beni, 13 February 2017; Procès Verbal d’Audition #A-4, Beni, 7 February 2015; Procès Verbal d’Audition #A-7, 2 and 4 February 2015.

<sup>240</sup>Final Report of the Group of Experts on the Democratic Republic of Congo, S/2016/466, paras. 209-210.

<sup>241</sup>Interviewee D-1, Beni, 31 December 2015; Interviewee Z-6, Kasindi, 29 November 2016. Supported by Interviewee Z-10-B, Beni, 19 February 2017.

<sup>242</sup>Interviewee Z-28, Beni, 13 February 2017; Supported by Interviewee T-38, Beni, February 2017 and Midterm Report of the Group of Experts on the Democratic Republic of Congo, S/2013/433, para. 65.

<sup>243</sup>Interviewee D-1, Beni, 31 December 2015.

<sup>244</sup>Interviewee F-3, Beni, 5 November 2015; Interviewee V-2, Kinshasa, 30 January 2017; Interviewee Z-28, Beni, 13 February 2017.

<sup>245</sup>Interviewee V-2, Kinshasa, 30 January 2017; Interviewee Z-28, Beni, 13 February 2017.

<sup>246</sup>Testimony of David Lusenge at the trial into Beni’s mass killings, Beni, 6 February 2017; Interviewee V-2, Kinshasa, 30 January 2017; Interviewee Z-3, Beni, 15 November 2015; Interviewee F-3, Beni, 5 November 2015; Interviewee Z-28, Beni, 23 February 2017.

<sup>247</sup>Interviewee F-3, Beni, 5 November 2015; Interviewee Z-28, Beni, 23 February 2017; Testimony of David Lusenge at the trial into Beni’s mass killings, 6 February 2017; Testimony of Saambili Bamukoka at the trial into Beni’s mass killings, Beni, 13 February 2017.

<sup>248</sup>Simon Mukiidi, described as a former ADF officer, commanded a militia in Watalinga that fought against Nande dominance in the area, including the important cocoa crop. Killings in Kikingi occurred in areas that contested under a land dispute, and the first victim of the July 2013 attack was a Nande cocoa farmer. Militia commander Mukiidi liaised with Adrian and Chief Muganda and was involved with the weapons cache that Lusenge held. Mukiidi was arrested after the July killing. Bamukoka (or his direct family) and Buhila of Bawisa groupement were connected with the group. Interviewee F-12, Kamango, 12 October 2015; Interviewee F-25, Oicha, 26 October 2015; Interviewee Z-3, Beni, 15 November 2016; Interviewee

Z-28, Beni, 13 February 2017; “ADF Activities 13 December 2013” MONUSCO report.

<sup>249</sup>“ADF Activities 13 December 2013” MONUSCO report.

<sup>250</sup>Interviewee F-3, Beni, 5 November 2015; Testimony of Chief Saambili Bamukoka at the trial into Beni’s mass killings, Beni, 13 February 2017.

<sup>251</sup>Saambili stated publicly: “you know that Adrian is the lynchpin of the insecurity here” / “vous savez qu’Adrian est la plaque tournante dans l’insécurité ici” Testimony of Chief Saambili Bamukoka at the trial into Beni’s mass killings, Beni, 13 February 2017.

<sup>252</sup>Interviewee E-11, Kikingi, 15 April 2015.

<sup>253</sup>Hilaire Kombi and Kava wa Seli recognized that the other had elements at Kikingi. Interviewee V-3, Kinshasa, 11 February 2016. Corroborated by “URDC” MONUSCO DDRRR, Beni.

<sup>254</sup>Interviewee Z-9-C, Kasindi, 18 February 2017.

<sup>255</sup>“ADF Activities 13 December 2013” MONUSCO report; Interviewee E-11, Kikingi, 15 April 2015. On this militia, see endnote 274.

<sup>256</sup>Final Report of the Group of Experts on the Democratic Republic of Congo, S/2014/42, para. 86.

<sup>257</sup>Interviewee Z-17, Kyavinyonge, 22 December 2016; Interviewee Z-24-B, Beni, 8 February 2017. Final Report of the Group of Experts on the Democratic Republic of Congo, S/2016/466, para. 209, footnote 43. also notes that Adrian was involved in some of the kidnappings around Beni at this time.

<sup>258</sup>Interviewee Z-17, Kyavinyonge, 22 December 2016.

<sup>259</sup>Midterm Report of the Group of Experts on the Democratic Republic of Congo, S/2013/433, para. 66, Annexes 40 and 41.

<sup>260</sup>Interviewee S-7, Mwenda, 11 February 2017; Interviewee S-9, Byakato, 18 February 2017.

<sup>261</sup>Interviewee X-11, Kikingi, 12 December 2016.

<sup>262</sup>Interviewee Z-25, Beni, 7 February 2017.

<sup>263</sup>Interviewee X-18, 24 January 2017, Eringeti.

<sup>264</sup>Interviewee CD2-1, Kamango, 14 April 2015; CC5-1, Kamango, 15 April 2015; CA7-1, Kamango, 15 April 2015; CAG-1, Kinziki, 16 April 2015; Interviewee S-7, Mwenda, 11 February 2017; Interviewee S-9, Byakato, 18 February 2017.

<sup>265</sup>Interviewee T-37, Beni, 14 February 2017.

<sup>266</sup>Final report of the Group of Experts on the Democratic Republic of Congo

<sup>267</sup>Interim Report of the Group of Experts on the Democratic Republic of Congo, S/2013/433, para. 68,70.

<sup>268</sup>Interviewee Z-25, Beni, 7 February 2017; Interviewee Z-34, Bulongo, February 2017; Supported by Interviewee X-4, Mwenda, 4 November 2016; Interviewee X-19, Beni, 25 January 2017; Interviewee X-23, Mavivi, 16 February 2017; Interviewee Z-10-B, Beni, 19 February 2017; Procès Verbal d’Audition #A-5-A and A-5-B, Beni, 28 November 2014.

<sup>269</sup>*Ibid.*

<sup>270</sup>Interviewee Z-24, Beni, 29 January 2017; Interviewee X-4, Mwenda, 4 November 2016.

<sup>271</sup>Interviewee S-14, Komanda, 1 March 2017; Interviewee T-3, Goma, 16 January 2017; Interviewee X-4, Mwenda, 4 November 2016; Interviewee X-19, Beni, 25 January 2017; Interviewee Z-16, Oicha, 18 December 2016; Interviewee Z-22, Beni, 26 January 2017.

<sup>272</sup>Several ADF defectors state that this was an operation organized by Jamil Mukulu. Email communication with NGO that included debriefs of several ADF officers, September 12, 2017.

<sup>273</sup>Final Report of the Group of Experts on the Democratic Republic of Congo, S/2015/19, para. 4.

<sup>274</sup>Final Report of the Group of Experts on the Democratic Republic of Congo, S/2015/19. Other UN peacekeeping sources estimate that ADF ranked between 500-600 combatants. MONUSCO Beni Report, March 2013.

<sup>275</sup>Midterm Report of the Group of Experts on the Democratic Republic of Congo, S/2015/797, para. 15; Final Report of the Group of Experts on the Democratic Republic of Congo, S/2015/19, para. 14.

<sup>276</sup>Final Report of the Group of Experts on the Democratic Republic of Congo, S/2015/19, paras. 4, 9.

<sup>277</sup>Correspondence with MONUSCO Military Intelligence officer, 13 November 2014.

<sup>278</sup>Midterm Report of the Group of Experts on the Democratic Republic of Congo, S/2015/797, para. 9; also Final Report of the Group of Experts on the Democratic Republic of Congo, S/2015/19, para. 4.

<sup>279</sup>Final Report of the Group of Experts on the Democratic Republic of Congo, S/2015/19; Midterm Report of the Group of Experts on the Democratic Republic of Congo, S/2015/797, paras 12, 16, 19; MONUSCO special report on “ADF” combatant Adrian Loni “Muhumuza,” 20 January 2015.



<sup>280</sup>Final Report of the Group of Experts on the Democratic Republic of Congo, S/2015/19, para. 14.

<sup>281</sup>Interviewee D-8, Beni, 19 February 2016; Interviewee D-45, Mayi Moya, 28 October 2015; Interviewee D-53, Bulongo, 31 December 2015; Interviewee D-45, Mayi Moya, 28 October 2015; Interviewee D-55, Beni, 2 April 2016; Interviewee S-14, Komanda, 1 March 2017; Interviewee S-15, Komanda, 4 March 2017; Interviewee S-16, Komanda, 8 March 2014; Interviewee T-45, Oicha, 23 February 2017. Interviewee X-4-B, Murambi, 28 January 2017; Interviewee X-11, Kikingi, 17 December 2016; Interviewee X-23, Mavivi, 16 February 2017; Interviewee Z-2, Eringeti, 11 November 2016; Interviewee Z-21, Beni, 25 January 2017; CRG obtained additional records of ADF combatants describing the group's participation from MONUSCO and an NGO that performs debriefing.

<sup>282</sup>Midterm Report of the Group of Experts on the Democratic Republic of Congo, S/2015/797, para. 15; Final Report of the Group of Experts on the Democratic Republic of Congo, S/2015/19, para. 14.

<sup>283</sup>Interviewee T-37, Beni, 14 February 2017. Supported by Final Report of the Group of Experts on the Democratic Republic of the Congo S/2014/42, para. 86.

<sup>284</sup>Interviewee F-31, Eringeti, 20 October 2015.

<sup>285</sup>Transcribed from a sermon recorded by Jamil Mukulu in Luganda in an ADF camp in the eastern Congo between July 2013 and April 2014.

<sup>286</sup>“Rapport Sommaire sur les Incidents à Beni et Environs Survenus Depuis le 1er Octobre 2014” BCNUDH MONUSCO.

<sup>287</sup>“ADF Update November: ADF/AG activity Oct/Nov 2014” MONUSCO.

<sup>288</sup>“ADF Evaluation 1” DPKO, 3 October 2014.

<sup>289</sup>Interviewee Z-16, Oicha, 18 December 2016.

<sup>290</sup>Final Report of the Group of Experts on the Democratic Republic of Congo, S/2015/19, para. 32.

<sup>291</sup>Interviewee X-4-B, Murambi, 28 January 2017; Interviewee X-11, Kikingi, 17 December 2016; D-44, Bulongo, 26 December 2015; Interviewee X-11, Bulongo, 31 December 2015.

<sup>292</sup>Interviewee D-45, Mayi Moya, 28 October 2015.

<sup>293</sup>Interviewee T-45, Oicha, 23 February 2017. Supported by Interviewee D-8, Beni, 19 February 2016.

<sup>294</sup>Interviewee X-11, Kikingi, 17 December 2016.

<sup>295</sup>Interviewee X-21, Murambi, 29 January 2017.

<sup>296</sup>Interviewee D-1, Beni, 5 January 2016; Interviewee D-8, Beni, 19 February 2016; Interviewee D-19, Beni, 6 March 2016; Interviewee D-38, Beni, 24 March 2016; Interviewee F-18, Oicha, 31 March 2016;; Interviewee S-14, Komanda, 1 March 2017; Interviewee S-15-A, Komanda, 4 March 2017; Interviewee S-16, Komanda, 8 March 2017; Interviewee T-18-B, Beni, 10 February 2017; Interviewee W-9, Oicha, 2 February 2017; Interviewee X-11, Kikingi, 17 December 2016; Interviewee X-25, Oicha, 18 February 2017; Interviewee X-26, Oicha, 15 February 2017; Procès Verbal d'Audition #A-11, Beni, 14 February 2015. CRG recovered photographic evidence of Vuba militia members related to Vuba chiefs killed during ADF attacks in Bambuba-Kisiki.

<sup>297</sup>Some ADF elements maintained in their interviews with CRG that their code would prohibit mass killings focusing on targeted killings (Interviewee T-19, Beni, 26 January 2017; Interviewee X-4, Interviewee X-23, Mavivi, 16 February 2017). CRG does not consider these statements to constitute evidence against ADF involvement, since it is logical for massacre perpetrators to deny participation. Final Report of the Group of Experts on the Democratic Republic of the Congo, S/2016/466, para. 466 notes the ties between ADF and Mbongnuma.

<sup>298</sup>Final Report of the Group of Experts on the Democratic Republic of the Congo, S/2014/42, Annex 25.

<sup>299</sup>Interviewee D-1, Beni, 6 January 2016; Interviewee D-14, Beni, 6 April 2016; Interviewee T-34-A, Beni, 8 February 2017; Interviewee Z-3, Beni, 15 November 2016; On Adrian's affiliation with CNS: Final Report of the Group of Experts on the Democratic Republic of the Congo, S/2016/466, para. 210.

<sup>300</sup>Interviewee CF17-1, Beni, 2 June 2015; Interviewee Z-10-B, Beni, 19 February 2017; Interviewee Z-11, Oicha, 6 December 2016; Interviewee Z-17, Kyavinyonge, 22 December 2016.

<sup>301</sup>Interviewee Z-17, Kyavinyonge, 22 December 2016.

<sup>302</sup>Interviewee CF17-1, Beni, 2 June 2015; Interviewee CE20-1, Mbau, 4 July 2015; Interviewee X-18, Eringeti, 24 January 2017; Interviewee Z-10-B, Beni, 19 February 2017; Interviewee Z-11, Oicha, 6 December 2016; Interviewee Z-17, Kyavinyonge, 22 December 2016.

<sup>303</sup>Interviewee Z-17, Kyavinyonge, 22 December 2016.

<sup>304</sup>Interviewee Z-10-B, Beni, 19 February 2017.

<sup>305</sup>Interviewee T-16, Beni, 25 January 2017. See also endnote

<sup>306</sup>Interviewee CF17-1, Beni, 2 June 2015; Interviewee CE20-1, Mbau, 4 July 2015; Interviewee Z-11, Oicha, 6 December 2016.

<sup>307</sup>Interviewee Z-11, Oicha, 6 December 2016.

<sup>308</sup>Interviewee CE20-1, Mbau, 4 July 2015.

<sup>309</sup>Interviewee CF17-1, Beni, 2 June 2015.

<sup>310</sup>Interviewee CF17-1, Beni, 2 June 2015; Interviewee D-6, Oicha, 27 December 2015; Interviewee S-14, Komanda, 1 March 2017; Interviewee S-15-A, Komanda, 4 March 2017; Interviewee S-16, Komanda, 8 March 2017; Interviewee X-19, Beni, 25 January 2017; Interviewee Z-11, Oicha, 6 December 2016; Interviewee Z-17, Kyavinyonge, 22 December 2016; Interviewee Z-24-B, Beni, 8 February 2017. Procès Verbal d'Audition #A-7, Beni, 2 February 2015, Procès Verbal d'Audition #A-9, Beni; Various conversations with MONUSCO the Group of Experts confirm that at the time, Tshibangu was active in regional countries to mobilize an attempted rebellion.

<sup>311</sup>For instance, on Lwanga's involvement: Interviewee S-14, Komanda, 1 March 2017; Interviewee S-15-A, Komanda, 4 March 2017; Interviewee S-16, Komanda, 8 March 2017; Interviewee Z-19, Oicha, 14 November 2016; On Samuel Birotsho's involvement: Interviewee D-19, Beni, 6 March 2016; Interviewee X-19, Beni, 25 January 2017; A MONUSCO DDR/RR debriefing with an element in a Mayangose-based killing squad documented Birotsho's visits to a group of alleged Congolese "ADF" combatants that participated in the killings, noting: "Birotsho, found culpable and sentenced for involvement in the death of Col. Mamadou on behalf of ADF, visited the Camp of this CHANGEA [sic, "Chinja" Swahili] Group when the group was settled in Mayangose in 2014. This links the group with ADF, even though at the level of the combatants they do not know of an alliance with ADF." "Interview Report" Eringeti, 11 March 2015. CRG could not confirm Birotsho's planning of the killings. Ex-APC On Col. Marcel's Involvement: Interviewee D-4, Beni, 4 January 2016; Interviewee Z-13, Beni, 7 December 2016; Interviewee Z-14, Oicha, 8 December 2016; Interviewee D-42, Bulongo, 26 December 2015; Col. Katachanzu Hangi provided assailants information to carry out the 2015 Eringeti attack: Final Report of the Group of Experts on the Democratic Republic of the Congo, S/2016/466, para. 200. All commanders would have operated in relation with ADF.

<sup>312</sup>Sample CRG sources include: Interviewee S-5, Bulongo, 1 February 2017; Interviewee S-6, Lose Lose, 8 February 2017; Interviewee S-7, Mwenda, 11 February 2017; Interviewee S-14, Komanda, 1 March 2017; Interviewee S-16, Komanda, 8 March 2017; Interviewee T-16, Beni, 25 January 2017; Interviewee Z-4-B, Lume, 30 November 2016; Interviewee Z-9-C, Kasindi, 18 February 2017; Interviewee Z-10-B, Beni, 19 February 2017; Interviewee Z-11, Oicha, 6 December 2016; Interviewee Z-19, Oicha, 14 January 2017; Interviewee Z-28, Beni, 13 February 2017.

<sup>313</sup>Interviewee Z-11, Oicha, 6 December 2016; Also a view shared by Interviewee CF17-1, Beni, 2 June 2015. Interviewee Z-13, Beni, 7 December 2016.

<sup>314</sup>Midterm Report of the Group of Experts on the Democratic Republic of Congo, S/2015/797, para. 93.

<sup>315</sup>*Ibid.*, para. 95.

<sup>316</sup>"Rapport de la Mission d'Information et de Renconfort" Assemblée Nationale, 9 November 2014, p. 9. Interviewee K-D-11, Oicha, 23 April 2015.

<sup>317</sup>Midterm Report of the Group of Experts on the Democratic Republic of Congo, S/2015/797, para. 95.

<sup>318</sup>"Rapport de la Mission d'Information et de Renconfort" Assemblée Nationale, 9 November 2014, p. 10.

<sup>319</sup>Midterm Report of the Group of Experts on the Democratic Republic of Congo, S/2015/797, para. 96.

<sup>320</sup>Final Report of the Group of Experts on the Democratic Republic of the Congo, S/2016/466, para. 206.

<sup>321</sup>Interviewee F-6-B, Beni, 29 February 2016;

<sup>322</sup>Interviewee Z-12, Beni, 7 December 2015; Interviewee Z-14, Oicha, 8 December 2016; "Attaque d'Eringeti: la justice militaire disculpe le commandant du 312e Bataillon accusé de négligence" Radio Okapi, 19 February 2016.

<sup>323</sup>Final Report of the Group of Experts on the Democratic Republic of the Congo, S/2016/466,

<sup>324</sup>Final Report of the Group of Experts on the Democratic Republic of the Congo, S/2016/466, paras 201-204.

<sup>325</sup>Final Report of the Group of Experts on the Democratic Republic of the Congo, S/2016/466, para. 201.

<sup>326</sup>Interviewee X-1, Eringeti, 5 November 2016; Interviewee X-4-B, Murambi, 28 January 2017; Interviewee Z-11, Oicha, 6 December 2016; Interviewee Z-14, Oicha, 8 December 2016; Interviewee CD21-1, Beni, 9 July 2015; Interviewee CF17-1, Beni, 6 July 2015.

<sup>327</sup>Interviewee D-4, Beni, 4 January 2016; Interviewee Z-11, Oicha, 6 December 2016; Interviewee Z-13, Beni, 7 December 2016; Interviewee Z-14, Oicha, 8 December 2016; Interviewee D-42, Bulongo, 26 December 2015.

<sup>328</sup>Interviewee Z-13, Beni, 7 December 2016.

<sup>329</sup>Interviewee X-4-B, Murambi, 28 January 2017; Interviewee X-11-B, Mutwanga, 28 January 2017; Interviewee X-20, Mwenda, 28 January 2017; Interviewee X-21, Murambi, 29 January 2017; Interviewee KE20/1, Mavivi, 16 July 2015. Prior involvement with ex-APC timber trafficking circuits: Interviewee F-9, Oicha, 13 November 2015.

<sup>330</sup>Interviewee KE20/1, Mavivi, 16 July 2015.

<sup>331</sup>Interviewee D-1, Beni, 31 December 2015; Interviewee D-4, Beni, 4 January 2016; Interviewee D-45, Mayi Moya, 28 October 2015; Interviewee W-6-B, Beni, 24 January 2017; Interviewee X-26, Oicha, 15 February 2017.

<sup>332</sup>Interviewee D-4, Beni, 4 January 2016.

<sup>333</sup>Interviewee X-4-B, Murambi, 28 January 2017.

<sup>334</sup>See following sections.

<sup>335</sup>See following sections.

<sup>336</sup>Interviewee Z-11, Oicha, 6 December 2016; Interviewee Z-19, Oicha, 14 January 2017.

<sup>337</sup>Interviewee Z-11, Oicha, 6 December 2016.

<sup>338</sup>Interviewee Z-19, Oicha, 14 November 2016.

<sup>339</sup>Interviewee D-13, Beni, 10 January 2016; Interviewee S-14, Komanda, 1 March 2017; Interviewee CE20-1, Mbau, 4 July 2015; Interviewee CF17-1, Beni, 2 June 2015.

<sup>340</sup>Interviewee CF17-1, Beni, 2 June 2015.

<sup>341</sup>Interviewee Z-19, Oicha, 14 November 2016.

<sup>342</sup>Interviewee Z-19, Oicha, 14 November 2016.

<sup>343</sup>Interviewee D-4, Beni, 4 January 2015.

<sup>344</sup>Interviewee CE20-1, Mbau, 4 July 2015.

<sup>345</sup>Interviewee D-1, Beni, 31 January 2015.

<sup>346</sup>Procès verbal d'Audition #A-8, Beni, 9 February 2015; Interviewee D-1, Beni, 31 December 2015; Interviewee D-10, 5 March 2016, Beni; Interviewee S-2, 22 January 2017, Beni; Interviewee T-38, Beni, February 2017; Interviewee W-6, Beni, 16 January 2017; Interviewee W-6-B, Beni, 24 January 2017; Interviewee Z-3, 15 November 2016, Beni; Interviewee Z-6, Kasindi, 29 November 2016; Interviewee Z-10-B, Beni, 19 February 2017; Interviewee Z-28, Beni, 13 February 2017; Interviewee Z-3, 15 November 2016, Beni; See Section above, "Nyaleke attack. Final Report of the Group of Experts on the Democratic Republic of Congo, S/2016/466, paras. 208-210.

<sup>347</sup>Final Report of the Group of Experts on the Democratic Republic of the Congo, S/2016/466, para 209.

<sup>348</sup>Final Report of the Group of Experts on the Democratic Republic of the Congo, S/2016/466, para. 210.

<sup>349</sup>MONUSCO debrief with Adrian, 27-28 August 2014; Final Report of the Group of Experts on the Democratic Republic of the Congo, S/2016/466, para. 208.

<sup>350</sup>Adrian stated he returned to Madina camp. MONUSCO "Contact Record," 27-28 August 2014.

<sup>351</sup>MONUSCO "Contact Record," 27-28 August 2014; See Fahey (2016) for a critique.

<sup>352</sup>Mbusa Nyamwisi also implicates Birotsho in the killing of Mamadou, but insists Birotsho was working for the government at this time. Interviewee Q-1, Phone exchange, 16 January 2017; "Pro-Justitia Arret" Cour Militaire Operationnelle du Nord-Kivu, République Democratique du Congo-Justice Militaire, RP No 015; 017 et 018/04; "JMAC-NTF: ADF networks: a complex web of local and international relations" Kinshasa, 21 July 2015.

<sup>353</sup>Interviewee Z-3, 15 November 2016, Beni.

<sup>354</sup>Interviewee D-42, Beni, 31 December 2015; Interviewee D-44, Bulongo, 26 December 2015; Interviewee D-52, Goma, 20 February 2016; Interviewee S-5, Bulongo, 1 February 2017; Interviewee Z-10, Kasindi, 2 December 2016; MONUSCO DDR/RR "Interview Report" Eringeti, 11 March 2015.

<sup>355</sup>Interviewee D-1, Beni, 31 December 2015; Interviewee D-9, Boikene, 28 December 2015; Interviewee D-14, Beni, 22 September 2015; Interviewee D-40, Beni, 21 September 2015; Interviewee S-5, Bulongo, 1 February 2017; Interviewee T-34-A, Beni, 8 February 2017. Interviewee Z-20, Butembo 12 January 2017; Interviewee Z-22, Boikene, 26 January 2017; Interviewee Z-24-B, Beni, 8 February 2017; Procès Verbal d'Audition #A-4, Beni, 2 February 2015, Procès Verbal de Reaudition #A-4, Beni, 7 February 2015; Procès Verbal d'Audition #A-7, Beni, 2 and 4 February 2015; Procès Verbal de Confrontation, #A-7 (in A-7 v A-4), February 2015; Procès Verbal d'Audition #A-8, Beni, 9 February 2015; Procès Verbal de Reaudition #A-5-C, Beni, 4 December 2014; Procès Verbal d'Audition #A-3, Beni, 11 December 2014.

<sup>356</sup>Interviewee S-5, Bulongo, 1 February 2017; Interviewee D-26, Ngadi, 22 October 2015.

<sup>357</sup>Interviewee Z-3, Beni, 15 November 2016; Interviewee Z-6, Kasindi, 28 November 2016; Interviewee D-52, Goma, 20 February 2016.

<sup>358</sup>Interviewee D-1, Beni, 31 December 2015. Payments by Adrian corroborated by Z-24, by Mundos corroborated by D-4.

<sup>359</sup>Interviewee D-14, Beni, 6 April 2016; Interviewee S-15-A, Komanda, 4 March 2017; Interviewee S-16, Komanda, 8 March 2017; Interviewee X-19, Beni, 25 January 2017; Interviewee Z-24-B, Beni, 8 February 2017.

<sup>360</sup>Interviewee V-2, 30 January 2017, Kinshasa; Interviewee Z-19, Oicha, 14 January 2017.

<sup>361</sup>Interviewee V-2, Kinshasa, 29 January 2017; Interviewee Z-17, Kyavinyonge, 22 December 2016; Interviewee Z-19, Oicha, 4 January 2017. Interviewee Z-28, Beni, 13 February 2017.

<sup>362</sup>Interviewee V-2, Kinshasa, 30 January 2017; Interviewee Z-17, Kyavinyonge, 22 December 2016; Interviewee Z-20, Butembo, 12 January 2017;

Interviewee Z-28, Beni, 13 February 2017; Interviewee Z-18, Kyavinyonge, 23 December 2016.

<sup>363</sup>Interviewee Z-17, Kyavinyonge, 22 December 2016; Interviewee Z-24-B, Beni, 8 February 2017; Interviewee Z-28, Beni, 13 February 2017. Final Report of the Group of Experts on the Democratic Republic of Congo, S/2016/466, para. 209, footnote 43. also notes that Adrian was involved in some of the kidnappings around Beni at this time.

<sup>364</sup>Interviewee K-E-20, 16 July 2016.

<sup>365</sup>Interviewee Z-19, Oicha, 4 January 2017.

<sup>366</sup>Midterm Report of the Group of Experts on the Democratic Republic of Congo, S/2015/797, para. 81; Interviewee T-3, Goma, 16 January 2017; Interviewee F-9, Oicha, 13 November 2015.

<sup>367</sup>Interviewee T-37, Beni, 14 February 2017; Interviewee X-4-B, Murambi, 28 January 2017; Interviewee X-11-B, Mutwanga, 28 January 2017; Interviewee X-13-C, Mwenda, 28 January 2017; Interviewee Z-16, Oicha, 18 December 2016.

<sup>368</sup>Interviewee T-37, Beni, 14 February 2017.

<sup>369</sup>Interviewee W-13, Beni, 8 February 2017.

<sup>370</sup>Interviewee Z-16, Oicha, 18 December 2016.

<sup>371</sup>Interviewee T-37, Beni, 14 February 2017; Interviewee X-4-B, Murambi, 28 January 2017.

<sup>372</sup>Interviewee X-4-B, Murambi, 28 January 2017.

<sup>373</sup>Interviewee K-E-20, 16 July 2016.

<sup>374</sup>Interviewee Z-19, Oicha, 4 January 2017.

<sup>375</sup>Final Report of the Group of Experts on the Democratic Republic of the Congo, S/2016/466, para. 201. Corroborated by Interviewee W-6-B, Beni, 24 January 2017, who states that he was approached by Mundos in this manner.

<sup>376</sup>Interviewee D-4, Beni, 4 January 2016; Interviewee S-16, Komanda, 9 March 2017.

<sup>377</sup>Interviewee D-1, Beni, 6 January 2016.

<sup>378</sup>Interviewee Z-13, Beni, 7 December 2016.

<sup>379</sup>Interviewee D-45, Mayi Moya, 28 October 2015.

<sup>380</sup>Interviewee D-14, Beni, 6 April 2016; Interviewee Z-24-B, Beni, 8 February 2017; Procès Verbal d'Audition #A-4, Beni, 2 February 2015, Procès Verbal de Reaudition #A-4, Beni, 7 February 2015; Procès Verbal d'Audition #A-7, Beni, 2 and 4 February 2015; Procès Verbal de Confrontation, #A-7 (in A-7 v A-4), February 2015 ; Procès Verbal d'Audition #A-8, Beni, 9 February 2015; Procès Verbal de Reaudition #A-5-C, Beni, 4 December 2014; Procès Verbal d'Audition #A-3, Beni, 11 December 2014.

<sup>381</sup>Ibid.

<sup>382</sup>Procès Verbal d'Audition #A-7, Beni, 4 February 2015.

<sup>383</sup>Procès Verbal d'Audition #A-3, Beni, 11 December 2014 ; Procès Verbal d'Audition #A-4, Beni, 7 February 2015 ; Procès Verbal d'Audition #A-5, Beni, 28 November 2014. Procès Verbal d'Audition #A-7, Beni, 4 February 2015; Procès Verbal d'Audition #A-8, Beni, 9 February 2015.

<sup>384</sup>Procès Verbal de Confrontation, #A-7 (in A-7 v A-4), 4 February 2015.

<sup>385</sup>Procès Verbal d'Audition #A-3, Beni, 11 December 2014 ; Procès Verbal d'Audition #A-7, Beni, 2 February 2015; Procès Verbal d'Audition #A-8, Beni, 9 February 2015.

<sup>386</sup>Procès Verbal d'Audition #A-7, Beni, 4 February 2015.

<sup>387</sup>Interim Report of the Group of Experts on the Democratic Republic of Congo, S/2013/433, para. 65.

<sup>388</sup>Interviewee D-1, Beni, 6 January 2016; Procès Verbal d'Audition #A-4, Beni, 7 February 2015; Procès Verbal d'Audition #A-7, Beni, 2 and 4 February 2015; Interviewee Z-20, Butembo, 12 January 2017.

<sup>389</sup>Specifically, at Muzambayi

<sup>390</sup>Procès Verbal d'Audition #A-7, Beni, 2 and 4 February 2015

<sup>391</sup>Interviewee D-2, Beni, 2 January 2016; Interviewee S-14, Komanda, 1 March 2017; Interviewee S-15-A, Komanda, 4 March 2017; Interviewee S-16, Komanda, 8 March 2017; Interviewee Z-24-B, Beni, 8 February 2017; Procès Verbal d'Audition #A-5, Beni, 28 November 2014

<sup>392</sup>Interviewee S-16, Komanda, 8 March 2017; Procès Verbal d'Audition #A-4-A and A-4-B, Beni, 7 February 2015

<sup>393</sup>Interviewee Z-22, Beni, 26 January 2017; Interviewee S-16, Komanda, 8 March 2017.

<sup>394</sup>Interviewee D-2, Beni, 2 January 2015; Interviewee Z-22, Beni, 26 January 2017; Interviewee S-14, Komanda, 1 March 2017; Interviewee S-15-A, Komanda, 4 March 2017; Interviewee S-16, Komanda, 8 March 2017; Interviewee Z-24-B, Beni, 8 February 2017.

<sup>395</sup>Interviewee Z-22, Beni, 26 January 2017; Interviewee S-4, 26 January 2017; Interviewee S-14, Komanda, 1 March 2017; Interviewee S-15-A, Komanda, 4 March 2017.

<sup>396</sup>Interviewee S-16, Komanda, 8 March 2017.

<sup>397</sup>Interviewee S-14, Komanda, 1 March 2017; Interviewee S-15-A, Komanda, 4 March 2017; Interviewee S-16, Komanda, 8 March 2017; Interviewee Z-20, Butembo, 12 January 2017.

<sup>398</sup>Procès Verbal d'Audition #A-7, Beni, 4 February 2015.

<sup>399</sup>Interviewee S-15-A, Komanda, 4 March 2017.

<sup>400</sup>Interviewee Z-20, Butembo, 12 January 2017.

<sup>401</sup>Interviewee S-15-A, Komanda, 4 March 2017.

<sup>402</sup>Interviewee S-16, Komanda, 8 March 2017.

<sup>403</sup>Interviewee D-1, Beni, 6 January 2016; Interviewee D-14, Beni, 6 April 2016; Interviewee X-18, Eringeti, 24 January 2017; Interviewee Z-16, Oicha, 18 December 2016; Interviewee D-33, Beni, 7 October 2015.

<sup>404</sup>Interviewee D-14, Beni, 6 April 2016; Interviewee Z-16, Oicha, 18 December 2016.

<sup>405</sup>Interviewee X-19, Beni, 25 January 2017.

<sup>406</sup>Interviewee D-14, Beni, 6 April 2016; Interviewee S-15-A, Komanda, 4 March 2017; Interviewee S-16, Komanda, 8 March 2017; Interviewee Z-19, Oicha, 4 January 2017; Interviewee Z-24-B, Beni, 8 February 2017; Procès Verbal d'Audition #A-4, Beni, 2 February 2015; Supported by Interviewee Z-28, Beni, 13 February 2017.

<sup>407</sup>Congo Research Group (2016), p. 4.

<sup>408</sup>Interviewee S-14, Komanda, 1 March 2017; Interviewee S-16, Komanda, 8 March 2017

<sup>409</sup>Congo Research Group (2016).

<sup>410</sup>Interviewee S-10, Mavivi, 23 February 2017; Interviewee S-11, Mavivi, 25 February 2017; Interviewee S-12, Mavivi, 25 February 2017. An independent investigation by Human Rights Watch supports key aspects of CRG's findings at Vemba attack, including the arrival of "visitors" and the involvement of local authorities in organizing the killing. See: DR Congo: Scores Killed in Rebel Attacks" Human Rights Watch, 15 December 2014

<sup>411</sup>Interviewee Z-22, Beni, 26 January 2017; Interviewee Z-24-B, Beni, 8 February 2017.

<sup>412</sup>Interviewee S-10, Mavivi, 23 February 2017; Interviewee S-11, Mavivi, 25 February 2017; Interviewee S-12, Mavivi, 25 February 2017. "Rapport du Bureau conjoint des Nations Unies aux droits de l'homme sur les violations du droit international humanitaire commises par des combattants des Forces armées Démocratiques (ADF) dans le territoire de Beni, province du Nord-Kivu, entre le 1er octobre et le 31 décembre 2014," Mai 2015, para. 53.

<sup>413</sup>Interviewee S-10, Mavivi, 23 February 2017; Interviewee S-11, Mavivi, 25 February 2017.

<sup>414</sup>"ADF/Armed Group Activity, October/November 2014" MONUSCO.

<sup>415</sup>Interviewee S-10, Mavivi, 23 February 2017; Interviewee S-12, Mavivi, 25 February 2017.

<sup>416</sup>Interviewee S-10, Mavivi, 23 February 2017; Interviewee S-12, Mavivi, 25 February 2017.

<sup>417</sup>Interviewee S-10, Mavivi, 23 February 2017; Interviewee S-14, Komanda, 1 March 2017; Interviewee S-15-A, Komanda, 4 March 2017; Interviewee S-16, Komanda, 8 March 2017; Interviewee Z-12, Mavivi, 25 February 2017; Interviewee Z-22, Beni, 26 January 2017.

<sup>418</sup>Interviewee S-14, Komanda, 1 March 2017; Interviewee S-15-A, Komanda, 4 March 2017; Interviewee S-16, Komanda, 8 March 2017; Interviewee X-19, Beni, 25 January 2017.

<sup>419</sup>Interviewee S-16, Komanda, 8 March 2017.

<sup>420</sup>Interviewee S-14, Komanda, 1 March 2017.

<sup>421</sup>Interviewee X-26, Oicha, 15 February 2017.

<sup>422</sup>Interviewee Z-13, Beni, 7 December 2016.

<sup>423</sup>Interviewee S-14, Komanda, 1 March 2017.

<sup>424</sup>Interviewee S-15-A, Komanda, 4 March 2017.

<sup>425</sup>Interviewee S-16, Komanda, 8 March 2017.

<sup>426</sup>Interviewee Z-3, 15 November 2016, Beni.

<sup>427</sup>Procès Verbal d'Audition #A-2, Beni, 29 November 2014; Procès Verbal d'Audition #A-3, Beni, 11 December 2014; Procès Verbal d'Audition #A-4, Beni, 7 February 2015; Procès Verbal d'Audition #A-5, Beni, 28 November 2014. Procès Verbal d'Audition #A-7, Beni, 4 February 2015; Procès Verbal d'Audition #A-8, Beni, 9 February 2015; Procès Verbal de Confrontation, #A-7 (in A-7 v A-4), 4 February 2015. The Group of Expert provides a list of arrests made in connection with the killings, which shows that nearly all perpetrators arrested in the first months of the

massacres were affiliated with local militias, including militia collaborators of ADF and the ex-APC. See Final Report of the Group of Experts S/2016/644 Annex 57. This rectifies earlier claims that “not a single direct perpetrator of the incidents has been captured,” made in the Midterm Report of the Group of Experts on the Democratic Republic of Congo, S/2015/797, para. 86 and 93.

<sup>428</sup>Interviewee Z-3, Beni, Beni, 15 November 2016; Interviewee Z-24, Beni, 27 January and 8 February 2017; Procès Verbal de Confrontation #A-4 (A-4 v. A7), 3 February 2015; Procès Verbal de Confrontation #A-7 (A-7 v. A4), 3 February 2015

<sup>429</sup>Procès Verbal de Reaudition #A-4, Beni, 7 February 2015.

<sup>430</sup>Adrian had managed this caches with Mayangose militia commanders who worked with ex-APC including Kakolele. Interviewee D-14, Beni, 6 April 2016; Interviewee Z-24, Beni, 8 February 2017; Interviewee Z-3, 15 November 2016, Beni. Procès Verbal d’Audition #A-5, Beni, 28 November 2014

<sup>431</sup>Interviewee F-3, Beni, 5 November 2015; T-34-A, Beni 8 February 2017; Interviewee Z-3, Beni, 15 November 2016; Interviewee Z-9-C, Kasindi, 18 February 2017; Interviewee Z-24-B, Beni, 8 February 2017; Interviewee Z-28, Beni, 13 February 2017.

<sup>432</sup>Interviewee D-10-C, Beni, 3 April 2016; Interviewee F-5, Beni, 9 January 2016; Interviewee W-9, Oicha, 2 February 2017.

<sup>433</sup>Interviewee D-10-C, Beni, 3 April 2016; Interviewee F-18, Oicha, 31 March 2016; Interviewee W-9, Oicha, 2 February 2017; Interviewee X-25, Oicha, 18 February 2017.

<sup>434</sup>Interviewee D-10-C, Beni, 3 April 2016.

<sup>435</sup>Interviewee D-10-C, Beni, 3 April 2016; Interviewee F-13-B, Tenambo, 24 December 2015; Interviewee F-16, Eringeti, 6 January 2016.

<sup>436</sup>Interviewee F-13-A, Oicha, 8 November 2015; Interviewee F-14, Oicha, 17 December 2015;

<sup>437</sup>Interviewee W-5-B, Oicha, 13 January 2017; Interviewee D-16, Oicha, 25 September 2015; Interviewee D-31-A, Oicha, 25 September 2015 and 11 January 2016; Interview F-1, Mayi Moya, 20 January 2016; Interviewee F-18, Oicha; 31 March 2016.

<sup>438</sup>Interview F-1, Mayi Moya, 20 January 2016; Interviewee X-25, Oicha, 18 February 2017.

<sup>439</sup>Interviewee D-16, Oicha, 25 September 2015; Interviewee T-28, Beni, 6 February 2017.

<sup>440</sup>Interviewee D-16, Oicha, 25 September 2015; Interviewee D-31-A, Oicha, 25 September 2015 and 11 January 2016; Interviewee F-11, Mukoko, 14 January 2016; Interviewee W-8, Mayi Moya, 1 February 2017.

<sup>441</sup>Interviewee X-25, Oicha, 18 February 2017.

<sup>442</sup>As well as Ruwenzori and Watalinga “URDC Organization” MONUSCO DDRRR, Beni Office, 2013.

<sup>443</sup>Interviewee T-11, Beni, 24 January 2017; Interviewee V-3, Kinshasa, 11 February 2016.

<sup>444</sup>MONUSCO Beni Report, March 2013. Corroborated by Interviewee D-43, Beni, 10 January 2016. Lusenge states that he passed through Eringeti on his way to Ndamu. Statement of David Luenge at the trial into Beni’s mass killings, 6 February 2017, Beni.

<sup>445</sup>Interviewee U-2, Beni, 14 February 2017; Interviewee X-29, Beni, 20 February 2017. Also, as occurred in Ruwenzori sector, factions of Kyaghanda-Yira, got involved in the conflict. Interviewee X-29, Beni, 20 February 2017. Interviewee D-42, Beni, 31 December 2015; Interviewee F-26, Beni, 4 March 2016; Interviewee X-29, Beni, 20 February 2017. Members and leaders of Kyaghanda-Yira have acknowledged the organization’s role in coordinating militia politics in Beni (Interviewee D-41, Beni, 9 January 2016; Interviewee F-26, Beni, 4 March 2016; Interviewee F-27, Beni, 27 February 2016; Interviewee X-29, Beni, 20 February 2017) and tensions with Butembo (Interviewee D-41, Beni, 9 January 2016; Interviewee F-26, Beni, 4 March 2016; Interviewee F-27, Beni, 27 February 2016; Interviewee X-29, Beni, 20 February 2017)

<sup>446</sup>Interviewee D-31-B, Oicha, 11 January 2016.

<sup>447</sup>Interviewee X-21, Murambi, 29 January 2017.

<sup>448</sup>Interviewee Z-16, Oicha, 18 December 2016.

<sup>449</sup>Interviewee T-18-B, Beni, 10 February 2017; Interviewee Z-16, Oicha, 18 December 2016.

<sup>450</sup>Interviewee D-8, Beni, 19 February 2016; Interviewee D-19, Beni, 6 March 2016; Interviewee F-18, Oicha, 31 March 2016; Interviewee T-14, Eringeti, 24 January 2017; CRG witnessed an SMS from a Vuba chief regarding Braida that corroborates this, Eringeti, 23 January 2017; Final Report of the Group of Experts on the Democratic republic of the Congo S/2016/466, paras. 59-62.

<sup>451</sup>Interviewee F-11, Mukoko, 14 January 2016; Interviewee F-14, Oicha, 27 December 2015; Interviewee F-15, Eringeti, 28 December 2015; Interviewee F-20, Oicha, 14 January 2016; Interviewee X-26, Oicha, 15 February 2017. Final Report of the Group of Experts S/2016/466, para. 61.

<sup>452</sup>Interviewee T-18-B, Beni, 10 February 2017; Interviewee Z-16, Oicha, 18 December 2016; MONUSCO Special report on ADF combatant G-1, 20 January 2015.

<sup>453</sup>Interviewee T-10, Butembo, 22 January 2017.

<sup>454</sup>Interviewee D-19, Beni, 6 March 2016.



- <sup>455</sup>Interviewee S-15-A, Komanda, 4 March 2017; Interviewee S-14, Komanda, 1 March 2017; Interviewee S-16, Komanda, 8 March 2017.
- <sup>456</sup>Interviewee S-16, Komanda, 8 March 2017.
- <sup>457</sup>Interviewee S-9, Byakato, 18 February 2017; Interviewee D-43, Beni, 10 January 2016.
- <sup>460</sup>Interviewee D-1, Beni, 6 January 2016; Interviewee T-18, Beni, 26 January 2017; Interviewee X-18, Eringeti, 24 January 2017; Interviewee W-9, Beni, 24 January 2017; Interviewee Z-16, Oicha, 18 December 2016.
- <sup>461</sup>Interviewee T-18, Beni, 26 January 2017.
- <sup>462</sup>Interviewee D-1, Beni, 6 January 2016; Interviewee T-18, Beni, 26 January 2017; Interviewee X-18, Eringeti, 24 January 2017; Interviewee X-26, Oicha, 15 February 2017. Interviewee Y-1-B, Butembo, 8 November 2016; Interviewee Y-24, Beni, 16 December 2016; Interviewee Z-16, Oicha, 18 December 2016.
- <sup>463</sup>Interviewee Z-16, Oicha, 18 December 2016. Supported by Interviewee Y-1-B, Butembo, 8 November 2016.
- <sup>464</sup>“Rapport de la Mission d’Information et de Renconfort” Assemblée Nationale, 9 November 2014.
- <sup>465</sup>Interviewee X-26, Oicha, 15 February 2017.
- <sup>466</sup>Interviewee X-18, Eringeti, 24 January 2017; Interviewee X-26, Oicha, 15 February 2017.
- <sup>467</sup>Interviewee F-18, Oicha, 31 March 2016.
- <sup>468</sup>Interviewee D-19, Beni, 6 March 2016.
- <sup>469</sup>Interviewee T-10, Butembo, 22 January 2017; Interviewee T-27, Beni, 4 February 2017; Interviewee X-18, Eringeti, 24 January 2017.
- <sup>470</sup>Interviewee D-6-B, Beni, 23 January 2017; Interviewee F-18, Oicha, 31 March 2016; Interviewee T-1, Goma, 14 January 2017; Interviewee T-10, Butembo, 22 January 2017; Interviewee X-4-B, Murambi, 28 January 2017; Interviewee X-18, Eringeti, 24 January 2017; Interviewee Z-11, Oicha, 6 December 2016; Interviewee Z-12, Beni, 7 December 2016.
- <sup>471</sup>Interviewee X-18, Eringeti, 24 January 2017.
- <sup>472</sup>Interviewee T-10, Butembo, 22 January 2017.
- <sup>473</sup>Interviewee X-4-B, Murambi, 28 January 2017.
- <sup>474</sup>Interviewee D-6-B, Beni, 23 January 2017; Interviewee T-10, Butembo, 22 January 2017; Interviewee T-15, Eringeti, 24 January 2017.
- <sup>475</sup>Interviewee T-10, Butembo, 22 January 2017.
- <sup>476</sup>Interviewee T-15, Eringeti, 24 January 2017; Interviewee X-25, Oicha, 18 February 2017; “Rapport de Monitoring: Crime des Assassinats, Pillage, Coupeurs de Route, Incendie des Vehicules et Motos en Groupement de Bambuba-Kisiki localité, de Linzo Sisene et Opira en date du 15 au 27/09/2015” Communion des Agriculteurs pour la Defense des Interets et Droits de l’Homme, Oicha.
- <sup>477</sup>Interviewee Z-12, Beni, 7 December 2016; Interviewee W-5-B, Oicha, 13 February 2017.
- <sup>478</sup>Interviewee D-10-D, Beni, 6 April 2016; Interviewee F-18, Oicha, 31 March 2016; Interviewee X-25, Oicha, 18 February 2017.
- <sup>479</sup>Interviewee T-15, Eringeti, 24 January 2017; Interviewee T-26, Eringeti, 3 February 2017; Interviewee X-25, Oicha, 18 February 2017.
- <sup>480</sup>Interviewee D-10-D, Beni, 6 April 2016; Supported by: Interviewee F-18, Oicha, 31 March 2016; Interviewee X-18, Eringeti, 24 January 2017.
- <sup>481</sup>Final Report of the Group of Experts on the Democratic Republic of the Congo, S/2016/466, para. 192.
- <sup>482</sup>Final Report of the Group of Experts on the Democratic Republic of the Congo, S/2016/466, Annex 56.
- <sup>483</sup>Interviewee D-8, Beni, 19 February 2016; Interviewee S-9, Byakato, 18 February 2017; Interviewee T-10, Butembo, 22 January 2017; Interviewee T-45, Oicha, 23 February 2017; Interviewee T-26, Eringeti, 3 February 2017; Interviewee T-33, Beni, 8 February 2017; Interviewee Z-2, Eringeti, 11 November 2016.
- <sup>484</sup>Final Report of the Group of Experts on the Democratic Republic of the Congo, S/2016/466, para. 48.
- <sup>485</sup>Interviewee D-8, Beni, 19 February 2016; Interviewee Z-2, Eringeti, 11 November 2016; Supported by Interviewee F-20, Oicha, 14 January 2016.
- <sup>486</sup>Interviewee T-45, Oicha, 23 February 2017.
- <sup>487</sup>Final Report of the Group of Experts on the Democratic Republic of the Congo, S/2016/466, para. 200.
- <sup>488</sup>“Massacre d’Eringeti: un commandant de l’armée auditionné par la justice” Radio Okapi, 9 February 2016; “Attaque d’Eringeti: la justice militaire disculpe le commandant du 312e Bataillon accusé de négligence” Radio Okapi, 19 February 2016.
- <sup>489</sup>Interviewee T-11, Beni, 24 January 2017.
- <sup>490</sup>Interviewee T-26, Eringeti, 3 February 2017.
- <sup>491</sup>Interviewee T-10, Butembo, 22 January 2017.

- <sup>492</sup>Interviewee D-8, Beni, 19 February 2016; Interviewee F-30, Mandumbi, 3 April 2016. Final Report of the Group of Experts, S/2016/466, para. 62.
- <sup>493</sup>Interviewee D-8-A, Beni, 19 February 2016.
- <sup>494</sup>Interviewee D-8, Beni, 19 February 2016; Interviewee Z-2, Eringeti, 11 November 2016.
- <sup>495</sup>Interviewee D-19, Beni, 6 March 2016; Interviewee F-18, Oicha, 31 March 2016.
- <sup>496</sup>Interviewee F-18, Oicha, 31 March 2016.
- <sup>497</sup>Interviewee D-31-B, Oicha, 11 January 2016.
- <sup>498</sup>Interviewee D-11, Beni, 12 January 2016, an ex-APC Major, notes a similar trend from the 2013 period. A local doctor also notes the “constant crossing of people from Uganda into Kainama” during the mass killings (Interviewee D-31, Oicha, 25 September 2015).
- <sup>499</sup>Interviewee D-8, Beni, 19 February 2016.
- <sup>500</sup>Interviewee T-15-B, Eringeti, 3 February 2017; Interviewee T-24, Eringeti, 3 February 2017.
- <sup>501</sup>Interviewee T-1, Goma, 14 January 2017; Interviewee T-24, Eringeti, 3 February 2017.
- <sup>502</sup>Interviewee T-24, Eringeti, 3 February 2017.
- <sup>503</sup>Interviewee T-24, Eringeti, 3 February 2017.
- <sup>504</sup>Interviewee W-5-B, Oicha, 13 February 2017.
- <sup>505</sup>Interviewee W-8, Mayi Moya, 1 February 2017; Interviewee X-25, Oicha, 18 February 2017.
- <sup>506</sup>Interviewee W-9, Oicha, 2 February 2017.
- <sup>507</sup>Interviewee T-1, Goma, 14 January 2017.
- <sup>508</sup>Interviewee X-25, Oicha, 18 February 2017; Interviewee T-26, Eringeti, 3 February 2017.
- <sup>509</sup>Interviewee T-1, Goma, 14 January 2017.
- <sup>510</sup>Interviewee T-1, Goma, 14 January 2017.
- <sup>511</sup>Interviewee T-15, Eringeti, 24 January 2017; Interviewee W-5-B, Oicha, 13 January 2017.
- <sup>512</sup>Interviewee T-15-B, Eringeti, 3 February 2017; Interviewee T-24, Eringeti, 3 February 2017.
- <sup>513</sup>Interviewee T-24, Eringeti, 3 February 2017.
- <sup>514</sup>Interviewee D-31-B, Oicha, 11 January 2016.
- <sup>515</sup>“Objet: Réclamation de la communauté M’vuba” Commune Central de Pilotage M’vuba [Letter to l’organisation culturelle Kyaghanda/Yira, ville et territoire de Beni], 15 December 2016, Beni.
- <sup>516</sup>Interviewee T-16, Beni, 14 February 2017.
- <sup>517</sup>Interviewee W-8, Mayi Moya, 1 February 2017; Interviewee W-9, Oicha, 2 February 2017.
- <sup>518</sup>Interview F-1, Mayi Moya, 20 January 2016; Interviewee W-8, Mayi Moya, 1 February 2017; Interviewee W-9, Oicha, 2 February 2017.
- <sup>519</sup>Interviewee F-1, Mayi Moya, 20 January 2016; Interviewee W-8, Mayi Moya, 1 February 2017.
- <sup>520</sup>Interviewee X-25, Oicha, 18 February 2017.
- <sup>521</sup>Interviewee X-21, Murambi, 29 January 2017.
- <sup>522</sup>Final Report of the Group of Experts on the Democratic Republic of the Congo, S/2016/466, para. 189.
- <sup>523</sup>*Ibid.*, para. 53.
- <sup>524</sup>*Ibid.*, para. 48.
- <sup>525</sup>*Ibid.*, para. 49.
- <sup>526</sup>Interviewee D-54, Beni, 2 April 2016; Interviewee F-11, Mukoko, 14 January 2016; Interviewee F-18, Oicha, 31 March 2016; Interviewee F-29, Eringeti, 30 December 2015.
- <sup>527</sup>Interviewee D-8, Beni, 19 February 2016; Interviewee D-43, Beni, 10 January 2016; Interviewee D-45, Mayi Moya, 28 October 2015; Interviewee D-55, Beni, 2 April 2016; Interviewee S-9, Byakato, 18 February 2017; Interviewee T-45, Oicha, 23 February 2017.
- <sup>528</sup>Email correspondence with MONUSCO, 4 December 2016. CRG has obtained copies of some of these messages.
- <sup>529</sup>Interviewee Z-21, Beni, 25 January 2017.
- <sup>530</sup>Interviewee D-13, Beni, 10 January 2016; Interviewee S-9, Byakato, 18 February 2017; Interviewee Z-4, Mutwanga, 15 November 2016.
- <sup>531</sup>Interviewee D-13, Beni, 10 January 2016.

<sup>532</sup>Congo Research Group (2016), p. 15

<sup>533</sup>Interviewee D-51, Butembo, 23 November 2014; Interviewee K-C-1, Oicha, 20 April 2016; Interviewee T-18-B, Beni, 10 February 2017; Interviewee T-26, Eringeti, 3 February 2017.

<sup>534</sup>“De la Migration Rwandophone vers le Sud-Irumbu, en Ituri” Note sur Banyali-Cabi, 2016. Clear data is difficult to establish; the area Chief (of Banyali-Tchabi) reports a total population 8,000, including migrants.

<sup>535</sup>Interviewee T-27, Beni, 4 February 2016; Interviewee T-28, Beni, 6 February 2017.

<sup>536</sup>Interviewee D-1, Beni, 6 January 2016; Interviewee X-18, Eringeti, 24 January 2017; Interviewee Y-23, Beni, 17 December 2016; Interviewee Y-24, Beni, 16 December 2016.

<sup>537</sup>Interviewee D-1, Beni, 6 January 2016

<sup>538</sup>Interviewee D-4, Beni, 4 January 2016.

<sup>539</sup>Document “Kukamata Kivu” dated 7 July 1992; “Procédure de la Guerre Conquête des Tutsis au Congo/Zaire” 28 April 2007, Goma.

<sup>540</sup>Final Report of the Group of Experts on the Democratic Republic of Congo, S/2016/466, paras. 56, 185, and 202.

<sup>541</sup>Interviewee D-8, Beni, 19 February 2016.

<sup>542</sup>Final Report of the Group of Experts on the Democratic Republic of Congo, S/2016/466, para. 191-2.

<sup>543</sup>Interviewee X-13-C, Mwenda, 28 January 2017; Interviewee X-4-B, Murambi, 28 January 2017.

<sup>544</sup>Interviewee X-4-B, Murambi, 28 January 2017.

<sup>545</sup>For full sourcing on this paragraph, see section. The precursors to the massacres: ex-APC mobilization during the M23 Crisis (2012-2013), especially the OZACAF box and the sub-section on Kinyarwanda speakers’ arrival.

<sup>546</sup>Interviewee T-3, Goma, 16 January 2017; Final Report of the Group of Experts on the Democratic Republic of the Congo, S/2016/466, paras. 94-99.

<sup>547</sup>Interviewee T-3, Goma, 16 January 2017.

<sup>548</sup>“De la Migration Rwandophone vers le Sud-Irumbu, en Ituri” Note sur Banyali-Cabi, 2016; Interviewee T-41, Phone exchange, 4 February 2017.

<sup>549</sup>Interviewee Z-10-B, Beni, 19 February 2017; Interviewee Z-29-B, Kasindi, 21 February 2017, Interviewee Z-29, Beni, 11 February 2017; Interviewee Z-9-C, Kasindi, 18 February 2017; Interviewee Z-10-B, Beni, 19 February 2017.

<sup>550</sup>Interviewee Z-10-B, Beni, 19 February 2017. Corroborated by Interviewee Z-9-C, Kasindi, 18 February 2017; Interviewee Z-29-B, Kasindi, 21 February 2017.

<sup>551</sup>Interviewee Z-11, Oicha, 6 December 2016; Interviewee Z-13, Beni, 7 December 2016; Interviewee Z-25, Beni, 7 February 2017; Congo Research Group (2016).

<sup>552</sup>Interviewee X-31, Lume, 27 February 2017; Interviewee Z-25, Beni, 7 February 2017.

<sup>553</sup>Interviewee Z-9-C, Kasindi, 18 February 2017. Describing arms being held at this individual’s field at the time: Interviewee Y-12, Bwera, 4 December 2016.

<sup>554</sup>Interviewee Z-29-B, Kasindi, 21 February 2017.

<sup>555</sup>Interviewee Z-9-C, Kasindi, 18 February 2017.

<sup>556</sup>Interviewee T-18, Beni, 26 January 2017. Interviewee T-34-A, Beni, 8 February 2017; Interviewee W-5, Oicha, 13 January 2017; Interviewee X-18, Eringeti, 24 January 2017; Interviewee Z-24, Beni, 29 January 2017; Interviewee Z-28, Beni, 13 February 2017.

<sup>557</sup>Interviewee D-31-A, Oicha, 25 September 2015; Interviewee W-6-B, Beni, 24 January 2017; Interviewee W-9, Oicha, 2 February 2017; Interviewee Z-22, Beni, 26 January 2017; Interviewee Z-28, Beni, 13 February 2017.

<sup>558</sup>Interviewee T-34-A, Beni, 8 February 2017; Interviewee X-18, Eringeti, 24 January 2017; Interviewee X-23, Mavivi, 16 February 2017; Supported by Interviewee Z-16, Oicha, 18 December 2016; Interviewee Z-24, Beni, 29 January 2017;

<sup>559</sup>Interviewee Z-16, Oicha, 18 December 2016.

<sup>560</sup>Interviewee T-34-A, Beni, 8 February 2017.

<sup>561</sup>Interviewee X-4-B, Murambi, 28 January 2017.

<sup>562</sup>Interviewee X-18, Eringeti, 24 January 2017.

<sup>563</sup>Interviewee F-18, Oicha, 31 March 2016.

<sup>564</sup>Interviewee T-18-B, Beni, 10 February 2017; Interviewee T-28, Beni, 6 February 2017; Interviewee W-6-B, Beni, 24 January 2017;

<sup>565</sup>Interviewee W-6-B, Beni, 24 January 2017; On the involvement of chiefs from Banande-Kainama: Interviewee T-28, Beni, 6 February 2017; Interviewee X-18, Eringeti, 24 January 2017; Interviewee Z-22.

<sup>566</sup>Final Report of the Group of Experts on the Democratic Republic of Congo, S/2016/466, para. 185.

<sup>567</sup>Interviewee W-6, Beni, 16 January 2017; Interviewee W-12, Eringeti, 3 February 2017; Interviewee X-18, Eringeti, 24 January 2017; Interviewee X-21, Murambi, 29 January 2017; Interviewee X-26, Oicha, 15 February 2017; Interviewee Z-12, Beni, 7 December 2016.

<sup>568</sup>Interviewee X-18, Eringeti, 24 January 2017; Interviewee Z-12, Beni, 7 December 2016.; Supported by Interviewee W-12-B, Eringeti, 7 February 2017.

<sup>569</sup>Interviewee, D-4, Beni, 4 January 2016; Interviewee W-7, Beni, 24 January 2017; Interviewee X-18, Eringeti, 24 January 2017; Interviewee Z-12, Beni, 7 December 2016; Interviewee X-18, Eringeti, 24 January 2017; Interviewee Y-1-B, Butembo, 8 November 2016.

<sup>570</sup>Interviewee D-1, Beni, 6 January 2016; Interviewee, D-4, Beni, 4 January 2016.

<sup>571</sup>Final Report of the Group of Experts on the Democratic Republic of Congo, S/2016/466, para. 202.

<sup>572</sup>Phone call on 4 February 2017, from Beni. Corroborated by Interviewee W-6-B, Beni, 24 January 2017.

<sup>573</sup>Interviewee D-1, Beni, 6 January 2016; Interviewee X-18, Eringeti, 24 January 2017.

<sup>574</sup>Interviewee D-1, Beni, 6 January 2016.

<sup>575</sup>Interviewee Z-24, Beni, 29 January 2017

<sup>576</sup>Interviewee Z-24-B, Beni

<sup>577</sup>Interviewee F-2, Beni, 6 April 2016.

<sup>578</sup>Interviewee Z-24-B, Beni, 8 February 2017; Procès Verbal d'Audition #A-7, Beni, 2 February 2015; Procès Verbal d'Audition #A-9, Beni, 1 December 2014; Procès Verbal de Confrontation #A-4 (A-4 v. A7), 3 February 2015.

<sup>579</sup>Interviewee Z-28, Beni, 13 February 2017.

<sup>580</sup>Interviewee Z-24, Beni, 29 January 2017

<sup>581</sup>Interviewee D-51, Butembo, 23 November 2014; Interviewee T-18, Beni, 26 January 2017.

<sup>582</sup>Interviewee D-4, Beni, 4 January 2016.

<sup>583</sup>Interviewee Z-9-C, Kasindi, 18 February 2017.

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