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# The call for tough arms controls

Voices from the Democratic  
Republic of the Congo



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## Summary

‘There are so many weapons here that each person makes his own law. There is practically complete impunity. Anyone who holds a weapon has authority over anyone and can threaten anyone.’

— Jean-Charles, humanitarian officer in the Democratic Republic of the Congo since 2001, Bukavu, South Kivu

The war in the eastern Democratic Republic of the Congo (DRC) has cost millions of lives. Hundreds of thousands of people have been shot dead. Millions have died from the indirect consequences of war.

What the figures do not reveal is the personal suffering of individual people, families, and villages. That is why in November 2005 the Control Arms campaign interviewed some of those who have suffered.

In 2006, beginning in January, a series of debates on disarmament are due to take place at the United Nations. There will be technical arguments and diplomatic negotiations. The purpose of this report is to add to these discussions the voices of at least some of the people who bear the cost of the world’s continuing failure to control the arms trade.

These stories from the DRC reveal the human cost of the arms trade over the past few years, including a brutal killing that took place as recently as 12 November 2005. Beatrice and Claire<sup>1</sup> were traumatised by witnessing the murder of their parents. Benjamin’s experience as a child soldier with blood on his hands has left him scarcely able to bear the sound of gunshots. Nathalie, maimed by bullet wounds, faces an uncertain future.

Their experiences are not rare. Between January 2003 and April 2004, it is estimated that almost 400,000 people died in the eastern DRC where the war has raged.<sup>2</sup> Since 1998, as many as 85 per cent of those living near the front lines have been affected by violence.<sup>3</sup> The four testimonies in this report offer a glimpse into the fate of hundreds of thousands of Congolese civilians whose lives have been devastated by the influx of guns.

There is also another story: that of the states that allow the continuing supply of arms to the DRC. This report also explains how the weapons arrived there, and why they were able to enter the country so easily.

The creation of a new national army, and efforts to disarm and demobilise former fighters in the DRC, are parts of the solution. But without more concerted international action, there is no end in sight to the suffering of the Congolese people, or to the supply of the small arms and ammunition that are used to inflict it. As in crises everywhere, the rest of the world must take responsibility for the

arms that it supplies. To do that, governments should agree a new international Arms Trade Treaty (ATT).

The year 2006 presents a major political opportunity to begin to do this.

- The Review Conference for the UN Programme of Action on Small Arms and Light Weapons, to be held in June and July 2006, must agree clear principles for the international transfer of these arms, based on existing international law, to prevent them getting into the wrong hands.
- The Conference's Preparatory Committee, taking place in New York in January 2006, must set the stage for this.
- Then, the UN General Assembly's First Committee, meeting in October 2006, must finally start a process to negotiate an Arms Trade Treaty.

The proliferation of conventional arms is too severe to be ignored any longer. Arms transfers still fuel atrocities in the DRC and many other countries. Responsible arms exporters and arms-affected states must not be held back by the few states that want to impede progress. In 2006, they must begin negotiations to agree an Arms Trade Treaty.

# 1 The real impact of irresponsible arms sales

'I don't know how to explain it. When I see a soldier or a gun, when I see their pants and I remember what they did to me... my soul leaves me.'

— Nabintu, rape survivor, Ikoma, South Kivu

Because of the scale of suffering in the Democratic Republic of the Congo (DRC) over the past ten years, its conflict has widely been described as the worst humanitarian disaster since the Second World War. Unlike that war, however, the primary tools of violent death in the DRC have been small arms and light weapons.

Over 200,000 Congolese met violent deaths between 2000 and 2003,<sup>4</sup> up to 90 per cent of them from gunshots.<sup>5</sup> Since 1998, hundreds of thousands have died; between 1998 and 2000 roughly half of these were women and children.<sup>6</sup>

Even more people have died as an indirect result of the conflict. Since 1998, nearly *four million* people have died due to its overall effects, most of them as a result of easily preventable and treatable diseases.<sup>7</sup> In eastern DRC, where arms are concentrated, mortality rates are 80 per cent higher than in the rest of sub-Saharan Africa, and even one-third higher than in the rest of the DRC.<sup>8</sup>

In November 2005, a Control Arms researcher conducted focus group meetings in eastern DRC to report the human suffering behind these figures. In one group in the village of Mulamba, Walungu, more than half of the 12 participants raised their hands to signify the shooting of an immediate family member.<sup>9</sup> In another group of women from the village of Kaniola, nearly all of the 17 women said that a member of their immediate family had been violently killed, and more than half of those deaths were attributable to small arms.<sup>10</sup>

**Beatrice**, aged 20, would have raised her hand if this question had been asked in her community in South Kivu. On 13 January 2005, she witnessed her mother's murder. At around 8 o'clock at night, Beatrice was with her family when armed men entered her house. She thought they were from a Rwandan rebel group but their motive, like that of other local violence, was to loot. 'Three of them came with guns to steal the cows and goats. Then, they went into the house and stabbed my mother all over her body, even on her head. But she didn't die then. I saw them killing her with my own eyes.'



Joshua Marks/Oxfam

'We fled for the banana grove. I heard her screaming in the house.' The next morning, the family returned. 'When we came back to the house, blood was running everywhere. My mother was beginning to leave us. She died that morning.'

## The roots of the conflict

The conflict in eastern DRC was sparked by the 1994 Rwandan genocide, when about 800,000 Rwandans were systematically killed. But it had its roots in years of repression by Mobutu Sese Seko, the dictator who had ruled Zaire (as the DRC then was) for 30 years. Two years later, in 1996, the new Ugandan and Rwandan governments armed and provided troops for a rebellion in eastern Zaire, claiming that those responsible for the genocide had regrouped in refugee camps in Zaire.

Within months the rebellion swept through the country, and in May 1997 it toppled Mobutu, installing in his place the rebel group's leader, Laurent-Desiré Kabila. The rebellion brought in thousands of guns, most of them supplied by Kabila's backers, Rwanda and Uganda.

During their march on Kinshasa, the DRC's capital, these well-armed troops attacked many Congolese civilians and Rwandan refugees; Rwandan troops attacked the refugees among whom those responsible for the genocide had fled. Thousands of Rwandan refugees and Congolese were murdered, their bodies thrown into mass graves or left to rot in the open air.<sup>11</sup> Meanwhile in Kinshasa, Kabila's relations with his Ugandan and Rwandan backers turned sour, as he insisted on gaining greater control over his government and reducing their influence.

In August 1998 tensions came to a head, when Congolese rebels and Rwandan troops, under the rebel group RCD (Rassemblement Congolais pour la Démocratie), launched the second Congolese war, with support from Uganda, Burundi, and Rwanda. Kabila obtained the assistance of Angola, Zimbabwe, and Namibia. During the next

five years, small arms and light weapons poured into the country, as all sides were bent on gaining power.

## Continuing war

By July 1999, many of the warring parties signed the Lusaka Accords, which called for a ceasefire among all sides and an end to the supply of weapons into the country.<sup>12</sup> Despite this, several shipments of small arms and light weapons arrived over the next few years.<sup>13</sup>

In 2000, a UN peacekeeping mission (MONUC) arrived, but the war continued and different armed groups survived, terrorising the civilian population. Like some of the DRC's neighbours, they plundered the country's natural resources. The exploitation of the vast mineral wealth became the end, as well as the means, of conflict. To maintain their strength, rebel groups and the Congolese army alike traded their riches for more weapons.<sup>14</sup> A UN report indicated, for instance, that the Congolese government used revenues from diamond sales to purchase weapons.<sup>15</sup>

While armed groups continued to operate in the country, some warring parties made progress towards peace. After Kabila's assassination in 2001 and the assumption of power by his son, Joseph Kabila, peace talks resulted in the December 2002 Pretoria Agreement.<sup>16</sup> This declared the end of hostilities among the main parties and set the stage for a transitional power-sharing government that took power in June 2003.

But the formal end of the war and the start of a transitional government under Joseph Kabila did not bring the conflict to an end. Swathes of land in the east were still overrun by rebel groups. Even after July 2003, when the UN at last imposed an arms embargo on the eastern DRC, rebel groups continued to receive weapons from outside the country.

In the lakeside city of Bukavu, several shipments of arms had already arrived in 2002 and 2003.<sup>17</sup> The arms build-up apparently continued, for authorities and the UN mission found caches of arms in February 2004. UN field officers warned of a possible clash in Bukavu,<sup>18</sup> but the UN presence was not scaled up to respond. In late May 2004, two rebel groups, led by former RCD leaders, laid siege and then occupied the city, killed more than a hundred people, and raped women and girls as young as three years old.<sup>19</sup>

**Claire's** memories of the brutal occupation of Bukavu return every day when she visits her father's tomb in her family's back yard.

'It was a Wednesday, and we heard gun shots, so Papa ... told us all to go inside.' As the shots continued the next day, five of the rebel fighters forced their way onto the family's property. 'They encircled the house and began to shoot everywhere, in the windows, on the walls.'

For two days, the family stayed in their house as the shooting continued. 'After a while, the fighters asked if they could have water, since they hadn't had anything to drink in days. Papa pitied them and told us to open the door to give them something to drink. After a while, the fighters changed their way and told Papa, "You must give us some money", and they went into the house.



Joshua Marks/Oxfam

'So Papa asked Mama to bring \$100. But they refused it and a fighter stabbed Papa in the shoulder blade with his bayonet. We were all in the living room together, crying... they said if we didn't give them all our money they would kill Papa and let him rot in the living room.

'We saw Papa surrounded by the three fighters. They shot Papa in the leg.' The shot hit his femoral artery, causing him to lose blood quickly. Claire's mother fetched all the money they had, and the fighters finally left. 'We circled around Papa. He said he felt very hot and we thought he would die.' Her father did die several days later.

## The most vulnerable victims

Through all this time, men, women, and, most notably, girls and boys were forcibly recruited into the war. All the Congolese armed political groups continued to use child soldiers, many of them under the age of 15.<sup>20</sup> Numerous children were abducted or coerced into joining, but others volunteered, particularly in Ituri district. Almost all girls and some boys were reported to have been raped or sexually exploited by their commanders or other soldiers. Children in all the armed groups witnessed and often participated in serious human rights abuses against civilians, as well as undertaking frontline duties.

For the Mai-mai, for example, a largely pro-government, amorphous armed group, children made up half its fighters.<sup>21</sup> Over one third – 40 per cent – of the DRC's child soldiers have been girls.<sup>22</sup> Altogether over the past decade, about 30,000 to 35,000 children have been recruited, of whom 11,000 have now been demobilised.<sup>23</sup>

**Benjamin's** story of being abducted and subsequently fighting in South Kivu is symbolic of the child soldiers' plight. When he was 15 or 16, he was forced to join a local militia. Although he is unsure of his birth date, he remembers the date when he was taken: 12 July 2004.

'I was playing soccer with four of my friends, when some men in uniforms came up to us with guns and sacks. They took all of us and told us to carry their sacks to their camp. They taught us how to use Kalashnikovs and revolvers.

'I was involved in several combats. In one, we fought the [rebel group] RCD-Goma and we killed a good number of them. I was able to kill two. And I managed to take two people that came from this area and I held them hostage. They were fighters. I shot them both in the stomach. Since it was under my commander's order, I didn't have a problem with it. I was supposed to kill them, so I accepted this.'

These experiences took their toll. 'There was too much suffering. During the night, we would never sleep. We would drink and dance, since we feared that the enemy would come at any moment.'

Eventually, Benjamin was able to leave. After time in a demobilisation and reorientation centre, he returned to civilian life, but not without side-effects. 'Today, when I see a gun, I can't tolerate it. I would like weapons to stay away and the guns to protect the population instead of kill them.'



Joshua Marks/Oxfam

## The conflict now

The devastating armed violence continues even now. It is still fuelled by the international community's failure to prevent guns and ammunition flowing into the country. But each individual act of violence may be motivated by any combination of banditry, politics, or just the power that comes from armed violence. As in this case,

those who suffer may never know why. **Nathalie**, a 26-year-old farm woman from the village of Kabuye II, tells her story from hospital.

Four men came to her house on 12 November 2005. 'It was 8 o'clock at night. I was at my home with my husband and child. Two men came into our living room and they told my husband to lie down on the bed, but he refused. They then shot him from the living room and he fell on our bed. They had shot him in the mouth, the chest, and the side. I was by him. He died immediately, but I didn't see if blood was running, because I carried my baby and ran outside. When I ran out, they shot again and hit me.' The bullet punctured the side of her buttocks and ripped out part of her anus as it left her body.

'I couldn't run fast and I couldn't feel the bullet, but I kept running and went into the woods. I stayed in the forest from 8 o'clock until 6 o'clock in the morning. My baby was crying while we were in the forest, but he wasn't hurt. I was hurting so bad that I could no longer get up. Lots of my blood was running. In the morning, the villagers found me and carried me here.' Because local services are so poor, her neighbours had to build a chair and carry her 32 kilometres along dirt paths to the nearest hospital. By the time she had arrived, her wounds were already infected and she had become incontinent.

## 2 The indirect impact of arms

'When there is war, everyone is at war.'

— Marie, nurse, Walungu, South Kivu

As these stories show, the bullets that rip through bodies not only kill people: they also tear through families and communities.

In the DRC, social safety-nets to provide health care, rehabilitation, and financial support for families who have lost their breadwinners simply do not exist. When someone is shot, the indirect impact is grave.<sup>24</sup> In villages where any semblance of government control is often absent, the use of small arms is devastating — and drives people from their homes. 'As soon as [people] hear rumours about violence, they no longer spend the evenings in their homes,' notes Professor Sévérin Mugangu, director of conflict-management studies at the Catholic University of Bukavu.

Villagers die from famine and malnutrition as well as gunshots. Even when they return to their homes, their uncultivated fields presage at least a season of hunger. More than 75 per cent of the DRC's population live on less than a dollar a day. Almost as many have no certain supplies of food. With malnutrition contributing to nearly 11 per cent of all deaths in the DRC, the prospects for these farmers are especially harsh.<sup>25</sup> As one peasant woman from Walungu said, 'After a woman returns, it will be poverty that will kill her.'

In Walungu territory, the psychological trauma that the armed violence inflicts destroys traditional customs and livelihoods. Women, haunted by their rapes, avoid visiting their previous fields, preferring to walk miles to other fields or else stop farming altogether. The chief doctor for the Walungu health zone, who has worked with some of the rape victims, says that female rape survivors often suffer flashbacks at the sight of armed or uniformed men.<sup>26</sup>

The psychological impact of Walungu's violence induces many families to discard their lootable goods, lest they are attacked at night. The possession of cash, cell phones, beer, livestock, electronics, and other goods is a liability. As Prof. Mugangu commented, 'The violence that we have now is psychological as well as physical. We have the impression that the enemy is everywhere.'

### 3 Where did the guns come from?

‘Before, we considered the gun a weapon for the military. But now it’s common. Today, so many people are killed [by them]. They circulate everywhere. You can find them in any hand.’

— Safari, director of a human rights and development NGO, Bukavu, South Kivu

#### Which weapons were used?

The arms that the child soldier Benjamin was forced to use and the weapon that maimed Nathalie are the same as those found in conflicts around the world. Fifty to 60 per cent of the weapons used in the DRC are AK-47s or derivatives of it; but other rifles have reportedly come from Germany, France, the UK, and other countries.<sup>27</sup> South African-made R4 assault rifles, and the Uzi sub-machine gun, originally made in Israel but also copied in several other countries, are common.<sup>28</sup> Other arms found during weapons collections include 60mm and 80mm mortars, HK-33 (reportedly German origin), AA-52 (French origin), G-3, M-16 (US origin), SMGL (Russian origin), rocket-propelled grenades (RPG), anti-personnel mines, and allegedly PKM light machine guns and PRM machine guns.<sup>29</sup> Nearly all these were manufactured outside Africa.

In November 2005, Control Arms researchers in the DRC investigated the origin of 1100 weapons collected by MONUC peacekeepers in Bunia, in Ituri district. Seventeen per cent of these were Chinese copies of AK-47 assault rifles, known as Type 56s. An analysis of the serial numbers on other weapons revealed that they included ten more AK-47 derivatives, manufactured in Egypt, Romania, Bulgaria, Serbia, and Russia, as well as Belgian-manufactured FN Herstal FAL automatic rifles.<sup>30</sup>

Small arms collected from a rebel group in October 2005



Rapatriement MONUC

The number of weapons still in circulation is uncertain. One researcher estimated that the total number of AK-47s in the Kivu provinces of the eastern DRC is about 40,000.<sup>31</sup> Others have been too cautious to give estimates, especially since the weapons that the United Nations and the Congolese government collect represent only a fraction of the total stock of small arms. But regardless of the total number of weapons circulating, one thing is certain: they are easy to obtain. In the conflict-ridden and resource-rich Ituri region of the north-east, small arms apparently can be purchased for \$50 to \$150, or acquired in exchange for minerals such as gold or coltan, or for packs of cigarettes.<sup>32</sup>

## Who supplied the weapons?

The UN Security Council did not impose an arms embargo on eastern DRC until 2003. According to UN customs data, Western European countries that supplied weapons to the Congolese government before this included Germany, France, and Italy. However, many of the small arms circulating in the DRC in the hands of armed groups and militia come from Eastern Europe's surplus weapons stocks. With the end of the Cold War, former Soviet republics, notably Ukraine, sold off their excess small and heavy weaponry for hard currency. Such deals were usually facilitated by arms dealers, with their complex networks of companies operating out of different countries.

Companies sending arms shipments to the Great Lakes Region of central Africa have included some based in Albania, Israel, South Africa, and the UK.<sup>33</sup> Those that have had agreements with the DRC itself were based in the Czech Republic, Bulgaria, Georgia, Ukraine, China, and Zimbabwe.<sup>34</sup>

While a number of arms dealers were involved in these shipments, one person looms large: Victor Bout. Notorious for his ability to avoid arrest for breaking arms embargoes relating to Sierra Leone and Liberia, Bout and his associates have apparently transported arms and military equipment into, and natural resources out of, the Great Lakes Region, including the DRC.<sup>35</sup>

He was involved in or associated with the transporting of weapons for both the Congolese government and opposing rebel groups.<sup>36</sup> Even when his companies were not directly linked with arms shipments, his business associates were often implicated.<sup>37</sup> Among other activities, Bout has also been linked to evidence of several planes carrying suspicious cargo in the east.<sup>38</sup>

He has, of course, not been alone. For example, before the UN arms embargo was imposed in 2003, two Czech companies had been involved in or associated with arms sales to the Congolese government. One Czech arms company, Thomas CZ, has admitted to having done business with the Congolese government. In 2001, a

senior Congolese official had \$588,300 transferred to Thomas CZ's bank account, apparently to pay for arms procurement. Another Czech company, Arms Morava, had met a Congolese general in connection with a purchase of small arms worth \$1,128,500 in 2000.<sup>39</sup>

Arms to the various rebel groups have frequently taken more circuitous routes than those to the Congolese government. Uganda and Rwanda have supported rebel groups in the east, and weapons have often come through the DRC's neighbours before being flown across the border. The DRC-based Peace Air Company, for example, is linked to a company in Rwanda and has been accused of shipping weapons to RCD-Goma, a major rebel group that is now represented in the Congolese transitional government. In 2003, before the UN embargo, it was involved in military transports for RCD-Goma, which had dispatched instructions to give Peace Air Company special treatment in the processing of its paperwork.<sup>40</sup> Peace Air Company was in fact the only company allowed to fly to mineral-rich Walikale when the area experienced fighting involving the RCD.<sup>41</sup>

## Belated embargoes

Finally acknowledging that the supplies of small arms were intensifying the conflict, on 28 July 2003 the UN Security Council imposed an embargo on weapons entering the eastern DRC, though not the whole country. Under Resolution 1493, all states, including the DRC government, were to 'take the necessary measures to prevent the direct or indirect supply, sale, or transfer of arms and any related material' to any armed groups in the east.<sup>42</sup> A year later, the Security Council strengthened the embargo in Resolution 1565 by allowing the UN peacekeeping mission to conduct unannounced inspections and seize arms and any other material related to violations of the embargo.

Yet despite these measures, small arms have continued to flow in. In one alleged case that violated the arms embargo, a plane with a two-tonne cargo capacity carried large quantities of arms and ammunition through Lubumbashi, a major Congolese city, between February and May 2004, under the close supervision of the head of the Congolese Air Force.<sup>43</sup> Arriving at night and unloaded by military personnel, the plane belonged to Jetline International, a company based in the United Arab Emirates which uses aircraft formerly belonging to Victor Bout.<sup>44</sup> Another shipment also overseen by a high-ranking Congolese military officer left the same airport and was dropped by parachute 20km from Bukavu around the time of the Bukavu occupation and the murder of Claire's father (described above).<sup>45</sup>

There are various reasons for the continuing inability to control arms supplies to the DRC. It has a vast territory, roughly the size of Western Europe, with porous borders, and border posts often run by corrupt officials. It has between 350 and 400 airfields and, on its

eastern border, lakes which have been used in the past to smuggle weapons.<sup>46</sup> The UN peacekeeping mission is ill-equipped to monitor embargo violations at the 171 airports, airfields, and landing strips that are in the eastern DRC alone, and its work is often obstructed and under-funded. The UN Group of Experts, which monitors arms violations, has in the past had trouble persuading the Congolese and Ugandan governments to co-operate fully with its work, and still has co-operation problems with the Rwandan government.<sup>47</sup>

It also took the UN Security Council two years to extend the arms embargo to the whole country. From 2003 to 2005, weapons could still be transferred legally to other parts of the DRC neighbouring the war-torn east. In 2005, the Council's new resolution 1596 was meant to remedy this, and target all armed groups not integrated into the national army or police. The Council set out regulations for arms imports by the DRC government itself and asked neighbouring countries to respect various rules governing their air links with the DRC.

Logistical and political challenges are partly to blame for the easy entry of weapons into the DRC, but an even stronger reason is the inadequacy of international and national laws and regulations that should control the arms trade. International transfers of arms and related supplies to the DRC, Uganda, and Rwanda have not necessarily violated any international arms embargo.<sup>48</sup> Before the embargo imposed in July 2003, European countries sent shipments to the DRC, even though its army was reportedly involved in violations of international humanitarian law and human rights abuses, and was supplying armed groups with weapons.<sup>49</sup>

Perhaps even more worryingly, international arms dealers and brokers could supply the DRC's rebels without difficulty. Inconsistent national laws regulating the export of arms mean that arms brokers will simply find the weakest link in the chain and operate from the country with the biggest loopholes. Few countries have laws to control brokers, and even those laws are rarely strong enough. In particular they fail to control the brokering by their citizens operating from another country.

## 4 What needs to be done?

'The weapons are not made here. When we hear of an attack in the villages, we ask ourselves, "Where did these arms come from?" The West fools us by saying that there is an arms embargo in the Congo, while more weapons and more weapons continue to come.'

— Fefe, president of a child-soldier reintegration association, Bukavu, South Kivu

The testimonies of Nathalie, Benjamin, Claire, and Beatrice are only four examples among countless others in the DRC alone. Many parts of the country are still ravaged by armed banditry and the peace is precarious. Around the world, hundreds of thousands of people die from gun violence each year.

No single solution will reduce the proliferation and misuse of arms in the DRC. Its national disarmament, demobilisation, and reintegration programme needs more support and oversight from donor governments, in order to accelerate its activities and provide greater opportunities to former members of armed groups when they return to civilian life. Demobilised fighters should receive greater support to establish sustainable livelihoods. But, equally, they should not be permitted to retain their guns for weeks while they await disarmament.

There must be incentives to hand in weapons and ammunition to MONUC and for these to be destroyed. The integration of former rebel brigades into the national army should be accelerated and more strongly supported, with fully functioning systems of accountability and training based upon human rights and humanitarian law. Those being integrated must be vetted to make sure commanders do not include those responsible for violations of international humanitarian law and human rights.

The continuing supply of arms from abroad threatens to fuel its violence at the same time as those inside the DRC are struggling to control it. The UN embargo must not be broken. Arms brokers must be controlled. As in violent crises everywhere, the rest of the world must take responsibility for the weapons it supplies to the DRC and to states from where they are diverted to the DRC.

It is because of this that the DRC, and the world, need an Arms Trade Treaty. An ATT would establish global, legally binding, minimum standards for all international arms transfers, based on principles of accepted international humanitarian and human rights law. Subscribing countries would need to ensure that they do not transfer arms where they will be used, or are likely to be used, for serious violations of human rights.

The Treaty's principles are already supported by a growing number of governments.

The year 2006 presents a major political opportunity to build on this momentum:

- The Review Conference for the UN Programme of Action on Small Arms and Light Weapons, due to take place in June and July 2006, must agree clear principles for the international transfer of these arms, based on existing international law, to prevent them getting into the wrong hands.
- The Conference's Preparatory Committee, taking place in New York in January 2006, must set the stage for this.
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## Notes

- <sup>1</sup> To protect the identity of the witnesses, all names have been changed.
- <sup>2</sup> International Rescue Committee (IRC), 'Mortality in the Democratic Republic of the Congo', December 2004. 77 per cent of the country's excess mortality of 500,000 was in the eastern DRC.
- <sup>3</sup> Belgian Senate, 'Report on the Exploitation of the Riches of the DR Congo', February 2003.
- <sup>4</sup> 'Small Arms Survey 2005: Weapons of War', table 9.5, based on International Rescue Committee (IRC) research in the DRC, Geneva: Small Arms Survey, Graduate Institute of International Studies.
- <sup>5</sup> Small Arms Survey 2005, *ibid.*, p 248.
- <sup>6</sup> In 2000 the mortality survey of the International Rescue Committee (IRC) estimated the number of violent deaths at 200,000, of whom 47 per cent were women and children. See IRC, 'Mortality in Eastern Congo', May 2000.
- <sup>7</sup> International Rescue Committee (IRC), 2004 Mortality survey, *op.cit.*
- <sup>8</sup> *Ibid.*
- <sup>9</sup> Focus group meeting, Mulamba, 17 November 2005, conducted by Joshua Marks.
- <sup>10</sup> Focus group meeting, Walungu Centre, 17 November 2005, conducted by Joshua Marks.
- <sup>11</sup> Le Potentiel, 'Massacres de 1996-1998 à l'Est de la RDC : des révélations sur l'enquête inachevée de l'ONU', 1 November 2005. Human Rights Watch, 'What is Kabila Hiding: Civilian Killings and Impunity in the Congo', 1 October 1997.
- <sup>12</sup> See Article I, Sec. I and Sec. I.d, calling for a cessation of hostilities and the end of the supply of all weaponry and ammunition of Lusaka Agreement. See also Article III Sec. 11 for the request for a UN peacekeeping force and interim force to enforce the agreement.
- <sup>13</sup> Amnesty International, 'Democratic Republic of the Congo: Arming the East', July 2005, section 6.2.
- <sup>14</sup> Anne Renaud, 'Resources Naturelles et Transferts d'Armes', Groupe de recherche et d'information sur la paix et la sécurité (GRIP), 2005.
- <sup>15</sup> Security Council, Panel of Experts Report on the Exploitation of Natural Resources and Other Forms of Wealth of the DR Congo, 16 October 2002 (S/2002/1146), paras. 54-56.
- <sup>16</sup> The agreement is also known by its formal name: The Global and Inclusive Agreement on the Transition in the Democratic Republic of the Congo (GIAT).
- <sup>17</sup> Amnesty International 2005, *op. cit.*
- <sup>18</sup> All Party Parliamentary Group on the Great Lakes Region (APPG), 'Arms flows in Eastern DR Congo', December 2004; interview with a former UN peacekeeping mission officer 27 October 2005; International Crisis Group, 'The Congo's Transition is Failing: Crisis in the Kivus', Africa Report no. 91, 30 March 2005.

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- <sup>19</sup> Amnesty International 2005, *op.cit.*, section 3.
- <sup>20</sup> Amnesty International, 'DRC: Children at War', October 2003.
- <sup>21</sup> Security Council, Panel of Experts Report on the Exploitation of Natural Resources and Other Forms of Wealth of the DR Congo, 16 October 2002 (S/2002/1146); Watchlist on Children and Armed Conflict, 'The Impact of Armed Conflict on Children in the Democratic Republic of the Congo (DRC)', June 2003. The DRC Government stated that there were about 30,000 child soldiers in the country in 2004, as reported on the MONUC web site: [www.monuc.org/news.aspx?newsID=816](http://www.monuc.org/news.aspx?newsID=816).
- <sup>22</sup> Save the Children Fund UK, 'Forgotten Casualties of War', London, 2005.
- <sup>23</sup> 'Armies of the Unwilling: Returning to a Childhood that was Stolen', *Los Angeles Times*, 7 December 2005.
- <sup>24</sup> H.C.R. Muggah, 'Globalisation and insecurity: the direct and indirect effects of small arms availability', *IDS Bulletin*, vol. 32, no. 2, 2001.
- <sup>25</sup> International Rescue Committee (IRC), 2004 Mortality survey, *op.cit.*, p11; 'La transition en RDC: 2 ans de chantiers inachevés, élections en vue', [www.lelibre.be](http://www.lelibre.be), 28 juin 2005.
- <sup>26</sup> Interview with Dr Vindicien Murhabazi, Bukavu, 29 June 2005.
- <sup>27</sup> Telephone interview by Oxfam GB consultant with a small-arms expert, 21 November 2005; the source is known to the author but is not identified for security reasons.
- <sup>28</sup> Correspondence with a small-arms expert at Groupe de recherche et d'information sur la paix et la sécurité (GRIP), Brussels, 13 December 2005.
- <sup>29</sup> Interview with MONUC official, Bukavu, 15 November 2005; the source is known to the author but is not identified for security reasons. Also: All Party Parliamentary Group on the Great Lakes Region (APPG), 'Arms Flows in Eastern DR Congo', December 2004, Annex 1; Amnesty International, July 2005, *op. cit.*.
- <sup>30</sup> A selection of weapons were photographed, and lists of others were provided by MONUC to IPIS, a Brussels-based research institute, in November 2005. From serial numbers and other evidence, their origin was sourced by the UK's National Firearms Centre in December 2005.
- <sup>31</sup> Interview with small-arms researcher, Bukavu, 8 November 2004; the source is known to the author but is not identified for security reasons.
- <sup>32</sup> Interview with UNDP small-arms expert, Bukavu, 22 November 2005.
- <sup>33</sup> Telephone interview by Oxfam GB consultant with small-arms expert, 21 November 2005; the source is known to the author but is not identified for security reasons. Also: Amnesty International, 2005, *op. cit.*, Section 6.1.
- <sup>34</sup> *Ibid.*, Section 6.2.
- <sup>35</sup> Security Council, Panel of Experts Report on the Exploitation of Natural Resources and Other Forms of Wealth of the DR Congo, 16 October 2002 (S/2002/1146), paras. 72-73; Amnesty International 2005, *op. cit.*
- <sup>36</sup> Amnesty International, *op. cit.*
- <sup>37</sup> Amnesty International, *op. cit.*
- <sup>38</sup> APPG Report, *op. cit.*, pp. 21, 30-31.

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<sup>39</sup> Amnesty International, *op. cit.*, Section 6.2.

<sup>40</sup> APPG Report, *op. cit.*, p.32.

<sup>41</sup> Amnesty International, *op. cit.*, Section 7.1.

<sup>42</sup> Security Council, *op. cit.*, (S/2004/551), para. 1.

<sup>43</sup> Security Council, Report of the Group of Experts, 15 July 2004, paras. 55-59 (S/2004/551).

<sup>44</sup> Amnesty International, *op cit.*, Section 6.2. In July 2004, the UN Expert Group on the DRC reported that they had: "received highly credible eyewitness reports of large quantities of arms and ammunition ... on military flights between the months of February and May 2004.... One of the planes, a BAC 1-11, registration number 3c-QRF, was reported to be a Libyan aircraft nominally registered in Equatorial Guinea but based in Sharjah (United Arab Emirates), with a Romanian crew on board." Amnesty International research identified this aircraft as operated by Jetline International whose fleet includes various aircraft from the former companies under the effective control of Russian businessman Victor Bout who has been named in UN reports for violating arms embargoes and is subject to a UN Security Council travel ban. Jetline International is listed under the Equatorial Guinea registry and based in Ras-al-Khaimah (UAE) and in Tripoli (Mitiga). The company is also listed as Jetline Inc in Sharja's Airport Free Zone (PO Box 7933, SAIF Zone, 2002 Directory) as a brokering, chartering and leasing of aircraft company. Jetline is a different entity from the Moldava-based Jet Line International which is listed in the SAIF Zone (PO Box 7931) as a brokering, chartering, ground supervision, and aviation services company. The SAIF Zone was set up in 1995 with the supervision of Richard Chickakli, who acted as its Commercial Director. Chickakli, based in the USA, has been the financial arm of Victor Bout and is named, along with the companies he directed, in the US Treasury list of Specially Designated Nationals and Blocked Persons (Office of Foreign Assets Control, Changes to the List since January 1, 2005).

<sup>45</sup> APPG Report, *op. cit.*, p.18.

<sup>46</sup> APPG Report, *op. cit.*, p.15.

<sup>47</sup> Security Council, Report of the Group of Experts, 26 July 2005 (S/2005/436); ICG, 'A Congo Action Plan', Africa Briefing No. 34, 19 October 2005, p 5.

<sup>48</sup> Amnesty International, *op cit.*, Part 6.

<sup>49</sup> The UN has received no claims of state-authorised shipments to the DRC since 2003. Amnesty International, *op. cit.*, Section 6.2.

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This paper is based on interviews in the DRC by Joshua Marks and other research by Amnesty International, IANSA, and Oxfam. The text may be freely used for the purposes of campaigning, education, and research, provided that the source is acknowledged in full.

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# The call for tough arms controls

## Voices from the Democratic Republic of the Congo



### Arms are out of control

Arms kill more than half a million men, women, and children on average each year. Many thousands more are maimed, or tortured, or forced to flee their homes. The uncontrolled proliferation of arms fuels human rights violations, escalates conflicts, and intensifies poverty. The time for world leaders to act is now.

To confront this crisis, Oxfam, Amnesty International, and the International Action Network on Small Arms (IANSA) have together launched an international campaign calling for effective arms controls to make people genuinely safer from the threat of armed violence.

You can help us to put an end to this horrific abuse.

Log on to the control arms website and become part of the largest, most effective visual petition in the world.

[www.controlarms.org](http://www.controlarms.org)

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