
Dear Congressman David Wu,

We the undersigned come to you with concerns over the stability, security, justice and peace in the Democratic Republic of the Congo (DRC) and the Great Lakes region in general. We want to call your attention to the recent UN mapping exercise report.

The United Nations High Commissioner for Human Rights’ Mapping Report, released on October 1, 2010, clearly exposes some of the most serious violations of human rights, international humanitarian law, war crimes and crimes against humanity in the DRC from March 1993 to June 2003. This report is not the first report that documents serious crimes in the Congo. These crimes were reported in the Previous UN reports of 2001, 2002, 2003, and 2008. The UN, human rights, humanitarian, advocacy organizations and investigative reporters have written extensively on some of the findings found in the mapping exercise report.

The evidence is overwhelming. The list of crimes is long. The crime scene is wide and every stone has yet to be turned. The raw data in the report describes the extent of the suffering, but does not match the tremendous human suffering of the victims and survivors.

The predominant appeal from the Congolese is the pursuit of Justice. Two hundred and twenty-five Congolese organizations have issued a call for justice based on the report.¹ International NGOs have joined in this call for accountability, an end to the impunity and justice. Human Rights Watch says that “If followed up by strong action nationally and internationally, the report could make a critical contribution to ending impunity and breaking the cycle of violence in Congo and the wider Great Lakes region.”² Justice and reconciliation is at the foundation of stability in the region. If justice is not delivered, there can be no lasting stability.

Unfortunately, very little has been done to stabilize the Congo and hold accountable Congo’s neighbors that have invaded and destabilized the Congo via support of proxy groups inside Congo. As recent as 2008, UN experts reported that “It has found evidence that the Rwandan authorities have been complicit in the recruitment of soldiers, including children, have facilitated the supply of military equipment, and have sent officers and units from the Rwandan Defense Force (RDF) to the Democratic Republic of the Congo in support of CNDP.”³ Elements of the RDF still are embedded in the Congolese national army (FARDC) due to the integration of some of the rebel forces of the National Congress for the Defense of the People (CNDP). In addition,

¹ Congolese Civil Society, Human Rights Organizations in the DRC Support the Effort by the UN to Empower the Collective Memory of the Congolese, and Call on the Congolese Government to Take this Opportunity for True Reconciliation. <http://friendsofthecongo.org/congolese-civil-society.html>
³ United nations Security council report S/2008/773, paragraph 61
the Congolese leadership still has not done much to reform its national army, which also has been implicated in previous and the ongoing crimes.

In 2006, the US Congress passed S 2125, Public Law 109-456 which, stipulates in section 105 that “The Secretary of State is authorized to withhold assistance made available under the Foreign Assistance Act of 1961 (22 U.S.C. 2125 et seq.), other than humanitarian, peacekeeping, and counterterrorism assistance, for a foreign country if the Secretary determines that the government of the foreign country is taking actions to destabilize the Democratic Republic of the Congo.” Regrettably, this instrument which is at the disposal of the Secretary of State, who co-sponsored S.2125, has not been utilized. Meanwhile, countries such as Sweden and Netherlands who do not have such a law (PL 109-456) on their books have withheld aid from Rwanda in an attempt to hold that country’s leaders accountable for their destabilizing of the Congo and the Great Lakes Region. This year Congress passed, as part of the “Dodd-Frank Wall Street Reform and Consumer Protection Act” (Public Law 111-203), the Conflict Mineral Act (section 1502), which is meant to bring transparency in the international commerce of minerals from the conflict zone in the DRC. Opportunities exist in this law to hold Congo’s neighbors accountable, as they are key beneficiaries of conflict minerals.

Many instruments are at the disposal of the United States and the international community to address the instability in the Great Lakes region. The UN Mapping Exercise Report is one such tool and must not be overlooked and forgotten. Rather, it should be fully investigated with the intent of indicting and prosecuting anyone found to be responsible for any violation of international laws, humanitarian laws, war crimes, crimes against humanity, violence against women, sexual violence, violence against children, ethnic violence, looting of natural resources, and possibly crimes of genocide.

Aware of the weakness of the Congolese judicial system, the UN Mapping Exercise Report in sections III and IV discusses different ways to deliver justice, accountability, and stability for the victims and survivors. Human Rights Watch believes that a “mixed chamber” made of Congolese and international staff, African judges and prosecutors with relevant experience is one way to achieve justice for the victims. It is important to pay special attention to the option of transitional justice as well because Congo needs reconciliation for internal cohesion and healing which is a key factor to building a strong democracy rooted in the rule of law and human rights and unity for all.

We recommend that the United States government:

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• Leverage its position as the chair of the UN Security Council this month of December, to put The Mapping Exercise Report on the agenda.
• Implement existing laws relative to Congo, namely the “Democratic Republic of the Congo Relief, Security, and Democracy Promotion Act of 2006”, public law 109-456, specifically appointing a special envoy to the Great Lakes region (P.L 109-456, sect 207) and “Conflict mineral Act”, public law 111-203, section 1502.
• Hold a hearing on the October 1, UN Mapping Exercise Report

Sincerely
Africa Faith and Justice Network
Friends of the Congo
Neema Corporation
Chicago Congo Coalition