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REPORT OF THE DRC-RWANDA JOINT TEAM RELATING TO THE INTERVIEWS HELD IN GOMA FROM 29 TO 30 MAY 2012 OF THE 11 PEOPLE WHO SURRENDERED IN MONUSCO/RUGARI ON 20 MAY 2012

BACKGROUND

1. In their meeting held in Kigali on 27 May 2012, the DRC and Rwanda Foreign Affairs Ministers established an Ad hoc Joint interrogation team comprising of eight (08) officials. Their task was to interview 11 people who surrendered to MONUSCO/Rugari on 20 May 2012 in order to ascertain the authenticity of their presence, their identity and the status of the group.
2. Following allegations/Information that eleven (11) people surrendered to MONUSCO/DDRRR claimed to be of Rwandan nationality, had been recruited, trained, armed, and sent to fight against FARDC alongside the mutineers of the M23.
3. From 29 to 30 May 2012, the Joint Interrogation Team met at the MONUSCO/DDRRR HQ Goma, in the presence of the Head of DDRR, and interviewed 10 people as well as registering the eleventh one, an underage (minor aged 15 years old) who, according to UN regulations cannot be interrogated by the team.

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CLAIMS STATED BY 10 PEOPLE FROM THEIR STATEMENTS

4. The following are claims as stated by the 10 interviewees:

a. The group, except the minor who is 15 years old, is aged between 18 – 21 years old; 09 claim that they were born in Mudende, other 02 in Bugeshi Sector, Rubavu District, Western Province and are Rwandese.

b. Two of them claim to know the people who conscripted them notably Mr HABIMANA Eric recruited on 12 February 2012 by one Innocent, a Local defence who went with him to RUNYONYI/DRC but never returned back, and NKURUNZIZA Alphonse who was recruited by SIBOMANA, a cattle keeper working for a RDF soldier by the name of DOUDOU.

c. Except the underage and the 02 mentioned cases, the rest of the group claim to have been deceived by unknown plain cloth men to be recruiting for RDF, only to realize later they had been conscripted to join war in eastern DRC. The group revealed that upon entering the Virunga Park was received by armed men dressed in FARDC uniform who guided the group up to Runyonyi/DRC.

d. The group claims to have been conscripted from February to April 2012 went by the following route: MUDENDE - BIGOGWE cattle Market - RUHENGERI - Hotel BISHOKORO in KINIGI - Virunga Park - RUNYONYI/DRC. None among the group knew or had travelled from Bigogwe market to their destination RUNYONYI/DRC before.

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e. The group claims that the following activities took place at different locations of their itinerary:

(1) BIGOGWE cattle market: embarking point ;

(2) Hotel BISHOKORO in KINIGI: confiscation of their personal effects (ID cards, mobile phones, etc) by yet to be identified plain cloth men.

(3) At a big house towards Gorilla Park: one of the conscripts stated that he saw four people, two in plain clothes and two in FARDC uniform with bush hats.

(4) In the forest : while coming from KINIGI in the forest they met plain clothed men and others in FARDC combat uniform who distributed boxes of ammos, jericans of petrol and plastic sheeting to carry.

(5) RUNYONI: training on small arms by Major RUKARA, building small houses and collection of fire wood. Only HABIMANA Eric on a casualty evacuation mission in reinforcement of an Ambush. Some of them were told that they were there to fight for their KINYARWANDA language which was supposedly being harassed by the DRC Government. 'AFANDE' Innocent addressed some of them on a pass out event.

(6) MONUSCO (RUGARI) : The group surrendered at Rugari

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[7] MONUSCO (GOMA) : interrogation

The group on arrival at MONUSCO Goma were interrogated. The joint team took note of the declarations by the 10 people at MONUSCO Goma:

(a) Before the Joint team, the 10 people except the underage were interviewed while in MONUSCO/DORRR by white and black people and ICRC agents: some of them were speaking English while others were talking in Kiswahili as stated by both supported by Kinyarwanda speaking interpreters. Five of the ten asserted that, contrary to what was broadcasted on BBC, they had no military training before their conscription.

They declared that they think the BBC broadcast derived from interrogations they went through before the joint team.

(b) During the joint interrogations, five declared that statements from BBC news that they had been recruited, trained and armed to be sent at the war front in DRC are wrong and exaggerated.

(c) Six of the 11, except the underage claimed that they are Rwandan citizens. Seven of them expressed their wish to be repatriated to Rwanda; two would like to recover their ID cards, one who was a student regretted not having his ID card. Two of them requested that those who conscripted them be tried in a court of law. Following information they revealed while in MONUSCO and information broadcasted on BBC, two of the 11 expressed their

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concern for their security when they go back to
Rwanda and their fear to be constrained to go back in
DRC forest.

NB : The above mentioned elements derive from statements signed
by the DRC/Rwanda joint interrogation team and cosigned by
MONUSCO as observer.

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RWANDA FINDINGS

5. From the joint interviews of 11 self-declared defectors from M23 forces, the following significant elements emerged:

a. From the moment the subjects reported to MONUSCO premises on 20 May 2012, no fact-finding mission was deployed to verify the genuineness and accuracy of their testimonies. No Rwandan official was contacted to assist in such verifications. Therefore, it was objectively impossible to establish:

- (1) That the subjects were Rwandan citizens residing in Rwanda.
- (2) That the subjects were conscripted from Mudende, Rubavu, Western Province. (This was not verified in their alleged communities of origin)
- (3) That their alleged itinerary on Rwandan territory from Mudende to Runyoni was accurate, considering that they, self-admittedly, never used the same route before.
- (4) That their alleged recruiters could be identified as Rwandan citizens with possible links with the RDF or the Rwandan government.
- (5) That their alleged itinerary from M23-controlled area to MONUSCO position in Rugari and the time-frame involved, were technically conceivable.

b. Not a single element in the subject's testimonies supports the claim of any direct involvement of Rwandan Government officials:

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(1) The subjects claimed that they were recruited by two civilians (in plain clothes), transported in civilian vehicles. No government official, vehicle or facilities are referred to at any point.

(2) They did not encounter any uniformed personnel until they met armed individuals wearing FARDC uniforms in the Virunga National Park. No RDF uniform is mentioned at any point.

(3) The subjects received boxes of ammunition, petrol and tents from these FARDC-uniformed individuals in the forest.

c. Several elements in the subjects' testimonies are self-defeating, contradictory or highly dubious. These include the following:

(1) That they were conscripted between February and April 2012. Yet it is a fact that M23 did not have any presence in the Runyoni area until second week of May 2012. Runyoni was still under full control of FARDC.

(2) That all subjects, despite having been recruited on different dates and by different individuals claim to have used the exact same route, namely Mudende - Bigogwe Market - Ruhengeri - Hotel Bishokoro- Virunga National Park - Runyoni.

(3) That they were conscripted by two unarmed civilians who somehow managed to shepherd and control 23

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recruits from their home area all the way to Virunga National Park without any means of coercion.

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DRC FINDINGS

6. The statements collected from the interviews by both delegations on the 29 and 30 May 2012, and jointly signed by the delegations of DRC, Rwanda and by MONUSCO are as follows:

- a. These recruitments occurred in MUNDENDE, BUGESHI and in KABARI, District of Rubavu, Western province, in Rwanda.
- b. All the recruits of the M23 of Bosco Ntaganda are of Rwandan nationality and were recruited from February to April 2012 on Rwandan territory.
- c. The recruitment activities, the free movement of ammunition and other military equipment happened on Rwandan territory and without any restrictions, including the free movement of men in FARDC uniforms.
- d. Major RUKARA, instructor for the recruits coming from Rwanda in February, March and April 2012 to RUNYONYI, is unknown to FARDC units in DRC. Furthermore, in February and March 2012 there were no FARDC officer in a position of defection, desertion, and even less of mutiny.
- e. There was a recruitment of a minor (case of Mr. HABIMANA Innocent, 15 years old) on the Rwandan territory.
- f. All the persons recruited in Rwanda were brought to Eastern DRC to conduct the illicit exploitation of Congolese minerals and to conduct killings of Congolese families, in view to destabilize the DRC institutions and support General Bosco NTAGANDA because he speaks the same language as the recruits.

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g. In addition to the 11 recruits of the M23, there are several other groups of surrendered individuals currently at the MONUSCO and kept by the FARDC; these groups state that they are of Rwandan nationality, and also that they were recruited in Rwanda.

h. The DRC requests for the repatriation of the individuals to Rwanda by MONUSCO, at the presence of delegates of the DRC, Rwanda, ICRC, CIPGL and the African Union.

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Done in GOMA



- Goma le 26/06/2012

Col YAV Jean Claude
Democratic Republic
of Congo



26.06.12

Col Fred MUZIRAGUHARARA
Republic of Rwanda



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MONUSCO WITNESS
IAN ROWE

