

Group of Experts on the Democratic Republic of the Congo

Confidential Update: July 2022

I. Introduction and overview

1. Despite almost 15 months of continuous state of siege in North Kivu and Ituri provinces, and military operations by the DRC armed forces (the Forces armées de la République du Congo, or FARDC), Uganda People's Defence Force (or UPDF) and MONUSCO, the security and humanitarian situation in the two provinces has remained of great concern, in particular in Rutshuru and Nyiragongo territories, North Kivu, where the situation further deteriorated.

2. Since the Group's final report (S/2022/479), the frequency, length and strength of attacks by the sanctioned armed group "Mouvement du 23 mars" (M23) / Armée révolutionnaire du Congo (ARC) and the territory under its control significantly increased, causing massive displacement of civilians. Indiscriminate shelling, including by M23/ARC, killed civilians, and M23/ARC combatants deliberately killed civilians. Attacking MONUSCO also became a part of M23/ARC tactics.

3. Some FARDC members forged *ad hoc* alliances with local armed groups to fight M23/ARC. Combatants belonging to several armed groups engaged in fighting against M23/ARC, unilaterally or jointly with some FARDC troops, and were provided with weapons, ammunition, and uniforms by some FARDC members.

4. The Group further gathered solid evidence of the presence of, and military operations conducted by, members of the Rwandan Defence Forces (RDF) in Rutshuru territory, where RDF members attacked the positions of the Forces démocratiques de libération du Rwanda (FDLR) and provided support to M23/ARC operations.

5. The Group also documented with great concern, since the intensification of M23/ARC operations, a sharp multiplication of hate speech and discourses inciting discrimination, hostility and violence targeting Rwandophone populations, at times leading to acts of violence against members of these populations.

6. The sanctioned armed group Allied Democratic Forces (ADF) continued to expand its area of operations and conduct attacks against civilians in Beni territory, North Kivu, and in southern Ituri. On the evening of 7 April 2022, a person-borne improvised explosive device exploded in a bar in the Katindo FARDC camp in Goma. This was most likely planned and conducted by ADF. In May and June 2022, additional plans of terrorist attacks by ADF, between Bukavu and Goma and in Rwanda, were reported.

7. With the escalation in the fighting in North Kivu and the deterioration of relations between neighbouring States, Heads of State of the East African Community called for the urgent establishment and deployment of a regional force against armed groups active in the DRC, in parallel to encouraging armed groups to adhere to the Demobilization, Disarmament, Community Recovery and Stabilization Program.

8. In this context, only a few days after the President of the DRC Senate, Modeste Bahati Lukwebo, during a visit in Goma on 15 July 2022, had publicly called for MONUSCO withdrawal from the DRC,¹ and concomitant to a proliferation of anti-MONUSCO slogans, violent demonstrations erupted in several towns in eastern DRC, including Goma, Butembo and Uvira. Several MONUSCO bases and houses of UN staff were attacked and some were extensively looted and badly damaged. One Moroccan UN peacekeeper and two Indian UN Police Officers were killed while one Egyptian UN Police officer was injured in Butembo on 26 July 2022.² Reports also mention at least 16 DRC nationals killed and over 70 injured during the protests. Preliminary investigations show that the demonstrations targeting MONUSCO were not spontaneous, but rather well organised and coordinated.

9. On natural resources, new trends in gold trade and smuggling emerged following the suspension, in January 2021, of the export license in Rwanda of Aldango Gold Refinery, established within a corporate network linked to Alain Goetz, and the sanctioning in March 2022 of African Gold Refinery (AGR) and its ultimate beneficial owner, Alain Goetz, by the United States of America.

10. This update is mainly based on information gathered since 15 April 2022,³ including during the Group's field missions in Rutshuru territory, Goma, Kinshasa and Bukavu in June 2022.

II. M23-related crisis and regional dynamics

11. The situation in Rutshuru and Nyiragongo territories has continued to deteriorate since the Group submitted its final report (see S/2022/479, paras. 5588-72). The Group found substantial evidence attesting violations of the arms embargo and sanctions regime, in contravention to paragraph 1 of Security Council resolution 1807 (2008), as renewed by resolutions 2293 (2016) and 2641 (2022). Documented violations, outlined in detail below, include (i) support to several Congolese armed groups by several FARDC members in Rutshuru territory; (ii) cooperation between several FARDC units and Congolese armed groups in Rutshuru territory; (iii) direct intervention of Rwandan Defence Forces (RDF) into the DRC territory either to reinforce sanctioned armed group (CDe.006) the Mouvement du

¹ The speech of the President of the Senate extensively circulated on social media, see for example, https://twitter.com/LwarhibaM/status/155153770259905281?ref_src=twsrc%5Etfw

² See <https://press.un.org/en/2022/sgsm21384.doc.htm>. Pursuant to paragraph 3 of resolution 2360 (2017), reaffirmed by resolution 2641 (2022), planning, sponsoring or participating in attacks against MONUSCO peacekeepers or United Nations personnel, including members of the Group of Experts, is a sanctionable act.

³ See S/2022/479, para. 11.

23 mars (M23) / Armée révolutionnaire du Congo (ARC) or to conduct military operations against the Forces démocratiques de libération du Rwanda (FDLR); and (iv) provision of weapons, ammunition and uniforms to M23/ARC.

12. The Group also documented violations of international human rights and international humanitarian law, including deliberate killings and indiscriminate shelling which killed civilians, including children, and damaged houses and schools, notably by M23/ARC. These acts constitute sanctionable acts pursuant to paragraph 7 (e) of resolution [2293 \(2016\)](#), as renewed in resolution [2641 \(2022\)](#). M23/ARC also conducted attacks against UN peacekeepers.

13. The findings in this section are based on documentary and photographic/video evidence as well as aerial footage, field missions by the Group in Rutshuru territory, Goma, Bukavu and Kinshasa, and interviews with over 100 sources.⁴

A. M23/ARC operations and territorial expansion

Territorial expansion and control of strategic locations

14. Since the Group's final report, the frequency, length and strength of M23/ARC attacks continued to follow an upward curve (see also [S/2022/479](#), para. 61), as did the number of FARDC and civilian casualties (see paras. 19, 27, 29-36, 45 and 50). M23/ARC significantly expanded the area under its control. M23/ARC has also been able to sustain intense fighting on several fronts at the time and for several weeks, indicating a higher degree of organization, improved tactics, active recruitment, troop surge and substantial resupply of military equipment (see paras. 53-62). The then FARDC Sukola II Commander for North Kivu, Brigadier-General Peter Cirimwami, in a briefing to the Expanded Joint Verification Mechanism (EJVM), summarized the situation as follows: "Recent attacks by the M23 have revealed something unusual in their modus operandi. They have demonstrated the ability to launch simultaneous attacks on multiple fronts and with precision."⁵ The UN Special Representative of the Secretary-General (SRSG) in the DRC and Head of MONUSCO, Ms. Bintou Keita, also told the Security Council that "in the most recent clashes, the M-23 has behaved more and more like a conventional army rather than an armed group".⁶

15. The FARDC, with the support of MONUSCO, were unable to stop the M23/ARC or make major gains, including following the reinforcement of FARDC troops in Rutshuru territory (see para. 85 on the impact of some

⁴ Sources: DRC authorities, DRC defence and security forces, armed group leaders, community leaders, eyewitnesses, victims, researchers, civil society actors, medical staff, intelligence and diplomatic sources, and MONUSCO as well as documentary and photographic evidence, video recordings, and Intelligence, Surveillance and Reconnaissance (ISR) and aerial footage.

⁵ EJVM report of 10 June 2022 on file with the Group.

⁶ Text of the 29 June 2022 SRSG briefing to the Security Council on file with the Group.

of these redeployments).⁷ Also, since the MONUSCO helicopter crash on 29 March 2022 due to direct fire from a hill under M23/ARC control (see [S/2022/479](#), para. 63; see also para. 20), repeated and direct attacks on UN peacekeepers and positions⁸ were recorded, indicating that attacking MONUSCO has become a part of M23/ARC tactics.

16. Amidst continuous fighting and attacks in the areas around Tchanzu, Runyoni and Tchengerero, all M23/ARC strongholds (see [S/2022/479](#), annex 29), M23/ARC attacked, captured, and sometimes controlled for extended periods of time strategic towns, roads and former FARDC positions. On 25 May 2022, M23/ARC attacked the FARDC camp in Rumangabo, which was considered the most important and strategic FARDC position in Rutshuru territory.⁹ M23/ARC dislodged the FARDC, and occupied the camp, until it was reattacked by an armed groups' coalition and reclaimed by the FARDC on day later (see para. 67). M23/ARC, alone or jointly with other armed forces (see paras. 38-46), continued to cut off strategic roads, often for several days, thus hampering the flow of commercial goods and humanitarian assistance, and cutting off FARDC communication and resupply lines¹⁰ (see also [S/2022/479](#), para. 69).

17. On 12 June 2022, M23/ARC clashed with the FARDC in Bunagana and took control of this strategic town at the DRC-Uganda border (see also paras. 41, 46 and 54) which resulted, according to the UN Office for the Coordination of Humanitarian Affairs, in thousands of residents of Bunagana, including around 5,000 displaced persons and returnees living there, fleeing to Uganda and over 25,000 civilians in neighbouring villages being forced to flee to other areas in Rutshuru territory and beyond.¹¹ Eyewitnesses and researchers reported at least passive acquiescence of UPDF at the border, who allowed M23/ARC combatants to cross the border at will the day they seized the town and during the aftermath.¹² Bunagana was still under M23/ARC control at time of drafting the current update.¹³

18. In late June 2022, clashes in the vicinity of Rutshuru town intensified and M23/ARC took control over FARDC key positions in a 10 km radius of the town, which the FARDC have so far been unable to recover. On 7 July 2022, M23/ARC clashed with the FARDC and took control of another town, Kanyabusoro. The Group notes that this occurred the day after the meeting between President Kagame of Rwanda and President Tshisekedi of

⁷ The Group notes, however, that if the FARDC and MONUSCO had not been engaged at this level, other strategic town such as Goma could have been captured by M23/ARC.

⁸ MONUSCO reports and intelligence sources.

⁹ M23 had also captured the FARDC camp in Rumangabo in 2012 (see [S/2012/843](#), para. 19, and annexes 3 and 13).

¹⁰ For example, the Bunagana-Tchengerero-Kiwanja road was blocked for two days early April 2022; the road between Goma and Rumangabo was cut off for several days late May 2022; and the road between Rutshuru and Bunagana towns was cut off early June 2022.

¹¹ See <https://reliefweb.int/report/democratic-republic-congo/democratic-republic-congo-north-kivu-flash-update-8-humanitarian-situation-rutshuru-territory-12-june-2022>

¹² Sources: civil society, community leaders, FARDC sources, intelligence sources and video/photographic imagery. The Group also notes that in late March 2022 UPDF troops prevented M23/ARC from seizing Bunagana and that UPDF's passive attitude as observed on 12 June 2022 thus suggests a change in Uganda's response.

¹³ Bunagana was one of the strategic towns captured by M23 in 2012 (see [S/2012/843](#), para. 19 and annex 13).

the DRC, under the mediation of President Lourenço, of Angola, in Luanda, Angola.¹⁴ At the time of drafting the present update, M23/ARC controlled a territory estimated almost three times as large as the territory it controlled in March 2022 (see annex 1).¹⁵

Attack on one FARDC helicopter

19. On 17 June 2022, one FARDC Mi-24 helicopter was shot down and crashed near Kabindi,¹⁶ Rutshuru territory, after having conducted a bombing raid on Tchengerero which was then under M23/ARC control. The entire crew on board - reportedly two Georgian nationals and one DRC national¹⁷ - was killed. Three hours after the crash, M23/ARC issued a communiqué claiming that “with our RPG-7 weapons, our forces have destroyed a FARDC combat helicopter that had come to attack our positions in Kabindi and Tchengerero” (see annex 2). However, according to intelligence sources and eyewitness accounts including the crew of the MONUSCO helicopter accompanying the FARDC helicopter, given that a white trail of smoke was seen before the helicopter burst into flames, the helicopter could also have been hit by a surface-to-air missile, *i.e.* a type of anti-aircraft system or a heavy machine gun. Additional investigations are required to identify the precise type of ammunition/system that hit the aircraft. The Group underlines that anti-aircraft systems have not (yet) been documented within the M23/ARC arsenal.¹⁸

20. On 29 March 2022, a direct fire originating from a hill under M23/ARC control had hit a MONUSCO helicopter causing its crash and killing eight peacekeepers (see [S/2022/479](#), para. 63; and see also para. 15).

B. Shelling of DRC and Rwandan territories

21. The reporting period was marked by mutual accusations of cross-border shelling of Rwandan and DRC territories by the FARDC and the RDF, reportedly resulting in casualties and/or damage to buildings and infrastructure on both sides. The Group investigated the allegations, conducted on-site inspections, analysed available imagery and spoke with

¹⁴ Objectives of the meeting as articulated in its roadmap: 1. Normalising the political and diplomatic relations between the DRC and Rwanda; Establishing a climate of trust between the States of the region and create optimal conditions for dialogue and political consultation to resolve the current security crisis in eastern DRC; 2. Preventing violations of territorial integrity and ensuring compliance with the commitments made by the International Conference on the Great Lakes Region (ICGLR) States in this regard; 3. Verification of the reciprocal accusations of the DRC and Rwanda concerning the support to M23 and the collaboration with FDLR, respectively; 4. Revitalisation of the Framework Agreement for Peace, Security and Cooperation in the DRC and the region; 5. Promotion of economic partnership between the States of the region and strengthening regional mechanisms to combat the illegal exploitation of natural resources; 6. Ensuring the proper implementation of this Roadmap and rebuilding trust between partners in the Nairobi process.

¹⁵ Sources: intelligence, FARDC and MONUSCO.

¹⁶ The helicopter crashed north of the Rutshuru-Tchengerero-Bunagana road at 01°14'38"S – 29°32'26"E.

¹⁷ Sources: intelligence and diplomatic sources.

¹⁸ See also, *inter alia*, 2013 Embargo assessment of M23 arsenal on file with the Group and [S/2012/348/Add.1](#).

eyewitnesses, victims, local authorities, armed group leaders and FARDC sources in several of the affected areas.

Kibumba, Rutshuru territory on 23, 24 and 25 May 2022

22. In the night of 23 to 24 May 2022, and on 25 May 2022, at least 10 rockets were launched in the area along the RN2 road between Kibati and Kibumba, Rutshuru territory.¹⁹ The Group documented the destruction and damage of several civilian houses and infrastructure along the road following this shelling (see annex 3). Eyewitnesses reported that the rockets travelled from an eastern to western direction and were launched from the Rwandan border. The Group did not find artillery fragments on the site, as they had previously been taken away by the civilian population and the FARDC. It could therefore not identify the calibre of the rockets nor confirm the exact origin of the shelling.

Katale, Rutshuru territory on 23 May 2022

23. The Group documented the shelling with at least 15 rockets²⁰ around the village of Katale, Rutshuru territory, on 23 May 2022. One rocket hit a school in Kanyagogo, a few hours after the classes had finished. Two classrooms were destroyed (see annex 4). Within the debris of one of the classrooms the Group recovered remnants of a 107 mm rocket (see annex 4), a type of artillery known to be in possession of M23/ARC (see [S/2022/479](#), para. 68 and annex 34).²¹ Several other similar rockets fell close to houses inhabited by civilians (see annex 4) and a forested area.

24. The fact that the area impacted by the shelling was less than two km away from the FARDC camp in Rumangabo, which could be seen from the school in Katale (see annex 4), suggests that the artillery rounds targeted this FARDC position. In view of the launch azimuth of the rockets²² and the range capacity of the 107 mm rockets, the artillery position from which the shelling originated was most likely in Kanombe/Bukima, where M23/ARC combatants were observed that day (see annex 4).²³

Musanze and Burera districts, Rwanda, on 23 May 2022

25. On 23 May 2022, the Rwandan Government reported cross-border shelling by the FARDC on its territory in Kinigi and Nyange, Musanze district, and in Gahunga, Burera district (see annex 5 and para. 52). The EJVM reported a total of eight 122 mm rockets shelled on Rwandan territory, seriously injuring two civilians and damaging infrastructure (see

¹⁹ Sources: local authorities, FARDC sources, eyewitnesses, community leaders, civil society, intelligence sources and MONUSCO. The EJVM report on the shelling also refers to shelling in Kibumba. The Group notes that early morning of 24 May 2022, RDF troops attacked and dislodged the FARDC along that road (see para. 45).

²⁰ The EJVM reported a total 16 rockets on 23 May 2022.

²¹ The RDF and the FARDC also have 107 mm rocket capability.

²² As determined by explosion trace elements in the soil, their latitude/longitude lines, the position of the military target and the topography of the site.

²³ Sources: civil society sources, FARDC and security forces in the area.

annex 5).²⁴ The EJVM, which conducted onsite investigations, could however not establish the origin of the artillery shelling.²⁵

26. According to three independent sources, two of whom with close ties to armed groups active in Rutshuru territory, “Colonel” Ruvugayimikore Protogène, alias Ruhinda, of FDLR (see S/2022/479, annex 40) ordered the shelling of Rwandan villages by his troops. When contacted by the Group, the FDLR spokesperson denied the FDLR’s involvement in the shelling. The Group has continued its investigations to identify the origin of the artillery shelling which hit Musanze and Burera districts,²⁶ as well as those responsible for ordering and/or executing the shelling. The Group notes that the FARDC has 122 mm capability, but that this type of artillery munition has not (yet) been documented by the Group with FDLR.

Biruma, Rutshuru territory, on 10 June 2022

27. The Group documented the shelling in Biruma and Kabaya on 10 June 2022, not far from that of Katale on 23 May 2022.²⁷ Two boys, aged six and seven years old, playing on the soccer field of the school of Saint Gilbert Institute in Biruma were killed on the spot by the shelling. Another young boy was injured, and civilian houses and a neighbouring banana plantation were damaged (see annex 6). Upon the Group’s request, fragments of 122 mm rockets were collected and documented on site by civil society sources (see annex 6).²⁸

28. FARDC sources, security sources, local authorities and eyewitnesses reported that the rockets overshot the FARDC camp in Rumangabo and originated from the south-east. Given the 20 km range of 122 mm rockets and their travel direction, the 122 mm strikes could originate either from an M23/ARC position on DRC territory or from the territory of Rwanda. Further investigations are required to determine the exact location of the artillery position.

C. Deliberate killings committed by M23/ARC combatants

29. M23/ARC combatants deliberately killed at least 25 civilians²⁹ in several locations in Rutshuru territory³⁰ since March 2022, including

²⁴ On 19 March 2022 shelling in Kinigi, Musanze district, was also reported.

²⁵ Report of the EJVM on file with the Group. The EJVM also conducted on site investigations in the DRC to establish the origin of the shelling on the DRC territory on 23 May 2022 which it could not determine, however. According to the EJVM, “both Rwanda and the DRC deny any responsibility for the shelling of their respective territories”.

²⁶ The Rwandan Government and the EJVM reported similar shelling by armed forces in the DRC on 19 March and 10 June 2022 which the Group has continued to investigate.

²⁷ Sources: eyewitnesses, victims, civil society and FARDC sources, and photographic evidence.

²⁸ The Group has no photographic evidence of M23/ARC possessing 122 mm rockets, but it considers this as a possibility.

²⁹ The Group gathered evidence of more killings, but it could not confirm them based on its methodology.

³⁰ In addition to Ruvumu and Ruseke, M23/ARC notably killed civilians in Rutsiro, Jomba and Nyarubara localities.

collective killings in Ruvumu and Ruseke localities.³¹ The victims were summarily executed or shot at when trying to escape.

Killings in Ruvumu on 21 June 2022

30. On 21 June 2022, M23/ARC combatants killed at least 13 civilians,³² including three children – one eight-year-old girl, one eleven-year-old boy and one minor teenage boy –, two women and several elderlies, in Ruvumu, Rutshuru territory, a few kilometres from Runyoni and the Rwandan border.³³ The killings were carried out in the aftermath of an M23/ARC attack, which had initially targeted FARDC positions in Ruvumu and Bikenge, and after heavy fighting which had caused FARDC troops to escape.

31. According to the eyewitnesses interviewed by the Group, M23/ARC combatants shot their victims at close range, sometimes after having tied them up, and also while they tried to escape, as was the case for the eight-year-old girl. M23/ARC combatants stabbed the minor teenage boy.

32. The eyewitnesses described the combatants as wearing military attire – which some described as looking new – different from FARDC uniforms, helmets and bulletproof vests, as all carrying weapons, and as speaking Kinyarwanda (see also paras. 36 and 53).

33. M23/ARC denied commission of the killings and blamed instead the FDLR and Nyatura armed groups (see annex 8). The Group received information that M23/ARC combatants committed the killings in retaliation for perceived support by inhabitants of Ruvumu to the FARDC, but it could not confirm that information.

Killings in Ruseke on 1 July 2022

34. On 1 July 2022, M23/ARC combatants killed at least eight civilians,³⁴ including one woman and a sixteen-year-old girl, and injured two other civilians, including a thirteen-year-old boy, in a house in Ruseke, Rutshuru territory, close to Ntamugenga.³⁵

35. The eyewitnesses and victims interviewed by the Group explained that they were part of a group estimated at about 20 persons, including two women, one girl and one boy, all displaced by the M23/ARC crisis, on their way to pick up food, when M23/ARC combatants stopped them in Ruseke. After having forced all of them inside a house in the village, one or two M23/ARC combatants shot at them from inside the house while other combatants surrounding the house also shot and prevented the civilians

³¹ Sources: (eye)witnesses, victims, civil society actors, medical staff, MONUSCO sources, and documentary and photographic evidence.

³² The Group gathered evidence of more killings, but it could not confirm them based on its methodology.

³³ Sources: eyewitnesses, victims, civil society actors, MONUSCO sources, and communiqués of M23/ARC and of the civil society (see annex 7).

³⁴ The Group gathered evidence of more killings, but it could not confirm them based on its methodology.

³⁵ Sources: eyewitnesses, victims, medical staff, civil society actors, MONUSCO sources and photographic evidence.

inside from escaping. M23/ARC combatants had previously removed one victim from the house and tried to kill him with an axe, but he managed to escape despite being hit by a bullet. After the shooting, the M23/ARC commander told the survivors to bring those still alive to the nearest health facility.

36. The eyewitnesses and victims provided a description of clothing, weapons and language of the combatants similar to that of those who killed the civilians in Ruvumu (see paras. 32 and 53).

D. Rwandan Defence Force incursions, military operations, and support to M23/ARC

RDF incursions and support to M23/ARC

37. The Group obtained solid evidence of the presence of, and military operations conducted by, RDF members in Rutshuru territory between November 2021 and July 2022. RDF members conducted operations against FDLR positions and provided support to M23/ARC operations, for example when M23/ARC and the RDF jointly attacked the FARDC camp in Rumangabo (see paras. 16, 46, 52 and 58) and when M23/ARC took control of the strategic border town Bunagana (see paras. 41, 46 and 54).

38. Eyewitnesses, FARDC sources, civil society actors and local authorities interviewed by the Group in Kibumba and Buhumba groupements, Rutshuru territory, reported that on 24 May 2022 a large number of RDF troops marching in columns arrived from the Rwandan side of the border and entered the DRC through at least four entry points, namely Kabuhanga, Chegera, Kibaya and Kasisi. RDF troops occupied several positions in the Kibumba area, some of which were inspected by the Group, and cut off the RN2 road for several days. They attacked and dislodged FARDC from their positions along the RN2 between Kibumba and Kibati, and conducted operations against FDLR (see para. 44).

39. Fourteen eyewitnesses interviewed by the Group identified the armed and uniformed men, estimated at around 900 to 1000,³⁶ as RDF members because of their distinct military equipment and uniforms, their organized structure, modus operandi and spoken language. One video of 25 May 2022 clearly shows up to 51 RDF soldiers marching as part of a column and carrying one wounded soldier.³⁷ The Group travelled to the area and identified the precise location of where the video was filmed (see annex 9).

40. Additional aerial footage and photographic evidence confirmed the presence of RDF soldiers also in other areas of the DRC territory, including villages, border areas and M23/ARC positions. For example, the Group obtained photographic evidence of RDF soldiers in a M23/ARC camp on Mount Visoke on 21 November 2021. The RDF soldiers were equipped

³⁶ According to MONUSCO and intelligence reports, RDF troops included members of the 6th, 19th and 25th battalions and RDF special forces which operated under the overall command of the G3 of the RDF's 3rd Division Commander Lieutenant-Colonel André Nyanvumba.

³⁷ Video on file with the Group.

with weapons and military attire on which at least one Rwandan flag is visible (see annex 10; and [S/2022/479](#), para. 67). Five M23/ARC ex-combatants also reported that they had seen RDF soldiers in M23/ARC camps. Aerial footage of 27 June 2022 also show armed men wearing military attire and weapons similar to those of the RDF, on a fortified hill in Tchengerero, which was under M23/ARC control then (see annex 10).

41. In addition, on repeated occasions, aerial imagery showed large columns of up to 500 armed men in the vicinity of the DRC, Rwandan and Ugandan borders, moving in a very organized manner and wearing standardized military attire and equipment (uniforms and helmets very similar those of the RDF, backpacks, and personal weapons). For example, on 28 May 2022, a drone spotted a column of approximately 500 men equipped with weapons and wearing standardised uniforms, backpacks and helmets moving from Runyoni towards the Rwandan border (see annex 10). On 13 June 2022, the day of M23/ARC assault on Bunagana, a drone spotted approximately 200 men all equipped with similar uniforms, weapons and backpacks moving from Bunagana to Tchanzu (see annex 10). On 3 July 2022 in Runyoni, which was under M23/ARC control, a column of approximately 80 men equipped with standardized uniforms and weapons was also observed (see annex 10).

42. These images suggest either that these elements belonged to the RDF, or that M23/ARC received military training and standardized equipment from a regular army. Imagery shot on 3 July 2022 show at least 14 uniformed men carrying a significant number of tube-shaped objects - most likely 107 mm rockets – while moving between Runyoni and Tchanzu, where they placed the objects in a location which seems to be a small cave (see annex 10). Even though the Group could not corroborate the origin of these rockets at the time of drafting, the fact that M23/ARC has been able to sustain intense fighting on several fronts at the time and for several weeks clearly suggests cross-border movements of artillery, weapons and ammunition.

RDF engagement in operations in the DRC

43. The RDF, either unilaterally or jointly with M23/ARC combatants, engaged in military operations against Congolese armed groups and FARDC positions (see also [S/2022/479](#), paras. 60-62), and provided troop reinforcements to M23/ARC for specific operations, in particular when these aimed at seizing strategic towns and areas.

44. In late May and early June 2022, the RDF conducted operations against FDLR/Forces Combattantes Abachunguzi (FOCA) and RUD-Urunana³⁸ near Kibumba, in the area between the Nyamulagira and Nyiragongo volcanoes, and against Collectif des mouvements pour le changement /Forces de Défense du Peuple (CMC/FDP) in the areas around Rugari and Rumangabo.³⁹ On 2 June 2022, a group of an estimated 290 RDF soldiers abducted four civilians near Rugari and near Mikeno forest, and forced the civilians to show them the path to the FDLR camp of

³⁸ See [S/2020/482](#), para. 58 and [S/2017/672/Rev.1](#), para. 16.

³⁹ Sources: eyewitnesses, local authorities, DRC armed and security forces sources, FDLR and CMC sources.

“Colonel” Ruhinda⁴⁰ and carry the RDF soldiers’ belongings. A Rwandan civilian used as a scout by the RDF during the operation informed the abductees that this operation was the third on the DRC territory aiming at killing Ruhinda.⁴¹ The RDF were ambushed at least twice by FDLR, killing one of the abductees and injuring at least one RDF soldier (see annex 9 which shows a wounded RDF soldier being carried on the second picture).⁴² The operation against FDLR lasted three days. On the third day the RDF soldiers forced the abductees to show them the road to Kibumba. The abductees were freed in the Mikeno forest,⁴³ just before the RDF troops crossed the border to Rwanda.

45. On 24 May 2022, RDF troops attacked the position of the FARDC 34081st regiment on Nyondo hill in Kibumba (see also para. 38). According to the FARDC, intelligence sources, researchers and MONUSCO this operation was conducted by RDF troops from the 3rd Division upon instructions from RDF Major-General Alexis Kagame. One day later, on 25 May 2022, another attack hit the FARDC 3408th regiment position located on the Kasinga hill in Kibumba. FARDC and MONUSCO sources reported the presence of 35 M23/ARC combatants used as proxies by the RDF 3rd Division during the attack against the FARDC camps. FARDC sources, intelligence sources and local authorities reported that 20 FARDC soldiers and officers were killed during the attacks.

46. On 25 May 2022, M23/ARC combatants who attacked the FARDC camp in Rumangabo received substantial RDF reinforcement on the battlefield. This was reported to the Group by FARDC sources in the camp, local authorities and three armed groups’ leaders, and could be corroborated by the Group as evidence was left behind in the area (see paras. 58-60). The Group also received consistent reports of RDF presence in Bunagana on 12 June 2022, when this strategic border town was captured and occupied by M23/ARC (see paras. 17 and 37). Imagery of that day shows uniformed men carrying military equipment known to be in use by the RDF (see para. 54), such as composite ballistic helmets with sight mounts, 81-1 type assault rifles and corresponding anti-personnel rifle grenades (type 90) and body-armour (see annex 11). The Group thus concludes that either RDF soldiers were present in Bunagana in support of M23/ARC, or that equipment of RDF soldiers was transferred to M23/ARC combatants deployed in Bunagana.

RDF soldiers arrested on DRC territory

47. Since January 2022, at least four RDF soldiers were arrested on the DRC territory.

48. On 28 March 2022, the spokesperson of the military governor of North Kivu, General Ekenge, publicly reported the arrest of two RDF soldiers, Jean-Pierre Habyarimana and John Uwajeneza Muhindi of the

⁴⁰ “Colonel” Ruvugayimikore Protogène, alias Ruhinda,

⁴¹ At least two other operations against FDLR were documented on 27 and 28 May 2022.

⁴² Sources: eyewitness, local authorities, FDLR sources and video footage showing one wounded RDF soldier being carried by RDF soldiers marching towards the Rwandan border (see annex 9, second picture).

⁴³ Between Kibumba and Gashiji.

402th brigade, 65th Battalion. Both men were interviewed by the Group in February 2022 (see [S/2022/479](#), paras. 71-72 and annex 39).

49. Habyarimana reported that he belonged to the 65th Battalion and was recruited by a man called “Mukundwa”⁴⁴ alongside 30 other civilians and RDF soldiers on 10 November 2021 in Rwanda from where they were transported to Kisoro, a border town in Uganda, and brought to an M23/ARC camp on Mount Sabinyo. In the camp, the new recruits were provided with uniforms similar to those of the FARDC. Habyarimana told the Group that in November 2021 and January 2022, on three occasions, he was involved in combat operations against positions of the FARDC and the Congolese Institute for Nature Conservation (ICCN) around Tchanzu/Runyoni, Bukima and Ngugo (see [S/2022/479](#), annexes 27-29).⁴⁵ Habyarimana was arrested by the FARDC in late January 2022.

50. Uwajeneza Muhindi reported that in November 2021 he was recruited in Kigali, brought to an M23/ARC camp on Mount Sabinyo, and that he was part of combat operations against FARDC positions in Nyesisi and surroundings, during which FARDC Colonel Ndume Baganyigabo was executed by M23/ARC and between 40 and 49 FARDC members were killed (see [S/2022/479](#), annex 28). He stated that this operation was led by “Colonel” Yusufu Mboneza Gatimisi, M23/ARC operational commander, who was reportedly severely injured during combat in May 2022 and *hors de combat* since then.⁴⁶ Uwajeneza Muhindi was arrested by the armed group CMC/FDP in January 2022 and handed over to the FARDC (see [S/2022/479](#), para. 72). He expressed concerns for his physical safety if transferred to Rwanda.

51. While the Government of Rwanda refuted the spokesperson’s allegations of Rwandan support to M23/ARC (see [S/2022/479](#), para. 72 and annex 39) and denied that both these captured men were active RDF members, the Rwandan Government acknowledged that the two other arrested men were RDF soldiers.

52. On 28 May 2022, two RDF soldiers⁴⁷ wearing military attire and carrying weapons (see annex 12) were caught by the local population, close to Biruma, and handed over to DRC police officers who arrested them. In two official communiqués, the RDF claimed that the two soldiers had been kidnapped by the FARDC and FDLR jointly, while on patrol along the border (see annex 12). However, eyewitnesses and civil society sources reported to the Group that upon their arrest, the two RDF soldiers declared that they had been involved in military operations against the FARDC camp in Rumangabo (see paras. 16, 37 and 46). The EJVM in turn reported that the two RDF soldiers declared they were sent on an armed reconnaissance patrol on DRC territory with seven other persons commanded by Second Lieutenant Habarurema to identify the position of the artillery which had hit Kinigi in Rwanda on 23 May 2022 and identify “the enemy” responsible for

⁴⁴ “Mukundwa” is the name/alias of a man reportedly in charge of M23/ARC recruitment.

⁴⁵ Including the attack against FARDC camp in Nyesisi (see para. 50).

⁴⁶ Sources: researchers, intelligence sources and MONUSCO sources.

⁴⁷ Nkundagagenzi Elysee (115th Battalion) and Ntwari Gad/Guard (15th Battalion, 503 Brigade).

the shelling (see paras. 25 and 26).⁴⁸ The arrest of the two RDF soldiers while on DRC territory is confirmed by photographic/video evidence, eyewitness accounts, FARDC sources and MONUSCO. Both RDF soldiers were transferred back to the Rwandan authorities early June 2022 following mediation by Angola.

E. M23/ARC weaponry and uniforms, military equipment found or recovered from areas occupied by M23/ARC and/or areas where RDF incursions and operations were documented

53. Photographic evidence and video footage show that since at least mid-June 2022, M23/ARC leaders and combatants have been wearing new battledress uniforms, as well as Kevlar helmets and bullet proof vests. The helmets and bullet proof vests are of the same type as the ones used by the RDF, including during RDF operations in Mozambique.⁴⁹ The digital camouflage pattern of the uniforms is similar to the standard RDF uniform, although not exactly the same (see annex 13).⁵⁰ The repeated observation of M23/ARC with similar brand-new kits (see also paras. 32 and 36) suggests that M23/ARC combatants have been provided with a significant volume of new uniforms and equipment.

54. Imagery also shows some M23/ARC combatants carrying lethal military equipment which had not been documented earlier⁵¹ as being part of the traditional M23/ARC arsenal, but which is known to be used by regular armies in the region, as documented in Bunagana (see also paras. 41 and 46).⁵² Also, on 6 June 2022, Intelligence, Surveillance and Reconnaissance (ISR) footage documented the presence and use of two recoilless guns in an M23/ARC position in Tchanzu of a different type than those used by the FARDC (see annex 14). Given the similarities between M23/ARC and RDF equipment (uniform, helmet, bullet proof vests, backpack, weapons, etc), this also means that it may become increasingly difficult to distinguish M23/ARC combatants from RDF soldiers.

55. Evidence recovered in areas where clashes took place, in zones that were under M23/ARC control and/or where RDF presence was documented, provides some insight on the type and origin of military equipment held by, and fire power of, the combatants and soldiers on the ground. The Group documented and analysed materiel recovered in and around Kibumba, Tchanzu and Rumangabo.

Kibumba area

56. On a hill where the RDF had spent several days (see also paras 38, 39 and 45), the Group recovered and documented a container of a spent

⁴⁸ Report of the EJVM of 14 June 2022 on file with the Group.

⁴⁹ Document on file with the Group.

⁵⁰ Analysis corroborated in a MONUSCO document on file with the Group.

⁵¹ See also, inter alia, 2013 Embargo assessment of M23 arsenal on file with the Group and S/2012/348/Add.1.

⁵² This type of recoilless gun is used by the RDF, UPDF and Burundi National Defence Force. It is not documented to be part of the FARDC arsenal.

DQJ03-40 anti-personnel rifle grenade (type 90) (see annex 15). Civilians reported that the container was left behind by RDF troops. This type of grenade is known to be in use by the RDF. It is, however, not documented as being part of the FARDC arsenal.

57. The Group also inspected weapons, ammunition and military attire recovered by the FARDC⁵³ in the Kibumba area following clashes near Kibumba and Kibati late May 2022:

- A complete military uniform similar to the ones used by the RDF, with an RDF tag (see annex 15);
- A composite ballistic Kevlar helmet similar to the ones used by the RDF and not documented as being part of the FARDC arsenal (see annex 15);
- Seven DQJ03-40 anti-personnel rifle grenades (type 90) and associated containers similar to the one recovered by the Group in Kibumba area (see annex 15 and para. 56);⁵⁴
- One 60 mm mortar (type 31) documented as being part, inter alia, of the FARDC arsenal (see annex 15);⁵⁵
- One PKM ammunition box (see annex 15) documented as being part, inter alia, of the FARDC arsenal and similar to those seen on video footage of RDF soldiers in the Kibumba area (see annex 15);
- One AK type assault rifle documented as being part of, inter alia, the FARDC and the RDF arsenal (see annex 15).⁵⁶

Rumangabo area

58. The Group recovered materiel in the area next to the FARDC camp in Rumangabo where M23/ARC and the RDF were positioned jointly prior to the attack and control of the camp in late May 2022 (see paras. 16, 46 and 52). The recovered materiel – one ammunition box⁵⁷ and three cartridges⁵⁸ – could however not be attributed to one of the fighting parties.

59. The Group also inspected weapons, ammunition and military attire recovered by the FARDC following clashes on the military camp, namely:

Eight pieces of military uniforms similar to those used by the RDF, several being blood-spattered and/or tagged with RDF tags and etiquettes, and one Kevlar helmet similar to the ones used by the RDF and not documented as being part of the FARDC arsenal (see annex 16);

One AK-type assault rifle documented as being part, inter alia, of the FARDC and the RDF arsenal (see annex 16);

⁵³ Local authorities, civilians, eyewitnesses and FARDC sources attested that the materiel was found in the area.

⁵⁴ Design and production are by NORINCO (China North Industries Corporation).

⁵⁵ The Group has been analysing whether this type of mortar is also part of the arsenal of neighboring countries.

⁵⁶ The Group has been analysing whether this type of assault rifle is also part of the arsenal of neighboring countries.

⁵⁷ Ammunition box containing 12.7x108 mm cartridges.

⁵⁸ Two 12.7x108 mm cartridges and one 7.62x54 mm cartridge.

- Four rounds of 12.7 ammunition and part of an anti-personnel rifle grenade (type 90), both not documented as being part of the FARDC arsenal (see annex 16).⁵⁹

60. An FARDC document detailing the 26 to 30 May 2022 operations refers to “simultaneous attacks by M23 troops seconded/supported by the RDF” and lists additional equipment recovered on the site, which could however not be inspected by the Group (see annex 16).

Tchanzu area

61. The Group inspected military materiel recovered by the FARDC on 30 and 31 May 2022 in the area around Tchanzu, where there was heavy fighting between the FARDC, with MONUSCO support, and M23/ARC. Recovered materiel includes four 60 mm mortar shells (see annex 17), two 40 mm rockets (see annex 17), six mortar shell fuses (see annex 17), seven firing pins used to ignite the mortar shell’s primer (see annex 17), and one DQJ03-40 anti-personnel rifle grenade (see annex 17).

62. Preliminary findings show that this materiel was produced in 2014 and 2019 and can therefore not belong to the older M23 stockpile as partially documented by the Group and MONUSCO in 2012 and 2013.⁶⁰ The Group thus considers that either M23/ARC has acquired new materiel, or that the recovered materiel belonged to a regular army in the region.

F. Armed groups’ coalition against M23/ARC: involvement in the fight against M23/ARC and *de facto* cooperation with some FARDC soldiers on the ground

Armed groups’ coalition under the watchful eye of the FARDC

63. On 8 and 9 May 2022, local armed groups gathered in Pinga (situated between Walikale and Masisi territories, North Kivu) and forged a coalition. Initially planned to define the armed groups’ position in relation to the Nairobi process (see paras. 100-103), the coalition rather took a stand against M23/ARC. The meeting brought together rival armed groups,⁶¹ including the Nduma défense du Congo-Rénové (NDC-R) faction of sanctioned individual Guidon Mwisa Shimiray (CDi.033), the Alliance des patriotes pour un Congo libre et souverain (APCLS) represented by Janvier Karairi Buingo, the CMC/FDP led by Dominique Ndaruhuste alias Domi, and the Nyatura-Abazungu (Alliance of Congolese Nationalists for the Defense of Human Rights/ Alliance des forces pour la défense du peuple - ANCDH/AFDP) led by Jean-Marie Bonane. Although they do not appear on the outcome documents of the Pinga meeting, the Group was informed that FDLR “Colonel” Silencieux and FDLR “Colonel” Potifaro were also present.⁶² The Pinga meeting was also attended by FARDC Colonel Salomon Tokolonga (3411th regiment), in charge of operations and military

⁵⁹ Further analysis has been ongoing.

⁶⁰ See also, *inter alia*, 2013 Embargo assessment of M23 arsenal on file with the Group and S/2012/348/Add.1.

⁶¹ See S/2021/560, paras. 44-51.

⁶² Sources: eyewitnesses and armed groups combatants present at the Pinga meeting.

intelligence, who can be identified in the pictures of the meeting (see annex 18).⁶³

64. Two major decisions were taken during the Pinga meeting. Firstly, it was agreed that, under the agreed truce, armed groups would refrain from attacking each other (see annex 19). Secondly, it was decided to create a coalition to join forces with the FARDC to fight against M23/ARC and its allies. According to witnesses who attended the meeting, armed groups leaders proposed to mobilise close to 600 combatants to support the FARDC. CMC/FDP spokesperson Jules Mulumba⁶⁴ qualified the coalition's armed fight as "self-defence".⁶⁵

65. The presence of FARDC Colonel Tokolonga can be interpreted, at least, as an apparent endorsement by some FARDC members of the armed groups' coalition and the official recognition of the cooperation of some FARDC members with this coalition (see also para. 17).⁶⁶ The Group met Colonel Tokolonga in Rugari on 7 June 2022, and notes that his hierarchy said it was unaware of the reasons for his prolonged stay in Rugari, a known FDLR and CMC/FDP stronghold, as also observed by the Group.⁶⁷

Armed groups' fighting against M23/ARC and support by some FARDC members

66. In several documents, videos and audio messages analysed by the Group, armed group leaders announced the mobilisation of their combatants in the fight against M23/ARC. For example, in three videos of 21 June 2022, CMC/FDP spokesperson Jules Mulumba, surrounded by many armed combatants, expressed CMC/FDP readiness to fight against M23/ARC, Rwandan and Ugandan forces, and criticized the DRC Government and MONUSCO for still labelling CMC/FDP as "a negative force" (see annex 20). Also, in two videos shot on 4 or 5 July 2022, NDR-C leader Guidon can be seen encouraging his combatants, "I now give you the opportunity to defend your country. Be well-determined soldiers with discipline and morale No-one called us in ...] but we will defend our nation and our population". At the end of the video, combatants started chanting slogans and said they will march to Runyoni, an M23/ARC stronghold (see annex 20).

67. Armed groups leaders, combatants and ex-combatants confirmed to the Group their involvement - either alone or jointly with some FARDC soldiers - in the fighting against M23/ARC and/or RDF troops.⁶⁸ For example, ex-combatants and armed groups leaders reported to the Group that CMC/FDP, APCLS and FDLR combatants fought alongside some

⁶³ When interviewed by the Group, Colonel Tokolonga recognized that he was present during the meeting but denied that he had been sent by FARDC Brigadier-General Peter Cirimwami. He informed the Group that he had been invited as a witness by the different armed groups, alongside civil society members, clerics, etc.

⁶⁴ See [S/2020/482](#), para. 134.

⁶⁵ Meeting with the Group in Rugari on 7 June 2022.

⁶⁶ Sources: FARDC, civil society, researchers, armed group leaders and ex-combatants, intelligence sources.

⁶⁷ The Group met with the CMC-FDP spokesperson in Rugari and saw several FDLR combatants.

⁶⁸ This has also been confirmed by civil society sources, local authorities, researchers, and intelligence sources.

FARDC members around Bambu and Rugari in late May and early June 2022. Also, when the FARDC camp in Rumangabo was taken by M23/ARC on 25 May 2022, armed groups' combatants backed by some FARDC members launched a counterattack on 26 May 2022.⁶⁹ Several sources reported to have seen a group of 150 to 200 FDLR combatants close to the camp in Rumangabo a few hours before the counterattack,⁷⁰ and a video filmed on 26 May 2022 shows a group of armed groups' combatants in the camp in Rumangabo and chanting slogans (see annex 21). Moreover, during a meeting with the Group, the CMC/FDP spokesperson claimed victory in the counterattack on the camp in Rumangabo and told the Group that CMC/FDP and FDLR had continued to engage against M23/ARC and RDF soldiers in the area around Rumangabo and Rugari. The Group observed armed groups combatants alongside some FARDC members in the Rumangabo camp on 9 June 2022 (see annex 22).

68. Several ex-combatants and combatants, civil society sources and local authorities reported that following the Pinga meeting, members of the coalition of armed groups received weapons and ammunition from some FARDC members on several occasions. One eyewitness, civil society actors and one source close to NDC-R Guidon faction informed the Group that, on 30 May 2022, a certain "General" Kassie from APCLS met with a commander of the 34016th regiment in Kitchanga, and received arms and ammunition as well as food stuff. Another combatant said that his Mai Mai group had received weapons but that the FARDC colonel who had handed over the weapons and ammunition alleged that they had to be returned to the FARDC once M23/ARC was defeated. Local authorities, civil society sources, eyewitnesses and DRC security forces attested that since late May 2022, FDLR combatants in and around Rugari were better equipped and wore newly received uniforms.

Official positions of the DRC and Rwandan governments

69. Armed groups involvement, in particular FDLR participation, in operations against M23/ARC was denounced by M23/ARC and the Government of Rwanda. To illustrate, in a letter dated 6 June 2022 to the SRSG in the DRC and Head of MONUSCO, Ms. Bintou Keita, M23/ARC president Bertrand Bisimwa denounced the participation of FDLR in the fight against M23/ARC (see annex 23). On several occasions, the Rwandan Government accused the FARDC of using FDLR as a proxy (see for example annex 12).

70. The FARDC spokesperson of the military governor of North Kivu, General Ekenge, told the Group that the FARDC did not rely on armed groups when fighting against M23/ARC even though he acknowledged that the FARDC faced challenges in mobilising its troops to the adequate level.⁷¹ Likewise, the Sokola II spokesperson in Kiwanja, Rutshuru

⁶⁹ Sources: DRC security forces, civil society, community leaders, researchers, armed group leaders and combatants.

⁷⁰ Sources: two DRC security force sources and community leaders in Rumangabo.

⁷¹ Meeting with the Group in Goma on 13 June 2022.

territory, refuted the M23/ARC claims according to which the FARDC used proxies.⁷²

71. However, in late May and early June 2022 Brigadier-General Peter Cirimwami told to reliable sources of the Group that, *de facto*, the FARDC fought shoulder to shoulder with armed groups against M23/ARC and the RDF. In a statement of 12 May 2022, President Tshisekedi explicitly denounced the possibility of the FARDC using armed groups as proxies and said, *inter alia*, “we do not extinguish fire by throwing oil on it”.⁷³ On 6 July 2022, following persistent allegations of the FARDC using local armed groups as proxies in Rutshuru territory, General Cirimwami was reassigned to Ituri province and replaced by General Clément Bitangalo.

III. Discourses inciting discrimination, hostility and violence targeting Rwandophone populations, and acts of violence against members of these communities and those perceived as such

72. The Group documented, since the intensification of M23/ARC operations (see paras. 14-18, 23-24, and 29-36), a worrying proliferation of xenophobic and hate speech and discourses inciting discrimination, hostility and violence targeting Rwandophone populations, in particular the Banyamulenge and Tutsi communities, leading at times to acts of violence against members of these communities.⁷⁴

73. Xenophobic and hate speech and discourses inciting discrimination, hostility and violence targeting Rwandophone populations, perceived as supporting M23/ARC⁷⁵ and Rwanda, have largely been spread nationwide. This includes during and on the margin of demonstrations in support of the FARDC fight against M23/ARC, in public speeches by some defense, security and political individual authorities and civil society actors, and via conventional and social media, but also by individuals directly targeting individual members of Rwandophone communities and persons perceived as such, as illustrated in the following paragraphs.

74. In a speech in front of his officers on 25 May 2022, the North Kivu Deputy Police Commissioner, General Aba Van Ang, encouraged civilians to take up machetes to defend Goma against the enemy (see annex 24). Justin Bitakwira Bihona-Hayi, a former national minister and president of the Alliance pour la République et la conscience nationale (ARCN) political party called for every Congolese to stand up against the enemy and for the

⁷² Meeting in Kiwanja on 30 April 2022, reported by the FARDC, civil society and MONUSCO sources.

⁷³ Opening ceremony of the seminar on military deontology and ethics, Kinshasa, 12 May 2022.

⁷⁴ Sources: eyewitnesses, victims, researchers, civil society, FARDC and MONUSCO sources, documentary evidence, as well as video and audio recordings, photographs and messages circulating on social media.

⁷⁵ On 27 May 2022, the DRC Government classified M23/ARC as a terrorist movement (see para. 104).

DRC Government to identify “infiltrators”. The audio recording of his call largely circulated on social media (see annex 25; see also para. 77; and for previous instances of Bitakwira’s discourses inciting discrimination, hostility and violence against the Banyamulenge community, see [S/2021/560](#), para. 154 and annex 113). Multiple audio and video recordings and messages circulating on social media also explicitly called to chase “Rwandans” out of the DRC and/or to kill them (see annex 26 for some examples).

75. The members of the Banyamulenge and Tutsi communities interviewed by the Group in North Kivu and South Kivu reported that, based on their perceived morphology and language, they were repeatedly told by various individuals, including some FARDC members, that they were not DRC citizens, that they were M23 members or supporting the M23 and/or Rwanda, and that they should return to Rwanda. Sometimes, they were also threatened to be cut with machetes. At times, these discourses contained explicit references to their physical features, such as the shape of their nose.

76. In the margin of the demonstrations in support of the FARDC in Bukavu and Goma on 1 and 15 June 2022, respectively, some civilians hunted Rwandophones and those perceived as such.⁷⁶ In Bukavu, at least two minor teenage boys of the Banyamulenge community, one wearing a school uniform, were physically mistreated while their assailants said they would chase Rwandans away and kill them. In Goma, demonstrators attacked shops and warehouses belonging to members of the Tutsi and Banyamulenge communities (see annex 27) and at least one church attended by them (see annex 28).⁷⁷

77. In the margin of the visit of the Belgium King in Bukavu on 12 June 2022, members of the Banyamulenge community were challenged by members of the crowd for attending the event and one of them was physically mistreated. On 19 June 2022, a group of men claiming to belong to the Special Brigade of the Union pour la démocratie et le progrès social (UPDS) political party,⁷⁸ dressed in part with military attire and some of them carrying machetes, stopped vehicles in Bandalungwa in Kinshasa, looking for “infiltrated Rwandans”. A video recording, which circulated extensively on social media, shows that several police officers a few meters from the men carrying the machetes remained passive (see annex 29). In Kalima, Pangi territory, Maniema province, a Banyamulenge businessman was lynched and burnt in the street on 18 June 2022 (see annex 30), while two Banyamulenge civilians were taken hostage by Mai Mai Malaïka combatants in Kabambare territory, also in Maniema.

78. Multiple messages and broadcasts denouncing the so-called “infiltration” of DRC political and administrative authorities and security and defence forces by Rwandans, including lists of names sometimes together with the physical addresses of the targeted individuals, were also

⁷⁶ Sources: eyewitnesses, victims, researchers, civil society and MONUSCO sources, as well as video and photographs circulating on social media.

⁷⁷ Sources: victims, witnesses, civil society and MONUSCO sources, video recordings, documentary and photographic evidence.

⁷⁸ UPDS is the political party of President Tshisekedi.

disseminated via social media (see annex 31). In this context, in May and June 2022, several Banyamulenge and Tutsi soldiers and officers of the FARDC were arrested and/or detained by FARDC or police, including in Goma and Bukavu, on grounds of alleged support to M23/ARC. Most were released quickly due to lack of any evidence.⁷⁹ The FARDC members who arrested or interrogated seven of them taxed them for allegedly not being DRC citizens and said that all those speaking Kinyarwanda should be sent back to Rwanda. Several were physically mistreated during their arrest and/or subsequent detention.

79. The Group notes that M23/ARC has exploited the dissemination of xenophobic and hate speech and discourses inciting discrimination, hostility and violence targeting Rwandophone populations as a justification for their actions (see annex 32).

80. The Group welcomes the steps taken by several DRC officials to publicly condemn xenophobic and hate speech and discourses inciting discrimination, hostility and violence, and bring to justice some of those responsible for disseminating them. The Group also welcomes the 20 June 2022 East African Community (AEC) Heads of State Third Conclave Communiqué which “emphasized that all offensive language, hate speech, threats of genocide and other politically inciting language must cease and must be discouraged by all parties”.⁸⁰

IV. Allied Democratic Forces

A. Continued ADF attacks and expansion, and FARDC-UPDF Shuja operation

81. After a short lull during Ramadan in April 2022, and despite ongoing FARDC and UPDF Shuja operation (see S/2022/479, para. 21), the sanctioned armed group (CDe.001) Allied Democratic Forces (ADF) continued to expand its area of operations and to conduct attacks against civilians in Beni territory, North Kivu, and in southern Ituri (see annex 33). As mentioned in the final report (see S/2022/479, para. 26), ADF attacks and activity were mainly aimed at resupplying the armed group, prospecting for new camps, diverting the focus of military operations from ADF and/or as a revenge for these operations, including to undermine popular support.

82. In Beni territory, these attacks were clustered in the northeast, around the RN4 road between Mamove-Oicha and Eringeti, as well as in the southeast, in Rwenzori sector. According to several sources, Amigo, usually based in Mwalika camp (see S/2021/560, annex 3), led some of these operations near Kasindi, Rwenzori sector, including against FARDC camps.⁸¹ In June 2022, the FARDC claimed to have killed Amigo near Lose Lose, which proved to be inaccurate, after verifications by the Group. The

⁷⁹ Sources: FARDC, civil society and MONUSCO sources, video recording, and documentary evidence.

⁸⁰ See <https://www.eac.int/communique/2504-communiqu%C3%A9-the-third-heads-of-state-conclave-on-the-democratic-republic-of-congo-the-nairobi-process>

⁸¹ Sources: researchers, FARDC and MONUSCO sources.

Group observed, however, that the phenomenon of attacks by some FARDC members and young men, sometimes acting together and disguising as ADF, in order to harvest and/or steal cocoa, continued in Rwenzori sector, as described in the June 2021 report (see [S/2021/560](#), paras. 34-35).⁸²

83. In Beni territory, ADF also conducted attacks near UPDF headquarters and bases in Watalinga *chefferie*, around Kamango and Nobili, close to the border with Uganda, which had been relatively spared in the last months and which the UPDF wanted as a buffer zone. This indicates ADF's resilience and willingness to return to their traditional strongholds, between Eringeti, Oicha and Kamango, commonly called ADF's death triangle (see [S/2019/469](#), para. 17). The Group notes that this has been a common pattern for ADF when operations were launched against them. Indeed, as ADF tried to avoid confrontation, they initially fled from their strongholds, where they returned to as soon as the operation's tempo had reduced and the FARDC troops had withdrawn. The FARDC have so far been unable to hold ADF strongholds for long periods.

84. The Group observed that after more than six months, Shuja operation has not yet yielded the expected results to defeat ADF. The intensity of the operations has continued to decrease in the last few months due to UPDF/FARDC's logistical constraints and difficult terrain (see [S/2022/479](#), paras. 20 and 21). In addition, the Group noted confusion around the duration of Shuja operation, following contradictory communications by Lieutenant-General Muhoozi Kainerugaba, Commander of UPDF Land Forces, on 17 May 2022 announcing on Twitter the rapid withdrawal of UPDF from the DRC. A few hours after his initial tweet, Lieutenant-General Muhoozi Kainerugaba posted another tweet correcting that Shuja operation would last another six months if the DRC and Ugandan presidents "decide to extend it" (see annex 34). The DRC Government spokesperson, Patrick Muyaya, rejected such withdrawal during a press briefing that same day, specifying that it could only be decided jointly at presidential level. While Shuja operation was ultimately extended on 1 June 2022 for two more months, there was no further indication of a possible extension at time of drafting.

85. Furthermore, despite continued ADF activity, hundreds of FARDC troops and some MONUSCO FIB troops posted around Mamove and in Boga-Tchabi, southern Ituri, were redeployed in the last months to Rutshuru territory, North Kivu, following the escalation of the situation with M23/ARC (see para. 15). The security vacuum this has created, as already noted by the Group (see [S/2022/479](#), para. 62), allowed ADF to move more freely in these areas.⁸³ An increase in attacks has notably been observed around the Eringeti-Oicha road since June 2022. This was confirmed by a source with ADF connections who reported that ADF combatants had explained that they were trying to fill the gaps left by the FARDC redeployment around Mamove.

86. In southern Ituri, ADF continued its expansion further west towards Mambasa territory, fleeing from operations against them. ADF attacks

⁸² Sources: civil society, researchers, MONUSCO and diplomatic sources.

⁸³ Sources: researchers, diplomatic, civil society and MONUSCO sources.

focused around the Komanda-Mambasa road in the direction of Mambasa town, the RN4 road between Luna and Komanda and in the Boga-Tchabi area. This was despite the launch of FARDC-UPDF Shuja operation around Komanda and Kainama-Boga, with MONUSCO support. According to several sources, ADF were scattered into small groups which allowed them to be active concurrently in these areas.⁸⁴ In particular, for the first time documented by the Group, in April 2022, ADF combatants seized and crossed the Ituri bridge located a few kilometers west of Komanda.⁸⁵

87. ADF movements towards Mambasa territory caused panic among civilians and resulted in significant population displacements as well as exacerbated new inter-community tensions between native communities⁸⁶ and the Nande community, accused of being ADF collaborators (see [S/2022/479](#), paras. 30-33 and annex 8 for inter-community tensions between Hutu and local communities in Ituri).⁸⁷

B. Link with Da'esh

88. Following a decrease in Da'esh communications claiming responsibility for attacks in the DRC during the first trimester of 2022, probably due to Shuja operation (see [S/2022/479](#), para. 45), an increasing number of claims were published by Da'esh from April 2022 onwards. In particular, a very high number of communications was published in April with almost 30 claims, including over 40 photographs mostly related to Ramadan and Eid al-Fitr celebrations. Some of these claims were also published by Da'esh as part of their campaign called "Battle for the Revenge of the Two Sheikhs" to avenge the death of Da'esh leader Abu Ibrahim Al-Qurashi in February 2022 (see [S/2022/479](#), para. 44).

89. As mentioned in the Group's final report, ADF has been emerging as an option for recruits to join Da'esh (see [S/2022/479](#), paras. 36-37), including because of Da'esh's claims praising ADF and thereby increasing ADF notoriety. In one of its Al-Naba newsletter of June 2022, Da'esh encouraged even more directly recruits who had failed to join jihad battlefields elsewhere, to travel to its African provinces.

C. The "Katindo attack": first documented attack with a person-borne improvised explosive device⁸⁸ in Goma most likely conducted by ADF

90. In the evening of 7 April 2022, an explosion took place at a bar⁸⁹ in the Mabanga Sud neighbourhood of Goma, also known as Katindo military camp (see annex 35). While the Group has continued its investigations, it considers that ADF most likely planned and conducted this attack.

⁸⁴ Sources: researchers, civil society, FARDC and MONUSCO sources.

⁸⁵ Ibid.

⁸⁶ The Ngwana, Bila, Ndaka and Lese are considered native communities in these areas.

⁸⁷ Sources: civil society, FARDC and MONUSCO sources.

⁸⁸ A person-borne improvised explosive device (PB-IED) is an improvised explosive device worn, carried, or housed by a person, either willingly or unwillingly (UNMAS IED Lexicon).

⁸⁹ The bar was called Nganda De Werra.

91. Katindo military camp hosts the military Auditorat and a military hospital, and is frequented and inhabited by FARDC members and their families. Six persons, including two FARDC officers, a boy and three women, including the woman who carried the explosive device on her person (see paras. 93-94), were killed during the explosion and at least 16 civilians and FARDC members were injured.⁹⁰

92. The explosion took place just outside the bar, where all deceased victims were sitting or standing. Their injuries were of the type of steel ball wounds, burns and blast effects, sometimes with body parts torn apart.⁹¹ One woman's head was separated from the body which showed second degree burns, two shredded hands and parts of the two legs and the upper part of the body missing (see annex 36).⁹²

93. Evidence collected on site by the Group and corroborated by MONUSCO,⁹³ FARDC sources, forensic doctors⁹⁴ and witness accounts, indicated that this woman carried the explosive charge and that the blast was the result of a person-borne improvised explosive device (IED) (see annex 37).⁹⁵ Even though no container or switch was found on the scene, UNMAS' IED experts assessed that "the injuries observed on the woman carrying the explosive charge suggest the possible use of an explosive vest."⁹⁶

94. According to nine witnesses and FARDC sources, this woman was not known in the Mabanga Sud neighborhood where she had not been seen previously,⁹⁷ and remained unidentified at the time of drafting the present update. However, the Group received information that this female suicide bomber, who was possibly of Tanzanian origin, was recruited by a female ADF collaborator who had previously been married to Rachid Senga, an important ADF recruiter arrested in 2018 for his role in the recruitment and transit of ADF recruits from South Africa, Tanzania and Burundi (see [S/2018/1133](#), para. 13).

95. As such, one diplomatic source, one intelligence source and one source with ADF connections informed the Group that the attack had been planned by ADF, relying on their collaborators' network in Goma. Also according to these sources, Meddie Nkalubo (see [S/2022/479](#), paras. 36, 43, 56 and annexes 10 and 24) and Bonge La Chuma (see [S/2022/479](#), annexes 5, 8 and 20) had a crucial role in the planning and organization of the attacks.

⁹⁰ Sources: medical report on file with the Group, FARDC sources and witness accounts.

⁹¹ Sources: photographs collected by the Group, medical report on file with the Group and UNMAS report.

⁹² Sources: photographs collected by the Group, medical report on file with the Group, FARDC sources and witness accounts.

⁹³ According to UNMAS, "the explosion was highly likely caused by a Person Borne IED (PB-IED)".

⁹⁴ A medical report of 21 April 2022 refers to "an improvised explosive device that has spread splinters such as metallic balls of a 0,5 cm diameter and removed on an injured victim and visible on an X-ray".

⁹⁵ This is the first documented instance of a woman involved in an attack by PB-IED in the DRC. See also [S/2022/479](#), annexes 16 and 18.

⁹⁶ UNMAS report on file with the Group.

⁹⁷ Sources: FARDC members and officers, medical staff and reports on file with the Group.

96. The “Katindo attack”, which shows similarities with the person-borne improvised explosive device attack in Beni town on 25 December 2021 (see [S/2022/479](#), paras. 50-52 and annex 18), would mark the first documented ADF IED attack in Goma. It would also mark ADF’s expansion of its area of attacks towards the South (see also paras. 97-98) and confirm its intent to target densely populated areas and urban settings (see also [S/2022/479](#), paras. 48-52).

D. Reported plans to launch an attack on a ferry between Goma and Bukavu, and reported terrorist threats in Goma and beyond

97. On 12 May 2022, the US embassy in Kinshasa issued a security alert warning for “a risk of a terrorist attack on an unspecified ferry departing from Goma, North Kivu Province, DRC”.⁹⁸ That same day, the French embassy in Kinshasa shared the concern expressed by the US embassy, and on 17 June 2022, the French embassy warned that “recent reports indicate an increased risk of terrorist action in Goma”.⁹⁹

98. Diplomatic sources, intelligence services and one individual connected to ADF informed the Group that these threats of attacks were linked to ADF, which had planned an attack on a ferry between Goma and Bukavu.

99. Diplomatic sources, intelligence services, one researcher and one individual connected to ADF also reported on a planned attack in Rwanda, particularly during the 20-25 June 2022 Commonwealth Heads of Government Meeting. The planned attack was however abandoned or postponed following the arrest or disappearance of several ADF collaborators.

V. East African Community Nairobi Process

100. On 21 April 2022, EAC leaders met in Nairobi, Kenya. On the initiative of the President of Kenya, Uhuru Kenyatta, the meeting aimed to address the growing instability in the DRC and the region particularly since the resurgence of M23/ARC (see paras. 11-71), which had shifted the focus from trade and economic projects – reasons for which the DRC had initially become a member of the EAC in March 2022 - to peace and security concerns. This was the second conclave following the 8 April 2022 first conclave during which several armed groups were invited to Nairobi.

101. In a communiqué issued following the meetings of 21 April and 20 June 2022, the Heads of State of the EAC adopted a two-pronged approach to the ongoing armed violence in eastern DRC (see annex 38). The first related to the adherence of armed groups active in the DRC to the Demobilization, Disarmament, Community Recovery and Stabilization

⁹⁸ See [Security Alert – U.S. Embassy in the Democratic Republic of the Congo \(usembassy.gov\)](#)

⁹⁹ See [République démocratique du Congo - Ministère de l'Europe et des Affaires étrangères \(diplomatie.gouv.fr\)](#)

Program (P-DDRCS). The second was a proposal to set up an EAC regional force.

A. Consultations with armed groups for adherence to the P-DDRCS

102. The EAC invited armed groups active in the DRC to join in negotiations to find political solutions to the instability. Foreign armed groups were directed to surrender and leave the DRC. A joint team composed of representatives of the Governments of Kenya and the DRC was set up and undertook, in May and June 2022, meetings with several armed groups in North Kivu, South Kivu and Ituri provinces, most of which had not attended Nairobi first conclave.¹⁰⁰

103. Several Congolese armed groups were invited and heeded the plea to negotiate. Even though the DRC authorities informed the Group that between 50 and 60 armed groups had expressed willingness to join the P-DDRCS process,¹⁰¹ the security situation in North Kivu, South Kivu and Ituri remained very concerning (see paras. 11-98). The Group notes, in particular, the collaboration of several armed groups to fight M23/ARC (see paras. 63-68), an initiative which challenged the adherence to the P-DDRCS process.

104. M23/ARC was soon excluded from the Nairobi process following allegations that M23/ARC had broken the ceasefire¹⁰² and the classification of M23/ARC as a terrorist movement by the DRC Government on 27 May 2022. The DRC Government decided that there would be no negotiations with M23/ARC. It also decided that several conditions would first need to be fulfilled for political consultations with M23/ARC to take place, namely the disarmament of M23/ARC, M23/ARC combatants' return to their initial positions on Mount Sabinyo and the camps in Uganda and Rwanda, and the unconditional acceptance of the principles of the P-DDRCS.¹⁰³ In view of the developments since the Group submitted its final report (see [S/2022/479](#), para. 202 (a)), in particular M23/ARC's territorial expansion, its control of strategic locations and its commission of deliberate killings, the Group notes the DRC Government's conditions for political consultations.

B. Establishment of a regional military force

105. Recurrent M23/ARC attacks and territorial expansion accelerated the process to establish and to deploy the proposed regional force. At a meeting

¹⁰⁰ In May 2022, the joint team toured the three provinces and held meetings with several armed groups. The meetings provided the opportunity to record various demands of the armed groups. The meetings also offered the platform for some armed groups to express their willingness to support the P-DDRCS process while others called for further discussions.

¹⁰¹ Sources: FARDC, civil society and P-DDRCS sources.

¹⁰² The Group obtained consistent information from FARDC sources, M23/ARC sources and diplomatic sources according to which the International Conference on the Great Lakes Region ceasefire was first broken by the FARDC which attacked M23/ARC positions.

¹⁰³ Sources: document on file with the Group and MONUSCO sources.

held in Nairobi on 20 June 2022 and following the preparatory discussions held on 7 June 2022 in Goma among the EAC army chiefs of staff, EAC Heads of State reiterated the call for the establishment and the deployment of the EAC regional force and approved the concept of operations, the status of forces agreement, the rules of engagement as well as legal and technical pre-requisites ahead of the deployment of the regional force.¹⁰⁴

106. According to the communiqué of that meeting, the regional force, under the command of Kenya, should be composed of armed and police forces of the seven members of the EAC.¹⁰⁵ The communiqué as well as the concept of operations (CONOPS) indicated that the regional force should jointly plan and conduct operations with the FARDC in liaison with MONUSCO and that it should provide support for the P-DDRCS process. Its areas of deployment had been identified as North Kivu, South Kivu, Ituri and Uele provinces.¹⁰⁶ Tanzania declined to take part in the force while the DRC authorities requested that Rwanda deploy within its own borders only.

107. EAC Heads of State also called for an immediate cessation of hostilities and withdrawal of armed groups from recently occupied positions.

108. Even though the Government of the DRC expressed, in principle, its support to the planned deployment of the regional force on its territory, several DRC political actors, civil society organizations and armed groups reacted to the planned deployment of the regional force with concern and skepticism.

109. In the aftermath of M23/ARC taking control of Bunagana, the speaker of the DRC parliament, Christophe Mboso, called for the suspension of the military cooperation with Uganda (see para. 83).¹⁰⁷ FARDC and military intelligence sources pointed to the lack of support to the FARDC from the UPDF when M23/ARC took control of Bunagana (see also para. 17) questioning the commitment of the Government of Uganda to peace in the DRC.¹⁰⁸ On 13 June 2022, the Government of the DRC froze bilateral relations with Rwanda.¹⁰⁹

110. Some civil society actors have outrightly rejected the planned deployment (see annex 39) while others asked for the withdrawal from the regional force of some countries, including Rwanda, Uganda and Burundi. Some civil society actors as well as political and FARDC sources stressed that the three countries have a record of involvement in proxy wars in the DRC and have had for decades contributed to the chronic instability in the DRC.

¹⁰⁴ See <https://www.eac.int/communique/2504-communiqu%C3%A9-the-third-heads-of-state-conclave-on-the-democratic-republic-of-congo-the-nairobi-process>

¹⁰⁵ Burundi, DRC, Kenya, Rwanda, South Sudan, Uganda, and United Republic of Tanzania.

¹⁰⁶ The CONOPS invited each contributing party to assume the logistics, funding, and operations for its troops.

¹⁰⁷ See <https://www.monitor.co.ug/uganda/news/national/uganda-halts-congo-military-operations-3851330>

¹⁰⁸ See <https://www.aa.com.tr/fr/afrique/la-rdc-g%C3%A8le-tous-les-accords-avec-le-rwanda/2615217>

111. Diplomatic sources and researchers raised further concerns over the divergent interests of some of the potential contributing parties to the regional force, as well as over funding, duration, logistics and the exit strategy of the envisaged regional operation, issues on which there were no clarity or details in the current concept of operations.

112. The Group recalls that, under paragraph 5 of resolution 1807 (2008), as renewed by resolutions 2293 (2016) and 2641 (2022), the provision of assistance that includes the involvement of foreign troops in military operations on the territory of the DRC must be notified in advance to the Committee. The Group also stresses the importance of coordination with MONUSCO regarding the planned deployment and operations of the regional force, and the respect of international human rights and international humanitarian law by the regional force.

VI. DRC gold and regional dynamics

113. Gold has remained the most attractive source of financing for armed groups and criminal networks in eastern DRC. This is partly due to the lack of adherence to traceability supply chains, and gold's high value, low bulk (easy to transport), and easily traded (fungible) nature.

114. In North Kivu and South Kivu, criminal networks continued to source and trade in gold originating from mine sites controlled by armed groups as previously reported (see S/2022/479, paras. 54-56; and S/2021/560, paras. 170-188). However, new trends in gold trade and smuggling emerged following the suspension, in January 2021, of the export license in Rwanda of Aldango Gold Refinery, established within a corporate network linked to Alain Goetz (see S/2020/482, para. 90), and the sanctioning on 17 March 2022 of African Gold Refinery (AGR) and its ultimate beneficial owner, Alain Goetz, by the United States of America.¹¹⁰

115. The two events in Rwanda and Uganda added new momentum in the search for alternative regional buyers of the illicit gold supply from the DRC.¹¹¹ Similarly, the regional impact of these closures has started to be visible. For instance, as reported by the Group, the Rwandan authorities confirmed that gold exports had dropped “significantly from 11.4 tons in 2020 to 6.3 tons in 2021 due to closure of Aldango gold refinery” (see S/2022/479, annex 85).

116. With respect to Alain Goetz in particular, the Group recently reviewed information signed by the interested parties which shows that as of November 2018, Alain Goetz was officially involved in a consulting relationship with AGR. In his correspondence with the Group, Goetz had stated that he did not have a business relationship with AGR.

¹¹⁰ See press release of the United States Department of the Treasury of 17 March 2022 entitled “Treasury sanctions Alain Goetz and a network of companies involved in the illicit gold trade”, available at: <https://home.treasury.gov/news/press-releases/jy0664>.

¹¹¹ Sources: two South Kivu negociants and three North Kivu gold smugglers with networks in Rwanda and Uganda.

A. North Kivu

117. North Kivu undertook an official gold export, weighing 0.244 kg, belonging to Base Metal Corporation (BMC) on 21 June 2022 (see annex 40). This was the second official gold export since 2019, according to the North Kivu mining authorities¹¹² and the mining records documented between 2019 and 2022 reviewed by the Group (see annex 41). The only other export was in March 2021, when RAG Trading exported 2.030 kg (see Year 2021 in annex 40).

118. The gold exported by BMC, however, originated from Matungu mine sites (see certificate in annex 40), which have been under control of NDC-R Bwira faction armed combatants since 2020 (see [S/2021/560](#), para. 54). Four gold smugglers in North Kivu who bought gold from Matungu mine sites between January and June 2022 informed the Group that although NDC-R Bwira faction combatants were not physically present in the mine sites, they controlled mining activities through proxies who taxed artisanal miners between three and five grams per mine site per week, in the 22 Matungu mine sites identified by the Group (see [S/2021/560](#), annex 38).

119. Gold from Matungu mine sites was previously sold to buyers in Uganda and Rwanda, but after the closure of Aldango and the US sanctioning of AGR, the traffickers had to sell to DRC-based buying houses and at a much lower price.¹¹³ In the words of the DRC Commission nationale de lutte contre la fraude minière (CNLFM), aware of the gold trafficking from Matungu, the closure of Aldango and the sanctioning of AGR and Alain Goetz rendered destitute many gold smugglers operating in the DRC.

120. In June 2022, the Group visited two independent and unregistered gold laboratories on the outskirts of Goma and one DRC-registered cooperative involved in artisanal mining. The three sourced gold mainly from Matungu mine sites in Walikale territory and from walk-ins who travelled to Kigali to sell to Aldango before its closure,¹¹⁴ in addition to offering assaying services.

B. South Kivu

121. Gold buying houses such as Ets Namukaya, which used to sell to Aldango, and Le Miracle, which used to sell to AGR (see [S/2020/482](#), paras. 85-92 and annex 39), and South Kivu mining officials told the Group that the closure of Aldango and the sanctioning of AGR, which both had the highest refining capacities in the region (see [S/2020/482](#), annex 44), had attracted more gold traffickers in South Kivu, who sought to claim the void left.

122. The Group notes in that respect that gold sourced from South Kivu continued to be smuggled through criminal networks linked to illicit

¹¹² Sources: four North Kivu provincial mining authorities.

¹¹³ Sources: four gold smugglers in North Kivu and three in South Kivu.

¹¹⁴ Sources: two owners of clandestine gold assaying dealers and a member of a DRC-registered gold buying cooperative in Goma.

markets in Burundi and Tanzania, ¹¹⁵ as reported previously (see [S/2020/482](#), para. 64). While the South Kivu mining authorities succeeded in removing members of the FARDC and the police ¹¹⁶ from the highly productive Luhihi mine sites in Kabare territory (see [S/2021/560](#), para. 172), criminal networks comprising of unregistered artisanal miners and negociants continued to dig and sell to smugglers from Tanzania and Burundi, while also selling to some registered buying houses in Bukavu.¹¹⁷ Members of two registered buying houses in Bukavu informed the Group that the illicit gold market was more lucrative to negociants than the legal market due to the higher prices paid by traffickers. ¹¹⁸ Such practice continued to jeopardize legal supply chain (see [S/2020/482](#), para. 174).

123. The Group reiterates that this high-risk environment will require that Congo Gold Raffinerie (CGR) (see annex 42), due to launch its operations later in 2022, to undertake rigorous supply chain due diligence and ensure strict adherence to full implementation of the International Conference on the Great Lakes Region (ICGLR) regional certification scheme (see [S/2022/479](#), para. 178).

¹¹⁵ Sources: Five members of DRC mining authorities in Bukavu.

¹¹⁶ Sources: Six members of the South Kivu mining authorities.

¹¹⁷ Sources: Four members of DRC mining authorities in Bukavu.

¹¹⁸ Sources: Five members of registered gold buying houses in Bukavu

