

WEEKLY BRIEFING 14TH - 20TH NOVEMBER 2012

IPIS is an independent research institute which focuses on Sub-Saharan Africa.

Our studies concern three core themes: arms trade, exploitation of natural resources and corporate social responsibility.

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EDITORIAL

On the 14th of November, Uganda sealed its <u>Bunagana</u> border post with the DRC in Kisoro district. The closure was in response to claims that members of the rebel group M23 in eastern DRC were using the border post to finance their activities.

Fighting resumed on Thursday the 15th November between the rebels of M23 and the DRC's FARDC army near Goma, in the east. The UN troops initially intervened with helicopter fire.

M23 advanced to within a few kilometres of the provincial capital, Goma. In the days following the 15th, refugee camps close to the frontline were abandoned as tensions intensified., DRC's Information Minister, <u>Lambert Mende</u>, said that government forces were in control of Goma, while M23 rebels were just a few kilometres outside the city.

On the 20th, M23 took control of <u>Goma</u>. The rebels met with little resistance from the army or UN peacekeepers. After Goma came under the control of M23, Rwanda called for a political dialogue in the Democratic Republic of Congo, stating that the military solution was failing.

The leaders of DR Congo and Rwanda, Joseph Kabila and Paul Kagame, have flown to Uganda for talks. Through Lambert Mende, the DRC has reaffirmed its position that it will not negotiate with M23, as they are "fiction", adding that it was Rwanda who has assaulted Goma. France called for the UN Security Council to strengthen the peacekeepers' mandate to intervene in the conflict. President Kabila has urged people to "resist" the rebels.

In natural resource news, a Global Witness report entitled "The Art of logging in Congo", which describes the abuse of artisanal logging permits in the DRC, has been welcomed by the Congolese Minister of the Environment, Bavo N'sa Mputu Elima. The Minister has issued two ministerial decrees. One suspends part of a law called Arrêté 011, thus clarifying that artisanal logging permits are not to be signed by the national Environment Minister but by provincial governors. The other suspends artisanal or timber-purchasing permits held by certain companies.

Amnesty International and other groups are continuing to defend the USA's Securities and Exchange Commission's (SEC) new regulations. These require corporations to investigate and disclose whether their sourcing practices finance armed groups in the Democratic Republic of the Congo (DRC). In October, the U.S. Chamber of Commerce, the National Association of Manufacturers, and the Business Roundtable filed suit in the United States Court of Appeals for the District of Columbia to invalidate the SEC's regulations and the provisions of the law that authorises them.

IPIS' Latest Publications

A Code of Conduct for Arms Transport by Air. Transport Services under an Arms Trade Treaty Series | August 2012 | IPIS

This report is a discussion of some key considerations for the development of a Cargo Industry Voluntary Code of Conduct relating to the transport of arms, ammunition and other military equipment (ACI Code). The purpose of such a Code is to encourage as many aviation companies and other actors as possible in the air cargo industry to adhere to existing and new standards relating to the transport of arms, ammunition and other

Rough Seas. Maritime Transport and Arms Shipments | July 2012 | IPIS

As stated by the authors in their report "Transparency and Accountability" (February 2012), the Chairman's Draft Paper (14 July 2011) presented by the Arms Trade Treaty's Preparatory Committee (ATT PrepCom), included within the ATT's scope certain "services", such as transport and brokering. However, no provision has been envisaged for the monitoring or ATT-related regulation of arms transport services. Monitoring transport services may be key to implementing and enforcing the Arms Trade Treaty. This report will demonstrate how arms shipments may be monitored and reported where there is a substantial risk that the shipments could contribute to fuelling conflict, repressive state practices, and other human rights abuses. The report provides examples of the monitoring of actual conventional arms shipments to Egypt and Syria in 2011 and 2012, and of suspected conventional arms shipments to Syria in 2012. It also shows that where there is an open society, or at least a fair degree of access to government activities, arms transfers can be monitored and discussed without jeopardizing legitimate security policies.

Upstream Implementation of the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas. Cycle 2 Interim Progress Report on the Supplement on Tin, Tantalum, and Tungsten | May 2012 | OECD – IPIS

The following report is the second in a cycle of three on upstream companies' implementation of the Supplement on Tin, Tantalum and Tungsten to the OECD's Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas. The objective is to report on progress made by upstream companies in their implementation of due diligence, with a focus on current practices and experiences in developing systems and processes for the implementation of the Five-Step OECD Framework.

Arms Trade and Security in the Great Lakes Region

Recent news on conflict, security and arms trade across the Great Lakes Region.

Arms Trade Treaty

<u>UN: Diplomats agree to conclude Arms Trade Treaty at final negotiations set for March in 2013</u> | 15th November | IANSA <u>Afrique: Lutte contre le trafic illicite d'armes - Un seuil de ratification par 30 Etats est plus adapté au TCA</u> | 15th November | Le Potentiel | allAfrica

On 7th November, members States of United Nations at the 67th session of UN General Assembly First committee, voted the Resolution L11 on the Arms Trade Treaty in New York at UN Headquarter. 157 voted in favour, 18 abstentions and Zero vote against.

DRC

MSF flee Pinga

Retour de la violence à Pinga | 15th November | MSF | Reliefweb

The fighting raged again in the town of Pinga in North Kivu province of the Democratic Republic of Congo (DRC), forcing 20,000 people and the majority of Congolese staff employed by Médecins Sans Frontières (MSF) to flee to the second time in six weeks.

How to deal with rebels

<u>Will Kinshasa Go Easy on M23 Rebels?</u> | 15th November | Institute for War and Peace Reporting | Reliefweb <u>Will Kinshasa Go Easy on M23 Rebels?</u> | 15th November | IWPR

As rebels operating in eastern Democratic Republic of Congo threaten further attacks unless the government agrees to negotiate, experts are warning that Kinshasa cannot afford to repeat the mistake of trying to pacify armed groups by integrating them into the national army.

M23 leader on US blacklist

Congo-Kinshasa: Les Etats-Unis prennent des mesures à l'encontre du leader rebelle congolais du M23 | 14th November 2012 | RFI | allAfrica

The United States have announced that they have placed the Congolese rebel leader of the Movement of 23-Mars (M23), Sultani Makenga on their blacklist of individuals and entities sanctioned for their involvement in the conflict in the Democratic Republic of Congo.

Lambert Mende on diplomatic relations with Rwanda

RDC: le gouvernement juge inopportun de rompre les relations diplomatiques avec le Rwanda | 15th November | Radio Okapi Lambert Mende has said that if simply breaking diplomatic relations with Rwanda could automatically stop the suffering of the Congolese, DRC would have done it long ago. But he does not think that simply breaking off diplomatic relations with Rwanda is likely to end the

Death tolls from M23 violence

113 rebels killed as violence flares in DR Congo | 15th November | Agence France-Presse | Reliefweb

Some 113 rebels died in clashes on Thursday between the M23 rebel group and Democratic Republic of Congo troops, the regional governor said, as violence flared days after the UN and US imposed sanctions on the group's leader.

M23 leader Makenga sanctioned

U.S. and U.N. Target M23 Commander with Sanctions | 15th November | Enough Project

RDC: les Etats-Unis et l'Onu prennent des sanctions contre Sultani Makenga, chef du M23 | 14th November | Radio Okapi

The U.S. Treasury Department announced its move to add top M23 commander Sultani Makenga to its list of Congolese warlords under sanctions for their role in stoking violence in the eastern Democratic Republic of Congo. Makenga is the first militia member newly targeted with U.S. sanctions since M23 fighters split off from the Congolese army in April; however, M23 leader Bosco Ntaganda has been on the U.S. government's Specially Designated Nationals List since 2010.

M23 and FARDC compete for militia allies

DRC Army, M23 Rebels Compete for Militia Allies | 16th November | VoA

The Democratic Republic of Congo's army and the M23 rebels in the east of the country are both trying to forge alliances with militias or armed groups. The M23 is reported to have allied with nine armed groups including some notorious human-rights abusers, while the army has been trying to integrate several militias into its ranks, so far with uneven results.

M23 rebels approach Goma

RDC: le M23 tente de gagner du terrain en s'alliant à d'autres groupes armés (ONU) | 14th November | Agence France-Presse | Reliefweb

DR Congo: Fighting erupts near Goma city | 15th November | BBC

Congo-Kinshasa: Violents combats entre l'armée et le M23 | 15th November | RFI | allAfrica

RDC: reprise des combats dans le Kivu | 15th November | BBC

Congo-Kinshasa: Les FARDC nettoient la zone de Kibumba, après l'incursion du M23 | 15th November | Le Potentiel | allAfrica

Nord-Kivu: reprise des combats entre les FARDC et les rebelles du M23 à Kibumba | 15th November | Radio Okapi

M23 Rebels Clash with DRC Troops | 15th November | VoA

DR Congo vows to defend Goma city from M23 rebels | 16th November | BBC

Briefing: DRC's M23 rebellion under pressure | 16th November | IRIN | Reliefweb

Journée sans combats au nord de Goma mais les réfugiés affluent | 16th November | Agence France-Presse | Reliefweb

Congo-Kinshasa: Fin des affrontements au nord de Goma | 16th November | RFI | allAfrica

Nord-Kivu : la localité de Kibumba sous contrôle du M23 | 17th November | Radio Okapi

Nord-Kivu : les rebelles du M23 ont attaqué les FARDC à Kibumba | 17th November | Radio Okapi

UN troops continue support to DR Congo army as rebels advance on Goma | 18th November | UN

Nord-Kivu : la ville de Goma toujours sous contrôle des FARDC, assure Julien Paluku | 18th November | Radio Okapi

Nord-Kivu: accalmie à Goma après d'intenses combats entre FARDC et M23 | 18th November | Radio Okapi

Goma : les activités paralysées à l'approche des combats entre le M23 et les FARDC | 18th November | Radio Okapi

Congo-Kinshasa: Le M23 aux portes de Goma, alors que les FARDC semblent se retirer de la ville | 18th November | RFI | allAfrica

U.N. Helicopters Strike Rebel Posts in Congo | 18th November | New York Times

DRC Rebels Advance to Goma Outskirts | 18th November | VoA

Congo-Kinshasa: Le M23 aux portes de Goma, alors que les FARDC semblent se retirer de la ville | 18th November | RFI | allAfrica

DRC Minister: Army Controls Goma Despite Reported Rebel Advances | 19th November | VoA

RD Congo: nuit calme à Goma, après l'offensive rebelle | 19th November | Agence France-Presse | Reliefweb

DR Congo rebels advance on provincial capital Goma | 19th November | BBC

Congo Rebels Advancing on Major City | 19th November | New York Times

<u>Julien Paluku: «l'ennemi qui s'était infiltré dans la ville a été éloigné »</u>| 19th November | Radio Okapi

Nord-Kivu: des coups de feu entendus près de l'aéroport de Goma | 19th November | Radio Okapi

Fighting resumed on Thursday 15 November, between the rebels of the Movement of 23-Mars (M23) and the army of the Democratic Republic of Congo (DRC) near Goma, in the east. The UN army initially responded with helicopter fire.

The M23 then advanced to within a few kilometres of the provincial capital, Goma. The rebels said they had no plans to take the city but residents started to flee. A refugee camp close to the frontline was abandoned as tensions intensified.

At this point, Information Minister Lambert Mende said that the government forces were in control of Goma, despite reports that M23 rebels were just a few kilometers outside the city.

M23 demand negotiations

RDC : aux portes de Goma, le M23 demande des négociations directes avec le gouvernement | 19th November | Radio Okapi

In a statement released Sunday, November 18 at night, M23 demanded the cessation of hostilities and direct negotiations within 24 hours. It was ordered that negotiations must involve particular members of the Congolese opposition, civil society and the diaspora. They also demanded the demilitarization of the city of Goma and its airport, controlled by the FARDC supported by MONUSCO, and the reopening of the border Bunagana by Uganda.

Rebels' ultimatum on talks rejected

DR Congo rejects rebels' ultimatum on talks | 19th November | Agence France-Presse | Reliefweb

DR Congo rejects M23 rebels' ultimatum to leave Goma | 19th November | BBC

DR Congo rebels who have advanced on the key eastern city of Goma warned on Monday that they will continue their fight against the government unless it opens direct talks with them within 24 hours, but their ultimatum was swiftly rejected by Kinshasa.

RDC: les rebelles du M23 sont entrés à Goma | 20th November | Radio Okapi

RDC: des tirs d'obus en provenance du Rwanda ont fait 4 morts à Goma lundi | 20th November | Radio Okapi

RDC: les FARDC se repositionnent dans les points stratégiques de Goma | 20th November | Radio Okapi

Goma: M23 rebels capture DR Congo city | 20th November | BBC

DR Congo rebels seize Goma | 20th November | Aljazeera

M23 rebel fighters enter the city of Goma in eastern DR Congo - UN spokesperson | 20th November | UN News

M23 Rebels Enter Eastern Congo City | 20th November | VoA News

Rwanda Calls for Political Dialogue As Goma Falls to M23 | 20th November | Rwanda Focus | allAfrica

Fighters from the M23 rebel group have captured Goma, the main city in resource-rich eastern Democratic Republic of Congo. The rebels met little resistance from the army or UN peacekeepers. The leaders of DR Congo and Rwanda, Joseph Kabila and Paul Kagame, flew to Uganda for talks, amid claims that Rwanda was backing the rebels. France called for the UN Security Council to strengthen the peacekeepers' mandate to intervene in the conflict. Mr Kabila has urged people to "resist" the rebels.

Timeline of M23's escalation

What's going on in Goma - a timeline | 20th November | Congo Siasa

Timeline of how the escalation unfolded.

M23's strategy

The politics of the fait accompli | 20th November | Congo Siasa

As the M23 engages in urban warfare in Goma (the latest news is that they have taken the town) one wonders what their strategy could be. While unfolding of the M23 rebellion has involved a lot of shooting from the hip—from all sides, including Kigali, the M23, and Kinshasa—one would imagine that by now, a strategy would have coalesced. So what is it?

French present resolution against M23 to the UN

ONU : la France va présenter une résolution condamnant le M23 | 19th November | Radio Okapi

France will presented, on Monday, November 19th, with a resolution to the Security Council for a strengthening of international sanctions against the rebels of the M23. The French ambassador to the UN, Gerard Araud, said the resolution will also discuss the possible involvement of other countries in the armed conflict that shook eastern DRC since last May.

UNC leader urges negotiation

RDC : Vital Kamerhe appelle le gouvernement à négocier avec les mutins | 19th November | Radio Okapi

The president of l'Union pour la nation congolaise (UNC) party in DRC

Is encouraging the government to engage in negotiations.

MONUSCO will continue to support the government of the DRC

Madnodje Mounoubai : « La Monusco supporte le gouvernement congolais »| 20th November | Radio Okapi

MONUSCO will continue to "support" the government of the DRC, said the spokesman of the UN mission in the DRC, Madnodje Mounoubai. In an interview Tuesday, November 20 at Radio Okapi, he said that the rebels will be held responsible for all violations of human rights that commit in the chief town of the province of North Kivu.

M23 reject accusations of mass casualties

M23 rebels reject claims of mass casualties in DR Congo | 16th November | Agence France-Presse

The M23 rebel group fighting the army in eastern Democratic Republic of Congo on Friday rejected claims of mass casualties and said it had killed nine soldiers.

SC condemns M23 attacks

Security Council condemns fresh attacks by M23 rebels in eastern DR Congo | 17th November | UN News Service

Congo-Kinshasa: Security Council Condemns Fresh Attacks By M23 Rebels in Eastern DR Congo | 17th November 2012 | UN News Services | allAfrica

Congo-Kinshasa: Le Conseil de Sécurité condamne les attaques du M23 et annonce de futures sanctions contre son leadership | 17th November | UN | allAfrica

Security Council condemns fresh attacks by M23 rebels in eastern DR Congo | 17th November | UN

RDC : le Conseil de sécurité condamne les attaques du M23 et annonce de futures sanctions contre son leadership | 17th November | UN News Service | Reliefweb

The Security Council, meeting in an emergency session on Saturday, strongly condemned the latest attacks by the M23 rebel group, which displaced more civilians in eastern Democratic Republic of the Congo (DRC) and prompted the United Nations peacekeeping force there to deploy attack helicopters to support the national army.

35 rejoin FARDC

Sud-Kivu: un officier dissident et des chefs miliciens se rendent aux FARDC | 14th November | Radio Okapi

A dissident officer of the Congolese army, Colonel Albert Kahasha alias Foka Mike, and several militia leaders of Raïa Mutomboki Nyatura (thirty-five people in total) on the 13th of November, rejoined the FARDC.

Arbitrary killings in Eastern DRC

Congo-Kinshasa: UN Report Finds Evidence of Arbitrary Killings in Eastern DR Congo, Prompts Calls for Action | 14th November | UN News Service | allAfrica

UN report finds evidence of arbitrary killings in eastern DR Congo, prompts calls for action |14th November | UN News Centre

Report of the United Nations Joint Human Rights Office on human rights violations perpetrated by armed groups during attacks on villages in Ufamandu I and II, Nyamaboko I and II and Kibabi groupements, Masisi territory, North Kivu province | 14th November 2012 | UNHCHR & MONUSCO | Reliefweb

Nord-Kivu: plus de 264 civils dont 83 enfants « arbitrairement exécutés » en 5 mois à Masisil 14th November | Radio Okapi

Report of the United Nations Joint Human Rights Office on Human Rights Violations Perpetrated by Armed Groups during Attacks on Villages in Ufamandu I and II, Nyamaboko I and II and Kibabi Groupements, Masisi Territory, North Kivu Province | 14th November | Human Security Gateway

Congo-Kinshasa: Nord-Kivu - 264 civils tués par les Raïa Mutomboki à Masisi | 15th November | La Prospérité | allAfrica

A United Nations investigation into the human rights situation in southern Masisi in the North Kivu province of the Democratic Republic of the Congo has revealed that at least 264 civilians, including 83 children, were arbitrarily executed by armed groups in more than 75 attacks on villages between April and September this year.

Meece at ammunition destruction

In eastern DRC, Roger Meece attends a destruction of weapons and ammunitions | 10th November | MONUSCO | Reliefweb

On 26 October 2012, Mr. Roger Meece, Special Representative of the Secretary-General in the Democratic Republic of the Congo and Mr. Alexandre Luba Ntambo, Vice-Prime Minister and Defense Minister, attended a ceremony for the destruction of 242 small arms and 15,000 ammunitions in Goma, Nord-Kivu province.

Arms cache found in Bukavu

Congo-Kinshasa: Bukavu - Les FARDC découvrent une cache d'armes à Bagira | 17th November | Le Potentiel | allAfrica

The FARDC and the Congolese National Police (PNC) recently discovered a weapons cache containing twenty-two (22) Arms AK -47, one hundred eighty (180) grenades and a large quantity of ammunition. It was found in the town of Bagira in Bukavu (South Kivu) during a joint cordon and sweep. According to Lieutenant-Colonel Felix Prosper Basse, military spokesman of MONUSCO, the arms and ammunition were introduced in the province of South Kivu by an armed group via Lake Kivu.

Forgotten conflict in Masisi

<u>Arrêter le conflit oublié de Masisi</u> | 14th November 2012 | Jesuit Refugee Service | Reliefweb

Since last August, the communities that live in Masisi district in eastern Democratic Republic of Congo (DRC) have had to move daily. Unless the peacekeeping forces (MONUSCO) and the Congolese army intervene urgently to protect the civilian population, more innocent lives will be lost.

\$8.5 Ioan from BADEA

Signature d'un accord de prêt de 8,5 millions USD entre la RDC et la Banque arabe de développement économique en Afrique, BADEA | 19th November | Digital Congo

DRC will benefit from an \$ 8.5 million loan from the Arab Bank for Economic Development in Africa, BADEA. The loan agreement was signed on Saturday in Kinshasa.

Specialist unit for sexual violence

<u>Une cellule spécialisée pour lutter contre les violences sexuelles à Mbuji Mayi</u> | 13th November | MONUSCO | Reliefweb In Mbuji Mayi, capital of Kasai Oriental now has a specialised unit to handle cases of sexual violence.

Uganda

Uganda's strategic interests in DRC

<u>Uganda's Strategic Interests in the Democratic Republic of the Congo</u> | 19th November | International Relations and Security Network Uganda remains accused of providing aid to rebel groups in the Congo. Outside pressure, however, is unlikely to force Kampala to reassess this policy any time soon. Its economic reasons for remaining involved in what is a failed state are just too important.

Uganda closes border with DRC

Uganda: Govt Closes Border Post With DRC Over M23 Toll Charges

| 14th November | RFI | allAfrica

Uganda Explains the Closure of Bunagana Border Post | 15th November | The Independent | allAfrica

Rwanda Sees Traffic Influx As Uganda Closes Border With DRC | 15th November | The New Times | allAfrica

Rébellion du M23 : l'Ouganda ferme sa principale frontière avec la RDC | 15th November | UN Radio | Reliefweb

On Tuesday Uganda sealed its Bunagana border post with the Democratic Republic of Congo (DRC) in Kisoro district over claims that M23 rebels in the eastern DRC were using it to finance their activities. There is an over flow of traffic at the Rwanda-Uganda border at Cyanika following a decision by the Ugandan government to close Bunagana border post with DR Congo. The abrupt closure has seen Ugandan traders lose hundreds of millions of revenue through trade with eastern DRC

Ugandan army

Uganda: Museveni Addresses Sri Lankan Army Top Brass | 15th November | The New Vision | allAfrica

President Yoweri Museveni has attributed the success of Uganda Peoples Defence Forces (UPDF) in Somalia to the discipline on which the Uganda army was formed.

Rwanda

Rwanda calls for political dialogue in DRC

Après la chute de Goma, le Rwanda appelle à un dialogue politique en RDC | 20th November | Radio Okapi

After M23 took control of the city of Goma on Tuesday 20 November, Rwanda called for a political dialogue in the Democratic Republic of

Congo. "After what happened today in Goma, it is clear that the military option for a solution to this crisis has failed and that political dialogue is the only way to resolve the ongoing conflict," said in a statement Rwandan Minister of Foreign Affairs, Mushikiwabo. Lambert Mende, Minister of Communication for DRC maintains that it is Rwanda who has assaulted Goma. DRC will reportedly remain firm in their stance that M23 will not be negotiated with as they are "fiction."

Burundi

Major Désiré Uwamahoro arrest

Burundi: Arrestation du major Désiré Uwamahoro | 18th November | RFI | allAfrica

A police officer often cited in UN reports as one of the main perpetrators of human rights violations in Burundi has fallen. Major Désiré Uwamahoro was sentenced to five years in prison by a court in Burundi in May for the torture of twenty civilians in the town of Rutegama at the centre of the country five years ago. He was finally arrested this Friday.

Refugee and IDP Reports

Non-comprehensive overview and selected articles on the status of refugees in the Great Lakes Region

DRC

UNOCHA Reports

Bulletin d'information humanitaire - Province du Katanga - 12 novembre 2012 | 12th November | UNOCHA | Reliefweb

Bulletin d'Information Humanitaire - Province de l'Equateur N° 43/12, 14 novembre 2012 | 14th November | UNOCHA | Reliefweb

Bulletin d'Information Humanitaire - Province du Nord Kivu N° 41/12, 13 novembre 2012 | 13th November | UNOCHA | Reliefweb

Situation humanitaire en République Démocratique du Congo, Note d'information à la presse, 14 novembre 2012 | 14th November | UNOCHA | Reliefweb

Burundi

Burundian refugees returning

Burundi: After Twenty Years, More Than 1,000 Burundians Returning Home Every Day | 24th November | UNHCR | allAfrica Après 20 ans d'exil, plus de 1 000 Burundais rentrent chaque jour dans leur pays | 14th November | UNHCR | Reliefweb After 20 years, more than 1,000 Burundians returning home every day | 14th November | UNHCR | Reliefweb Burundi: Après 20 ans d'exil, plus de 1.000 burundais rentrent chaque jour dans leur pays | 16th November | UN | allAfrica More than 1,000 Burundians are returning to their homeland almost every day with the help of the UN refugee agency and its partners, after losing their refugee status in Tanzania.

Support needed for Burundian refugees

Red Cross raises alarm as thousands of Burundian refugees face repatriation | 15th November | IFRC | Reliefweb

With more than 35,000 Burundian refugees preparing to be repatriated from Tanzania, the International Federation of Red Cross and Red Crescent Societies (IFRC) is today warning that many will face hardship without immediate support. The imminent closure of Mtabila camp, in the District of Kigoma, Western Tanzania, has left thousands of Burundians facing an uncertain future in a country many have never have seen. The majority fled Burundi to escape the civil war in 1993, and will now be repatriated before the end of the year, when the camp closes.

Justice and Tribunals

Non-comprehensive overview and selected articles on major trials and tribunals for crimes committed in the Great Lakes Region

Charles Taylor

<u>Turning the Page on Charles Taylor</u> | 14th November | Fund for Peace | Human Security Gateway

This report is not a comprehensive political risk assessment of the likelihood of conflict onset in Liberia. Rather, it is a snapshot of the priorities and concerns of a local civil society network living in communities across Liberia's 15 counties. Over the last five years, this network has been regularly taking the pulse of the country, gathering and coding incidents that indicate the risk of human insecurity from their point of view. This report reflects the social, economic, political, and security factors that must be managed for a peaceful and

prosperous future.

DRC

Bemba Trial

Congo-Kinshasa: Another 777 Victims to Participate in Bemba Trial | 14th November | Bemba Trial Website | allAfrica

On November the 5th, trial judges in the Jean-Pierre Bemba trial granted another 777 victims the right to participate in proceedings against him at the International Criminal Court (ICC).

Natural Resources in the Great Lakes Region

Recent news on issues relating to natural resource extraction and governance in the Great Lakes Region.

DRC

SARWatch report on artisanal mining

Congo-Kinshasa: « De l'or de conflit à l'or criminel » - SARW fait le point du secteur au pays | 14th November | Le Potentiel | allAfrica Conflict Gold to Criminal Gold: The new face of artisanal gold mining in Congo | 14th November | OSISA

DRC squandering artisanal gold wealth – report | 16th November | MineWeb

The South African NGO promoting the responsible management of natural resources, SARWatch has launched a report on artisanal gold in eastern DRC.

Abuse of artisanal logging permits

Congo-Kinshasa: DRC Environment Minister's Response to Report on Abuse of Artisanal Logging Permits

| 12th November | Global Witness | allAfrica

<u>DRC Environment Minister's response to report on abuse of artisanal logging permits</u> | 12th November 2012 | Global Witness <u>Global Witness accueille positivement la réaction du Ministre de l'Environnement de RDC au rapport sur l'abus des permis de coupes artisanaux</u> | 13th November | Global Witness

Global Witness' report entitled 'The art of logging industrially in Congo', which outlines the abuse of artisanal logging permits in DRC, has been welcomed by the Congolese Environment Minister Bavon N'sa Mputu Elima. The Minister has issued two ministerial orders that are a first step towards tackling the problem. One of these orders suspends part of the legal text called Arrêté 011, thus clarifying that artisanal logging permits are not to be signed by the national Environment Minister but by provincial governors. The other order suspends artisanal or timber purchasing permits held by certain companies.

Agriculture budget cut

DRC Cuts Budget for Agriculture | 14th November | Voice of America | Reliefweb

The Democratic Republic of Congo's government has cut its budget for agriculture, despite a previous pledge to raise it. The DRC's confederation of agricultural producers is protesting the cut, which was agreed to this week in a parliamentary vote on the government budget for 2013.

Uganda

Impacts of an oil economy

Uganda: The Challenges Which Will Face Agriculture in an Oil Economy | 13th November | The New Vision | allAfrica

The challenges which will face Uganda's agriculture sector when the economy is based on oil.

Extractive Companies, Energy, Trade and Foreign Investment

Recent news on national and international extractive and energy companies and investment in the Great Lakes Region

Africa encouraged to reject EPAs

Africa: World Bank Urges Africa to Reject EPAs With EU | 14th November | The Chronicle | allAfrica

The World Bank's Chief Economist for Africa, Shantayanan Devarajan has added his voice to the call on African countries to reject the Economic Partnership Agreements (EPAs) that the European Union (EU) is currently trying to force on them.

DRC

Mukuba Resources Limited-Cominex Project: 2012 Exploration Program Update | 19th November | Marketwire

Mukuba Resources Limited (TSX VENTURE:MKU) ("Mukuba" or the "Company") is pleased to provide an update on the copper Cominex Project ("Cominex Project", previously referred to as the "Benzu Project"), a joint venture with Benzu Resources Limited ("Benzu Resources"). The Cominex Project, which is approximately 165 km2 in size, is located in the Katanga Copper Belt region in the Democratic Republic of Congo ("DRC"). It is adjacent to the eastern boundary of the Tenke-Fungurume mining concession, which is operated by Freeport-McMoRan Copper & Gold Inc. ("Freeport") and owned by Freeport, Lundin Mining Corporation and La Générale des Carrières et des Mines ("Gecamines"). Benzu Resources, the operator of the Cominex Project, has provided an exploration update to the Company.

Banro Corporation Updates

Banro Provides Exploration Update for Projects in the DRC, Including Significant Drill Intersections at Namoya, Lugushwa and Kamituga | 15th November | Marketwire

Uganda

UK aid to Uganda suspended

UK suspends aid to Uganda as concern grows over misuse of funds | 16th November | Guardian

Britain has suspended all direct aid to the Ugandan government with immediate effect, the international development secretary, Justine Greening, announced on Friday. Aid to the Ugandan prime minister's office was frozen in August, following allegations of fraud, while an independent forensic audit was ordered. Greening has now suspended other bilateral aid, which is spent through Uganda's financial systems, known as direct financial aid.

Heritage Oil

Heritage Oil Interim Management Statement | 15th November | Marketwire

Burundi

Support from international institutions

International Partners Pledge Continued Support in Recognition of Burundi's Achievements and Commitments | 16th November | African Development Bank, International Monetary Fund, World Bank, UN Development Programme, European Union | Reliefweb

At today's meeting of the Burundi Configuration of the UN Peace Building Commission in New York, the African Development Bank, the European Union, the International Monetary Fund, the United Nations Development Program, and the World Bank pledged their continued support to the country's achievements and commitments.

Regulation, Compliance and Corporate Social Responsibility

Non-comprehensive overview and selected articles on legal and reputational issues relating to businesses operating in the Great Lakes Region

Al defends conflict minerals reporting requirements from corporate attack

Amnesty International to Defend Conflict Minerals Reporting Requirements from Attacks by Corporate Groups | 19th November | Amnesty International

Amnesty International USA announced today that it has moved to intervene to defend new regulations that require corporations to investigate and disclose whether their sourcing practices finance armed groups in the Democratic Republic of the Congo (DRC). The conflict mineral disclosure requirements, announced by the Securities and Exchange Commission (SEC) in August of this year, are a vital tool to address the ongoing humanitarian crisis in the Congo. In October, the U.S. Chamber of Commerce, the National Association of Manufacturers, and the Business Roundtable filed suit in the United States Court of Appeals for the District of Columbia to invalidate the SEC's regulations and the provisions of the law that authorizes them.

Companies need to clarify position on Dodd-Frank

Companies must take clear position on legal threat to Conflict Minerals Provision | 14th November | Global Witness

In October 2012 the Chamber of Commerce, the National Association of Manufacturers (NAM) and the Business Roundtable filed a lawsuit against the SEC over the final rule for Section 1502. In their petition, the industry associations request that the rule "be modified or set aside in whole or in part." The groups have not yet provided legal arguments for the lawsuit. Global Witness believes that a number of companies who are members of above initiatives should issue a public statement outlining their position on the lawsuit filed by the Chamber of Commerce, NAM and the Business Roundtable over the final rule for Section 1502. In their statements, the companies should make clear whether they are formally backing the lawsuit. It is Global Witness's view that a failure by companies to publish a clear position on this matter will indicate support for the lawsuit.

DRC

Chemaf and Ruashi mining accused of pollution

In a report published on Friday 16 November, the Carter Center deplored the pollution of water, soil and crops in Lumumbashi. The NGO related the pollution to the mining of copper and cobalt by the companies Chemaf and Ruashi Mining in the villages of Tshiamilemba and Kabetsha. There is concern for the health of more than six thousand inhabitants of these two districts exposed daily to pollution.

Uganda

Commentary on oil laws

Uganda Needs Futuristic Equitable Oil Laws | 15th November | The Independent | allAfrica

Ugandans will only benefit from its oil and gas resources if the country's Parliament comes up with a nationalistic oil and gas legal regime which is futuristic and inter-generational to ensure transparency and accountability. According to Arthur Benomugisha, the executive director of the Advocates Coalition on Development and Environment (ACODE), a Kampala-based policy think tank, Uganda's oil laws should also have an East African regional outlook since Uganda is moving towards an East African political federation, be equitable and distributive since the country is just emerging from war.

IPIS Recent Publications

Etat des lieux du développement socio-économique dans les zones minières au Nord-Kivu (territoires de Walikale et Masisi) | March 2012 | ASSODIP | IPIS (editorial advice)

At a moment when the attention of both the national and international communities is focused on the reorganisation of the mining sector in the east of the Democratic Republic of the Congo, the local civil society organisation ASSODIP considered it opportune to carry out a study of the impact of mining exploitation on the socio-economic development in North Kivu's Walikale and Masisi territories. These territories are among the richest in mineral resources of eastern DRC, with the exploitation and trade in minerals adding greatly to public revenues. Nonetheless, the concrete situations as presented in this paper sufficiently show that the development of the local mining communities has never been taken into due account.

Assessment of existing practices regarding end-user certification | February 2012 | UNODA | IPIS

Already, in 2002, the Security Council called upon States to establish an effective national end-user certificate system and to study the feasibility, as appropriate, of developing such a system at the regional and global levels, as well as information exchange and verification mechanisms. This study assesses existing practices regarding end-user certification in a wide range of countries. It examines concepts, documents and procedures relating to the regulation of end use and end users of conventional arms. It also endeavours to identify political and practical obstacles to the development of an international framework for authentication, reconciliation and standardization of end-user certificates. Finally, it proposes practical guidelines to assist States in the development of a reliable system of end-user certification.

Transparancy and Accountability. Monitoring and Reporting Methods Under An Arms Trade Treaty | February 2012 | TransArms R | IPIS Without an understanding of the existing practices of States regarding their commonly agreed standards for the monitoring and reporting of their international transfers of conventional arms, it will be very difficult to draft many of the basic provisions of the Treaty to ensure compliance and enforcement. This report therefore seeks to clarify and discuss existing terminology and reporting practices for State regulation of international transfers of goods and services and for international transfers of conventional arms. It is bound that this will also

compliance and enforcement. This report therefore seeks to clarify and discuss existing terminology and reporting practices for State regulation of international transfers of goods and services and for international transfers of conventional arms. It is hoped that this will also help contribute to the development of common international standards for monitoring and reporting international transfers of conventional arms. Standardization of statistical requirements and reporting methods is of paramount importance for the ATT to be effective.

<u>Upstream Pilot Implementation of the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas Baseline Report on the Supplement on Tin, Tantalum, and Tungsten | November 2011 | OECD | IPIS</u>

IPIS executed the research for and writing of this OECD report. The present baseline report is the first in a cycle of three reports on the implementation by upstream companies of the Supplement on Tin, Tantalum and Tungsten of the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas (hereafter "the Guidance"). The objective of this report is to understand where upstream companies currently stand with the implementation of due diligence.

Violence against women in Eastern Democratic Republic of Congo. Whose responsibility? Whose complicity? | November 2011 | ITUC | IPIS

IPIS contributed the research for and writing of this ITUC report. Summary: Eastern DRC has been ravaged by war and violence since the mid-1990s. Civilians carry the greatest burden of the conflict. Women and girls are especially vulnerable to such attacks.. Hundreds of women and girls get sexually violated in their homes and at their workplace. Fuelled and motivated by Congo's minerals, rebel and army forces are inclined to maintain an insecure environment that ensures the continuation of the status quo. Congo's conflict minerals go through a convoluted, yet manageable and traceable, supply chain and end up in industrialised consumer products. The introduction of transparency and governance into the mining sector is advancing, but still much has to be done.

Bisie. A one-year snapshot of the DRC's principal cassiterite mine | November 2011 | IPIS

Much has happened in the mining sector of Eastern DRC over the last year. President Kabila imposed a ban on all mining activities last fall, during which production fell considerably. As soon as the suspension was lifted in the spring of this year, the major global electronic companies stopped buying minerals from the region, provoking a de facto embargo on Congo's minerals with detrimental effects on the sector. At the same time, the Congolese government has taken major steps to restructure its army in the east of the country. These different decisions in the mining and security sectors have affected the nature and volume of minerals production and export and have reconfigured the security situation in the region. The consequences of these actions are discussed and illustrated with the use of the most important and well-known cassiterite mine in North Kivu called Bisie.

"Véhicules civils militarisables" and the EU arms embargo on Sudan | September 2011 | IPIS | TA-R | ASER

In this case study we will focus on the use of European manufactured trucks in the Darfur region, and more specifically what the defence

industry calls "véhicules civils militarisables" - commercial vehicles that can be militarized. All armed actors in the conflict require vehicles to transport combatants through the vast Darfur deserts. Japanese Toyota (Landcruisers) pick-up trucks are the most common vehicles that are spotted in the region. Usually they are mounted with machineguns, and as such compose an important assault instrument. Furthermore, a wide array of military trucks or civilian trucks modified for military purposes are being used in Darfur, e.g. anti-aircraft guns are mounted on a variety of trucks to function as support and/or attack vehicles. Some of these trucks are European models, assembled by a local company: GIAD Automotive Industry Company.

Conflict motives in Kenya's North Rift region | September 2011 | IPIS intern series

Kenya's North Rift Region continues to suffer from violent conflict in which a series of actors are involved. Armed groups perform widespread and devastating raids against neighbouring communities. The strength of these warrior groups varies regionally and from case to case. Security operations are often characterised by their disproportionate brutality. Power figures are known to instigate violence or organise and finance armed militias. Uasin Gishu and Trans-Nzoia bore the brunt of the post-election violence in 2007 and 2008. The violence mainly pitted Kalenjin warrior groups against Kikuyu communities in a struggle over political injustices and power but also over economic discrepancies and feelings of ethnic antagonism.

Kenya's role in the trade of gold from Eastern DRC | August 2011 | IPIS | Justice et paix

On 11 September 2010, the Congolese Ministry of Mines put out a statement in which it announced President Kabila's decision to suspend all exploitation and export of minerals from the provinces of North Kivu, South Kivu and Maniema. The aim of the mining ban was to break the link between mining and armed conflict in eastern DRC. This paper shows, however, that, even during the period of the embargo, Congolese minerals continued to find their way to the world market. The Kenyan capital of Nairobi appears to have served as an important hub for regional and international gold traders eyeing the mineral riches of eastern DRC.

The Arms Flyers - Commercial Aviation, Human Rights, and the Business of War and Arms | July 2011 | IPIS | Ta-R

In the last decades, the "business of war" has attracted thousands of civilian transport and logistics companies, especially in the aviation sector. State and non-State actors engaged in armed conflicts or in military operations that require substantial logistic support have increasingly resorted to the services of civilian transport operators to fulfil their transport and logistics needs. This report firstly presents a series of cases - that illustrate and document the continuous involvement of aviation companies in the business of war. The report then offers an analysis of international and national laws on the transport of weapons by air and a discussion of air safety regulations as enacted in the US and in Europe. The report also deals with the fundamentally flawed research that has sought to use air safety initiatives as a weapon in the fight against arms trafficking by air and has thus unfortunately constituted much of the basis for European Union projects to fight arms trafficking by air. An analysis of the present situation in air cargo markets and its influence on the logistics of wars and humanitarian operations concludes the report.

From Kanga to Kitenge: exploring patterns of cultural change in the Kigoma region | May 2011 | IPIS

The article discusses the current changes occurring in Kigoma, one of the poorest regions of Tanzania. For decades, the far-western corner and the point of convergence between Tanzania, Burundi and the Democratic Republic of Congo (DRC) is seen as peripheral within its national state. However, the steady move away from socialism to liberalism and the relative stability in the Great Lakes Region together with the associated reduction of refugee flows led to the gradual revaluation of Kigoma as a strategically important (business) centre. The case of women's wear is used to explore whether and how recent national, regional and global social and economic changes affected Kigoma's cultural set-up.

Guide to Current Mining Reform Initiatives in Eastern DRC | April 2011 | IPIS

US legislation has brought on a variety of initiatives aiming at mining reform in EDRC. This paper describes the basic elements of these initiatives, their genesis, the current state of affairs, the linkages between the initiatives and the main challenges they face. Further, the paper briefly evaluates the initiatives while focussing on the steps ahead.

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