



**ASSODIP**  
**ASSOCIATION FOR THE DEVELOPMENT OF**  
**FARMERS' INITIATIVES**

**The Kampala Convention put to the test  
of the living conditions of displaced  
persons in IDP camps in North Kivu.**

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## SUMMARY

The report focuses primarily on the situation of displaced people in the camps located in Goma, Masisi and Nyiragongo in North Kivu Province in the Democratic Republic of Congo, in light of the rights contained in the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa adopted on October 22, 2009 in Kampala and other relevant African Union instruments, and the United Nations Guiding Principles on Internal Displacement.

A total of 96 people were surveyed, including 49 women (51% of the sample) and 47 men (49% of the sample). Living conditions in these camps are contrary to the requirements of human rights instruments. None of the people surveyed claimed to live in good conditions.

These conditions have a negative impact on the lives of the displaced and expose them to many forms of illness, including water-borne diseases. The cases documented show that these people have no access to sufficient drinking water, appropriate health care or healthy food.

Through this report, ASSODIP recommends that the Congolese government intervene as a matter of urgency to ensure that the rights of these displaced people are respected. It should be noted that, like all other human beings, the displaced are entitled to the enjoyment of all human rights as inherent to human life. This report integrates a gender perspective, with particular attention to the situation of women and children.

# I. INTRODUCTION

## I.1. Context

The province of North Kivu is currently facing a challenging situation characterized by armed conflicts that are exacerbating the humanitarian crisis. These armed conflicts result from a succession of several rebel movements that have particularly shaken the province of North Kivu. These include the rise of the AFDL, RCD, CNDP, and M23 (in 2009), which resurfaced in 2022 after being defeated in 2012 by the Armed Forces of the Democratic Republic of Congo (FARDC).

The war involving M23 rebels has resulted in significant loss of life. Critical infrastructure has been destroyed or damaged, basic services have been disrupted, homes and businesses have been set ablaze, and families have been separated. This conflict has triggered waves of population displacements from the territories of Rutshuru, Masisi, Nyiragongo, etc., leading to the establishment of several displacement camps around the city of Goma (Bulengo, Lushagala, Nzulo, Rusayo, Lushagala, and Kanyaruchinya camps).

According to data from the Displacement Tracking Matrix (DTM) of the International Organization for Migration (IOM), there is an overpopulation of 1,600,047 displaced individuals, distributed as follows: 932,717 displaced households, 667,330 women (58%), 232,584 men (42%), and 8,000 children under five years old (17%) affected by cholera in the camps surrounding Goma.

## I.2. Relevance

In a global context marked by the large number of internally displaced persons in eastern Democratic Republic of Congo (344,976), both recent and prolonged – notably the 613,073 people displaced due to the M23 crisis – available data highlights the particular vulnerability of internally displaced persons in these sites. Among the most affected are women, children, and people living with disabilities, who endure inhumane conditions. During a survey conducted in August-September 2024, ASSODIP was able to assess the magnitude of the humanitarian challenges faced by displaced persons.

## I.3. Objectives

### a) General Objective

This report aims, in general, to draw the attention of the Congolese government and other humanitarian actors to the plight of displaced persons in the province of North Kivu, in light of the rights recognized to them under the Kampala Convention.

### b) Specific Objectives

The specific objectives of the report are as follows :

- Present the actual living conditions of displaced persons in the camps, comparing them with the provisions of the Kampala Convention on the rights of displaced persons;

- Address a series of concrete recommendations to the Congolese Government, United Nations entities, and civil society organizations, aimed at improving the situation of persons displaced by the ongoing conflict.

## **I.4. Methodology**

### **a) Data Collection**

In addition to observation, two primary techniques were employed to gather multidisciplinary data related to the situation of displaced persons in the camps: document review and interviews.

The first technique was useful for collecting information from various documents (official reports and archives, journal articles, legal texts, etc.) to enrich the study's discussion and analyze the situation of displaced persons in the camps. The second technique facilitated the collection of data from displaced individuals (household heads, both men and women) living in camps across North Kivu Province. A research guide with open-ended questions was used to gather data on their living conditions. Efforts were made to ensure that these questions met the criteria of validity, reliability, and operationality.

### **b) Phases of the Survey**

The survey was conducted over thirty-two (32) days, from August 17 to September 17, 2024. It was carried out by 24 monitors and other ASSODIP partners, with each conducting four interviews. This period was dedicated to interviewing displaced persons living in various camps in North Kivu.

### **c) Data Processing and Analysis**

Depending on the nature of the data, two primary techniques were used for processing the information. Content analysis (both qualitative and direct) was employed to study documents (archives) and categorize the respondents' answers. This was done to prepare the necessary elements for statistical analysis. Statistical methods were used to process the data. In addition to calculating percentages and arithmetic averages, data processing and analysis focused on identifying dependencies between the measured variables.

### **d) Data Processing and Analysis Tools**

A number of tools facilitated the data processing and analysis tasks: a computer and software (Microsoft Office Word and Excel).

### **e) Population and Sampling**

The study population consists of rural populations and individuals displaced by conflicts in North Kivu Province. The selection of this purposive sample (also referred to as "rational" or quota sampling technique) involved two main phases: constructing a reduced model of the survey population or plan, and determining quotas, i.e., the categories and the number of individuals to be interviewed in each group. The selection of individuals for the interviews was based on a convenience sampling technique, which involved selecting respondents who agreed to participate, including two adult male heads of household, one adult female head of household, and one young single girl or boy between the ages of 18 and 26.

It is important to note that the sample of displaced persons surveyed in North Kivu Province was categorized based on six variables: gender, age, site or camp, number of dependents, place of origin, and date of arrival at the site. The target sample consisted of 96 individuals, with 47 men (49%) and 49 women (51%). Regarding age, 1 individual (1% of the sample)

was under 18 years old; 87 individuals (90%) were between 18 and 60 years old, and 9 individuals (10%) were over 60 years old.

Regarding the year of arrival at the site or camp, the surveyed individuals are categorized into four groups: 45 individuals, or 46% of the sample, arrived at the site in 2024; 33 individuals, or 34%, arrived in 2023; 18 individuals, or 19%, arrived in 2022; and 1 individual, or 1%, arrived in 2021. In terms of their location, the 96 surveyed individuals are distributed across 28 sites located in three territories (Masisi, Nyiragongo, and Rutshuru) within North Kivu Province. The province itself consists of three main cities: Goma, the provincial capital, along with Beni and Butembo. It is divided into six territories: Masisi, Beni, Lubero, Rutshuru, Walikale, and Nyiragongo. North Kivu Province covers an area of 59,483 km<sup>2</sup> and had an estimated population of 7.1 million inhabitants in 2017, with a population density of 119 inhabitants per km<sup>2</sup>. The life expectancy in 2016 was estimated at 59.5 years. Since 2009, one million internally displaced persons (IDPs) have been recorded, representing 25% of the country's displaced population, according to an OCHA report from October 2017. Nearly 60% of the displaced population are under 18 years old.

## **II. RECOMMENDATIONS.**

*Considering the current situation in the displacement camps covered by the survey, ASSODIP recommends the following:*

### **To the Government of the Democratic Republic of the Congo, with particular attention to:**

- ✓ *The Prime Minister, Head of Government in Kinshasa*
- ✓ *The Minister of Human Rights in Kinshasa*
- ✓ *The Minister of Humanitarian Affairs in Kinshasa*
- ✓ *The Military Governor of North Kivu in Goma*

*To take a leading role in improving the situation of internally displaced persons in the camps, it is essential to allocate a substantial budget aimed at enhancing living conditions, including food, healthcare, and clothing, while also bringing basic socio-economic services closer to the displaced populations. Additionally, there should be a systematic monitoring of law enforcement and intelligence officers to ensure that they do not commit human rights violations within and around the camps.*

*Installing streetlights in and around these camps will help eradicate the persistent insecurity, and providing access to electricity points will facilitate the charging of phones and other essential household devices for the displaced individuals. Moreover, it is crucial to train security personnel assigned to guard the camps in human rights practices. Establishing an ad hoc commission to monitor daily living conditions in the camps and deliver weekly reports to the relevant national and provincial authorities, alongside the National Commission for Refugees, is also recommended.*

*Finally, relocating the positions of the Volunteer Defense of the Homeland (VDP), commonly referred to as "WAZALENDO," away from the camps will help eliminate the harassment experienced by the displaced individuals, thereby restoring authority throughout the Republic and allowing for the safe return of the displaced to their home environments in accordance with the aforementioned instruments.*

### **To the National Human Rights Commission (CNDH):**

- To engage with the Government regarding the inhumane conditions in the displacement camps and to ensure follow-up actions lead to concrete results.*
- To collaborate with civil society organizations in monitoring activities within the camps.*

### **To international organizations;**

- To strengthen humanitarian aid in terms of both quality and quantity, ensuring it is regular and consistent.*
- To improve sanitary conditions in the camps.*
- To support educational or training programs specifically designed for times of humanitarian crises.*
- To assist national organizations in monitoring activities, advocacy, and the socio-economic protection and support of displaced individuals.*

### **Civil society actors:**

- To promote the content of the Kampala Convention among all key stakeholders, as well as among the structures representing displaced individuals.*
- To engage in monitoring activities related to the rights of displaced persons and advocacy efforts on their behalf.*

### **To the United Nations Human Rights Council:**

- To hold the Congolese government accountable for the living conditions in the displacement camps referenced in this report*

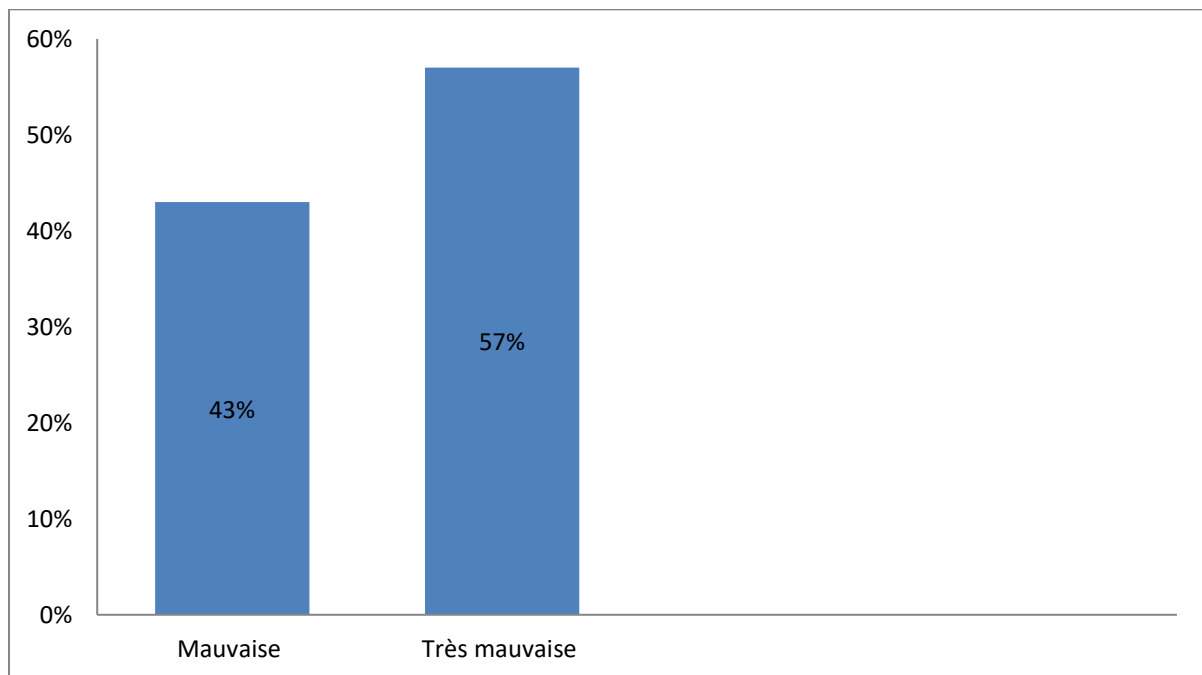


### III. SITUATION OF DISPLACED PERSONS IN CAMPS

The displaced individuals from the 28 sites or camps surveyed by the twenty-four (24) monitors from ASSODIP testify to the severity of the humanitarian crisis affecting displacement camps in the Democratic Republic of the Congo (DRC) in general, and particularly in North Kivu province. The living conditions of thousands of displaced persons in the camps of North Kivu continue to deteriorate, and they live in extreme precariousness. The pilot study on the living conditions of displaced persons, conducted in light of the rights enshrined in the African Union Convention on the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention), took place from August 17 to September 17, 2024, in the camps of Goma, Nyiragongo, Masisi-Centre, Bweremana, Nzulo, and Rusayo. This study documented the following facts

#### III.1. Inhumane and Degrading Living Conditions in the Camps;

Internally displaced persons live in inhumane and degrading conditions, often witnessed by Congolese leaders and the international community. The displacement camps are frequently overcrowded and lack access to essential basic services. The situation has worsened with the skyrocketing prices of food items in Goma, following its encirclement by rebels, making the daily lives of displaced persons even more challenging, especially as they rely on humanitarian aid. According to the survey results on the living conditions of displaced persons in the camps, for 41 individuals, or 43% of the sample, the conditions are deemed poor, while for 55 individuals, or 57% of the sample, the conditions are considered very poor.



Following the untenable living conditions in the displacement camps, the city of Goma awoke under heightened tension on Thursday, September 12, 2024. Displaced persons from the DGI site in Mugunga, in a fit of anger, barricaded the main road for the second time since the beginning of this year, demanding their return to their homes. The protesters denounce the

critical humanitarian situation in the camps, describing deplorable living conditions and growing famine, as the last food assistance was received a year ago. RAFIKI BAHATI AMANI, President of the Lac Vert Civil Society, states, "We are dying of hunger; we have nothing left. The government must help us return home." In the same vein, two protesters shared similar stories, illustrating a sense of abandonment and despair. One declared, "We are being treated like animals," while another said, "We have lost our homes, our land, and now our dignity. We would rather die at home than live here under these inhumane conditions."

### **III.2. Precarious Shelters in the Camps**

Housing is one of the top priorities in the list of essential needs. It is a major priority in terms of protection. The right to housing encompasses both access to adequate shelter and the ability to benefit from satisfactory living conditions in a sustainable manner

However, according to the survey results, displaced individuals are crammed into fragile tents, exposed to the elements and diseases. They are housed in makeshift shelters made of tarpaulin, often with holes that create a nightmare during the rainy season and unbearable heat during the dry season. Indeed, 78 individuals, or 81% of the sample, are housed in tarpaulin huts; 2 individuals, or 2% of the sample, are in straw huts, while 16 individuals, or 17% of the sample, are without shelter.



Shelters in the Bweremana Camp (Photos by ASSODIP)

### **III.3. Unprecedented Food Crisis in the Camps**

Food assistance can not only save the lives of displaced individuals but also help rebuild communities and promote peace and reconciliation efforts. To be effective, food aid must be accompanied by additional support measures, such as training in food preparation and the provision of non-food items like fuel and cooking utensils. Furthermore, food security goes hand in hand with income-generating activities, self-sufficiency, and development.

Survey data indicates that 61 individuals, or 64% of the sample, receive only one meal per day; 4 individuals, or 4%, manage two meals per day; 20 individuals, or 20%, sometimes go without any meals; and 11 individuals, or 12%, did not respond to this question. The food assistance, primarily consisting of corn flour, beans, and oil, is mainly provided by humanitarian organizations such as the World Food Programme (WFP), the International Committee of the Red Cross (ICRC), Médecins Sans Frontières (MSF), World Vision, SOCOA, IOM, BIFERD, and Caritas. This assistance is not only highly insufficient given the number of displaced individuals, but it is also irregular, leading to many deaths due to malnutrition.

"The life here in the camp is unbearable. We eat corn porridge with beans once a day. Sometimes, we only wait until nightfall to eat. We receive 25 kg of food once a month, and sometimes even once a quarter. We also rely on occasional donations from members of religious organizations and on begging for food."



Food Ration Package for a Family Encountered in Mugunga Camp (Photo ASSODIP)

#### **III.4. Insufficient Access to Water in the Camp and Complete Lack of Electricity**

Water is essential for life, health, and dignity, and it is a fundamental human right. During displacement, populations urgently need access to a sufficient quantity of water to ensure their survival and dignity until they can return home or find another sustainable solution. However, the survey results confirm that displaced individuals do not have access to an adequate supply of drinking water in the camps, as stated by 70 individuals, representing 73% of the sample. Furthermore, most displaced persons—60 individuals, or 63% of the sample—reported that they bathe only occasionally, about once a day, which exposes them to various health risks.

Water is provided by tanks installed by humanitarian organizations, but the quantity available is insufficient. One displaced individual remarked, "Men typically wash themselves 2 to 3 times a week, while women do so 4 times. This poses a serious problem for women during their menstrual periods." The lack of adequate water supply significantly impacts the overall

health and hygiene of the displaced populations, contributing to further challenges in maintaining their dignity and well-being..<sup>1</sup>



Water supply tank in the Mugunga camp

Internally displaced persons do not have access to electricity. They face significant difficulties in obtaining light at night and resort to nearly artisanal means for illumination, including small setups with batteries and bulbs, kerosene lamps, and torches, while others remain in darkness. They cook using firewood, which is not easy to find due to the lack of access to electricity.

"We use firewood and makala, which we find with great difficulty, for cooking, and sometimes we also use bitiritiri or empty plastic bottles."<sup>2</sup>



Cooking in the Bulengo camp (photo by ASSODIP).

<sup>1</sup> Statement from a displaced woman living in the Kashaka camp made during August 2024.

<sup>2</sup> Statement from a displaced person in the Lushagala camp in August 2024.

### III.5. Critical Sanitary Conditions in the Camps

The sanitary conditions in the camps for displaced persons are concerning. Fifty individuals, representing 52% of the sample, report that the state of the toilets is poor. Given the overcrowding and the limited number of sanitary facilities in the various camps, forty (40) to sixty (60) households share the same sanitation facilities, which are characterized by unsanitary conditions, exposing users to various diseases due to dirt and infections.

### III.6. Deplorable bedding conditions in the camps



Bedding of a family in a shelter at the Samsam camp (photo by ASSODIP)



Bedding in a shelter at the Bulengo camp (photo by ASSODIP)

Displaced individuals spend the night in unacceptable conditions, sleeping on mats, grass, cardboard, or the ground, which exposes them to the risk of falling ill. According to the results regarding sleeping arrangements in the displaced persons' camps: 12 individuals, or 13% of the sample, sleep on the grass; 33 individuals, or 34% of the sample, sleep on mats; 2 individuals, or 2% of the sample, sleep on bamboo; 7 individuals, or 7% of the sample, sleep on sacks; 19 individuals, or 20% of the sample, sleep on the ground; 1 individual, or 1% of the sample, sleeps on cardboard; 3 individuals, or 3% of the sample, sleep on mattresses; and 19 individuals, or 20% of the sample, did not answer this question..

« Most displaced persons sleep on worn fabrics, mats, tarps, and very few on mattresses, which they place on sand or arranged stones. They are infested with bedbugs that make sleeping difficult. We also fear being bitten by snakes.»<sup>3</sup>

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<sup>3</sup> Statement from a displaced woman in the LWASHI camp in August 2024.

### **III.7. Clothing Issues Among Displaced Persons**

According to the results regarding the clothing of displaced persons, 5 individuals, or 5% of the sample, have good clothing; 73 individuals, or 76% of the sample, have poor clothing and continue to wear old clothes, most of which are in poor condition; and 18 individuals, or 19% of the sample, did not answer this question. These results indicate that displaced persons suffer from a lack of clothing, as most of them have never received assistance in this regard. Consequently, they make do with the few clothes they managed to bring during their flight, despite their condition.

### **III.8. Difficult Access to Healthcare in the Camps**

Everyone has the right to enjoy the highest possible standard of physical and mental health. This right includes not only the right to appropriate and timely healthcare but also fundamental health determinants such as access to nutritious food, clean water, a viable livelihood, shelter, and sanitation. Addressing the health needs of a displaced population requires a multisectoral response that adequately considers the interactions between health and protection. However, displaced persons do not have access to appropriate healthcare in their camps, according to 62 individuals, or 68% of our sample. Furthermore, 61 individuals, or 67% of the sample, reported that several epidemics have been reported either within the camp or in surrounding areas. This has led to an increase in the number of deaths in the camps. Cases of cholera have been reported both within the camps and in villages surrounding them.

### **III.9. Specific Issues Facing Women**

Women in the camps face several specific issues, including insufficient access to bathing water and a lack of dignity kits, which forces them to use improvised materials, leading to infections and unwanted pregnancies. This was confirmed by 59 individuals, or 61% of the sample.

### **III.10. Specific Issues Facing Children**

Access to education for children is very challenging, according to testimonies from 50 individuals, or 52% of our sample. Thus, the majority of children in the camps do not have access to school. This is corroborated by 70 individuals, or 73% of our sample. Additionally, the survey indicates that 63 individuals, or 66% of our sample, confirmed that children do not have access to play in the displaced persons' camps. They are exposed to dire circumstances, as most have only one meal a day, according to 60 individuals, or 63% of the sample. Furthermore, newborns do not have access to birth certificates, according to 67 individuals, or 70%. These factors severely threaten the well-being of children and hinder their cognitive, emotional, and social development.

### **III.11. Specific Issues Facing Youth in the Displacement Camps**

Youth in the camps for internally displaced persons, due to lack of engagement, tend to wander aimlessly, according to the majority of respondents, with 58 individuals, or 64% of our sample, affirming this. They face a bleak future given the realities observed in the camps, being victims of neglect, abuse, exploitation, forced recruitment into armed forces or groups, forced labor, and violations of various other rights.

"Due to lack of occupation, we spend most of our time playing checkers, cards, and Mangula," stated a young person living in the Samsam camp.

Moreover, everyone has the right to a source of income. For the displaced, the loss of livelihoods can lead to a number of protection risks, as it disrupts individuals' psychosocial well-being and diminishes their self-esteem.

The opportunity to earn an income during displacement not only improves individuals' quality of life but also helps prevent prolonged dependency and exposure to further discrimination and abuse. According to the survey data, due to lack of engagement, prostitution has become a source of income for women and girls, according to 41 individuals, or 43% of our sample. There have been reports of women being abandoned by their husbands on suspicion of infidelity.

It is important to note, however, that some socio-economic support activities have been implemented by a few Congolese civil society organizations for the benefit of the displaced, but these efforts are merely a drop in the ocean compared to the number of displaced persons in need.

### **III.12. Increase in Death Cases in Camps**

According to field results, 71 individuals, representing 74% of the sample, confirmed an increase in death cases among displaced persons in the camps. Regarding the causes of these deaths, 20 individuals, or 22% of the sample, cited epidemics; 40 individuals, or 42%, mentioned malnutrition; 10 individuals, or 10%, indicated poor medical care for the sick; and 26 individuals, or 27%, did not respond to this question.

The statistics on death cases in selected sites during the survey are as follows: BUIHIMBA: 27 cases; LUSHANGALA extension: 05 cases; BWEREMANA: 03 cases; RUSAYO 2: 08 cases; RUSAYO extension: 04 cases; RUSAYO 1: 14 cases; LUSHANGALA: 19 cases; LWASHI: 25 cases; MUNGERWA: 11 cases; and SAMSAM: 07 cases.

Additionally, it should be noted that the provincial government held an official ceremony on Monday, September 2, 2024, at the Stade de l'Unité in Goma, for the burial of 200 bodies of internally displaced persons who died in various camps or sites.<sup>4</sup>

### **III.13. Security Issues**

In addition to the food and health crisis, security problems in the camps for displaced persons in North Kivu province are also a significant concern. On September 11, 2024, through letter No. /Ref: 0015/SOCIV-FV: NOYAU-GPT/RUS/09/2024, the civil society of RUSAYO reported several cases of killings in a plea for securing the camps for displaced persons and their surroundings within their entity.

The behavior of those responsible for ensuring security in the camps, particularly the police and members of civilian security committees, leaves much to be desired. Field results indicate the respondents' opinions on the behavior of those responsible for ensuring security in the camps for displaced persons: 14 individuals, or 14% of the sample, confirmed that their behavior is good; 16 individuals, or 16%, stated it is somewhat good; 49 individuals, or 51%, reported it as bad; and 17 individuals, or 17%, did not answer this question.

Given the poor behavior of those responsible for security, several cases of human rights violations (60 individuals, or 63% of the sample confirmed) and abuses of human rights (72

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<sup>4</sup> Journal soir suivi sur [www.radioocapi.net](http://www.radioocapi.net), lundi 02 Septembre 2024 à 19h00'.

individuals, or 75% confirmed) have been recorded without any reaction from the authorities. According to the field results, 52 individuals, or 54% of our sample, confirmed the inaction of authorities regarding human rights violations and abuses. These results, which attest to the poor behavior of those responsible for protecting displaced persons and ensuring security in the camps, are not surprising given that several sources cite various crimes committed by uniformed personnel.

Without being exhaustive, we can list the following cases: On the night of Wednesday, September 11, 2024, two young female war-displaced persons from the LUSHAGALA site, BAHATI and PARATO, were tragically killed by gunfire from members of the Congolese national police, each leaving a widow behind. This event sparked intense emotion among the displaced, who denounce not only the violence they are subjected to but also the lack of adequate support from the authorities. According to Moïse Ngayabarenzi, president of the Rego site, unidentified armed individuals broke into the home of a displaced person from Karuba in the Masisi territory named TEGEMEYE HABIMUGISHA, opening fire on him and fatally shooting him twice in the head, plunging the Rego displaced community into shock and mourning. In a similar vein, the assassination of a minor, the daughter of Mr. MASHIMANGO, the president of people living with disabilities at the LUSHANGA site, who had refused to engage in sexual acts with a member of the Armed Forces of the Democratic Republic of Congo. Furthermore, the tragic death of the notable from MURAMBI, Mr. KALUME, was caused by gunfire from individuals in uniform in the displaced persons camp, and Mr. BUNANI ZANINGA and Mr. MUHAMED BAHATI Célestin, both from MASISI, lost their lives under similar circumstances.<sup>5</sup> ;

Additionally, displaced persons, especially women and children, are often victims of sexual violence or other dangers while collecting firewood around the camps or in Virunga Park from armed individuals.

On Thursday, September 12, 2024, in the western part of Goma, in the MUGUNGA neighborhood, three children tragically lost their lives due to the explosion of an unexploded bomb (12mm mortar). These children, who were searching for firewood, found the device and attempted to handle it, resulting in a fatal explosion. In a statement signed by Lieutenant-Colonel Guillaume NJIKE KAIKO, spokesperson for the Armed Forces of the Democratic Republic of Congo (FARDC) in North Kivu, the army expressed its deepest condolences to the bereaved families. While empathizing with the tragedy that struck the families of the victims, the Armed Forces of the Democratic Republic of Congo urged the population to avoid handling any metallic objects of unknown origin and to report their presence to defense and security forces.

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<sup>5</sup> Propos recueillis lors de l'enquête menée au mois d'Août, 2024.



Moreover, several cases of bombings in the camps for displaced persons in Mugunga during the first half of this year have resulted in multiple deaths and numerous injuries among the displaced. Bombs directed at the Mugunga camp have caused at least 12 deaths, with an additional 30 serious injuries reported, as indicated by UNICEF and UNHCR in their publication.<sup>6</sup>.

#### **II.14. Access to Information on the Rights of War Displaced Persons**

The opinions of the surveyed individuals regarding the accessibility of information related to the rights of internally displaced persons in their camp are as follows: 16 individuals, or 17% of the sample, confirmed that information related to their rights was accessible; 60 individuals, or 62% of our sample, denied the accessibility of information concerning their rights; and 20 individuals, or 21% of the sample, did not respond to this question.

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<sup>6</sup> East of the DRC, displaced persons' camps bombed.,<https://www.unicef.fr/article/est-de-la-rdc-des-camps-de-deplaces-bombardes/> ; posté le 3 Mai 2024.

## IV. LEGAL ANALYSIS

The Democratic Republic of the Congo (DRC) is a party to the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa, known as the Kampala Convention.

This Convention provides:

Article 3,c,d : « States have the obligation to respect and ensure respect for the humanitarian principles regarding internally displaced persons; to respect and ensure the respect and protection of the human rights of internally displaced persons, including humane treatment, non-discrimination, equality, and the protection of internally displaced persons.».

Article 5 : « State parties bear the primary duty and responsibility to provide protection and humanitarian assistance to internally displaced persons within their territory or jurisdiction.».

Article 9 : State parties shall protect the rights of internally displaced persons by preventing Discrimination in the enjoyment of all rights and freedoms due to the status of internally displaced persons;

- a. War crimes and crimes against humanity.
- b. Arbitrary murder, summary executions, arbitrary detention, torture, or any other form of inhuman, cruel, and degrading treatment;
- c. Sexual and gender-based violence;
- d. Famine.

Furthermore, the situation of internally displaced persons is also addressed by the United Nations Guiding **Principles on Internal Displacement within their own country.**

**It follows that:**

Tou All internally displaced persons have the right to an adequate standard of living.

2.In all circumstances and without any discrimination, the competent authorities shall ensure that internally displaced persons have access to the following services safely:

- a) basic food and drinking water;
- b) shelter and housing;
- c) decent clothing; and
- d) essential medical services and sanitation facilities. (Guiding Principle 18)

To give effect to this right, the relevant authorities shall ensure that internally displaced persons, particularly displaced children, receive free and compulsory primary education. This education shall respect their cultural identity, language, and religion. **(Guiding Principle 23)**

It is primarily the responsibility of national authorities to provide protection and assistance to internally displaced persons who fall under their jurisdiction.

2. Internally displaced persons have the right to request and receive protection and humanitarian assistance from the relevant authorities. They shall not be subjected to any persecution or punishment for making such a request. **(Guiding Principle 3)**

## V. CONCLUSION

The internally displaced persons from the 28 sites or camps surveyed by ASSODIP testify to the severity of the humanitarian crisis prevailing in the sites or camps for displaced persons in the Democratic Republic of the Congo, particularly in the North Kivu province. These individuals live in inhumane and degrading conditions, all in view of the international community. It is the Congolese state that bears the primary responsibility to protect them.

The state must therefore take all necessary measures to fulfill its regional and international obligations regarding the human rights of internally displaced populations.

The challenges to living with dignity in the camps remain numerous. Inappropriate shelter, insufficient access to water and food, inadequate medical care, lack of activities for youth, limited access to education and recreational activities for children, and the absence of facilities (educational, health, etc.) in the camps or sites are clear evidence of the inhumane conditions faced by displaced persons.

Even though the presence of agents from the Congolese National Police, supported by civilian security committees, is reported in the sites, safety concerns remain a real issue.

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