1. Please provide details of the Banyamulenge tribe. Please include any tribal background and history, any involvement of the Banyamulenge tribe in conflicts (particularly post 1994), any physical and linguistic attributes of members of the tribe, and any discrimination in the Democratic Republic of the Congo against members of the Banyamulenge tribe.

Information for this question has been provided under the following subheadings:

- Tribal and historical background of the Banyamulenge
- Banyamulenge linguistic characteristics
- Banyamulenge physical characteristics
- Banyamulenge involvement in conflicts in DRC (Post 1995)
- Discrimination of Banyamulenge

Tribal and Historical Background of the Banyamulenge

Research Response COD35383, dated 7 September 2009, provides information on Banyamulenge group. Sources included in the response, report that Banyamulenge is a term used to denote ethnic Tutsis, originally from Rwanda, who settled in the South Kivu province of the Democratic Republic of Congo (DRC) prior to the colonial period. However, the name Banyamulenge in modern times is also used as a generic term to refer to all ethnic Tutsis in South Kivu province.1 The following reports included in the response provide further detailed information on the background of the Banyamulenge:

- A 2003 publication entitled State Failure and State Weakness in a Time of Terror states that the “Banyamulenge are Tutsi pastoralists who live on the high-lying plateau of the Itombwe region of South Kivu; they came to this area long before the advent of colonial rule”. The report estimates that there are between 60,000 to 100,000 Banyamulenge in the DRC.2
- According to a 2001 report published by the Brookings Institution Press “the number of Banyamulenge in the eastern Congo before 1994 is estimated at two hundred thousand to four hundred thousand”. The report states that the date of the first Banyamulenge settlement in South Kivu is disputed and that estimates range from the sixteenth century to the nineteenth centuries.3

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1 RRT Research & Information 2009, Research Response COD35383, 7 September - Attachment 1.
The Minorities at Risk website provides the following description of the Banyamulenge:

The Banyamulenge (Congolese Tutsi), who are concentrated in the Kivu region of the DRC were initially incorporated into the Belgian Congo when part of the historical Rwandan Kingdom was divided by the drawing of colonial borders. The term Banyamulenge specifically refers to those Tutsis who fled dynastic wars in the 19th century and who ended up in the Itombwe plateau in eastern DRC. Additional Tutsis were brought into the area in the middle of the 20th century. Beginning in 1959, large numbers also came to the region when fleeing violence in Rwanda.4

Banyamulenge linguistic characteristics

A 2007 report by the US Committee for Refugees and Immigrants states that the Banyamulenge “speak Kinyamulenge, a language closely related to Kinyarwanda and Kirundi, the national languages of Rwanda and Burundi respectively”. According to the report Banyamulenge also speak Swahili, and some speak French.5

The following reports indicate that the Banyamulenge are linguistically distinct from Tutsi Rwandans:

- A 2003 publication entitled State Failure and State Weakness in a Time of Terror states that Banyamulenge are distinct from other ethnic Tutsi’s from Rwanda who reside in the DRC. The report states that many Banyamulenge do not speak the Rwandan language of Kinyarwanda.6
- A 2001 report published by the Brookings Institution cites information from a 1996 article which states that “over the years the southern Kivu Tutsi diverged more and more from their truly Rwandese brothers, to the point that they speak a distinct dialect of Kinyarwanda, easily recognizable from the standard language”.7

According to the Minorities at Risk Project’s Assessment for Tutsis in the Dem. Rep. of the Congo, dated 31 December 2003 “Congolese Tutsi are linguistically distinct from the dominant Bantu groups in the DRC as a whole”.8

Banyamulenge physical characteristics

No information was found in the sources consulted regarding the physical characteristics of the Banyamulenge. However, the following information was found regarding the physical characteristics of ethnic Tutsis in Rwanda:

- A 1994 report by The Independent states that the Tutsis are “tall, long-faced” and have lighter skin than Hutus. However, the report states that the Hutu and Tutsi groups in Rwanda “have mixed so much that it is difficult for outsiders to tell the difference.”9

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9 Dowden, R. 1994. “Rwanda's twins locked in eternal war: The Hutu and the Tutsi are old foes bound together by blood - and by colonial borders that are tearing a region apart’, The Independent, 10 April.
An undated article by Gerard Prunier, a senior researcher at the Centre National de la Recherche Scientifique in Paris states that:

Using physical characteristics as a guide the Tutsi were generally tall, thin, and more “European” in their appearance than the shorter, stockier Hutu. The colonizers decided that the Tutsi and the Hutu were two different races. According to the racial theories of the late 19th and early 20th centuries, the Tutsi, with their more European appearance, were deemed the master race and received preferential treatment.\(^{10}\)

According to a Human Rights Watch representative, “morphology, place of residence, language and oral tradition are essential methods of identifying Tutsis and other people with relatives of Tutsi origin”:

In terms of physical appearance, members of the Tutsi ethnic group are generally described as being, among other things, slim with pointy noses. As for the place of residence, the HRW representative explained that, in the Democratic Republic of Congo, members of the same ethnic group generally live in a well-defined area and speak their own language. It therefore becomes very easy, especially in rural areas, to identify the members of a given ethnic group. Finally, the HRW representative stressed the fact that, in societies with an oral tradition, the ability to identify members of surrounding ethnic groups is very great. If there is a doubt, the person is asked to state his or her identity, ethnicity and mother tongue, which makes it possible to check with other members of the group to which the person claims to belong whether the person is indeed part of that group.\(^{11}\)

Banyamulenge involvement in conflicts in DRC (Post 1995)

The Banyamulenge and ethnic Tutsis have been deeply involved in conflict in the DRC (formerly called Zaire) since the mid 1990’s. Banyamulenge have played a key role in the two major wars in Congo war which ran between 1996 and 2003 and are central to the current conflict in the Eastern DRC.

During 1996 conflict broke out between the Banyamulenge and Rwandan Hutu refugees in the South Kivu province. Tensions had arisen due to an estimated 1,000,000 to 2,000,000 Hutu refugees from Rwanda entering Zaire in 1994. The Hutu refugees in Zaire included members of the militia implicated in the massacre of Tutsis.\(^{12}\) The Zairean government reportedly claimed that the Banyamulenge militants involved in the conflict were being armed and trained in Rwanda. During this period a large number of Banyamulenge joined the Alliance of Democratic Forces for the Liberation of Congo-Zaire (AFDL) led by Laurent Kabila. On October 29, 1996, the Zaire government declared a state of emergency in North and South Kivu as the conflict intensified into cross border shelling between Zaire and Rwanda.\(^{13}\)
The AFDL fighters conducted a campaign during 1996 and 1997 to capture Zaire territory. On 1 November 1996 the High Council of the Republic–Parliament of Transition (HCR-PT) faced with the AFDL advances the called for the expulsion of all Tutsis from Zaire. However, the Political Handbook of the World reports that the AFDL “drive across Zaire proceeded quickly in early 1997, forcing a tide of Hutu refugees ahead of it, as demoralized Zairean troops offered little effective resistance to the rebels, who were substantially supported by Rwandan forces.” On 17 May 1997 AFDL forces had entered the capital of Zaire, Laurent Kabila declared himself as President, Zaire was renamed Democratic Republic of the Congo and all governmental institutions were dissolved.14

By 1998 relations between President Kabila and the Rwandan-backed Banyamulenge Tutsis who had supported him had deteriorated. In late July 1998 Kabila demanded that Rwanda withdraw its forces in the DRC. On 2 August 1998 Banyamulenge rebel forces supported by Rwandan troops attacked government soldiers in the east of DRC. In mid August the rebels, supported by other groups formed the Rally for Congolese Democracy (RCD). Banyamulenge are reported to have held important positions in the RCD.15 The conflict escalated into clashes during late 1998 and early 1999 between the RCD (different factions were supported by Rwanda and Uganda) and the Kabila government (supported by Zimbabwe, Angola, Namibia and Chad).

On 16 January 2001 President Kabila was shot and killed by a bodyguard. Kabila’s son, Joseph Kabila was selected by the transitional legislature to succeed his father. During 2001 and early 2002 fighting continued among RCD factions and between government forces and the rebels. In July 2002 Rwanda agreed to withdraw 30,000 troops from the DRC. In December 2002 a peace accord was signed between Kabila, the RCD factions and other parties. The accord provided for a cease-fire and the installation of a transitional government pending plans for democratic elections within 30 months. However, despite the ceasefire agreement clashes between the army and the Banyamulenge rebels in South Kivu were reported in 2004.16

The Political Handbook of the World states that security conditions in the eastern DRC deteriorated sharply in 2007 when the National Congress for the Defence of the People (CNDP) an ethnic Tutsi group declared that it was going to war with the DRC army and Hutu militias “to protect the Tutsi population”. The CNDP was formed in late 2006 by Laurent Nkunda, a Congolese Tutsi, in order to protect the interests of Tutsi’s who felt “marginalised” by the DRC government and threatened by the Democratic Forces for the Liberation of Rwanda (FDLR). The FDLR are a Rwandan Hutu rebel group which the International Crisis Group (ICG) have described as “the most powerful and harmful political-military rebel organisation in the Congo”. According to the ICG the FDLR is also an armed threat to
Rwandan territory due to its membership containing former Rwanda armed forces officers that took party in the 1994 genocide. 17

On January 23, 2008, a peace agreement was signed by the DRC government and 22 armed groups including the CNDP. The FDLR, were not included in the agreement. The ceasefire was not respected and in August 2008 fighting intensified between government armed forces and the CNDP. This led to tension between the Rwandan and DRC governments. Freedom House has reported that the DRC government “accused Rwanda of cross-border incursions to support the CNDP, while the Rwandan government alleged official DRC tolerance of the FDLR and its deployment against the Congolese Tutsi minority”.18

In January 2009 DRC President Joseph Kabila and Rwandan President Paul Kagame agreed to undertake a joint military strategy to neutralise the CNDP and eradicate the FDLR. Under the joint military strategy, the Rwandan government was required to neutralise the rebellion by the CNDP by arresting the leader and forcing CNDP fighters to integrate with the Congolese army. The Congolese government, in return agreed to a five week joint military operation with Rwanda in the North Kivu province against the FDLR. These military offensives were launched on 20 January 2009.19

The current security situation in the DRC has been dominated by a series of military offensives launched by the Congolese army against the Democratic Forces for the Liberation of Rwanda (FDLR). These military offensives commenced in January 2009 and are expected to continue until April 2010. The military operations have been concentrated in North and South Kivu provinces in eastern Congo. Reports state that the Congolese army, including former CDNP rebels and the FDLR involved in this battle have committed serious human rights abuses against civilians during 2009 including killings, rape and the destruction of property.20

According to a 2010 report published by The Globe and Mail, while the former Tutsi CNDP rebels have been nominally incorporated into the Congolese army, “most are still dangerously loyal to their own commanders”.21 Reports also indicate that the Federal Republican Forces (FRF), a rebel group comprised of Banyamulenge, have refused to join the Congolese army. A report published by Agence France on 10 December 2009 stated that FRF killed six Congolese army soldiers in South Kivu.22

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17 International Crisis Group 2009, Congo: A Comprehensive Strategy to Disarm the FDLR, 9 July, p.1  

http://www.freedomhouse.org/inc/content/pubs/fiw/inc_country_detail.cfm?year=2009&country=7739&pf  
Accessed 9 March 2010 - Attachment 12; Internal Displacement Monitoring Centre & Norwegian Refugee Council 2010, Democratic Republic Of The Congo: Over 2.1 million IDPs in the context of deteriorating humanitarian conditions, 24 February  

19 International Crisis Group 2009, Congo: A Comprehensive Strategy to Disarm the FDLR, 9 July  

20 Internal Displacement Monitoring Centre & Norwegian Refugee Council 2010, Democratic Republic Of The Congo: Over 2.1 million IDPs in the context of deteriorating humanitarian conditions, 24 February  


22 ‘Six DR Congo soldiers killed in Tutsi attack’ 2009, Agence France Presse, 10 December- Attachment 15.
Discrimination of Banyamulenge

Reports indicate that Banyamulenge and ethnic Tutsis are subject to discrimination in the DRC. The Banyamulenge suffer more generally due to their residence in the Eastern DRC, an area of ongoing violent conflict and civilian casualties.

A 2009 report by Freedom House reports that “societal discrimination based on ethnicity is practiced widely among the country’s 200 ethnic groups, particularly against the various indigenous Pygmy tribes and the Congolese Banyamulenge Tutsis. The ongoing fighting in the eastern Kivu region is driven in part by ethnic rivalries”. 23

A December 2008 operational guidance note by the UK Home Office provides information and advice on asylum claims based on the mistreatment of Banyamulenge Tutsis in the DRC by government authorities and other groups. The report provides the following advice:

In spite of the introduction of citizenship legislation in November 2004, the new measures have yet to bring any meaningful improvement to the situation for the Banyamulenge which in practice remains unchanged. Banyamulenge are in a vulnerable and insecure position in the eastern Kivu provinces, and face discrimination amounting to persecution throughout DRC. If it is accepted that the applicant is of Banyamulenge origin, a grant of asylum is likely to be appropriate.24

A 2005 report by the Immigration and Refugee Board of Canada provides the following information on the situation of Banyamulenge in the Democratic Republic of Congo:

Congoese citizens of Rwandan origin, particularly Tutsis, are perceived by other Congolese citizens as being responsible for the last two wars (1996-1997 and 1998-2002) in the Democratic Republic of Congo (DRC). The members of other ethnic groups have always associated them with [translation] “aggressor nations,” more specifically, with Rwanda.

During recent years, Congolese citizens of Rwandan origin, particularly Tutsis, have been subject to exclusion, shunning, resentment and hostility by members of other ethnic groups, who were often encouraged by certain media and politicians that touted hatred against those considered to be Rwandans. For that reason, most Congolese citizens of Rwandan origin who lived in various regions of the country, Kinshasa in particular, feared violence and fled to the East or to neighbouring countries, or were evacuated to other countries, mainly those of Europe and of the Americas.

Even today, members of other ethnic groups are distrustful of Congolese citizens of Rwandan origin, particularly Tutsis. With the exception of those involved in the various transition institutions, few Congolese citizens of Rwandan origin would dare return to live in Kinshasa or in other western regions of the country.

References:
25 Immigration and Refugee Board of Canada 2005, CODI00781.FE – Democratic Republic of Congo: Treatment of Congolese Tutsis (Banyamulenge) from the East in the western and southern parts of the country, mainly in Kinshasa and Lubumbashi; whether Banyamulenge are specifically singled out by the general population and by government authorities because of their ties to the rebel movements for whom they are believed to be spies (December 2005), 12 December http://www2.irb-cisr.gc.ca/en/research/rir/?action=record.viewrec&gorec=449922 – Accessed 2 September 2009 - Attachment 17.
2. Please provide any details of the Bazimba or Zimba tribe including physical and linguistic attributes of members of the tribe and details of any traditional and current tribal lands.

No information was found in the sources consulted regarding the physical attributes of the Zimba tribe (also known as Muzimba and Bazimba) in the DRC. The following information regarding the Zimba tribe was found in the sources consulted:

- Information on the ethnologue website indicates that in 1994 there were 120,000 people of Zimba ethnicity.\(^{26}\) Undated information on the Joshua project website states that the population of the Zimba people in the DRC is 184,000.\(^ {27}\)

- The ethnologue website states that the majority of the Zimba tribe in DRC speak the Binja dialect of the Zimba language. The website states that “the Semulu dialect is spoken in the northeast, Semalinga in the west. Many also use Congo Swahili”.\(^ {28}\)

- Reports indicate that the Zimba people are located in Maniema province located in the Grand Kivu area.\(^ {29}\) The Grand Kivu area in Eastern DRC is a key conflict affected region. Question 2 of Research Response COD36159, dated 2 February 2010 provides information on the current situation in Eastern DRC.\(^ {30}\)

- The Joshua Project, a US based Christian website states that 96% of the Zimba tribe in DRC are Christians and 76% are Catholic.\(^ {31}\) The US Department of State (USDOS) reported on 26 October 2009 that the overall population of the DRC “is approximately 50 percent Roman Catholic, 20 percent mainline Protestant, 9 percent Kimbanguist, and 9 percent Muslim.”\(^ {32}\)

- No information was found in the English language sources consulted regarding the treatment of members of the Bazimba or Muzimba (also known as Zimba) tribes in the DRC. The only report found in the sources consulted regarding treatment of Bazimba or Muzimba (also known as Zimba) tribes in the DRC is a 2006 French language report by OCHA. The report states that in the South of the DRC people of the Muzimba tribe, along with ten other ethnic groups were forced to seek refuge in other localities due to fighting between the Congolese army and Mai Mai rebels. An English language version of this report was not found in the sources consulted.\(^ {33}\)

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\(^{30}\) RRT Country Advice Service 2010, Research Response COD36159, 3 March - Attachment 22.


Limited information was found in the sources consulted regarding the social characteristics of the Zimba tribe. According to information on the ethnologue website the Zimba ethnic group of the DRC are “agriculturalists” and produce “rice, beans, greens, tomato, onion, cabbage, peanuts, papaya, pineapple and mango.” A 2008 report on a microcredit program in Maniema province provides some references to the Zimba ethnic group in the Kipaka area of Maniema. Information in the report indicates that the custom for Zimba people in this area for mothers to arrange the marriages of their daughters and determine a dowry. The report also states that under Zimba customs while the husband normally owns the livestock, women “participate in breeding as well as profit management”. No further information was found in the sources consulted regarding the social behaviour of the Zimba tribe.34

Attachments

1. RRT Research & Information 2009, Research Response COD35383, 7 September.


15. ‘Six DR Congo soldiers killed in Tutsi attack’ 2009, Agence France Presse, 10 December.


17. Immigration and Refugee Board of Canada 2005, COD100781.FE – Democratic Republic of Congo: Treatment of Congolese Tutsis (Banyamulenge) from the East in the western and southern parts of the country, mainly in Kinshasa and Lubumbashi; whether Banyamulenge are specifically singled out by the general population and by government authorities because of their ties to the rebel movements for whom they are believed to be spies (December 2005), 12 December http://www2.irb-cisr.gc.ca/en/research/rir?action=record.viewrec&gotorec=449922 – Accessed 2 September 2009.


