



**Democratic Republic of the Congo – Researched and compiled by the
Refugee Documentation Centre of Ireland on 24 May 2017**

**Re: Treatment of Banyamulenge Tutsi's including: treatment by state
authorities; societal treatment and available state protection; & current
treatment of a daughter of a former rebel who fought as a soldier in
Bukavu against government forces in 2004 by State authorities.**

Recent information on the situation for Banyamulenge in the Democratic Republic of the Congo (DRC) was scarce among sources available to the Research, Learning and Development Unit.

A report published by the Rift Valley Institute, in a section titled “Summary and policy considerations”, states:

“The Banyamulenge, a Tutsi community in the Eastern DRC, have despite their small size, been at the centre of many of the disparate conflicts in the eastern DRC for most of the past two decades. The initial 1996 invasion by a Rwandan-backed insurgent coalition that aimed to topple Mobutu Sese Seko became known as ‘the Banyamulenge rebellion’, and the Second Congo War of 1998–2003 saw Banyamulenge take on top positions as rebel commanders and political leaders.

During this period of nearly 20 years, the community has been stuck in a cycle of persecution and insurgency. Banyamulenge have been labelled by their neighbours as foreigners and fifth columnists operating on behalf of Rwanda. In response, many young Banyamulenge men have joined rebellions backed by Rwanda, creating a culture of soldiering and politics, and involving them in brutal counterinsurgency operations against local militias that have fuelled prejudice and conspiracies against the community as a whole.

The Banyamulenge have also succumbed to several bouts of internecine fighting, beginning in 2002, as part of a gradual but tumultuous realignment toward the government in Kinshasa. The recent M23 rebellion in North Kivu has highlighted this trend: senior Banyamulenge officers in the Congolese army were deployed on the frontlines, while repeated efforts by Rwanda and the M23 to mobilize the Banyamulenge community have mostly failed.

In 2011, the last major Banyamulenge insurgency came to an end, allowing for the restoration of a modicum of unity within the community. It seems unlikely that there will be another broad-based Banyamulenge rebellion soon. The community is too small, politically weak and vulnerable to keep fighting between themselves—and many Banyamulenge officers have attained influential positions in the national army. For similar reasons, the ties between Banyamulenge and Rwanda have frayed, with many in the community feeling that this alliance had only damaged relations with their neighbours.” (Rift

Valley Institute (2013) *Banyamulenge: Insurgency and exclusion in the mountains of South Kivu*)

A Human Rights Watch report on clashes between the Banyamulenge and other ethnic groups in 2014 states:

“The massacre occurred amid rising tensions between the Bafuliro and the Barundi and Banyamulenge ethnic groups. During a week-long Human Rights Watch research mission in and around Mutarule in mid-June, victims and witnesses described how a group of armed assailants, some of whom wore military uniforms and spoke Kirundi and Kinyamulenge – the languages of the Barundi and Banyamulenge – attacked an outdoor church service in the Bafuliro section of Mutarule.” (Human Rights Watch (2 July 2014) *DR Congo: Army, UN Failed to Stop Massacre*)

This report also states:

“Tensions between the Bafuliro and Barundi and Banyamulenge remain high in the aftermath of the massacre. An anonymous flyer written in Swahili and distributed on June 16 in Uvira, the main town south of Mutarule, suggested that the Bafuliro would be taking the law into their own hands. It said: For any person found transporting Banyamulenge, ‘whether by bicycle, motorcycle, or in his car, it’s finished; he and his client will be burned together.’” (ibid)

An Immigration and Refugee Board of Canada response to a request for information on the treatment of the Banyamulenge states:

“In correspondence sent to the Research Directorate, a researcher in African studies who has written about the situation of Rwandan populations in the DRC, stated that, in his opinion, the [translation] ‘anti-Tutsi’ ideology is still present in the DRC (Researcher, African studies 11 Aug. 2015). Similarly, the Professor Emeritus explained that some Congolese call for the [translation] ‘return home’ of all Rwandan groups.” (Immigration and Refugee Board of Canada (17 August 2015) *COD105270.FE – Democratic Republic of the Congo: The treatment of the Banyamulenge living in the provinces of North Kivu and South Kivu, as well as in Kinshasa (2014-August 2015)*)

In an article published by the Pulitzer Center the author states:

“According to the community representatives assembled that evening, things had gotten demonstrably better. No longer would people refuse to get in a taxi with a Banyamulenge or refrain from buying milk at the market from one. But all was not well. Recently, a church with a Banyamulenge pastor had been burned.

Zachée Muhamiriza, the chief of the Banyamulenge community in Bukavu, described the ‘first problem’ of his group’s plight in South Kivu: the widespread practice of making morphological judgements that deem Hutu as Congolese and Tutsi as Rwandan. If you are Congolese, you must have a big nose,’ he said. ‘If you have a pointed nose, it’s a problem.’

He then claimed that even though the Banyamulenge had said no to the M23—the Rwandan-backed rebel group, composed mostly of Tutsis that began fighting in Congo in April 2012—the rebellion had put his community in

a much more precarious position. 'Some people in Rwanda would like to use the Banyamulenge community like a ladder to come and intervene in Congo,' Muhamiriza said." (Pulitzer Center (1 April 2014) *Eastern Congo: The Plight of the Banyamulenge*)

This response was prepared after researching publicly accessible information currently available to the Research and Information Unit within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

References:

Human Rights Watch (2 July 2014) *DR Congo: Army, UN Failed to Stop Massacre*
<https://www.hrw.org/news/2014/07/02/dr-congo-army-un-failed-stop-massacre>
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