



COI QUERY

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Main subject	<u>Information on the so-called 2018 Yumbi massacre</u>
Question(s)	<hr/> <ol style="list-style-type: none">1. The 2018 violent incidents in Yumbi and impact on the civilian population2. The Batende and Banunu ethnic groups3. Response by the authorities <hr/>
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COI QUERY RESPONSE – Congo, Democratic Republic of (DRC)

Information on the so-called 2018 Yumbi massacre

1. The 2018 violent incidents in Yumbi and impact on the civilian population

Between 16 and 18 December 2018, intercommunal violence took place in Yumbi town, in western DRC, and surrounding area.¹ The attacks were perpetrated by the Batende ethnic group against the Banunu group.² During the attacks, 535 people were killed and 111 were injured,³ with most of the victims being Banunu locals killed by Batende assailants.⁴ On 16 December 2018, the attack took place in Yumbi town and during the following days in the villages of Nkolo II and Bongende.⁵ According to Human Rights Watch (HRW):

‘At about 2 p.m. on December 16, several hundred Batende villagers, including some 16 and 17-year-old boys, together with demobilized soldiers and army deserters, attacked Yumbi with Kalashnikov assault rifles, hunting rifles, knives, and machetes. They entered the town, which is majority Banunu, from the south, killed and injured Banunu and some members of other ethnic groups, and looted and burned their homes’.⁶

It was reported that on 17 December 2018, some Banunu ‘retailed against Batende’ killing the territorial administrator Paul Nsami, belonging to the ethnic group of Muboma, who was believed that he facilitated the killings. During this attack, houses of Batende people and the office of the electoral commission were burned too.⁷

The attacks at Nkolo II took place during the 16 and 17 of December. Again, Batende assailants killed Banunu people and destroyed or damaged schools, churches and the health centre of the village. The same pattern of attacks took place at the 17 December at Bongende village.⁸

According to a 2020 report, ‘local security forces and political actors were allegedly involved in this massacre, encouraged by political actors, security forces and the local state administration in the area’.⁹ International Federation for Human Rights (FIDH), also claimed that ‘these attacks [...] were probably premeditated and supported by certain local authorities’.¹⁰ The letter from the Group of

¹ OHCHR, UN report details horrors of western DRC violence, urges action to prosecute those responsible and prevent further bloodshed, 12 March 2019, [url](#); France24, Hundreds killed in Yumbi, DR Congo: ‘People were finished off with machetes’, 21 January 2019, [url](#); R2P Monitor, Issue 45, 15 May 2019, [url](#), p. 14

² ECP and UAB, Alert 2020! Report on conflicts, human rights and peacebuilding, February 2020, [url](#), p. 86; HRW, World Report 2020- Democratic Republic of Congo, 14 January 2020, [url](#)

³ HRW, World Report 2020- Democratic Republic of Congo, 14 January 2020, [url](#); HRW, DR Congo: No justice for 2018 Yumbi Massacres, 19 December 2019, [url](#); UNHRC, Human rights situation and the activities of the United Nations Joint Human Rights Office in the Democratic Republic of the Congo* Report of the United Nations High Commissioner for Human Rights, 14 August 2019, [url](#), p. 7

⁴ HRW, World Report 2020- Democratic Republic of Congo, 14 January 2020, [url](#)

⁵ HRW, DR Congo: No Justice for 2018 Yumbi Massacres, 19 December 2019, [url](#)

⁶ HRW, DR Congo: No Justice for 2018 Yumbi Massacres, 19 December 2019, [url](#)

⁷ HRW, DR Congo: No Justice for 2018 Yumbi Massacres, 19 December 2019, [url](#)

⁸ HRW, DR Congo: No Justice for 2018 Yumbi Massacres, 19 December 2019, [url](#)

⁹ ECP and UAB, Alert 2020! Report on conflicts, human rights and peacebuilding, February 2020, [url](#), p. 86

¹⁰ FIDH, Tense electoral period in Yumbi risks another outbreak of violence: survivors bear witness, 12 April 2019, [url](#)

Experts on the Democratic Republic of the Congo addressed to the President of the Security Council confirmed that the attacks were ‘well planned, organized and coordinated’ by local leaders of the Batende ethnic group such as ‘the chef des terres of Yumbi, Ngobila Malala’.¹¹ A preliminary governmental report, referenced by HRW, stated that ‘Malala Ngobila “brought all the Batende population for the war against the Banunu”’. HRW also referenced an internal briefing note by the Congolese army which named Malala Ngobila as one of the person ‘who ordered the massacres’. Furthermore, Banunu survivors recognized and identified local chiefs as perpetrators of the attacks. These are Yashin, Djokaris Ngwe Malutu and Mbaka Korafor the attacks at Bongende. Also, Jean-Paul Leka Mbaka, the sector chief of Mongama, was arrested by the authorities under the accuse of ‘mobilising young Batende for the attack’.¹²

Amnesty International (AI) described the attacks as ‘orchestrated violence’¹³ and HRW as ‘some of the most acute violence in the country in recent years’¹⁴.

According to USAID, ‘the clashes also damaged or destroyed nearly 500 buildings—including homes, health facilities, schools, a market, and a government office’.¹⁵ The 2018 so-called Yumbi massacre also led the destruction of electoral materials as well as the displacement of local population, including into the neighbouring Republic of Congo.¹⁶ Sources reported that approximately 30 000 people have being displaced¹⁷, including an estimated 16 000 people who sought refuge to Congo.¹⁸

The tension between the Batente and the Banunu was linked to land conflict.¹⁹ Specifically, the conflict begun after the death of a leader from the Banunu ethnic community, Fedor Mantoma²⁰, and was linked to his burial²¹ on a private land claimed by the Batende.²²

Reuters noted that the attacks took place two weeks before a national election. A local activist said that at the time Batende leaders supported Congo’s ruling coalition while Banunu leaders backed opposition candidates, ‘but the investigators established no clear link’ to the massacres.²³

2. The Batende and Banunu ethnic groups

The Batende represents the largest ethnic group in the territory of Yumbi, which is one of eight territories in the Mad-Ndombe province in western DRC. The Batende community is the majority in 33 of the 38 town and villages comprising Yumbi territory.

¹¹ UN Security Council, Letter dated 6 June 2019 from the Group of Experts on the Democratic Republic of the Congo addressed to the President of the Security Council, 7 June 2019, [url](#), p. 25

¹² HRW, DR Congo: No Justice for 2018 Yumbi Massacres, 19 December 2019, [url](#)

¹³ AI, Democratic Republic of the Congo 2020, 8 April 2020, [url](#)

¹⁴ HRW, World Report 2020- Democratic Republic of Congo, 14 January 2020, [url](#)

¹⁵ USAID, Democratic Republic of the Congo – Complex Emergency, 15 February 2019, [url](#), p. 2

¹⁶ MONUSCO, Report of the Secretary-General, 4 January 2019, [url](#), p. 8

¹⁷ New Humanitarian (The), Congo massacre survivors tell of canoe escapes and being left for dead, 7 March 2019, [url](#); Start Network and ACAPS, DRC/CONGO- Brazzaville, Yumbi – IDPs and refugees to Congo-B, Briefing Note, 14 February 2019, [url](#), p. 1

¹⁸ OHCHR, UN Human Rights Office says credible reports suggest at least 890 killed in western DRC violence in mid-December, 16 January 2019, [url](#); AI, DRC: Human rights crisis looms ahead of declaration of election results, 9 January 2019, [url](#)

¹⁹ UNHRC, Human rights situation and the activities of the United Nations Joint Human Rights Office in the Democratic Republic of the Congo* Report of the United Nations High Commissioner for Human Rights, 14 August 2019, [url](#), p. 7

²⁰ HRW, DR Congo: No Justice for 2018 Yumbi Massacres, 19 December 2019, [url](#)

²¹ FIDH, Tense electoral period in Yumbi risks another outbreak of violence: survivors bear witness, 12 April 2019, [url](#); USDOS, Country Report on Human Rights Practices 2018 – Congo, Democratic Republic of the, 13 March 2019, [url](#); MONUSCO, Report of the Secretary-General, 4 January 2019, [url](#), p. 8

²² HRW, DR Congo’s Yumbi Massacre Survivors Desperate for Justice, 16 December 2020, [url](#)

²³ Reuters, More than 500 Banunu killed in attacks by rival ethnic group in DR Congo: U.N. investigation, 12 March 2019, [url](#)

The Banunu minority group is the majority in the capital town of Yumbi and lives mostly along the river Congo.

While the Batende rely mostly on farming for their livelihood, the Banunu are mostly dependent on fishing.²⁴

Tensions between the two ethnic groups related to resources,²⁵ land demarcation and political/customary leadership have been the cause of occasional violence in the Mai-Ndombe province, in particular during elections periods.²⁶ However, clashes between the two groups had never reached the scale of violence which occurred in December 2018.²⁷

3. Response by the authorities

On 6 March 2019, the 'Yumbi Commission' was created in order to collect information related to the events of December 2018.

On July 2019, the UN Human Rights Council renewed 'the mandate of the team of international experts for another 15 months and requested the United Nations to provide technical assistance to the Government [of DRC] to support judicial investigations across the country'. The renewal came after the request of the authorities of the Democratic Republic of the Congo for support to the investigation of the December 2018 attacks.²⁸

According to UNHRC:

'The Military High Court in Kinshasa opened hearings on 25 May 2020 in a case concerning massacres that took place in Yumbi Territory, Mai-Ndombe Province, in December 2018. Seventy people were brought before the judge on charges relating to various crimes, including crimes against humanity'.²⁹

Human Rights Watch, on December 2020, reported that: 'at least three suspected assailants, who were among the dozens arrested and held in Kinshasa, the capital, have been released for reasons that remain unclear', denouncing lack of justice from the DRC authorities for the victims of the Yumbi massacre.³⁰

²⁴ HRW, DR Congo: No justice for 2018 Yumbi Massacres, 19 December 2019, [url](#)

²⁵ New Humanitarian (The), Briefing: Months after a massacre in Congo, little aid but plenty of fear, 4 March 2019, [url](#)

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²⁷ New Humanitarian (The), Briefing: Months after a massacre in Congo, little aid but plenty of fear, 4 March 2019, [url](#)

²⁸ MONUSCO, Report of the Secretary- General, 27 September 2019, [url](#), p.12

²⁹ UNHRC, Human rights situation and the activities of the United Nations Joint Human Rights Office in the Democratic Republic of the Congo Report of the United Nations High Commissioner for Human Rights, 15 July 2021, [url](#), p. 9

³⁰ HRW, DR Congo's Yumbi Massacre Survivors Desperate for Justice Two Years On, 16 December 2020, [url](#)

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