



## COI QUERY

<b>Country of Origin</b>	<b>Democratic Republic of the Congo</b>
<b>Title</b>	<b>The Kamuina Nsapu militia</b>
<b>Reference period</b>	January 2021 to 24 May 2024
<b>Topic(s)</b>	1. <a href="#">Background and activities of the Kamuina Nsapu militia</a> 2. <a href="#">Treatment of members/supporters of Kamuina Nsapu militia by the government</a>
<b>Date of completion</b>	03 June 2024
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# COI QUERY RESPONSE – Democratic Republic of the Congo

## The Kamuina Nsapu militia

### 1. Background and activities of the Kamuina Nsapu militia

Kamuina Nsapu<sup>1</sup> was a militia group primarily composed of individuals from the Luba ethnic group,<sup>2</sup> named after the title of the customary chief in Kasai-Central province of the Democratic Republic of Congo (DRC).<sup>3</sup> The militia originated in 2016 from a dispute between Chief Jean-Prince Mpandi,<sup>4</sup> who was designated as Kamuina Nsapu by his clan<sup>5</sup>, and at the time government authorities who supported a different candidate.<sup>6</sup> The local and national government supported Ntenda Tshiambi, who was considered politically closer to the central government<sup>7</sup> as opposed to Jean-Prince Mpandi, seen ‘as sympathetic to the opposition’.<sup>8</sup>

In 2016, Following the denial of Mr. Mpandi’s request to be recognized as the Kamuina Nsapu customary chief by the then government authorities, Mpandi started to gather and mobilize supporters for his anti-government movement.<sup>9</sup> On 12 August 2016, the Kamuina Nsapu chief was killed by the defence and security forces.<sup>10</sup> The United Nations Office of the High Commissioner for Human Rights (OHCHR) in a report published in August 2017 noted that this

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<sup>1</sup> Kamuina Nsapu militia is also spelled “Kamwina Nsapu”. See RFI, The “Kamwina Nsapu” system, n.d., [url](#); BBC News, DR Congo unrest: Why are police in Kasai being decapitated?, 27 March 2017, [url](#)

<sup>2</sup> UN Human Rights Council, Situation in Kasai; Report of the United Nations High Commissioner for Human Rights, 3 July 2018, [url](#), para. 25;

<sup>3</sup> International Crisis Group, Kamuina Nsapu Insurgency Adds to Dangers in DR Congo, 21 March 2017, [url](#)

<sup>4</sup> Jean-Prince Mpandi is also referred to as Jean-Prince Pandi or Jean-Pierre MPandi. See Mercy Corps, Kasai Conflict Assessment: Current Dynamics and Potential Interventions (February-March 2019), 10 June 2019, [url](#), p. 4; BBC News, DR Congo unrest: Why are police in Kasai being decapitated?, 27 March 2017, [url](#)

<sup>5</sup> The clan, known as "Bashila Kasanga" or "Bajila-Kasanga," originates from the Dibaya territory in Kasai Central Province. See UN Human Rights Council, Situation in Kasai; Report of the United Nations High Commissioner for Human Rights, 3 July 2018, [url](#), para. 25; Mercy Corps, Kasai Conflict Assessment: Current Dynamics and Potential Interventions (February-March 2019), 10 June 2019, [url](#), p.4

<sup>6</sup> Mercy Corps, Kasai Conflict Assessment: Current Dynamics and Potential Interventions (February-March 2019), 10 June 2019, [url](#), p. 4; UN Human Rights Council, Situation in Kasai; Report of the United Nations High Commissioner for Human Rights, 3 July 2018, [url](#), para. 25, 26

<sup>7</sup> Mercy Corps, Kasai Conflict Assessment: Current Dynamics and Potential Interventions (February-March 2019), 10 June 2019, [url](#), p. 24; UN Human Rights Council, Situation in Kasai; Report of the United Nations High Commissioner for Human Rights, 3 July 2018, [url](#), para. 26

<sup>8</sup> Mercy Corps, Kasai Conflict Assessment: Current Dynamics and Potential Interventions (February-March 2019), 10 June 2019, [url](#), p. 24;

<sup>9</sup> UN Human Rights Council, Situation in Kasai; Report of the United Nations High Commissioner for Human Rights, 3 July 2018, [url](#), paras. 26, 28; Mercy Corps, Kasai Conflict Assessment: Current Dynamics and Potential Interventions (February-March 2019), 10 June 2019, [url](#), p.4; International Crisis Group, Kamuina Nsapu Insurgency Adds to Dangers in DR Congo, 21 March 2017, [url](#)

<sup>10</sup> UN Human Rights Council, Situation in Kasai; Report of the United Nations High Commissioner for Human Rights, 3 July 2018, [url](#), para. 30; International Crisis Group, Kamuina Nsapu Insurgency Adds to Dangers in DR Congo, 21 March 2017, [url](#)



incident ‘marked a turning point in the crisis’,<sup>11</sup> as Kamuina Nsapu militia's attacks on state institutions intensified<sup>12</sup> and spread across other provinces of Kasai.<sup>13</sup>

The militia expanded through an organized recruitment process and the establishment of initiation halls known as ‘*tshiotas*’,<sup>14</sup> overseen by emissaries of the late Kamuina Nsapu chief.<sup>15</sup> These emissaries, also referred to as ‘apostles’, traveled across villages, setting up *tshiotas* and executing opposing village chiefs and villagers who refused to join the movement.<sup>16</sup>

In 2017, local observers interviewed by the International Crisis Group in the Kasai region reported that ‘many young men and boys, some as young as five, had been conscripted or joined the militia’.<sup>17</sup> Similarly, The OHCHR described that when entering villages, the militia demanded that locals would ‘hand over their children to be “baptized” and join the group’, targeting and killing those who resisted or opposed the recruitment of the children.<sup>18</sup> As reported by the Radio France Internationale (RFI), the “baptism” was an essential step in the initiation process and consisted of consuming a potion believed to grant ‘invincibility and invulnerability’.<sup>19</sup>

According to the UN Human Rights Council, ‘ancestral beliefs and rituals played an extremely important role’ in the militia and were strictly observed.<sup>20</sup> During the fights, one or more girls called ‘ya mama’ were deployed to the front line, behind them there were boys armed with knives and sticks, while older members with weapons would follow in the last line.<sup>21</sup> Militias believed that girls had the power ‘to catch firearm projectiles with their skirts’ while boys ‘had the magical power to transform into lethal weapons’.<sup>22</sup>

In all incidents documented by the 2017 OHCHR report including ‘accounts of Congolese fleeing the crisis in the Kasai region’, the Kamuina Nsapu militia used children, with reports

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<sup>11</sup> OHCHR, Report of a Mission of the United Nations High Commissioner for Human Rights – accounts of Congolese fleeing the crisis in the Kasai region, in the Democratic Republic of the Congo, August 2017, [url](#), para. 12

<sup>12</sup> International Crisis Group, Kamuina Nsapu Insurgency Adds to Dangers in DR Congo, 21 March 2017, [url](#)

<sup>13</sup> UN Human Rights Council, Situation in Kasai; Report of the United Nations High Commissioner for Human Rights, 3 July 2018, [url](#), para. 33

<sup>14</sup> For more information on the *Tshiota* RFI, The “Kamwina Nsapu” system, n.d., [url](#), p. 1

<sup>15</sup> UN Human Rights Council, Situation in Kasai; Report of the United Nations High Commissioner for Human Rights, 3 July 2018, [url](#), para. 30

<sup>16</sup> UN Human Rights Council, Situation in Kasai; Report of the United Nations High Commissioner for Human Rights, 3 July 2018, [url](#), para. 30

<sup>17</sup> International Crisis Group, Kamuina Nsapu Insurgency Adds to Dangers in DR Congo, 21 March 2017, [url](#)

<sup>18</sup> OHCHR, Report of a Mission of the United Nations High Commissioner for Human Rights – accounts of Congolese fleeing the crisis in the Kasai region, in the Democratic Republic of the Congo, August 2017, [url](#), para. 61

<sup>19</sup> RFI, The “Kamwina Nsapu” system, n.d., [url](#), pp. 1 – 2

<sup>20</sup> UN Human Rights Council, Situation in Kasai; Report of the United Nations High Commissioner for Human Rights, 3 July 2018, [url](#), para. 31

<sup>21</sup> UN Human Rights Council, Situation in Kasai; Report of the United Nations High Commissioner for Human Rights, 3 July 2018, [url](#), para. 32

<sup>22</sup> UN Human Rights Council, Situation in Kasai; Report of the United Nations High Commissioner for Human Rights, 3 July 2018, [url](#), para. 32



indicating recruitment of boys and girls as young as seven.<sup>23</sup> According to a UN Security Council report published in 2018, over 60 % of the Kamuina Nsapu militia were children.<sup>24</sup>

The UN Human Rights Council in a report published in July 2018 concerning the situation in Kasai described that since 2016 in the region, different actors, including the Kamuina Nsapu ‘have committed numerous atrocities, including many cases of sexual violence and abusive treatment of children’.<sup>25</sup>

The conflict ‘deescalated’ after the at the time opposition presidential candidate at the time, Félix Tshisekedi, whose family originated from Kasai region, came into power following the elections of January 2019.<sup>26</sup> Tshisekedi’s call to militias for disbanding, led to the surrender of Kamuina Nsapu members and subsequent demobilisation of many militia members who returned to their communities.<sup>27</sup> The UN Security Council reported that in Kananga, provincial authorities offered monetary compensation based on the type of weapon surrendered by the militia group, but international experts observed that the disarmament process lacked adequate supervision and oversight.<sup>28</sup>

According to a 2021 report by the International Organization for Migration (IOM), despite recruitment into armed militias ‘has largely stopped’, some militias and especially members of Kamuina Nsapu, ‘reportedly retained their arms and remained active as community self-defense groups’ in the Kasai Central province.<sup>29</sup> In July 2021, The UN Human Rights Council reported that the Kamuina Nsapu militia was active in the Tshikapa, Kamonia and Mweka territories of Kasai Province.<sup>30</sup> In December 2021, Humanity & Inclusion (formerly Handicap International)<sup>31</sup> indicated a resurgence of Kamuina Nsapu militia in Dibaya territory, Central Kasai province.<sup>32</sup>

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<sup>23</sup> OHCHR, Report of a Mission of the United Nations High Commissioner for Human Rights – accounts of Congolese fleeing the crisis in the Kasai region, in the Democratic Republic of the Congo, August 2017, [url](#), para. 59

<sup>24</sup> UN Security Council, Children and armed conflict in the Democratic Republic of the Congo; Report of the Secretary-General, 25 May 2018, [url](#), para. 19

<sup>25</sup> UN Human Rights Council, Situation in Kasai; Report of the United Nations High Commissioner for Human Rights, 3 July 2018, [url](#), p. 2

<sup>26</sup> IOM, Operational Strategy for transition and recovery programming in the Kasai region 2021-2024, February 2021, [url](#), p. 3

<sup>27</sup> IOM, Operational Strategy for transition and recovery programming in the Kasai region 2021-2024, February 2021, [url](#), p. 3

<sup>28</sup> UN Human Rights Council, Report of the team of international experts on the situation in Kasai, 7 May 2019, [url](#), paras 17, 18

<sup>29</sup> IOM, Operational Strategy for transition and recovery programming in the Kasai region 2021-2024, February 2021, [url](#), p. 5

<sup>30</sup> UN Human Rights Council, 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](#), para. 26

<sup>31</sup> Humanity & Inclusion, formerly known as Handicap International, is a global nonprofit organization dedicated to assisting people with disabilities and vulnerable populations in situations of poverty and exclusion. Humanity & Inclusion, About us, n.d, [url](#)

<sup>32</sup> Humanity & Inclusion (formerly Handicap International), Country Sheet – Democratic Republic of Congo, September 2022, [url](#), p. 4



More recent information on the activities of the Kamuina Nsapu militia and the areas they operate could not be found among the sources consulted by EUAA within time constraints.

## 2. Treatment of members/supporters of Kamuina Nsapu militia by the government

In the 2021 UN Human Rights Council's report 'of the team of international experts on the situation in Kasai', the experts acknowledged progress in socioeconomic reintegration for demobilised militia members in Kasai and Tanganyika provinces following the end of the 'violent phase of the Kamuina Nsapu militia crisis'.<sup>33</sup> However, IOM reported in 2021 that the complete disarmament of the Kamuina Nsapu militia in Kasai Central was hindered 'due to uncertainties around amnesties and eligibility for limited reintegration support'.<sup>34</sup>

Since 2021, DRC authorities conducted several trials against Kamuina Nsapu militiamen.<sup>35</sup> Some examples of convictions include:

- In 2021, Nsumbu Katende, a commander of the Kamuina Nsapu militia, was convicted of committing war crimes in Kasai in 2017<sup>36</sup> and was sentenced to life in prison.<sup>37</sup>
- In January 2022, a military court sentenced 51 people to death over the killing of two United Nations personnel who were investigating violence in the Kasai region in 2017.<sup>38</sup> Reporting on the same incident, other sources indicated that 49 people were sentenced to death.<sup>39</sup> According to the UN Security Council, some of the accused belonged to the Kamuina Nsapu militia group.<sup>40</sup>
- On August 25, 2023, the Court of Appeal of Kasai-Central convicted a militiaman for crimes against humanity, committed in 2017.<sup>41</sup>

Information on the execution of the sentences could not be found among the sources consulted by EUAA within time constraints.

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<sup>33</sup> UN Human Rights Council, Report of the team of international experts on the situation in Kasai, 20 August 2021, [url](#), para. 60

<sup>34</sup> IOM, Operational Strategy for transition and recovery programming in the Kasai region 2021-2024, February 2021, [url](#), p. 5

<sup>35</sup> UN Security Council, Final report of the Group of Experts on the Democratic Republic of the Congo, 14 June 2022, [url](#), p. 48; Trial International, DRC: Life sentence for a Kamuina Nsapu commander, victims acknowledged and satisfied, 18 March 2021, [url](#); Trial International, DRC – Kasai: political and military leaders standing trial for war crimes and crimes against humanity, 21 May 2024, [url](#)

<sup>36</sup> Trial International, DRC: Life sentence for a Kamuina Nsapu commander, victims acknowledged and satisfied, 18 March 2021, [url](#); AA, UN hails verdict against DR Congo militia leader, 17 March 2021, [url](#)

<sup>37</sup> Trial International, DRC: Life sentence for a Kamuina Nsapu commander, victims acknowledged and satisfied, 18 March 2021, [url](#)

<sup>38</sup> Aljazeera, DR Congo court sentences 51 to death over killing of UN experts, 29 January 2022, [url](#); RFI, 51 condemned to death in DRC for 2017 murder of UN researchers, 31 January 2022, [url](#)

<sup>39</sup> HRW, DR Congo: Sham Trial for Murders of UN Experts, 7 February 2022, [url](#); RFI, Procès de l'assassinat des experts de l'ONU en RDC: ne pas perdre espoir de faire toute la lumière, 31 January 2022, [url](#)

<sup>40</sup> UN Security Council, Final report of the Group of Experts on the Democratic Republic of the Congo, 14 June 2022, [url](#), p. 48

<sup>41</sup> Trial International, DRC: Kasai-Central court convicts militiaman of crimes against humanity, 6 September 2023, [url](#)



Further information on the treatment of members and supporters of Kamuina Nsapu militia by the government was scarce among the sources consulted by EUAA within time constraints.

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## **ADDITIONAL SOURCES CONSULTED**

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