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**Under the shadow of violence: slow genocide of the
Banyamulenge in Eastern DRC**

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Abstract

The Eastern DRC has, for decades, been experiencing recurring violence originating from several motives and causes. However, colonialism and racial categorization coupled by the reified post-colonial autochthony has left the Banyamulenge identified as “immigrants” and locally stateless as their local chiefdoms were abolished by colonial administrators. Regardless of evidence that the Banyamulenge have settled in what become the Democratic Republic of Congo for centuries, they have been contested and massacred as “non-native”, facing a slow genocide frozen within the complexity of violence in Eastern DRC that followed the 1994 Rwandan genocide. Since the 1960s post-independence violence in DRC, the Banyamulenge have been specifically targeted by Congolese state and non-state actors such as MaiMai and other militias across the Congolese territory and abroad. Banyamulenge’s killings have been preceded by public officials calls dehumanizing the entire community. For a half century, men, young boys, and unarmed military soldiers have constituted the primary target of the perpetrators. The intent to annihilate the Banyamulenge has also resolved to use indirect methods such as besiegement, impoverishment, inhuman treatment while erasing or hiding evidence. The slow annihilation using similar modus operandi for roughly five decades is ideologically linked to 1960s Simba rebellion. Considered by the Mai-Mai and local militias as ‘invaders’, the Banyamulenge have been forced to flee their homeland en masse that largely narrows accessible territories. The remaining Banyamulenge in South Kivu are currently besieged, starved; their villages destroyed; their economy and source of livelihood annihilated. Against this backdrop of the Banyamulenge’s situation, the Eastern DRC complexity of violence and constructed denial arguments overshadow this plight widely reported as tit-for-tat violence opposing armed groups affiliated to ethnic communities or simply as inter-community clashes.

Keywords

Banyamulenge, slow genocide, genocide by attrition, denial, hate speech, Maimai, South Kivu, warning, prevention.

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Under the shadow of violence

1 Introduction

The experience of Rohingya in Myanmar, Darfur, Rwanda, and Bosnia have all shown that genocide can happen precisely when experts are trying “to distance from it,”¹ or when the brightest minds are hoping that the signs of impending mass killings are no more than intercommunal violence, requiring dialogue and conflict resolution.² However, the Banyamulenge, in South Kivu mainly, are now besieged in a one-sided asymmetrical situation, regularly attacked, deprived of their livelihood, subjected to hate speech as “immigrants”, and collectively accused of being “perpetrators”. All are danger signs and warn of the possibility of genocide. This article shows that there is already a slow genocide taking place against this community. This now needs to be acknowledged and preventing this should be an urgent priority for the international community.³ The present situation is slowly, but still avoidably, moving towards the destruction of an entire community, of the Banyamulenge people.

On 16 October 2019, representatives of the Banyamulenge community in Kinshasa made their participation in inter-community dialogue dependent on ending systematic “genocidal attacks” targeting their community in South-Kivu.⁴ In relation to this declaration, Kivu Security Tracker (KST) implicitly refuted by stressing that: ““Genocide.” That terrible word, which reverberates louder in the Great Lakes region than elsewhere, was once again voiced, on October 16, like a stone cast into rough waters”.⁵ The waves from that “stone” are still spreading, but it seems nobody is listening apart from those persecuted and a handful of allies. Yet, despite reverberations of the term “genocide” in the Great Lakes region, in a long blog article of 29 October 2019 on the situation in Minembwe, KST states baldly: “There is no genocide.” Instead, we read of, “...some *ethnic cleansing* of the Banyamulenge *and other*

¹ Thomas Cushman, “Is Genocide Preventable? Some Theoretical Considerations.” (*Journal of Genocide Research* 5, no 4, 2003): 538, <https://doi.org/10.1080/1462352032000149486>

²; Zarni & Alice Cowley, “The Slow-Burning Genocide of Myanmar’s Rohingya. Pacific Rim Law and Policy Journal Association 23, no 3, 2014; UNJHRO, “Analytical note on the human rights situation in the highlands of Mwenga, Fizi and Uvira territories, South Kivu province, between February 2019 and June 2020”, *United Nations Joint Human Rights Office*, August 2020, https://doi.org/https://monusco.unmissions.org/sites/default/files/20200806.unjhro.analyse_hauts_plateaux_en.pdf

³ Delphin R. Ntanyoma, “*Genocide Warning: The Vulnerability of Banyamu lenge ‘Invaders’*” (Working Paper 649. *Institute of Social Studies*. The Hague (2019): 20, <https://repub.eur.nl/pub/121302>

⁴ Berith Yakitenge “RDC : La Communauté Banyamulenge ‘Ne Prendra plus Part’ à un Dialogue avant la Fin du ‘Génocide’ (Déclaration).” *Actualite.Cd*, October 20, 2019, <https://actualite.cd/2019/10/20/rdc-la-communaute-banyamulenge-ne-prendra-plus-part-un-dialogue-avant-la-fin-du-genocide>.

⁵ For roughly a decade now, KST is a research project affiliated to Congo Research Group (New York University) and Human Rights Watch (HRW) that has been closely following the situation in Eastern Democratic Republic of Congo (DRC).

communities who live in the Minembwe region” (emphasis added).⁶ Yet the evidence, as we will show in this article, is that the Banyamulenge are currently experiencing a slow “genocide by attrition”, death by a thousand cruel measures and attacks. Why do KST, MONUSCO, the UN force in DRC, and so many academic researchers, and NGOs all view the violence in South Kivu, against Banyamulenge, as just part of wider patterns of violent inter-community clashes? Why is everyone still afraid, especially in this part of the world, of using the “g” word?

This article considers genocide as a process not a single event.⁷ The Banyamulenge situation falls under the conceptualization of genocide as a complex social phenomenon that cannot be equated to mass killing alone.⁸ Slow genocide can be “by attrition” or “cold” violence, starving people to death, for example, through famine.⁹ I suggest that a general failure to understand that violence targeting the Banyamulenge community is part of a “slow genocide” that facilitates further entrapment of this community’s civilians in a “vulnerability trap”.¹⁰ Whilst trying to claim their rights to belong to the Congolese state, the Banyamulenge have since 1960s been resorting self-defense mechanisms and violent means wrongly interpreted as cycles of two-sided inter-ethnic violence.

The legal definition of genocide implies that the targeted group must be a national, ethnic, racial, or religious” group.¹¹ Simon defines genocide as an “intentional killing of members of a group, negatively identified by perpetrators, because of their actual or perceived group affiliation”.¹² As an identifiable group based on “racial” characteristics, the Banyamulenge are an ethnic group that have systematically been targeted by the Congolese state and the MaiMai¹³ ideology. In most cases, the mass murder of the Banyamulenge has been organized by state actors and non-state actors that had the capacity to control and even annihilate them.¹⁴ However, a strictly legal definition and a comparison to the Holocaust prototype mass killing blur the practicalities of genocidal practices by states and other actors, making it harder to recognize

⁶ KST, “Atrocities, Populations Under Siege, Regional Tensions: What is Happening in Minembwe?” *Kivu Security Tracker: Congo Research Group/Human Rights Watch*. October 29, 2019, <https://blog.kivusecurity.org/atrocities-populations-under-siege-regional-tensions-what-is-happening-in-minembwe/>

⁷ Rosenberg, “Genocide Is a Process”; Rosenberg and Silina, “Genocide by Attrition”.

⁸ Rosenberg and Silina, “Genocide by Attrition,” 107

⁹ Rosenberg and Silina, “Genocide by Attrition”; Anderson, “Colonialism and Cold Genocide”

¹⁰ “Vulnerability trap” in this article refers to the sense of resorting to violence (un)willingly that in turn leads a vulnerable group such as the Banyamulenge as locally stateless to be perceived as warmongers and militarily strong while the use of violence keeps worsening their vulnerability.

¹¹ Thomas W. Simon, “Defining Genocide.” (*Wisconsin International Law Journal* 15, no 1 1996): 244

¹² *Ibid.*, 244

¹³ MaiMai comprises local armed groups considered “nationalist combatants” affiliated to ‘autochthonous’ ethnic groups. They historically share beliefs in the power of witchcraft to turn the enemy’s bullets into water when fighting “invaders”.

¹⁴ Naomi Roht-Arriaza, “State Responsibility to Investigate and Prosecute Grave Human Rights Violations in International Law.” *California Law Review* 78, no. 2, 1990

even as genocide takes place. Misrecognition undermines efforts to ensure that genocide preventive measures are timely established and implemented.¹⁵

To demonstrate how the Banyamulenge have been slowly annihilated, this article is organized as follows. Besides the introductory section, the second section contextualizes violence complexity in Eastern DRC while the third elaborates on genocide by attrition¹⁶ or “Slow-Burning Genocide”¹⁷; and how it fits the case of the Banyamulenge. The fourth section elaborates on chronological events of deliberately targeted violence against members of this community across DRC and abroad. Such violence has led to displacement but also impoverishing the Banyamulenge as discussed in the fifth section. The article builds on field research that took place between September 2018 and May 2019 in North Kivu and South Kivu provinces. The central research question is formulated as “Why do individual combatants join armed groups and what determines over time their decisions?”. Taking a comparative approach involving civilians, the research project focuses on understanding motivations of individual ex-combatants to enlist, change groups, and demobilize. In addition to personal experience as a native researcher and a blogger, I have been collecting data from key informants since 2012 on the experience of political and military engagement of Banyamulenge from the 1960s onwards.

2 Contextualizing violence complexity and warfare in South Kivu

Eastern DRC has more than 120 active armed groups, most operating under ethnic labels.¹⁸ Within such a context, the Banyamulenge’s suffering appears just one example of the many different atrocities committed against civilians. Across the region, since 2017 or so, and from Ituri to Tanganyika province, thousands of civilians have been killed in a renewed upsurge of violence.¹⁹ The UN which is responsible for early-warning systems, “tiptoes” around the “g”-word. In Ituri, the United Nations Joint Human Rights Office (UNJHRO) described mass atrocities against the Hema community between 2017 and 2019, as acts that: “could contain certain elements of genocide”.²⁰ Like the

¹⁵ Cushman, “Is Genocide Preventable?”.

¹⁶ Rosenberg, “Genocide Is a Process”

¹⁷ Zarni and Cowley, “The Slow-Burning Genocide”

¹⁸ KST, “Congo, Forgotten The Numbers Behind Africa’s Longest Humanitarian Crisis.” *Kivu Security Tracker: Congo Research Group*, August 2019.

[https://kivusecurity.nyc3.digitaloceanspaces.com/reports/28/KST biannual report August 12 %281%29.pdf](https://kivusecurity.nyc3.digitaloceanspaces.com/reports/28/KST%20biannual%20report%20August%2012%202019.pdf).

¹⁹ Kristof Titeca and Daniel Fahey, “The Many Faces of a Rebel Group: The Allied Democratic Forces in the Democratic Republic of Congo.” *International Affairs* 92, no. 5, 2016), KST, « Congo, Forgotten The Numbers »

²⁰ UNJHRO, « Rapport Public sur les Conflits en Territoire de Djugu, Province de l’Ituri Décembre 2017 à Septembre 2019. » Kinshasa/Geneva. *United Nations Joint Human Rights Office*, Janvier, 2020, p. 23.

<https://www.ohchr.org/Documents/Countries/RDC/RDCRapportpublicDjugu.pdf>.

Banyamulenge, the Hema community have for years been targeted for not being “indigenous”.²¹

Recent tragedies affecting Banyamulenge have received very limited international media coverage, happening far from the eyes of mainstream media, mostly in remote mountain areas hard to access.²² For their information, the radio and other local media in Eastern DRC largely rely on the national army, *Forces Armées de la République Démocratique du Congo* (FARDC), and DRC government sources. The dominant narrative is that attacks on civilians are caused by “inter-community violence and militia tit-for-tat” killings.²³ The media and politicians tend to blame violence on “immigrant” groups, viewed as interlopers and as migratory, and so therefore having no fixed abode within DRC, given their transhumant traditional way of life, heavily reliant on cattle.²⁴ Describing the situation around the Banyamulenge as complex in which foreign groups and armies have been involved, the UNJHRO report²⁵ has though discussed only its inter-community feature. Yet the same UNJHRO report fails to mention the role of the DRC state, the FARDC or foreign actors, in perpetuating violence.²⁶

It is true that patterns of violence and warfare in Eastern Congo are extremely complex, and this means no single explanation of violence can capture the interplay of local, regional and international dynamics that continue to produce violent conflict today.²⁷ Recurrent violence is multi-faceted, multi-causal and involves many different actors.²⁸ One of the most detailed report,

²¹ Mahmood Mamdani, *When Victims Become Killers: Colonialism, Nativism, and the Genocide in Rwanda*. Princeton and New Jersey: Princeton University Press, 2001

²² See Wendy Bashi, “RDC : Situation Sécuritaire Préoccupante dans les Hauts Plateaux de Minembwe.” *Deutsche Welle*, June 24, 2019, <https://www.dw.com/fr/rdc-situation-sécuritaire-préoccupante-dans-les-hauts-plateaux-de-minembwe/a-49328274>, Sonia Rolley, « RDC : les exactions se poursuivent à Minembwe. » *Radio France Internationale*, October 22, (2019), <https://www.rfi.fr/fr/afrique/20191022-rdc-minembwe-sud-kivu-attaques-groupes-armes-exactions>.

²³ UNSC, *United Nations Organization Stabilization Mission in the Democratic Republic of the Congo. United Nations Security Council*. September 21, 2020, https://reliefweb.int/sites/reliefweb.int/files/resources/S_2020_919_E.pdf, UNSC, “United Nations Organization Stabilization Mission in the Democratic Republic of the Congo: Report of the Secretary-General” (*United Nations Security Council*: UN Doc. S/2020/919, September 21, 2020), 4

²⁴ Stanis Bujakera-Tshiamala, “Violences à Minembwe, Trois Territoires Touchés et plus de 100.000 Déplacés déjà.” *Actualite.Cd*, July 10, 2019, <https://actualite.cd/2019/07/10/violences-minembwe-trois-territoires-touchees-et-plus-de-100000-deplaces-deja>; Thierry M. Rukata, “Sud-Kivu : Le Général Amisi Déjà à Fizi, sur Instruction du Président Félix Tshisekedi1.” *Politico.Cd*, July 6, 2019, <https://www.politico.cd/actualite/nationale/2019/07/06/sud-kivu-le-general-amisi-tango-fort-deja-a-fizi-sur-instruction-du-president-felix-tshisekedi.html/44522/>.

²⁵ The UNJHRO’s report covers the period of February 2019 to June 2020.

²⁶ UNJHRO, “Analytical note on the human rights situation”

²⁷ Jason K. Stearns, *Dancing in the Glory of the Monsters: The Collapse of the Congo and the Great War of Africa*, New York: PublicAffairs, 2011

²⁸ Christopher Cramer, *Civil War Is Not a Stupid Thing: Accounting for Violence in Developing Countries*. London: Hurst & Company, 2006, Gérard Prunier, *Africa’s World War: Congo, the*

the “mapping report”²⁹ of the United Nations Office of the High Commissioner for Human Rights (UNOHCHR), details 617 violent incidents in the Congo between 1998 and 2003. Of these 25 specifically targeted Banyamulenge and Tutsi, across the country during this period.³⁰

The mapping report did document systematic targeted atrocities and massacres of Banyamulenge, yet it understates its genocidal nature. Set against the backdrop of Banyamulenge struggles to secure Congolese citizenship, the armed seizure of their land and cattle, forced displacement, and hate speech, the overall picture becomes much more disturbing. These are not historically disconnected, random elements; taken together they reflect the stages of genocide.³¹ Around the Great Lakes, the toxic mix of hate speech, hostile armed state and non-state actors and international indifference, threaten to disguise and completely overshadow the disappearance of an entire group, the Banyamulenge of Eastern DRC and especially of South Kivu. The intent to commit a slow genocide, and its gradual implementation over several decades, will be demonstrated in the main part of this article.

Despite the largest UN peacekeeping mission on the planet, stationed in South Kivu and in the region of *Hauts Plateaux* of Uvira-Fizi-Mwenga where the majority of the Banyamulenge inhabit, this area has seen an entire destruction of the homeland of the Banyamulenge. Despite efforts to stabilize the region by promoting inter-community dialogue in South Kivu Province, a new wave of violence started around 2017. This has led to a humanitarian crisis, with scenes reminiscent of mass atrocities elsewhere. Local NGOs (non-governmental organizations) operating in the southern³² part of South Kivu estimate that approximately 1200 Banyamulenge people have been killed since April 2017. More than 200 villages³³ have been burned and razed to the ground, and around 165,000 cattle have been pillaged.³⁴ Other local and neighboring communities to

Rwandan Genocide, and the Making of a Continental Catastrophe, New York: Oxford University Press, 2009; Stearns, *Dancing in the Glory*

²⁹ This article refers to the mapping report not to endorse it but to illustrate the *modus operandi* and expressive violence that has been targeting the Banyamulenge.

³⁰ UNOHCHR, “Report of the Mapping Exercise Documenting the Most Serious Violations of Human Rights and International Humanitarian Law Committed within the Territory of the Democratic Republic of the Congo between March 1993 and June 2003”, (*United Nations Office of the High Commissioner for Human Rights*, Geneva: August 2010): 153-67

³¹ Gregory H. Stanton, “The Ten Stages of Genocide,” *Genocide Watch*, 1996, <https://www.genocidewatch.com/tenstages>.

³² The southern part comprises Fizi, Uvira, and Mwenga territories. It is mainly inhabited by Babembe, Bafuliro, Banyindu, Bavira, Barundi, Banyamulenge, Babuyu, Bazoba, Babwari, Masandje, Bagoma, Batwa, Barega. While other ethnic groups are considered as “native”, the Barundi, and the Banyamulenge are viewed as “foreigners”.

³³ When small villages are included, the figure seems increasing up to 250-300 and approximately 80% are of the Banyamulenge’s community.

³⁴ Radio-Okapi, “Sud-Kivu : des ONG Locales dénoncent un désastre Humanitaire dans les Moyens et Hauts Plateaux d’Uvira, Fizi et Mwenga.” *Radio Okapi*, June 24, 2020, <https://www.radiookapi.net/2020/06/24/actualite/securite/sud-kivu-des-ong-locales-denoncent-un-desastre-humanitaire-dans-les>, in relation to this letter, 13 Local NGOs have addressed a letter to the DRC President Felix Tshisekedi on June 22, 2020 indicating that local armed groups coalesced with Burundian groups have planned to uproot the Banyamulenge community. See also Ntanyoma, “Genocide Warning”

the Banyamulenge in the region have not been spared from the rising violence; from 2017, armed violence forced thousands of Babembe, Bafuliro, and Banyindu civilians to flee their homes. In July 2019, Deutsch Welle estimated that 140,000 people had ended up homeless in the previous two years, adding to millions of IDPs across DRC, already in camps and hosted in people's homes.³⁵ However, of the Banyamulenge, Genocide Watch has stated that they are now facing unprecedented levels of persecution.³⁶

However, the slow-burning genocide against Banyamulenge is clouded by accusatory language and rhetoric of implicatory denial.³⁷ Many elements in violence against the Banyamulenge minority meet the criteria of a slow genocidal process.³⁸ Firstly, as is well-documented,³⁹ Banyamulenge are targeted for "racial" and tribal characteristics. Secondly, through proxy warfare, involving regional armed groups, the complexity of allied armed groups in Eastern Congo has blurred deliberate targeting of Banyamulenge as "invaders" across DRC. Intentional killings of Banyamulenge people have taken place over a long timespan. The "slow genocide" taking place is in this way obscured when events in one time-period or in one place, are treated in isolation from the wider context of legal, political, and economic exclusion and the longer-term "othering" of this community.⁴⁰

Rosenberg argues that genocide "is a process rather than an outcome of a process".⁴¹ The author questions the rigidity of undertaking an analysis of the genocide from a single legal perspective or in line with international law. Rather, genocide is a complex and fluid process, and this means that any approach that confines it to the legal definition can turn out to be shortsighted and unresponsive. In the same line, Rosenberg and Silina emphasize that many unfolding genocides are overlooked because of how "each death or massacre was treated as if it were a photograph, a snapshot, frozen in time, to be compared singularly to the definition of genocide".⁴² The authors suggest instead understanding genocide as a slow-moving process, combining legal with historical perspectives to the way policies and actions can annihilate entire groups. Building on this argument, this article complements recent research on

³⁵ Bashi, « RDC : Situation Sécuritaire Préoccupante » ; KST, « Atrocities, Populations Under Siege »

³⁶ Genocide-Watch, *Genocide Emergency: Democratic Republic of the Congo*. *Genocide Watch*, July 22, 2020, <https://www.genocidewatch.com/single-post/2020/07/22/genocide-emergency-democratic-republic-of-the-congo-july-2020>

³⁷ Katherine Goldsmith, "The Issue of Intent in the Genocide Convention and its Effect on the Prevention and Punishment of the Crime of Genocide: Toward a Knowledge-Based Approach." (*Genocide Studies and Prevention* 5, no. 3 2010): 253.

³⁸ Sheri P. Rosenberg, "Genocide Is a Process, Not an Event." *Genocide Studies and Prevention* 7, no 1, 2012

³⁹ Delphin R. Ntanyoma and Helen Hintjens, "Expressive violence and the slow genocide of the Banyamulenge of South Kivu", *Ethnicities* 0(0) 1-30, (2021), <https://doi.org/10.1177/14687968211009895>

⁴⁰ Sheri P. Rosenberg and Everita Silina, "Genocide by Attrition: Silent and Efficient." In *Genocide Matters: Ongoing Issues and Emerging Perspectives*, ed. Joyce Apsel and Ernesto Verdeja, New York: Taylor & Francis Group, 2013

⁴¹ Rosenberg, "Genocide Is a Process," 17

⁴² Rosenberg and Silina, "Genocide by Attrition," 109

the Banyamulenge,⁴³ by historically recapitulating chronological events, patterns of economic and territorial displacement and the progressive impoverishment of Banyamulenge since the 1960s. Meanwhile, as argue Cederman, Wimmer, and Min,⁴⁴ the state plays the role of an actor within the conflict.

3 Genocide by attrition or slow genocide as a social phenomenon

The Genocide Convention⁴⁵ emphasizes intentional acts committed to harm a specific social group, defined in racial, ethnic, or religious terms. Violence becomes genocidal if it aims to destroy an entire group based on their common characteristics.⁴⁶ Simon emphasizes that genocide involves killings and massacres grounded within an intention to collectively harm a group maliciously identified as negative.⁴⁷ Straus argues that annihilation encompasses three necessary conditions: the mode, subject and object.⁴⁸ In Straus's terms, the mode implies how destruction is carried out, while the subject is the actor as perpetrator, and the object is a group to be annihilated, the victims.⁴⁹

Though difficult to prove, intent plays a role in defining genocide compared to other mass atrocities. Intent suggests violence has the primary objective of group annihilation.⁵⁰ As Goldsmith remarked, intent also differentiates genocidal crimes from crimes of mass murder or other crimes against humanity.⁵¹ Quoting the Genocide Convention, Goldsmith reiterates that in a genocide "the perpetrator commits an act while clearly seeking to destroy the particular group, in whole or in part".⁵² Intent can only realistically be proven when it is explicitly expressed by the perpetrator.⁵³ To circumvent difficulties with the idea of intent, Goldsmith suggests a "knowledge-based approach" that consists in proving that an:

*individual commits an act knowing that it would contribute to other acts being committed against a particular group, which when put together, would bring about the destruction of that group, in whole or in part.*⁵⁴

⁴³ Ntanyoma and Hintjens, "Expressive violence"

⁴⁴ Lars Erik Cederman, Andreas Wimmer, & Brian Min, Why do Ethnic groups rebel? New data and analysis. (*World Politics* 62, no 1, 2010): 91

⁴⁵ United Nations General Assembly, "Resolution 260, Convention on the Prevention and Punishment of the Crime of Genocide", December 9, 1948 (UN Doc. A/RES/260(III))

⁴⁶ Barbara Harff and Ted Robert Gurr, "Toward Empirical Theory of Genocides and Politicides: Identification and Measurement of Cases Since 1945." *The International Studies* 32, no. 3, 1988; Scott Straus, "Contested Meanings and Conflicting Imperatives: A Conceptual Analysis of Genocide." *Journal of Genocide Research* 3, no 3, 2001

⁴⁷ Simon, "Defining Genocide"; Straus, "Contested Meanings"

⁴⁸ Straus, "Contested Meanings," 360

⁴⁹ Straus, "Contested Meanings," 360

⁵⁰ Straus, "Contested Meanings," 364

⁵¹ Goldsmith, "The Issue of Intent," 248

⁵² Ibid., 242

⁵³ Goldsmith, "The Issue of Intent," 242.

⁵⁴ Ibid., 245

Rosenberg and Silina warn over confining genocide to an “immediate unleashing of violence and death”, all at once.⁵⁵ Instead, they suggest that recent genocidal phenomena tend to use indirect methods to annihilate entire groups; methods which serve to conceal genocidal intentions even as genocide takes place. The modern era is also characterized by a mediatized coverage of mass murder that may reduce sensitivity to on-going genocides.⁵⁶ Perpetrators seek to blur mass killings involved in warfare with their intent of committing genocide. Elaborating on colonial settler genocides, Pauline Wakeham's study argues that slower and more attritional methods of annihilation tend to obscure the "causal-effect relationship of perpetrators acts".⁵⁷ This leads to “the slow process of annihilation that reflects the unfolding phenomenon of mass murder of a protected group”.⁵⁸ Forced displacement, denial of health and healthcare, denial of food, and sexual violence have all been used as indirect methods of annihilation.⁵⁹ On this basis, widespread impoverishment has targeted the main sources of livelihood and economy of the Banyamulenge community.

Rosenberg and Silina's model emphasizes furthermore that indirect “silent and efficient” methods to annihilate a group intend to avoid the vigilance of international humanitarian agencies and the media in modern era.⁶⁰ Therefore, though understated and de-emphasized in Rosenberg and Silina's model, slow genocidal establish their own denial mechanisms alike in other forms of mass atrocities. Bangura identifies four mechanisms through which perpetrators legitimize violence.⁶¹ The mechanisms include moral justification, minimizing the consequences of perpetrators acts, blaming the victims for what is happening to them, and displacement of responsibility.⁶² In the case of the genocide against the Armenians, Bilali has found these four mechanisms of genocide denial applicable.⁶³ To these four denial mechanisms, the Banyamulenge's case suggests that moral justification is strongly reinforced by popularity and socio-political reward that followed killing as many Banyamulenge as a perpetrator can.

Besides the long history of violence in DRC during the colonial period⁶⁴, violence in contemporary DRC has been exacerbated during and since the

⁵⁵ Rosenberg and Silina, “Genocide by Attrition,” 107

⁵⁶ Ibid., 112

⁵⁷ Pauline Wakeham, “The Slow Violence of Settler Colonialism: Genocide, Attrition, and the Long Emergency of Invasion.” (*Journal of Genocide Research* (2021), 3, <https://doi.org/10.1080/14623528.2021.1885571>).

⁵⁸ Rosenberg and Silina, “Genocide by Attrition”, 110

⁵⁹ Rosenberg and Silina, Genocide by Attrition, 113

⁶⁰ Rosenberg and Silina, “Genocide by Attrition,” 112

⁶¹ Albert Bandura, “Selective moral disengagement in the exercise of moral agency”, *Journal of Moral Education* 31, no 2, 2002.

⁶² Ibid., 103

⁶³ Rezarta Bilali, “National Narrative and Social Psychological Influences in Turks' Denial of the Mass Killings of Armenians as Genocide”. (*Journal of Social Issues* 69, no 1, 2013): 18

⁶⁴ Georges Nzongola-Ntalaja, *The Congo from Leopold to Kabila: A People's History*. London and New York: Zed Books, 2002

aftermath of the Rwandan civil war and genocide.⁶⁵ There followed a cycle of recurring violence in Eastern DRC with countless massacres. During earlier post-1994 warfare, various wars, and insurgencies (whether instrumentalized or not) were fought in the name of “saving” the Banyamulenge, already targeted in massacres from 1996. Massacres committed by allied insurgents and rebel groups who claimed to be defending Banyamulenge then in turn worsened the vulnerability of the entire community to attack, subsequently. Thus, the slow genocide of Banyamulenge operates under the long shadow of the Rwandan genocide and is obscured by the sheer complexity of violence in Eastern DRC. This reinforces a “politics of genocide denial syndrome” that is evident.⁶⁶

Whilst the plight of the Banyamulenge originated from the colonial period, no study so far, to our knowledge, has sought to historically unfold the intent behind violence against members of this community. Recent scholarship on Banyamulenge has concentrated on links between citizenship, exclusion, local authorities contestation, and armed mobilization.⁶⁷ In relation to recent violence “this is only civil war” framing is also shared by most leading international experts on the region. Whilst understating the danger of resorting to violence and guns to get rid of “invaders”, Mathys and Verweijen⁶⁸ refer to how “autochthony-indigeneity” leads to excluding some ethnic groups. Verweijen,⁶⁹ for example contends over the dominant inter-community narrative and suggests that there are multiple causes of conflicts comprising contestation over local authority, land, resources, market taxation, and cattle movement. However, in a more recent report published by Governance in Conflict Network (GCN), Verweijen and co-authors have elaborated on these causes above-mentioned and how violence has recently escalated in the *Hauts Plateaux* of South Kivu. Even though the debate acknowledges the role of divergently interpreted historiographies and the role of autochthony in fueling violence, the report de-emphasizes the sense of mobilizing self-styled native to

⁶⁵ Prunier, *Africa's World War*; Turner, *The Congo Wars*; Stearns, *Dancing in the Glory*, 13

⁶⁶ Matthew Lippman, "Darfur: the politics of genocide denial syndrome" (*Journal of Genocide Research* 9, no 2, 2007): 209

⁶⁷ Antony Court, "The Banyamulenge of South Kivu: The “Nationality Question.” *African Studies* 72, no 3, 2013; Jason Stearns et al, "Banyamulenge: Insurgency and exclusion in the mountains of South Kivu" *The Rift Valley Institute*, 2013; Judith Verweijen & Koen Vlassenroot, "Armed mobilisation and the nexus of territory, identity, and authority: The contested territorial aspirations of the Banyamulenge in eastern DR Congo" *Journal of Contemporary African Studies* 33, no 2, 2015; Koen Vlassenroot, "Citizenship, identity formation & conflict in South Kivu: the case of the Banyamulenge" *Review of African Political Economy* 29, no 93–94, 2002; Koen Vlassenroot, "South Kivu: Identity, territory, and Power in Eastern Congo" *Rift Valley Institute/Usalama Project*, 1–45 (2013).

⁶⁸ Gillian Mathys & Judith Verweijen, “Why history matters in understanding conflict in the eastern Democratic Republic of Congo” *The Conversation*. October 28, 2020, <https://theconversation.com/why-history-matters-in-understanding-conflict-in-the-eastern-democratic-republic-of-congo-148546>

⁶⁹ Judith Verweijen, “Why Violence in the South Kivu Highlands Is Not ‘Ethnic’ (and other Misconceptions about the Crisis)”. *Kivu Security Tracker: Congo Research Group/Human Rights Watch*. August 31, 2020, <https://blog.kivusecurity.org/why-violence-in-the-south-kivu-highlands-is-not-ethnic-and-other-misconceptions-about-the-crisis/>

get rid of the Banyamulenge “invaders”.⁷⁰ The report seems counterbalancing violence in “two-sided” way and fails to strongly reflect on how the 2017 escalation is largely linked to previous events aiming to expel “invaders”.

Similar simplified interpretations that analyze violence rather than causes and intent of violent conflict have characterized early media and experts’ reports about the genocide in Bosnia and Herzegovina, Darfur, and Rwanda, which were described as “tribal blood-letting”.⁷¹ Where only some ethnic communities are excluded from exercising authority over territorially-based local government institutions, the problem is not two-sided or multi-faceted conflict, but a long-standing strategy of isolating Banyamulenge and destroying them as a people, a process dating back to the colonial era as we will show.

The monograph “Behind the Scenes of the Banyamulenge Military” recapitulated recent history of Banyamulenge engagement in insurgencies and rebellions, showing how this speeded up plans for the group’s extinction.⁷² Taking a “relational sociology approach to genocide” lens, Davey linked genocide narratives, agency and identity formation of Banyamulenge soldiers who enlisted with the Rwandan Patriotic Army (RPA) and the AFDL.⁷³ Ntanyoma and Hintjens⁷⁴ elaborated on the violence in relation to “race-based” contestations of Banyamulenges’ Congolese citizenship. That article showed how current socio-security configurations of armed groups, combined with FARDC and MONUSCO’s failure to protect civilians, contributed to the politics of imminent extinction. However, in the present article, discrete violent events are woven together to show a thorough picture of an intent to annihilate the entire Banyamulenge community in the DRC.

This article fills a gap by connecting events across time and space in which the Banyamulenge were specifically targeted. This account contributes to existing knowledge of how slow genocide or genocide by attrition operates, as it were in slow motion.⁷⁵ Genocide by attrition can take place amid regular, irregular, and expressive forms of violence. In a highly complex socio-security and political setting like Eastern DRC, the Banyamulenge’s situation is now becoming critical. Claims of genocide are muzzled by counter-claims that with successive waves of rebellions and insurgencies, coupled with cycles of revenge “everyone is affected” by violence, and not especially the Banyamulenge. The perpetrators’ intent to annihilate are being overshadowed by claims that killings simply arise from a broader, militarized socio-security setting rather than being deliberate and targeted.

⁷⁰ Judith Verweijen, Juvénal Twaibu, Moïse Ribakare, Paul Bulambo, and Freddy Mwambi Kasongo, “Mayhem in the Mountains: How Violent Conflict on the Hauts Plateaux of South Kivu Escalated.” *Governance in Conflict Network*, April 2021, <https://www.gicnetwork.be/mayhem-in-the-mountains>.

⁷¹ Cushman, “Is Genocide Preventable? 539; Lippman, “Darfur: the politics of genocide,” 210.

⁷² Delphin R. Ntanyoma, *Behind the Scenes of the “Banyamulenge Military”: Momentum, Myth, and Extinction*, Paris: L’Harmattan, 2019

⁷³ Christopher P. Davey, “A Soldier’s Journey: Banyamulenge Narratives of Genocide”, *Journal of Interpersonal Violence*, 2020

⁷⁴ Ntanyoma and Hintjens, “Expressive violence”

⁷⁵ Rosenberg and Silina, “Genocide by Attrition”; Rosenberg, “Genocide Is a Process”.

Moreover, next to the four indirect methods of genocide by attrition discussed in Rosenberg and Silina,⁷⁶ the case of the Banyamulenge suggests widespread impoverishment that targets their main source of economy and livelihood. The combination of mass displacement, destruction of villages and homes coupled with limited access to food amplify traumatic sentiments leading to an utter aversion and complete disgust of willingness to resettle again in one's homeland. To understand the slow process of genocide, Rosenberg and Silina urge researchers to "weave together various discrete events and examine them against a specific context".⁷⁷

From the 1960s onwards, mass killings that targeted the Banyamulenge were preceded by political mobilization and state officials announcing the intention to annihilate the Banyamulenge or return them forcibly to their "country of origin". As it is demonstrated below, there has been a common trend of targeting men and young boys first in 1966, 1996, 1998. Taken as hostages, many were killed after weeks of inhumane imprisonment, implying that killings were planned in advance. In recent years, killings of Banyamulenge have specifically targeted unarmed as well as military soldiers. Meanwhile, to wipe out and erase evidence, dead bodies were burnt or have been dumped in rivers and lakes.⁷⁸ These killing events took place in different regions of DRC, using a similar *modus operandi*. Though the killings took place during intermittent periods, this article shows how instigators are connected in various ways, from the 1960s Simba-rebellion actors to the present time.⁷⁹ Killings of Banyamulenge echo other slow genocidal processes in history.

4 Chronology of killings and denial mechanisms

Affiliated to the Tutsi of the Great Lakes Region, the Banyamulenge are a small, contested community⁸⁰ who have lived for centuries in South Kivu province (Uvira, Fizi, Mwenga territories).⁸¹ Though they settled between eighteenth and nineteenth centuries,⁸² their settlement in what became the Congo is still subject to heated debate. Confusingly, colonial administrators portrayed Banyamulenge variously as Ruandas or Banyaruandas, Watuzi, Batutsi, Tutsi d'Itombwe or Pasteurs d'Itombwe, all of which created both over the proper eponym and their

⁷⁶ Rosenberg and Silina, "Genocide by Attrition," 113

⁷⁷ Ibid., 113

⁷⁸ See for instance the case of Mboko/Baraka, Kasai Occidental, Kinshasa in UNOHCHR, "Report of the Mapping," 74-75, 157, 163

⁷⁹ Benoît Verhaegen, "Les Rébellions Populaires au Congo en 1964". *Cahiers d'Études Africaines* 7, no 2, 1967

⁸⁰ Stearns, *Dancing in the Glory*; Jackson, "Of 'Doubtful Nationality'"

⁸¹ Vlassenroot, « Citizenship, Identity Formation »

⁸² René Loons, "Étude Sur le Territoire des Bafulero, District Du Kivu." District du Kivu, 3 Mars 1933 ; Georges Weis, "Le Pays d'Uvira : Etude de Géographie Régionale sur la Bordure Occidentale du Lac Tanganika." Bruxelles : *Académie Royale des Sciences Sociales*, 1959 ; Jean Hiernaux, "Note sur les Tutsis de l'Itombwe : La Position Anthropologique d'une Population Émigrée." Paris : *Bulletins et Mémoires de la Société d'anthropologie de Paris*, 1965.

very identity. Within a widely dichotomized “Bantu-Hamitic”⁸³ racial narrative, reproduced into “autochthonous” and “immigrant” groups⁸⁴, Banyamulenge and Tutsi more generally in the African Great Lakes region have come to be defined as “invaders”.⁸⁵ The colonial decision to abolish the Banyamulenge’s local chiefdom in 1924 and later in 1955, left this group without local authority that turned later to be a locally stateless.⁸⁶ This specific background is detailed in Ntanyoma and Hintjens.⁸⁷

4.1 Chronological and historical killings of the Banyamulenge

Even before anti-Banyamulenge prejudices were openly expressed during the last stages of the Simba-Mulele rebellion,⁸⁸ there were indications of a fraught climate that pitted Banyamulenge leader Kayira against Bafuliro leader Mahina Mukogabwe⁸⁹ in the early 1920s. There seems, therefore, to have been contention between “Banyamulenge” and “Bafuliro” fostered by the colonial policy of redrawing ethnic territory boundaries, since the early twentieth century. The redrawing of traditional chieftaincies through enlargement (*chefféries agrandies*) came at the costs of other chieftaincies, mainly of pastoral communities seen as “immigrants”. The colonial policy created a divisive time-bomb later that fueled post-independence violence, continuing to the present day.⁹⁰ During the Simba rebellion, rebel commanders in Uvira territory were mainly members of the Bafuliro community.⁹¹ As Verweijen⁹² and Muzuri⁹³ indicate, Musa Marandura, as an initiator of the Simba rebellion in South Kivu, had territorial ambitions to conquer other traditional chiefdoms by expelling “foreigners”.⁹⁴ The motto of the 1960s Simba nationalist rebellion was local as

⁸³ Edith R. Sanders, “The Hamitic Hypothesis; Its Origin and Functions in Time Perspective.” *Cambridge University Press* 10, no 4, 1969.

⁸⁴ Morten Bøås and Kevin Dunn, “Peeling the Onion: Autochthony in North Kivu, DRC.” *Peacebuilding* 2, no. 2, 2014

⁸⁵ Sanders, “The Hamitic Hypothesis”; Hintjens, “When Identity Becomes a Knife: Reflecting on the Genocide in Rwanda” (*Ethnicities* 1, no. 1, 2001): 29

⁸⁶ Weis, “Le Pays d’Uvira,” 277

⁸⁷ Ntanyoma and Hintjens, “Expressive violence”

⁸⁸ Vlassenroot, “Citizenship, Identity Formation”; Stearns et al., “Banyamulenge: Insurgency and Exclusion”; Muzuri, “L’évolution des Conflits Ethniques”;

⁸⁹ Mahina Mukogabwe is one of the traditional chiefs of the Bafuliro community whose customary chieftaincy had been reinforced by merging others political entities, including that of Kayira (Banyamulenge). For details, see Muchukiwa, *Territoires Ethniques et Territoires Étatiques*; Muzuri, “L’évolution des Conflits Ethniques »; Ntanyoma, “Genocide Warning,” 10

⁹⁰ Verweijen, « From Autochthony to Violence ? »; Tambwe-Ya-Kasimba Yogoolelo, “Essai d’interprétation du Cliché de Kangere (dans la Région des Grands Lacs Africains)”. *The Journal of African History* 31, no 03, 1990.

⁹¹ Verhaegen, “Les Rébellions Populaires au Congo,” 347

⁹² Judith Verweijen, “Microcosm of Militarization: Conflict, Governance and Armed Mobilization in Uvira, South-Kivu.” (*Rift Valley Institute/Usalama Project*, 2016) : 17

⁹³ Muzuri, “L’évolution des Conflits Ethniques, » 87

⁹⁴ Turner, *The Congo Wars*, 85

well as national,⁹⁵ since Marandura and Bidalira (both Bafuliro leaders) aimed to occupy new territories in South Kivu.

Initially, some Banyamulenge fought in the Simba rebellion, against the Kinshasa authorities, and alongside the rebels.⁹⁶ With an uncertain socio-political climate, some joined due to their own search for security in a state of overall insecurity.⁹⁷ Even before Simba rebels occupied Uvira town in mid-May 1964⁹⁸, early incidents targeting Banyamulenge took place June 1964, when a traditional chief in Uvira territory was killed.⁹⁹ Simba leaders tried to justify this attack, by accusing the chief of collaborating with the government or of representing wealthy, capitalist cattle herding people. Influential Bafuliro and Babembe leaders,¹⁰⁰ during the Simba-Mulele rebellion, also looted cattle, again claiming from a crude Marxist perspective that cattle herders were capitalists, and Banyamulenge thus became victims of Mulelists, abandoned the rebellion and were forced to defend themselves against their erstwhile comrades-in-arms.¹⁰¹ This was to become a pattern of a “security dilemma” faced by the Banyamulenge for decades to come.¹⁰²

Between February and August 1966, Banyamulenge were more systematically targeted and killed by Simba-Mulele rebels in Gatongo, Kirumba, Kirambo and Gahwera localities of the High Plateau (Uvira and Fizi territories).¹⁰³ Around 30 Banyamulenge civilians were killed in Kirambo locality within a single day. Informed accounts tend to corroborate that the killings in Gatongo, Kirumba and Kirambo singled out men and young boys to be killed first.¹⁰⁴ Besides these massacres, attacks against villages led to countless killings targeting individuals and their properties. Following systematic attacks on their villages, early February 1966 the Banyamulenge were entirely evicted from the high plateau towards the Ruzizi plain and on the shores of Lake Tanganyika.¹⁰⁵ The forced mass displacement “inflicted huge damage, with people and cattle dying due to the unfamiliar climate in [the] sparsely populated, but much hotter, Ruzizi plain and Baraka...”¹⁰⁶

⁹⁵Nzongola-Ntalaja, *The Congo from Leopold*;

⁹⁶ Ntanyoma, *Behind the Scenes*; Ntanyoma, “Genocide Warning”¹⁰

⁹⁷ Kalyvas, *The Logic of Violence*

⁹⁸ Verhaegen, « Les Rébellions Populaires au Congo »

⁹⁹From his grandson, the Banyamulenge traditional chief was called Byambu Yeremiya. Edmond (phone-call), November 5, 2020.

¹⁰⁰ Muzuri, « L'évolution des Conflits Ethniques »

¹⁰¹ Vlassenroot, « Citizenship, Identity Formation »; Vlassenroot, « South Kivu: Identity, Territory »

¹⁰² Verhaegen, « Les Rébellions Populaires au Congo » ; Isidore Ndaywel è Nziem, 'L'historiographie Congolaise : Un essai de bilan'. *Civilisations, Revue internationale d'anthropologie et de sciences humaines*, (54/2006) ; Nzongola-Ntalaja, *The Congo from Leopold*.

¹⁰³ Jean-Baptiste (interview), January 5, 2017, Kinshasa ; Vincent (Phone-call), January 5, 2018; Eliyah (interview), October 10, 2018, Kinshasa; Butoyi (phone-call), April 1, 2021. Butoyi is researching on the post-independence violence against the Banyamulenge.

¹⁰⁴ Ibid.

¹⁰⁵ Muzuri, « L'évolution des Conflits Ethniques, » 102

¹⁰⁶ Ntanyoma, *Behind the Scenes*, 36

Consequently, Banyamulenge who had first enlisted within the Simba rebellion, soon decided to withdraw from this rebel group and instead joined Mobutu's national army. They were recruited as "warriors" to defeat the rebels,¹⁰⁷ and this "switch" set the tone for future political manipulation, involving ongoing contestation of the Congolese citizenship of Banyamulenge people.¹⁰⁸ As local politicians became involved in national politics, what had been a localized issue became the subject of national political debate through speeches and in the media.¹⁰⁹ During the Sovereign National Conference (1992-1995), the Vangu Mambweni Commission resolved to expel the entire Banyamulenge community and those considered as "Rwandan descent" to Rwanda by December 1995.¹¹⁰ The situation in the Kivus deteriorated due to the presence of Rwandan and Burundian refugees, impacting Banyamulenge and other Banyarwanda by association.¹¹¹ Regional warfare emerged in which Banyamulenge's grievances seemed to become the bridge for Rwanda to launch its war against Hutu Rwandan refugees remaining in Eastern Congo.¹¹²

This course of events soon slipped into covert or even open inter-state warfare, during which many Banyamulenge youth were recruited to fight alongside the Rwanda Patriotic Army (RPA), which seemed well-intentioned to protect them as "natural allies". On 6 October 1996, the South Kivu Governor Lwabanji Lwasi Ngabo declared the entire Banyamulenge community should leave Congo within 6 days, or face military attacks, and other military generals echoed his view. Intriguingly, the Governor had promised that security services will protect those who would "surrender". Almost immediately there were attacks by security services, militias and local groups intentionally targeting the Banyamulenge community.¹¹³ From late August to October 1996, Banyamulenge civilians were specifically killed in South Kivu, in Province Orientale, and even thousands of kilometers away, in Kinshasa. The *modus operandi* of the killings was similar, denoting intent. Following the Governor public announcements, victims were killed based solely on identified physical traits.¹¹⁴ Killings also affected victims whose physical traits resembled those usually associated with Banyamulenge and other Tutsi people of the Great Lakes region.¹¹⁵

Rounded up from their homes and gathered in butchered places, Banyamulenge civilians were systematically killed in Bukavu, Uvira, Kamituga, Fizi, Baraka and Ngandja by Zairean security services supported by youth

¹⁰⁷ Stearns et al., "Banyamulenge: Insurgency and Exclusion »

¹⁰⁸ Muzuri, "L'évolution des Conflits Ethniques"; Vlassenroot, "South Kivu: Identity, Territory"; Ntanyoma, "Genocide Warning," 11

¹⁰⁹ Lars-Christopher Huening, *No Mistaken Identity-Kinshasa's Press and The Rwandophone "Other" (c.1990-2005)*. Zurich: LIT Verlag GmbH & Co. KG Wien, 2015

¹¹⁰ Vlassenroot, "South Kivu: Identity, territory"; Stearns et al., "Banyamulenge: Insurgency and exclusion"

¹¹¹ Prunier, *Africa's World War*, 69

¹¹² Nzongola-Ntalaja, *The Congo from Leopold*; Stearns, *Dancing in the Glory*

¹¹³ Turner, *The Congo Wars*, 89

¹¹⁴ Stearns, *Dancing in the Glory*, 95

¹¹⁵ UNOHCHR, "Report of the Mapping," 154; Stearns, *Dancing in the Glory*, 194

gangs and militias.¹¹⁶ In the process, many Banyamulenge were killed after cruel and intentional imprisonment. The UN Mapping report, for instance, recorded that:

...several hundred Banyamulenge civilians left the village of Bibokoboko [Bibogobogo] and the surrounding area to seek refuge in Baraka and Lueba [Lweba]. By putting themselves under the protection of the FAZ in this way, these civilians hoped not to be confused with the infiltrated groups.¹¹⁷

Nyamahirwe¹¹⁸ and Lucie Nyamwiza¹¹⁹ are two Banyamulenge women who survived the 1996 massacres in Baraka, Mboko, and Lueba (South Kivu). Both underscored the clear and deliberate intent to annihilate the entire group, by selecting out and killing men and boys first. More than hundreds of families were rounded up in their villages in the Bibogobogo locality and were then taken hostage in Baraka by the Zairean security services. Working closely with Babembe youth gangs, army and police killed the men and boys. They called them “snakes” who did not deserve to be allowed to live.¹²⁰ However, after killing the men and older boys as “snakes”, women in Baraka were also separated from their children and later almost all of them were also killed. Like the 1966 killings, no men or older boys survived. Some younger boys survived only by being dressed as girls to alter their appearance. Among at least one hundred women, Nyamahirwe is one of only five women to be known to have survived the Baraka-Mboko massacre. Around 150 children went missing and their whereabouts since then remain unknown.¹²¹ The case of these missing children has been recorded Working Group on Enforced and Involuntary Disappearance (WGEID) of the United Nations Human Right Council.¹²² When I met Nyamahirwe, she was mostly preoccupied by the fate of those children who all disappeared about 22 years ago.

As a survivor of Mboko killing (1996 in Congo) and Gatumba (2004 in Burundi), Nyamwiza’s¹²³ testimony reveals that men and young boys were primarily targeted and killed in 1996. Young boys who survived had to alter

¹¹⁶ *Dancing in the Glory*, 94; UNOHCHR, “Report of the Mapping,” 72

¹¹⁷ UNOHCHR, “Report of the Mapping,” 74

¹¹⁸ Nyamahirwe (testimony), December 21, 2018, Bukavu

¹¹⁹ Lucie Nyamwiza (testimony), October 6, 2020. The story was published: Lucie Nyamwiza, “Double Carnage : Témoignage d’une Rescapée de Bibogobogo-Mboko & Gatumba/Par Lucie.” *The Eastern Congo Tribune*, October 7, 2020. Retrieved from <https://easterncongotribune.com/2020/10/07/rescapée-de-bibogobogo-mboko-gatumba/>.

¹²⁰ Nyamahirwe (testimony), December 21, 2018, Bukavu

¹²¹ Delphin R. Ntanyoma, “Fizi-Baraka the ‘Drowning Hell’: How 150 Children Have Been Missing since 1996?”, *The Eastern Congo Tribune*, October 20, 2018, <https://easterncongotribune.com/2018/10/20/how-150-children-have-been-missing-from-1996/>

¹²² WGEID, “Communications transmitted, cases examined, observations made and other activities conducted by the Working Group on Enforced or Involuntary Disappearances (WGEID) 119th session (16–20 September 2019). *Human Right Council*. Geneva. December 2, 2019, <https://undocs.org/A/HRC/WGEID/119/1>

¹²³ Nyamwiza, “*Double Carnage : Témoignage d’une Rescapée* »

their appearance to look like girls. Women and young girls were taken to Rwanda as part of expelling “invaders”. From firsthand experience, Nyamwiza states that when killing men,

They handcuffed their arms from behind with the belts or shirts they were wearing. Then they unloaded the women and made us sit on the side. They came back, started to take the men who were lying down on the beach handcuffed, and they started to load them into the boat again in small groups. They would take a group of men and drive the boat away from the lake’s shore and dump them in the waters of Lake Tanganyika.¹²⁴

Similarly, dozens of families, and their dependents whose story is slightly known were killed or disappeared from Ngandja localities on their way towards Minembwe around October 1996. They were intercepted by a gang mob and Zairean security services nearby Lubonja (closer to Ngandja), and one man, Semahoro is believed to have survived. He recalls that at the time he managed to run away, men were separated from women and children.¹²⁵ A husband and father of 6 children, Semahoro managed to run away and had no clue to what happened to his entire family.

It is only around 2018 that Semahoro learnt that one of his children, Jackson was recognized in Burundi. Jackson was only 7 months when he was separated from his parents. Following an information shared by a relative who resided in Burundi, Semahoro started searching until Jackson was identified in Ubwali, Fizi territory. At the time parents were being killed, Jackson’s mother hid him in a nearby facility as she requested to go to the toilet. A family that had raised Jackson as their son realized that a child was left in the facility, he was told by his “adoptive father” the day he passed away. The father acknowledged that this is a sensitive information he could not have shared before, but he thought that Jackson has been closer to him during his difficult moments. The adoptive father’s revelation triggered events within the family that led Jackson to get back to his family. The testimony of Jackson who has now joined his family after 22 years of nightmare indicates how being a hostage at 7 months is extremely shocking.¹²⁶ Jackson’s experience reveals how missing and disappeared children are part of erasing evidence.

In 1996, similar killing took place in Bukavu, the South Kivu provincial capital city. Around two hundred Banyamulenge were rounded up and imprisoned at the Lake Kivu port, commonly known as *Société Nationale de Chemin de Fer* (SNCZ). After two weeks, they have been shot *en masse* by security services to the extent three might have survived.¹²⁷ Such incidents and pogroms took place in Uvira and men were specifically targeted to the extent some were even thrown in Ruzizi river at the Congo-Rwanda border. Though security services were possibly briefed to expel the Banyamulenge to Rwanda,

¹²⁴ Ibid

¹²⁵ Semahoro (phone-call), December 19, 2018.

¹²⁶ Jackson (testimony), February 22, 2018, Goma/North Kivu

¹²⁷ Interview with Samson, January 11, 2017, Kinshasa.

the fact of targeting men and boys first indicates that the intent was to harm the entire group by targeting its strong component.

In early August 1998, evidence shows again that Banyamulenge and Tutsi in general were hunted down and killed in Kinshasa, Katanga, Kasai, Province Orientale, the Kivus, and Maniema. This period coincided with the time rebel insurgencies erupted in the Kivus. Ordered by Laurent Kabila and his entourage, there have been systematic killings and arrests targeting and killing people with certain physical characteristics.¹²⁸ As in the previous killings targeting the Banyamulenge, perpetrators killed men first. Testimonies of survivors of Lubumbashi, Kasai, Kinshasa have indicated how they were exposed to inhuman jail that lasted for dozens of months. While some were disarmed before, Banyamulenge military soldiers experienced selective disarmament before getting killed across DRC.

For example, Irwin has recorded a testimony by Rose Mapendo, a survivor of the 1998 killings in Kasai.¹²⁹ Mapendo describes the conditions of killings and imprisonment as similar to what Kristof¹³⁰ calls “genocide in slow motion”. While she resided in Kasai, Mapendo reveals conditions through which she was detained along many others for 16 months:

It was more like a death camp than a prison. I was there for 16 months. We were crowded into rooms with no doors and with guards always watching us. We weren't allowed outside. The men were killed quickly, including my husband. Many children died from cold, from sleeping on cement, from hunger. Every day they would come and take some people away and shoot them.¹³¹

Based on Goldsmith's distinction between motive and intent, evidence of the killing prove that the intent behind the killings was to harm the entire ethnic group.¹³² For instance, 350 unarmed military Banyamulenge cadet trainees and soldiers deployed in the Kamina Training Base in Katanga Province, were killed possibly before 2 August 1998.¹³³ In the similar vein, hundreds of civilian men and boys, and unarmed soldiers were killed in Kalemie and Moba territories as the District Commissioner executed the Kabila's entourage call.¹³⁴ Banyamulenge soldiers stationed in Kalemie-Moba were disarmed 10 months before the start of second Congo war, August 1998.¹³⁵ They did not constitute a threat at the time when the 1998 rebel

¹²⁸ Stearns, *Dancing in the Glory*, 194

¹²⁹ Tim Irwin, “Q&A: Rose Mapendo Draws on her Traumatic Life to Help Others.” *The United Nations High Commissioner for Refugees*, January 23, 2009, <https://www.unhcr.org/news/latest/2009/1/4979ca8b4/qa-rose-mapendo-draws-traumatic-life-help-others.html>

¹³⁰ Nicholas D. Kristof, “Genocide in Slow Motion.” *The New York Review*, no. February 9, 2006 issue, <https://www.nybooks.com/articles/2006/02/09/genocide-in-slow-motion/>

¹³¹ Irwin, “Q&A: Rose Mapendo”

¹³² Goldsmith, “The Issue of Intent”

¹³³ Ntanyoma, *Behind the Scenes*, 139

¹³⁴ UNOHCHR, “Report of the Mapping,” 159-61

¹³⁵ Ntanyoma, *Behind the Scenes*, 135

insurgency erupted. Nevertheless, these soldiers and Banyamulenge civilians (mostly men), were all killed. The UN mapping report has recorded that in this single event, an unknown number (approximately hundreds) of Banyamulenge were killed. And the report stresses that

*...The victims were not armed. They were reported shot dead in large hangars close to the rails, near the base's arms store. The bodies of the victims are then thought to have been buried in the surrounding forest or burnt...*¹³⁶

The *modus operandi* used to kill Banyamulenge in 2004 in Bukavu and Gatumba was largely intentional. In Bukavu, civilians who had nothing to do with military officers' disagreement were specifically targeted by soldiers of the national army.¹³⁷ As a survivor previously stated, Nyamwiza who is also a survivor of the Gatumba killings recalls that the attack has targeted only refugees sheltered in one of the United Nations High Commissioner for Refugees (UNHCR) cluster, namely that of the Banyamulenge. For unknown reasons, Burundian returnees and Congolese refugees in Gatumba/Burundi had their camp divided into two separate clusters (40m distance). One cluster belonged to the Banyamulenge and another one for Burundian returnees. Within 40 meters distance, the 2004 Human Right Watch (HRW) reports indicates that the "attackers harmed only [the] Banyamulenge or others sheltered in tents with them".¹³⁸ Moreover, the intent of perpetrators is manifested in the language used to distract the victims telling them "we are coming to rescue". Additionally, HRW's report shows that 70% of the tents sheltering the Banyamulenge were destroyed.

4.2 Denial Mechanisms

In recent years, similar killings with low pace have been taking place across South Kivu and Tanganyika province, targeting mostly cattle herders or commercial traders.¹³⁹ There has never been any convincing justification to why they are being specifically targeted. Regardless of the plenitude of evidence showing that the killings intended to wipe out this community, there has been limited research delving into the circumstances of these killings. Sometimes, massacres are analyzed in a disconnected fashion, resulting in the killings to be considered as "photograph, snapshot, frozen in time, to be compared singularly to the definition of genocide".¹⁴⁰ In some cases, scarce stories of survivors indicate that their survival is unlikely linked to the "goodwill" of their perpetrators. Instead, many were saved because of the

¹³⁶ Ibid, 161

¹³⁷ HRW, "Burundi: The Gatumba Massacre War Crimes and Political Agendas Human Rights Watch Briefing Paper" September 2004. (*Human Right Watch*. New York, 2004): 33

¹³⁸ HRW, "Burundi: The Gatumba Massacre," 15

¹³⁹ Jason Stearns et al., "Mai-Mai Yakutumba: Resistance and Racketeering in Fizi, South Kivu." (*Rift Valley Institute/Usalama Project*, 2013): 43, <http://riftvalley.net/publication/mai-mai-yakutumba#.WxqChiCxXIU>.

¹⁴⁰ Rosenberg and Silina, "Genocide by Attrition," 109

pressure of the international community including international organizations such as Red Cross and many others.

Against this background, there is a bias towards amalgamating the Banyamulenge community, civilians, to rebel groups. This bias against vulnerability of people who are now facing their own extinction, once and for all, may be the filter that explains a startling failure to report on the crisis, whether in the Great Lakes region of Africa, or internationally and among NGOs and the UN. International actors working in the region thus appear to share the same view that there is nothing but an intercommunity violence. As Lippman has shown in the case of Darfur, Banyamulenge victims of genocidal processes vis-à-vis the international community are misconstrued due to politics of genocide denial syndrome.¹⁴¹ The failure to rightly frame this human tragedy is linked to the powerful personal, political, and business interests and/or biases of several actors including Congolese military and MONUSCO officials.¹⁴²

Meanwhile, other communities neighboring the Banyamulenge became victims of killings and massacres, carried out by Rwandan backed insurgencies and armed groups. In many cases, reports of massacres indicate that thousands were killed by these rebel groups. The 1998 Makobola and Kasika massacres are part of this pattern of killings. For instance, the Makobola and Kasika massacres took place in the South Kivu region, and members of the Babembe and Banyindu communities were respectively affected in these two massacres. Rebels from the 1998 Congolese Rally for Democracy (RCD) have been identified as perpetrators.¹⁴³ However, the difference between the killing of Banyamulenge and these massacres of Babembe and Banyindu for instance, is that the Banyamulenge were specifically targeted as a group, on the basis of their membership of their group, and not because of any military threat or because of direct retaliation for attacks. Taking Makobola and Kasika for instance, members of these communities were not hunted down within a short distance of their own neighborhoods.

However, the massacres and sufferings these communities have experienced started to be attributed to their immediate neighbors, the Banyamulenge, viewed as allies of the Rwandan Patriotic Army (RPA).¹⁴⁴ Though reproduced within the scholarship, the role played by individual Banyamulenge in these massacres vis-à-vis other their comrades from other ethnic communities is yet to be independently qualified. However, in shifting blame language from that which amalgamates an entire community, Stearns suggests that “[t]here will be a long-term repercussions of the Banyamulenge’s participation in the two rebellions”.¹⁴⁵ For decades, there have been campaigns

¹⁴¹ Lippman, “Darfur: the politics of genocide,” 210

¹⁴² Autesserre, Séverine, “Dangerous Tales: Dominant Narratives on the Congo and Their Unintended Consequences.” (*African Affairs* 111, no. 443, 2012): 208; Ntanyoma & Hintjens, “Expressive violence”; Ntanyoma “Genocide Warning,” 18

¹⁴³ Stearns, *Dancing in the Glory*, 260-62

¹⁴⁴ Ntanyoma, “Genocide Warning,” 11

¹⁴⁵ Stearns, *Dancing in the Glory*, 265

against the Banyamulenge that evolved into a grounded ideology spread throughout Congolese society.¹⁴⁶ In recent years, researchers have documented the widely shared ideology among armed Mai-Mai groups in the Kivus, of protecting their lands against all “invaders”, whether from outside or from their home-grown “allies” within the country.¹⁴⁷ Verweijen and Brabant¹⁴⁸ suggest that in South Kivu Province, where most of the remaining Banyamulenge live, these narratives are still of relevance and ideologically deeply embedded in “nativist” forms of identity politics.¹⁴⁹

The grounded ideology is largely linked and originated from the 1960 Simba rebellion. Though the Vangu Mambweni¹⁵⁰ Commission is often cited, evidence shows that Anzuluni Bembe has, for years played the role of a mastermind, plotting against the Banyamulenge.¹⁵¹ Anzuluni Bembe is a native of Fizi territory, whose ethnic community, the Babembe has had close ties with the Simba rebels.¹⁵² Similarly, Vlassenroot¹⁵³ states that Anzuluni Bembe has played a role of “linking local tensions between Bembe and Banyamulenge to discussions at the national level on the citizenship status of the Banyamulenge and Banyarwanda”. Around 1987, he might have played a role in stoking tensions that affected the Banyamulenge in Vyura (see next section). During the Sovereign National Conference, Anzuluni Bembe occupied and exploited his key position to influence the constitution of the Vangu Mambweni commission. He has been working closely with other political figures from Uvira, Fizi, and Mwenga.

The *modus operandi* of massacres of Banyamulenge in 1996, 1998 and 2004, and recently around 2017 onwards (see next section), indicates that such killings had the common feature of incorporating the evidence erasure and deniability of the atrocities. Estimated around 300 victims buried in a mass grave, the UN mapping has recorded that

¹⁴⁶ Huening, “No Mistaken Identity”

¹⁴⁷ Arsene Mwaka-Bwenge, “Les Miliciens Mayi-Mayi à l’Est de La République Démocratique du Congo : Dynamique d’une Gouvernamentalité en Situation de Crise.”, *Revue Africaine de Sociologie* 7, no. 2, 2003; Stearns et al., “Mai-Mai Yakutumba,” 22 ; Ntanyoma, « Genocide Warning, » 8

¹⁴⁸ Verweijen and Brabant, “Cows and Guns”, 16

¹⁴⁹ Referring to the Banyamulenge cattle vendors in Bandundu province, the Catholic Bishop Bodika Timothé called them as ‘invaders whose dubious morphology is dangerous’ see Joel Imbole “Kikwit: Mgr Timothé Bodika Lance un Cri d’alarme Aux Autorités de La République.” *Matin Info*, February 11, 2018. <https://www.matininfos.net/kikwit-mgr-timothe-bodika-lance-cri-dalarme-aux-autorites-de-republique/>. Similarly, the Congolese former Prime Minister Adolphe Muzito has called an investigation to determine who these cattle vendors were (see: <https://www.radiookapi.net/2018/02/13/actualite/societe/affaire-des-zebus-adolphe-muzito-appelleles-mesures-dapaisement-pour>)

¹⁵⁰ Turner, *The Congo Wars*; UNOHCHR, “Report of the Mapping,” 75

¹⁵¹ Jackson, “Sons of Which Soil?,” 105; Prunier, *Africa’s World War*, 67

¹⁵² Stearns et al., “Banyamulenge: Insurgency and Exclusion”

¹⁵³ Vlassenroot, “South Kivu: Identity, Territory”

In 2005, a high-ranking government official requested that the Mai-Mai groups operating in Baraka unearth the victims' remains and dump them in Lake Tanganyika to erase all trace of the massacres¹⁵⁴

Erasure and deniability served to obscure by whom, how and why these targeted, and evidently planned killings were committed in the first place. There are clues indicating that killers planned in advance to erase all possible record of the killings, for example victims were burnt alive on tires, thrown alive into rivers and lakes or exhumed to erase evidence.¹⁵⁵ While relatives and friends have been trying to locate around 150 missing children, efforts to locate them have failed to bear any fruit.¹⁵⁶ Some sources refer to the erasure of killing's evidence of more than three hundred trainee cadets in Kamina Military Base in 1998.¹⁵⁷ Political speeches, declarations, local scholarships, and media tend use the "euphemistic labelling" to portray the Banyamulenge as the source of the evil in DRC.¹⁵⁸

5 Banyamulenge mass displacements, besiegement, and subsequent impoverishment

The restriction of mobility of targeted communities, in ghettos, camps, or confined areas, even if it is claimed to be for their "protection" is an established part of both colonial and "modern" genocides.¹⁵⁹ Since 1996, there have been regular and unreported attacks of Mai-Mai against Banyamulenge's villages. Besides that, Mai-Mai attacks have narrowed territories where the Banyamulenge can move freely across the Eastern Congo territory. Therefore, the Banyamulenge who have not fled to neighboring countries have continuously and slowly been forced to retreat into tiny localities to survive. More recent attacks on the Banyamulenge, especially since 2017, have been of extreme cruelty.

Besides destruction of most rural villages, and of crops, the most recent phase of the long-term strategy of attacks suggests a coordinated effort to completely wipe out the Banyamulenge in their own homeland region, by massively displacing them and impoverishing them beyond endurance. Records of August 2018 indicate that more than 60% of villages burnt down in Bijombo

¹⁵⁴ UNOHCHR, "Report of the Mapping," 74

¹⁵⁵ Ibid., 156

¹⁵⁶ Conversations and interviews with people who have been involved in the search of the missing children: Joseph (phone-call), October 10, 2018; Muumba who is a witness of the event (different phone-calls including the deep one held on November 03, 2018); Martin (phone-call), January 05, 2018; Joseph (phone-call), January 03, 2018. Victor, a survivor of the Kamina killing (interview), February 23, 2019, Goma; Ntanyoma, *Behind the Scenes*, 140

¹⁵⁸ Bandura, "Selective moral disengagement," 104.

¹⁵⁹ Fein, Helen, "Genocide by Attrition 1939-1993 : The Warsaw Ghetto , Cambodia , and Sudan : Links between Human Rights , Health." (*Health and Human Rights* 2, no 2, 1997): 12; Rosenberg, "Genocide Is a Process," 18

groupement belonged to the Banyamulenge.¹⁶⁰ The remaining percentage composes villages of Bafuliro, Banyindu and Babembe communities, the self-styled “natives”. The latter communities have come together to contest the single Banyamulenge’s traditional entity in Bijombo because of this status of being considered as “foreigners”. Within months, this move of completely burning down reached Minembwe, almost hundred kilometers.

5.1 Narrowing territorial boundaries and forced displacement

Though mass displacements justificatory language can wave many reasons, these have originated from the contestation of the Banyamulenge as Congolese natives. In wider lenses, forced displacement is part of the strategy to slowly evict them and have their territorial boundaries reduced. Whilst from 2017 onwards violence has almost completely narrowed their homeland, Banyamulenge have fled *en masse* Ngandja localities (1971; 1996), Mirimba localities (1996), and Vyura localities (1998). The first two are part of the Fizi territory, South Kivu province while the latter is in Tanganyika Province (former Katanga). The intense forced displacement took place in the 1970s, it started during the colonial period.

Between the 1940s and 1950s, the Belgian colonial administration forced the Banyamulenge in Minembwe and Itombwe to leave their villages to turn this large zone into a farm for Belgian cattle entrepreneurs.¹⁶¹ Hundreds of families were forced to relocate in different localities while many moved to Ngandja and joined those who had been living there for years.¹⁶² Following the shift of Banyamulenge’s alliance to join the national army, those living in Ngandja were threatened to be massacred by the Simba rebels. In 1971, thousands of Banyamulenge fled from Ngandja towards Minembwe and Bibogobogo.¹⁶³ As discussed above, in the 1990s, Banyamulenge tried to settle again in Ngandja and were again forced to flee around September 1996.

A similar situation happened to the Banyamulenge who have settled in Mirimba localities (between Minembwe and Ngandja) since the 1980s. Within 60-80 kms, the 1996 violence has pushed hundreds of families to flee and seek shelter in Minembwe, Itombwe or Kamombo localities or refugees across the Great Lakes region as refugees. These localities that were previously occupied by the Banyamulenge are now the homeland of other communities, mostly members of the Bafuliro and Banyindu communities.¹⁶⁴ In the past, Ngandja

¹⁶⁰ See Delphin R. Ntanyoma, “Humanitarian Crisis in Bijombo: Thousands under Gunfire and Have Nowhere to Go?”, *The Eastern Congo Tribune*, August 27, 2018. <https://easterncongotribune.com/2018/08/27/humanitarian-crisis-in-bijombo-thousands-under-gunfire-and-have-nowhere-to-go/>

¹⁶¹ Jean Baptiste (interview), January 5, 2017, Kinshasa; Ntanyoma, *Behind the Scenes*, 35

¹⁶² Vincent, one of leading person who initiated contacts with people who came to support Banyamulenge to flee from Ngandja to Minembwe (phone-call), January 5, 2018.

¹⁶³ Ibid, January 5, 2018

¹⁶⁴ Information gathered during informal discussion with local communities in Minembwe, March 2019.

and Mirimba have been serving as grazing zones during the periods of transhumance. Nowadays, it is becoming impossible to reach these localities specifically when it comes to rear cattle. In Ngandja and Mirimba, ADEPAE, Arche-d'Alliance and RIO¹⁶⁵ and Verweijen and Brabant¹⁶⁶ have documented incidents in which Banyamulenge's cattle herders are considered to be those destroying agricultural farms. Nonetheless, Banyindu and Bafuliro are easily allowed to settle and accommodated even when rearing their cattle whilst the Banyamulenge are considered "foreigners" in these localities they have lived in the past.

The narrowing of the boundaries of Banyamulenge territory is thus an integral part of the slow genocide process. In Vyura (part of Moba and Kalemie territories), there were around 18,000-20,000 Banyamulenge residents in 1998. For several reasons, including finding opportunities for commercial businesses or grazing land, the Banyamulenge had moved to Vyura since the 1960s.¹⁶⁷ However, from the 1980s onwards, they were subjected to a range of discriminatory measures, as were those who had remained in South Kivu.¹⁶⁸ Matthew stated that the situation in Vyura deteriorated around May 1998, when some four hundred soldiers were sent from Kalemie to Vyura with a mission that remained largely unclear until the August 1998 rebellion erupted¹⁶⁹. Matthew's accounts state that the military unit was reinforced by early August and locals were concerned over this move. During this period, Vyura's localities were surrounded by roadblocks and checkpoints and the Banyamulenge were not allowed to freely travel towards the cities of Moba (165 km) or Kalemie (180 km). However, commercial traders belonging to members of other communities could enter and exit Vyura localities freely.¹⁷⁰

On 15 August 1998, hundreds of soldiers started rounding up local villagers from the two extremities of the Vyura localities. During the round-up, approximately 2000 civilians were arrested and unknown number of them were killed later. The UN Mapping Report states that on that day "... in Vyura, members of the FAC [Kabila's army] arrested over 2,000 Tutsis and killed an unknown number of them...".¹⁷¹ Whilst six died at the scene and one survived, Matthew recalls how 7 women were thrown in a pit and shot immediately to trigger attacks on civilians. Matthew who stood as a representative of the local population tried to enquire and get information from the military commander.

¹⁶⁵ ADEPAE, « Arche-d'Alliance, and RIO, "Au-Delà Des Groupes Armés : Conflits Locaux et Connexions Sous-Régionales [L'exemple de Fizi et Uvira (Sud-Kivu, RDC)]" *Life and Peace Institute*. Uppsala, Sweden, 2011, https://assets.ctfassets.net/jzxyrkiixcim/6Eaz1Te5UjWdGVvoGm2jLQ/bac90570fcb8c56187821ce0e7afbe86/LPI_2011_Au-dela_des_groupes_armes_Uvira_Fizi.pdf;

¹⁶⁶ Verweijen and Brabant, "Cows and Guns"

¹⁶⁷ Mutambo-Jondwe, « Les Banyamulenge: Qui Sont-Ils? »

¹⁶⁸ Mуганузі (phone-call), November 10, 2020

¹⁶⁹ Matthew (phone-call), November 9, 2020. Matthew was a former primary school headmaster who was later appointed a territorial administrator of the Vyura since 1997. He was 45 years old in 1997. His accounts and that Mуганузі (phone-call), November 10, 2020 serve to summarize the 1998 climate in Vyura

¹⁷⁰ Matthew (phone-call), November 9, 2020

¹⁷¹ UNOHCHR, "Report of the Mapping," 160

Instead, he was thrown in jail along thousands of others. Meanwhile, the rest of the local population in Vyura started to flee into bushes with no hope to see those who were under the military hostage.

Strikingly, the national army split their hostage per sex among the 2000 hostages. Men and young boys on one side and women and young girls on the other, Matthew recalls. Matthew's accounts tend to confirm that the intent was to straightaway annihilate men and young boys. For instance, the killing of men and boys first is somehow unique compared to the case of Srebrenica¹⁷² and the genocide in Ukraine.¹⁷³ Besides the inhuman mistreatment, some were handcuffed with machete injuries, particularly if they were recorded by the military as community leaders. They escaped from prisons on their third day because of an "intervention" of the youth who had decided to take risks and surprisingly attack the army. Hundreds of young men with traditional weaponry (crossbows) attacked the churches and schools where prisoners were taken as hostage. They managed to liberate some of them. Local sources, including Matthew, refer to one Banyamulenge military officer who fled from Moba at the time others were being killed. The officer reached Vyura amid tensions, and he is cited among those who contributed to planning the counterattack. Given their disproportionate military power, hundreds of Banyamulenge have died (60 victims as per the mapping report and hundreds as per informants) at the scene when trying to escape from the prison. Some died all the way towards Kalemie as they experienced military ambushes.

In the days that followed, as Banyamulenge fled, the national army "set fire to every house they passed on, pillaged property and stole Tutsi cattle".¹⁷⁴ Due to the military power of Laurent Kabila's force and his allies, local Banyamulenge were all forced to leave Vyura towards South Kivu despite the presence of APR/RCD rebels arrived in Vyura to rescue them. Considering the central role of "intent to destroy", state responsibility and the control over a defenseless group, it is undoubtful that this was a plan to annihilate the entire population in Vyura.¹⁷⁵ What prevented the mass killing is unlikely the willingness of the perpetrators but rather the youth risk aversion to attack the military. As a matter of fact, hundreds of Banyamulenge civilians and unarmed soldiers were selectively killed in Kalemie and Moba, the closest cities to Vyura. The killers mostly targeted men who were selectively killed before others. Ntanyoma indicates that killings of Banyamulenge civilians, unarmed military soldiers and soldiers in their military units were highly organized and coordinated.¹⁷⁶ The question of intent in this case is very clear.

¹⁷² United Nations General Assembly, Report of the Secretary-General pursuant to General Assembly resolution 53/35: The fall of Srebrenica (A/54/549 of 15 November 1999): 6

¹⁷³ Roman Serbyn, "Lemkin on Genocide of Nations." (Journal of International Criminal Justice 7, no 1, 2009): 130

¹⁷⁴ UNOHCHR, "Report of the Mapping," 160

¹⁷⁵ Roht-Arriaza, "State Responsibility to Investigate and Prosecute"; Straus, "Contested Meanings".

¹⁷⁶ Ntanyoma, *Behind the Scenes*, 134-37

The perpetrators of Vyura, Kalemie and Moba were from the same military units operating under the command of the Army General Yermos Lukole (alias Madowadowa).¹⁷⁷ The military general was a former Mai-Mai, who along Laurent Desiré Kabila, have served in the 1960s Simba-rebellion. It is also believed that the former Mai-Mai commanders of the 1960s formed the inner circle of Laurent Desiré Kabila in Kinshasa (1998), including the Military Intelligence Chief (DEMIAP), General Sikatenda Shabani.¹⁷⁸ The latter has played a determinant role in killing the Banyamulenge and Tutsi in 1998. Following the mass displacement of those who fled from Vyura, no single member of the Banyamulenge community has tried to resettle in this region again. There are only a few Banyamulenge (and their cattle) within the neighborhood of Kalemie city, and they have been facing cruel attacks from Mai-Mai groups. Nonetheless, hundred Bafuliro, and Banyindu families have been easily settling in Tanganyika province with limited hindrances.

5.2 Besiege, impoverishment, and persecution

In Minembwe, recent attacks intended to oppose the decentralization process that have enacted few villages of this area where the Banyamulenge are the majority into a rural municipality.¹⁷⁹ Whether in Bijombo or Minembwe, attacks intended to contest that the Banyamulenge are not entitled to manage local entities. Justificatory motives to attack are adapted to an event that has occurred in between, including the death of Kawaza Nyakwana for instance.¹⁸⁰ Following the death of Kawaza, Mai-Mai's widespread attacks were launched across Minembwe, Itombwe and Kamombo localities when the national army stood by. However, one of the striking features of the attacks is their intensity and coordination that aimed to besiege the Banyamulenge. Between May 15, 2019 and September 10, 2020, Minembwe sheltering thousands Banyamulenge who have fled different localities has been attacked for approximately 40 times.¹⁸¹ Though attacks have continued up to recently, the period covered is approximately 15 months; meaning that there has been an attack within each 12 days.

These coordinated attacks were launched from different directions of Minembwe (North, East, South-East, South-West, and Westward).

¹⁷⁷ Jean Paul (phone-call), October 27, 2018. Jean Paul is one of two survivor soldiers of the Kalemie killing. He managed to escape by running away the night they were being rounded up and walked towards Vyura.

¹⁷⁸ Ngolet, François, *Crisis in the Congo: The Rise and Fall of Laurent Kabila*. (London-New York: Palgrave Macmillan, 2011): 13

¹⁷⁹ Ntanyoma and Hintjens, "Expressive violence"

¹⁸⁰ Bosco Muchukiwa & Marcellin Kasagwe, "Conflits dans les moyens et les hauts plateaux de Fizi, Mwenga et Uvira: facteurs d'escalade, modus operandi des acteurs et crise politique régionale en perspective" *Publications en Ligne des Savoirs Scientifiques : Institut Supérieur de Développement Rural (ISDR/Bukavu)*, 2019, https://www.isdrbukavu.ac.cd/wp-content/uploads/2019/08/ISDR-Bukavu_Conflit-dans-les-moyens-et-les-hauts-plateaux-de-Fizi-Uvira-Mwenga_Bosco-Muchukiwa-et-Marcellin.pdf

¹⁸¹ The discussion stresses to Minembwe because its villages were constantly attacked while sheltered thousands Banyamulenge who have fled their localities.

Illustratively, between September 8-9, 2020, Minembwe was attacked for the fortieth time from North-West, West, South-West and South-East.¹⁸² While similarly coordinated, some attacks have taken more than 5 successive days. Between October 5-10, 2019, Minembwe was attacked from East, South, and North-West and assailants burnt down many villages within the neighborhood of Minembwe. Facing a strong coalition of local armed groups, the Banyamulenge self-defense groups have also tried to attack (counterattack) villages of the neighboring communities. Nonetheless, Mai-Mai's attacks have left Minembwe besieged and mostly starved as access to farming fields within a short distance was practically impossible. In different cases, those who have tried to access their farming fields were attacked, killed and some even decapitated.

For instance, on April 18, 2020, two women and a man were killed, decapitated in Kivumu village, distant of less than 5 kilometers from the Minembwe aerodrome where thousands Banyamulenge have been confined. The victims were escorted by members of the national army who had failed to intervene but also soldiers were suspected to have played a role in the killing of the man. While the experience of 2019-2020 resembles that of 1966, public declarations of militias and armed groups leaders,¹⁸³ the coordination and intensity of attacks have by themselves revealed the intent of getting rid of the Banyamulenge in South Kivu.

Besides attacks' coordination and intensity, the stance of the national army has been very detrimental. In many cases, military deployments have never intervened to protect civilians against attacks that destroyed villages and raided and stole cattle. From May to September 2019, Itombwe localities were destroyed while the national army had more than 12 deployments which have never intervened when assailants were burnt villages or looting cattle. In addition, regular attacks were coupled by systematic cattle raid, looting and theft. Thousands of cattle have regularly been looted since the 1960s up to recently. Between 1964-1968, Banyamulenge's cattle were systematically raided by rebel groups as indicated above though many cows died due to harsh conditions when owners fled to the Shores of the Lake Tanganyika or Ruzizi plain. Cattle raiding has continued up to 1980s as Simba rebels were yet active in this region. The practice of impoverishing the Banyamulenge has intensified once again during the Congo first and second wars. Brabant and Verweijen have remarked that between 1996-1998, around 7,000 cows were looted by the Mai-Mai groups.¹⁸⁴

¹⁸² Information gathered regularly as I kept following the crisis in Minembwe.

¹⁸³ For instance, one of the key influential armed group's commanders in Fizi and Uvira territories and involved in attacking the Banyamulenge are consistently repeating that the latter community have to leave the Congo because they are recent refugees. See self-proclaimed General William Amuri Yakutumba 2020's declaration:

<https://www.youtube.com/watch?v=aicag-ZKqFE>; self-proclaimed Generals John Kasimbila Makanaki and René Itongwa: <https://www.youtube.com/watch?v=WQhSt8Yccv8&t=127s>; and self-proclaimed Kibukila Tresor wa Seba Mtetezi : <https://www.youtube.com/watch?v=CShiibl-Tww>

¹⁸⁴ Verweijen and Brabant, "Cows and Guns," 11

While Brabant and Verweijen analyzed cattle's looting within the narrow lenses of "cattle and guns", they underscore that raiding has been coupled by killing herders. Their study fails however to highlight how the looting has left hundreds impoverished but also traumatized. Though other communities, Banyindu and Bafuliro have also their own cattle, looting has been singling out the Banyamulenge cattle, Brabant and Verweijen reveal.¹⁸⁵ Recent violence against the Banyamulenge has again resorted to impoverishment strategies targeting mostly cattle. From 2019 onwards, it has been estimated that one hundred thousand cattle were looted. During the dry season, the transhumance has remained the model to rear cattle in this region. As Minembwe was besieged, these conditions made thousands of other cattle to perish, leading to trauma (yet undocumented)¹⁸⁶ and impoverishment.

Besides its role on mobilizing combatants and increase military capabilities of the MaiMai and their allies, the cattle looting has in large impoverished almost all Banyamulenge in South Kivu. Contrary to African tribal massacres seen in Darfur,¹⁸⁷ the looting strategy is extremely traumatizing due to how the Banyamulenge culturally value cattle. Moreover, thousands of children who used to drink milk are now suffering from malnutrition, and there are also reports of elders who have been dying due (possibly) to these imposed conditions. Cattle as a source of economy and livelihood have been affecting young students forced to drop schools and universities. Their parents are no longer able to provide the necessary for their schooling. In line with Wekaham highlighting how slow genocide "perpetuates grave socio-economic disparities, territorial dispossession"¹⁸⁸, impoverishment strategy will inevitably have more consequences in the future and hard to directly link with it.

6 Conclusion

The article recapitulates historically key events in which the Banyamulenge have been specifically targeted across DRC since the 1960s. Their situation has worsened since the 1990s following the resurgence of local armed groups, namely MaiMai mobilizing to get rid of "invaders".¹⁸⁹ Whilst targeted, genocidal violence takes place within a highly volatile context characterized by expressive warfare, decades of rebellions and massacres, the complexity of this warfare tends to obscure the intentional targeting of Banyamulenge. In the "security void" of Eastern DRC and given the inter-regional warfare that followed the Rwanda genocide of 1994, resorting to guns remains the norm for all ethnic groups in the region. However, from the logic of revenge embedded in civil and internationalized warfare, has resulted in the intensification of targeted violence against minorities, reinforced by a widespread sense of

¹⁸⁵ Ibid., 9

¹⁸⁶ There has been reports of people who have psychologically been traumatized and got sick for months during this recent wave of violence.

¹⁸⁷ Eric Reeves, "Genocide by Attrition: Agony in Darfur." (*Dissent* 52, 1 (2005 Winter): 23

¹⁸⁸ Wakeham, "The Slow Violence," 13

¹⁸⁹ Nzongola-Ntalaja, *The Congo from Leopold*, 243

collective victimization.¹⁹⁰ Thinking through these complexities requires dexterity, but here the task is a more urgent one: to point to the present and persistent risk of a slow genocide against the Banyamulenge.

Historically, the Banyamulenge have been killed following announcements of public officials who have called for their annihilation.¹⁹¹ These tragic events followed announcements made for instance by the South Kivu Governor, the then Zaïre Army Chief of Staff,¹⁹² and prelates from catholic church or inner circle of former President Laurent Desiré Kabila, including Abdoulouye Yerodia Ndombasi.¹⁹³ While similar forms of hate speech are still being propagated by Catholic bishops,¹⁹⁴ Turner recalls how Bishop Christophe Munzihirwa referring to the Banyamulenge stated in 1996 that “if a snake comes into your home, you don’t flee, but instead take a stick and kill it”.¹⁹⁵ Since the post-colonial violence, the killing of the Banyamulenge resort to similar *modus operandi* by targeting men and young boys first. Unarmed military soldiers and officers with no possible link with rebellions were systematically rounded up and killed along civilians. As Straus shows, there is unequivocal interpretation of the intent to annihilate the Banyamulenge and specifically “organized group annihilation”; hence, such mass murder does not fall in any of the other categorization.¹⁹⁶

Strikingly, there have been maneuvers to hide and erase evidence of the killings. Despite actors and periods of the killings, the Banyamulenge have been targeted by an ideology widely linked to the 1960s the Simba rebel groups. Since the 1990s, such ideology is publicly endorsed by the Congolese elite native of South Kivu as is also expressed in different grievances and claims dossiers presented in several peace and reconciliation talks.¹⁹⁷ The elite class has consistently been claiming that the Banyamulenge are not Congolese based on historical accounts supporting MaiMai claims willing to expel invaders. As Wakeham has remarked, this form of denial seems dominating local scholarship and academia.¹⁹⁸

Recent reports corroborate evidence that members of the Banyamulenge community from across the region are now concentrated in tiny areas. As they

¹⁹⁰ Stearns, *Dancing in the Glory*; Ntanyoma, “Genocide Warning,” 15

¹⁹¹ Lars-Christopher Huening, “Making Use of the Past: The Rwandophone Question and the ‘Balkanisation of the Congo.’” (*Review of African Political Economy* 40, no. 135, 2013): 21

¹⁹² On 11 October 1996, General Eluki Monga Aundu, the Army chief of Staff, called on the youth to join the army in hunting down Banyamulenge; UNOHCHR, “Report of the Mapping,” 76

¹⁹³ Turner, *The Congo Wars*; Stearns, *Dancing in the Glory*, 94

¹⁹⁴ See Genocide-Watch, & Delphin R. Ntanyoma, *Hate Speech and Genocide in Minembwe, D.R. Congo. Genocide Watch*. March 2, 2021. New Jersey. Retrieved from <https://www.genocidewatch.com/single-post/hate-speech-and-genocide-in-minembwe-d-r-congo>.

¹⁹⁵ Turner, *The Congo Wars*, 92

¹⁹⁶ Straus, “Contested Meanings,” 363-64

¹⁹⁷ See for instance the final declaration of Babembe intra-community dialogue held in Uvira on 2-4 March 2020. While reflecting elite’s views, this declaration called openly on revisiting the Banyamulenge nationality.

¹⁹⁸ Wakeham, “The Slow Violence,” 3

lose their land to seizure and their cattle to looting, these ‘invaders’ are becoming more and more impoverished and vulnerable to attack.¹⁹⁹ Herding cattle and access to farming fields, the main source of the Banyamulenge’s economic activities, are mostly gone now. The same dichotomy between “native” versus “immigrants” have unfolded into recent and unprecedented mass murder in Rwanda.²⁰⁰ Furthermore, the Banyamulenge had been paying the costs of insurgencies and rebellions in which RPA has intervened to fight along Congolese rebels. Since then, there has been political manipulation to portray Banyamulenge as “foreigners/invaders” who serve the bridge for “Balkanizing” the Congo.²⁰¹

Regardless of how they could have served as “Trojan Horse or Rwandan puppet”,²⁰² researchers and experts pay specific attention to individual Banyamulenge who have occupied public and influential positions during the AFDL and RCD with no attention to roles played by others.²⁰³ Whilst other Congolese from hundreds of its tribe have participated in rebel and insurgencies, the denial arguments tend to portray the Banyamulenge as “masterminds” and source of the Congolese evil. As part of denial through “attribution of blame”,²⁰⁴ the Banyamulenge are regularly accused of killing traditional chieftaincies, massacring millions of Congolese and using other Congolese actors as “smoke screen”. Hence, the accumulation of consequences resulting from their discrimination has left the Banyamulenge in a worrying situation.

Simultaneously, the Banyamulenge are now facing consequences of both the colonial legacy and their decisions to (in)voluntary join rebellions after independence up to 1996. The decision to distance themselves vis-à-vis the Rwandan army has had its own costs including how recently proxy warfare supported by Rwanda has been used to punish the Banyamulenge. This article stresses that the Banyamulenge are being doubly victimized. In parallel with the Mai-Mai and facing a half century history of being specifically targeted has led local Banyamulenge civilians to keep organizing themselves into self-defense groups or join rebel insurgencies.²⁰⁵ The double victimization and resorting to self-defense mechanisms and insurgencies can be understood within the lenses of “vulnerability trap” that shadows the threat of their own extinction.

As part of prevention mechanisms, Rosenberg and Silina²⁰⁶ suggest to meaningfully analyze patterns of information from a historical perspective.

¹⁹⁹ Ntanyoma, “Genocide Warning,” 20

²⁰⁰ Mamdani, “*When Victims Become Killers*”

²⁰¹ KST “‘Balkanisation’, Tensions Régionales ou Faiblesse de l’Etat : les Vraies Menaces sur la Stabilité des Kivus.” *Kivu Security Tracker*, January 29, 2019, <https://blog.kivusecurity.org/fr/balkanisation-tensions-regionales-ou-faiblesse-de-letat-les-vraies-menaces-sur-la-stabilite-des-kivus/>

²⁰² Nzongola-Ntalaja, *The Congo from Leopold*, 243; Turner, *The Congo Wars*, 92; Jackson, “Of ‘Doubtful Nationality’,” 483

²⁰³ Stearns, *Dancing in the Glory*, 265; Verweijen et al., “Mayhem in the Mountains,” 21

²⁰⁴ Bandura, “Selective moral disengagement,” 110

²⁰⁵ Verweijen and Brabant, “Cows and Guns,” 18

²⁰⁶ Rosenberg and Silina, “Genocide by Attrition”

Beyond humanitarian assistance, the international community should face the possibility that atrocities the Banyamulenge are facing now can be prevented through mechanisms designed to warn about an imminent genocide.²⁰⁷ Non-recognition of the vulnerability of the Banyamulenge is the core problem. It creates a complete impasse for those left living in South Kivu, who have rapidly become ‘citizens of nowhere’, apparently wanted by nobody.²⁰⁸ Each step towards entirely wiping out the Banyamulenge of the Eastern DRC has reached its final stage. Repeated incidents in which Banyamulenge have been killed or expelled as ‘foreigners’ underscore the level of urgency in the current mobilization of people on social media as part of the genocidal campaign against this community. To facilitate genocide prevention, an enquiry should be arranged to understand what has been happening for thousands of civilians to be besieged by armed groups while the army and the UN peacekeeping mission observe.

²⁰⁷ Cushman, “Is Genocide Preventable?” 539; Reeves, “Genocide by Attrition”.

²⁰⁸ Ntanyoma, “Genocide Warning:” 19

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