

# Armed groups, territorial control, land disputes, and gold exploitation in Djugu, Ituri, Democratic Republic of Congo



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# EDITORIAL

## **Armed groups, territorial control, land disputes, and gold exploitation in Djugu, Ituri, Democratic Republic of Congo**

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**Front cover image:** Artisanal gold mining site exploited by the self-defense groups Jeunesse/'Zaire', Djugu, Ituri © **Josaphat Musamba**.

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# ABBREVIATIONS

|         |  |
|---------|--|
| ADF     | Allied Democratic Forces   |
| AFDL    | Alliance des Forces Démocratiques pour la Libération du Congo                            |
| AFRIDEX | Africaine d'Explosifs  |
| ALC     | Armée de Libération du Congo   |
| ARDPC   | Armée des Révolutionnaires pour la Défense du Peuple Congolais                           |
| CODECO  | Coopérative de Développement Économique du Congo   |
| DDR     | Disarmament, Demobilization and Reintegration  |
| DRC     | Democratic Republic of Congo   |
| FARDC   | Forces Armées de la République Démocratique du Congo (DRC national army)                 |
| FDBC    | Force de Défense contre la Balkanisation du Congo  |
| FPAC    | Front Populaire d'Autodéfense au Congo (alternative names 'Zaire', or Jeunesse, or MAPI) |
| FPIC    | Force Patriotique et Intégrationniste du Congo   |
| IDP     | Internally displaced person  |
| IPIS    | International Peace Information Service  |
| MAPI    | Mouvement d'Autodéfense Populaire de l'Ituri   |
| MGM     | Mongbwalu Gold Mines   |
| MONUCSO | United Nations Stabilization Mission in the DRC  |
| OKIMO   | Office des Mines d'Or de Kilo Moto   |
| P-DDRCS | Programme de Désarmement, Démobilisation, Relèvement Communautaire et Stabilisation      |
| PMH     | Police des Mines et des Hydrocarbures (Mining Police)                                    |
| PNC     | Police Nationale Congolaise  |
| SAEMAPE | Service d'Assistance de l'Exploitation Minière Artisanale et à Petite Échelle            |
| SOKIMO  | Société des Mines d'Or de Kilo-Moto  |
| UPC     | Union des Patriotes Congolais  |
| UPDF    | Ugandan People's Defense Forces  |
| URDPC   | Union des Révolutionnaires pour la Défense du Peuple Congolais                           |



# EXECUTIVE SUMMARY

In late 2017, almost fifteen years after the end of the second Congo war, and after several years of relative peaceful coexistence, inter-communal tensions flared up once again in Ituri province, in eastern Democratic Republic of Congo (DRC). In December 2017, isolated violent incidents between members of the Hema and Lendu communities provoked an escalation and heralded the beginning of a new cycle of deadly violence and large-scale internal displacements. In 2021, the persistent violence in eastern DRC, particularly in the provinces of Ituri and North Kivu, led the DRC government to impose 'martial law.'

By zooming in on Djugu territory, an area rich in gold in the center of Ituri, this report provides a detailed description of local conflict dynamics. During the second Congo war (1998-2003), economic stakes were high and access to gold drove several conflict actors (Congolese and regional) in Ituri to resort to violence as they sought for control of the high value resource.<sup>1</sup> This report investigates the link between the exploitation of gold in Djugu territory and the current conflict. It addresses the question of whether **the current conflicts in Ituri province result from competition over mineral resources, or is the presence of gold mines rather an opportunity to finance war efforts?** Although nowadays gold does not seem to be the prime cause of conflict, it is becoming increasingly an important asset in the survival strategies of armed groups.

Two important **contextual** elements in Djugu should be highlighted: the economic importance of gold mining and the importance of ethnicity in the local administration. The discovery of gold in Djugu and Ituri dates back to the early 1900s. Over the following decades, industrial gold mining boomed, but by the end of the century it collapsed completely, because of a declining economy, the degradation of mining infrastructure, and devastating civil wars. At present gold in Ituri is exclusively mined by artisanal and semi-industrial miners.

Throughout the twentieth century, first colonial and then former President of the Democratic Republic of the Congo, Mobutu Sese Seko's policies led to inter-communal tensions, particularly between Hema and Lendu, but also between other communities in Ituri. For example, access to land and customary power led to fierce inter-communal competition.

During the second Congo war (1998 – 2003) most rebel groups were supported by neighboring states, while today, apart from the recent violent resurgence of the Rwanda-backed M23 group in the province of North Kivu, armed groups, for example in Ituri, seem much more locally rooted and less dependent on foreign states. This study focuses on two non-state armed groups which are active in Djugu, notably the *Coopérative de Développement Économique du Congo (CODECO)* and its factions, and *Jeunesse/'Zaire'*, a group of self-defense militias. CODECO claims to mobilize in defense of Lendu communities to protect them against the perceived domination by other communities (mainly Hema), and against the Congolese national army (FARDC). In response to the violence perpetrated by CODECO, several armed self-defense groups have been created.

In May 2021, current President Antoine Tshisekedi declared **martial law** in Ituri and North Kivu provinces, effectively suspending the provincial civilian government and granting full executive power to the military governor. By imposing martial law, the government aimed to deal with armed violence more efficiently and to restore peace in a durable way. By early 2023, it is clear that martial law has failed in its mission, as violence has not stopped. It even seems that government security forces, rather than bringing a solution to the conflicts, have become part of the problem. CODECO factions regularly erupt into violence, and the FARDC has made local informal security arrangements with armed groups, including with *Jeunesse/'Zaire'*.

When trying to understand the political economy of armed conflicts in Ituri province, and more specifically in Djugu territory, gold mining is an important factor. Since 2021, **gold has become an increasingly important source of financing** for both *Jeunesse/'Zaire'*, and even more so for CODECO. The UN Group

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1 Vlassenroot K. and T. Raeymaekers, "The politics of rebellion and intervention in Ituri: The emergence of a new political complex", *African Affairs*, 103, 412 (2004), 385-412.

of Experts reported that the control over the gold mining sites around Mongbwalu was an important explanatory factor in CODECO's territorial expansion in 2022. On top of that, *Jeunesse/Zaire'* has allegedly also prioritized conquering new gold mines around Mongbwalu. Members of armed groups either operate mines themselves, levy taxes on the gold production, or are involved in mineral trading and/or smuggling. Compounding the problem of armed groups trying to access and control gold mines is that state security services take advantage of their broader mandate in the context of martial law to benefit from the mining as well. However, gold mining is not the only source of income: armed groups also erect roadblocks to tax passers-by, or impose taxes on households and shopkeepers in certain villages (this contribution is referred to as 'war effort').

Today's armed conflict in Djugu, Ituri, however, was not caused by competition for control over gold. Hostilities started in 2017-2018 in agricultural and livestock farming areas where few mining sites are located, and only moved towards gold mining zones at a later stage (2020-2021). Armed groups moved gradually into Djugu's mining areas as the conflicts persisted. CODECO did so in search of new resources as part of their survival strategy. *Jeunesse/Zaire'* wanted to protect land and mining sites that they consider as part of their community's patrimony against the aggression of CODECO.

Finally, the report explains other crucial elements that help to explain the persistence of the conflict and that downplay the role of gold to a certain extent. **Land** issues form the basis of long-lasting tensions between communities in Ituri. Seemingly trivial disagreements have shown the potential to deteriorate into violence. Violence has especially, but not solely, been observed in the enclosed zones (territorial patchwork, metaphorically referred to as "skin of the leopard"), whose limits are constantly disputed. **Land ownership, customary land rights, and access to land** in general are key drivers of conflict. Mining is also intrinsically linked to the land issue and the nexus between gold and conflict is therefore inseparable from it.<sup>2</sup>

**Customary (or traditional) authorities** and 'old sages' (*les vieux sages*, i.e., elderly wise men/advisors) are crucial actors in the management of land issues and disputes in the mining sector. Holding the responsibility to grant access to land and mines, these elders often create mining-related conflicts. Moreover, a link seems to exist between customary authorities and armed groups. In some cases, it seems unlikely that armed self-defense factions would be able to operate in a certain area without the approval of, or at least tolerance by, the local authorities. Finally, the failure of multiple historical **Disarmament, Demobilization and Reintegration (DDR)** programs is a key factor explaining the persistence of armed groups. In the past years, several CODECO factions have started talks with the government about surrender. However, the effective implementation of DDR programs is proving difficult to achieve and combatants are drawn back into armed groups.

In conclusion, unlike the conflict in Ituri during the second Congo war (1998-2003), which must be considered as a conflict resulting from competition over access to resources, the current conflicts seem to be much more rooted in a complex web of long-standing community grievances about real or perceived social inequalities, unequal access to land, and political power distributions that are perceived as unfair. Gold mining and access to other natural resources are not the primary causes of the present-day conflicts, but have increasingly become crucial assets in the survival strategies of armed groups who continue to destabilize the province. The fact that inter-communal tensions flared after several years of relatively peaceful coexistence, rapidly deteriorating into large-scale inter-communal violence, is a matter of serious concern, indicating that unresolved disputes have been simmering for a long time and that **long-lasting peace will not return unless fundamental local issues linked to land access, customary authority, mining governance, and social and political inequalities between communities are dealt with, or at least have been put on the agendas of local and national governments.**

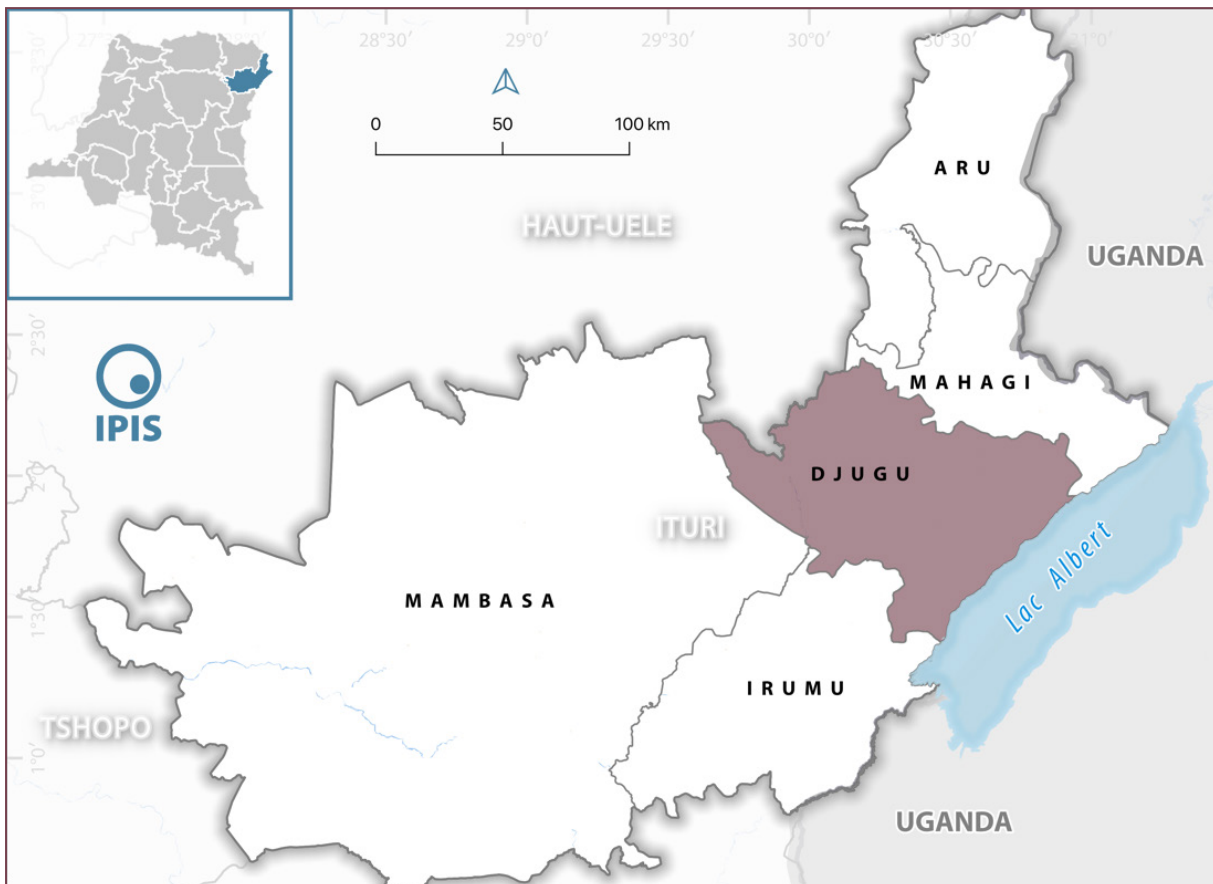
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2 Matthysen, K. and E. Gobbers, Armed conflict, insecurity, and mining in eastern DRC: Reflections on the nexus between natural resources and armed conflict, Antwerp: IPIS, December 2022, pp. 23-24.

# INTRODUCTION

Formerly a district of Orientale province in eastern Democratic Republic of Congo (DRC), Ituri was transformed into a province in 2015, with Bunia as provincial capital, in accordance with the Congolese Constitution of 18 February 2006. Ituri, which is composed of five territories (Mambasa, Irumu, Djugu, Mahagi and Aru), neighbors Uganda in the east (being partly separated from it by Lake Albert) and borders the province of Haut-Uélé (and neighboring South Sudan) in the north and northwest, the province of Tshopo in the west, and the province of North Kivu in the south.

The territory of Djugu, which is the focus area of this report, is located in the center of Ituri. While over the past five years it made the headlines mainly due to violence, it also has a century-old reputation for its vast gold deposits. It is in Djugu where, during the Mobutu era, the state mining company *Office des Mines d'Or de Kilo Moto* (OKIMO) created Industrial Concession 40, which covers 8,191 km<sup>2</sup>. Even today, all of southern and western Djugu is covered by gold mining concessions. However, concession holders have not yet (re)started large-scale industrial mining activities in these areas.<sup>3</sup>



Map 1: Djugu territory in Ituri.

3 Mahamba, E. and J. Verweijen, Mongbwalu, Fighting for livelihoods and the environment amidst an abundance of gold, Ghent: Governance in Conflict Network, 21 September 2021.

Almost fifteen years after the end of the second Congo war (1998-2003), and after several years of relative peaceful coexistence, inter-communal tensions once again flared up in Ituri. In December 2017, isolated violent incidents between Hema and Lendu escalated into broader conflict, beginning a new cycle of deadly violence.<sup>4</sup> The current context in Ituri is characterized by insecurity and ungovernability. There are about 1.7 million internally displaced persons (IDPs) in the province; countless villages and trading centers have been burnt down, and several medical centers have been pillaged and destroyed. By the end of 2019, at least 700 civilians had been killed.<sup>5</sup> Since the beginning of 2023, armed attacks in the territory of Djugu have already left 120 civilians dead and 80 injured.<sup>6</sup> Confronted with armed violence spinning out of control in eastern DRC, the government of President Félix Tshisekedi in May 2021 imposed martial law in the provinces of North Kivu and Ituri.<sup>7</sup>

This report analyzes the dynamics of the conflicts in the territory of Djugu and investigates their link with the exploitation of gold in the context of martial law. It follows a report, published by IPIS in December 2022, which provides an overview of the links between armed conflict, insecurity, and natural resource exploitation in eastern DRC.<sup>8</sup> This is one of three associated case studies to further analyze these linkages. In addition to this case study, additional studies on conflict dynamics around semi-industrial gold mining in South Kivu, as well as on roadblocks in North Kivu are part of this series.

The second Congo war was economically motivated by the control over natural resources in eastern Congo (especially minerals, for example, the gold mines in Ituri).<sup>9</sup> A key question at present is whether the current conflicts in Ituri province again result from competition over mineral resources, or is the presence of gold mines rather an opportunity to finance war efforts? To answer this question a qualitative research approach was applied: in-depth interviews were performed in Djugu with artisanal miners and mineral traders, as well as with representatives of the Congolese police, non-state armed groups, local and customary authorities, ethnic associations, mining state services, and civil society. Complementary data were obtained by analyzing UN reports and local press articles (for example articles published on the website of Radio Okapi).

The report's findings can be summarized as follows:

- Gold is not the root cause of the current conflicts in Ituri but is nevertheless an important asset in the survival strategies of armed groups.
- Unaddressed historical grievances about social inequalities and land rights have contributed to long-lasting divisions between communities, which eventually deteriorated into inter-communal violence.
- The Congolese government's response to the violence, namely imposing martial law, did not restore peace and stability in Ituri province. To build sustainable peace the government will need to deal fundamentally with the issues underlying people's grievances.

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4 The suspicious death of a Lendu priest in Djugu in June 2017 triggered rumor spreading about Hema planning to exterminate Lendu leaders; and a quarrel between a soldier and a Lendu youth in December 2017, escalated in a fight with Hema youths (see International Crisis Group, DR Congo: Ending the cycle of violence in Ituri, Africa Report N° 292, July 2020, p. 5).

5 Agenonga Chober A. and G. Berghezan, *Le CODECO au cœur de l'insécurité en Ituri*, Brussels: GRIP, 2021, p. 14-17.

6 OCHA, *Civilians caught in a spiral of violence: Note on humanitarian developments in Ituri*, February 16, 2023.

7 See Ordonnance N° 21/016 du 03 mai 2021 portant mesures d'application de l'état de siège sur une partie du territoire de la République Démocratique du Congo.

8 Matthysen K. and E. Gobbers, *Armed conflict, insecurity, and mining in eastern DRC: Reflections on the nexus between natural resources and armed conflict*, Antwerp: IPIS, December 2022.

9 Matthysen K. and E. Gobbers (2022), *op. cit.*, pp.13 -14.



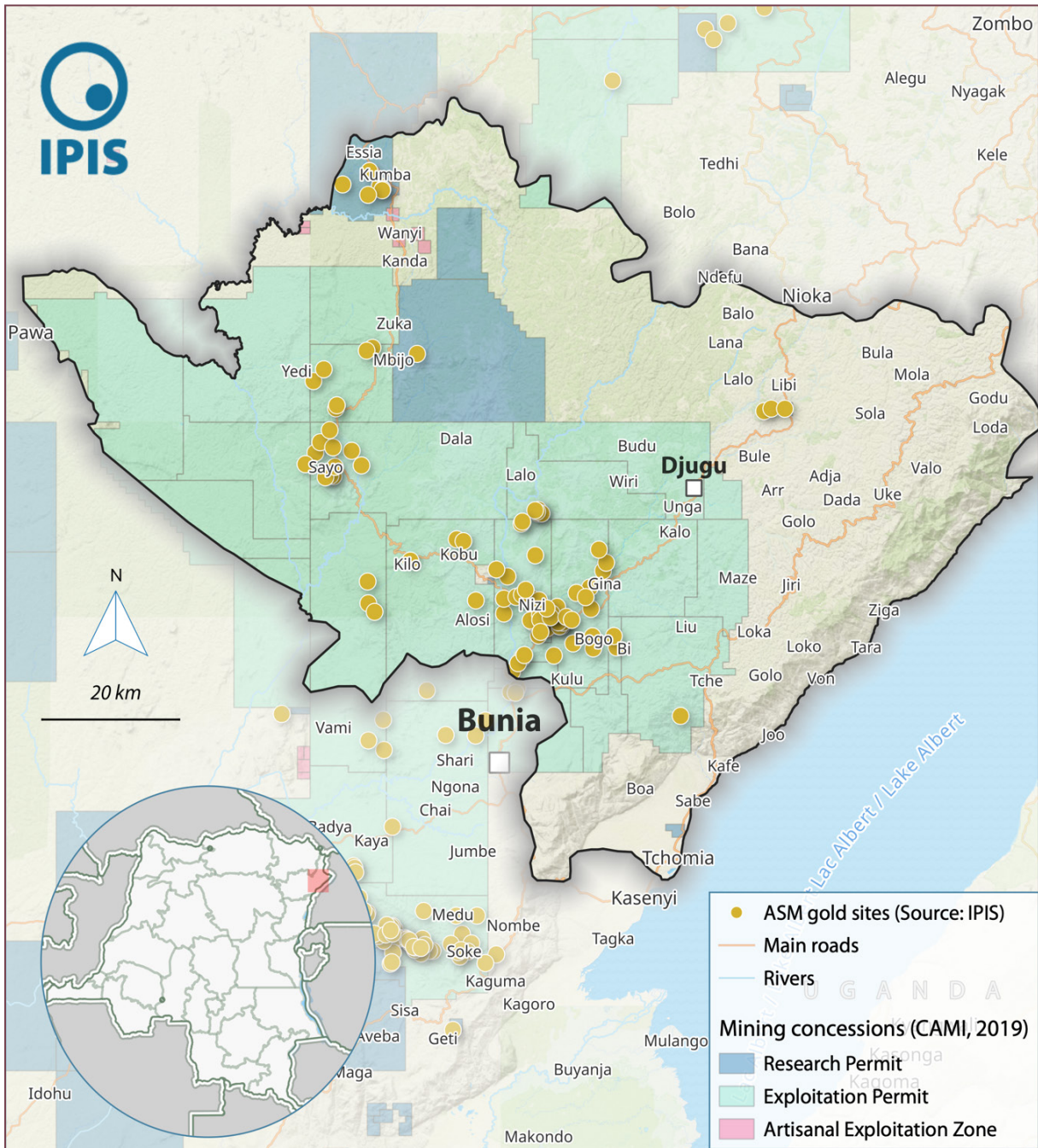


*Gold mine in Iga Barrière. © Josaphat Musamba*

The next section (Chapter 1) provides a brief description of the historical background of the present-day conflict in Djugu territory. It highlights the importance of gold in the local economy and ethnicity in local politics. Furthermore, it describes how local tensions turned into extreme violence during, and in the aftermath, of the Congo wars. Chapter 2 sheds light on the armed groups, notably CODECO<sup>10</sup> and *Jeunesse/Zaire'*, that cause insecurity and extreme violence. It shows how gold became a source of revenue for these groups and how it increasingly defines their actions. Finally, Chapter 3 analyzes a range of key conflict drivers to more fully understand these groups' motivations.

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<sup>10</sup> The name CODECO refers to "Coopérative de Développement Économique du Congo", a sectarian agricultural cooperative that was active in the territories of Djugu and Irumu, in the 1970s.



Map 2: Location of artisanal and small-scale gold mining sites in Djugu territory.



# 1. BRIEF HISTORICAL BACKGROUND AND CONTEXT

This chapter will briefly provide some contextual information on the long history of mining in the area, as well as the historical roots of communal tensions and the rising levels of violence over the past quarter century.

## 1.1. The long history of gold mining

The discovery of gold in the Agola River in 1903, near the present-day village of Kilo some 30 kilometers from Mongbwalu (in present-day Djugu territory) led to the creation of the Belgian colonial mining company *Société des Mines d'Or de Kilo-Moto* (SOKIMO), an enterprise that was nationalized by President Mobutu in 1966.<sup>11</sup> Thereafter, gold mining became one of the main industrial economic activities in Ituri. Between 1935 and 1955 SOKIMO's production fluctuated between 4,000 and 6,000 kg of gold per year. However, the political and economic chaos of the 1980s and 1990s provoked the decline of industrialization, and the concurrent rise of artisanal mining.<sup>12</sup> Today gold in Ituri is exclusively mined by artisanal and semi-industrial miners (the latter mainly small Chinese companies who typically use dredges to mine gold in rivers). Industrial exploitation is non-existent, notwithstanding the fact that industrial actors, such as state-owned company SOKIMO and mining company Mongbwalu Gold Mines (MGM), own large mining concessions in Ituri's gold-rich areas.<sup>13</sup>



*Semi-industrial gold mining site along the Shari river between Nizi and Dala. © Josaphat Musamba*

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- 11 Fahey D., "Le fleuve d'or: The production and trade of gold from Mongbwalu, DRC". In S. Marysse, F. Reyntjens and S. Vandeginste (Eds.), *L'Afrique des Grands Lacs: Annuaire 2007-2008*, Paris: L'Harmattan, 2008, p. 358.
  - 12 Van Puijnenbroek J. and P. Schouten, "Le 6ème chantier? L'Économie politique de l'exploitation aurifère artisanale et le sous-développement en Ituri". In F. Reyntjens, S. Vandeginste and M. Verpoorten (Eds.), *L'Afrique des Grands Lacs: Annuaire 2012-2013*, Paris: L'Harmattan, 2013, p. 222.
  - 13 Mongbwalu Gold Mines originates from Ashanti Goldfields Kilo (AGK), a joint venture between SOKIMO and the South African mining company AngloGold Ashanti.

## 1.2. The role of ethnicity in the administrative organization

The creation of present-day Ituri province was preceded by a long history, dating back to colonial times, of devastating civil wars, inter-community tensions, and foreign interference from neighboring countries of Uganda and Rwanda. To rule more efficiently over the local populations, the Belgian colonial authorities created new tribal administrative entities, organizing different ethnic communities into separate chiefdoms.<sup>14</sup> Moreover, colonial policies had an important impact on the political and social relations between the communities in what is now Ituri. The Hema people were able to take advantage of these policies in terms of access to education, local politics and employment in the mining industry and plantations, often to the detriment of other communities, such as the Lendu (colonial authorities stereotyped Hema as superior compared to Lendu, who were considered as second-class citizens and were portrayed as a “hapless, hopeless lot”).<sup>15</sup> When President Mobutu Sese Seko implemented his nationalization policy in the 1970s, declaring all land state property and annulling existing concessions, relationships between communities in Ituri deteriorated further. For example, Hema elites used their political ties with the Mobutu administration to acquire land in what was previously considered Lendu territory. During the Mobutu reign, the Hema politician D’zbo Kalogi was Vice-Minister of Agriculture from 1970-1974, Minister of Mines from 1974-1977, and Minister of Agriculture and Rural Development from 1986-1987. According to Fahey “in Djugu territory, land conflicts were particularly intense in Walendu Pitsi *collectivité*, where Lendu leaders claimed customary rights over concessions acquired by Hema businessmen after independence”.<sup>16</sup>

The territory of Djugu now includes four Hema ‘chiefdoms’ (chiefdoms enjoy relative autonomy, as they are led by a customary chief with hereditary power), and three Lendu ‘sectors’ (entities with less autonomy, whose chiefs are elected administrators).<sup>17</sup> These entities are extremely fragmented, with parts of the Hema chiefdoms being enclosed within the Lendu sectors and vice versa.<sup>18</sup> This creates the inconvenience of some *groupements* being territorially disconnected from their chief town. A board member of Ente, the ethnic association (*mutuelle ethnique*) of the Hema, metaphorically compares Ituri’s map with the ‘skin of a leopard’:

*“Djugu is like the skin of a leopard: here you find Hema and there Lendu. The Hema are often in the middle, surrounded by Lendu. This system has existed for a long time. It causes a lot of difficulties in the territorial border regions ... The entities of the Hema and the Lendu form a territorial patchwork, and that causes problems.”<sup>19</sup>*

14 Vlassenroot K. and T. Raeymaekers (2004), op. cit., p. 389; Fahey D. Ituri: Gold, land, and ethnicity in north-eastern Congo, London, Nairobi: Rift Valley Institute, 2013, p. 22.

15 Vlassenroot K. and T. Raeymaekers (2004), op. cit., pp. 389-390; Pottier J., “Representation of ethnicity in the search for peace: Ituri, Democratic Republic of Congo, African Affairs, 109, 434 (2010), 23-50, p. 36.

16 Fahey (2013), op. cit., pp. 27-29.

17 The Hema chiefdoms are Bahema-Nord, Bahema-Baguru, Bahema-Badjere, and Bahema-Banywagi; the Lendu sectors are Walendu-Djatsi, Walendu-Pitsi, and Walendu Tatsi. Congolese provinces are subdivided in territories (*territoires*), territories in chiefdoms (*chefferies*) and sectors (*secteurs*), chiefdoms/sectors are subdivided in *groupements*. Chiefdoms and *groupements* are headed by traditional chiefs appointed by customary law, whereas sectors are headed by an elected administrator. Also villages are led by customary chiefs.

18 Kivu Security Tracker, En Ituri, les FARDC ne parviennent pas à distinguer les miliciens CODECO des civils, November 2021.

19 Interview with a member of Ente, the ethnic association of the Hema, Bunia, October 14, 2022.

However, the complexity of the conflictual situation in Ituri goes beyond the long-standing antagonisms between Hema and Lendu. Other communities in Ituri have also become involved in the conflict. Ituri is a complex ethnic patchwork: besides Hema and Lendu, other groups such as Bira, Mambisa, Ngiti (South Lendu), Ndo-Okebo, Mabendi, Lese, Lugbara, and Pygmy, are present in the province. Some have their own chiefdoms, while others share an administrative sector. In addition, the Nande, originating in neighboring North Kivu province, have become an important community in Ituri due to labor migration during the colonial period. They were able to occupy important positions in several economic sectors and they dominated commercial activities (e.g., related to gold and lumber) in Ituri, fueling discontent and grievances among local groups that consider themselves indigenous to Ituri.<sup>20</sup>

### 1.3. Violence during the Congo wars (1997-2003)

After the seizure of power in 1997 by the Rwanda/Uganda-backed rebel movement *Alliance des Forces Démocratiques pour la Libération du Congo* (AFDL), and the installation of AFDL leader Laurent-Désiré Kabila as the new Congolese president, a chain of events triggered rising tensions in Ituri, which eventually deteriorated into deadly violence. When Rwanda and Uganda turned against Kabila, a civil war with transnational dimensions broke out (the second Congo war from 1998 to 2003), and particularly devastated Ituri. In this respect, Vlassenroot *et al.* argue that Ituri has “witnessed one of the most severe episodes of the Congolese war as a result of the exploitation, by local and regional actors, of a deeply rooted conflict over access to land, economic opportunity and political power.”<sup>21</sup> Turner states that the second war has degenerated from “a war to overthrow Kabila into a war to control and exploit one slice or other of the Congolese pie;” although the mutual slaughter between Hema and Lendu has often been labeled as ‘ethnic,’ it was also “fighting for control of Ituri district and its gold mines and other resources.” According to Turner, the resources of Ituri explain the prolonged involvement of neighboring Uganda and Rwanda.<sup>22</sup> In 1999, a seemingly local dispute about land ownership between Hema and Lendu deteriorated into a new spiral of inter-communal violence, for which the Ugandan People’s Defence Force (UPDF), and especially the Ugandan Generals Salim Saleh and James Kazini, bore significant responsibility. According to Vlassenroot and Raeymaekers, these generals became ‘entrepreneurs of insecurity’ for whom the persistence of insecurity was the primary source of their enrichment.<sup>23</sup> The decision of Uganda to take part in the second war, was defended by high-ranking UPDF officers who “had had a taste of the business potential of Congo” during the first Congolese war, and who were eager to occupy areas where gold and diamond mines were located.<sup>24</sup> In 1999, UPDF became highly politically and economically involved in Ituri, when General Kazini established the province of Kibali-Ituri with a Hema as governor, thus controlling mineral-rich areas and cross-border traffic and trade between Congo and Uganda. Non-Hema communities perceived this alternative power structure, based on local networks of Hema elites, as a threat, fearing that they would become politically and economically marginalized in Ituri.<sup>25</sup> Hema and Lendu elites created their own armed groups (supported by Uganda or by Rwanda, depending on the circumstances), which not only fought each other but also attacked “entire communities who were suspected of supporting the enemy.” This triggered the emergence of new armed self-defense militias aimed at protecting communities against the aggression of other groups.<sup>26</sup>

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20 Omasombo J.T. et al. Ituri: Terre et identités sous tensions. Tervuren : Musée Royal de l’Afrique centrale, 2021, pp. 446-447, 521.

21 Vlassenroot K., S. Perrot and J. Cuvelier, “Doing business out of war: An analysis of the UPDF’s presence in the Democratic Republic of Congo”, *Journal of Eastern African Studies* 6, 1 (2012): 2-21, p. 9.

22 Turner T., *Congo wars: Conflict, myth and reality*. London/New York: Zed Books, 2007, p. 9.

23 Vlassenroot K. And T. Raeymaekers (2004), *op. cit.*, pp. 403-405.

24 Turner T. (2007), *op. cit.*, p. 40.

25 Vlassenroot K., S. Perrot and J. Cuvelier (2012), *op. cit.*, pp. 5-9.

26 Vlassenroot K. and T. Raeymaekers (2004), *op. cit.*, p. 397; the main armed groups were then the Hema-movement Union des Patriotes Congolais (UPC), and Lendu-dominated Front des Nationalistes Intégrationnistes (FNI) and the Ngiti (South Lendu)-dominated Front de Résistance Patriotique en Ituri (FRPI).



During the second Congo war, several of these non-state armed groups were involved in the struggle for control of the Kilo-Moto gold mines at Mongbwalu, some of which entered into agreements with foreign business groups about the exploitation of gold mines in Mongbwalu.<sup>27</sup> Supported by local strongmen or foreign actors, non-state armed groups in Ituri were deployed in the competition over access to land and control over gold mines, and more in general, over Ituri's political economy, often using the struggle for the rights and interests of the communities, which the armed groups pretended to represent, as a pretext.

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27 Vlassenroot K. and T. Raeymaekers (2004), *op. cit.*, p. 398; Vircoulon T., "L'Ituri ou la guerre en pluriel", *Afrique contemporaine*, 215 (2005), 124-146, p. 133.

## 2. COMPLEXITY OF THE CURRENT CONFLICT SITUATION IN THE TERRITORY OF DJUGU

### 2.1. Armed violence

During the second Congo war (1998 – 2003) most rebel groups were supported by neighboring states. The armed groups which are involved in today's deadly conflicts in Ituri province seem much more locally rooted and less dependent on foreign states. Over the past five years, several armed groups have emerged in Ituri. Their motivations are diametrically opposed (some have been created in reaction to the activities and atrocities of other groups); their levels of legitimacy are variable depending on the circumstances and the (social) roles they play in specific communities, or within specific geographical areas. Concerning the latter, the presence and actions of armed groups can be perceived as legitimate in one region but contested and feared in another. In the context of this study, we will discuss two non-state armed groups which are active in Djugu: CODECO and its factions, and *Jeunesse/Zaire'*, a group of self-defense militias. We will also look into the role of the Congolese army and national police in Ituri's conflicts.

#### 2.1.1. CODECO: The politics of evictions and the reconquering of ancestral land

##### 2.1.1.1. Ideology and objectives

CODECO was founded in the 1970s as a sectarian agricultural cooperative by the fetish priest Kabayonga Kakado to promote agriculture in the chiefdom of Walendu Bindi in Irumu territory.<sup>28</sup> It re-emerged in the north, in the Lendu sectors of Djugu territory, where it transformed into a religiously structured sect, applying a mixture of traditional, spiritual, and Christian rituals. Since 2018, CODECO claims to mobilize for the defense of Lendu communities against the perceived domination of other communities (mainly Hema), and against the *Forces Armées de la République Démocratique du Congo* (FARDC), the Congolese army, which is seen as an accomplice of these other communities.<sup>29</sup> According to the International Crisis Group, CODECO has mobilized Lendu youth with anti-Hema speech and has organized training camps for young combatants.<sup>30</sup> Although the militia recruits mainly young people, it also makes use of the experience of former *Front des Nationalistes Intégrationnistes* (FNI) combatants who failed to reintegrate in society after the 1998-2003 war.<sup>31</sup> Several CODECO members are at the same time artisanal miners. Undisciplined soldiers of the FARDC have reportedly committed human rights violations against Lendu civilians, in retaliation for attacks by Lendu militias on Hema villages, and positions of the FARDC and the *Police Nationale Congolaise* (PNC).<sup>32</sup> CODECO has officially claimed to fight "against harassments of the Congolese population by the FARDC and the police" (it has, for example, demanded the removal of the FARDC roadblocks), "to defend the Congolese population against foreign aggression and occupation," to strive for the "establishment of the rule of law in the DRC," for the reinstatement of suspended Lendu chiefs, and for "the release of persons who were taken prisoner because of their ties with CODECO."<sup>33</sup>

In reality, however, CODECO factions merely sow fear and terror in the communities whom they consider as a threat to the Lendu. Deadly violence is not confined to the territory of Djugu: raids on villages in

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28 During the second Congo war, CODECO was linked with the Front de Résistance Patriotique en Ituri (FRPI) militia, through its leader Kakado.

29 Agenonga Chober A. and G. Berghezan (2021), op. cit., p. 7-9.

30 International Crisis Group (2020), op. cit., p. 9.

31 Sungura A., B. van Soest and L. Kitonga, Reigniting Ituri? Towards a reading of the 2018 Djugu violence, Utrecht: Pax for Peace, February 2019, p. 23.

32 HCDH/MONUSCO, Rapport public sur les conflits en territoire de Djugu, province de l'Ituri: Décembre 2017 à septembre 2019, January 2020, pp. 20-21.

33 Agenonga Chober A. and G. Berghezan (2021), op. cit., p. 9.

the territories of Irumu, Mahagi, and Aru, have also been attributed to CODECO.<sup>34</sup> A report on violence in Ituri by the United Nations High Commissioner for Human Rights concluded that “among the victims, a large number were killed or wounded in attacks committed by Lendu armed groups against several Hema villages in the territory of Djugu...These attacks appear to have been planned and organized with the aim of inflicting serious losses and long-term trauma on members of the Hema communities living in Djugu territory, in order to prevent them from returning to their villages and to be able to take thus control of their land. One of the major stakes of the conflict is indeed the control of land by the Lendu.”<sup>35</sup>

A member of *Ente*, the ethnic association of the Hema, commented on the issue of land concessions:

*The Lendu contend that Hema acquired land concessions illegally ... and that the concession holders do not want to give land to the Lendu. That is the reason they put forward, but the concessionaires declare that they acquired their land in accordance with the land law ... and that they renew their contract with the state every year. The Lendu suggest that the concession holders are creating this problem.*<sup>36</sup>

An official of the chiefdom of the Hema-Baguru testified how the members of the administration of the chiefdom were chased away by CODECO. They were forced to abandon their offices in Risasi and to flee to Iga Barrière, where they installed a provisional office: “we have to work remotely because we are not in the chief town of our chiefdom anymore.” The chiefdom offices in Risasi were destroyed, and documents were burnt.<sup>37</sup>

It is difficult to assess to what extent CODECO is supported by the Lendu community. Officially, several prominent Lendu leaders have distanced themselves from the armed group and its violent acts, claiming that they have tried to dissuade young Lendu to join the militia.<sup>38</sup> As mentioned above, CODECO seems to be more than just an armed group; it is also a religious organization with its own clergy, in charge of the spiritual guidance of the community, and rituals. Women also play an important role in the CODECO ‘church’, as was observed by Agenonga Chober and Berghezan.<sup>39</sup>

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34 IPIS, Persistent violence in gold-rich Ituri province, DR Congo: Root causes and impact on local populations, IPIS Briefing, August 2020.

35 HCDH/MONUSCO (2020), op. cit., p. 4.

36 Interview with member of Ente, Bunia, October 14, 2022.

37 Interview with official of the chiefdom of Bahema-Baguru, Djugu territory, October 18, 2022.

38 International Crisis Group (2020), op. cit., p. 10.

39 Agenonga Chober A. and G. Berghezan (2021), op. cit., p. 8.

### 2.1.1.2. CODECO's fragmented structure

CODECO is a highly fragmented armed group. From the outset of conflict in 2017, assaults were committed by (then unidentified) independently operating small Lendu militias. It is only later that the authorities identified them as part of CODECO.<sup>40</sup> Disagreement about leadership, divergent positions on surrendering and joining governmental Disarmament, Demobilization and Reintegration (DDR) programs, and competition over controlling the access to resources, resulted in the emergence of different CODECO factions.<sup>41</sup> Several large factions have been identified, such as the *Union des Révolutionnaires pour la Défense du Peuple Congolais* (URDPC), the *Force de Défense contre la Balkanisation du Congo* (FDBC), the *Armée des Révolutionnaires pour la Défense du Peuple Congolais* (ARDPC), the *Armée de Libération du Congo* (ALC), and *Bon Temple*.<sup>42</sup> Moreover, some of them have split into new factions. URDPC is considered the largest faction: the UN Group of Experts reported in 2019 that URDPC comprised 1,853 combatants, but Agenonga Chober and Berghezan roughly estimated its troop strength at about 15,000 persons in 2020.<sup>43</sup> Although the incessant rivalries between faction leaders have resulted in violent confrontations between these CODECO factions,<sup>44</sup> there are also reports mentioning some degree of (probably opportunistic) collaboration between different factions.<sup>45</sup>

### 2.1.1.3. CODECO's deadly violence and scorched earth policy

CODECO and its factions are responsible for countless attacks on villages, internally displaced persons (IDP) camps, and mining sites in several chiefdoms and sectors of Djugu. A pickup driver testified:

*The CODECO rebels only come to kill people.... When they come, they plunder the village, as they did in Mbidjo, where they burnt down the houses, and took away all the goods they could find.*<sup>46</sup>

40 International Crisis Group (2020), op. cit., p. 9.

41 United Nations Security Council, Final report of the Group of Experts on the Democratic Republic of the Congo, S/2021/560, June 2021, p. 21.

42 Kivu Security Tracker, <https://kivusecurity.org/about/armedGroups>; note that Agenonga Chober A. and G. Berghezan (2021, op. cit., p. 19) consider FDLC as an independent Lendu-dominated militia, not directly linked to CODECO.

43 United Nations Security Council, Midterm Report of the Group of Experts on the Democratic Republic of the Congo, S/2019/974, December 2019, p. 19; Agenonga Chober A. and G. Berghezan (2021), op. cit. p. 10.

44 Agenonga Chober A. and G. Berghezan (2021, op. cit., p. 20) have reported clashes between URDPC and FDBC in Djugu, in February 2021; Radio Okapi, "Ituri: 5 morts dans les combats entre deux factions de CODECO", January 12, 2021; Radio Okapi, "RDC: au moins 18 morts dans les combats entre deux factions de la malice CODECO à Djugu", July 12, 2022.

45 Radio Okapi, "Ituri: 11 combattants de la CODECO tués dans les combats contre l'armée à Ala", April 14, 2022; interestingly, the UN Group of Experts on the DRC reported that "from January 2021, up to 2,000 individuals, most of whom were URDPC/CODECO combatants mixed with FDBC combatants and civilians, occupied the exclusion zone of Mongbwalu Gold Mines (MGM) and dug gold until mid-February 2021, in collaboration with some FARDC and Police des Mines et des Hydrocarbures (PMH) members" (United Nations Security Council, June 2021, op. cit., p. 23).

46 Interview with pickup driver on the road between Bunia and Mongbwalu, October 15, 2022. According to Radio Okapi, 40 civilians were killed and more than 400 houses burnt down in the village of Mbidjo, in the chiefdom of Bahema-Badjere, in Djugu, on September 9, 2022 (Radio Okapi, "Ituri: 40 personnes tuées et 400 maisons incendiées lors d'une attaque de la CODECO au village de Mbidjo", September 12, 2022.



*Shaba gold mine, Aru territory, which was attacked by CODECO rebels in May 2022. © Josaphat Musamba*

Hema refugees who left their villages, fleeing violence perpetrated by CODECO rebels, tried to find protection in large refugee camps in the chiefdom of Bahema-Nord, such as the camps of Drodro and Roe (or Rho), the latter near a base of the United Nations Stabilization Mission in the DRC (MONUSCO). Although camp Roe, which hosts about 70,000 IDPs, is protected by MONUSCO peacekeepers, CODECO made several attempts to attack it. Also, Drodro has been targeted by CODECO.<sup>47</sup>

A police officer in the sector of Banyali Kilo, Djugu, declared the following about the May 2022 massacre in the nearby gold mine of Camp Blanquette:

*When the massacre took place in Camp Blanquette, the site was under control of the self-defense group Zaire (see section 2.1.2) ... Not far from Camp Blanquette there is a village named Lematoron with some mining sites in the surrounding area that are occupied by CODECO. One day, CODECO combatants intruded Camp Blanquette and killed the people. After the raid they returned to their region of Andissa Matsoro ... They did not attack to claim any land, because Camp Blanquette falls under the jurisdiction of Banyali Kilo, a region of the Nyali, and CODECO members are Lendu. However, there was some fuss in Camp Blanquette about increased activities in gold production. CODECO just came to kill, pillage, and to leave again. They took everything, gold, the equipment, goods, money, etc ...<sup>48</sup>*

<sup>47</sup> Interview with member of Ente, Bunia, October 14, 2022; United Nations Security Council, United Nations Organization Stabilization Mission in the Democratic Republic of the Congo: Report of the Secretary-General, S/2022/252, March 2022, p. 8.

<sup>48</sup> Interview with police officer, Djugu territory, October 21, 2022. More than 50 people were killed in the massacre in Camp Blanquette (see Radio Okapi, "Le Potentiel 'Nouveau massacre en Ituri: les miliciens CODECO narguent Kinshasa'", May 10, 2022).



This testimony shows that not only Hema but also other communities in Djugu have been targeted by CODECO's extreme violence. CODECO has attacked villages in Banyali Kilo, in Djugu territory,<sup>49</sup> a sector where communities of Lendu, Nyali, Lese, and Pygmy live together (Mongo *et al.* have reported on disagreements over territorial limits between Lendu and Nyali in this sector).<sup>50</sup> Furthermore, CODECO has carried out deadly raids on villages in the chiefdoms of the Mambisa and Ndo-Okebo in Djugu territory.<sup>51</sup> The militia is also active in neighboring Mahagi territory (with an important Alur community), where it has occupied several villages in the chiefdom of Mokambo, in the border area with Djugu, confiscating foodstuffs and levying taxes.<sup>52</sup> Not surprisingly, in communities that were (and still are) targeted by CODECO factions, several armed self-defense groups have emerged, aimed at protecting civilians, villages, and mining sites against attacks.

Interestingly, CODECO factions sometimes operate in coalition with *Force Patriotique et Intégrationniste du Congo* (FPIC), an armed self-defense group that claims to defend the interests of the Bira community (mainly originating from the territory of Irumu), which is involved in disputes with Hema over land ownership.<sup>53</sup>

#### 2.1.1.4. Resources and financing

CODECO factions have forced members of the Lendu communities to contribute financially to their struggle in the form of taxes or a percentage levied on merchandise (considered as 'war effort'). They have forced entire villages in certain areas to contribute monthly to their 'war effort' (villages paid monthly 35,000 Fc or USD 17.5), and have controlled markets around Lake Albert.<sup>54</sup> Other sources revealed that CODECO extorted local Lendu businessmen.<sup>55</sup> The CODECO aggression against Hema communities started initially in an agricultural and livestock farming region of Djugu, where there are no mines, and where it was difficult to find resources that could finance the movement.<sup>56</sup> Consequently, CODECO factions have gradually moved their activities to the gold-rich areas of Djugu, where they have attacked gold mines and pillaged gold trading centers, but where they also have erected roadblocks, for example on access roads to mining sites, taxing gold miners who want to enter the mine.<sup>57</sup> CODECO combatants also took control of mines, where they dug for gold.<sup>58</sup> The gold exploitation has become an important source of revenue for CODECO (see also section 2.3.1).

CODECO rebels have attacked positions of the FARDC to loot weaponry and ammunition, and reportedly bought also weapons from FARDC soldiers and officers.<sup>59</sup>

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49 Radio Okapi, "Ituri: 6 personnes tuées lors d'une attaque de CODECO à Djugu", April 27, 2020; Radio Okapi, "Ituri: 19 personnes tuées par des miliciens de la CODECO à Banyali Kilo", August 10, 2020.

50 Mongo E., A.D. Nkoy Elela and J. van Puijenbroek, *Conflits fonciers en Ituri: Poids du passé et défis pour l'avenir de la paix*, Utrecht: RHA/IKV Pax Christi, December 2009, p. 104-105.

51 Radio Okapi, "Ituri: Le bilan de l'attaque de CODECO à Mambisa passe de 8 à 16 morts", March 18, 2021; Mumbesa G., "Ituri: Encore 12 civils massacrés par la malice CODECO dans la chefferie de Ndo-Okebo", Politico, March 20, 2022.

52 Radio Okapi, "Ituri: Deux groupements de Mahagi sous contrôle des miliciens de CODECO", January 24, 2020.

53 Matthysen, K. and E. Gobbers, *Armed conflict, insecurity, and mining in eastern DRC: Reflections on the nexus between natural resources and armed conflict*, Antwerp: IPIS, December 2022, p. 17.

54 United Nations Security Council (December 2019), *op. cit.*, pp. 21-22, 127.

55 Sungura A., L. Kitonga, B. van Soest and N. Ndeze, *Violence et instabilité en Ituri: Conflit, mysticisme et camouflage ethnique dans la crise de Djugu*, Gent: Governance in Conflict Network, April 2021, p. 43.

56 Interview with representative of CSO, Bunia, October 13, 2022; interview with member of Ente, Bunia, October 14, 2022.

57 Interview with representative of CSO, Bunia, October 14, 2022.

58 United Nations Security Council, *Final report of the group of experts on the Democratic Republic of the Congo*, S/2022/479, June 2022, p. 24.

59 United Nations Security Council (June 2021), *op. cit.*, p. 22-23.

### 2.1.2. Jeunesse/'Zaire': a multi-community armed group in Djugu

A young community-based armed self-defense group member in Djugu explained the need to protect his own family, and by extension his community, against aggression by other groups, more specifically CODECO.

*Any young guy, who is in the prime of his life, cannot accept that his family is exterminated. We say this: "do not kill, but do not let yourself be killed." This is how the self-defense has started.<sup>60</sup>*

#### 2.1.2.1. Decentralized self-defense movement

Several armed self-defense groups were created to respond to the violence and atrocities committed by CODECO combatants against communities in Djugu, and other territories in Ituri. They emerged first in the community of the Hema, but gradually also in those of the Mambisa, Nyali, Ndo-Okebo, and Alur. These groups were initially referred to as the self-defense groups 'Zaire,' or *Front Populaire d'Autodéfense au Congo* (FPAC), but some of them, prefer now the name of 'Jeunesse' ('Youth') or 'Jeunesse Autodéfense.' More recently the name *Mouvement d'Autodéfense Populaire de l'Ituri* (MAPI) has shown up in the context of the fight against CODECO. Thus far, it is not clear whether this movement should be considered as another faction of *Jeunesse/'Zaire'*, or as a new initiative to protect local communities.<sup>61</sup> Hereafter we will continue using the designation 'Jeunesse/'Zaire' to refer to the armed self-defense movement in the territory of Djugu. As the movement is composed of several self-defense groups which are socially embedded in local communities, *Jeunesse/'Zaire'* clearly has a decentralized structure. Nevertheless, a military structure that is more or less unified, seems to exist. The military headquarters are reportedly located in the village Nyaka, in the chiefdom of Bahema-Badjere. As the name indicates, *Jeunesse/'Zaire'* recruits mainly young people in the five communities (notably Hema, Mambisa, Nyali, Ndo-Okebo and Alur), but also former combatants of the former armed group *Union des Patriotes Congolais* (UPC).<sup>62</sup> Members of self-defense groups can be at the same time artisanal miners, or motor-taxi drivers.

#### 2.1.2.2. Rebel governance

*Jeunesse/'Zaire'* groups exert territorial control in Djugu and have imposed rebel governance in those areas that are under their control. Representatives of the local authorities (such as the chief of the village and the chief of the *groupement*) are still present in these zones, but state security services such as the army and police are mostly absent, or only occasionally patrolling in these areas. It has been reported that in certain *groupements*, the customary chief asked for the return of the police, after they withdrew upon the arrival of *Jeunesse/'Zaire'*.<sup>63</sup> However, in zones where the national police are still present, they are often obstructed by the self-defense groups, making the work and duties of police officers difficult:

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60 Interview with representative of Jeunesse/'Zaire', Bunia, October 14, 2022.

61 Radio Okapi, "Ituri: Une faction de la milice Zaire adhère au processus de Nairobi", January 19, 2023; Kivu Kwetu Blog, "Ituri: 'Nous ne connaissons pas Zaire, nous sommes MAPI', réponse du porte-parole à l'AT de Djugu. Que comprendre?", January 24, 2023.

62 United Nations Security Council (June 2022), op. cit., p. 22.

63 Interview with a police officer, Djugu territory, October 21, 2022.

*At the moment we are facing difficulties, because there is confusion as the police and the armed groups have to work together. However, the problem is that there are places where we are not allowed to go, not allowed to work, so we are limited. And even in the places we can access and where we are supposed to work, we cannot do our duties as well as we should, because the armed groups occupy our places and do the work in our place... They administer justice in their own way, they maintain law and order... They have the power and therefore it is their law that applies.<sup>64</sup>*

*Jeunesse/Zaire'* groups maintain order in their zones with an iron fist: to avoid infiltration of Lendu combatants, they check the ethnic affiliation of people who want to enter these areas, sometimes killing those who are identified as Lendu.<sup>65</sup> Motivated by the risk of nocturnal attacks by CODECO, *Jeunesse/Zaire'* has installed a curfew in certain zones (for example in Pluto) and offenders are penalized. *Jeunesse/Zaire'* also implemented a system of mandatory community work each Saturday (*Salongo*). Miners who did not participate in the community work have occasionally been arrested. Several sources suggest that weapons originating in Uganda were likely to have been supplied to *Jeunesse/Zaire'* via cross-border arms trafficking networks set up by *Jeunesse/Zaire'* leaders and merchants.<sup>66</sup> According to a police officer, discontent is simmering among the local population regarding the regular mandatory taxes (*jetons*), imposed by self-defense groups.<sup>67</sup>

Although the police in Pluto considers *Jeunesse/Zaire'* as a “negative force” from a legal point of view, they acknowledge that the self-defense groups contributed substantially to local security by stopping the advance of CODECO rebels in certain regions, thus contributing to the stabilization and continuation of mining activities in these regions.<sup>68</sup>

### 2.1.2.3. Entering the spiral of violence

Some factions of *Jeunesse/Zaire'* have evolved from mere self-defense groups protecting their own communities into more offensive militia attacking CODECO factions, sometimes in joint operations with FARDC soldiers. *Jeunesse/Zaire'* also committed crimes against civilians, killing members of the Lendu community (for example in the mining area of Mongbwalu) in retaliation for crimes against their communities, committed by CODECO.<sup>69</sup> In August 2022, *Jeunesse/Zaire'* attacked the village of Damas, in the chiefdom of Mabendi, Djugu, killing 22 civilians. In revenge for this, CODECO attacked the Hema village of Mbidjo in September 2022.<sup>70</sup> These examples demonstrate that *Jeunesse/Zaire'* and CODECO are caught in a dangerous spiral of endless retaliations, which escalates the conflict, causing more bloodshed; the fact that the Congolese army sometimes uses *Jeunesse/Zaire'* combatants to attack CODECO positions is simply adding fuel to the fire.

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64 Interview with a police officer, Djugu territory, October 21, 2022.

65 United Nations Security Council (June 2022), op. cit., p. 23.

66 United Nations Security Council, Midterm report of the Group of Experts on the Democratic Republic of the Congo, S/2022/967, December 2022, p. 17-18; interview with representative of CSO, Bunia, October 14, 2022; interview with police officer, Djugu territory, October 19, 2022.

67 Interview with a police officer, Djugu territory, October 21, 2022.

68 Interview with police officer, Djugu territory, October 21, 2022.

69 United Nations Security Council (June 2022), op. cit., p. 23; United Nations Security Council (December 2022), op. cit., p. 18.

70 United Nations Security Council (December 2022), op. cit., p. 211.

#### 2.1.2.4. Financing

*Jeunesse/Zaire'* receives support from a local political platform named G5 that unites representatives of the communities of Hema, Alur, Nyali, Mambisa, and Ndo-Okebo. According to the UN Group of experts, G5 mobilizes financial resources for the self-defense movement by means of voluntary or forced contributions.<sup>71</sup> Their financing policy is partly based on systematic tax collections. In some trading centers *Jeunesse/Zaire'* collects taxes from traders and shopkeepers. A shopkeeper in Pluto gave the following testimony:

*We, the shopkeepers, pay a tax of 20,000 Franc congolais (USD 10) per month. Once I forgot to pay the 20,000 Fc, and they came to arrest me. I was brought to their office, where I found many Nande who were arrested. All of them had to pay more than 100,000 Fc (USD 50) for their release. But as I knew one of the self-defense group commanders, they asked me to pay only 20,000 Fc for my release.<sup>72</sup>*



Mongbwalu, Ituri. © Josaphat Musamba

According to a police officer, shopkeepers and owners of mining pits in Iga-Barrière are supposed to pay 10,000 Fc (USD 5) weekly, whereas households have to pay 3,000 Fc (USD 1.5) per month.<sup>73</sup> *Jeunesse/Zaire'* also imposes taxes on transportation by motorbike, car, or truck at roadblocks, and receives financing from revenues from gold mining (for example, the so-called 'war efforts', taxes for the protection of mining sites), and sometimes from funds, collected by local ethnic *mutuelles* (or associations).<sup>74</sup>

71 United Nations Security Council (December 2022), op. cit., p. 18.

72 Interview with shopkeeper, Pluto, October 20, 2022.

73 Interview with police officer, Djugu territory, October 19, 2022.

74 Interview with member of CSO, Bunia, October 13, 2022; interview with motor-taxi driver, Bunia, October 15, 2022; Interview with member of *Jeunesse/Zaire'*, Bunia, October 14, 2022.

## 2.2. Role of the Congolese army and police in the armed conflict

Since May 2021 martial law is in effect in Ituri province, which means that the provincial civilian government and the parliament are suspended and that a military governor and a police vice-governor now have full executive power. The rationale behind this decision of the central government was that by imposing martial law, the army and the national police would be given the mandate and the power to deal more efficiently with armed violence, to restore law and order, and establish sustainable peace in Ituri province. However, 21 months later, these goals have not been achieved. The violence has not stopped. Civilians continue experiencing insecurity, and armed groups are still controlling substantial areas of the province, particularly in Djugu.<sup>75</sup>

The Congolese army (FARDC), the national police (PNC), and the *Police des Mines et des Hydrocarbures* (PMH) are the armed components of the Congolese security apparatus (PMH is responsible for ensuring security in mining sites). In the context of military law, the security forces (and in particular the FARDC) are supposed to establish security zones to guarantee the safety of civilians, and to disarm members of armed groups.<sup>76</sup> Although there have been many clashes between FARDC and CODECO over the past years, so far, the military campaigns against the rebels have not been very successful. Up to the present, CODECO factions continue their attacks against civilians and FARDC in Djugu.<sup>77</sup> Moreover, FARDC and police have made informal security arrangements with armed self-defense groups at the local level. In the region of Iga-Barrière, Dala, Mabanga, Pluto and Mongbwalu, elements of FARDC and *Jeunesse/Zaire'* have collaborated with each other on several occasions, not only to jointly secure certain roads and zones (their roadblocks are sometimes only a couple of hundred meters away from each other), but also to fight against CODECO.<sup>78</sup> For example, FARDC elements have erected roadblocks on the road Iga-Barrière – Nizi – Lalo, where they imposed taxes on truck and motorbike drivers.

Occasionally, members of FARDC have committed crimes in Djugu. The UN Group of Experts reported on violence against civilians during military operations against CODECO between March and June 2020 in several Lendu *groupements*. Undisciplined elements of the FARDC “destroyed and systematically looted dwellings, health facilities and schools, emptied Lendu villages of their population and prevented the delivery of humanitarian assistance,” and executed civilians.<sup>79</sup> FARDC members also engaged in illegal gold digging and taxation of artisanal gold miners, in Mongbwalu (see section 2.3.2.).<sup>80</sup>

As mentioned under section 2.1.2.2, the PNC sometimes faces difficulties to maintain its position as a law enforcement agency in areas that are controlled by armed groups. It is highly unusual that the police can operate in zones under CODECO control (the police patrol in certain places when they are certain that there are no combatants around), because CODECO is targeting state security forces. But also, *Jeunesse/Zaire'* can make a policeman's life difficult. According to a police officer, the presence of *Jeunesse/Zaire'* makes it hard for the PNC to perform their duties because armed self-defense groups have *de facto* taken over part of the role and responsibilities of the police:

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75 Agenonga Chober A. and G. Berghezan (2021), op. cit., p. 23.

76 Ordinance N° 21/016 of May 3, 2021.

77 La Libre, Des affrontements entre les FARDC et les miliciens de CODECO font 12 morts à Djugu, November 29, 2021; Radio Okapi, Djugu: 5 miliciens de la CODECO tués lors des combats avec les FARDC à Itendey, November 24, 2022; Radio Okapi, 13 civils tués lors d'une attaque de CODECO à Nyamamba, January 14, 2023; RFI, Une dizaine de FARDC tués par des miliciens de la CODECO à Djugu, January 28, 2023.

78 United Nations Security Council (June 2022), op. cit., p. 23.

79 United Nations Security Council (June 2021), op. cit., p. 27.

80 United Nations Security Council (June 2022), op. cit., p. 26.



*The presence of self-defense groups causes a problem because it is as if there is parallel governance, and sometimes they abuse their position, they take over our duties, and it is difficult for us to reclaim our responsibilities ... It should be our task to protect the population, but the population feels badly treated by these groups, because they have more power than we have, because their manpower is higher than ours, and because they have more weapons than we do ... You just have to buy a weapon and you can become a member of the self-defense, we do not know where they get the weapons, some of them are even dressed in FARDC uniforms, they seem to have a network that provides them with everything they need and sometimes it is difficult for us to distinguish between a FARDC soldier and a member of a self-defense group.<sup>81</sup>*

The same holds for the PMH, which is responsible for the security in the mines. For example, in the mining area of Pluto, PMH refused to collaborate with *Jeunesse/Zaire*. Perceiving the arrival of *Jeunesse/Zaire* as a threat, PMH agents were ordered by their hierarchy in Mongbwalu to leave their positions in the mines.<sup>82</sup> This means that the police, as representatives of the state, have withdrawn from certain zones, leaving the initiative to armed self-defense groups which established alternative governance structures.

In recent years, it has become increasingly clear that police and FARDC have failed to effectively control armed groups such as CODECO and *Jeunesse/Zaire* in Ituri, and that especially in Djugu they are not able to cover the whole territory. The focus of some of their members has shifted from restoring security towards the pursuit of economic interests, via direct involvement in illegal taxation, trafficking, and gold mining, as described further below.

Gold mining is an important factor in the political economy of the armed conflicts in Ituri province, and more specifically in Djugu territory. Not only do armed groups try to get access and to control gold mines, also state security services seem to take advantage of their broader mandate in the context of the martial law to benefit from the industry.

### 2.3. Interference of armed actors in gold mining in the territory of Djugu

Gold mining and trading is a highly important economic sector in Ituri province: as mentioned before, gold is only mined by artisanal and semi-industrial miners (there is currently no industrial gold exploitation). Estimates of the number of artisanal miners in Djugu territory vary substantially, ranging from 100,000 (estimated in 2010)<sup>83</sup> to about 23,000 (in 2012)<sup>84</sup>. For many households in gold mining areas, mining is the primary livelihood strategy, although households also engage in other livelihoods, such as farming and pastoralism.<sup>85</sup> However, the ongoing armed conflict has a devastating impact on normal mining activities. Numerous civilians have been killed in attacks on gold mines or villages near mining sites (the massacre in Camp Blanquette was discussed in section 2.1.1.3), many others have left their villages to seek safety in refugee camps. Moreover, because of the persistent violence and insecurity, artisanal mining sites are not accessible anymore (for example in the surroundings of Mongbwalu).<sup>86</sup> The attacks of CODECO

81 Interview with police officer, Djugu territory, October 21, 2022.

82 Interview with police officer, Djugu territory, October 21, 2022.

83 Geenen S., D. Fahey and F. Iragi Mukotanyi, *The future of artisanal gold mining and miners under an increasing industrial presence in South Kivu and Ituri, eastern Democratic Republic of Congo*, Antwerp: IOB/University of Antwerp, 2013, p. 14.

84 Van Puijjenbroek J., E.M. Mongo and J. Bakker, *A golden future in Ituri? Which perspective for gold exploitation in Ituri, DR Congo?* Utrecht: IKV Pax Christi/RHA, 2012, p. 12.

85 Geenen S., D. Fahey and F. Iragi Mukotanyi (2013), op. cit., p. 14.

86 Radio Okapi, "Djugu: des exploitants artisanaux d'or et des agriculteurs n'opèrent plus à cause de l'insécurité", July 22, 2022.

in gold exploitation areas have seriously affected “local economic activities, livelihood, and community resilience of the local population. This situation has impoverished many of the inhabitants in Djugu and other surrounding communities.”<sup>87</sup>

### 2.3.1. Non-state armed actors

As mentioned before, hostilities started in Djugu in agricultural and livestock farming areas where few mining sites are located, and, only at a later stage, moved towards gold mining zones. In the words of a police officer:

*I do not think that the mines are at the base of all these conflicts. The self-defense was not created because of the mines, and CODECO started its reprisals in the territory of Djugu in areas where there is not even gold, places such as Bule, there is no gold there, or Gokwa, Fataki, there is no gold, but the conflicts started there. If the stakes would have been mining, they would have been in Mongbwalu, but it took a long time before the armed groups appeared in Mongbwalu and Pluto; the Zaire group emerged there as a self-defense group, after they heard about the killings in Mongbwalu.<sup>88</sup>*



Mongbwalu, Ituri. © Josaphat Musamba

87 Abadias do Nascimento, M. and R. Apau, CODECO violent extremism activities in Eastern DRC: Analysis of vulnerabilities, response, and resilience, Algiers: African Center for the Study and Research on Terrorism (ACSRT), 2023, p. 8.

88 Interview with police officer, Djugu territory, October 21, 2022.

Reflecting on CODECO's motivations to get involved in the mining business, an authority of Mongbwalu put it this way:

*Initially, they used the field crops to survive once they had chased the local populations, but then they had nothing to eat anymore, and they had to look for other means to survive. Gold exploitation was not the prime motivation for their actions. It is their survival instinct that drove them into the gold mines.<sup>89</sup>*

While armed groups in Djugu territory have several alternative sources of income (see sections 2.1.1.4 and 2.1.2.4), in recent years, gold has become an increasingly important source of financing.<sup>90</sup> Throughout its 2021 and 2022 reports, the UN Group of Experts described how CODECO made money by looting gold miners and gold traders<sup>91</sup>, but also by exercising direct control over gold mines.<sup>92</sup> Since June 2020, thousands of CODECO combatants have arrived in the Mongbwalu area (in western Djugu territory). They started digging in the mines and levy taxes on gold traders that operate in the area.<sup>93</sup> Also *Jeunesse/Zaire'* increasingly makes money from the gold mines in Djugu territory (more specifically around the trading hubs of Dala, Mabanga, Nizi and Iga Barrière) and in Irumu territory.<sup>94</sup> *Jeunesse/Zaire'* combatants adapted themselves to multiple socio-security contexts, combining different social roles: a combatant can simultaneously take on the role of a miner, a trader, a transporter, and a mine pit owner.<sup>95</sup> Likewise, many CODECO rebels seem to have been working in artisanal mines, as was noticed by the UN Group of Experts, which observed that between June 2020 and January 2021, about 5,000 CODECO combatants, "many of whom had previously been artisanal miners," arrived at the mining site of Saio, near Mongbwalu.<sup>96</sup> As of late 2022, the two armed groups allegedly occupy hundreds of mining sites in Djugu, which means that agents of the official mining administration were not able to access most of these mining sites for more than a year. At the mining sites controlled by CODECO or *Jeunesse/Zaire'*, members of these armed groups have either taxed diggers or dug themselves in the mining pits.<sup>97</sup>

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89 Interview with authority of Mongbwalu, October 26, 2022.

90 United Nations Security Council (June 2022), op. cit., p. 24.

91 United Nations Security Council (June 2022), op. cit., p. 25.

92 United Nations Security Council (June 2021), op. cit., p. 23.

93 United Nations Security Council (June 2021), op. cit., pp. 23-24.

94 United Nations Security Council (June 2021), op. cit., p. 26.

95 Interview with police officer, Djugu territory, October 21, 2022.

96 United National Security Council (June 2021), op. cit., p. 23.

97 United Nations Security Council (December 2022), op. cit., p. 18; In annex 64, of the same report the UN Group of Experts gives an extensive list of mines controlled by armed groups in Djugu territory; interview with police officer, Pluto, October 21, 2022.

As gold becomes an important source of financing for both CODECO and *Jeunesse/Zaire*, it is increasingly becoming a motivator for violent territorial expansion. The UN Group of Experts reported that the control over mining sites around Mongbwalu, one of the richest gold mining areas in eastern DRC, was an important explanatory factor in CODECO's territorial expansion in 2022.<sup>98</sup> On top of that, *Jeunesse/Zaire* has allegedly prioritized conquering new gold mines around Mongbwalu.<sup>99</sup> The UN Group of Experts concluded that “the high number of armed clashes recorded at and around gold-mining sites, most notably Mongbwalu and Nizi, reflected the interest of both armed groups in the mining sector”.<sup>100</sup> Since late 2021, both *Jeunesse/Zaire* and CODECO factions firmly strengthened control over gold mines near Mongbwalu and attacks between them, as well as with the FARDC, intensified. While *Jeunesse/Zaire* mostly controls mines to the north and west of Mongbwalu, notably around the centers of Pilipili, Pluto and Lodjo, CODECO factions are in control of mines to the west, south and southeast of Mongbwalu, such as Saio.<sup>101</sup>

Faced with the presence of non-state armed groups in the gold mines, agents of the *Service d'Assistance de l'Exploitation Minière Artisanale et à Petite Échelle* (SAEMAPE) and the *Division provinciale des Mines*, two state services that are supposed to support artisanal miners, have left most of the mining sites in the region of Mongbwalu.

Gold extracted in mines under the control of armed groups is either sold in Bunia, or, via Nande traders, in Butembo and Beni in North Kivu province (from where it goes to Uganda). Alternatively, the gold is directly and clandestinely transported to Mahagi territory, close to the Ugandan border (where it is sold to Ugandan traders).<sup>102</sup>

### 2.3.2. State security forces

State security forces also benefit from mining activities in Djugu. Several Chinese semi-industrial mining companies, which closed deals with local mining cooperatives to acquire access to gold exploitation zones, have (illegally) recruited members of the FARDC as private security guards to protect their mines and equipment.<sup>103</sup> Reportedly, the deployment of FARDC members to foreign semi-industrial mining companies is the result of fraudulent financial agreements between some FARDC officers and the companies.<sup>104</sup> It has been observed that FARDC members manned checkpoints at the entrance of mining sites, where they imposed taxes on passers-by.<sup>105</sup> According to the UN Group of Experts, FARDC soldiers received 30 to 50 percent of the gold extracted by artisanal diggers at some mines on the concession (PE5105) of the MGM mining company.<sup>106</sup> In addition, elements of FARDC reportedly own mine pits in the sector of Banyali-Kilo and in the chiefdom of Bahema-Baguru.

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98 Furthermore, it referred to the decreasing number of FARDC units as the main explanation (as they were re-deployed to fight M23 in North Kivu), as well as strategic objectives to cut *Jeunesse/Zaire*'s supply chains (see United Nations Security Council, December 2022, op. cit., p. 17).

99 United Nations Security Council (June 2022), op. cit., p. 24.

100 United Nations Security Council (December 2022), op. cit., p. 18.

101 United National Security Council (June 2022), op. cit. pp. 24-26; interview with CSO representative, Bunia, October 14, 2022.

102 Interview with CSO representative, Bunia, October 14, 2022.

103 IPIS, Grievances, governance and gold in the eastern DRC, IPIS Briefing, February 2022.

104 United Nations Security Council (December 2022), op. cit., p. 219.

105 Personal observation of the research team.

106 United Nations Security Council (June 2022), op. cit., p. 26.

The Congolese Ministry of Defense and Veterans is also directly involved in the mining business through its agency *Africaine d'Explosifs* (AFRIDEX). AFRIDEX is officially responsible for the management of the production and use of explosives in the DRC. Although it is prohibited by Article 2 of the Congolese Mining Regulation, dynamite is widely used in artisanal mining.<sup>107</sup> AFRIDEX is implicated in the artisanal gold mining sector in Ituri, and more specifically in Djugu, where it is responsible for warehouses where explosives are stored and for training in the use of dynamite. AFRIDEX agents also impose taxes on artisanal miners who use explosives. Moreover, miners are compelled to be accredited by AFRIDEX if they want to use dynamite in artisanal mines (for example in mines in the area of Pluto). According to a recent IPIS report, tax collection by AFRIDEX causes legal confusion because the taxation itself is legal whereas the use of explosives in artisanal mining is not.<sup>108</sup> Taxes imposed by AFRIDEX are perceived as exorbitant and can trigger frictions between different actors in the mining sites (e.g., between mine pit owners and cooperatives) about who should pay these taxes. Even if the taxation by AFRIDEX is currently limited to some artisanal gold mines in Djugu, it brings substantial revenue to the Ministry of Defense.<sup>109</sup>



AFRIDEX, Bunia, Ituri. © Josaphat Musamba

107 Journal Officiel de la République Démocratique du Congo, Décret N° 038/2003 du 26 mars 2003, portant Règlement Minier, tel que modifié et complété par le Décret N° 18/024 du 8 juin 2028, Kinshasa, June 12, 2018.

108 De Brier G., T. Muller and J.-P. Lonema, Taxes et prélèvements dans les sites miniers artisanaux du Sud Kivu et de l'Ituri: combien paie un minier artisanal? Antwerp: IPIS, November 2022, pp. 41-42; according to the findings of IPIS, AFRIDEX is only involved in the artisanal mining sector in Ituri (not in other provinces).

109 De Brier G., T. Muller and J.-P. Lonema (2022), op. cit., p. 41.



### 3. MYRIAD FACTORS CONTRIBUTING TO DJUGU'S CONFLICTS

The previous sections considered the link between armed groups and gold mining in Djugu, indicating that present-day armed conflicts in Ituri cannot be explained as conflicts that arose from competition for control over natural resources (*in casu* gold mines). Armed groups moved gradually into Djugu's mining areas as the conflicts continued. CODECO did so in search of new resources as part of their survival strategy, and *Jeunesse/Zaire'* to protect the mining sites they consider being part of their community's patrimony, from the aggression of CODECO.

#### 3.1. Land and property rights issues

Land and property issues lie at the base of long-lasting tensions between communities. They can be dormant for long periods and quickly deteriorate into overt violence based on what appear to be trivial incidents. Conflicts not only revolve around the "enclaves" which result from the territorial fragmentation of chiefdoms and sectors - the 'fragments' of Hema chiefdoms that are entirely surrounded by 'Lendu territory' (metaphorically 'the skin of the leopard') - but also around landownership instigating discord between farmers and cattle breeders, or between local populations and concession holders. Sungura *et al.* argue that the 'politics of enclaves' tend to favor large Lendu entities, whereas land and concession ownership are generally dominated by Hema elites.<sup>110</sup> Mobutu's land reform in the 1970s and the consequent redistribution of land concessions, was already discussed in section 1.2. This process of acquisition of land in Lendu villages by Hema elites, was accelerated during the second Congo war, when Ugandan troops (UPDF) occupied large parts of Ituri to get control over its mineral resources, and General James Kazini established the new province of Kibali-Ituri: they appointed a Hema businesswoman as governor and started to collaborate with Hema entrepreneurs. The result was, that more Lendu farmers were displaced from their ancestral lands, and were pushed deeper into poverty.<sup>111</sup> In the post-conflict period, reconciliation efforts hardly addressed these deep-rooted issues over access to and ownership of land in Ituri, causing frustrations to run high: according to Sungura *et al.* "co-existence of customary and state laws, supports a status quo whereby different legal and normative registers can be used to legitimize claims to land. This situation not only helps perpetuate conflict, it exacerbates the tensions since different actors feel empowered by diverging laws, or law-like regulations."<sup>112</sup>

Violence has been especially observed in the enclosed zones, whose limits are constantly disputed. On the other hand, Lendu who currently live in the region of Mongbwalu and who are descendants of migrant workers in colonial plantations and mines are considered non-native to the region by members of the so-called autochthonous Nyali community. The presence of Lendu communities in a 'Nyali zone' is described as problematic.<sup>113</sup> According to an executive of the chiefdom of the Bahema-Baguru, violent conflicts over land limits have far-reaching consequences, resulting in alternative governance structures:

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110 Sungura A., L. Kitonga, B. van Soest and N. Ndeze (2021), *op. cit.*, pp. 31-32.

111 Pottier J., "Representations of ethnicity in the search for peace: Ituri, Democratic Republic of Congo", *African Affairs*, 109, 434 (2010), 23-50, pp. 26-28.

112 Sungura A., B. van Soest and L. Kitonga (2019), *op.cit.*, p. 12.

113 Interview with authority of Mongbwalu, October 26, 2022.

*The chiefdom of the Baguru lost seven villages. These villages are no longer administered by the chiefdom, because of boundary disputes. Currently, these seven villages are illegally occupied by Lendu who have appointed their own village chiefs who do not report administratively to the chiefdom.<sup>114</sup>*

From the above, it becomes clear that the conflict in Ituri is rooted in historical inequalities and disputes over the distribution of resources - but this does not originate with gold. Rather, unsettled historical conflicts over boundaries, access to land, and who is entitled to benefit from what (depending on whether customary or state laws are invoked), have spurred violence. These stimuli are highly complex, addressing them requires going beyond a focus on gold.

### 3.2. Customary chiefs and 'old sages': indispensable actors in the mining business

The role of customary (or traditional) chiefs and 'old sages' (*les vieux sages*) in land issues and disputes in the mining sector should not be underestimated. As the preservers of traditional values and practices, customary chiefs are considered the moral leaders of the local communities. They are assisted by old sages whose advice is considered essential.<sup>115</sup> Seen by some people as a threat but respected by others, the old sages have an important place in the customary power system, in the social structure of the Hema, Mambisa, Alur, Nyali and Ndo-Okebo.

Moreover, their role in the management and regulation of gold mining seems to be perceived as indispensable and legitimate. Mining operators who want to start mining activities in a certain zone require a favorable recommendation from the local customary chiefs (*village, groupement, chiefdom*) and their old sages. Even if the mining zone is located on an industrial concession of SOKIMO or MGM, potential mine managers are supposed to consult the old sages to receive their blessing for a successful exploitation and pay them for their spiritual benevolence. Refusing to seek approval of the old sages is believed to bring bad luck, potentially jeopardizing future gold production. If a potential mine manager wants to peacefully start mining operations, he is obliged to reward the customary chiefs and their old sages for their approval and benediction by means of direct financial compensation, or by donation of a mine pit.<sup>116</sup>

Customary chiefs and their inner circle of old sages can lie at the basis of different types of mining-related conflicts. Besides the previously mentioned conflicts between the old sages and mine managers, tensions among old sages themselves due to divergent opinions about new mining operations and/or the repartition of rewards have also been reported.<sup>117</sup> In past years, there have also been conflicts between customary chiefs and state-owned SOKIMO regarding the non-payment of 'customary royalty fees' by the latter, and between artisanal miners and SOKIMO regarding mining royalties (30 percent of their production).<sup>118</sup> Private mining cooperatives such as COMALOBANI have signed an agreement with MGM allowing them to start mining operations in certain plots on the company's concessions. However,

114 Interview with official of the chiefdom of Bahema-Baguru, Djugu territory, October 18, 2022.

115 Interview with chief of groupement, Djugu territory, October 21, 2022.

116 Interview with agents of territorial mining office, Djugu territory, October 19, 2022; interview with police officer, Djugu territory, October 21, 2022; interview with police officer, Djugu territory, October 21, 2022. See also De Brier G., T. Muller and J.-P. Lonema (2022), op. cit., p. 45.

117 Interview with police officer, Djugu territory, October 21, 2022.

118 IPIS, Analyse quantitative du secteur minier artisanal dans la région de Mambisa, Bahema-Badjere, Bahema-Nord et Walendu-Djatsi (Djugu, Ituri), Internal Report, February 2021.

the eviction of artisanal miners from MGM areas that are not exploited industrially but neither are covered by contracts with cooperatives, causes friction with the local population.<sup>119</sup>

Importantly, there seems to exist a link between customary authorities and armed groups, potentially increasing the complexity of conflict dynamics. According to some sources, certain customary chiefs (for example certain *chefs de groupement*) are involved in the self-defense movement for it is deemed unlikely that armed self-defense factions can operate in a given area without the approval or tolerance of the local authorities. According to one police officer in Djugu, self-defense groups have replaced the incumbent customary chiefs in some zones, by new, more docile chiefs who received a small share of the earnings of the self-defense group.<sup>120</sup>

### 3.3. Failure and challenges of disarmament, demobilization and reintegration (DDR) programs

Over the past years, the Congolese government has set up several DDR programs to dismantle non-state armed groups and to reintegrate their combatants into society, including in Ituri. Unfortunately, these attempts have so far proved unsuccessful.<sup>121</sup> The programs failed for several reasons, including: the persistence of security dilemmas preventing combatants from disarming; the incomplete implementation of the programs due to a lack of funds to properly conduct the complex and time-consuming process of reintegration; the lack of support and weak engagement vis-à-vis the challenges that demobilized rebels have to face when they return to civilian life; short-term interventions (e.g., providing money for a short period of time) without the prospect of a durable solution; unmet expectations of armed group combatants about incentives (e.g., receiving military ranks in the regular army); and hidden agendas of local political elites who want to leave the door open to mobilize ex-combatants for political goals.<sup>122</sup>

Various CODECO factions have started talks with the government about surrender, but the effective implementation of DDR programs proved to be difficult to achieve.<sup>123</sup> One example of the program's failure was the intrusion of armed CODECO rebels in Bunia in September 2020 after they had left a transit camp not far from the provincial capital. They demanded that the government take care of them instead of leaving them to fend for themselves.<sup>124</sup> According to the UN Group of Experts "the lack of progress towards a Disarmament, Demobilization and Reintegration process for factions of CODECO, contributed to the gradual deterioration of the security and humanitarian situation in Djugu territory."<sup>125</sup>

In a bid to remediate the failures of the past, Congolese President Félix Tshisekedi launched another disarmament and demobilization initiative in 2021, the *Programme de Désarmement, Démobilisation, Relèvement Communautaire et Stabilisation* (P-DDRCS). The new program aims high with its principal goals being conflict resolution, the restoration of peace and social cohesion, the re-establishment of state authority and security, the reintegration of communities, and stabilization. Demobilization and the reintegration in society of armed combatants are no longer goals in themselves; their implementation is now integrated into a broader community support approach.<sup>126</sup> Although an operational plan for the P-DDRCS was approved by the provincial government of Ituri in October 2022,<sup>127</sup> and some local armed

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119 De Brier G., Conflict analysis and stakeholder mapping in South Kivu and Ituri, Antwerp: IPIS, April 2021, pp. 34-35.

120 Interview with police officers, Djugu territory, October 19 and 21, 2022.

121 Matthysen K. and E. Gobbers (2022), op. cit., pp. 26-27.

122 Vogel C. and J. Musamba, Recycling rebels? Demobilization in the Congo, Rift Valley Institute, PSRP Briefing Paper 11, March 2016, pp. 3-4; Musamba J., C. Vogel and K. Vlassenroot et al., Il en faut deux (ou plus) pour un tango: La politique armée, l'agentivité de combattant et la demi-vie des programmes DDR au Congo, Gent: Governance in Conflict Network, March 2022, pp. 54-59.

123 International Crisis Group (2020), op. cit., p. 17.

124 RFI, "RDC: Des miliciens CODECO font une incursion à Bunia," September 5, 2020.

125 United Nations Security Council (June 2021), op. cit., pp. 2-3.

126 Musamba J., C. Vogel and K. Vlassenroot et al. (2022), op. cit., p. 54.

127 Radio Okapi, "La province de l'Ituri dotée d'un plan opérationnel des activités de programme DDRCS," October 11, 2022.

group factions seemingly accepted to participate,<sup>128</sup> the program has not yet produced tangible results while several factions continue armed hostilities.<sup>129</sup>

Not surprisingly, the program faces many challenges. For example, the demands of some rebel leaders and combatants regarding integration into state security services with their military rank unchanged run counter to the provisions of the P-DDRCS.<sup>130</sup> On the other hand, fear of potential retaliation against the five communities by CODECO could explain the reluctance or indifference of some armed groups to join the program. The fear of combatants that by handing over their weapons and gathering in disarmament centers they will no longer be able to defend themselves and their families when CODECO rebels arrive, forms a psychological factor of resistance to the P-DDRCS.

A member of *Jeunesse/Zaire'* explained why he does not want to join the P-DDRCS:

*I do not want to join the program because it is uninteresting. I cannot. I want money like any other young person in our country ... If the P-DDRCS does not give me money, I cannot turn in my gun. We are not going to disarm, as long as they do not start disarming the Lendu, CODECO, who are killing us for nothing.*<sup>131</sup>

This quote from a *Jeunesse/Zaire'* militiaman clearly illustrates the vicious cycle of security dilemmas in which rebels are trapped. They will not lay down their arms if their opponents do not disarm. The fact that some factions are willing to participate in demobilization programs while others are not, demonstrates the complexity of the peace process and reveals the tremendous challenges that hamper breaking the spiral of violence. If such programs are to stand any chance of success, they will need to take into account the complexity of local realities and deal with the root causes of the conflicts, rather than merely focusing on symptom control.

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128 Radio Okapi, "Ituri: Regroupement des miliciens CODECO Gokpa pour participer au programme DDRCS", July 7, 2022; Radio Okapi, "Ituri: Les leaders du groupe armé URDPC/CODECO formés sur l'administration de la justice pénale militaire," September 7, 2022. Representatives of several factions of armed groups such as CODECO and FPIC, have participated in the DRC peace talks in Nairobi, Kenya, which are organized under the auspices of the East African Community (EAC) (see Radio Okapi, "Ituri: Les groupes armés CODECO, FRPI et FPIC se rendent aux assises de paix de Nairobi," November 25, 2022).

129 Radio Okapi, "Ituri: Le société civile de Mobala enjoint le gouvernement d'accélérer le P-DDRCS et traquer les groupes armés réfractaires", January 8, 2023; Radio Okapi, "Irumu: La société civile de Solenyama appelle à la mise en œuvre du DDRCS," February 26, 2023; Radio Okapi, "Ituri: 7 morts dans une attaque armée de la CODECO à Djugu," February 13, 2023.

130 Présidence de la République, Document de Stratégie Nationale: Pour la mise en œuvre du programme de désarmement, démobilisation, relèvement communautaire et stabilisation, Kinshasa, January 2022. See for example the list of demands of URDPC-CODECO in United Nations Security Council (June 2021), op. cit., pp. 192-197.

131 Interview with member of *Jeunesse/Zaire'*, Pluto, 22 October 2022.

## CONCLUSIONS

The conflict in Ituri during the second Congo war (1998-2003) should primarily be considered as a 'resource conflict,' i.e., a regional fight for the control over gold mines and other natural resources.<sup>132</sup> The current conflicts in Ituri, on the contrary, seem to be far more rooted in a complex web of long-standing community grievances about real or perceived social inequalities, unequal access to land, and political power distributions which are perceived as unfair. However, this does not mean that natural resources, and particularly gold, are of no importance in the context of the current hostilities. Natural resources are also intrinsically linked to land, which means that the nexus between gold and conflict in Ituri is inseparable from land issues. At present, gold mining is not the prime cause of the conflict but seems to be a crucial asset in the survival strategies of armed groups that continue to destabilize the province. Moreover, the second Congo war undeniably had a regional character with Uganda (and its UPDF) and Rwanda being overtly involved in the resource war. Although some of the armed groups mentioned in this report are allegedly involved in fraudulent cross-border weapons and gold trafficking between the DRC and Uganda, neighboring countries are not substantially interfering in the conflict between CODECO and *Jeunesse/Zaire*.<sup>133</sup>

It is a matter of serious concern that tensions between communities continue to flare up after several years of relatively peaceful coexistence. Tensions rapidly deteriorate into large-scale inter-communal violence, which indicates that unresolved disputes have been simmering for a long time. The following factors have contributed (and still contribute) to long-lasting divisions between the different communities in Ituri, and in particular in the territory of Djugu: social stratification and inequalities; the subdivision of Djugu into fragmented chiefdoms and sectors (resulting in a geographical map resembling a leopard's skin), which creates confusion and disputes about the limits between the administrative entities; a land ownership system that fails to reconcile claims about historically inherited land and newly acquired concessions; the field of tension between customary power and the civil law system; and the opaque and fraudulent governance of the gold mining sector.

The Congolese government is trying to solve the 'violence problem' by imposing martial law in Ituri province, suspending the civilian government and installing a military governor. Further, it participates in peace talks (organized by the East African Community) with some of the armed groups active in eastern Congo (including Ituri) and has adopted a new disarmament and demobilization initiative, the P-DDRCS program. Although several factions of armed groups active in Djugu territory agreed to participate in the program and/or the peace talks, violence and instability continue in the war-torn territory (and province). Multiple challenges seem to hamper these peace initiatives. Contrary to its objectives, martial law is not restoring peace and stability in Ituri, where local administrative entities currently oscillate between state control and rebel governance. In Djugu, security agreements between FARDC, national police, and self-defense groups still exist, which *de facto* means that state security forces have given up their monopoly over the legitimate use of violence. They operate jointly with armed self-defense groups to carry out security tasks (e.g., protecting roads and mining sites) or to attack CODECO, or they are forced to leave police tasks to militia members. In other areas, state forces are completely absent, leaving territorial control in the hands of rebel groups. Previous DDR programs failed for multiple reasons, and also the new P-DDRCS is facing challenges as expectations of armed group leaders are at odds with the provisions of the new disarmament and demobilization programs amid persisting security dilemmas.

Moreover, the gold mining business, Ituri's main economic sector, suffers from a lack of transparency and from long-lasting tensions between different stakeholders, making it prone to conflict. Further compounding the problem, the combination of lawlessness and martial law seems to offer state and non-state armed forces the opportunity to pursue economic interests, competing amongst each other to obtain a piece of the 'gold' pie.

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132 Turner T. (2007), op. cit., p. 9.

133 But it is true that Ugandan troops operate jointly with the FARDC in Ituri province to neutralize the Allied Democratic Forces (ADF), an armed group originating in Uganda, that moved from North Kivu to Ituri, apparently benefitting from the chaotic and lawless situation in the larger part of the province.



The conflicts in Ituri will not be solved merely by trying to disarm rebels, hoping that they will be willing to reintegrate peacefully into society. Although the extraction and trade of gold help finance armed groups, the conflict is not only about gold and thus cannot be reduced to a 'conflict minerals' issue. Peace will not return unless fundamental local issues linked to land access, customary authority, mining governance, and social and political inequalities between communities have been dealt with, or at least have been put on the agendas of local and national governments.

## RECOMMENDATIONS

This case study points out that long-lasting historical disputes over land, and social inequalities, lie at the root of the persistent armed violence in the territory of Djugu, which means that, instead of thinking about this conflict as a 'conflict mineral' issue, it is necessary to analyze it from a much broader perspective. Moreover, the study shows that relying on the 'military solution' to deal with armed groups in Djugu, has not led to the desired result. Imposing the martial law, has not restored peace; on the contrary, armed violence persists, and even more alarming, it seems that the Congolese police and army have given up their monopoly over the legitimate use of violence. Furthermore, disarmament, demobilization, and reintegration initiatives have failed in the past years, because they lacked long-term social strategies for sustainable reintegration of combatants in civil life. In this respect it is worth to consider following recommendations:

- The central government could consider restoring civil rule in the province of Ituri, as requested by local civil society in Ituri. Under martial law, it is difficult to organize inclusive dialogues with all the stakeholders (for example, the provincial civil government and the provincial parliament are currently suspended).
- A clear understanding of the root causes of land property issues and the (perceived) social inequalities between communities is vital: further in-depth research might help to identify and analyze the key factors, and to reveal possibly hidden dynamics, causing persistent disagreement and distrust between different communities. In this respect, it would also be crucial to investigate and clarify the role and legitimacy of local/customary authorities in land and natural resources management.
- We recommend the organization of roundtables to promote inter-community dialogue. New findings and insights generated by the proposed research (previous recommendation) can form the basis for these round table discussions. They need to be organized at the local and national level, and should be attended by all relevant stakeholders, such as representatives of the different communities living in Ituri province, civil society, provincial and customary authorities, governmental services competent for land affairs, and mining sector stakeholders. These roundtables should aim at formulating realistic proposals for tangible and sustainable change, to ensure that reconciliation processes will have a chance of succeeding.
- DDR programs should make available sufficient financial means to be able to provide long-term material and social assistance/guidance for combatants who want to reintegrate in civil life. International partners might contribute to these processes.
- The formalization of the gold supply chain is needed. However, formalization of the gold sector is a difficult long-term process, and not merely a national responsibility; as transnational gold smuggling is a permanent concern, a regional (Great Lakes) approach would be appropriate (in terms of a regional conference, bilateral agreements) to make formalization successful. In the short term, a realistic and reliable due diligence system for the gold sector would be very welcome to address the issue of conflict-financing.
- In line with the previous recommendation, we also recommend the government to clarify the role and responsibilities of AFRIDEX, regarding the use of explosives and the management of security risks in the artisanal mining sector.

These recommendations require political will and technical leadership from national and local institutions, as well as community members and customary institutions. It will require international support to encourage the incremental progress required to build trust towards a lasting peace.

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