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Children and armed conflict in the Democratic Republic of the Congo

Report of the Secretary-General

Summary

The present report, submitted pursuant to Security Council resolution [1612 \(2005\)](#) and subsequent resolutions, is the eighth report of the Secretary-General on children and armed conflict in the Democratic Republic of the Congo. It covers the period from 1 April 2020 to 31 March 2022 and the information provided focuses on the six grave violations committed against children, the perpetrators thereof and the context in which the violations took place.

The report sets out the trends and patterns of grave violations against children by all parties to the conflict and provides details on progress made in addressing grave violations against children, including through the implementation of action plans and other child protection commitments.

The report concludes with a series of recommendations to end and prevent grave violations against children in the Democratic Republic of the Congo and improve the protection of children.



I. Introduction

1. The present report, submitted pursuant to Security Council resolution [1612 \(2005\)](#) and subsequent resolutions, covers the period from 1 April 2020 to 31 March 2022. It is the eighth report of the Secretary-General on children and armed conflict in the Democratic Republic of the Congo to be submitted to the Security Council and its Working Group on Children and Armed Conflict. The report highlights trends and patterns of grave violations committed against children by parties to the conflict in the Democratic Republic of the Congo and provides details of the progress made to end and prevent such violations since the previous report ([S/2020/1030](#)) and the adoption by the Working Group of its conclusions on the situation of children and armed conflict in the Democratic Republic of the Congo ([S/AC.51/2020/10](#)). It also contains information on progress and challenges in the dialogue with parties to the conflict. Where possible, parties responsible for grave violations are identified. In annex I to the most recent report of the Secretary-General on children and armed conflict ([A/76/871-S/2022/493](#)), the Armed Forces of the Democratic Republic of the Congo (FARDC) remained listed for sexual violence against children under the list of parties that have taken measures aimed at improving the protection of children, while 12 armed groups continued to be listed for one or more violations under the list of parties that have not put in place such measures.

2. The information contained in the present report was verified, through the monitoring and reporting mechanism on children and armed conflict, by the United Nations country task force on monitoring and reporting in the Democratic Republic of the Congo, which is co-chaired by the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) and the United Nations Children's Fund (UNICEF). The ability of the country task force to verify information on violations was at times hampered by security constraints, the activities of armed groups, the "state of siege" in North Kivu and Ituri Provinces and ongoing military operations by FARDC against armed groups. Public health threats such as the Ebola outbreak in North Kivu and measures related to the coronavirus disease (COVID-19) pandemic during the reporting period have also posed serious challenges with regard to accessing locations and verifying incidents. Consequently, the information contained in the present report does not represent the full extent of grave violations committed against children in the country, and the actual number of violations is likely higher. Where incidents were committed earlier but verified only during the reporting period, that information is qualified as relating to an incident that was verified at a later date.

II. Overview of the political and security situation

3. The period under review was largely marked by the COVID-19 pandemic and the Government's response to it, a context in which the implementation of key activities of the United Nations in the country was hampered. Following the declaration of a state of public health emergency by the President, Félix-Antoine Tshisekedi Tshilombo, on 24 March 2020, several human rights violations by government forces were documented in the context of COVID-19 response measures. During most of the reporting period, the documentation of grave violations against children as well as of violations related to conflict-related sexual violence was constrained by security measures and travel restrictions as part of measures to contain the pandemic. The repatriation of foreign children formerly associated with armed groups was also delayed because of COVID-19-related measures in place both in the Democratic Republic of the Congo and in neighbouring countries. These measures also led to additional challenges with regard to humanitarian access and the provision of assistance, as well as difficulties related to child protection activities, such as family tracing and the

reunification of children hosted in transit care centres. This challenging situation was compounded by ongoing activities by multiple armed groups, military operations and intercommunal violence, which continued to increase protection risks for children.

4. On 3 May 2021, President Tshisekedi signed two ordinances instituting a state of siege in Ituri and North Kivu Provinces, effective 6 May 2021 for an initial period of 30 days, with the possibility of extensions in 15-day increments. As of March 2022, the state of siege had been extended for the twenty-second time. In this context, as an exceptional and temporary measure, the civilian authorities of Ituri and North Kivu were replaced by a military governor and a police vice-governor during the time of the state of siege. The military and police authorities were granted increased powers over arrests and searches, the regulation of movement and freedom of expression and assembly, and the enforcement of public order and decision-making. Military courts took over responsibility for criminal prosecutions from civilian courts. The lack of capacity in the military justice system to handle the additional case load had an impact on victims' timely access to justice.

5. Despite the "state of siege", there was an intensification of armed group activities in Ituri and North Kivu, especially those of the Nyatura-Collectif des mouvements pour le changement-Forces de défense du peuple (CMC-FDP) and other Nyatura factions, the Forces démocratiques de libération du Rwanda (FDLR), the Allied Democratic Forces (ADF), the Conseil national pour le renouveau et la démocratie (CNRD), the Coopérative pour le développement du Congo (CODECO), the Alliance des patriotes pour un Congo libre et souverain (APCLS), and the Nduma défense du Congo-Rénové (NDC-R) factions. Some armed groups in North Kivu reportedly moved their main bases to South Kivu following military pressure by FARDC. Following joint advocacy by the country task force and the interministerial joint technical working group on children and armed conflict, chaired by FARDC, the Minister for Defence issued a directive to the security forces on 18 May 2021 recalling the need for troops to adopt a child protection preventive attitude during military operations, in line with commitments made by the Government under the action plan signed in 2012.

6. Following the reaffirmation by President Tshisekedi of his stance in favour of a community-based approach to disarmament, demobilization and reintegration, and his commitment to breaking the cycle of amnesty and integration into the armed forces, the ordinance creating the Disarmament, Demobilization, Community Recovery and Stabilization Programme was promulgated on 5 July 2021. On 7 August 2021, President Tshisekedi appointed a coordinator to lead the development of the new Programme. In March 2022, the strategy to implement the new Programme was adopted, and the Programme was validated and officially released by the President on 4 April 2022. The Programme encompasses adults and children and reflects major shifts in terms of approaches to disarmament, demobilization and reintegration in the Democratic Republic of the Congo, with an emphasis on community-driven, decentralized and civilian-led processes.

7. Meanwhile, the humanitarian situation continued to deteriorate in the eastern part of the Democratic Republic of the Congo, exacerbating vulnerabilities and protection needs for children as a result of the violence caused by armed groups, public health emergencies and the eruption of Mount Nyiragongo in North Kivu on 22 May 2021. The humanitarian needs overview indicates that 27 million people need assistance in 2022, an increase of 7.4 million compared with 2021, with the Ituri, North Kivu, South Kivu, Tanganyika and the greater Kasai regions most affected. According to the Office for the Coordination of Humanitarian Affairs of the Secretariat, since the beginning of 2022, 700,000 people have been newly displaced, bringing the total number of displaced people to 6.2 million, the highest in Africa.

A. North Kivu

8. North Kivu continued to witness the greatest proliferation of armed groups and, since 2020, the security situation has deteriorated across the Province. Attacks by ADF and responding operations by FARDC continued to pose significant threats to civilians and children in Beni territory. Ongoing attacks by ADF prompted new community mobilization in support of local Mai-Mai groups, increasing risks of the recruitment and use of children. Clashes between the coalition of APCLS-Nyatara and FARDC through 2020 were also a concern with regard to the protection of children. From their side, Mai-Mai Mazembe introduced a new system for child recruitment in the form of collective punishment for communities that did not sufficiently participate in mandatory community work, including in support of the group. Children who refused to participate were abducted and held in captivity. Armed groups in Masisi and Rutshuru territories, particularly APCLS, Nyatara-CMC-FDP and other Nyatara factions, FDLR and NDC-R, conducted attacks on civilian communities. Clashes between Nyatara-CMC-FDP and NDC-R in Masisi territory continued to affect children, as both parties used children as combatants.

9. Since November 2021, the resurgence of the Mouvement du 23 mars in Rutshuru territory has raised concerns over an already volatile security situation in North Kivu. Military operations against the group have intensified since the second half of January 2022 and significant population displacements have been observed as a result.

B. Ituri

10. The security situation in Ituri also deteriorated owing to increased activities by armed groups, particularly in Djugu, Irumu and Mahagi territories. Attacks on civilian communities, as well as on schools, hospitals and other civilian infrastructure, continued to cause population displacement, with children at risk of abduction, killing, maiming, recruitment and sexual violence. ADF and CODECO were particularly active and emerged as major perpetrators of grave violations against children in Ituri during the period under review.

11. The security situation in southern Irumu improved following the signing of the peace agreement by the Force de résistance patriotique de l'Ituri (FRPI) and the Government in February 2020. However, as at 31 March 2022, the FRPI disarmament and demobilization process had not yet commenced owing to COVID-19-related challenges and lingering disagreements among the Congolese authorities over the group's demands that its members be released from prison, that the group receive amnesty and that some of its leaders be integrated into FARDC. In addition, FRPI elements left demobilization centres, which made it impossible to verify the absence of children, as foreseen by the agreement. Meanwhile, FRPI continued to commit grave violations against children, including recruitment and use, in violation of the peace agreement.

12. In 2021, increased threats posed by frequent ADF attacks on the border between North Kivu and Ituri, particularly in Irumu and Mambasa territories, causing population displacement and greater risks of the recruitment and abduction of children, were documented. During the reporting period, ADF increased its presence in Irumu territory, where 62 per cent of the total number of violations attributed to the group were verified.

C. South Kivu and Maniema

13. The security situation deteriorated in the border areas of South Kivu, Maniema and Tanganyika Provinces owing to the activities of Twa militias and Mai-Mai Apa Na Pale.

14. In South Kivu, the Hauts Plateaux of Uvira, Fizi and Mwenga, the territories of Kabare, Kalehe, Shabunda and Walungu, and the south of Fizi territory, as well as the neighbouring Kabambare territory in Maniema, experienced an upsurge in armed violence. In 2020, following a security vacuum created by the redeployment of some units of FARDC to other conflict-affected areas, FDLR-CNRD began to actively recruit people, including children. In 2021, persistent intercommunal tensions contributed to the deterioration of the situation in the Hauts Plateaux of Minembwe. The Hauts Plateaux of Fizi, Mwenga and Uvira were among the most insecure areas in the Province and clashes between Mai-Mai groups, Twigwaneho and the Forces républicaines fédéralistes (FRF-Gumino) resulted in growing threats to the protection of children. In the Ruzizi plain of Uvira territory, the return of several leaders of Mai-Mai Raia Mutomboki after a failed attempt to demobilize further increased protection risks for civilians, including children.

15. In Kabambare territory, Maniema Province, the security situation remained volatile owing to resumed fighting between two Mai-Mai Malaika factions. While both factions had agreed to lay down weapons on 14 July 2021, armed confrontations continued, leading to grave violations against children.

D. Tanganyika

16. The security situation continued to improve in Manono, Moba, Kabalo and Kongolo territories. However, Mai-Mai Apa Na Pale and Mai-Mai Kabeke increased their presence around the Bendera area and in the northern parts of Nyunzu territory throughout 2020, resulting in an increase in the number of verified grave violations against children.

E. Greater Kasai region

17. In April 2021, MONUSCO concluded its operational activities and the Mission exited from the region on 30 June 2021. As a result, the country task force made arrangements for the continuation of monitoring and reporting of grave violations through partners. With decreasing tensions in the greater Kasai region and the demobilization of Kamuina Nsapu during the period under review, the number of verified violations in the area dropped compared with the previous reporting period. In the report of the Secretary-General on children and armed conflict for the year 2020 ([A/75/873-S/2021/437](#)), parties formerly operating in the greater Kasai region, Kamuina Nsapu and the Bana Mura militia, were no longer considered active.

III. Grave violations committed against children

18. The country task force verified 7,616 grave violations against 6,073 children (4,240 boys; 1,833 girls) by 78 parties to the conflict during the reporting period. This represents a decrease compared with the previous reporting period (9,957) (see [S/2020/1030](#)), largely explained by the lower number of children recruited, used and separated during the period under review. All other violations, however, increased, particularly those of killing and maiming and attacks on schools and hospitals. At least 1,249 children were victims of more than one violation, typically recruitment and use and/or killing and maiming and/or sexual violence and/or abduction. Of concern was that the number of parties to conflict responsible for grave violations increased significantly, from 58 during the previous reporting period to 78.

19. The overwhelming majority of violations were attributed to armed groups (7,083, or 93 per cent). Perpetrators included Nyatura (1,126), Mai-Mai Mazembe

(866), CODECO (749), Mai-Mai Apa Na Pale (630), NDC-R (430), Mai-Mai Raia Mutomboki (343), and Forces démocratiques de libération du Rwanda-Forces combattantes abacunguzi (FDLR-FOCA) (333). Government forces were responsible for 496 violations (7 per cent), attributed to FARDC (396), the Congolese National Police (92), and the Agence nationale de renseignements (ANR) (8). A total of 37 violations could not be attributed to a specific party.

20. North Kivu, with 4,014 violations, and Ituri, with 1,525, were the two provinces with the highest numbers of violations verified, accounting for 73 per cent of the total, followed by South Kivu (934), Tanganyika (735), the greater Kasai region (198), Maniema (169), Haut-Katanga (23), Tshopo (6), Haut-Lomami (1) and Sankuru (1). Ten violations were committed in neighbouring countries and continued on Congolese territory (Burundi, 6; Rwanda, 2; and Uganda, 2), as children were either recruited and/or abducted across borders and subsequently brought and used in the Democratic Republic of the Congo, where the violations were verified. The most concerning trend has been the impact of the continuous worsening of the security situation in Ituri, where verified violations steadily increased throughout the reporting period, with 443 violations verified between April and December 2020, 753 during the entirety of 2021, and 204 between January and March 2022.

21. Recruitment and use (3,901), abduction (1,548) and sexual violence (944) were the three most verified violations. Killing and maiming (929) and attacks on schools and hospitals (281) were also verified in high numbers – a steep increase of 238 per cent and 208 per cent, respectively, compared with the previous reporting period, owing in part to the deterioration of the security situation in Ituri and North Kivu. Abductions and sexual violence also increased, while the number of denial of humanitarian access incidents remained similar. The continued detention of a large number of children for their alleged association with armed groups (233), as well the military use of schools, were also verified (7).

22. Of note was that sexual violence continued to be the violation most attributed to government forces (256), of which elements of FARDC were the main perpetrators (190). Cases of rape and other forms of sexual violence against children represented 51 per cent of all violations attributed to government forces. Killing and maiming was the second violation most attributed to government forces (143).

23. In addition, 1,414 grave violations that had occurred during previous reporting periods were verified at a later date during the current reporting period by the country task force. Those violations included abductions (684), recruitment and use (420), rape and other forms of sexual violence (223), killing and maiming (47) and attacks on schools and hospitals (40).

24. The ability of the country task force to verify violations was at times hampered by a volatile security situation, armed group activities, the state of siege in North Kivu and Ituri and military operations by FARDC against armed groups. Public health emergencies, including the COVID-19 pandemic, also posed serious challenges to accessing locations and verifying incidents. Therefore, the information set out in the present report does not represent the full extent of grave violations committed against children in the country, and the actual number of violations is likely to be higher.

A. Recruitment and use

25. A total of 3,901 children (3,377 boys; 524 girls) were verified as recruited and used during the reporting period. Of these, 2,056 children (1,808 boys; 248 girls) were recruited prior to 1 April 2020 but continued to be used until their separation during the reporting period. The remaining 1,845 children (1,569 boys; 276 girls) were newly recruited and separated during the period under review. Children were recruited, used

and separated from 53 armed groups, with Mai-Mai Mazembe (677) and Nyatura (668) as the main perpetrators, followed by Mai-Mai Apa Na Pale (400), APCLS (283), NDC-R (279), FDLR-FOCA (203), Mai-Mai Raia Mutomboki (187), Kamuina Nsapu (121),¹ ADF (120), CODECO (109) and other armed groups (846). Eight children were separated from FARDC, who used them in support roles. Children were recruited and used in North Kivu (2,425), South Kivu (551), Tanganyika (469), Ituri (279), the greater Kasai region (131), other provinces (42) and in Rwanda (2), Burundi (1) and Uganda (1). Of note, 1,642 children (42 per cent) were under the age of 15 when recruited.

26. With regard to cases of new recruitment, confirming a trend outlined in the previous report (S/2020/1030), numbers continued to noticeably decline, from 2,817 children in the previous reporting period to 1,845 in the current one. During the period under review, new recruitments further decreased from 1,034 in the last three quarters of 2020 to 786 in 2021 and to 25 in the first quarter of 2022. This is partly explained by the decreasing tensions in the greater Kasai region, where a significant number of new recruitments were verified during the previous reporting period. Of note, 605 children (33 per cent) were under the age of 15 when newly recruited. Most cases were verified in North Kivu (1,301), followed by South Kivu (274), Ituri (189), Tanganyika (55), and other provinces (24), as well as in Burundi (1) and Uganda (1) by the Forces nationales de libération (FNL) and ADF, respectively, to be later used in South Kivu and North Kivu. Fifty-two armed groups were responsible for 99.6 per cent of the new recruitments (1,838), with most attributed to Nyatura (381), followed by Mai-Mai Mazembe (306), APCLS (214), NDC-R (111), FDLR-FOCA (103), ADF (102), Mai-Mai Raia Mutomboki (65), Mai-Mai Apa Na Pale (52), Alliance des forces de résistance congolaise (AFRC) (51), CODECO (45), Mai-Mai Biloze (44), Mai-Mai Alida Kilanda (39) and other armed groups (325).

27. Eight boys were verified as recruited and used by FARDC, including seven who were newly recruited during the reporting period, in support roles and intelligence-gathering. For example, six children formerly associated with ADF were rescued by FARDC and subsequently used as spies during military operations against ADF in Ituri. Following advocacy by the country task force, six children were separated from FARDC within three weeks. The other two children were used for domestic work inside military camps.

28. Of the 3,901 children, 1,472 (38 per cent) were used in support roles, such as porters, cooks and cleaners, while 1,416 (36 per cent) were used in active combat roles. The remaining children were used as escorts (614), fetish keepers (184), spies (109), wives and sexual slaves (63) and for unspecified roles (43). Of note, girls were mainly used in support roles (311), as combatants (70) and as concubines and sexual slaves (63).

29. Of the 3,901 children recruited and used, 1,876 were forcibly recruited (48 per cent), including through abduction (1,481). Another 1,702 children (44 per cent) joined armed groups or FARDC, including through the influence of friends (587), of family and community members (339) or for financial motives (316). For the remaining 323 children, the tactic of recruitment was unknown.

30. Children were separated in different manners: 2,520 escaped, 788 were voluntarily released, 300 surrendered as a result of the disarmament and demobilization of armed groups, 230 were captured by government forces, 18 were captured by other armed groups, 21 were killed or maimed, 1 was released after the payment of a ransom by the family and 23 were released in an unspecified manner. Of note, 105 children were living with their families during the time of their association, which highlights the need for a specific community-based reintegration response.

¹ The cases were separations of children recruited by the group before the reporting period but who remained associated until the group demobilized during the period under review. Following its demobilization, the group was considered no longer active (A/75/873-S/2021/437, para. 291).

31. Children recruited and used were also victims of other grave violations, including abduction (1,481), killing and maiming (35) and sexual violence (281). At least 54 per cent of 524 recruited girls reported being subjected to sexual slavery (138), forced marriage (97), rape (30) or gang rape (16) during their association with armed groups.

Detention of children for their alleged association with armed groups

32. A total of 233 children (205 boys; 28 girls) between the ages of 9 and 17 were held in detention by FARDC (216), the Congolese National Police (15) and ANR (2) for their alleged association with armed groups in North Kivu (133), Ituri (63), South Kivu (32), Tanganyika (4) and Maniema (1). Detention lasted between two days and three years, with the majority of children being released within five months. The country task force advocated for the application of the directives issued in 2013 by the Minister for Defence and ANR, according to which children formerly associated with armed groups must be immediately handed over to the United Nations and partner organizations.

B. Killing and maiming

33. The country task force verified the killing (578) and maiming (351) of 929 children (552 boys; 377 girls), which is a nearly threefold increase compared with the previous reporting period (391). Of particular concern is the spike in the number of children killed (578) compared with 182 children killed during the previous reporting period (see [S/2020/1030](#)). Some 300 violations were verified from April to December 2020, 464 in 2021 and 165 in the first quarter of 2022. Thirty-five armed groups were responsible for 749 child casualties (81 per cent) while 143 were attributed to government forces. Thirty-seven child casualties were attributed to unidentified perpetrators as a result of explosive remnants of war. Ituri was the province with the greatest number of children killed and maimed (519, or 56 per cent) owing mainly to intercommunal violence in Irumu and Djugu territories, where groups affiliated with the Hema, Lendu and Bira communities have been fighting and targeting civilians, including children, and also as a result of increased activities by ADF in the southern part of Ituri Province. Ituri was followed by North Kivu (267, or 29 per cent), South Kivu (84), Tanganyika (37), the greater Kasai region (13), Maniema (6), Haut-Katanga (1), Haut-Lomami (1) and Sankuru (1). An age analysis by the country task force showed that 58 per cent of the child victims were aged 10 or older, while 18 per cent of affected children were below the age of 5.

34. Among the 35 armed groups, the main perpetrator was CODECO with 314 child casualties (34 per cent of the total), followed by ADF (135), Nyatura (44), the Front patriotique et intégrationniste du Congo (39), unidentified Mai-Mai groups (31), NDC-R (30), Mai-Mai Apa Na Pale (26), Twigwaneho (20), APCLS (16), FDLR-FOCA (9), FRF-Gumino (9), unidentified groups (9), Mai-Mai Mazembe (8), Mai-Mai Raia Mutombo (8) and other armed groups (51).

35. A total of 143 children killed (61) and maimed (82) was attributed to FARDC (115) and the Congolese National Police (28), principally in North Kivu (75) and Ituri (41), where military operations have increased in the context of the state of siege.

36. The main causes leading to the killing and maiming of children were targeted shooting (at least 161), bladed weapons (at least 121), crossfire (at least 70), explosive devices, including explosive remnants of war and improvised explosive devices (at least 39) and burns (20). At least 436 children were killed or maimed as a result of attacks targeting civilian communities.

37. Some of the children killed or maimed were also victims of other violations, such as recruitment and use (35), sexual violence (19) and abduction (17).

C. Rape and other forms of sexual violence

38. The country task force verified rape and other forms of sexual violence against 944 children (11 boys; 933 girls) between the ages of 2 and 17, with 379 violations from April to December 2020, 512 in 2021 and 53 in the first quarter of 2022. Armed groups were the main perpetrators (688), while 256 cases were attributed to government forces. North Kivu had the most cases verified (440, or 47 per cent), followed by Ituri (187), South Kivu (88), Tanganyika (83), Maniema (76), the greater Kasai region (48), Haut-Katanga (21) and Tshopo (1). An age analysis showed that 60 per cent of the survivors (565) were aged 15 years or older.

39. Among armed groups, the main parties responsible for sexual violence against children were Nyatura (145) and CODECO (112), followed by Mai-Mai Malaika (60), Mai-Mai Apa Na Pale (59), FDLR-FOCA (54), Mai-Mai Raia Mutomboki (40), NDC-R (37), Mai-Mai Mazembe (32) and other armed groups (149).

40. Among government forces, FARDC elements were the main perpetrators with 190 violations, followed by the Congolese National Police (60) and ANR (6). Sexual violence remained the violation with the most verified cases attributed to government forces, although there was a decrease compared with the previous reporting period (332). Two thirds of these cases were verified in North Kivu (85) and Ituri (52), a trend likely linked to the increased presence of government forces in the two provinces in the context of the state of siege.

41. The majority of the sexual violence cases involved rape (546), followed by gang rape (159), sexual slavery (127), forced marriage (103) and attempted rape (9). Of concern was that sexual violence was linked to other violations, and at least 288 children surviving sexual violence were also abducted, 169 were recruited and used and 19 were killed or maimed.

42. Only 9 per cent of the perpetrators were arrested: 93 per cent were members of government forces.

D. Attacks on schools and hospitals

43. The country task force verified 281 attacks on schools (185) and on hospitals (96), including on protected persons in relation to schools and/or hospitals, representing a sharp increase (208 per cent) compared with the previous reporting period (see [S/2020/1030](#)). A total of 128 incidents were verified between 1 April and 31 December 2020, 130 in 2021 and 23 in the first quarter of 2022. Armed groups were responsible for 218 attacks (78 per cent) while 63 attacks were attributed to government forces. Ituri experienced the highest number of incidents (178, or 63 per cent), followed by North Kivu (47), South Kivu (45), Maniema (5), Tanganyika (3) and the greater Kasai region (3). This trend is explained by the ongoing intercommunal conflict between the Hema and Lendu communities in Djugu territory (Ituri) and increased military operations in the context of the state of siege. The country task force also assessed that school closures ordered by the Government in 2020 as a result of the COVID-19 pandemic may have created an environment more amenable to looting and the destruction of closed educational infrastructure by parties to the conflict.

44. Among the armed groups, the main perpetrator was CODECO (109 attacks), followed by ADF (26), Mai-Mai Biloze (15), NDC-R (14), Mai-Mai Mazembe (11),

Twigwaneho (10), Mai-Mai Ilunga (10), Mai-Mai Malaika (4), Mai-Mai Apa Na Pale (3), Mai-Mai Raia Mutomboki (3) and unidentified Mai-Mai groups (3), and one attack each by Nyatura, the Union des patriotes pour la défense du Congo (UPDC), Luba militia, Mai-Mai Dragon, Mai-Mai Buhirwa, FRF-Gumino, Mai-Mai Yakotumba, Mai-Mai Baraka and Mai-Mai Mayele. Of note, CODECO mainly targeted schools and hospitals in Djugu (39) and Mahagi (68) territories in Ituri Province, while ADF attacked schools and hospitals in Irumu (15) in Ituri Province and Beni (11) in North Kivu Province.

45. With regard to government forces, 63 attacks against schools and hospitals were attributed to FARDC (62) and the Congolese National Police (1) (22 per cent), the overwhelming majority of which were verified in Ituri (84 per cent) in the context of military operations against armed groups.

46. Most attacks against schools involved the destruction of infrastructure (133), looting (38), the burning of facilities (7) and bombing (2). In five instances, education personnel were targeted and attacked. With regard to hospitals, attacks involved looting (57), looting and the destruction of the facilities (27) and their burning (4). In eight instances, medical personnel were attacked.

Military use of schools and hospitals

47. The country task force verified seven incidents of military use of schools, all by FARDC in North Kivu (4), South Kivu (2) and Ituri (1). Two incidents took place between 1 April and 31 December 2020, four in 2021 and one in the first quarter of 2022. The schools were used for a time frame ranging from two days to one month, and all schools were vacated following advocacy by the country task force.

E. Abduction

48. The country task force verified the abduction of 1,548 children (1,014 boys; 534 girls) with 587 violations in the last three quarters of 2020, 838 in 2021 and 123 in the first quarter of 2022. Armed groups were responsible for 1,524 abductions (98 per cent) while 24 children were abducted by government forces. North Kivu had the highest numbers (833, or 54 per cent), followed by Ituri (357), South Kivu (161), Tanganyika (143), Maniema (40), Tshopo (4), the greater Kasai region (3) and Haut-Katanga (1), and abductions occurred in neighbouring countries (6). An age analysis showed that 56 per cent of the abducted children were between the ages of 14 and 16.

49. Among armed groups, ADF was the main responsible party (280), followed by Nyatura (268), Mai-Mai Apa Na Pale (142), Mai-Mai Mazembe (137), APCLS (124), Mai-Mai Raia Mutomboki (105), CODECO (101), NDC-R (69), FDLR-FOCA (67), Mai-Mai Malaika (40), AFRC (29), Mai-Mai Kifuafua (20), unidentified Mai-Mai groups (19) and other armed groups (171). With regard to government forces (24), 19 abductions were attributed to FARDC, 3 to the Congolese National Police and 2 to ANR.

50. The number of abductions increased significantly in Ituri and South Kivu compared with the previous reporting period (see [S/2020/1030](#)). In Ituri, CODECO and ADF were the main perpetrators. For example, CODECO was responsible for 94 per cent of the abductions in Djugu territory. As for ADF, the group committed 90 per cent of the abductions in Irumu territory (Ituri) compared with 26 per cent in Beni territory (North Kivu), as the group gradually expanded its activities from its traditional area of operation in Beni territory to Irumu territory during the reporting period. In South Kivu, the majority of abductions were attributed to Mai-Mai Raia Mutomboki (91), including 85 in Shabunda territory alone. In Tanganyika, Mai-Mai Apa Na Pale was responsible for 96 per cent of the abductions committed in Kalemie territory. In addition, there were instances of children abducted in neighbouring

countries and trafficked into the Democratic Republic of the Congo for recruitment and use. For example, five children were abducted in Burundi, including one by FNL, who was subsequently recruited and used in South Kivu by the same group, while the other four were abducted by ADF and stopped by government forces on their way to an ADF camp in Butembo territory (North Kivu). Another child was abducted in Uganda by ADF and later recruited and used in North Kivu by the group.

51. At least 920 children were abducted for the purpose of recruitment and use. Another 227, at least, were abducted for the purpose of transporting looted goods and ammunitions, and were released shortly after. At least 168 were abducted for the purpose of sexual violence, 48 to obtain a ransom and 185 for unknown reasons. In addition, 288 children were also subjected to sexual violence and abuse during their abduction, and 17 were killed or maimed while in captivity.

F. Denial of humanitarian access

52. The country task force verified 13 incidents of denial of humanitarian access to children, attributed to CODECO (4), FARDC (2), unidentified Mai-Mai groups (2), Mai-Mai Mazembe (1), NDC-R (1), Mai-Mai Malaika (1), Twigwaneho (1) and Mai-Mai Yakutumba (1). Incidents took place in Ituri (5), South Kivu (5), North Kivu (2) and Maniema (1). Two incidents were verified in 2020, 10 in 2021 and 1 in the first quarter of 2022. These incidents involved attacks on humanitarian facilities (7) and on humanitarian personnel (6). Some incidents had considerable repercussions with regard to the continuation of humanitarian aid delivery.

IV. Progress and challenges in addressing grave violations against children

A. Action plans and dialogue with parties to the conflict

53. The reporting period was marked by the continued commitment of the Government of the Democratic Republic of the Congo to consolidate the gains of its action plan signed in 2012, and to sustainably prevent the recruitment and use of children by its armed forces. The collaboration established between the United Nations and FARDC through the joint technical working group on children and armed conflict, chaired by FARDC, and through joint screening mechanisms in FARDC recruitment and training camps to prevent the enlistment of children, continued to be instrumental to the protection of children. In addition, the country task force continued its advocacy with the Government for increased efforts to minimize the adverse impacts of military operations on children, including through the expeditious release of children from detention.

54. The five joint technical working groups that have been operational at the national and provincial levels since 2018² continued to be used by the Government, FARDC, the country task force and non-governmental organization partners as forums to exchange information and address child protection issues.

55. Following the declaration of the state of siege in May 2021, and its renewals since that time, the country task force witnessed accrued risks related to the protection of children in the context of increased military operations. Following the advocacy of the national joint technical working group, the Minister for Defence issued a directive on 18 May 2021 reminding FARDC of the need to respect the child protection

² Four of the joint technical working groups act at the provincial level, in South Kivu, North Kivu (Goma and Beni) and Ituri, while the fifth acts at the national level, in Kinshasa.

commitments made by the Government under the 2012 action plan. The joint technical working group also advocated to maintain civilian judges instead of military judges for trials involving children during the state of siege. As a result, the Ministry of Justice confirmed, in a circular dated 9 July 2021, that the juvenile courts would remain the only competent courts of first instance for cases involving children. In North Kivu, the joint technical working group liaised with local judicial civil and military authorities to ensure full application of the provisions included in the circular.

56. Training sessions on conflict-related sexual violence were conducted by MONUSCO with FARDC, as it remained listed for rape and other forms of sexual violence against children in the annexes to the report of the Secretary-General on children and armed conflict (A/76/871-S/2022/493). For example, between September and November 2021, MONUSCO trained 149 FARDC unit commanders and magistrates, including 10 high-ranking officers, on preventing and combating sexual violence. Following the training, 52 officers signed a commitment to combat impunity for crimes related to sexual violence.

57. In compliance with the standard operating procedures on age verification adopted in 2016 by the joint technical working group, the screening of new recruits among FARDC resulted in 6,594 new recruits screened, and 113 children identified among them, who were subsequently separated before their formal enrolment. The country task force supported screenings in Équateur, Haut-Katanga, Kinshasa, Kasai Central, Kasai Oriental, Kongo Central, Kwilu, Ituri, North Kivu, South Kivu and Tanganyika.

58. The country task force continued its outreach to armed groups that were listed and non-listed in the annexes to the Secretary-General report on children and armed conflict, and was in contact with 17 armed groups and factions during the reporting period. As a result, 12 commanders of armed groups signed a unilateral declaration and a road map committing to end and prevent child recruitment and use and other grave violations against children.³ In this regard, in July 2021, MONUSCO approved its own standard operating procedures relating to communication with non-State armed groups for the release and protection of children in order to guide the engagement and dialogue of MONUSCO child protection actors and other personnel with armed groups.

59. The outreach to armed groups led to the voluntary release by their commanders of 788 children, which represents 20 per cent of the total number of children separated during the reporting period.

B. Accountability and combating impunity

60. Accountability efforts by the Government continued as part of the continued implementation of the 2009 law on the protection of the child, which stipulates, inter alia, that child recruitment is a crime punishable by up to 20 years of imprisonment.

61. Thirty-nine FARDC elements were sentenced to between 5 years and life in prison for the rape or the killing of children; 13 Congolese National Police elements were sentenced to between 2 and 20 years for rape of a child; and 1 member of the armed group APCLS was sentenced to life in prison for killing a girl. In September 2021, Chance Mihonda, of Mai-Mai Chance, an armed group based in South Kivu,

³ Mai-Mai Maheshe (14 May 2020); Mai-Mai Apa Na Pale-Bilenge (24 June 2020); Mai-Mai Apa Na Pale-Mandjosa (5 August 2020); Nyatura Jean-Marie (7 August 2020); Mai-Mai Apa Na Pale-Makilo (10 October 2020); Mai-Mai Ilunga-Rusesa (8 December 2020); NDC-R-Bwira (2 February 2021); Mouvement acquis au changement (9 February 2021); Mai-Mai Mutetezi (Forces des patriotes pour la défense du Congo-Mouvement de libération) (15 June 2021); Mai-Mai Raia Mutomboki-Donat (16 September 2021); Rassemblement congolais contre l'occupation et la balkanisation (12 November 2021); and UPDC (23 November 2021).

was sentenced to life in prison for war crimes committed between 2018 and 2020, including the recruitment and use of at least nine children.

62. On 23 November 2020, Ntabo Ntaberi Sheka, former leader of Nduma défense du Congo (also known as Mai-Mai Sheka), was sentenced to life in prison by the Operational Military Court of North Kivu for war crimes, including rape, murder, sexual slavery, recruitment and use of children, looting, destruction of property and violation of physical integrity. This marks an important step forward in combating impunity for perpetrators of child recruitment and other grave violations against children.

63. Trials against suspected child recruiters, including Bigirabagabo and Noheri of Nyatura in North Kivu, and Cobra Matata of FRPI in Kinshasa, were suspended in 2021 owing to COVID-19 restrictions. The commanders of Mai-Mai Raia Mutomboki (Ntarumanga faction) and Mai-Mai Jackson were arrested in 2021 for suspected crimes against children, and investigations are ongoing. An investigation is also ongoing for the commander of Mai-Mai Maheshe, who remains at large. In addition, investigations are ongoing for 75 elements of the government forces who were arrested on charges of sexual violence during the reporting period.

64. The country task force continued to provide assistance to military justice authorities in their investigations and prosecutions by providing support to child witnesses with regard to writing their testimonies, and by facilitating the protection of victims and witnesses during public hearings.

C. Awareness-raising and mainstreaming

65. The country task force continued to undertake awareness-raising initiatives to end and prevent grave violations against children. Since 2020, awareness-raising and capacity-building activities have been adapted to the COVID-19-related measures in place. Whenever possible, training sessions and meetings were conducted online. Such activities were carried out for MONUSCO troops (1,216), and government forces (2,791, comprising at least 246 women), including FARDC, the Congolese National Police, ANR and the Direction générale des migrations.

66. The country task force continued to engage with civil society actors and organizations to increase awareness on child protection and the prevention of grave violations. In the light of the COVID-19 context, the country task force also expanded its existing network of partners to report protection alerts and allegations of violations, and reinforce prevention and response to violations, including sexual violence. A total of 6,634 community and religious leaders, members of local and community-based organizations and community child protection focal points, including at least 1,619 women, participated in awareness-raising activities in North Kivu, South Kivu, Ituri, Tanganyika and Kasai. A specific focus was placed on Tanganyika Province in anticipation of the closure of MONUSCO bases in Kalemie in June 2022.

67. In addition, 248 focal points (including 17 women) from armed groups were trained on the implementation of road maps to end and prevent grave violations.

V. Programmatic response

68. UNICEF and its partners continued to support activities related to identification, documentation, family tracing and reunification, and also provided temporary care and protection services and socioeconomic and school reintegration support to children formerly associated with parties to conflict, and to unaccompanied, vulnerable and conflict-affected children from host communities.

69. UNICEF and its partners assisted 16,449 children, 52 per cent of whom were girls. As of December 2021, 20 per cent of the children had received support to start socioeconomic activities and 6 per cent had received support to return to school. Of those, 765 boys and 5,031 girls who were survivors of sexual and gender-based violence were provided access to multisectoral response services by UNICEF and its partners. In addition, 4,297 boys and 730 girls formerly associated with parties to conflict were reunited with their families.

70. While awaiting family reunification or other suitable durable solutions, children had access to comprehensive services, such as referrals to medical care, psychosocial support and recreational activities. While identification, temporary care and reunification constituted the programmatic focus, the socioeconomic reintegration of children formerly associated with parties to conflict continued to be challenging owing to the absence of long-term, predictable funding and the very weak socioeconomic fabric prevailing in the children's areas of origin, which limited opportunities for reintegration.

71. In addition, 309,825 children affected by armed conflict and forced displacement, children in situations of family separation, and other vulnerable children from host communities benefited from psychosocial assistance, including discussion groups, access to child-friendly spaces and one-on-one psychosocial support. The activities offered included, among others, recreational and sports activities, life-skills curricula and awareness-raising sessions on different topics, ranging from personal hygiene to protection and gender-based violence.

72. UNICEF continued to support access to childbirth registration within the 90-day legal period and further supported the registration of more than 300,000 children after the legal time frame through supplementary judgments. Since 2020, funding shortfalls have negatively affected these interventions. Despite this, UNICEF supported at least 907 children released from armed groups with the provision of birth certificates, which is a decrease compared with the previous reporting period (see [S/2020/1030](#)).

VI. Observations and recommendations

73. I am deeply troubled by the persistently high number of grave violations which continue to be committed against children by all parties to the conflict in the Democratic Republic of the Congo. I condemn these violations and reiterate my call to all parties to put an end to and prevent these violations and uphold their responsibilities under international human rights law and international humanitarian law.

74. I note the decrease in the total number of grave violations against children, which is explained by a reduction in cases of children recruited, used and separated from parties to conflict during the period under review. Nevertheless, and despite this decrease, as a result of the conflict dynamics and tensions, the recruitment and use of children in armed conflict remains very high and is the violation most often verified by the United Nations in the Democratic Republic of the Congo. Furthermore, I am deeply concerned that all other grave violations have increased during the same period, particularly the killing and maiming of children, and attacks on schools and hospitals.

75. I welcome the continued commitment of the Government of the Democratic Republic of the Congo to consolidate the gains of its action plan of 2012, and sustainably prevent the recruitment and use of children by its armed and security forces, including through the institutionalization of measures and mechanisms therein. I am encouraged that the few children who were verified as used by FARDC were released within weeks and I urge the Government to maintain all efforts so that

recruitment and use of children by its forces is prevented, and that those found responsible for such acts are held accountable.

76. I reiterate my appeal to the Government to accelerate the implementation of aspects of its 2012 action plan related to sexual violence against children, as FARDC and other government security forces remain significant perpetrators of this violation. Of the six grave violations, sexual violence against children is also the one most often attributed to the Congolese national forces.

77. I welcome the ongoing efforts by the Government to hold perpetrators of recruitment and use, sexual violence and other grave violations against children accountable. I welcome that prosecutions of suspected perpetrators of such violations have included members of government security forces. I encourage the Government to pursue its efforts for accountability for grave violations against children, in particular sexual violence, as a fundamental way to enhance the prevention of violations.

78. Despite the notable decrease in cases of recruitment and use of children, I remain deeply concerned by the high numbers of such incidents, particularly as they are committed by an increasing number of armed groups. I urge the commanders of these groups to immediately cease the recruitment and use of children and to release, unconditionally, the children from their ranks. I am encouraged that several commanders of armed groups decided to collaborate with the United Nations to end and prevent child recruitment and other grave violations against children, through dialogue and the signing of unilateral declarations and road maps. I welcome that children were released as a result of such dialogues. I urge the groups who have not yet done so, in particular those listed in the annexes to my report on children and armed conflict ([A/76/871-S/2022/493](#)) to enter into dialogue with the United Nations and sign commitments to end and prevent grave violations. I commend the Government of the Democratic Republic of the Congo for supporting such outreach by the United Nations.

79. I note with concern the large number of children detained for their alleged association with armed groups and call on the Government to treat these children primarily as victims, to detain them only as a measure of last resort for the shortest appropriate period of time and to hand them over to child protection actors, in line with its 2013 directives and the Principles and Guidelines on Children Associated with Armed Forces or Armed Groups (the Paris Principles), which it has endorsed.

80. I am concerned by the sharp increase in the killing and maiming of children owing to military operations, confrontations between parties, attacks on civilian communities and in the context of intercommunal violence, all of which take a heavy toll on children. I appeal to all parties to refrain from targeting children, and civilians in general, and to take all necessary measures to minimize the effect of their operations and activities on civilians, including children. I note the efforts by the Government, through the joint technical working group, to limit threats posed to children during military operations in the framework of the state of siege in Ituri and North Kivu.

81. The increasing and persistent large number of incidents of sexual violence against children is a serious concern, and I call on the Government to implement its commitments on conflict-related sexual violence and prioritize access to services for survivors.

82. I am troubled by the spike in attacks on schools and hospitals, in the context of growing intercommunal violence and military operations. I urge all parties to end and prevent attacks on schools and hospitals, and related protected persons, to take the measures necessary to cease indiscriminate attacks against them and ensure that

educational and medical facilities are not used for military purposes. I encourage the Government to pursue its efforts to implement the Safe Schools Declaration, which it has endorsed.

83. I am further concerned by the persistently large number of children abducted, primarily for the purpose of recruitment and use, noting that abductions are often intertwined with other violations. I urge all parties, in particular armed groups, to cease this practice and to release children from captivity so that they can return to their families and communities safely and in dignity.

84. I welcome the new Disarmament, Demobilization, Community Recovery and Stabilization Programme, while noting the close collaboration between the Government and the United Nations in its development. I urge the Government to give special consideration to children and their needs in its implementation.

85. I remain very concerned by the lack of predictable funding for long-term reintegration programmes for children formerly associated with armed forces and groups, which hampers their effective and sustainable reintegration into their communities. I urge the donor community, together with the Government of the Democratic Republic of the Congo, to support socioeconomic reintegration programmes that can reduce the risks of child recruitment and rerecruitment and contribute to peace and stability in the country, while recalling that inclusive and sustainable development is the long-term solution to conflict drivers and fragility in the country.
