



# **DRC: “THEY SAID WE WOULD DIE”**

**M23 AND WAZALENDU ABUSES IN EASTERN CONGO**

RESEARCH  
BRIEFING

**AMNESTY**  
INTERNATIONAL



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*Members of the M23 movement stand guard for the convoy of Democratic Forces for the Liberation of Rwanda (FDLR) soldiers arriving at the main border crossing between DR Congo and Rwanda in Goma on March 1, 2025, during the repatriation of FDLR soldiers by the M23 movement to Rwanda. (Photo by Jospin Mwisha / AFP) (Photo by JOSPIN MWISHA/AFP via Getty Images)*

M23 and Wazalendo armed groups have committed horrific human rights abuses in eastern Democratic Republic of Congo. M23 fighters have summarily killed Congolese, attacked hospitals and abducted patients and caregivers, and tortured, threatened and forcibly disappeared civil society actors. Fighters from both groups have gang-raped women. Many of these acts violate international humanitarian law and may amount to war crimes.

# 1. EXECUTIVE SUMMARY

The March 23 Movement's (M23) territorial expansion in eastern Democratic Republic of Congo (DRC) has surpassed that of the two previous Rwanda-backed armed groups that were parties to past conflicts in the DRC. In response, the Wazalendo ("patriots" in Swahili), a loose coalition of armed groups fighting the M23 and backed by the Congolese army (FARDC), has grown significantly, spreading throughout North and South Kivu. This has deepened the militarization of eastern DRC and resulted in catastrophic human rights abuses.

M23 has attempted to root out, dismantle, punish, and eliminate threats against itself and the Tutsi population in eastern Congo. It has become increasingly targeted by Wazalendo attacks and has responded by unlawfully detaining large numbers of young men. In the process, it has tortured and abducted scores of men, forcibly disappeared individuals, killed and tortured detainees, and gang-raped women. Many of these acts violate international humanitarian law (IHL) and may amount to war crimes.

This briefing documents Amnesty International's research into summary killings by M23; gang rape against women by the M23, Wazalendo, and the FARDC; unlawful detention, torture, intimidation and enforced disappearances of human rights defenders and civil society actors by M23; and attacks on hospitals by M23 between February and May 2025. It is based on more than 53 interviews with survivors of sexual violence; victims of abuse; relatives of those unlawfully killed, detained or forcibly disappeared; medical professionals; civil society members; human rights defenders; lawyers; humanitarian actors; and journalists. Amnesty International also reviewed M23 official statements, audio-visual evidence and reports by local and international media and human rights organizations.

Amnesty International wrote to the Congolese army and to the president of M23 and its spokesperson on 18 July 2025. The organization shared its findings and requested information about the conduct of FARDC soldiers and M23 fighters in relation to specific allegations documented in this briefing. At the time of publication, the organization had not received any response from Congolese army or M23 representatives.

Amnesty International's interviews, along with documentary evidence, revealed a pattern of violations by M23 forces, including how the group punishes, intimidates, abducts and arbitrarily accuses individuals of being members of the FARDC or Wazalendo without providing evidence. In mid-May 2025, for example, M23 abducted and detained hundreds of men during raids in several neighbourhoods in Goma and surrounding areas. Many of them have been forcibly disappeared. Family members of those missing say they have approached M23 fighters at detention centres in Goma and Bukavu but have been unable to locate their loved ones.

Amnesty International documented how M23 raided hospitals in Goma on six separate occasions between 28 February and 19 May and detained FARDC soldiers and abducted patients and caregivers. On at least three occasions, M23 took detainees to local football fields and whipped and subjected them to other forms of torture. At Goma's CBCA Ndosho hospital on 13 March, M23 fighters abducted a patient undergoing treatment. During a raid at Goma's Kyeshero hospital on the night of 4 to 5 April, fighters shot gunfire outside the hospital wards, killing one person and injuring two others. M23 claimed in a press release and two reports that it follows the Geneva Conventions and humanitarian law, but its actions prove otherwise.

Amnesty International documented five summary killings – all men – by M23, which included three men in Goma and a father and son in South Kivu.

M23 fighters, FARDC soldiers, and members of the Wazalendo gang raped women in Goma, Bukavu, and surrounding areas. Amnesty International interviewed 14 survivors of gang rape from Goma and

Bukavu, eight of whom said they were gang-raped by M23 fighters. Survivors of gang rapes by M23 fighters said that perpetrators wore uniforms that resembled those of the M23 and spoke Kinyarwanda, a language spoken in Rwanda and eastern Congo. The rapes took place between March and May 2025 when M23 controlled the cities.

The organization also interviewed five survivors of gang rape committed by Wazalendo, including four in Masisi territory in North Kivu province and one in Kabare territory in South Kivu province.<sup>1</sup> During one gang rape, a woman was tied between two trees and six Wazalendo raped her. During another Wazalendo rape, Kinyarwanda-speaking men, believed to be members of the Nyatura, a predominately Hutu armed group, accused a woman of supporting the M23. They told her that “any women who come to the field, we will always rape them.”<sup>2</sup>

M23 fighters have also committed human rights abuses against civil society actors, journalists, lawyers, and others. Amnesty International interviewed 12 civil society actors, human rights defenders and journalists who described how M23 arbitrarily detained, intimidated, or threatened them. One civil society actor was tortured by M23.<sup>3</sup> In some cases, M23 appeared to have sought out specific human rights defenders and journalists and had detailed knowledge of their denunciations of M23.<sup>4</sup> Torture is prohibited under IHL and may constitute a war crime.

M23’s leadership knew or should have known about the crimes being committed by M23 fighters in Goma, Bukavu and surrounding territories, but appears to have made no attempts to put in place measures to stop abuses.<sup>5</sup> An M23 official admitted privately to a third party that M23 fighters have made “mistakes” and committed abuses.<sup>6</sup>

Victims of M23 abuses and survivors of sexual violence have few options for recourse. M23 set up “Centers of Arbitration” in Goma and Bukavu, staffed by judicial officials who are under M23’s control. On 29 May, Goma Mayor Julien Katembo announced in a press release that a “Tribunal of Arbitration” was operational in Goma and all judicial cases should be decided there.<sup>7</sup> Amnesty International cannot confirm whether M23’s justice system fulfils international fair trial standards.

Amnesty International calls on the Office of the Prosecutor of the International Criminal Court (ICC) to investigate war crimes by M23, Wazalendo, and FARDC in its investigation into crimes committed in DRC since 2002. Amnesty International’s findings in this report regarding the violations by M23 align

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<sup>1</sup> Interview by voice call with five survivors of sexual violence, 13 April, 5 and 6 June 2025.

<sup>2</sup> Interview by voice call with “Safia” (name changed for security reasons), survivor of sexual violence, 7 June 2025.

<sup>3</sup> Interview by voice call with victim 5 March 2025.

<sup>4</sup> Interview by voice call with two civil society actors 21, 24 and 25 March, 14 May 2025.

<sup>5</sup> The European Union imposed sanctions on M23 leaders for acts that constitute serious human rights abuses in DRC. In 2012, the UN sanctioned a senior M23 military commander for serious violations of international law, “involving the targeting of women and children in situation of armed conflict, including killing and maiming, sexual violence, abduction, and forced displacement. See also, UN Security Council (UNSC), “The List established and maintained pursuant to Security Council re. 1533 (2004), CDi.008.

<sup>6</sup> Information from confidential source, May 2025.

<sup>7</sup> Emmanuel Barhebwa, X post: “Vers le retour des services judiciaires à Goma sous l'ère #AFC\_M23. Selon ce communiqué du maire rendu public jeudi 29 mai, le Tribunal d'arbitrage des conflits est déjà opérationnel à Goma au sein des installations de l'ancien PSPFE en diagonale du centre d'accueil Bakanja”, 30 May 2025, <https://x.com/EmmanuelBARHEB1/status/1928518216604631498/photo/1>

with the Court's decision to prioritize Rome Statute crimes committed in North Kivu since January 2022.<sup>8</sup>

Amnesty International also calls on American, European, and African diplomats to engage with both DRC and Rwandan authorities at the highest level and strongly urges all warring parties in the east of the country to prioritize the protection of civilians. In addition, diplomats should press Rwanda and DRC to hold human rights abusers accountable. The Congolese government should ensure that Wazalendo fighters who committed crimes are brought to justice and others are demobilized and reintegrated into civilian life.

## 2. METHODOLOGY

This briefing presents the findings of Amnesty International's research into summary killings by M23; gang rapes against women by the M23, Wazalendo, and the FARDC; unlawful detention, torture, intimidation and enforced disappearances of human rights defenders and civil society actors by M23; and attacks on hospitals by M23.

These findings are based on more than 53 interviews with witnesses and other sources with direct knowledge of the incidents which occurred between February and June 2025. The interviews included 14 survivors of sexual violence; 13 individuals with first-hand information about M23 hospital attacks in North and South Kivu and four others who provided information; 12 civil society members, including human rights defenders, lawyers, journalists or their family members or close friends; and 11 family members, witnesses, or people who had information on five summary killings by M23. The organization also reviewed numerous photos, videos and documents that provided insights into the conflict and helped confirm allegations made by individuals. Amnesty International also spoke with civil society members, journalists, and other sources who fled DRC or M23-controlled areas.

Most interviews were done remotely for security reasons. They were mainly conducted, in French, using secure messaging applications with witnesses and survivors living in North and South Kivu. Some interviews were conducted in Swahili through an interpreter. For security reasons, Amnesty International has omitted most names and other identifying details.

Amnesty International also received credible information about other violations and abuses that are not included in this briefing. Many parts of North and South Kivu have intermittent or no telephone coverage or internet connectivity. Moreover, many areas are controlled by M23 or Wazalendo armed groups, which could put survivors and human rights defenders at risk.

The cases of sexual violence Amnesty International documented represent only a snapshot of the cases of rape and sexual violence that have taken place in eastern Congo since M23's arrival in 2021. Stigma surrounding sexual violence and fear of reprisals lead many women and girls to not report sexual violence. All interviews with survivors of sexual violence were conducted remotely, with a trusted and trained person with professional experience in psycho-social care or experience working with rape survivors present. The organization also directed or accompanied some survivors to medical facilities for psychological or medical treatment.

Amnesty International researchers informed interviewees about the nature and purpose of the research and how the information they shared would be used. No financial incentive was offered to interviewees. Where needed, the organization paid for reasonable transport costs to interviews. Informed oral consent was obtained from all interviewees before each interview and interviewees were all provided the opportunity to stop the interview at any time if they wished.

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<sup>8</sup> International Criminal Court, "Statement of ICC Prosecutor Karim A.A. Khan KC on the Situation in the Democratic Republic of the Congo and renewed investigations", <https://www.icc-cpi.int/news/statement-icc-prosecutor-karim-aa-khan-kc-situation-democratic-republic-congo-and-renewed>, 14 October 2024.

On 18 July 2025, Amnesty International sent a summary of its preliminary findings to M23 President Bertrand Bisimwa and M23 spokesperson Lawrence Kanyuka and requested information about the conduct of its forces related to specific allegations documented in this briefing. At the time of publication, the organization had not received a response from M23.

M23 published two documents in April and May 2025 stating these responded to allegations of human rights abuses by Amnesty International and other international human rights organizations, the United Nations, the Congolese government, the international media, and other organizations.<sup>9</sup> M23's documents did not address the allegations of war crimes that Amnesty International detailed in its April and May press releases.<sup>10</sup>

## 3. BACKGROUND

### 3.1 SITUATION IN EASTERN DRC: A HISTORY OF ARMED GROUPS

The roots of the current conflict in eastern DRC go back decades. Inter-ethnic tensions and conflict in eastern DRC date to the early 1990s, when Kinyarwanda-speaking Hutu and Tutsi, many of whom were cattle farmers, formed a collective called Insurance group of Farmers and Breeders of Virunga (known by its French acronym MAGRIVI), which adopted civil disobedience to protest what they viewed as government discrimination. Starting in 1992, conflict over land and murders linked to ethnic rivalries became common.<sup>11</sup>

Tensions came to a head in 1994 when inter-ethnic violence broke out between Hutu and Tutsi and other ethnic groups who viewed themselves as indigenous to North Kivu. Thousands were killed and hundreds of thousands displaced.<sup>12</sup>

After the Rwandan genocide in 1994, hundreds of thousands of mostly Hutu fled to then Zaire, including some who took part in the genocide. Insurgents attacked Rwanda and Kinshasa's lack of response prompted Rwanda and Uganda to back the Alliance of Democratic Forces for the Liberation of Congo-Zaire (AFDL), which was founded in eastern DRC in 1996, overthrew the forces of President Mobutu Sese Seko, and arrived in Kinshasa on 17 May 1997. On 25 May 1997, AFDL's leader, Laurent-Désiré Kabila, declared himself president.

The AFDL was the first of four Rwanda-backed armed groups in eastern DRC since the 1990s. While their leaders changed, the armed groups had broadly similar ideology and aims: protect the Congolese Kinyarwanda-speaking community - particularly Tutsi in North Kivu - and eradicate the Democratic

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<sup>9</sup> Alliance Fleuve Congo, Réaction de l'AFC/M23 face aux allégations et accusations sur les violations des droits humains dans les villes de Goma et de Bukavu : une analyse approfondie des allégations et des réalités sur le terrain, (on file with Amnesty International), Avril 2025; See also, Alliance Fleuve Congo, Réaction de l'AFC/M23 face aux allégations sur les prétendues violations des droits humains dans les villes de Goma et de Bukavu : analyse contradictoire des allégations face aux faits sur terrain, <https://online.fliphtml5.com/hqewn/amlh/#p=1>, May 2025.

<sup>10</sup> Alliance Fleuve Congo, Réaction de l'AFC/M23 face aux allégations et accusations sur les violations des droits humains dans les villes de Goma et de Bukavu : une analyse approfondie des allégations et des réalités sur le terrain, (on file with Amnesty International), Avril 2025 ; See also, Alliance Fleuve Congo, Réaction de l'AFC/M23 face aux allégations sur les prétendues violations des droits humains dans les villes de Goma et de Bukavu : analyse contradictoire des allégations face aux faits sur terrain, <https://online.fliphtml5.com/hqewn/amlh/#p=1>, May 2025.

<sup>11</sup> UN Mapping Report, *Report of the Mapping Exercise documenting the most serious violations of human rights and international humanitarian law committed within the territory of the Democratic Republic of the Congo between March 1993 and June 2003*, [https://www.ohchr.org/sites/default/files/Documents/Countries/CD/DRC\\_MAPPING\\_REPORT\\_FINAL\\_EN.pdf](https://www.ohchr.org/sites/default/files/Documents/Countries/CD/DRC_MAPPING_REPORT_FINAL_EN.pdf), August 2010.

<sup>12</sup> Médecins Sans Frontières, *Populations en danger au Zaire*, <https://www.msf.fr/sites/default/files/90f664e457efaf69a0a0f142621f55eb.pdf>, 1995.

Liberation Forces of Rwanda (FDLR), an armed opposition group operating in eastern DRC mainly composed of Rwandan Hutu. It contains remnants of the *Interahamwe* and former Rwandan soldiers responsible for the 1994 Rwandan genocide, as well as fighters not involved in the genocide, including many too young to have participated in the genocide.

Between 1998-2003, during what is known as the Second Congo War, a new armed group, supported by Rwanda, the Congolese Rally for Democracy (RCD), captured large areas of the country including much of eastern Congo. In a prelude to what was to come, RCD-Goma, the faction that controlled the largest city in North Kivu province, committed numerous human rights abuses, including summary killings and rape.<sup>13</sup>

By 2006, a new Rwandan-backed armed group emerged, the National Congress for the Defence of the People (CNDP), led by Laurent Nkunda, a former RCD leader. After a series of victories over the Congolese army, the CNDP captured large parts of Masisi and Rutshuru territories in North Kivu province in mid-2008. Nkunda was accused of war crimes and other serious human rights abuses by Amnesty International, the UN, and other international human rights organizations.<sup>14</sup> These allegations included the recruitment and use of children as fighters, unlawful killings and systematic rape of women and girls.<sup>15</sup>

Despite these abuses, many CNDP fighters were integrated into the FARDC, including Bosco Ntaganda, CNDP's chief of staff, who was suspected to be responsible for a massacre in Kiwanja in 2008, a town in Rutshuru, according to the United Nations.<sup>16</sup> He later commanded FARDC military operations against the FDLR in which he was responsible for numerous human rights violations, according to investigation reports by UN Joint Human Rights Office and Human Rights Watch.<sup>17</sup>

As Rwandan-backed armed groups invaded eastern Congo in the late 1990s and early 2000s, local armed groups known as Mai-Mai proliferated to protect their communities or ethnic group; they were not initially aligned with the government. These groups often brutally attacked neighbouring communities, killing and raping civilians. Congolese security forces did little to arrest them, and, in fact, often collaborated with them.

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<sup>13</sup> Amnesty International, *Democratic Republic of Congo: Killing human decency*, (Index Number: AFR 62/007/2000), <https://www.amnesty.org/en/documents/afr62/007/2000/en/>, 30 May 2000.

<sup>14</sup> Amnesty International, "Democratic Republic of Congo: Laurent Nkunda and Bosco Ntaganda must face justice", (Index Number: AFR 62/001/2009), <https://www.amnesty.org/ar/wp-content/uploads/2021/07/afr620012009en.pdf>, 28 January 2009; United Nations, "DR Congo killings 'constitute war crimes', says UN official", <https://news.un.org/en/story/2008/11/280932>, 8 Nov 2008; Human Rights Watch, "D.R Congo: Arrest Laurent Nkunda For War Crimes", <https://www.hrw.org/news/2006/02/01/dr-congo-arrest-laurent-nkunda-war-crimes>, 1 February 2006.

<sup>15</sup> Amnesty International, *Democratic Republic of Congo: Laurent Nkunda and Bosco Ntaganda must face justice*, (AI Index AFR 62/001/2009), <https://www.amnesty.org/ar/wp-content/uploads/2021/07/afr620012009en.pdf>, 28 January 2009.

<sup>16</sup> United Nations Organization Mission in the Democratic Republic of Congo and Office of the High Commissioner for Human Rights, *Consolidated report on investigations conducted by the United Nations joint Human Rights Office (UNJHRO) into grave human rights abuses committed in Kiwanja, North Kivu, in November 2008*,

[https://www.ohchr.org/sites/default/files/Documents/Countries/Kiwanja\\_Report\\_September2009.pdf](https://www.ohchr.org/sites/default/files/Documents/Countries/Kiwanja_Report_September2009.pdf), 7 September 2009. According to this report, "On 5 November, General Bosco Ntaganda was the commander with responsibility over the operations in Kiwanja, not only due to his overall position at the CNDP Chief of Staff but also in his capacity as regional commander of CNDP in Rutshuru territory." See also, Amnesty International, « Amnesty International's efforts to ensure the arrest of Bosco Ntaganda" 19 April 2012, <https://www.amnesty.org/en/latest/news/2012/04/amnesty-international-s-efforts-ensure-arrest-bosco-ntaganda/>

<sup>17</sup> UNJHRO, *Report into human rights abuses committed in Kiwanja, North Kivu*, (previously cited); Human Rights Watch, *You Will Be Punished*, 2009, <https://www.hrw.org/reports/drc1209webwcover2.pdf>, p. 123.

One of the prominent groups that emerged in 2011 was the *Raia Mutomboki* (“outraged citizens” in Swahili) that emerged to counter attacks by the FDLR.<sup>18</sup> In response, Nyatura armed groups spread, aiming to protect Hutu from attacks by Raia Mutomboki and other Mai-Mai groups. Nyatura commanders, who collaborated with the FDLR, were often former FARDC army commanders who defected after ex-CNDP military officials became increasingly influential in the military.<sup>19</sup>

The tit for tat attacks spread throughout North and South Kivu, creating dozens of new armed groups and deepening animosity between ethnic groups. The Nyatura and Raia Mutomboki committed horrific abuses against civilians, imposed illegal taxes, killed scores of civilians, burned hundreds of homes, and raped women and girls.<sup>20</sup>

In 2012, the M23 emerged and accused the Congolese government of failing to respect the terms of the 23 March 2009 agreement it signed with the CNDP.<sup>21</sup> Amnesty International, along with other international organizations, documented how Rwanda supported the M23, reinforcing it with heavy artillery and new recruits.<sup>22</sup> The group’s military operation, led by Sultani Makenga, a Congolese Tutsi from Masisi territory, committed numerous war crimes. The group briefly captured Goma in November 2012.<sup>23</sup> Diplomatic efforts and the UN’s Force Intervention Brigade forced M23 to end its control in eastern DRC.

M23’s recent offensive started in November 2021 when it captured two villages in Rutshuru. The group’s grievances were similar to its predecessors, but its rapid capture of large swathes of territory, aided by thousands of Rwandan Defence Forces in North Kivu, was a stark difference from past years.<sup>24</sup> Some analysts also believe that Uganda’s economic interests, desire to build roads, increase its military presence in North Kivu, and its links with Kinshasa influenced Rwanda and M23’s decision to enter DRC.<sup>25</sup> On 30 April 2024, M23 took control of Rubaya, a town in Masisi territory, home to several mining sites that contain the largest deposits of coltan in the Great Lakes region. M23 exported

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<sup>18</sup> Rift Valley Institute/Usalama Project, *Raia Mutomboki: The flawed peace process in the DRC and the birth of an armed franchise*, <https://riftvalley.net/wp-content/uploads/2018/06/RVI-Usalama-Project-6-Raia-Mutomboki.pdf>, pp. 28,35, 2013.

<sup>19</sup> UN Group of Experts on the Democratic Republic of Congo, Final report, 15 November 2012, UN Doc. S/2012/843, para. 120.

<sup>20</sup> Amnesty International, *Democratic Republic of Congo: Persistent insecurity and threats against civilians demands sustained attention by the Human Rights Council*, (Index: AFR 62/006/2013), 27 September 2013.

<https://www.amnesty.org/fr/wp-content/uploads/2021/06/afr620062013en.pdf>; See also UN Group of Experts on the Democratic Republic of Congo, Final report, 15 November 2012, UN Doc S/2012/843 paras. 147 and 148.

<sup>21</sup> Peace agreement between the government and National Council for the Defence of the People (CNDP), <https://peacemaker.un.org/sites/default/files/document/files/2024/05/cd090323peace20agreement20betwe-en20the20government20and20the20cndp.pdf>, 23 March 2009.

<sup>22</sup> Amnesty International, *DR Congo : UN urged to protect civilians in North Kivu*, (Index: PRE 01/337/2012), 11 July 2012, <https://www.amnesty.org/en/documents/pre01/337/2012/en/>; See also, United Nations Group of Experts on the Democratic Republic of Congo, Final Report, 13 June 2023, UN Doc. S/2023/431, para. 41.

<sup>23</sup> Amnesty International, “Why is the Democratic Republic wracked by conflict?”, 29 October 2024, <https://www.amnesty.org/en/latest/campaigns/2024/10/why-is-the-democratic-republic-of-congo-wracked-by-conflict/>

<sup>24</sup> UN Group of Experts on the Democratic Republic of the Congo, Final report, 27 December 2024, UN Doc S/2024/969, para. 35.

<sup>25</sup> Egmont Royal Institute for International Relations, “Understanding Uganda’s (ambiguous) actions in Eastern DRC: Military interventions to protect roads and trade?”, [https://www.egmontinstitute.be/app/uploads/2025/06/Titeca\\_Salvaggio\\_Paper\\_134\\_vFinal.pdf?type=pdf](https://www.egmontinstitute.be/app/uploads/2025/06/Titeca_Salvaggio_Paper_134_vFinal.pdf?type=pdf), p. 9, June 2025; see also Ebuteli, “Uganda’s Operation Shuja in the DRC”, <https://cic.nyu.edu/wp-content/uploads/2022/10/report-crg-ebuteli-uganda-operation-shujaa-drc-adf-securing-economic-interests-1.pdf>, pp. 5-8, June 2022.

coltan to Rwanda, and exploited other natural resources, including timber and charcoal in national parks.<sup>26</sup>

Local armed groups fought M23 in North Kivu in early 2022, but in an uncoordinated way. The FARDC, which has a history of using local armed group as proxy fighters, formalized an agreement in May 2022 with at least four well-established armed groups – some of them rivals – in North Kivu at a meeting in Walikale province to fight against M23.<sup>27</sup>

The Congolese government passed a law in May 2023 that created an army reserve force, which comprised Wazalendo and other armed groups.<sup>28</sup> Between December 2023 and April 2024, the FARDC provided 22 armed groups in North Kivu, led by 32 commanders, with more than 1.9 million rounds of ammunition for AK-47 rifles and PKM-type machine guns.<sup>29</sup>

The Congolese army's recent collaboration with the FDLR was confirmed in September 2024.<sup>30</sup> According to the UN Group of Experts on DRC, international pressure contributed to the government conducting an offensive against the group,<sup>31</sup> but a military official in North Kivu, who the UN Group of Experts found had longstanding ties with the FDLR, leaked operational plans to the group's leadership and they escaped.<sup>32</sup> The FARDC captured weapons and ammunition during the operation, some of it furnished to the FDLR in previous years by the FARDC.<sup>33</sup> In 2024, some FDLR commanders were

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<sup>26</sup> UN Group of Experts on the Democratic Republic of the Congo, Final report, 27 December 2024, UN Doc S/2024/969, para. 44; Mongabay, "The environmental toll of the M23 conflict in eastern DRC (Analysis)", <https://news.mongabay.com/2025/03/the-environmental-toll-of-the-m23-conflict-in-eastern-drc-analysis/>, 7 March 2025.

<sup>27</sup> Congo Research Group and Ebuteli, *Fighting Fire with Fire in Eastern Congo: The Wazalendo Phenomenon and the Outsourcing of Warfare*, <https://cic.nyu.edu/wp-content/uploads/2025/05/Fighting-Fire-with-Fire-in-Eastern-Congo-2025.pdf>, May 2025. See also, Human Rights Watch, "DR Congo: Army Units Aided Abusive Armed Groups", <https://www.hrw.org/news/2022/10/18/dr-congo-army-units-aided-abusive-armed-groups>, 18 October 2022. The groups included in the agreement included: Nduma Defence of Congo – Renovate (NDR-R), the Alliance of Patriots for a Free and Sovereign Congo (APCLS), the Alliance of Congolese Nationalists for the Defence of Human Rights (ANCDH), and the Coalition of Movements for Change (CMC/FDP).

<sup>28</sup> Ministère de la Communication et les Médias, Compte rendu de la cent-onzième réunion ordinaire du conseil des ministres, [https://communication.gouv.cd/content/uploads/COMPTE\\_RENDU\\_DE\\_LA\\_CENT\\_ONZIEME\\_REUNION\\_DU\\_CONSEIL\\_DES\\_MINSITRES\\_DU\\_1er\\_SEPTEMBRE\\_2023\\_5564f8cbff.pdf](https://communication.gouv.cd/content/uploads/COMPTE_RENDU_DE_LA_CENT_ONZIEME_REUNION_DU_CONSEIL_DES_MINSITRES_DU_1er_SEPTEMBRE_2023_5564f8cbff.pdf), 1 septembre 2023. Loi n° 23/014 portant institution de la réserve armée de la défense en République Démocratique du Congo, col. 14.

<sup>29</sup> Congo Research Group and Ebuteli, *Fighting Fire with Fire in Eastern Congo: The Wazalendo Phenomenon and the Outsourcing of Warfare*, <https://cic.nyu.edu/wp-content/uploads/2025/05/Fighting-Fire-with-Fire-in-Eastern-Congo-2025.pdf>, May 2025; Human Rights Watch, "DR Congo: Army Units Aided Abusive Armed Groups", 18 October 2022, <https://www.hrw.org/news/2022/10/18/dr-congo-army-units-aided-abusive-armed-groups>.

<sup>30</sup> UN Group of Experts on the Democratic Republic of the Congo, Final report, 27 December 2024, UN Doc S/2024/969, para. 72.

<sup>31</sup> UN Group of Experts on the Democratic Republic of the Congo, Final report, 27 December 2024, UN Doc S/2024/969, para. 68; US Department of State, "Violation of the Ceasefire in Eastern Democratic Republic of Congo", <https://2021-2025.state.gov/violation-of-the-ceasefire-in-eastern-democratic-republic-of-the-congo/>, 8 November 2024; France Diplomatie - Ministère de l'Europe et des Affaires Etrangères de France, « République démocratique du Congo – Situation à l'Est du pays, <https://www.diplomatie.gouv.fr/fr/dossiers-pays/republique-democratique-du-congo/evenements/article/republique-democratique-du-congo-situation-a-l-est-du-pays-20-02-24>, 20 February 2024.

<sup>32</sup> UN Group of Experts on the Democratic Republic of the Congo, Final report, 27 December 2024, UN Doc S/2024/969, para. 71.

<sup>33</sup> UN Group of Experts on the Democratic Republic of the Congo, Final report, 27 December 2024, UN Doc S/2024/969, para. 72, Annex 38.

sent to lead new or already-established Wazalendo groups, including the Patriots' Alliance for a Free and Sovereign Congo (APCLS).<sup>34</sup>

In December 2023, Corneille Nangaa, the former President of DRC's National Independent Electoral Commission, created the Congo River Alliance (AFC), a politico-military umbrella that includes the M23 and other armed groups. Since taking Goma on 27 January and Bukavu on 16 February, Nangaa and M23's political leadership have nominated local officials and attempted to create a parallel administration in the areas it controls. Amnesty International has documented serious human rights abuses committed by the group that may amount to war crimes.<sup>35</sup>

## 3.2 INTERNATIONAL AND REGIONAL RESPONSE

The current conflict in DRC has been met with periods of intense international diplomatic engagement and stretches of frustrating silence. The United States engaged early on, sending the Director of National Intelligence, Avril Haines, to Kinshasa and Kigali in November 2023 to deescalate tensions. The US promised to share intelligence about M23 movements in a bid to stem the conflict.<sup>36</sup> It also pressured the FARDC to end support to the FDLR. The FARDC released a statement on 21 November 2023, forbidding all soldiers, regardless of their rank, from establishing or maintaining contact with the FDLR.<sup>37</sup>

As the conflict progressed, the US offered to develop for the DRC and Rwanda a rail line that branched off the Lobito Corridor that would extend into eastern DRC, but, according to Molly Phee, the former US assistant secretary of state for African affairs, Rwanda "seemed to have walked away" from the deal.<sup>38</sup> This came as the African Union's Luanda process, launched in 2022, and the East African Community's Nairobi process attempted to negotiate a cease fire and build confidence between the warring parties, but problems persisted. Rwanda and M23 reportedly thought Angola was not a neutral mediator and DRC considered the Nairobi process to be partial to Rwanda.<sup>39</sup>

As the DRC participated in both tracks, presenting itself to mediators determined to find a diplomatic solution, it simultaneously supported the Wazalendo with millions of rounds of ammunition and artillery to fight M23.<sup>40</sup>

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<sup>34</sup> UN Group of Experts on the Democratic Republic of the Congo, Final report, 27 December 2024, UN Doc S/2024/969, para. 75, Annex 41.

<sup>35</sup> Amnesty International, "DRC: M23 kill, torture and hold civilians hostage at detention sites – new investigation", 27 May 2025, <https://www.amnesty.org/en/latest/news/2025/05/drc-m23-kill-torture-and-hold-civilians-hostage-at-detention-sites-new-investigation/>.

<sup>36</sup> Simon Marks, X post: "Director of National Intelligence Avril Haines told DRC and Rwanda the US would share intel on the movements of troops including the powerful M23 rebel group as part the most significant Western effort in years to prevent another major war in Africa", 17 October 2024, <https://x.com/MarksSimon/status/1846899003461357867>; Bloomberg, "US Turns to Spycraft to Halt Spread of Congo's Deadly Conflict", <https://www.bloomberg.com/news/articles/2024-10-17/us-turns-to-spycraft-to-halt-spread-of-congo-s-deadly-conflict?embedded-checkout=true>, 17 October 2024.

<sup>37</sup> News.cd, "RDC : Les militaires congolais interdits d'entretenir tout contact avec les rebelles des FDLR (Communiqué) », <https://news.cd.net/2023/11/22/rdc-les-militaires-congolais-interdits-dentretenir-tout-contact-avec-les-rebelles-des-fdlr-communique/>, 22 November 2023.

<sup>38</sup> France 24, *US offered infrastructure incentive for DRC-Rwanda peace deal: official*, <https://www.france24.com/en/live-news/20250117-us-offered-infrastructure-incentive-for-drc-rwanda-peace-deal-official>, 17 January 2025.

<sup>39</sup> African Business, "African-led diplomacy struggles to resolve DRC war", <https://african.business/2025/05/politics/african-led-diplomacy-struggles-to-resolve-drc-war>, 2 May 2025.

<sup>40</sup> Congo Research Group and Ebuteli, *Fighting Fire with Fire in Eastern Congo: The Wazalendo Phenomenon and the Outsourcing of Warfare*, <https://cic.nyu.edu/wp-content/uploads/2025/05/Fighting-Fire-with-Fire-in-Eastern-Congo-2025.pdf>, May 2025; Please note that *Wazalendo* is the plural form of the word; *Muzalendo* is the singular form.

After the US and European Union (EU) imposed sanctions on M23 and Rwanda officials in February and March, respectively, Rwanda President Paul Kagame said, “I will tell anyone, to his face, that they can ... go to hell. Just go to hell.”<sup>41</sup>

At the UN Security Council, the foreign ministers of DRC and Rwanda traded verbal blows. On 21 February 2025, the Council adopted resolution 2773, which called on the M23 to cease hostilities and withdraw from Goma and Bukavu and all areas it controls and for the Rwanda Defence Forces to cease support to M23 and withdraw from DRC.<sup>42</sup> M23 shrugged off the resolution and other attempts by international actors to apply pressure and fighting continued across eastern DRC.<sup>43</sup>

After more than two years of mediation, Angolan President João Lourenço was unable to negotiate a peace agreement. A crucial blow came on 18 March 2025, when M23 and the DRC were set to meet in Luanda, but M23 backed out, unhappy with the EU’s sanctions imposed a day earlier. That same day, in an unexpected meeting mediated by the Emir of Qatar in the capital Doha, President Tshisekedi and President Kagame called for a ceasefire.<sup>44</sup> Seemingly caught off guard by Qatar’s mediation efforts and stating that he wanted to focus on his role as the chairperson of the AU, Lourenço stepped down from his role as mediator on 24 March.<sup>45</sup>

Qatar’s clout as a mediator comes from its business interests in both Kinshasa and Kigali. Qatar Airways is negotiating a large stake in RwandAir and has a 60 percent stake in Kigali’s new international airport.<sup>46</sup> Kinshasa opened an embassy in Doha in 2022, and Qatar has said it will open an embassy in Kinshasa, renovate three airports and invest in other infrastructure projects in DRC.<sup>47</sup>

As multiple tracks of negotiations muddled the waters, the US re-entered the fray. The DRC had already made overtures to Washington. President Tshisekedi appeared on Fox News on 19 March 2025 and made a direct appeal for a partnership with the United States. The partnership would allow the US to access minerals the country needs for critical industries, including defence and aerospace, and in return, the DRC would receive security assistance, although publicly available details are limited.<sup>48</sup>

US President Donald Trump sent his Senior Advisor for Africa, Massad Boulos, to DRC, Rwanda, Uganda and Kenya from 2 to 9 April 2025. On 25 April, Rwanda and DRC signed a “declaration of

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<sup>41</sup> The Kenyan Wall Street, “Go to hell!” Kagame Explodes Over Sanctions, sends Blunt Message to World Powers”, 9 April 2025, <https://www.youtube.com/watch?v=KY7FsFDIJEk>

<sup>42</sup> UN Security Council (UNSC), Resolution 2773 (2025), adopted on 21 February, UN Doc. S/RES/2773 (2025).

<sup>43</sup> Reuters, “Congo rebels dismiss ceasefire calls, capture strategic town”, <https://www.reuters.com/world/africa/congos-m23-rebels-enter-walikale-town-centre-extending-westward-push-2025-03-20/>, 21 March 2025.

<sup>44</sup> Reuters, “Exclusive: Congo and Rwanda presidents call for east Congo ceasefire during Qatar sit-down”, <https://www.reuters.com/world/africa/congoleserwandan-presidents-meet-qatar-discuss-east-congo-conflict-2025-03-18/>, 18 March 2025.

<sup>45</sup> The East African, “Angola ends east Congo conflict mediation role”, 24 March 2025, <https://www.theeastafrican.co.ke/tea/news/southern-africa/angola-ends-east-congo-conflict-mediation-role-4976748>.

<sup>46</sup> Rwanda Ministry of Infrastructure, *Qatar to take 60% stake in Rwanda’s new international airport*, <https://www.mininfra.gov.rw/updates/news-details/qatar-to-take-60-stake-in-rwandas-new-international-airport>, 9 December 2019.

<sup>47</sup> Agence Congolaise de Presse, “The Preside of the Republic returns to Kinshasa from Doha in Qatar”, 31 March 2021, <https://acp.cd/nation/the-president-of-the-republic-returns-to-kinshasa-from-doha-in-qatar/>.

<sup>48</sup> Reuters, “US open to minerals partnerships with Democratic Republic of Congo”, <https://www.reuters.com/world/africa/us-open-minerals-partnerships-with-democratic-republic-congo-2025-03-09/>, 9 March 2025.

principles” confirming the two sides commitment to a set of principals aimed at peace.<sup>49</sup> US officials introduced into the draft peace agreement a condition that Rwanda must withdraw its troops, weapons and equipment from DRC before the peace deal is signed.<sup>50</sup>

This requirement was later dropped in the peace agreement that was signed on 27 June 2025. The Rwandan Defence Forces were allowed to maintain their “defensive measures” in eastern Congo until the FDLR and associated armed groups were “neutralized.”<sup>51</sup>

DRC and M23 representatives signed a “declaration of principles” on 19 July 2025 in Doha, Qatar, pledging to work toward a final peace agreement that will be signed by 18 August 2025, that will “align with the Peace Agreement between Congo and Rwanda.”<sup>52</sup>

## 4. CRIMES UNDER INTERNATIONAL LAW AND OTHER ABUSES COMMITTED BY M23 AND OTHER ARMED GROUPS

In this briefing, Amnesty International documents how the M23 has violated international humanitarian law and international human rights law in areas under its control in North and South Kivu provinces between February and June 2025. M23 abuses including gang rape, abduction of civilian hospital patients and caregivers, summary killings, and unlawful detention of civil society actors, which included torture and cruel treatment of journalists and human rights defenders. These acts are prohibited under international humanitarian law and may amount to war crimes.

Amnesty International also documented how Wazalendo fighters gang-raped women in Goma and Bukavu. These gang-rapes may amount to war crimes.

While international humanitarian law allows for the internment or detention of members of opposing forces by parties in non-international armed conflicts, all persons who are wounded and sick must be respected and protected. The torture, inhumane treatment and forcible disappearance of hospitalized patients by M23 may constitute war crimes.

### 4.1 GANG RAPE BY M23

Sexual violence has been widespread in the eastern DRC for decades. It is difficult to estimate the number of incidents of sexual violence in eastern DRC in recent years, but NGO reports give a sense of the scale. In North Kivu province in 2023, for example, more than 50,000 cases of gender-based violence, which includes sexual violence, were reported; the number increased to 56,000 cases in

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<sup>49</sup> United States Department of State, *The United States Hosts Signing of Declaration of Principles between the government of the Democratic Republic of the Congo and the Government of Rwanda*, <https://www.state.gov/releases/office-of-the-spokesperson/2025/04/the-united-states-hosts-signing-of-declaration-of-principles-between-the-government-of-the-democratic-republic-of-the-congo-and-the-government-of-rwanda/>, 25 April 2025.

<sup>50</sup> Reuters, “US wants Rwandan troops out of Congo before peace deal signed, sources say”, 10 June 2025, <https://www.reuters.com/world/africa/us-wants-rwandan-troops-out-congo-before-peace-deal-signed-sources-say-2025-06-10/>.

<sup>51</sup> U.S. Department of State, “Peace Agreement Between the Democratic Republic of the Congo and the Republic of Rwanda”, <https://www.state.gov/peace-agreement-between-the-democratic-republic-of-the-congo-and-the-republic-of-rwanda/>, 27 June 2025.

<sup>52</sup> Associated Press, “Congo and Rwanda-backed rebels sign declaration of principles to end conflict in eastern Congo”, 20 July 2025, <https://apnews.com/article/congo-m23-rebels-peace-qatar-rwanda-f80166117d557991896ef89d4cd3a324>.

2024.<sup>53</sup> Médecins Sans Frontières noted that between January and April 2025, it treated nearly 7,400 new victims and survivors of sexual violence in and around Goma. In Sake, a town outside Goma, MSF treated more than 2,400 victims and survivors during the same period.<sup>54</sup>

Amnesty International interviewed 14 survivors of sexual violence from North and South Kivu, eight of whom said they were gang raped by M23 fighters in Bukavu, five said they were gang raped by Wazalendo fighters, and one gang raped by FARDC soldiers.<sup>55</sup>

Survivors of gang rape by M23 fighters said that the perpetrators wore uniforms that resembled those of the M23 and spoke Kinyarwanda. In addition, the rapes took place between March and May when M23 controlled the cities. Five women said M23 raped them at M23 military positions.<sup>56</sup>

Wazalendo groups raped women and girls in Rutshuru and Masisi, as well as Kalehe territory in South Kivu.<sup>57</sup> Rape survivors are often unable to identify individual Wazalendo perpetrators, or to which armed group they belong; they do not always wear identifiable uniforms or insignia. FDLR, which reportedly embedded into the ranks of some Wazalendo groups in 2024 – particularly predominantly Hutu groups – are also often difficult to distinguish from Wazalendo or Nyatura armed groups.<sup>58</sup>

A woman said members of a Wazalendo armed group active in South Kivu gang raped her in late March 2025 and bragged that they were Wazalendo members.<sup>59</sup> Four other women in Masisi territory said they were raped by Wazalendo members, two in January 2024 and two in February and April 2025.<sup>60</sup> Amnesty International also received a credible report of a young woman gang-raped by multiple Wazalendo fighters in Rutshuru in March.<sup>61</sup>

One woman said she was gang raped in Bukavu by men in FARDC uniforms speaking Lingala, a language spoken by many FARDC soldiers. The gang rape took place on 12 February, before the fall of Bukavu, as the FARDC was fleeing the city.<sup>62</sup>

On the evening of 27 January, the day M23 captured Goma, two armed M23 fighters in military uniforms grabbed “Chantal” who was in an area of the city where people were fleeing.<sup>63</sup> “Chantal” said she saw three other fighters abduct two older men just a few meters away. The two fighters spoke

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<sup>53</sup> United Nations Population Fund, “UNFPA statement on sexual violence perpetrated against women and girls in the Eastern Democratic Republic of the Congo”, 21 February 2025, <https://www.unfpa.org/press/unfpa-statement-sexual-violence-perpetrated-against-women-and-girls-eastern-democratic>.

<sup>54</sup> Médecins Sans Frontières, “Sexual violence is a persistent emergency in eastern DRC”, <https://www.msf.org/sexual-violence-eastern-drc-persistent-emergency>, 11 June 2025.

<sup>55</sup> Amnesty International interviews by voice call with 14 survivors of sexual violence in March, April, May, June 2025.

<sup>56</sup> Interview by voice call with five survivors of sexual violence from Bukavu in March and April 2025.

<sup>57</sup> United Nations Security Council, (UNSC), Report: *United Nations Organization Stabilization Mission in the Democratic Republic of the Congo: Report of the Secretary-General*, 20 March 2025, UN Doc. S/2025/176.

<sup>58</sup> UN Group of Experts on the Democratic Republic of the Congo, Midterm report, 27 December 2024, UN Doc. S/2024/969, para. 75.

<sup>59</sup> Interview by voice call with “Crystal” (name changed for security reasons), sexual violence, 13 March 2025.

<sup>60</sup> Interview by voice call with four survivors of sexual violence (names withheld for security reasons), 6 and 7 June 2025.

<sup>61</sup> Amnesty International exchange with human rights and sexual and gender-based violence worker, 13 March 2025.

<sup>62</sup> Interview by voice call with “Sarah”, (name changed for security reasons), sexual violence survivor, 16 March 2025.

<sup>63</sup> Interview by voice call with “Chantal”, (name changed for security reasons), sexual violence, 12 March 2025.

to her in Kinyarwanda and took her to a construction site. The fighters told Chantal: “If you don’t want this, we will kill you.”<sup>64</sup>

“Inside the site, I fell to the ground,” said “Chantal”. “It was like I lost consciousness. I was wearing a dress and underwear. But I didn’t have trousers on, so I didn’t know how to protect myself. They were discussing between themselves. One said, let’s kill her. The other said: ‘No, she’s pretty; we are going to sleep with her. Don’t kill her.’ I said: Why do you want to kill me? I was thinking I’m going to die. I’m going to die. They lifted up my dress. And then they [raped me].”<sup>65</sup>

When “Chantal” regained consciousness, it was around 8 p.m. “I found myself on the ground. I couldn’t lift my leg. I felt heavy. I laid there for what must have been an hour. Psychologically, I wasn’t normal. I couldn’t get up.”<sup>66</sup> She eventually made it to a hospital where she was given medicine and psychological care. She said she doesn’t know what she wants to happen to the perpetrators of the violence. “I don’t know. I’ve been troubled psychologically. When I see a soldier with a weapon, everything comes back to me.”<sup>67</sup>

Other women were gang raped by M23 fighters at their military bases, and some said other M23 fighters saw them being taken to areas within the base but did not stop their fellow fighters.<sup>68</sup> M23 appeared to select women at random.

“Beatrice” a woman in her mid-40s, said that five men, two who spoke Kinyarwanda and three who spoke Congolese Swahili, raped her at an M23 military camp in Bukavu. She believed that two of them were Rwandan because of their features and their language.<sup>69</sup> “I thought [the rape] was a kind of vengeance. The way they did it. They were violent. I asked them why they didn’t take a prostitute. They have money. They can hire them. They said [in Swahili]: “*Funga kinya*” (shut your mouth).<sup>70</sup>

After the violence, “Beatrice” said her lower abdomen hurt and she had a fever. She hadn’t yet gone to the hospital. “My back also hurts. My daughter massages it with hot water and ointment. My spine also hurts.”<sup>71</sup>

“I’m afraid,” Béatrice said. “When I see someone in a military uniform, I’m traumatized. Since that day, I do not go out. When I see them, I feel pain in my heart. It’s like a heart palpitation.”<sup>72</sup>

Several years ago, “Beatrice” worked at an international NGO that helped survivors of sexual violence with economic opportunities. “It’s my turn now,” she said. “What I’m going through now is how others felt then.”

On the morning of 24 February, “Angélique” went to an M23 military camp in Bukavu that had formerly been occupied by the FARDC to visit a relative at the military hospital located at the camp.<sup>73</sup> On the way there, she came across an adolescent girl on the street. Three armed men in military uniforms confronted them.

“The three men intimidated us,” said “Angélique”. “We didn’t understand what they said. We didn’t understand Kinyarwanda. I was shaking and crying. There were other people on the street [who saw what was happening]. [M23 fighters] pointed their guns at us, big guns, to intimidate us. They hit us.

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<sup>64</sup> Interview by voice call with “Chantal”, (previously cited).

<sup>65</sup> Interview by voice call with “Chantal”, (previously cited).

<sup>66</sup> Interview by voice call with “Chantal”, (previously cited).

<sup>67</sup> Interview by voice call with “Chantal”, (previously cited).

<sup>68</sup> Interview by voice call with “Beatrice”, 7 March 2025; “Angélique”, 13 March 2025; “Marie”, 13 April 2025; survivor of sexual violence, 16 May 2025; survivor of sexual violence, 16 March 2025.

<sup>69</sup> Interview by voice call with “Béatrice”, (name changed for security reasons), sexual violence survivor, 7 March 2025.

<sup>70</sup> Interview by voice call with “Béatrice”, (previously cited).

<sup>71</sup> Interview by voice call with “Béatrice”, (previously cited).

<sup>72</sup> Interview by voice call with “Béatrice”, (previously cited).

<sup>73</sup> Interview by voice call with “Angélique”, (name changed for security reasons), sexual violence survivor, 13 March 2025.

They took a cord and tied my hands to the girl's hands. We passed a lot of [M23 fighters] on the way. They did nothing. Nobody said anything.”<sup>74</sup>

The fighters took “Angélique” into a room and they took the other girl away. “In the room, there was a cement floor and [FARDC] military uniforms that had been left. Two men entered the room [with me]. They intimidated me in Kinyarwanda. One of them had a Motorola. During the rape, my hands were tied with the cord. They hit me on the buttocks. Both men were in the room during the act.”<sup>75</sup>

“[After the rape], they detached the cord, and I fled. Me and the other girl were released at the same time. The girl was crying. Her clothes were torn. It was hard for us to walk. I advised her to go to the hospital.”<sup>76</sup> “Angélique” went to a hospital for tests, treatment, and to see a psychologist. Doctors told her she had HIV and gave her medicine.

Two women told Amnesty International that they were gagged during the rape. One of them, “Marie”, a woman in her late 20s, said four M23 fighters called her over to a military camp at the end of March when she was walking by.<sup>77</sup> “When I approached them, they said they had something to ask me. They said this in Kinyarwanda.” They took her to a house under construction in the military camp where they tied her hands and her feet.

“Three stayed in the living room and one took me in the bedroom. They said that if I don’t take off my clothes, they would kill me. The one who spoke Swahili said this. He didn’t speak Swahili well. They came one by one into the bedroom. They had untied my arms, but my feet were still tied. They said: I should not yell, and I was moving too much. They cut a part of their [uniform] and put it in my mouth. I was on the ground. All four raped me. After the four of them had finished, they left me there. People came and picked me up.”<sup>78</sup>

She went to the hospital where she received care and medicine, but she said her body hasn’t fully recovered. “Marie” was blunt in her desire for retribution. She said she wanted the rapists to be brutally punished.<sup>79</sup>

## 4.2 GANG RAPE BY WAZALENDO ARMED GROUP

Amnesty International spoke with “Crystal”, a 40-year-old-woman who said that members of the Wazalendo abducted her in late March in an area of South Kivu where Wazalendo were present.<sup>80</sup> She said that 10 Muzalendo stopped their truck as she was walking along the road and asked her for money. They spoke Kitembo, a language spoken by many members of the Tembo ethnicity, and “Crystal” said they bragged that they were Wazalendo.

“Crystal” recounted how they abducted her and took her to a forest:

“I was so afraid. I said sorry, sorry. They didn’t accept that. Six went into the forest with me and four stayed in the vehicle. In the forest, after having [tried] to negotiate, they took off my clothes. They tied me up before the rape. They hit me. They tied my mouth shut with a piece of clothing. My right arm was tied to a tree and my left arm tied to a tree. They made me kneel when they raped me. The same person who raped me hit me. All six raped me.”<sup>81</sup> “Then they left. They left me there alone. People

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<sup>74</sup> Interview by voice call with “Angélique”, (previously cited).

<sup>75</sup> Interview by voice call with “Angélique”, (previously cited).

<sup>76</sup> Interview by voice call with “Angélique”, (previously cited).

<sup>77</sup> Interview by voice call with “Marie”, (name changed for security reasons), sexual violence survivor, 13 April 2025.

<sup>78</sup> Interview by voice call with “Marie”, (previously cited).

<sup>79</sup> Interview by voice call with “Marie”, (previously cited).

<sup>80</sup> Interview by voice call with “Crystal”, (name changed for security reasons), sexual violence survivor, 13 April 2025.

<sup>81</sup> Interview by voice call with “Crystal”, (previously cited).

who were passing by took me to the hospital. The doctor examined me and gave me medicine. My body is very fragile. I started to work again, but it's not going well.”<sup>82</sup>

“Crystal” said that she hopes that the men who committed the crime are arrested. “Let them be punished so they don't do such acts to someone else.”<sup>83</sup>

Wazalendo groups in Masisi territory have also gang-raped women. In January 2024, “Francine” said she was living in a displaced persons camp in southern Masisi with her four children.<sup>84</sup> Members of an armed group killed her husband in March 2023. The APCLS armed group occupied the area at the time.

“Francine” returned to her farm to harvest food for her children and met three armed Wazalendo fighters in her field.<sup>85</sup> They told her not to flee. “They said that if I dared to flee, they would kill me,” said Francine. “They arrested me and decided to kill me. One of them said: ‘Instead of killing her, it's better that she helps us with her body.’ They threw me on the ground and took off all my clothes.”<sup>86</sup> She was worried they would kill her. She thought of her children. “I couldn't refuse (them). My kids would be orphaned by their mom and dad. I accepted (the sexual violence) to protect my kids.”<sup>87</sup>

After the three fighters raped her, they told her that if she spoke of what happened, and accused them, “they would kill me the day they see me.” “What I want to happen to them is that they find themselves in the same situation that I went through,” she said. “Only God knows the punishment that they will receive.”<sup>88</sup>

Another woman, “Safia”, who had also returned to her field to collect cassava leaves to eat, said four Wazalendo, who were soaking wet from the night's rain and wearing dirty clothes, confronted her.<sup>89</sup>

“They said: ‘What are you doing here?’” said “Safia”. “I said I came to look for food for the kids. They told me to go back to where I came from. [They said] You think you can come back to (name of village withheld)? When I tried to respond, they slapped me. I think they were Nyatura and FDLR. They spoke Kinyarwanda. They were smoking hemp. They were really severe. They said they didn't have wives, and that if a woman comes to this field, the woman will be raped. They also said that we collaborate with M23 and that's why a woman who comes to the field will always be raped.”<sup>90</sup>

“I fought with them. During the combat, I yelled, but nobody came to help me. They told me that I was yelling so M23 would hear me. ‘But if they hear you, they won't do anything against us,’ they said. They destroyed my clothes. Two of them had weapons. When they finished raping me, I was naked. I hid in a place and waited for a person to pass and lend me a wrap so I could dress and go to the house. When I arrive at my house, people saw my torn clothes and yelled: She was raped! She was raped! People told my husband about what happened. I haven't seen him in two months. People blame me (for what happened). I'm heckled by people at the market and church. Every time, they blame me.”<sup>91</sup>

Safia went to a health centre after the incident. They massaged her wounds and gave her medicine. “Today, I'm a bit better. I'm ashamed to do any activities. I stay at home because of the shame. I wish

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<sup>82</sup> Interview by voice call with “Crystal”, (previously cited).

<sup>83</sup> Interview by voice call with “Crystal”, (previously cited).

<sup>84</sup> Interview by voice call with “Francine”, (name changed for security reasons), sexual violence survivor, 6 June 2025.

<sup>85</sup> Interview by voice call with “Francine”, (previously cited).

<sup>86</sup> Interview by voice call with “Francine”, (previously cited).

<sup>87</sup> Interview by voice call with “Francine”, (previously cited).

<sup>88</sup> Interview by voice call with “Francine”, (previously cited).

<sup>89</sup> Interview by voice call with “Safia”, (name changed for security reasons), sexual violence survivor, 7 June 2025.

<sup>90</sup> Interview by voice call with “Safia”, (previously cited).

<sup>91</sup> Interview by voice call with “Safia”, (previously cited).

this war would end. If there was no war, the Nyatura and the FDLR will go back to where they were, and people can go safely to their fields.”<sup>92</sup>

## 4.2 GANG RAPE BY FARDC

Amnesty International interviewed “Sarah”, a 28-year-old-woman from South Kivu who said that on the night of 12 February, as FARDC soldiers were fleeing M23’s advance toward Bukavu, she, her husband, and her children were home in bed when the FARDC started to leave Bukavu and surrounding areas and flee south.<sup>93</sup>

“We heard someone knocking at the door. I asked: Who is it? They said: Open the door! Open the door! They said to open the door quickly, so we don’t start shooting. They hit the door, and it opened. They saw my husband and said: ‘What are you still doing here?’ They entered the house. They started to hit my husband. There were three of them in the house. They spoke Lingala to one another. Two of them went outside with my husband. They started to hit him. The other [FARDC soldier] asked me: Where are your kids? I said they are already asleep. They pulled me into the living room. They asked me: ‘Do you want to die, or do you want to be saved?’ I started to cry and yell. I was in the living room. The one inside, he did a judo move and knocked me down. I said: ‘What are you going to do? I’m pregnant.’ One of them said: ‘I don’t care about [your pregnancy]; it doesn’t have anything to do with me.’ One of them gave the weapon to the other when he did the act. When the first stopped, the second one came in. He did the act. I screamed a lot.”<sup>94</sup>

As the soldier raped “Sarah”, her 14-year-old daughter screamed from the bedroom. The soldier said: “If she doesn’t go back in the room, I’ll kill her.” The FARDC abducted her husband. “They took nothing from the house. We had nothing they could take.”<sup>95</sup>

After the gang-rapes and the abduction of her husband, “Sarah” said she wants the FARDC perpetrators to be severely punished: “They risk doing the same thing to other people. I want them to bring back my husband. I want to stop the war. As long as there is war, there will be rape.”<sup>96</sup> “Sarah’s” husband eventually returned.

## 5. SUMMARY KILLINGS BY M23

Amnesty International documented five summary killings by M23: three men in Goma and a father and son in South Kivu. All men were shot to death or had their throats cut by M23 fighters between February and May 2025.

The cases documented by Amnesty International are illustrative. Large numbers of individuals have been killed and found dead during this period. While residents usually blame M23 for the killings, it is often difficult to determine who the perpetrators are as they often wear civilian clothes and commit the crimes at night. Thousands of inmates escaped from Goma’s Munzenze prison in late January 2025, Goma residents believe that some of them were subsequently involved in the frequent thefts, rapes,

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<sup>92</sup> Interview by voice call with “Safia”, (previously cited).

<sup>93</sup> Interview with “Sarah”, (name changed for security reasons), sexual violence survivor, 16 March 2025.

<sup>94</sup> Interview by voice call with “Sarah”, (previously cited).

<sup>95</sup> Interview by voice call with “Sarah”, (previously cited).

<sup>96</sup> Interview by voice call with “Sarah”, (previously cited)

and killings.<sup>97</sup> In addition, Wazalendo fighters have frequently entered the outskirts of Goma from outside the city.<sup>98</sup>

Amnesty International has received numerous photos of dead bodies that have been found in Goma, Bukavu, and surrounding areas. Some bodies appear to have been killed in one area and dumped in another. M23 does not appear to proactively investigate killings that take place in the areas under its control.

M23 has a history of summary killings. When M23 established itself in eastern DRC in 2012, it forcibly recruited fighters in Rwanda and DRC and summarily killed M23 fighters and recruits that had attempted to escape.<sup>99</sup> In January 2025, when M23 captured Goma and later progressed toward South Kivu, M23 fighters killed a prominent singer and a member of civil society, as documented by Human Rights Watch.<sup>100</sup>

## 5.1 YANNICK ZIRHUMANANA

On 22 February, at approximately 3 p.m. in Goma's Kasika neighbourhood, gunfire rang out. It was unclear who had opened fire, but M23 controlled the area and M23 fighters were seen nearby, including at Camp Katindo, a former Congolese army camp. Yannick Zirhumanana, who worked at a telecommunications company and led a church prayer group, was hit in the ribs by a bullet as he was standing on the porch of his house.<sup>101</sup> It is unclear if he was targeted or if it was a stray bullet. Armed M23 fighters quickly arrived at Zirhumanana house, searched it, and confiscated multiple phones. They said they were looking for Congolese soldiers and asked if Zirhumanana was one.<sup>102</sup> He said he was not. The soldiers intimidated Zirhumanana and his wife, threatening to kill him.<sup>103</sup>

An M23 fighter accompanied Zirhumanana and others to a nearby health centre. When they arrived, Zirhumanana pleaded for his life to an M23 fighter, saying: "Sorry, sorry, big man. I did nothing wrong." The fighter shot Zirhumanana in the forehead.<sup>104</sup> M23 fighters refused to hand over his body. "They shot two bullets in the air and intimidated [the person] who was putting his body on a stretcher," said a person familiar with the incident. "When they shot, everyone fled."<sup>105</sup> A jeep arrived with M23 fighters in it. The ambulance driver, who negotiated with them, was trembling, and he got on his knees and begged them to let him take Zirhumanana's body. After paying the M23 fighters, the ambulance driver took Zirhumanana body away.<sup>106</sup>

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<sup>97</sup> The Guardian, "Mass prison escapes stoke panic in DRC after rebel advance,"

<https://www.theguardian.com/world/2025/mar/10/mass-prison-escapes-stoke-panic-in-drc-after-rebel-advance>, 10 March 2025.

<sup>98</sup> Amnesty International exchange with human rights defender, 28 April 2025; Radio Okapi, "Nord-Kivu: retour au calme à Goma après une attaque des Wazalendos contre l'AFC/M23",

<https://www.radiookapi.net/2025/07/22/actualite/securite/nord-kivu-retour-au-calme-goma-apres-une-attaque-des-wazalendo-contre>, 22 July 2025.

<sup>99</sup> Human Rights Watch, "DR Congo: M23 Rebels Committing War Crimes", 11 September 2012, <https://www.hrw.org/news/2012/09/11/dr-congo-m23-rebels-committing-war-crimes>, UN Group of Experts on the Democratic Republic of the Congo, Final report, 15 November 2012, UN Doc. S/2012/843, Annex 56, Section 3, M23 summary executions of recruits and prisoners of war.

<sup>100</sup> See Human Rights Watch, "DR Congo: Rwanda-Backed M23 Target Journalists, Activists", 12 March 2025, available at <https://www.hrw.org/news/2025/03/12/dr-congo-rwanda-backed-m23-target-journalists-activists>.

<sup>101</sup> Interview by voice call with person familiar with incident, 31 March 2025.

<sup>102</sup> Interview by voice call with person familiar with incident, 31 March 2025; information from confidential source, 6 March 2025.

<sup>103</sup> Information from confidential source, 6 March 2025.

<sup>104</sup> Interview by voice call with person familiar with incident, 31 March 2025.

<sup>105</sup> Interview by voice call with person familiar with incident, 31 March 2025.

<sup>106</sup> Interview by voice call with person familiar with incident, 31 March 2025.

“I want justice to be done,” said the person familiar with the incident. “You can’t come and shoot people and remain unpunished. We are powerless. We can’t ask for justice. It’s like human life no longer means anything. [Zirhumanana] died innocently.”<sup>107</sup>

## 5.2 GILSON KASAREKA MAKEMBE

Gilson Kasareka Makembe, known locally as Bondé, worked in the family shop in Nyabushongo market in Goma. At around 5 p.m. on 10 April, a witness outside the shop saw an armed M23 fighter wearing an M23 uniform speaking to a motorcycle driver near the shop.<sup>108</sup> Another M23 fighter was standing nearby, appearing to observe Makembe’s shop. The witness then heard a gunshot in the shop. Two men fled the shop and got on a motorcycle that was waiting to take them away. The M23 fighter talking to the motorcycle driver was laughing and making gestures after the shooting.<sup>109</sup> The M23 fighters outside the shop made no efforts to stop the fleeing assailants or investigate the incident. The witness watched people carry Makembe out of the shop. He had been shot in the face and appeared to have already died.<sup>110</sup>

The witness believed the assailant was a member or a collaborator of M23 as the other M23 fighter (talking to the moto driver) made no attempt to stop him and observed the incident as it took place.

Another witness said the man who shot Makembe had entered the shop and sat down and waited for around 30 minutes without speaking to anyone.<sup>111</sup> The man had a briefcase in which he hid a gun. The gunman told Makembe to get on the floor and to take everything out of their pockets. “He didn’t ask for any money,” the witness said. Makembe refused. The man then shot Makembe. The M23 fighters outside the shop left at roughly the same time as the gunman and the accomplice.<sup>112</sup>

## 5.3 ALAIN KUBUYA BYAMUNGU

Alain Byamungu was a truck driver who often hauled rocks and construction materials. On 12 May 2025, Byamungu was driving a truck carrying four members of his crew near Goma’s Kituku neighbourhood when a motorcycle driver nearly collided with the truck. Byamungu and the motorcycle driver had a tense exchange of words. The motorcycle driver continued to follow the truck Byamungu was driving, and the motorcyclist appeared to call someone as he was driving.<sup>113</sup> Near the Mater Dei school, a group of M23 fighters in a vehicle and a motorcycle carrying M23 fighters pursued Byamungu. The fighters shot at the truck, apparently puncturing one of the tires, but Byamungu didn’t stop.<sup>114</sup> The M23 fighters drove around the truck and positioned their vehicle in front it. M23 shot into the cab of the truck, killing Byamungu and injuring members of his crew.<sup>115</sup> Some of the workers in the truck jumped out and attempted to escape. An M23 fighter was heard saying to someone in the truck: “Why did you flee? You are FDLR.”<sup>116</sup> After the incident, M23 said their fighters shot at the vehicle because it didn’t stop, and, based on what they told the person in the truck, they believed Byamungu and the others were FDLR fighters.<sup>117</sup>

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<sup>107</sup> Interview by voice call with person familiar with incident, 31 March 2025.

<sup>108</sup> Interview by voice call with witness (name withheld for security reasons), 11 April 2025.

<sup>109</sup> Interview by voice call with witness (name withheld for security reasons), 11 April 2025.

<sup>110</sup> Interview by voice call with witness (name withheld for security reasons), 11 April 2025.

<sup>111</sup> Interview by voice call with witness (name withheld for security reasons), 16 April 2025.

<sup>112</sup> Interview by voice call with witness (name withheld for security reasons), 16 April 2025.

<sup>113</sup> Interview by voice call with witness, 19 May 2025.

<sup>114</sup> Interview by voice call with witness, 19 May 2025.

<sup>115</sup> Interview by voice call with witness, 19 May 2025.

<sup>116</sup> Interview by voice call with witness, 19 May 2025.

<sup>117</sup> Amnesty International exchange with person familiar with the incident 26 and 30 May 2025.

## 5.4 DEOGRACIAS KATULO AND BENOIT BAHIDIKA BISIMWA

On 18 May 2025, M23 fighters entered the village of Kabamba in Kabare territory, South Kivu and appeared to be looking for Déogracias Katulo, a 69-year-old policeman. M23 asked Katulo to show them where other policemen were in the village. A person who witnessed Katulo's arrest said that as the M23 fighters were arresting Katulo and his wife, his son, Benoit Bahidika Bisimwa, arrived and asked why they were arresting his father. M23 fighters arrested him as well.<sup>118</sup> M23 released Katulo's wife.

Bisimwa was found dead later the same day, along with three other young men. It appeared that M23 fighters slit their throats and shot them in the head. "I heard the gunshots," said a witness. "They were numerous. We thought the war was starting."<sup>119</sup> Katulo's body was found in an area called Bwindi. "They killed him with a knife; they cut his throat. He had wounds all over. They stabbed him with a knife," said another witness.<sup>120</sup>

## 6. ATTACKS ON HOSPITALS

Amnesty International documented how M23 fighters raided hospitals in Goma six separate times between 28 February and 19 May abducting or detaining patients and caregivers, including FARDC soldiers who had been injured and were either healed or still required care or those hiding at the hospital.

On at least three occasions, M23 fired their weapons near or inside hospitals in Goma. On 16 March, after a government airstrike near an M23 position in Walikale territory, M23 fighters entered the hospital in Kibua, and accused staff of alerting the government to M23's military position that led to the airstrike.<sup>121</sup> Amnesty International was unable to independently verify that an airstrike took place.

After a security incident in Walungu Centre, a village in Walungu territory in South Kivu, on 9 March, M23 fighters fired heavy weapons in the direction of the General Reference Hospital in Walungu, damaging the main hospital and injuring patients.

Amnesty International interviewed 13 individuals who witnessed the incidents at the hospitals or had knowledge of them. In addition, the organization received information about the attacks from four other people. For security reasons, Amnesty International has chosen not to reveal their names or other information that could identify them.

Taken together, the hospital attacks show how M23 disregards international law or does not take appropriate measures to ensure hospitals are protected spaces. The repeated attacks by armed fighters - who fired their weapons at or near hospitals three times - the repeated abductions of civilians, the harassment, inhumane treatment, and intimidation of hospital staff, and the torture of detainees, shows a pattern of behaviour that disregards international norms and violates IHL.

### 6.1 HEAL AFRICA

The first hospital raid took place on 28 February at HEAL Africa Hospital in Goma. An individual who was present at the time of the incident said that M23 fighters entered the hospital.<sup>122</sup> "When [M23] entered, they were armed. When we left the room, we saw several armed men. They asked: Are you military or not? They said civilians can leave [if they have] identity cards. They let us pass. In the hallway, they made us get down on the ground. They put all caregivers and patients on the ground.

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<sup>118</sup> Interview by voice call with witness, 2 June 2025.

<sup>119</sup> Interview by voice call with witness, 2 June 2025.

<sup>120</sup> Interview by voice call with witness, 2 June 2025.

<sup>121</sup> Interview by voice call with person familiar with incident, 8 April 2025.

<sup>122</sup> Interview by voice call with witness, 5 March 2025.

They asked us not to flee. They said: The one who flees will be dead. When they finished collecting people, they started asking questions: Who here is a civilian? Who is from the military? Civilians to the right. Military to the left.”<sup>123</sup>

The witness said that M23 fighters outside the hospital wore military uniforms and that M23 beat some of the civilians with whips so any FARDC soldiers hiding among them would be frightened into revealing he was a soldier. M23 drove the civilians and FARDC soldiers to Goma’s *Stade de l’Unité* where they detained the hospital patients and caregivers overnight. “All day Saturday, (the men guarding us) didn’t explain why we were there,” the witness said. “On Sunday, they told us that we were here so they could search for soldiers.”<sup>124</sup>

The same witness said M23 kept him with a group of 18 civilians who M23 whipped. “We were made to lie down and beaten on the backside and hands. They said: ‘If you are a soldier, admit it.’ When they were beating people in the military group, they asked if they were Wazalendo, FDLR, or FARDC.”<sup>125</sup> The witness said they were beaten to flush out any FARDC soldiers, but also to persuade people to join M23.

## 6.2 CBCA NDOSHO

On 3 March, at around 3 am, dozens of armed M23 fighters in civilian clothes raided CBCA Ndoshu Hospital in Goma. According to a witness, they told security guards to show them FARDC patients, and if they didn’t, M23 said, they would kill them.<sup>126</sup> M23 fighters entered the area of the hospital where FARDC soldiers were treated, separate from the civilian wing. After M23 rounded up patients in the military area, they went to the civilian wing to look for FARDC soldiers. “They only took the ones with less serious injuries. They left certain soldiers [at the hospital],” said the witness.<sup>127</sup>

In the civilian area of the hospital, they abducted caregivers and threatened them. If someone said they weren’t a soldier and M23 thought they were, M23 fighters beat them with wooden rods or whips.<sup>128</sup> According to a witness and another person with information about the incident, some FARDC soldiers had come to the hospital for medical treatment, but others came for protection, including FARDC soldiers from other cities in DRC.<sup>129</sup>

The M23 abducted or detained 116 people from CBCA Ndoshu, dozens of whom were allegedly FARDC and Wazalendo whose injuries had healed.<sup>130</sup> M23 also abducted civilians caring for patients with injuries unrelated to combat. As they were leaving the hospital, they also stole two motorcycles.<sup>131</sup>

M23 detained FARDC soldiers, civilian patients and caregivers and took them to *Stade de l’Unité* where some were tortured with whips and wooden rods. Among those detained was a Red Cross volunteer.<sup>132</sup> M23 removed his Red Cross badge and brutally beaten him.<sup>133</sup> M23 accused him of being a member of the *Interahamwe*.<sup>134</sup> The detainee said that even if they beat him to death, he was a man of God and a member of the Néoapostolique church.<sup>135</sup>

M23 detained the Red Cross worker at the stadium for two days and then transferred him to the M23 detention site at Mont Goma. After pressure from the family, international and local organizations, M23

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<sup>123</sup> Interview by voice call with witness, 5 March 2025.

<sup>124</sup> Interview by voice call with witness, 5 March 2025.

<sup>125</sup> Interview by voice call with witness, 5 March 2025.

<sup>126</sup> Interview by voice call with witness, 17 March 2025.

<sup>127</sup> Interview by voice call with witness, 17 March 2025.

<sup>128</sup> Interview by voice call with witness, 3 March and 17 March.

<sup>129</sup> Interview by voice call with witness, 15 March 2025.

<sup>130</sup> Information from confidential source, 11 March 2025.

<sup>131</sup> Interview by voice call with witness, 17 March 2025.

<sup>132</sup> Interview by voice call with individual familiar with the incident, 18 March 2025.

<sup>133</sup> Interview by voice call with two individuals familiar with the incident, 18 and March 2025.

<sup>134</sup> The *Interhamwe* (“Those who attack together”) was a Hutu militia that initiated a pattern of deliberate and arbitrary killings of Tutsi civilians and moderate Hutus during the 1994 genocide in Rwanda.

<sup>135</sup> Interview by voice call with individual familiar with the incident, 22 March 2025.

released him. He returned to CBCA Ndosho hospital for treatment. “He had a lot of pain. He couldn’t sit down. He squatted or slept on his stomach. On his buttocks the wounds were really visible; they were deep. [His] hand was fractured, you could see the flesh,” said a witness.<sup>136</sup> He died at home on 13 March 2025.<sup>137</sup>

### 6.3 M23’S RESPONSE TO HEAL AFRICA AND CBCA NDOSHO ATTACKS

In a 5 March 2025 press statement, the AFC stated that it targeted HEAL Africa and CBCA Ndosho hospitals to detain FARDC soldiers and followed international law: “The operation against 130 FARDC elements hiding in hospitals was carried out in a rigorously peaceful manner and in accordance with the requirements of international humanitarian law.”<sup>138</sup>

The statement said M23 had obtained consent from the medical facilities to conduct the military operation and noted that its objective was to better secure “our medical structures infiltrated by fleeing combatants”. It went on to say that the actions “exclusively aimed to neutralize illegal armed elements and prevent crimes against the population.”<sup>139</sup>

In May, M23 published a report responding to human rights allegations by Amnesty International, Human Rights Watch, the United Nations, and other organizations. The report reiterated that medical personnel at hospitals in Goma alerted M23 leaders to the presence of certain patients who no longer needed medical care, but who refused to leave HEAL Africa and CBCA Ndosho.<sup>140</sup> Amnesty International consulted a confidential document and spoke with an individual with knowledge of the incursion at CBCA Ndosho on 3 March, who disputed M23’s claim that it had obtained consent to conduct the raid.<sup>141</sup> Amnesty International was not able to determine if M23 informed hospital staff or received consent prior to the other attacks.

M23 claimed in its May report that “fake patients”, who were accompanied by unidentified care takers, left the hospital and committed crimes in Goma then returned to the hospital.<sup>142</sup> The report also said that the M23 security service determined that “hostile elements” were in the hospitals. M23 noted: “It was therefore decided, in accordance with the requirements of International Humanitarian Law, to intervene to eradicate the threat”.<sup>143</sup> In addition, the report said it followed international humanitarian law and cited Articles 12 and 13 of the Geneva Conventions, which state, in part, that the protection of civilian medical facilities may cease if they are used to “commit, outside their humanitarian purpose, acts harmful to the enemy”.

Amnesty International classifies the current conflict between the DRC and the M23 as a non-international armed conflict, which is governed by Article 3 Common to the 1949 Geneva Conventions and the 1977 Protocol II Additional to the 1949 Geneva Conventions, and under customary

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<sup>136</sup> Interview by voice call with individual familiar with the incident, 22 March 2025.

<sup>137</sup> Interview by voice call with individual familiar with the incident, 22 March 2025.

<sup>138</sup> Lawrence Kanyuka, X post : “Mise au point de l’Alliance Fleuve Congo suite aux allégations inauthentiques du haut commissariat des Nations-Unies aux droits de l’homme concernant des prétendues attaques contre des hôpitaux”, 5 March 2025, <https://x.com/LawrenceKanyuka/status/1897250180652786173>.

<sup>139</sup> Lawrence Kanyuka, X post: “Mise au point de l’Alliance Fleuve Congo” (previously cited).

<sup>140</sup> Alliance Fleuve Congo, “Réaction de l’AFC/M23 face aux allégations et accusations sur”, (previously cited).

<sup>141</sup> Information from individual with knowledge of attack, 29 May 2025; confidential document on file with Amnesty International.

<sup>142</sup> Alliance Fleuve Congo, “Réaction de l’AFC/M23 face aux allégations et accusations sur”, (previously cited).

<sup>143</sup> Alliance Fleuve Congo, “Réaction de l’AFC/M23 face aux allégations et accusations sur”, (previously cited), See pp. 10 - 11.

international law applicable. The organization classifies the conflict between Rwanda and DRC as an international armed conflict.<sup>144</sup>

Under the statute of the International Criminal Court, intentionally directing attacks against hospitals where there are sick and wounded that are not military objectives, constitutes a war crime.<sup>145</sup> Amnesty International found no evidence that FARDC soldiers or other armed groups members were using hospitals outside their humanitarian function to commit acts harmful to M23. Moreover, if hospitals were sheltering able bodied combatants, M23 is required under the Geneva Conventions and its Additional Protocols to warn the hospital about the planned attack with a view to providing them with a reasonable time-limit before an attack. The attack can only take place after a warning is given and has remained unheeded.<sup>146</sup> Amnesty International attempted to contact hospital officials to confirm whether M23 contacted hospital officials before each attack but was unable to speak with them.

M23 did not address in its May report the way the attacks were conducted, particularly how armed M23 fighters who entered hospital wards, threatened patients and caregivers, and tortured civilians and FARDC soldiers after M23 detained them.<sup>147</sup> It also did not account for the arbitrary criteria M23 fighters used to determine who was a civilian and who was a soldier or armed group member, and the forcible disappearance of numerous individuals.

## 6.4 M23 GUNFIRE IN HOSPITALS

M23 claimed in its May report that it was “unbelievable” that its incursions were considered armed attacks “without gunshots being heard or reported at the scene”.<sup>148</sup>

Amnesty International interviewed two witnesses who described how armed M23 fighters shot live rounds in CBCA Ndosho hospital on 13 March.<sup>149</sup> M23 fighters in civilian clothes armed with weapons entered the hospital apparently in search of a specific individual.<sup>150</sup> The fighters reprimanded hospital staff for treating a patient who, they claimed, had been injured by gunfire without informing them.<sup>151</sup> When M23 attempted to detain the patient, he fled inside the hospital. Two M23 fighters fired their weapons haphazardly in the hospital, damaging the emergency room.<sup>152</sup> After M23 detained the patient, two M23 vehicles arrived at the hospital with numerous fighters and took the patient away.<sup>153</sup>

On the night of 4 – 5 April, M23 fighters entered Goma’s Kyeshero hospital with the apparent aim of capturing FARDC soldiers and their collaborators. A witness and a published account of the incident by MSF revealed that M23 fighters fired their weapons outside the hospital wards. The gunfire damaged hospital infrastructure and killed one person and injured two others.<sup>154</sup> M23 also beat two hospital staff members.<sup>155</sup> Amnesty International reviewed photos that showed damage to the hospital from gunfire.

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<sup>144</sup> For a more detailed explanation of the international armed conflict between Rwanda and the DRC and the non-international armed conflict between the DRC and M23, see section 7, Legal Analysis.

<sup>145</sup> Rome Statute of the International Criminal Court, Article 8 (2) (e) (ii).

<sup>146</sup> Protocol Additional to the Geneva Conventions of 12 August 1941 (Protocol II), Article 11.

<sup>147</sup> Amnesty International, “DRC: M23’s rampant human rights abuses demand concerted international action”, 18 March 2025, <https://www.amnesty.org/en/latest/news/2025/03/m23s-rampant-human-rights-abuses-demand-concerted-international-action/>.

<sup>148</sup> Alliance Fleuve Congo, “*Réaction de l’AFC/M23 face aux allégations et accusations sur*”, (previously cited), see pp. 10 - 11.

<sup>149</sup> Interview by voice call with witness, 14 March 2025; information received from witness 14 March 2025.

<sup>150</sup> Interview by voice call with witness, 14 March 2025.

<sup>151</sup> Interview by voice call with witness, 14 March 2025.

<sup>152</sup> Interview by voice call with witness, 14 March 2025; information received from witness 14 March 2025.

<sup>153</sup> Interview by voice call with witness, 14 March 2025.

<sup>154</sup> Médecins Sans Frontières, “MSF condemns deadly shooting at Kyeshero hospital, Goma”, <https://www.msf.org/msf-condemns-shooting-left-one-person-dead-kyeshero-hospital-goma-drc>, 11 April 2025; Interview by voice call with human rights defender in Goma, 8 April 2025.

<sup>155</sup> Médecins Sans Frontières, “MSF condemns deadly shooting”, (previously cited).

## 6.5 OTHER M23 HOSPITAL ATTACKS

On the night of 10 May, M23 fighters returned to CBCA Ndoshu hospital, and fighters in civilian clothes, some of whom were armed with pistols, rounded up dozens of patients including FARDC soldiers and civilian caregivers. A witness said that some soldiers who were detained had recovered from their injuries. “If you tried to [negotiate] with them, they hit you,” said a witness.<sup>156</sup> M23 fighters put them in a military vehicle, which they drove to other sites in Goma and Nyiragongo where they picked up other detainees held by M23.<sup>157</sup>

M23 took all detainees to *Stade de l'Unité* in Goma where M23 leaders lectured them on the history of the M23 and its grievances against the government. The same witness said that M23 told them that they would be taken to Rumangabo and Runyoni, sites in Rutshuru that M23 uses for military and other training. M23 designated individuals who they believed were FARDC soldiers based on arbitrary criteria, such as their appearance or hair style. “They were mistreated,” said a witness at the stadium. “[They were] beaten with rods. [M23 fighters] spit on them.”<sup>158</sup>

M23 returned a few dozen caregivers and patients to the hospital the same night.

## 6.6 KYESHERO HOSPITAL ATTACK

In the early hours of 19 May, M23 fighters raided Kyeshero hospital.<sup>159</sup> It appeared that the M23 fighters’ objective was to detain FARDC soldiers who they believed were hiding at the hospital. They detained soldiers who were undergoing treatment, as well as other patients and caregivers; all were taken to an unknown location.<sup>160</sup>

## 6.7 M23 INCURSION AT KIBUA HOSPITAL

On 16 March, M23 fighters entered Walikale territory and spent the night at a base opposite the hospital in Kibua village. According to an individual in the vicinity, that night, airstrikes appeared to target the M23 base, injuring 11 civilians and killing two.<sup>161</sup> Amnesty International was unable to confirm this information with other sources.

The next morning, M23 fighters accused Kibua hospital staff of alerting the government to its location that led to the aerial attack. M23 fighters beat some hospital staff. “They started to put all the women on one side and the men on the other. They said: ‘We are going to assassinate all the medical staff because you are calling in airstrikes,’” said a witness.<sup>162</sup> M23 fighters took smartphones from hospital staff and separated staff and patients into two groups: those who had identification cards and those who did not. “They said we would die,” said the same witness. A Congolese M23 commander intervened and released all those detained.<sup>163</sup>

## 6.8 WALUNGU HOSPITAL INCIDENT

On the evening of 9 March in Walungu Centre, the main town in Walungu territory, M23 fighters reportedly pursued individuals who they believed were thieves through the town. They fired heavy weapons which hit the main hospital in the town.<sup>164</sup>

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<sup>156</sup> Interview by voice call with witness, 13 May 2025.

<sup>157</sup> Interview by voice call with witness, 13 May 2025.

<sup>158</sup> Interview by voice call with witness, 13 May 2025.

<sup>159</sup> Information from confidential source in Goma, 20 April 2025.

<sup>160</sup> Information from confidential source in Goma, 20 April 2025.

<sup>161</sup> Interview by voice call with witness, 8 April 2025.

<sup>162</sup> Interview by voice call with witness, 8 April 2025.

<sup>163</sup> Interview by voice call with witness, 8 April 2025.

<sup>164</sup> Interview by voice call with person familiar with incident, 12 March 2025.

During the incident, a shell from a heavy weapon penetrated the roof of the hospital and injured five people, including two caregivers and three children, who were injured by shrapnel.<sup>165</sup> It appeared that two artillery shells hit the hospital, destroying a hospital wall and damaging the roof, causing thousands of dollars' worth of damage.

It appears that M23 fighters did not intentionally target the hospital. However, M23 fighters' response to the alleged thieves was careless, excessive, and showed a desire to kill rather than to apprehend the suspects, which is an unlawful use of lethal force that constitutes a human rights abuse. The M23 fighters' actions also showed a lack of awareness for the protection of hospitals.

## 7 ATTACKS ON CIVIL SOCIETY, TORTURE AND ILL-TREATMENT OF CIVILIANS

M23 has repeatedly detained, interrogated, intimidated, ill-treated, and, in at least two cases, tortured civil society members, human rights defenders and journalists. M23 representatives have stated publicly that they do not want civil society groups active in the areas they control, and all issues should be brought to them.<sup>166</sup> Numerous human rights defenders, civil society activists, and journalists have fled to Kinshasa, DRC's capital, government-controlled areas, or neighbouring countries, including Burundi, Uganda, Tanzania, and Kenya.<sup>167</sup> At least four defenders who have fled M23 controlled areas in eastern Congo have received threatening messages from M23 fighters or unidentified individuals.<sup>168</sup> In at least three cases, M23 had detailed knowledge of human rights defenders' past denunciations of M23.<sup>169</sup>

A human rights defender who M23 detained in a raid in mid-May in Goma said an M23 fighter had specific information about his past activities, travel, and criticisms of their movement.<sup>170</sup> Amnesty International interviewed 12 civil society activists, human rights defenders, journalists, lawyers, and their family members who described how M23 arbitrarily detained them and apparently sought specific defenders and journalists.

On 13 May, M23 conducted a raid in Goma's Majengo neighbourhood. An individual familiar with the case said hundreds of men, boys, women and girls were detained and taken to a football field near Don Bosco school in Goma where M23 lectured them on the history of the movement.<sup>171</sup> M23 fighters explained that the raids were aimed at stopping criminality in Goma's neighbourhoods.<sup>172</sup> The M23-appointed mayor, Julien Katembo, who is from Rutshuru, identified Aloys Bigirumwami, a member of the youth movement, *Lutte pour le Changement* (LUCHA), as did a former LUCHA member who had joined M23.<sup>173</sup> Katembo asked Bigirumwami to hand over the weapons he had left in Kiwanja, a town in Rutshuru territory.<sup>174</sup> Katembo provided no evidence that Bigirumwami had ever possessed

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<sup>165</sup> Interview by voice call with person familiar with incident, 12 March 2025.

<sup>166</sup> Audio recording of M23 representatives speaking with church officials, 2 February 2025, on file with Amnesty International.

<sup>167</sup> According to the World Food Program, between January and April 2025, some 140,000 Congolese fled to neighbouring countries. Burundi and Uganda receiving the largest number – 70,000 and 60,000 respectively.

<sup>168</sup> Information shared by three human rights defenders, 17 April, 8 and 14 May, and 25 June 2025.

<sup>169</sup> Interview by voice call with witnesses, 24 and 25 March, 14 May, 25 June 2025.

<sup>170</sup> Interview by voice call with witness, 21, 24, 25 March and 14 May 2025.

<sup>171</sup> Interview by voice call with an individual familiar with the case, 16 May 2025.

<sup>172</sup> Interview by voice call with an individual familiar with the case, 16 May 2025.

<sup>173</sup> Interview by voice call with an individual familiar with the case, 16 May 2025; information from confidential source, 16 May 2025.

<sup>174</sup> Interview by voice call with an individual familiar with the case, 16 May 2025.

weapons. Bigirumwami and five others were then taken away in a vehicle, and he has not been seen since.<sup>175</sup> Family members asked M23 fighters at the detention centres at Mont Goma, *Stade de l'Unité* and the airport in Goma about Bigirumwami's whereabouts, but were told he wasn't detained at the sites, which would amount to an enforced disappearance.<sup>176</sup>

M23 targeted another civil society member in May 2025. Around 20 armed M23 fighters came to his house in Goma and searched it.<sup>177</sup> They forced him to unlock his phone and searched it. The fighters who searched the house went outside and consulted with another fighter who appeared to be a commander during the raid.<sup>178</sup> They asked the man's family member to hand over the weapons that were in the house.<sup>179</sup> The civil society member had never been a member of the military or possessed weapons.<sup>180</sup> M23 fighters tied the man's arms behind his back and slapped him.<sup>181</sup> They left with the man in a vehicle, and he has not been seen again. Family members inquired at three M23 detention centres in Goma if their loved one was detained there but M23 fighters said he was not, which amounts to an enforced disappearance.<sup>182</sup>

In early March, an M23 fighter arrested another civil society activist in Goma's Ndoshu neighbourhood, threatening to kill him if he moved. The M23 detained him at the 34<sup>th</sup> military region compound. He was questioned on 4 and 5 March in English by an M23 fighter who spoke English and Kinyarwanda and accused of publicly denouncing M23's human rights abuses. The M23 fighter asked him specific questions about issues he had covered in the past. "It was like they had all the info on us," said the civil society member.<sup>183</sup> The M23 fighters whipped him both nights of his detention. "They really beat me. They had whips. They beat me on the buttocks. They slapped me in my ears which caused my nose to bleed. There were a lot of [fighters] who beat me."<sup>184</sup> His relative paid a ransom to M23 for his release. Prior to his release, M23 told him in Kinyarwanda: "We didn't kill you, but you will die in another way."<sup>185</sup> M23's treatment of the activist amounts to torture, which is a war crime.

In March 2025, M23 detained a civil society actor outside Goma. M23 took off his shoes and told him that he needed to explain why he was defaming their movement, how they killed civilians, and how many people they raped.<sup>186</sup> M23 detained him with several other people and ordered him to lie down on his stomach. A man then sat on his shoulders and another one sat on his legs. An M23 fighter started whipping him on his buttocks and thighs. M23 whipped him three separate times during his detention.<sup>187</sup> M23's treatment of the individual amounts to torture, which is a war crime.

In addition to the threats against civilians, M23 has forcibly abducted young men. A resident of Kabamba village said that between 12 and 15 M23 fighters arrived in the Ihimbi neighbourhood of Kabamba in mid-May 2025 and told young men that they needed help loading military equipment into their truck.<sup>188</sup> As they walked to the M23 truck, M23 detained youth along the road. "(At the truck), they had a meeting," said a witness. "They told the youth to join their movement. They said we can liberate the country. They said among us, there are Wazalendo, and that the Wazalendo should hand

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<sup>175</sup> Interview by voice call with an individual familiar with the case, 16 May 2025.

<sup>176</sup> Interview by voice call with an individual familiar with the case, 16 May 2025.

<sup>177</sup> Interview by voice call with witness, 26 May 2025.

<sup>178</sup> Interview by voice call with witness, 26 May 2025.

<sup>179</sup> Interview by voice call with witness, 26 May 2025.

<sup>180</sup> Interview by voice call with witness, 26 May 2025.

<sup>181</sup> Interview by voice call with witness, 26 May 2025.

<sup>182</sup> Interview by voice call with witness, 26 May 2025.

<sup>183</sup> Interview by voice call with witness, 21, 24, 25, March 2025.

<sup>184</sup> Interview by voice call with witness, 21, 24, 25, March 2025.

<sup>185</sup> Interview by voice call with witness, 21, 24, 25, March 2025.

<sup>186</sup> Interview by voice call with person familiar with incident, 5 March 2025.

<sup>187</sup> Interview by voice call with person familiar with incident, 5 March 2025.

<sup>188</sup> Interview by voice call with two witnesses, 2 June 2025.

over their weapons. They said that we had to do a military training in Rumangabo. That's why I fled.”<sup>189</sup>

Amnesty International has also received dozens of alerts about individuals abducted, raped, ill-treated, or tortured by M23. The organization is not able to investigate every such allegation. Amnesty International's Crisis Evidence Lab verified a [video](#) filmed in late April 2025 of men in M23 uniforms whipping a man in Goma. M23 fighters controlled the city during this time. In a separate [video](#) published on social media on 11 June, an M23 fighter is seen hitting a person and whipping him with long sticks.<sup>190</sup> Amnesty International was unable to independently verify when and where the video was filmed.

The Crisis Evidence Lab also confirmed the location of a [video](#) filmed at the end of June 2025 in Nyabiondo, a town in Masisi, which shows a man with his arms bound behind his back kneeling on the ground surrounded by a crowd. Amnesty International confirmed that M23 fighters, who controlled Nyabiondo at the time the video was taken, accused the man of stealing. An M23 fighter with a gun instructs the man to lie down. Some people in the crowd throw stones at the alleged thief. When he attempts to get up, the M23 fighter shoots the man twice at point blank range, killing him.<sup>191</sup>

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<sup>189</sup> Interview by voice call with two witnesses, 2 June 2025.

<sup>190</sup> Video on file with Amnesty International.

<sup>191</sup> Daniel Espoir, X post : “#RDC II #SUD KIVU : À LA UNE DE MIDI DE CE MERCREDI 02.07.2025 À #BUKAVU\* Une vidéo devenue virale circule depuis l'avant midi de ce mercredi 02.07.2025 montrant un présumé voleur à mains armées, pris mains dans le sac, fusillé par un élément de l' #AFC\_M23 devant une foule”, <https://x.com/Danielespo31683/status/1940453667909587445><https://x.com/Danielespo31683/status/1940453667909587445>, 2 July 2025.

## 8 LEGAL ANALYSIS

Amnesty International considers the conflict in eastern DRC as an international armed conflict and as a non-international armed conflict.<sup>192</sup> Considering the role of Rwandan forces in the conflict, including their active role in the conduct of hostilities, and Rwanda's overall control over M23 and provision of critical combat support to the M23, the conflict is an international armed conflict between Rwanda and DRC. A report by Human Rights Watch and a UN Group of Experts on DRC report detail Rwanda's overall control of M23.<sup>193</sup> At the same time, the conflict between DRC and M23 meets the threshold of a non-international armed conflict.<sup>194</sup>

DRC, Rwanda, M23, and the Wazalendo are parties to the conflict in DRC and are legally bound to comply with international humanitarian law, as set forth in Common Article 3 of the four Geneva Conventions of 1949, Additional Protocol II to the Geneva Conventions, and customary international humanitarian law. DRC is a party to the four Geneva Conventions of 1949 and their Additional Protocols I and II.<sup>195</sup>

Common Article 3 binds all parties to the conflict to respect persons who take no active part in hostilities, including those who are *hors de combat* who shall be treated humanely, without any adverse distinction. It also prohibits all the parties to the conflict from committing violence to life and person, including cruel treatment and torture to those who are *hors de combat*.<sup>196</sup> Under international humanitarian law, parties to the conflict have obligations to collect and care for those who are wounded and sick. The principle of distinction prohibits direct or indiscriminate attacks on civilians and civilian objects. Medical facilities, such as hospitals, and personnel are accorded special protection under international law, and do not lose their special protection because they care for the sick and wounded members of the opposing party to the conflict. Hospitals may lose their special protected status in armed conflict when "they are used to commit hostile acts".<sup>197</sup> However, the attacking force may attack them only after giving them a warning that sets out a reasonable time limit, and only if the terms of the warning were not met. While the M23 alleges that the raids were targeting FARDC soldiers who were hiding inside the hospitals, in all the cases of raids on hospitals by M23 forces Amnesty International has documented in this report, there is no evidence that the M23 provided adequate warnings to the hospital officials before conducting the raids.

M23 detention and torture of wounded and sick FARDC soldiers, patients, and caregivers who were sheltered in hospitals, therefore is a violation of Common Article 3 of the Geneva Conventions and may constitute war crimes.

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<sup>192</sup> Based on the relevant international treaties (Article 3 Common to the Four Geneva Conventions of 1949 and Protocol II to the Geneva Conventions) and jurisprudence of international tribunals, the International Committee of the Red Cross (ICRC) defines non-international armed conflicts as: "protracted armed confrontations occurring between governmental armed forces and the forces of one or more armed groups, or between such groups arising on the territory of a State [party to the Geneva Conventions]. The armed confrontation must reach a minimum level of intensity and the parties involved in the conflict must show a minimum of organisation."

<sup>193</sup> Human Rights Watch, "DR Congo: M23 Armed Group Forcibly Transferring Civilians", <https://www.hrw.org/news/2025/06/18/dr-congo-m23-armed-group-forcibly-transferring-civilians>, 18 June 2025; UN Group of Experts on the Democratic Republic of Congo, Final report, 3 July 2025, UN Doc S/2025/446, paras. 18 and 44.

<sup>194</sup> UN Group of Experts on the Democratic Republic of Congo, Final report, 3 July 2025, UN Doc S/2025/446.

<sup>195</sup> See ICRC, International Humanitarian Law Databases, <https://ihl-databases.icrc.org/en/ihl-treaties/treaties-and-states-parties?title=&topic=&state=CD&from=&to=&sort=state&order=ASC>

<sup>196</sup> See ICRC, International Humanitarian Law Databases, <https://ihl-databases.icrc.org/en/ihl-treaties/gci-1949/article-3>.

<sup>197</sup> Protocol Additional to the Geneva Conventions of 12 August 1949 and Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II) of 08 June 1977.

Deliberate killing of individuals who do not participate or are no longer directly participating in hostilities, including fighters *hors de combat* or those who have been captured, is a serious violation of IHL and constitutes the war crime of murder. The killings of Gilson Kasareka Makembe, Yannick Zirhumanana, Alain Kubuya Byamungu, Déogracias Katulo, and Benoit Bahidika Bisimwa took place in the nexus of the conflict and therefore may amount to war crimes.

Rape and gang rape perpetrated by M23 and Wazalendo fighters or FARDC soldiers are violations of international humanitarian law that amount to war crimes. Rape is a war crime when “the conduct took place in the context of and was associated with an armed conflict,” and the perpetrator was “aware of factual circumstances that established the existence of an armed conflict.”<sup>198</sup> The gang rapes documented in this report may amount to war crimes, as they occurred in the context of an armed conflict of which the perpetrators would have been aware.

In an international armed conflict such as the current conflict in DRC, IHL does not explicitly set forth rules to regulate the relationship between non-state armed groups such as M23 and civilian population under its control. IHL as well as international human rights law (IHRL), however, provide for the protection of those affected by the conflict, including civil society members, journalists, lawyers, and human rights defenders. Journalists are protected as civilians under IHL, and they cannot be attacked.<sup>199</sup> The unlawful detention of journalists, enforced disappearance of civilians, and threats against civil society and human rights defenders described in this report are violations of IHL and may amount to war crimes.

Amnesty International has documented in this briefing and past research how M23 appears to routinely use torture as a form of punishment and to threaten real and perceived opponents.<sup>200</sup> The Common Article 3 of the four Geneva Conventions of 1949 and Article 4 of the 1977 Protocol II Additional to the Geneva Conventions clearly prohibit cruel treatment such as torture, mutilation or any form of corporal punishment against civilians and persons who ceased to take part in hostilities.

Despite its claims that it follows IHL, M23 frequently subjects civilians as well as persons who ceased to take part in hostilities to torture, cruel treatment and outrages upon personal dignity, in particular humiliating and degrading treatment against detainees. All these acts are prohibited under IHL and may amount to war crimes.

M23 has conducted large-scale raids in several neighbourhoods of Goma, Sake, and other areas in North and South Kivu in which they have abducted hundreds of men, women, and minors. Some of the abductees have reportedly been forcibly recruited, and others have been forcibly disappeared. M23 fighters do not inform individuals or their family members why they are being abducted or where they are being taken. In some areas, Congolese men and women prefer to spend nights in the forest in hopes of escaping these large-scale abductions.

The report has documented two cases of enforced disappearances committed by the M23 fighters in eastern DRC and received credible reports of others. These acts of enforced disappearance mainly targeted people suspected of supporting the FARDC and allied armed groups, or civilians, including civil society members.

DRC is not yet a State Party to the International Convention for the Protection of All Persons from Enforced Disappearance.<sup>201</sup> The 1949 Geneva Conventions and their Additional Protocols do not have provisions specifically prohibiting enforced disappearance in the context of conflict. However,

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<sup>198</sup> Rome Statute, Article 8(2)(e)(vi); ICC, Elements of Crimes, Articles 8(2)(e)(vi)-1, paras. 3-4, and 8(2)(vi)-2, paras. 4-5.

<sup>199</sup> See ICRC, International Humanitarian Law Databases, <https://ihl-databases.icrc.org/en/ihl-treaties/api-1977/article-79>; See also, <https://ihl-databases.icrc.org/en/ihl-treaties/api-1977/article-51>.

<sup>200</sup> Amnesty International, “DRC: M23 kill, torture and hold civilians hostage at detention sites – new investigation”, 27 May 2025, <https://www.amnesty.org/en/latest/news/2025/05/drc-m23-kill-torture-and-hold-civilians-hostage-at-detention-sites-new-investigation/>.

<sup>201</sup> See United Nations Human Rights Office of the High Commissioner, Status of Ratification Interactive Dashboard, <https://indicators.ohchr.org/>.

according to the ICRC study on Customary Rules of International Humanitarian Law, the prohibition on enforced disappearance has attained a customary international law status.<sup>202</sup> The practice of enforced disappearance in the context of conflict also violates some of the fundamental guarantees of humane treatment for civilians and others deprived of their liberty as per the 1949 Geneva Conventions and their Additional Protocols. These include the prohibition of arbitrary deprivation of liberty, the prohibition of torture and other cruel or inhuman treatment, the prohibition of murder, the right to communication with family members, access to lawyers, and others.

## 9 RECOMMENDATIONS

### TO THE M23

- Immediately end forcible recruitment and unlawful detention of individuals. Release all arbitrarily detained civilians, including all civilian detainees at the Rumangabo military training centre.
- Treat all detainees humanely and provide them with access to lawyers and their families.
- Disclose the whereabouts or fate of all those forcibly disappeared.
- Ensure that that rights of all FARDC forces detained by M23 are respected under IHL, including providing them with adequate food, healthcare, access to lawyers and their families.
- Immediately end all attacks on hospitals, health centres, or medical facilities and release from detention all civilian caregivers and patients currently detained.
- Ensure that M23 fighters who rape, kill, torture, or ill-treat Congolese civilians are removed from M23.
- Allow survivors of sexual violence and other civilians who want to leave M23 controlled areas safe passage in DRC or neighbouring countries. M23 should prevent its fighters from detaining, harassing, intimidating or otherwise impeding the passage of civilians out of the areas it controls.
- Facilitate access to independent investigations, including the UN Fact Finding mission, UN Group of Experts, international and national journalists unfettered access to all M23-controlled territory.
- Explicitly recognize the legitimacy of human rights defenders and publicly support their work, including by ensuring a safe and enabling environment in which to carry out their work without fear of intimidation or reprisals.

### TO THE DRC GOVERNMENT

- Ensure that any financial, military, logistical and other support to any armed group in eastern DRC does not facilitate human rights abuses or violations of IHL. Any such support undermines the stated human rights commitments of the Congolese government.
- Promptly and independently investigate FARDC commanders who may be implicated in war crimes or other serious human rights abuses linked to the conflict in North and South Kivu.
- Establish a vetting mechanism that would work in conjunction with a Disarmament, Demobilization, and Reintegration program to identify and remove abusive armed group fighters and other security force officers who may have been implicated in serious human

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<sup>202</sup> See ICRC, International Humanitarian Law Databases, <https://ihl-databases.icrc.org/en/customary-ihl/v1/rule98>.

rights abuses and violations from those immediately eligible for demobilization and reintegration. The vetting mechanism should consider reports by the UN Group of Experts on DRC, the UN Joint Human Rights Office (UNJHRO), the UN Human Rights Council, and Congolese and international human rights organizations. Those accused of grave crimes should be fairly investigated and, if there is sufficient admissible evidence, prosecuted.

- Establish an international judicial mechanism to investigate and prosecute serious international crimes by all forces including M23, Wazalendo, FARDC, RDF, and FDLR. The judicial mechanism should be staffed by international and Congolese personnel. This mechanism should respect international standards, and have adequate financial, material, and human resources to carry out its mandate, including specialist expertise on investigation and prosecuting sexual violence from a survivor-centred perspective. Crimes documented in the UN Mapping Report, covering crimes committed between 1993 and 2003, should also be investigated.
- Establish a comprehensive reparations programme for victims of serious international crimes and their families, including victims and survivors of sexual and gender-based violence, in line with international law, to help them rebuild their lives. The programme should provide redress for harm suffered in the form of restitution, compensation, rehabilitation, satisfaction, and guarantees of non-repetition. Survivors, including survivors of sexual violence, should be consulted in the design of this programme.

## **TO THE GOVERNMENT OF RWANDA**

- As a party to the conflict, Rwanda must ensure that all Rwandan Defence Forces in the DRC comply with the Geneva Conventions and IHL.
- Ensure that its military support to the M23, including the Rwandan Defence Forces involved in the conflict, are not contributing to, facilitating, or encouraging human rights abuses by M23, including torture, gang-rape, summary killings, unlawful detention or forced recruitment.
- Rwanda military officials should investigate and, if credible evidence is found, bring to justice soldiers who are involved in abuses in eastern DRC.

## **TO THE US GOVERNMENT**

- Financially and technically support a DRC-led vetting mechanism to identify and remove armed group members and other security force officers who may have been implicated in serious human rights abuses or violations from those immediately eligible for demobilization and reintegration.
- Continue to coordinate and engage at the highest levels with the governments of DRC and Rwanda to ensure that commitments to humanitarian support and protection of civilians are met.
- Ensure any current or future bilateral economic agreements with Rwanda and the DRC are made with the interest of Congolese and Rwanda victims in mind, including survivors of rape and sexual violence, and ensure that justice and accountability for past crimes is a priority. Agreements should prioritize human rights safeguards and should not contribute to ongoing or future human rights abuses or violations.
- Use US intelligence to monitor human rights abuses committed by Wazalendo and M23 fighters with a view to applying pressure on the DRC and Rwanda to cease support for abusive armed groups with whom they collaborate. Any verified human rights abuses or violations should be subject to the US Leahy Law, which is designed to prevent US

government assistance to human rights abusers or unit involved in gross human rights violations.

## **TO THE AFRICAN UNION**

- The Chairperson of the African Union should use his good offices and the AU Panel of Facilitators to urgently press M23 to stop human rights abuses, including gang rape, torture, summary killings, forced recruitment and forced disappearances.
- Following the African Union's February 2025 communiqué that stated that "attacks against civilians and peacekeepers in the DRC constitute war crimes" and warned that perpetrators would be held accountable for their actions, the AU Peace and Security Council should take concrete action by establishing an investigative mechanism to document violations of international human rights law and international humanitarian law committed by parties to the conflict.
- Call on DRC President Felix Tshisekedi to prioritize civilian protection in any military operations against armed groups, including the FDLR.
- In parallel, call on Rwandan President Paul Kagame to immediately end support to M23 and act to stop all international law violations by Rwandan and Rwandan-supported forces.

## **TO GOVERNMENT OF QATAR**

- Press M23 and DRC to prioritise civilian protection and strenuously urge them to communicate with their fighters or the armed groups they collaborate with to stop human rights abuses.
- Press M23 to stop forcibly recruiting fighters using abusive methods, such as abduction and forcibly disappearing individuals; immediately release arbitrarily detained civilians, including those forcibly disappeared and whose whereabouts should be disclosed.

## **TO THE EUROPEAN UNION**

- Redouble diplomatic efforts to urgently engage with both DRC and Rwandan authorities up to the highest level to strongly urge all warring parties in the east of the country – including M23 fighters, the Rwandan and Congolese armies, and their allies – to prioritize the protection of civilians.
- Ensure that the response to human rights and humanitarian crisis in DRC is squarely on the agenda at forthcoming meetings between the AU and EU, including the EU-AU Political and Security Committees' meeting planned for 8-9 October and the EU-AU summit on 24-25 November.
- Effectively review the Memorandum of Understanding with Rwanda in line with the outcomes of the February 2025 Foreign Affairs Council, ensuring the partnership is not contributing to human rights violations and violations of international humanitarian law, including in DRC. The EU and its member states should also ensure that Rwanda and M23 do not financially benefit from minerals illegally obtained in DRC that continue to support their military operations, sustaining the ongoing human rights and humanitarian crisis.
- Increase humanitarian assistance, including aid to survivors of rape and sexual violence, to DRC, including M23-controlled areas of DRC and in the region for refugees and asylum seekers, and ensure that humanitarian aid in eastern DRC is matched by robust public and private EU diplomacy in response to the humanitarian and human rights crisis. Press M23

and Rwanda to allow international experts to access the airports in Bukavu and Goma to repair damaged infrastructure and allow desperately needed humanitarian aid into eastern DRC.

- Take action to support Congolese human rights defenders in eastern DRC and those displaced by the conflict, providing protection (including visas on humanitarian grounds and relocation), financial support and pro-active diplomacy on their behalf toward regional governments and armed groups.
- Follow up on the EU's commendable role in the creation of the UN Human Rights Council's Fact-Finding Mission on DRC, throwing the EU and member states' full weight behind UN monitoring and accountability mechanisms on DRC. The EU should increase its financial contributions to fill the funding gap to enable the Commission of Inquiry on DRC to start and complete its mandate and for the UN Joint Human Rights Office in DRC to continue its crucial work. Until a Commission of Inquiry is established, the EU should seek to extend the mandate of the Fact-Finding Mission and urge HRC member states to cooperate fully with the mechanism.
- In parallel, lend full EU support to efforts by the Office of the Prosecutor of the International Criminal Court (ICC) to investigate crimes under international law in DRC.

## TO THE UNITED NATIONS

- Aligned with its strategic priorities as most recently mandated by the Security Council via resolution 2765 (2024), MONUSCO should take all possible measures to protect civilians in its areas of deployment, including in Goma and Rutshuru and Lubero territories, in strict compliance with international law, including international humanitarian law and international human rights law.
- Any support provided to national security forces in implementation of MONUSCO's protection of civilians' mandate should be done in strict compliance with the United Nations Human Rights Due Diligence Policy.
- Urge the UN Joint Human Rights Office to fully monitor, investigate, publicly report on specific cases – both in and around Goma and in rural areas – and follow-up on human rights violations and abuses and violations of international humanitarian law, such as those detailed in this report. In particular, MONUSCO should uphold the UN Security Council's resolution 2765 to “accelerate the coordinated implementation of monitoring, analysis and reporting arrangements on sexual violence in conflict.”
- Support efforts to hold accountable all perpetrators of violations of human rights and international humanitarian law.

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