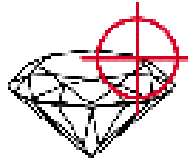


Fatal Transactions



FATAL TRANSACTIONS NEWSLETTER April 2005

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consequences of armed conflicts in Africa. The brochure also includes a country focus on Sierra Leone, Angola and the Democratic Republic of Congo. Some interesting interviews with people of social organisations make the picture complete.

Press releases

Liberian timber industry and sanctions busting under international scrutiny

Global Witness welcomes the action by the Dutch authorities to target suspected Liberian sanctions violations, following the arrest and charging of Dutch national Gus Kouwenhoven on Monday 21 March 2005. Kouwenhoven (photo) has been



charged with breaking the United Nations Security Council (UNSC) imposed arms embargo on Liberia, and is suspected of being linked with war crimes according to the Dutch prosecutorial authorities.

The UN Expert Panel has detailed in its reports to the UNSC that Kouwenhoeven, President of the Oriental Timber Company (OTC) was closely associated with the UN indicted war criminal, and ex-President of Liberia Charles Taylor. Global Witness investigations have confirmed such links.

"We expect the trial to focus on the central role that timber has played in sustaining and funding one of the most bloody and brutal conflicts in Africa," said Patrick Alley, Director, Global Witness.

Activities partners

Afrikanische Alpträume – Towards causes and consequences of armed conflicts



medico international brochure on conflicts in Africa. It describes the background of causes and

Fatal Transactions partner Medico International, has published a new

brochure on conflicts in



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During Liberia's seven-year civil war, in which over 250,000 people were killed, the warring parties financed themselves through the exploitation and export of the country's natural resources. Charles Taylor used revenue generated from timber and diamonds to buy significant quantities of illicit arms. "Liberia's timber industry was the building block for arms trafficking and violent conflict." said Mr. Alley.

According to the Liberian Ministry of Finance Kouwenhoven's companies produced 64% of the Liberian timber production, worth \$38.7m in 2001 alone.

As a result of the UN Expert Panel reports, and following Global Witness own reports, Kouwenhoven was placed on a UN travel ban in 2001 as an "Arms dealer in contravention of UNSC resolution 1343 and someone who supported former President Taylor's efforts to destabilize Sierra Leone and gain illicit access to diamonds." "Many conflicts in Africa have been funded by the exploitation of natural resources, including timber. This arrest sends a message to any businesses and individuals engaged in activities that are funding or indirectly supporting conflict and corruption that they can no longer operate with impunity." said Mr Alley." The UK Africa Commission and the G8 are both committed to eradicating conflict timber. The Dutch authorities have acted as pathfinders translating words into action."

Photo exhibition

Diamond Matters

Diamond Matters is an extensive photo journalistic research into the diamond industry. Covering nine countries, the story shows the roads a diamond takes from the mines in Africa to the consumer in the western world.

Diamond Matters will be exposed in different countries like Sierra Leone, Angola, Democratic Republic of Congo, The Netherlands and Germany.



Country info

New Mining Code in Democratic Republic of Congo

The new Mining Code of the DRC does not contribute to a more lasting and justifying society where everybody can make a profit out of the natural resources.

That is the main conclusion of the participants of a conference held in Lubumbashi, on the new Mining Code. The conference was organised by *l'Association Africaine de Défense des Droits de l'Homme (ASADHO) en la Nouvelle Dynamique Syndicale (NDS)*, both partners of NiZA's PPP programme. All the participants agreed that the new Congolese mining code mainly favours foreign investors on the short term. It does not help to protect the environment, and does not oblige companies to live up to their responsibilities towards the population and the country in general. There are still many cases of violation of Human Rights in especially the Artisanal mining sector.

In a common declaration the participants stated some recommendations to the Congolese government, civil society, mining companies and the parliament. Publishing of taxes and fees paid by the mining companies, as promoted by the Publish What You Pay campaign to the Congolese government is one example. Furthermore, one recommends to government and civil society to involve themselves in the process of certification of mineral resources in order to promote transparency in the exploitation and the export. Mining enterprises should take up their responsibilities and live up to standards related to the life and security of mineworkers and local communities.

The full declaration of the conference (French) <http://www.niza.nl/docs/200503301418414807.PDF>

Research & Reports

LUNDAS, The Stones of Death

This report on Angola's diamonds, supported by NiZA (Netherlands Institute for Southern Africa), Fatal Transactions, Open Society Angola and Fundação Mário Soares, examines patterns of human rights abuses in the provinces of Lunda-Norte and Lunda-Sul during the course of the year 2004. The reports' authors, journalist Rafael Marques and lawyer Rui Falcão de Campos, link the violence to lawlessness and corruption that ensure only a privileged few benefit from the region's diamond wealth.

While the trade in "conflict diamonds" from Angola and elsewhere has been diminished by international co-operation (including the Kimberley Process

agreement that links diamond-producing governments and companies) the report argues that such measures have done nothing to ease the suffering associated with the diamond industry in the Lunda provinces.

It calls on the international community to "reconsider the objectives of the Kimberley Process, so as to include within the category of 'conflict diamonds' all those diamonds that come from areas where diamond mining is based on the systematic violation of human rights."

It further recommends that foreign countries should "Consider imposing sanctions on the international trade in Angolan diamonds until the Angolan state guarantees a labour and social standards compatible with the human rights values of the UN system, namely the prohibition of slavery and of inhumane and degrading conditions, and basic standards of freedom of movement and communication, and of personal security."

Murder, torture and rape

The report focuses in particular on two cases in the Lunda-Norte diamond towns of Muxinda and Cafunfo, both involving multiple deaths as a result of police action.

In Muxinda, 12 people died in December 2004 as the result of imprisonment in an unventilated cell described as "a cupboard", attached to a police station.

The report quotes a police commander who admitted the presence of "10 people in the cell, where there should only be four or five", and that "the place is small, without ventilation". He attributed what happened to the "negligence of the guards who had left."

The failure of the police to produce case records both demonstrated the arbitrary nature of the detentions, and meant that the police themselves had no accurate account of either the numbers or the names of the dead. Many of those who died were Congolese migrants who worked as informal diamond diggers in Angola.

In the Cafunfo case, 11 people died as a result of police action, while 18 were wounded by shooting or beating. A further 18 people arrested at the time have been in "preventative detention" without trial for more than one year.

Police claimed that most of the shootings and detentions were the result of an attempt to quell a riot, which had been sparked by attempts by diamond company security guards to remove electrical generators that supplied

electricity to the town. However, the report reveals that some of the detentions occurred before the riot started, and that several of the dead were bystanders unconnected with the protest action.

In addition to these two specific incidents, the report documents 11 cases of murder, and three cases of sexual assault. In all of these cases, the perpetrators were Angolan police, or the employees of the private security companies employed by the large diamond concessionaires to guard their workings.

One of the sexual assault cases involved the rape of four young teenage girls by two policemen.

The report also documents more than 30 cases involving arbitrary detention, shooting, and / or beating; again, the perpetrators are invariably police or security company operatives.

System favours the rich

The report argues that while the Lunda region offers few economic opportunities other than diamond mining, the outlawing of informal mining forces most diggers to operate on the margins of the law, vulnerable to extortion, imprisonment and even murder. Evidence is presented to show how private security companies employed by the large mining concession holders operate with impunity as a paramilitary force.

At the same time, the report argues, opaque and monopolistic practices in the diamond marketing system mean that diggers receive only a fraction of their diamonds' worth. A 2003 agreement gave the exclusive purchase and export rights over Angolan diamonds to SODIAM, a company associated with Lazar Kaplan International, although ASCORP, the previous concession-holder controlled by Lev Leviev, continues to buy diamonds from informal diggers in the Lundas.

Diamond transactions take place in cash, and the lack of accurate data on the value of diamonds mined in the Lundas provides a smokescreen for the government's failure to invest in a region that still lacks even the most basic infrastructure.

Supported by the Open Society Initiative for Southern Africa and the Netherlands Institute for Southern African (NIZA), the report draws on the testimony of the victims and witnesses of incidents, and research done by activists based in the Lundas, and by the authors during six weeks of fieldwork in the region.

To download the full text of the report and additional photographs:

<http://www.niza.nl/docs/200503141357095990.pdf>
To order a hardcopy (English/ Portugese) mail to:
ft@niza.nl

DRC: Who's who in Ituri - militia organisations, leaders

Conflict in eastern Democratic Republic of Congo (DRC) continues despite a peace agreement signed by Congolese parties in April 2003. Most former rebel groups in other parts of the country were party to the agreement but militia groups in the northeastern district of Ituri were not signatories.

In 2004 seven of the Ituri groups signed a peace agreement with the transitional government, although some failed to disarm by the 1 April deadline set by the UN Mission in the DRC, known as MONUC.

Now it seems that the government and its newly integrated army brigades are taking the fight to the militia and their leaders. The Integrated Regional Information Networks (IRIN) looks at who is who among Ituri's militia.

L'Union des patriotes congolais (UPC) - Union of Congolese Patriots:

The UPC, a largely Hema organisation, was formed by Thomas Lubanga. It began operating in Bunia, Ituri District's main town, in July 2001, but only gained importance a year later. Lubanga set up the UPC after splitting from the formerly pro-Ugandan Rassemblement congolais pour la démocratie-Mouvement de libération (RCD-ML) - the Congolese Rally for Democracy-Liberation Movement - where he was a military commander and 'minister' of defence.

The UPC is reportedly largely backed by politicians and business interests from the Hema ethnic group - one of the two largest in Ituri - and is divided into the clans of the northern (Gegere) and southern (Banyoro) Hema. The movement and its armed wing, the Front pour la réconciliation et paix - Front for Peace and Reconciliation - took control of most of Bunia before being forced out of the area by the Ugandan army on 6 March 2003.

Tension between the UPC and Uganda - its original supporter - arose in late 2002 when the UPC demanded the immediate withdrawal of all remaining Ugandan troops from the DRC. The tension widened into a split on 6 January 2003, when the UPC formed an alliance with the Rwandan-backed RCD-Goma. In March 2003 anti-Lubangists in the UPC defected to Uganda, which was already supporting another Hema militia coalition opposed to Lubanga, the Parti pour l'unité et la sauvegarde de l'intégrité du Congo (PUSIC) -

Party for Unity and Safeguarding of the Integrity of Congo.

The UPC refused to sign the Ituri Cessation of Hostilities Agreement reached between rival governments, political, ethnic and militia groups on 14 May 2004.

Thomas Lubanga had been arrested in March 2005, following an investigation into the killing of nine Bangladeshi UN peacekeepers in Ituri. The UPC's secretary-general, John Tinanzabo, was also arrested on 14 April 2005, a day after declaring that the party had officially renounced armed struggle.

The UPC-Kisembo (UPC-K):

This faction is led by Floribert Kisembo Bahemuka, who broke away from the Lubanga (UPC-L) group in December 2003. Kisembo had tried to unseat Lubanga but failed when most of the militia remained loyal to his rival. Although UPC-K was considered a minor armed group, Kisembo was appointed a general in the national army in 2005 under the reconciliation process of the Pretoria peace accords. Human Rights Watch has named Kisembo as one of five militia leaders accused of massacres and other serious war crimes in Ituri. The others are Lubanga, Jérôme Kakwavu, Bosco Taganda and Germain Katanga, who were also given generalships in the new unified army.

Le Front des nationalistes et intégrationnistes (FNI) - Nationalist Integrationist Front:

The FNI, led by Floribert Ndjabu Ngabu, draws most of its support from the Lendu ethnic group and is based in the Ituri towns of Rethy, some 100 km northeast of Bunia, and Kpandroma, 140 km north of Bunia. The military leader of the movement is Etienne Lona, who was arrested by security services in Kinshasa on 11 March 2005 for his group's alleged involvement in the killing of nine Bangladeshi peacekeepers in Ituri. Nabu was transferred to Makala Prison in Kinshasa.

The Forces armées du peuple Congolais (FAPC) - The People's Armed Forces of Congo:

Also known as the Union des congolais pour la démocratie-Forces armées du peuple congolais - Union of Congolese for Democracy-People's Armed Forces of Congo - headed by Jérôme Kakwavu-Bukande, who broke away from UPC in March 2003. The movement's headquarters is in Aru, some 300 km north of Bunia, from where it mostly controls Aru Territory and the area around Mahagi Territory. FAPC's ethnic composition is mixed, and it has reportedly formed alliances with other militia groups where and when convenient,

including the FNI and, later, PUSIC. The FAPC's strength was thought to be around 4,000 fighters, who began surrendering their weapons on 6 March 2005 in Aru, with the aim of integrating into the national army.

Le Parti pour l'unité et la sauvegarde de l'intégrité du Congo (PUSIC) - Party for Unity and Safeguarding of the Integrity of Congo:

Mandro Panga Kahwa, the former military chief of UPC, formed this Hema party in February 2003 after a dispute over leadership and military support with the UPC leader, Thomas Lubanga. PUSIC is dominated by a southern Hema group living near the Ugandan border and has close ties with the neighbouring country.

Officially, PUSIC's leader was Floribert Kisembo but, according to African Security Review, Chief Mandro Panga Kahwa was really in control. Congolese judicial authorities, with the support of the UN peacekeepers of the Ituri Brigade, arrested Kahwa on 9 April 2005. Kahwa, 30, is chief of the Bahema Banywagi region north of Bunia. One of PUSIC's leaders, Ychali Gonza, was also promoted to general in the national army. PUSIC controls part of the Irumu and Djugu territories and the Lake Albert ports of Tchomia and Kasenyi. On 20 December 2004, PUSIC announced that Kisembo had been dismissed as its chairman in favour of Deo Pimbo, who had been the secretary-general. However, a week later, PUSIC militiamen stated categorically that they still considered Kisembo as their commander.

Forces de resistance patriotiques en Ituri (FRPI)- Patriotic Resistance Front in Ituri:

FRPI, led by Dr Adirodo, is a political party of the Ngiti, one of 18 distinct ethnic groups in Ituri. The party was established in November 2002 and is allied to the Front des nationalistes et integrationnistes (FNI) - Nationalist Integrationist Front - led by Floribert Ndjabu Ngabu. The alliance is aimed at bringing Ngiti militias and traditional leaders together to face the UPC. It supported Uganda's move to drive the UPC from Bunia in March 2003.

Forces populaires pour la democratie au Congo (FPDC) - Popular Force for Democracy in Congo:

This is an Alur and Lugbara political party. Its current leader, Thomas Unen Chen, was a former member of parliament in Zaire (as the Democratic Republic of Congo was formerly known). FPDC was formed in 2002, mostly by the Alur and Lugbara ethnic groups in the Aru and Mahagi areas of northern Ituri, with the aim of countering the UPC. The party has reportedly been supported by Uganda as part of the Front pour l'intégration et la paix en Ituri - FIPI (an offshoot of the UPC) coalition.

Sources: Trial Watch <http://www.trial-ch.org/trialwatch/profiles/en/facts/p294.html?AN=1> Fewer Africa <http://www.fewer.org/> Human Rights Watch <http://www.hrw.org/> IRIN <http://www.irinnews.org/> MONUC <http://www.hrw.org/> Pole Institute http://www.pole-institute.org/site_web/echo06.htm The Lotus Group, Kinshasa

Fatal Transactions consists of European development NGOs aiming to raise awareness among consumers, opinion makers, politicians and industry on the crucial relation between trade in natural resources from African countries and continuation and escalation of armed conflicts. The overall objective is to end armed conflicts by drying up the financial resources and making sure that the revenues made out of the exploitation of natural resources are being used for the well-being of the population.

The campaign intends to hold governments and companies accountable for their actions, making sure they live up to the principles of Corporate social responsibility and transparency by monitoring the mining of minerals and the drilling of oil and its side effects, as well as the way revenues are being (mis-)managed. Only if it is taken serious by the other economic and political actors, on national and international level, it can ensure that revenues made will be used for the benefit of the poorest, instead of feeding conflict and corruption.



omdat het zuiden plannen heeft

