



COLLECTIF DES AVOCATS DES PARTIES CIVILES OF THE BANYAMULENGE OF SOUTH KIVU, THE HEMA OF ITURI,
AND THE TUTSI OF NORTH KIVU

H.E. Michael Imran Kanu
President of the Security Council
New York

Copy:

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- H.E. Mr. Abukar Dahir Osman Permanent Representative of the Federal Republic of Somalia to the United Nations New York

Subject: Urgent appeal concerning the siege and blockade of Banyamulenge communities in South Kivu, Democratic Republic of the Congo

Excellency,

The Collective of Lawyers for the Civil Parties, representing the Banyamulenge of South Kivu, Hema of Ituri and Tutsi of North Kivu in the Democratic Republic of Congo, respectfully draws your urgent attention to the humanitarian situation currently affecting the Banyamulenge communities in the Upper and Middle Plateaus of South Kivu.

From 2017 until 2025, these communities have faced systematic blockades, violent attacks, and military operations by units of the Armed Forces of the Democratic Republic of the Congo (FARDC), Mai-Mai Wazalendo militias, as well as elements of the Democratic Forces for the Liberation of Rwanda (FDLR), all coordinated with elements of the Burundi National Defense Force (FDNB). These operations have resulted in the destruction of villages, mass displacement,

looting of livestock, and prolonged deprivation of food, water, medicine, and humanitarian access (Annex 1).

These acts constitute serious violations of international humanitarian law (IHL) and may constitute crimes against humanity within the meaning of Article 7 of the Rome Statute, and war crimes by targeting civilians in the context of war objectives within the meaning of Article 8(2)(b)(xxv). These criminal acts also constitute violations of Article 54 of Additional Protocol I to the Geneva Conventions, and Article 14 of Additional Protocol II, as well as customary rules of IHL 53, 55 and 56.

Despite repeated appeals to United Nations mechanisms, regional organizations and judicial authorities, no effective protection has been provided to the besieged Banyamulenge population. You will also note that these attacks coincide with the evolution of the peace negotiations in the Region in Washington and Doha, as their perpetrators seem insensitive to the diplomatic efforts undertaken.

The continued encirclement and obstruction of essential supplies by Burundian and Congolese forces, as well as irregular armed groups, has caused an unprecedented humanitarian crisis. If we link these events to all the acts of ethnic cleansing that have taken place over many years and to the desire to suppress the possibility for the Banyamulenge community to occupy its ancestral lands, we can consider that the acts committed are a continuation of the genocidal process carried out in the east of the DRC to the detriment of the Tutsi community. Forcing a population into starvation is also a process of extermination (Appendix 1 for details).

In a 12/11/2025 interview with BBC Gahuzamiryango, Burundian army spokesman General Baratuza Gaspar said that Burundi's National Defense Forces are "besieging Minembwe," on the grounds that civilians residing there are collaborating with the "enemy" (sic). This situation is an admission by the perpetrator of a flagrant violation of international humanitarian law, which requires all parties to a conflict to strictly distinguish between civilians and military targets.

In spite of what we deplore above, according to credible on-the-ground sources and multiple direct testimonies from victims, drones operated by Kinshasa's forces, in coordination with Burundi, bombed the Banyamulenge civilian village of Mikenke on November 15, 2025, and then Rwitsankuku on November 17, 2025, injuring four people—just two days after the signing of the ceasefire between Kinshasa and the AFC in Doha.

Considering these tragic circumstances, we respectfully call on the United Nations Security Council to:

- (a) To call for an independent international investigation into the siege and blockades imposed on the Banyamulenge communities and to identify the victims, the harm caused and their perpetrators.
- (b) To urge the Governments of the Democratic Republic of the Congo and Burundi to cease all cooperation that would permit such operations.
- (c) Ensure unrestricted humanitarian access to all affected populations.
- (d) To adopt targeted sanctions against individuals and entities responsible for serious violations of international humanitarian law.

These measures are in line with the implementation of the agreements signed a few days ago in Doha and nothing should prevent us from ensuring their immediate implementation and restoring the rule of law in this martyred region.

Attached are detailed reports and testimonies from Banyamulenge community leaders in the Minembwe region, who provide up-to-date information on the ground about the humanitarian crisis and ongoing violations.

We appeal to the conscience of the international community to act swiftly to lift the siege, protect civilians and support efforts to restore peace and stability in the eastern part of the Democratic Republic of Congo.

Done on November 17th, 2025, in Bunia, Bukavu, Goma, Paris, Brussels, and England.



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