



**enough**

The project to end genocide and crimes against humanity

## Congo: Key Minerals Smuggling Ring is in Good Health in Goma

Enough Team    October 23, 2012

**GOMA, Democratic Republic of Congo** – When the M23 rebellion broke out, observers were divided over whether the smuggling ring led by wanted warlord Bosco Ntaganda would continue to help fund the rebellion, or would be hampered by the fact that most ex-officers of the National Congress for the Defense of the People, or CNDP, were needed in the bush to join Ntaganda’s mutiny. A confidential report by the U.N. Group of Experts on Congo, leaked to Reuters news agency last week, makes clear which way that scenario played out.

“Several traders have contributed to finance M23 rebels out of profits resulting from smuggling Congolese minerals into Rwanda,” the report states.

A recent scandal in Goma—in which two tons of coltan were intercepted allegedly en route to Rwanda—offers an illustration of how those networks operate locally, shielded from scrutiny by the authority of the Congolese army and protected by the patronage system long enjoyed by elements of the National Congress for the Defense of the People, or CNDP, and its affiliates.

The central figure in the scandal, Ex-CNDP Lt. Col. Innocent Nyabihiri Bazige, was thought to be part of the Congolese army’s “battalions blessés” in Goma—units of soldiers who are not given official assignments because they are injured but are allowed to maintain their official status as Congolese soldiers. But Lt. Col. Bazige could not prove before the North Kivu military court that he is a sworn in senior officer of the Congolese government’s forces and neither could his bodyguards. Lt. Col. Bazige appeared before the court earlier this month in a public trial along with two of his bodyguards, accused of armed robbery and criminal conspiracy.

“State your name, surname, qualifications, and status,” the military presiding judge, Lt. Col. Kilimpimpi wa Kilimpimpi asked the officer, but Bazige failed to provide the official decree assigning him the rank of lieutenant colonel in the Congolese army. When asked the same question, his bodyguards said they were assigned the ranks of second lieutenant by the lieutenant colonel himself.

Disabled since he was wounded in 2010, ex-CNDP Lt. Col. Bazige runs a gang of about 15 men that he sends around to ambush commercial trucks, including trucks loaded up with coltan from Rubaya mines in Masisi. “It’s a network that relays details of trucks and their loads on to the gang in Goma,” said a member of the Masisi miners’ cooperative during the trial. “They know the trucks’ route and report the very timing to the gang in Goma. If a truck comes in at night or early in the morning, it’s inescapably waylaid.”

“Ex-CNDP officers still exert some control over mines in Rubaya,” said another member of the Masisi miners’ cooperative. “Masisi is their heartland, and it is pure fantasy to believe they’d just give up the advantage [access to minerals] that they see as the reason they joined the Congolese army in first place.”

The incident in question unfolded on October 7 when a truck loaded up with 34 bags of coltan, or about two tons’ worth, was intercepted at 5 a.m. by five armed men in Armed Forces of the Democratic Republic of Congo, or FARDC, uniforms at the Goma city limits on the road from Sake/Masisi. Driving in a hired white car with dark tinted windows, the gang tailed the truck. Eventually the gang got suspicious that the truck’s driver was aware of their presence and drove past, stopped in front, and sealed off the road. The gang forced all the truck passengers into the road at gunpoint and stripped them of money, cell phones, and any other valuables.

“This one beat me with his gun barrel and sticks before he ordered us all to [lay face down] in grass on the roadside,” said the truck driver, who still had stitches in his lips from the beating. As the victims lay on the side of the road, one of the gang members got into the truck and drove it to Lt. Col. Bazige’s compound, where the coltan bags were unloaded.

One of the truck passengers quietly managed to escape. He grabbed a motorbike taxi and discreetly followed the truck to the drop-off location. In the meantime, he kept in contact with the Masisi miners’ chairman and the North Kivu minerals middlemen’s chairman, who in turn alerted officials, including the North Kivu mines minister, the mining police commander, the police commissioner, and civil society activists. All of them rushed to Bazige’s compound, where the colonel was caught red-handed with 20 bags of coltan his home, 11 in his neighbors’ houses, three missing, and the truck abandoned on the street not far from the colonel’s compound.



Col. Innocent in the hands of one of his bodyguards

With a heavy presence of eyewitnesses, including officials and residents, it was obviously impossible for the ex-CNDP senior officer to deny his involvement, even though he is part of the “FARDC untouchable class”—the ex-CNDP members who had become an army within the Congolese army.

Bazige and two of his bodyguards—three others escaped—were arrested, and a public trial was organized for them on October 9 at Goma military court

in Katindo military camp. In his remarks the military judge made clear that by allowing the public to attend, the Congolese government aimed to make an example of the defendants; this would be an “educational” trial, he said.

To the amazement of the audience, the suspects admitted their crimes, but the circumstances left many skeptical about whether they will actually serve the sentences given to them.

“They’re part of a wide and strong network, and I doubt ex-CNDP colonels ... will just give up on them because such a hearing has been organized,” said the driver of the taxi Lt. Col. Bazige used to trail the minerals truck. “Even though I fear they’d make a dead man out of me when they get out, I must say that Col. Innocent [Bazige] offered to pay me \$30 to help drive a small truck he had already made arrangement for to smuggle the minerals into Rwanda through Kibumba border crossing,” the witness told the court.

“This is the third time Col. Innocent’s men have attempted to kill me for minerals, and my life was spared only because I was not aboard the truck. But today was Col. Innocent’s [day of reckoning],” one miner told the court.

In a subsequent hearing on October 10, ex-CNDP Lt. Col. Bazige and his bodyguards, Charles Munyaneza and Ngabo François Gaspard, were sentenced to death and dismissed from the Congolese army. The convicts were also fined \$20,000 for compensation to the miners. What role their high-level backers will play in commuting that sentence, of course, remains to be seen.



Coltan from Lt. Col. Innocent's operation