



Kilwa Massacre: Stories from the families of victims and survivors¹

November 2010

Pierre Kunda Musopelo

In an interview with RAID, former police chief, Pierre Kunda, described his arrest, imprisonment and torture.

“When the rebel leader, Kazadi and his men arrived on the night of 14 October 2004, I asked all my police officers to come and protect the town. I tried to contact the Army High Command but four rebels hit me and took away my weapon. Then they took me to Kazadi, who told me that I would face a popular trial the next day. If local people said that I had committed ‘tracasseries’ (bribery, harassment, etc) it would be bad for me. Kazadi then made for the harbour to try to find a radio: he wanted to contact Anvil. [Anvil confirmed that discussions took place between company security personnel and the rebel leader in Kilwa on 14 October 2004.]”

On the way to the harbour I managed to slip away and hide and then with 13 other police officers we fled the town. I reached the village of Mukupa and took refuge there. But I was later found by Colonel Ademar who had sent his troops to recall the dispersed population in Anvil lorries. I and the other policemen were asked to return to Kilwa.

When I reached Kilwa I was arrested and beaten. Ademar accused me of joining the rebels and said ‘your fate is sealed, you will be killed.’

*I was then shut up in a small room with about 48 other people. We were jammed in so tightly no one could move or sit down. It only could hold ten people. It was hot and we were unable to breathe – four people died.”*ⁱⁱⁱ

The Territorial Administrator confirmed that Kunda had been very badly tortured by Colonel Ademar. He was flown to Lubumbashi and held incommunicado in the headquarters of the 6th Military Region for another month where the torture and ill-treatment continued. He was then transferred to the Kazapa prison outside Lubumbashi. He was tried by a military court on a charge of treason but was acquitted in April 2005 and was released.^{iv} Kunda never recovered his health and died in November 2009.

Christophe Musingue Samba and Charles Mitonga



Christophe Musingue Samba © RAID

Christophe Musingue Samba, a subsistence farmer, was arrested by Colonel Ademar on 15 October whilst trying to flee Kilwa. He was later transported with about 15 other prisoners to Nsensele in a vehicle that he identified as Anvil's.^v Among the group he recognised his neighbour's son, Charles Mitonga, a schoolboy, who was sobbing. The detainees had their hands tied behind their backs and were taken out of the vehicle one by one and made to kneel by the side of the ditch. The soldiers fired but the bullets missed Musingue who lost consciousness and fell into the ditch. The other bodies piled up on top of him. In the early morning, after the soldiers had left, he made his escape into the bush.^{vi}

Kabila Ntundu Donatien



Katayi Lidy © RAID

Late in the afternoon of 15 October, Katayi Lidy was trying to escape Kilwa across Lake Moero by boat with other members of her family. Soldiers fired rockets causing the boat to capsize. Her two-month old baby, Kabila Ntundu Donatien and eight other members of her immediate family drowned.^{vii} Katayi was saved because her sister, groping in the water in the dark, managed to pull her out by her hair. The body of her baby was never found.

Dorcas Monga

Felicite Monga, the wife of Pierre Kunda, testified that their daughter, 22-year-old Dorcas Monga, who was about seven months pregnant and engaged to be married, had been raped and sexually assaulted by three FARDC soldiers after her father's detention. They knew she was the daughter of the police chief. Dorcas, who was left paralysed after giving birth, was then taken to the hospital. It was only then that Dorcas told her mother, who had not been in Kilwa at the time of the incident, what had happened. Dorcas was transferred to the hospital in Lubumbashi where she died some three months after the rape at the end of 2004.^{viii}

Willy and Lukumani Ulimwengu

On 15 October 2004, on hearing of Colonel Ademar's approach, Adele Faray-Mwayuma who with her husband, Paulin Ulimwengu, ran a small, salted fish business in Kilwa, fled to the bush with her youngest children. Two of her sons, 21-year old Yuma Lukumani Ulimwengu and 19-year old Willy Nombele Ulimwengu, insisted on staying behind to protect the family's home and property. On her return four days later, Adele discovered the door had been forced open, there were bloodstains on the floor and the contents of her home had been looted. She began a desperate search for her sons but local Red Cross workers told her that they had been killed

by soldiers and their bodies buried in the mass grave at Nsensele.^{ix} Subsequently, the family left Kilwa.

Jean-Pierre Mugalu

Jean-Pierre Mugalu was shot and killed by soldiers on 15 October. The boy and his family had gone to hide in the hospital while they waited for a boat in which to escape. Jean-Pierre had decided to return home to collect his schoolbooks. Eyewitnesses told his cousin that Jean-Pierre was killed by soldiers soon after leaving the hospital on suspicion of being a rebel.^x

Kilwa Fisherman



Injuries to the right shoulder and arm of a fisherman (name withheld) © RAID

After returning from a fishing trip on Lake Moero, a local fisherman was arrested by soldiers on the night of 15 October. He was taken to Nsensele with a group of seven or eight prisoners among whom he recognised "Mukoroboro" (Kipolo Kabimbi).^{xi} The group of prisoners were lined up and shot, however despite being shot and passing out, he survived. He was treated by a traditional healer and after six days in hiding managed to escape from Kilwa. As a result he can no longer use his right arm. He lost all contact with his wife and children.^{xii}

According to Anvil it was only in June 2005 that they received a credible report about the human rights violations. As a result they decided to instigate their own internal investigation and appointed a Perth based law firm with a QC to undertake an inquiry. The inquiry team worked for two and a half months visiting Dikulushi and taking affidavits.^{xiii} Anvil Mining has denied any allegations of wrongdoing and asserts that the logistical support was requisitioned by authorities.^{xiv}

ⁱ Not verified in a court except where noted in endnotes.

ⁱ Alain Kazadi Mukalay, the leader of the MRLK rebels was a fisherman from Pweto. On 15th October he was wounded by soldiers and taken to the Kilwa hospital. According to witnesses his injuries were not life-threatening. He was transferred to the 6th Military Region Headquarters in Lubumbashi where he allegedly died of his injuries.

ⁱⁱ Anvil Mining Limited, 'Advice on rebel activity in village of Kilwa, DRC', Press release, 15 October 2004. Bill Turner, in the *Four Corners* interview, also confirmed that '[w]e then had our security guys go down and talk to the rebel leader'. *Four Corners* taped interview, full transcript, p.43; also pp. 45 - 46.

ⁱⁱⁱ Raid Interview with Pierre Kunda Musopelo.

^{iv} Raid Interview with Kunda Kikumbi Dickay

^v MONUC (United Nations Mission in the Democratic Republic of Congo) Special Investigations Report dated 10 November 2004 (translated into English by RAID/Global Witness) (hereinafter MONUC report). The final report was released on in September 2005; Bill Turner, in his interview with Australian *Four Corners*, denied that he had any knowledge of human rights violations. Pierre Mercier, General Manager of Anvil at that time, stated in a response to a question posed by the Congolese Military Prosecutor that he had no knowledge of Anvil vehicles being used to transport civilians to execution.

^{vi} Statement to the mobile court 24 May 2007

^{vii} In his interview with RAID in November 2004, Pierre Mercier referred to the drowning incident. He said that he blamed the rebels for everything that had happened.

^{viii} Felicite Monga statement to the Prosecutor 5 November 2005. She also testified in court on 11 June 2007

^{ix} See page 28 and Endnote 123 in RAID, Global Witness, ASADHO and ACIDH *Kilwa Trial: a Denial of Justice: A Chronology October 2004- July 2007*, 17 July 2007 at: http://raid-uk.org/docs/Kilwa_Trial/Kilwa-chron-EN-170707.pdf

^x Raid Interview with Bupe Leopard

^{xi} Mbuyu Mukalay's statement to the Prosecutor 13 October 2005 reports that soldiers took Kipolo Kabimbi away with a group of men. They were subsequently killed at Nsensele.

^{xii} Raid Interview with Kilwa victim

^{xiii} Raid interview at Dikulushi mine with Mike O'Sullivan

^{xiv} Anvil Mining admits having given "logistical support" in the form of the use of its chartered planes, vehicles and drivers to enable the military to gain access to Kilwa to quell a minor uprising that occurred in October 2004. In 2005 Anvil stated that it was compelled to provide this assistance. In June 2007 Anvil Mining's employees and nine Congolese soldiers were found not guilty of war crimes or other crimes relating to the incident. The Congolese military court accepted Anvil Mining's defence that it had acted in the framework of a requisition from the Governor of Katanga.