

Appendix 5: Congolese Refugee Populations

2005 UNHCR Statistical Yearbook

DEM. REP. OF THE CONGO

1951 Convention:	State party	Region (MDGs):	Developing regions
1967 Protocol:	State party	Sub-region (MDGs):	Sub-Saharan Africa
United Nations:	Africa		
Bureau (UNHCR):	Central Africa and the Great Lakes	Other UN country groupings:	Least Developed Country
Region (UNHCR):	Central Africa and Great Lakes		

A. REFUGEES, ASYLUM-SEEKERS AND OTHERS OF CONCERN TO UNHCR

1. Population of concern to UNHCR, end of year

Category	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Refugees	675,973	297,538	240,214	285,270	332,509	362,012	332,978	234,033	199,323	204,341
Asylum-seekers	37	32	122	168	146	308	397	446	354	138
Returned refugees*	1,815	45,115	66,209	17,284	14,000	1,139	13,489	3,169	13,843	39,050
Internally displaced	-	-	-	-	3,000	3,458	9,000	-	-	-
Returned IDPs	..	..	..	..	..	..	..	..	..	..
Stateless persons	..	..	..	..	..	..	..	..	..	..
Others of concern	..	..	..	..	..	..	..	..	..	..
Total	..	342,685	306,545	302,722	349,655	366,917	355,864	237,648	213,520	243,529

* Based on country of asylum and origin reports.

2. Refugees--displacement and durable solutions during the year

Category	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Arrivals										
Prima facie/group basis	86,398	59,083	52,500	65,000	25,600	48,363	8,924	1,428	350	67
Individually recognized*	153	11	73	100	115	287	251	43	55	100
Resettlement	-	-	-	-	-	-	-	-	-	-
Durable solutions										
Voluntary repatriation**	882,617	243,592	51,677	108,251	36,255	28,125	49,656	104,157	46,313	47,435
Resettlement	-	11	10	47	5	47	18	46	20	19
Naturalization	-	-	-	-	-	-	-	-	-	-

* Includes Convention status and allowed to remain for humanitarian reasons, first instance and appeal. ** Based on country of asylum and origin reports.

3. Asylum and refugee status determination during the year (incl. appeal/review)

Category	1996	1997	1998	1999	2000	2001	Responsibility (2005): UNHCR			
							2002	2003	2004	2005
New applications	604	137	390	244	296	654	710	631	250	192
1951 Convention status	153	6	73	100	115	61	251	43	55	100
Allowed/humanitarian	-	5	-	-	-	226	-	-	-	-

4. Indicators of host country capacity and contributions

Indicator*	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Refugees										
Per 1 USD GDP/capita	5,869.5	2,583.6	2,085.8	2,477.0	2,887.2	3,143.4	2,891.3	2,032.1	1,730.7	1,774.3
Per 1,000 inhabitants	11.7	5.2	4.2	5.0	5.8	6.3	5.8	4.1	3.5	3.6
Per 1,000 km ²	289.1	127.3	102.7	122.0	142.2	154.8	142.4	100.1	85.3	87.4
Total population of concern to UNHCR										
Per 1 USD GDP/capita	..	2,975.6	2,661.8	2,628.6	3,036.1	3,186.0	3,090.0	2,063.5	1,854.0	2,114.6
Per 1,000 inhabitants	..	6.0	5.3	5.3	6.1	6.4	6.2	4.1	3.7	4.2
Per 1,000 km ²	..	146.6	131.1	129.5	149.5	156.9	152.2	101.6	91.3	104.2

* Refugees and Total population of concern to UNHCR: annual estimates (Table A.1). Figures for GDP (Current) per capita, national population and land area are the most recent available estimates.

B. DEMOGRAPHIC CHARACTERISTICS, LOCATION, LEGAL BASIS AND RECOGNITION, END OF 2005

1. Population of concern to UNHCR--demographic characteristics*

Sex	<5	5-17	18-59	60+>	Various	Total	<5 (%)	5-17 (%)	18-59 (%)	60+> (%)	F/M (%)
Female	6,283	12,915	19,056	2,545	15,336	56,135	15%	32%	47%	6%	51%
Male	6,488	13,368	16,154	2,172	15,414	53,596	17%	35%	42%	6%	49%
Total	12,771	26,283	35,210	4,717	30,750	109,731	16%	33%	45%	6%	100%

* May not reflect the total population of concern to UNHCR.

2. Population of concern--location*

Type	Total
Camps/centers	22,998
Urban	3,903
Dispersed/various	208,190
Total	235,091
Camps/centers	10%
Urban	2%

* May not reflect the total population of concern to UNHCR.

3. Refugee population--legal basis

Type	Total
1951 UN Convention	-
1969 OAU Convention	-
UNHCR Mandate	204,341
Other/unknown*	-
Total	204,341
1951 Convention	0%

* Including allowed to remain for humanitarian reasons.

4. Refugee population--recognition

Type	Total
Prima facie (group)	200,605
Individually recognized	3,736
Other/unknown	-
Total	204,341
Prima facie (group)	98%
Individually recognized	2%

2005 UNHCR Statistical Yearbook

DEM. REP. OF THE CONGO

C. REFUGEES AND ASYLUM-SEEKERS IN DEM. REP. OF THE CONGO -- MAIN ORIGIN

1. Refugee population, end of year--main origin (main nationalities in 2005)

Origin	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Angola	108,284	87,687	137,000	150,000	175,420	186,879	184,201	123,714	98,383	106,772
Rwanda	423,561	37,000	35,000	33,000	46,280	30,414	20,510	19,743	11,816	42,360
Burundi	30,226	47,004	20,000	19,200	19,760	19,485	19,374	19,552	19,400	19,032
Uganda	17,289	44,289	2,000	3,240	13,020	20,751	23,012	18,953	18,953	18,954
Sudan	96,529	61,181	31,100	68,000	72,910	75,009	75,781	45,060	45,226	11,723

2. Asylum applicants during the year--main origin (main nationalities during 2005)

Origin	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Rwanda	72	107	33	73	44	37	125	155	42	66
Burundi	22	14	7	25	8	5	47	86	105	61
Congo	38	-	322	80	80	45	28	112	9	20

D. REFUGEES AND ASYLUM-SEEKERS FROM DEM. REP. OF THE CONGO -- MAIN COUNTRIES OF ASYLUM

1. Refugee population, end of year--main countries of asylum (main countries in 2005)

Asylum country*	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
United Rep. of Tanzania	55,214	74,313	58,282	98,545	110,412	117,516	140,301	150,160	153,474	150,112
Zambia	14,180	13,031	12,195	36,421	45,051	56,132	49,160	58,405	66,248	61,243
Congo	-	10	305	12,360	97,600	92,778	83,515	81,004	58,834	56,380
Rwanda	15,397	27,105	31,967	32,951	27,441	33,064	29,281	34,725	45,460	41,403
Uganda	28,611	14,246	5,350	7,987	9,019	7,613	8,848	11,680	14,982	20,564
Other	45,392	45,290	50,734	67,686	82,190	85,043	110,257	117,491	123,210	101,227
Total	158,794	173,995	158,833	255,950	371,713	392,146	421,362	453,465	462,208	430,929

* UNHCR estimates for most industrialized countries.

2. Asylum applicants during the year--main asylum countries (main countries in 2005)

Asylum country	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Rwanda	-	-	163	569	242	4,629	442	1,208	600	3,124
France	1,064	1,348	1,778	2,272	2,950	3,781	5,260	5,093	3,848	3,022
South Africa	835	2,613	1,987	483	241	758	11,598	6,182	4,622	2,585
United Kingdom	650	690	660	1,240	1,030	1,395	2,215	1,920	1,825	1,390
Burundi	-	-	-	247	5,482	2,016	789	1,808	2,168	1,379
Other	7,841	15,336	7,880	10,358	22,747	18,184	15,687	13,682	9,121	8,311
Total	10,390	19,987	12,468	15,169	32,692	30,763	35,991	29,893	22,184	19,811

E. POPULATION OF CONCERN IN DEM. REP. OF THE CONGO -- MAIN LOCATIONS, END OF 2005

Data generally not available for industrialized countries

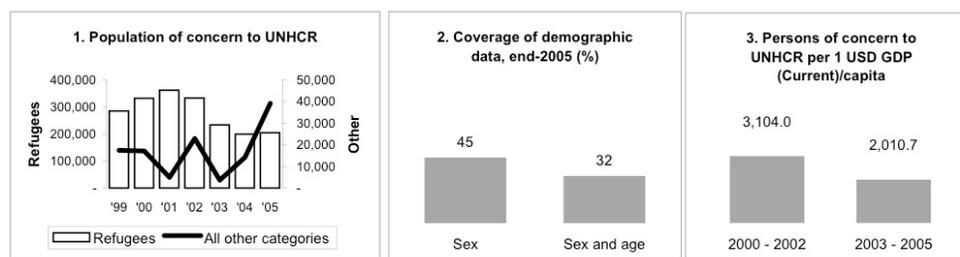
Location name	Type*	Total
Bas Congo	RUR	54,500
Kivus	RUR	40,730
Various	RUR	30,610
Kinshasa	RUR	30,000
South Kivu	RUR	18,310

*CAM = Camps/centers; URB = Urban; RUR = Rural/dispersed/various.

Location name	Type*	Total
Tembo (Bandundu)	RUR	15,000
North Kivu	RUR	10,000
Kainama	CAM	5,060
Luozu	RUR	4,410
Aba (Rudu2)	CAM	3,310

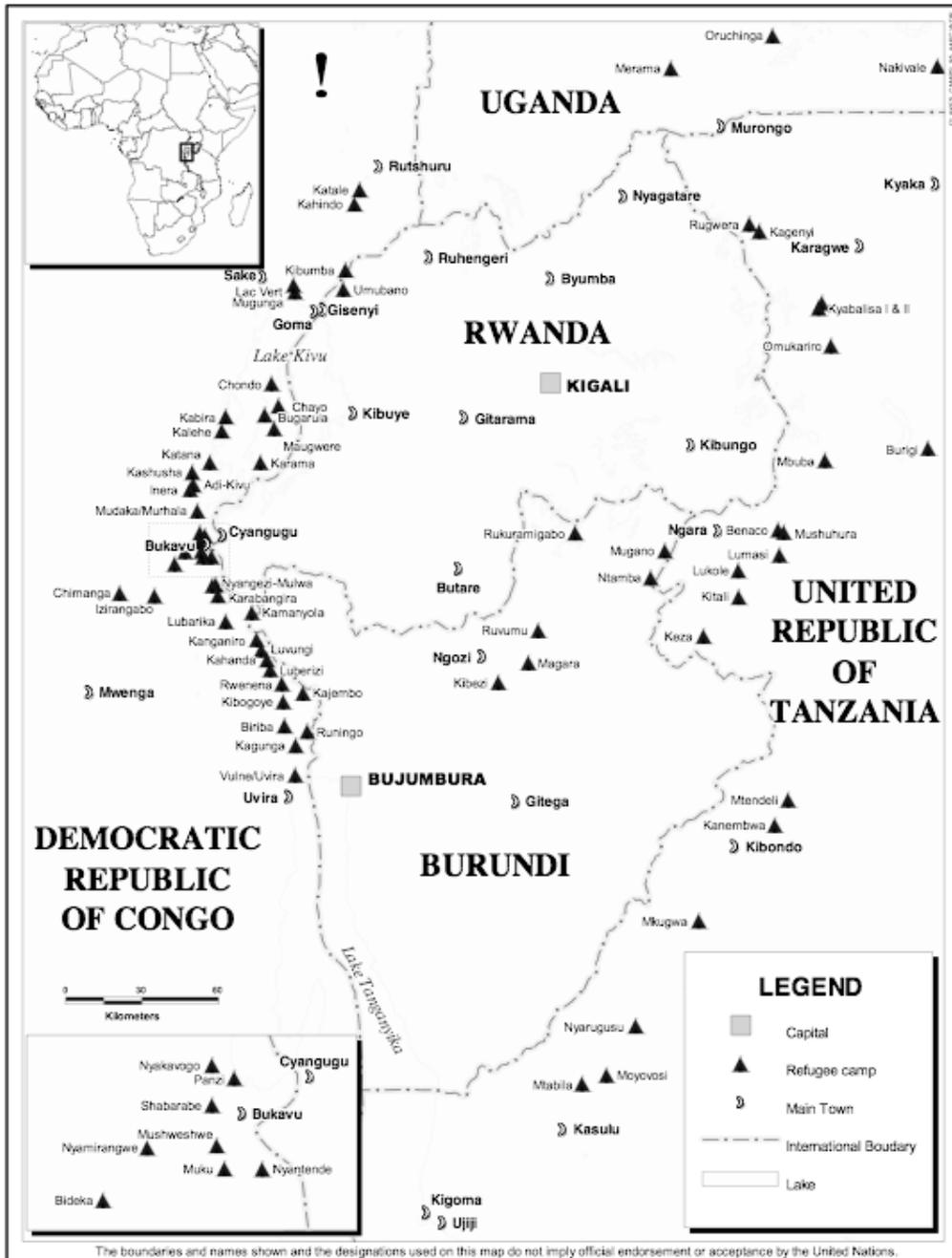
*CAM = Camps/centers; URB = Urban; RUR = Rural/dispersed/various.

F. HOST COUNTRY INDICATORS FOR DEM. REP. OF THE CONGO



Appendix 6: Refugee Camps in the Great Lakes Region

REFUGEE CAMPS IN THE GREAT LAKES REGION
(As of 1995)



Appendix 7: Intended Consequences: Rwanda's Living Legacy of Violence

During the 1994 genocide, Rwandan women were subjected to sexual violence on a massive scale, mainly by members of Hutu militias known as Interahamwe. The most isolated among the survivors are women who have borne children as a result of being raped.

An estimated 20,000 children were conceived during the genocide in Rwanda, and many of their mothers contracted HIV during the rapes that left them pregnant. In many cases, both they and their children have been rejected by their families.

Many of these women have waited more than a decade to tell their stories, to begin healing themselves. Many of the mothers also say they were raped after being forced to witness the murder of their families. "You alone are being allowed to live," many were told, "so that you will die of sadness."

In a country with a population that, in the years after the genocide, has been estimated to be between 57 and 70 percent female, these women--and their children--represent Rwanda's future. Non-governmental organizations on the ground are working to help those who are struggling most with basic survival by providing antiretroviral medications, shelter, food and the opportunity to speak with one another. Although the women in these photographs struggle with ambivalent feelings toward their children, they expressed a desire that their children have access to education--a basic human right not available to them now because they cannot afford school fees.

It is vital that these survivors be heard.

Isabelle, 28, with her son Jean-Paul, 12

Genocide started when I was 15. I was raped then and got a baby boy from that rape, whose father I don't know. I stay with my son at this place.

It all started on April 6, in the evening, when they told us that the president had died and my mother said we should run away from the house. The third day is when they killed my three brothers. In the evening, a group of militia attacked our home. In the evening, they took me to a place where they raped me, one after the other-- I can't tell you how many there were. I can't tell you the experience.



When I realized I was pregnant, my first thought was that I should abort, but I didn't know how or where to go for such services. After giving birth, I thought of killing it because I was bitter and didn't know who the father is. It was painful, but eventually I decided not to kill it.

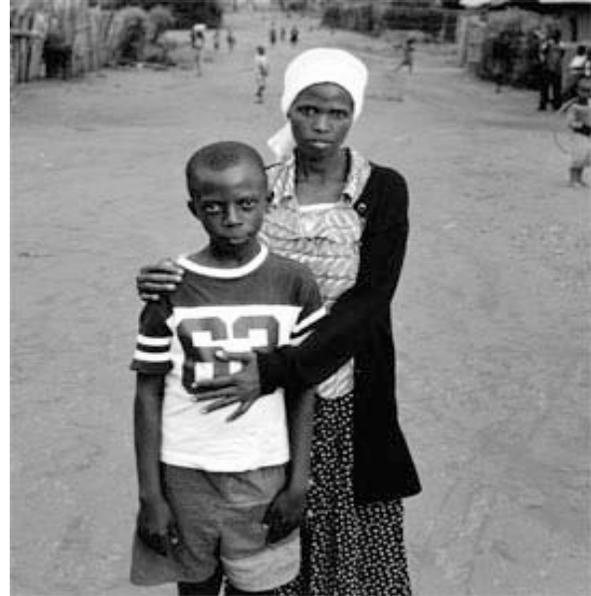
It causes me trauma every time I look at this boy. I don't know how I am going to live with a boy who has no family. I am physically handicapped because of the beatings. I can't carry anything. I can't work. All that I can do is sit down. It is now that I say it is good that I didn't kill that boy, because he fetches water for me.

I fail in my duty as a mother because of poverty. I fail to buy him soap so he can't wash his clothes--he sometimes also doesn't have anything to eat because I don't have anything to give him. But it is because of my condition of poverty, not because he is the son of rapists. I am not interested in a family. I am not interested in love. I don't see any future for me. I sometimes look at my situation and compare myself with people who have their families around them, and I regret that I didn't die in genocide.

Stella, 30 with her son Claude, 11

My son was born on July 7, 1995. I'll never forget that day. My wish was that he would die immediately after birth. I'm surprised that he didn't die. Why he didn't die, I don't know. My child was almost a skeleton because I didn't have milk in my breasts. But that man, that rapist was with me. He kept raping me again and again. My problem is that boy, my son. When I think about his life, he is like a tree without branches. I am alone. I don't have any surviving relative apart from my old mother. He is my life. He is the only life I have. I love him. If I didn't have him, I don't know what I would be.

A genocide happened in Rwanda, and we went through torture like no other person has gone through. Tell the world that the legacy of genocide can never be removed. The international community has a debt because they didn't come to the rescue.

**Valerie, 28 with her son Robert, 12**

Genocide started when I was 15. We were staying in this very place where I am now. I was raped, and as a result, I got pregnant and I have a baby boy. His name is Vedaste. I stay with him and I look after him.

In 1997, I came back to Rwanda. I came with my son. When I got here I went to my stepbrother's house. When I got there he told me he couldn't stay with a son of a militia. He didn't want my son. I stayed there, but he mistreated us. I stayed there till 2000, when I asked Awega [a Rwandan organization that assists women with HIV] to provide accommodation for me, and I came here with my son.

I don't hate my son. I don't love him either, but I think I am comfortable staying with him.

Marie, 26 with her niece, Catherine, and her daughter Lisette, 13

When I heard the bullets, I ran and hid under the bed in the bedroom. They had killed my aunt and uncle, but they hadn't killed their baby. The whole sitting room was full of blood and dead bodies except for the little kid, who was alive but sucking the breasts of her dead mother.

We were attacked by a gang of Hutu men--there were about four. After one month and fifteen days, they diagnosed me and told me that in addition to being HIV-positive, I was also pregnant.

After the war, my father constantly reminded me this kid is bad, her family is bad, her family killed my relatives, that there was no reason for me whatsoever to love that girl. When I see her, she reminds me of the rape. The first rape and the second rape and all the rapes that followed, I relate them to her.

I can't say I love her, but I can't say I hate her either. Now I miss her. She lives with my aunt, where I went through the horror. Every step of that hill, every grass, every tree, every stone, every house, reminds me of 1994. I don't want to go there.

Josette, 27 and her son Thomas, 12



That day, in the evening militias came, they took me and my sister and locked us in a house. Then they said they were going to rape us, but they used the word "marry." They said they were going to "marry" us until we stopped breathing. That night, my sister told me to get ready, because she had already experienced it. That night I got my first experience, and it was terrible.

They went away in the morning and came back in the evening with clothes stained with blood and machetes that had blood. They told us to wash the clothes and machetes. We wash the clothes, they rape us at night and then the next day they go to kill. That was the pattern of our life.

Eventually my sister said it was too much, we need to go and commit suicide. We went to throw ourselves in the river and die, instead of living with torture. But when we got to the river, there were many dead bodies floating on the river, and we feared going there.

My uncle didn't welcome me in the house. He asked me who was responsible for my pregnancy. I said if I am pregnant, then it must be the militias, and I said that many of them had raped me. He said I shouldn't enter into his house carrying a baby of Hutus.

I never loved this child. Whenever I remember what his father did to me, I think that the only revenge would be to kill his son. I'm lucky I didn't do that.

Source: (Torgovnik, 2008)

Appendix 8: Relevant International Documents

Convention on the Prevention and Punishment of the Crime of Genocide

**Approved and proposed for signature and ratification or accession by
General Assembly resolution 260 A (III) of 9 December 1948**

Entry into force 12 January 1951, in accordance with article XIII

The Contracting Parties,

Having considered the declaration made by the General Assembly of the United Nations in its resolution 96 (I) dated 11 December 1946 that genocide is a crime under international law, contrary to the spirit and aims of the United Nations and condemned by the civilized world,

Recognizing that at all periods of history genocide has inflicted great losses on humanity, and

Being convinced that, in order to liberate mankind from such an odious scourge, international co-operation is required,

Hereby agree as hereinafter provided:

Article 1

The Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish.

Article 2

In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group.

Article 3

The following acts shall be punishable:

- (a) Genocide;
- (b) Conspiracy to commit genocide;
- (c) Direct and public incitement to commit genocide;
- (d) Attempt to commit genocide;
- (e) Complicity in genocide.

Article 4

Persons committing genocide or any of the other acts enumerated in article III shall be punished, whether they are constitutionally responsible rulers, public officials or private individuals.

Article 5

The Contracting Parties undertake to enact, in accordance with their respective Constitutions, the necessary legislation to give effect to the provisions of the present Convention, and, in particular, to provide effective penalties for persons guilty of genocide or any of the other acts enumerated in article III.

Article 6

Persons charged with genocide or any of the other acts enumerated in article III shall be tried by a competent tribunal of the State in the territory of which the act was committed, or by such international penal tribunal as may have jurisdiction with respect to those Contracting Parties which shall have accepted its jurisdiction.

Article 7

Genocide and the other acts enumerated in article III shall not be considered as political crimes for the purpose of extradition.
The Contracting Parties pledge themselves in such cases to grant extradition in accordance with their laws and treaties in force.

Article 8

Any Contracting Party may call upon the competent organs of the United Nations to take such action under the Charter of the United Nations as they consider appropriate for the prevention and suppression of acts of genocide or any of the other acts enumerated in article III.

Article 9

Disputes between the Contracting Parties relating to the interpretation, application or fulfillment of the present Convention, including those relating to the responsibility of a State for genocide or for any of the other acts enumerated in article III, shall be submitted to the International Court of Justice at the request of any of the parties to the dispute.

Article 10

The present Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall bear the date of 9 December 1948.

Article 11

The present Convention shall be open until 31 December 1949 for signature on behalf of any Member of the United Nations and of any nonmember State to which an invitation to sign has been addressed by the General Assembly.

The present Convention shall be ratified, and the instruments of ratification shall be deposited with the Secretary-General of the United Nations.

After 1 January 1950, the present Convention may be acceded to on behalf of any Member of the United Nations and of any non-member State which has received an invitation as aforesaid. Instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article 12

Any Contracting Party may at any time, by notification addressed to the Secretary-General of the United Nations, extend the application of the present Convention to all or any of the territories for the conduct of whose foreign relations that Contracting Party is responsible.

Article 13

On the day when the first twenty instruments of ratification or accession have been deposited, the Secretary-General shall draw up a process-verbal and transmit a copy thereof to each Member of the United Nations and to each of the non-member States contemplated in article 11.

The present Convention shall come into force on the ninetieth day following the date of deposit of the twentieth instrument of ratification or accession.

Any ratification or accession effected, subsequent to the latter date shall become effective on the ninetieth day following the deposit of the instrument of ratification or accession.

Article 14

The present Convention shall remain in effect for a period of ten years as from the date of its coming into force.

It shall thereafter remain in force for successive periods of five years for such Contracting Parties as have not denounced it at least six months before the expiration of the current period.