



COI QUERY

Country of Origin	DEMOCRATIC REPUBLIC OF CONGO (DRC)
Main subject	State measures towards organised criminal networks, in particular diamond dealers and Kuluna gangs, and state response to their victims
Question(s)	<ol style="list-style-type: none">1. State measures towards organised criminal networks, in particular diamond dealers and Kuluna gangs, and State response to their victims2. Information on potential links between the government (including the police) and criminal gangs involved in diamond dealing
Date of completion	31 August 2021
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This response to a COI query has been elaborated according to the [EASO COI Report Methodology](#) and [EASO Writing and Referencing Guide](#).

The information provided in this response has been researched, evaluated and processed with utmost care within a limited time frame. All sources used are referenced. A quality review has been performed in line with the above mentioned methodology. This document does not claim to be exhaustive neither conclusive as to the merit of any particular claim to international protection. If a certain event, person or organisation is not mentioned in the report, this does not mean that the event has not taken place or that the person or organisation does not exist. Terminology used should not be regarded as indicative of a particular legal position.

The information in the response does not necessarily reflect the opinion of EASO and makes no political statement whatsoever.

The target audience is caseworkers, COI researchers, policy makers, and decision making authorities. The answer was finalised on 31 August 2021. Any event taking place after this date is not included in this answer.

COI QUERY RESPONSE – Democratic Republic of Congo (DRC)

1. State measures towards organised criminal networks, in particular diamond dealers and Kuluna gangs, and State response to their victims

Information on the State measures towards organised criminal networks was scarce among the sources consulted, while specific information on state response to victims of diamond dealers or Kuluna gangs could not be found among the sources consulted by EASO within time constraints.

Sources reported that various armed groups in DRC have been exploiting for more than 20 years the weak governance to perpetrate attacks against civilians.¹ The Overseas Security Advisory Council (OSAC) reported that the limited capacity of Congolese security forces is the main reason why communal and ethnic militia, other armed groups, and criminal elements can act with impunity. Some of the main problems in police effectiveness, according to the aforementioned report, are lack of basic understanding of the law, poor equipment, lack of training, inconsistency in the administration of laws and regulations and police corruption.²

In 2015, The Sentry, an organisation dedicated to investigating financial profit from illegal activities in Africa, reporting on DRC noted:

‘Enforcement mechanisms, such as the DRC’s financial intelligence center, Cellule Nationale des Renseignements Financiers (CENAREF) within the Ministry of Finance, are underfunded and unable to effectively monitor businesses suspected of money laundering, pillage, or the illicit smuggling of minerals.’³

Regarding the Kuluna gangs and state response against them, sources reported that these criminal gangs are an ‘urban phenomenon’, with presence mainly in Kinshasa and in particular in Masina, Kimbanseke, Ndjili, Kisenso, Makala, Barumbu, Kinshasa, Nsele and Ngaliema communes in Kinshasa.⁴ The Kulunas have been responsible for serious crimes such as armed robbery and violent assaults⁵, and are reported to have interactions with political parties and law enforcement agencies.⁶

The first police operation against the Kuluna gangs, called ‘Operation Likofi’, lasting from November 2013 to February 2014, caused the death of at least 51 persons and the forced disappearance of 33

¹ CFR, Global Conflict Tracker, Violence in the Democratic Republic of Congo, last updated 30 August 2021, [url](#); GCR2P, Democratic Republic of the Congo, Populations at Risk, 31 May 2021, [url](#)

² OSAC, Democratic Republic of the Congo 2020 Crime & Safety Report, 12 March 2020, [url](#)

³ Sentry (The), Country brief: Democratic Republic of Congo, July 2015, [url](#), p. 5

⁴ IRB, Democratic Republic of Congo: “Kuluna” gangs, including areas where they have influence; government efforts against them, including effectiveness and resources available; state protection available to victims and its effectiveness (2013-August 2017), 21 August 2017, [url](#); ACTUALITE.CD, RDC: Mova s'attaque à la criminalité urbaine, 11 April 2018, [url](#); Global Initiative Against Transnational Organized Crime, Criminals or vigilantes? The Kuluna gangs of the Democratic Republic of Congo, May 2021, [url](#), p. 4

⁵ IRB, Democratic Republic of Congo: “Kuluna” gangs, including areas where they have influence; government efforts against them, including effectiveness and resources available; state protection available to victims and its effectiveness (2013-August 2017), 21 August 2017, [url](#); ACTUALITE.CD, RDC: Mova s'attaque à la criminalité urbaine, 11 April 2018, [url](#); HRW, DR Congo: Police Killed, ‘Disappeared’ 34 Youth, 21 February 2019, [url](#)

⁶ Global Initiative Against Transnational Organized Crime, Criminals or vigilantes? The Kuluna gangs of the Democratic Republic of Congo, May 2021, [url](#), pp. 7-9

others in Kinshasa.⁷ According to the Global Initiative Against Transnational Organized Crime, a Geneva-based think-tank, from 2013 to 2018, four Likofi operations were carried out, all including the targeted assassinations of gang members.⁸ Between May and September 2018, security forces killed at least 27 persons and disappeared 7 others during another anti-crime campaign called 'Operation Likofi IV'.⁹ Human Rights Watch noted that these 'extrajudicial executions and enforced disappearances' took place in the Kalamu, Kisenso, and Limete communes in Kinshasa, adding that it happened in 'in the context of broader repression against political opposition and pro-democracy activists in the country' ahead of upcoming elections, and specified that targeted Kulunas were known to be used to mobilise opposition demonstrations.¹⁰

On 31 December 2019, the governor of Kinshasa, Gentiny Ngobila Mbaka, announced the arrest of 636 Kuluna gang members.¹¹ According to a November 2020 Human Rights Watch report:

'under President Felix Tshisekedi's administration, police have this year rounded up hundreds of suspected Kulunas amid renewed insecurity in the capital. About a hundred of them have been sent without charge or trial to a paramilitary education centre in the southern province of Haut-Lomami. The rest remain in detention in Kinshasa awaiting charge.'¹²

After the first group of Kuluna members was transferred to the paramilitary education center in Kanyama Kasese to perform a national service, on 3 November 2020¹³, another six rounds of transfers were carried out by the police until 18 August 2021¹⁴, bringing the total number of Kuluna members in Kanyama Kasese to 2 100.¹⁵

2. Information on potential links between the government (including the police) and criminal gangs involved in diamond dealing

Information on potential links between the government (including the police) and criminal gangs involved in diamond dealing, could not be found among the sources consulted by EASO within time constraints. However, the following information may be relevant.

⁷ HRW, DR Congo: Police Killed, 'Disappeared' 34 Youth, 21 February 2019, [url](#); HRW, Awaiting Justice for Police Killings in DR Congo, 16 November 2020, [url](#); OMCT, La torture en République Démocratique du Congo: Un secret de polichinelle, Rapport Alternatif, April 2019, [url](#), p. 58

⁸ Global Initiative Against Transnational Organized Crime, Criminals or vigilantes? The Kuluna gangs of the Democratic Republic of Congo, May 2021, [url](#), p. 11

⁹ HRW, DR Congo: Police Killed, 'Disappeared' 34 Youth, 21 February 2019, [url](#)

¹⁰ HRW, DR Congo: Police Killed, 'Disappeared' 34 Youth, 21 February 2019, [url](#)

¹¹ Actualite.CD, RDC : Ngobila va transférer 636 "Kulunas" de Kinshasa en provinces, 31 December 2019, [url](#); 7sur7.cd, Kinshasa: G. Ngobila félicite la police pour l'arrestation de 636 Kulunas et l'invite à poursuivre la traque, , 1 January 2020, [url](#)

¹² HRW, Awaiting Justice for Police Killings in DR Congo, 16 November 2020, [url](#)

¹³ Digital Congo, Un groupe de 300 « Kuluna » de Kinshasa en route vers Kanyama Kasese, 3 November 2021, [url](#); Ouragan, Transfert des Kuluna à Kanyama Kasese : les députés de Lualaba exigent des mesures d'encadrement, 4 November 2021, [url](#)

¹⁴ Radio Okapi, RDC: une seconde vague des « Kulunas » attendue à Kaniama Kasese, 26 January 2021, [url](#); ZoomEco, RDC : la troisième vague de kuluna en partance pour Kanyama Kasese, 27 Mars 2021, [url](#); Radio Okapi, RDC : plus de 300 « Kulunas » quittent Kinshasa pour apprendre les métiers manuels dans le Haut-Lomami, 27 March 2021, [url](#); Depeche, RDC: La quatrième vague de kuluna quitte Kinshasa pour Kanyama Kasese ce mercredi, 30 Mars 2021, [url](#); Actuali.CD, RDC : la quatrième vague de 320 kulunas dont 17 femmes a quitté Kinshasa pour Kanyama Kasese, 1 April 2021, [url](#); Actualite.CD, RDC : la cinquième vague de près de 520 bandits urbains "Kuluna" attendus ce mardi à Kanyama Kasese, 10 May 2021, [url](#); RFI, RDC: la méthode de « rééducation » des jeunes délinquants, les « kulunas », fait débat, 6 August 2021, [url](#)

¹⁵ Digital Congo, Insécurité à Kinshasa : déjà 2100 Kuluna acheminés à Kaniama Kasese depuis novembre, 18 August 2021, [url](#); Journal des Nations, 301 « Kulunas » transférée à Kanyama Kasese, 18 August 2021, [url](#)

DRC is a country of diverse mineral resources, possessing about 50 % of the global reserves of cobalt, 25 % of the world's diamond reserves and large reserves of gold.¹⁶ In 2020, the DRC produced 12 million carats of diamond.¹⁷ Sources reported that diamond reserves had been the major cause of the instability of the region and the outbreak of the 1996–2002 war in the DRC, since access to the sources and control of the trade was disputed by both militias and national governments.¹⁸

In 2015, The Sentry, an organisation dedicated to investigating financial profit from illegal activities in Africa, reporting on DRC noted:

'In addition to being an important source of income, the DRC's natural resources have been a significant source of funding for armed commanders complicit in the ongoing violence, both directly and indirectly, as well as officials in Congo and neighboring countries. [...] A 2014 survey of 591 of 1088 artisanal mines visited revealed the presence of at least one armed group, including the Congolese army, at one of every three mines. The most common form of interference in the mining sector is in the form of illegal taxes extorted from miners and traders by armed groups, army commanders, local chiefs, and government officials, in particular for the minerals tin, tantalum, tungsten, and gold.'¹⁹

Furthermore, The Sentry reported:

'Government officials, for example, have been reported to intervene when smugglers are arrested, both returning the smuggler and the confiscated minerals, as well as halting efforts at investigations. Smuggling in the artisanal sector is only one segment of a broader set of problems in the mining sector. Even industrialized concessions engage in practices that result in the loss of billions of dollars for the Congolese Treasury.'²⁰

According to a 2014 Aljazeera article, trafficking in blood minerals, including diamonds, was one of the sectors that had been profiting from the conflict in DRC.²¹ In a 2016 interview with Swedwatch, a government official from the Centre for Evaluation, Expert Analysis and Certification of Precious Minerals with many years of experience working with the implementation of the Kimberly Process in the DRC on behalf of the government stated that 'About 20 percent of the diamonds leaving the DRC are smuggled. The smuggled diamonds end up in the same trading centre [as the certified diamonds] and contaminate the supply chain'.²²

According to the 2021 USDOS Trafficking in Persons report, 'Individuals associated with the extractive sector abuse some children in forced labor in the illegal mining of diamonds, copper, gold, cobalt, tungsten ore, tantalum ore, and tin, as well as the smuggling of minerals to Uganda, Burundi, Rwanda, the United Arab Emirates, and Tanzania'.²³

¹⁶ Sentry (The), Country brief: Democratic Republic of Congo, July 2015, [url](#), p. 3

¹⁷ Finebold, Russia and Australia account for more than half of all diamonds mined in 2020 globally, n.d., [url](#)

¹⁸ Davison, N., The lion that didn't roar, 2006, [url](#), p. 48; Goredema, Charles, Diamonds and other precious stones in armed conflicts and law enforcement co-operation in Southern Africa, May 2002, [url](#), p. 4

¹⁹ Sentry (The), Country brief: Democratic Republic of Congo, July 2015, [url](#), p. 6

²⁰ Sentry (The), Country brief: Democratic Republic of Congo, July 2015, [url](#), p. 6

²¹ Al Jazeera, Blood and minerals: Who profits from conflict in DRC?, 19 January 2016 (first appeared in August 2014), [url](#)

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