



YORJA

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YOUTH ORGANISATION FOR RESEARCH AND JUSTICE ADVOCACY (YORJA)

# **TRANSITIONAL JUSTICE REPORT ON THE ONGOING ARMED CONFLICT IN THE DRC**

Healing Wounds, Seeking Justice: Addressing the Legacy and Impact of  
Armed Conflict in the DRC



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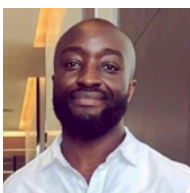
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# Executive Summary



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The Democratic Republic of the Congo (DRC) continues to endure one of the most protracted and devastating armed conflicts in Africa. Rooted in decades of political instability, resource exploitation, ethnic divisions, and weak governance, the conflict has resulted in widespread human rights violations, displacement, and loss of life. The resurgence of the M23/AFC rebel movement, backed by external actors including external Defense Forces, has intensified insecurity, particularly in North and South Kivu provinces despite numerous peace agreements, international interventions, and a draft transitional justice (TJ) policy.

The humanitarian toll is staggering, with over 2.8 million people displaced, widespread reports of sexual and gender-based violence, and growing evidence of war crimes such as ethnic persecution and forced child recruitment. Access to basic services and humanitarian aid remains severely restricted in conflict zones.

Transitional justice in the DRC has faced numerous obstacles, including the lack of a comprehensive national policy, weak implementation of judicial mechanisms, and limited victim participation. While some truth-seeking and judicial processes have occurred, structural reforms remain insufficient. Community-led reconciliation efforts offer some promise, but operate without adequate state support.

Key challenges include impunity for high-level perpetrators, persistent insecurity, exclusion of victims in justice processes, and recurring political instability. To address these, the report calls for the urgent adoption of a national TJ policy, stronger legal responses to foreign involvement, enhanced support to grassroots initiatives, and international backing for humanitarian and judicial mechanisms.

Transitional justice, defined as the full range of processes and mechanisms associated with a society's attempt to come to terms with a legacy of large-scale past abuses, is essential to sustainable peace in the DRC. This report emphasizes that justice efforts must center the needs and voices of victims, particularly marginalized communities in eastern Congo.



# I. Background

Since the 1990s, the DRC has experienced multiple waves of violence involving a complex web of actors, including state forces, local militias, and foreign armed groups. The conflict has been exacerbated by competition over mineral resources, foreign interference, and socio-political grievances. The two Congo wars (1996-1997 and 1998-2003) laid the foundation for continued instability. The post-war transition period was marred by fragile institutions, limited justice mechanisms, and unfulfilled promises of reform.

## II. Current Situation

### 1. Territorial Control

The current conflict is characterized by: armed group activities targeting civilians and state institutions, sexual and gender-based violence (SGBV) used as a weapon of war, forced displacement of millions of people, exploitation and illegal trade of natural resources, weak presence and mistrust in state security forces.

The AFC/M23 holds de facto control over Goma, Rutshuru, Masisi, and parts of Walikale in North Kivu.

- South Kivu, areas of Uvira, Fizi, and parts of Mwenga have witnessed increasing incursions by AFC units, tightening their grip on the region.
- Local administrative structures have collapsed in many areas, replaced by parallel government imposed by AFC forces.

### 2. Involvement of External Forces

- Credible intelligence reports and testimonies from humanitarian organizations, UN sources, and local communities confirm the direct involvement of external armed forces including the Rwandan Defense Forces (RDF) acting in support of the AFC/M23.

- The RDF has been accused of providing logistical support, weaponry, and direct military reinforcements, with some troops reportedly embedded within M23 command structures.
- This alleged involvement constitutes a breach of DRC's sovereignty and has heightened regional tensions, drawing condemnation from the African Union and the United Nations Security Council.

### 3. Human Rights and Humanitarian Impact

- **Massive displacements:** Over 2.8 million people have been displaced across both provinces since 2022.
- **Documented war crimes:** There are increasing reports and evidence of summary executions, sexual violence, forced recruitment of children, and targeted ethnic persecution, particularly in areas retaken by M23/AFC.
- **Access to humanitarian aid is severely restricted** in contested zones, with civilian populations suffering from hunger, lack of medical care, and forced labor.

## III. Transitional Justice Framework in the DRC

Transitional justice processes in the DRC has faced numerous challenges, including lack of political will, insufficient resources, and systemic corruption. Existing mechanisms include:

- **Planned TJ policy:** Draft national policy on TJ that is yet to be adopted by the government.
- **Truth-seeking initiatives:** Limited and fragmented efforts to document atrocities.
- **Criminal prosecutions:** Trials by national and military courts with mixed results; reliance on the International Criminal Court (ICC) for high-profile cases.
- **Reparations:** Inconsistent and without clear structure.
- **Institutional reforms:** Attempts to reform the judiciary and security sectors have been slow and often cosmetic.
- **Community reconciliation:** Grassroots efforts have shown promise, particularly in areas inaccessible to formal institutions.

## IV. Key Challenges



### 01 Impunity

Perpetrators of mass atrocities, including senior political and military figures, often go unpunished.

### 02 Lack of inclusivity

Victims and marginalized communities are rarely involved in designing or implementing justice mechanisms.

### 03 Security vacuum

Continued insecurity undermines efforts at peacebuilding and justice.

### 04 Political instability

Frequent political crises weaken state institutions and derail transitional processes.



## V. Recommendations

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### → **To the Government of the DRC:**

- Adoption of a national TJ policy.
  - Strengthen diplomatic and legal efforts to document and denounce Rwandan military involvement.
  - Engage in a renewed inclusive national and regional dialogue involving affected communities, civil society, and international partners.
  - Accelerate reform of the Armed Forces (FARDC) to enhance professionalization and protect civilian populations.
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### → **To the International Community:**

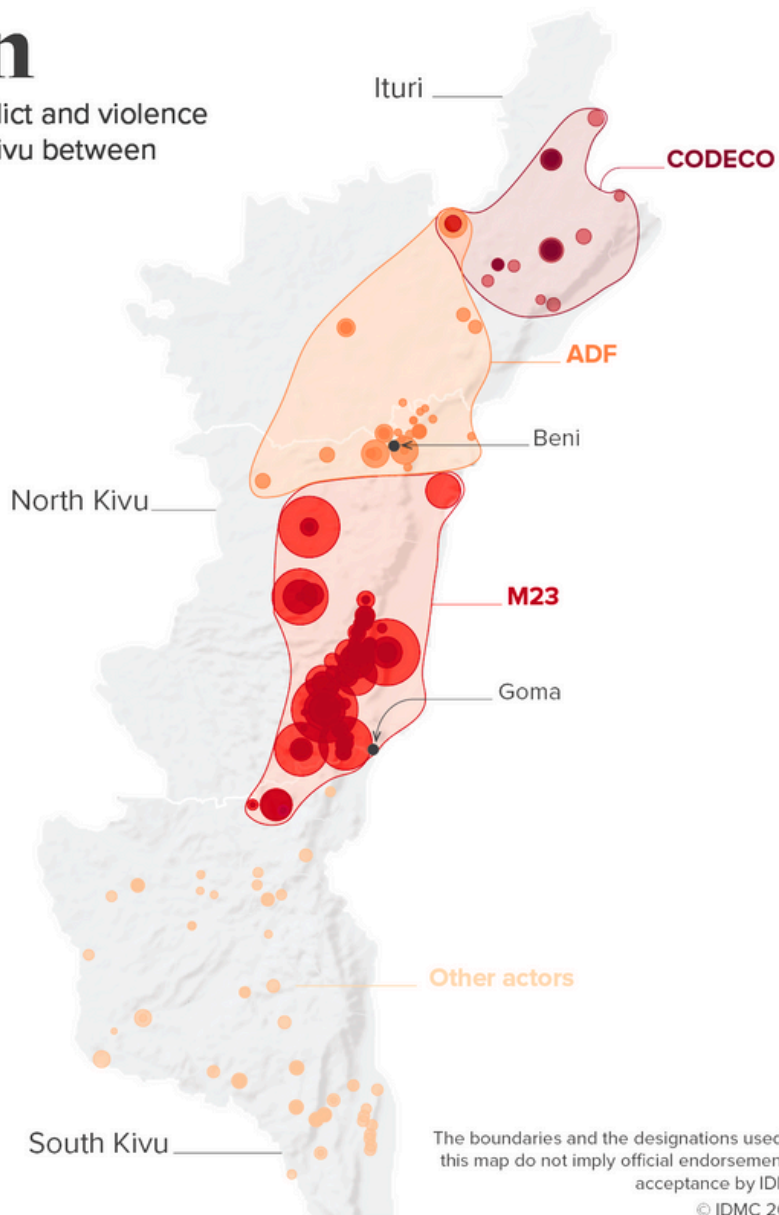
- Advocate for the adoption of the draft TJ national policy.
  - Enforce targeted sanctions on M23/AFC leaders and external actors fueling the conflict.
  - Support independent investigations and prosecutions through the International Criminal Court (ICC) and other UN mechanisms.
  - Expand humanitarian access and protection services for internally displaced persons (IDPs) and survivors of violence.
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### → **To Transitional Justice Actors:**

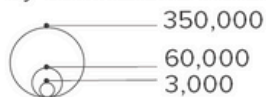
- Document ongoing atrocities in real-time for future judicial processes.
- Advocate for a transitional justice roadmap that places victims at the center of post-conflict reconstruction in eastern DRC.
- Strengthen survivor-led initiatives for memory, justice, and reparation.

# 2.7 million

internal displacements by conflict and violence  
in Ituri, North Kivu and South Kivu between  
January and June 2024



Internal displacements  
by conflict and violence



Sources: IDMC analysis using data from  
OCHA, IOM DTM, UNHCR, InterSOS,  
local authorities, USAID, NRC, and the  
Protection Cluster.

Areas of influence by  
major armed groups

Areas of influence are based on conflict  
incidents reported by ACLED and are  
extended by conflict displacements.

The boundaries and the designations used on  
this map do not imply official endorsement or  
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Sustainable Change Through Advocacy and Youth Participation

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