

Flygtningenævnets baggrundsmateriale

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Refugee Documentation Centre (Ireland)
LEGAL AID BOARD

Democratic Republic of Congo - Researched and compiled by the Refugee Documentation Centre of Ireland on 7 October 2013

Treatment of members of NGO's and Human rights activists by the government and police in the DRC.

A report issued in 2012 by the *Bertelsmann Transformation Index* points out that:

"Citizens, organizations and mass media expressing opposition opinions run a high risk of state intimidation, arrests and abuses. Those critical of country's political and military elites were repeatedly pursued and illegally detained." (Bertelsmann Transformation Index (2012) *Congo, DR Country Report*, p.9)

In January 2013 *Freedom House* states:

"NGOs are generally able to operate, though domestic human rights advocates are subject to harassment, arbitrary arrest, and detention." (Freedom House (January 2013) *Freedom in the World 2013 - Congo, Democratic Republic of (Kinshasa)*)

In July 2013 the *United Nations Human Rights Council* states:

"The situation of human rights defenders and journalists remains precarious, as they have been regularly intimidated and subjected to death threats, arbitrary arrest and other human rights violations by State agents and armed groups." (United Nations Human Rights Council (12 July 2013) *Report of the United Nations High Commissioner for Human Rights on the situation of human rights and the activities of her Office in the Democratic Republic of the Congo*, p.11)

A report published in May 2013 by *Amnesty International* reviewing events of the preceding year notes:

"The security situation for human rights defenders in the east deteriorated throughout the year. Defenders faced increasing intimidation and were often subjected to arbitrary arrests or death threats by state security forces, the M23, and unidentified armed men, severely hindering their work." (Amnesty International (23 May 2013) *Annual Report 2013, Democratic Republic of the Congo*)

In April 2013 a document released by the *United States Department of State* commenting on events of 2012 points out that:

"While a wide variety of domestic and international human rights organizations investigated and published findings on human rights cases, elements of the SSF continued to harass, beat, intimidate, and arbitrarily arrest and detain domestic human rights advocates and domestic NGO workers. Officials from the Ministry of Justice and Human Rights met with domestic NGOs and sometimes responded to their inquiries. Domestic human rights NGOs were particularly vulnerable to harassment, arbitrary arrest and detention, and other abuses by SSF when reporting on or supporting victims of abuses by SSF and when spotlighting the illegal exploitation of natural resources in the East." (United States Department of State (19

April 2013) *Country Reports on Human Rights Practices for 2012*, Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights)

A report released in September 2013 by *Amnesty International* notes:

“Human rights defenders continue to suffer direct threats and intimidation by members of armed groups and certain elements of the national security forces for denouncing human rights abuses and providing grassroots training and education on human rights to the local population.” (Amnesty International (11 September 2013) *Written statement* submitted by Amnesty International, a non-governmental organization in special consultative status*, p.3)

A document issued in September 2013 by *The Carter Centre* states:

“...there have been recent cases in which persons in positions responsible for ensuring the rights of citizens have in fact violated the rights of HRDs and continue to act with impunity...” (The Carter Centre (6 September 2013) *Written statement submitted by the Carter Center, Inc. (Situation of human rights defenders in the DRC)*)

In July 2013 a report published by the *International Federation of Action by Christians for the Abolition of Torture* states:

“The International Federation of ACAT (FIACAT) and ACT RDC are seriously concerned by the intimidation of human rights defenders in RDC, in particular the Secretary-General of ACAT RDC, the lawyer Michel KALEMBA NGALAMULUME.” (International Federation of Action by Christians for the Abolition of Torture (2 July 2013) *Human rights defenders intimidated in RDC*)

In May 2013 *Front Line Defenders* states:

“On 9 May 2013, human rights defender Mr Jérémie Safari was released from police custody where he had spent more than 24 hours being subjected to physical and sexual assault. The human rights defender's ordeal came just two days after his colleague, Mr Joseph Saidi, had spent three days at another detention center where he reports being subjected to similar ill treatment.” (Front Line Defenders (10 May 2013) *DRC: Human rights defenders Joseph Saidi and Jérémie Safari subjected to sexual assault and ill treatment whilst arbitrarily detained*)

An undated document from *Front Line Defenders* notes:

“The situation in the Democratic Republic of the Congo (DRC) remains volatile and human rights defenders remain at grave risk.” (Front Line Defenders (Undated) *Democratic Republic of Congo/Overview*)

References

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This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

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