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Democratic Republic of Congo

In 2015, security and intelligence officials in the Democratic Republic of Congo clamped down on activists and political opponents who opposed political maneuvers to allow President Joseph Kabila to stay in power beyond his constitutionally mandated two-term limit, due to end in December 2016. Security forces shot peaceful demonstrators, jailed activists and political party leaders, and shut down media outlets, as the government increasingly resorted to violent acts of repression.

In the country's east, the security situation remained volatile. Numerous armed groups carried out deadly attacks on civilians, while government security forces also committed serious abuses.

Freedom of Expression and Peaceful Assembly

In January, security forces brutally suppressed demonstrations in the capital, Kinshasa, and other cities by those opposed to proposed changes to the electoral law requiring a national census before national elections could be held, effectively extending Kabila's term for several years.

Police and Republican Guard soldiers fatally shot at least 38 protesters in Kinshasa and 5 in Goma, in eastern Congo. Dozens were wounded and at least five people in Kinshasa were forcibly disappeared. Soon after a delegation of political opposition and civil society leaders visited wounded protesters at Kinshasa's General Hospital on January 21, Republican Guard soldiers entered the hospital and fired indiscriminately, wounding at least three visitors.

In the lead-up to the demonstrations, the government shut down two television stations that had aired messages calling on people to demonstrate: Canal Kin Television (CKTV) and Radio Television Catholique Elykia (RTCE). RTCE was reopened in June while CKTV

remained blocked at time of writing. During the January demonstrations, the government also shut down text messaging services and Internet access for several days.

The same week, security forces arrested nearly a dozen prominent political party leaders and activists. Most were first detained by Congo's National Intelligence Agency (Agence Nationale de Renseignements, ANR) and held without charge for weeks or months with no access to lawyers or family members. In March, the ANR arrested about 30 youth activists and others attending a workshop in Kinshasa to promote the democratic process.

At time of writing, human rights defender Christopher Ngoyi, youth activists Fred Bauma and Yves Makwambala, and political party leaders Jean-Claude Muyambo, Ernest Kyaviro, and Vano Kiboko remained in detention at Kinshasa's central prison. On September 14, Kiboko was convicted and sentenced to three years in prison on trumped up charges of racial hatred, tribalism, and spreading false rumors. On September 18, Kyaviro was convicted and sentenced to three years in prison for provoking and inciting disobedience toward public authorities. Trials based on politically motivated charges were ongoing for the others at time of writing.

In Goma in March and April, the authorities arrested and later released at least 15 activists from the LUCHA youth movement who were demonstrating peacefully to demand the release of their colleagues detained in Kinshasa. Some alleged that intelligence agents beat or tortured them through a form of near-drowning. In September, four of them were convicted of inciting disobedience to authorities and sentenced to a suspended 6-month prison term and a 12-month probation period. Twelve other people were arrested during a peaceful LUCHA demonstration in Goma on November 28. Nine remain in detention at time of writing, including two LUCHA activists.

During an opposition rally in Kinshasa on September 15, a group of thugs hired and instructed by members of the ruling political party and senior officials in the security services attacked demonstrators with clubs and wooden sticks, injuring more than a dozen. Only when demonstrators turned on the assailants—beating some so badly that at least one later died of his wounds—did the police intervene.

After seven senior politicians from Kabila's political coalition, known as the G7, sent a public letter to Kabila on September 14, demanding he respect the constitution's two-term limit, security forces surrounded many of their homes, intimidated their supporters, and shut down a radio station that belonged to Christophe Lutundula, a signatory of the letter.

Attacks on Civilians by Armed Groups

Dozens of armed groups remained active in eastern Congo. Many commanders controlled forces responsible for war crimes, including ethnic massacres, killing of civilians, rape, forced recruitment of children, and pillage.

In February, the army launched military operations against the Democratic Forces for the Liberation of Rwanda (FDLR), a largely Rwandan Hutu armed group. The FDLR has been responsible for some of the worst atrocities in eastern Congo over the past decade. United Nations peacekeepers, who were closely involved in planning the military campaign, withdrew their support following the government's last-minute appointment of two generals to lead the operation. Both have been implicated in past human rights violations. The government then suspended military cooperation with UN peacekeepers. The FDLR military leader, Sylvestre Mudacumura—sought on an arrest warrant by the International Criminal Court—remained at large.

In Beni territory, North Kivu, unidentified fighters continued to commit sporadic massacres of civilians, killing dozens. Further north, in Ituri province, the Patriotic Resistance Front in Ituri (FRPI) rebel group also committed serious human rights abuses, particularly rape and pillage. In Rutshuru territory, North Kivu province, bandits and armed groups kidnapped dozens of civilians for ransom.

In Nyunzu, in the north of former Katanga province, ethnic Luba fighters attacked a camp for displaced people on April 30. The assailants killed at least 30 civilians from the marginalized Batwa community, known as "Pygmy," with machetes, arrows, and axes and burned down the camp. Dozens of others remained missing and feared dead. The attack followed deadly raids on Luba by Batwa militias.

Justice and Accountability

Mathieu Ngudjolo, the first defendant to be acquitted by the International Criminal Court (ICC), returned to Congo on May 11. On September 2, the ICC opened the trial of Bosco Ntaganda, who faces 18 counts of war crimes and crimes against humanity allegedly committed in Ituri province in 2002 and 2003. He faced no charges for alleged crimes later committed in North Kivu province. The ICC prosecutor has said that her office is continuing investigations in Congo.

On December 19, two Congolese rebel leaders convicted at the ICC, Germain Katanga and Thomas Lubanga, were returned to Congo to serve the remainder of their ICC sentences in Kinshasa. Katanga faces national war crimes charges in Congo that were filed against him before he was transferred to the ICC.

On September 28, a court in Stuttgart, Germany, convicted Ignace Murwanashyaka and Straton Musoni, respectively the former president and vice president of the FDLR, and sentenced them to 13 and 8 years in prison. Murwanashyaka was found guilty of war crimes in relation to five FDLR attacks in eastern Congo and of leading a terrorist organization. Musoni was found guilty of leading a terrorist organization but acquitted of war crimes and crimes against humanity.

From April 27 to May 2, the Congolese Ministry of Justice and Human Rights convened a large conference in Kinshasa to evaluate its judicial reform program and recommend priority reforms that should be implemented, including the establishment of specialized mixed chambers to prosecute war crimes and crimes against humanity committed since the 1990s.

In August, the civilian Appeals Court in Lubumbashi opened a trial against 34 members of the Luba and Batwa communities in northern Katanga for crimes against humanity and genocide, a first for Congo's civilian courts.

FRPI leader Justin Banaloki, known as Cobra Matata, was arrested in Bunia on January 2 and charged with war crimes and crimes against humanity. At time of writing, he had not been brought to trial.

Ntabo Ntaberi Sheka, wanted on a Congolese arrest warrant for crimes against humanity for the mass rape of nearly 400 people in 2010, remained at large at time of writing. His troops continued to commit serious abuses.

No progress was made in bringing to justice those responsible for the summary executions of at least 51 young men and boys and the enforced disappearance of 33 others during a police campaign in Kinshasa, known as Operation Likofi, from November 2013 to February 2014, or for the summary executions during the January demonstrations.

The government failed to exhume the mass grave in Maluku, a rural area about 80 kilometers from Kinshasa, where it admitted burying 421 bodies on March 19. On June 5, family members of those forcibly disappeared or executed by Congolese security forces during Operation Likofi and the January demonstrations filed a public complaint with the national prosecutor requesting exhumation.

Key International Actors

Little progress was made in implementing the “Framework Agreement” signed in February 2013 by 11 African countries (later joined by two other countries) to end the rebellion of the M23—an abusive Rwandan-backed armed group defeated in November 2013—and address other regional security issues. Many former M23 fighters and commanders remained in Uganda and Rwanda, including six former officers sought on Congolese arrest warrants for war crimes and crimes against humanity who are also listed on UN and US sanctions lists.

In July, the US State Department appointed Thomas Perriello as new US special envoy for Congo and the Great Lakes Region, succeeding Russ Feingold. Perriello and other senior US officials continued to raise concerns publicly about the importance of national elections being held on time to prevent further violence, repression, and instability.

The UN, US, and European countries publicly condemned the arrests of pro-democracy youth activists, and in July, the European Parliament adopted an urgency resolution calling for their immediate release and condemning other acts of political repression.

In October, UN Secretary-General Ban Ki-moon appointed Maman Sidikou, a former foreign minister of Niger and senior African Union official, as his special representative in Congo and head of MONUSCO, succeeding Martin Kobler. Sidikou will be tasked with implementing MONUSCO's strong mandate in support of human rights and the rule of law during what is likely to be a volatile elections period in Congo.