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Briefing Notes Summary

Group 62 – Information Centre for Asylum and Migration

Democratic Republic of the Congo – July to December 2022

01 January 2023

04 July 2022

UN: Further deterioration of the situation relating to security, human rights and humanitarian needs in eastern Congo, EAC regional force

The UN Special Representative and Head of the UN Stabilisation Mission in the DR Congo (MONUSCO), Bintou Keita, informed the UN Security Council on 29.07.22 that the security situation in the eastern Congolese conflict provinces has further deteriorated. The ongoing activities of non-state armed groups threatened to undo the improvements achieved in security and stability in eastern Congo, he said. According to Keita, the resurgent rebel group Mouvement 23 (M23) gained better firepower and sophisticated equipment and is increasingly behaving like a conventional army rather than an armed group. The M23, an increasing threat to civilians, has killed several civilians and displaced around 170,000 people in the Rutshuru and Nyiragongo territories of North Kivu province alone, he said. In response to the M23 rebellion, multinational and Congolese forces were deployed to the Petit Nord region (North Kivu), with far-reaching implications for the security, human rights and humanitarian situation in eastern Congo. Other non-state armed groups, including the Forces démocratiques alliées (ADF) and the ethnically oriented Coopérative pour le développement du Congo (CODECO), had taken advantage of the ensuing security vacuum to step up their attacks and reprisals in North Kivu and Ituri, he informed. In the period 28.05.22 to 17.06.22, more than 150 civilians were killed in these two provinces alone. Only recently, the UN Group of Experts on DR Congo reported that the security and humanitarian situation in North Kivu and Ituri has worsened since the state of siege came into force in May 2021. Keita also mentioned that against the backdrop of the ongoing regional tensions, there has been an increase in hate speech and calls for violence, mainly directed against Rwandophones and Rwandans. Recently, there have been several media reports of ethnically motivated violence and killings against Rwandan, Rwandophone and Tutsi people as well as Banyamulenge Tutsi or people suspected of being such, merely because of their physiognomy or language (cf. BN of 20.06. and 27.06.22).

In addition to the UN-mandated military operations and the joint military operations of the Congolese and Ugandan armed forces (cf. BN of 06.12.21), a further military offensive will begin in eastern Congo at the end of July 2022 with the deployment of an East African Community (EAC) intervention force with the aim of securing stability and peace. The regional force's size and the duration of its mission are not yet known. It is composed of forces from South Sudan, Burundi, Uganda, Kenya and excludes the EAC member state Rwanda, and will be deployed in the two Kivu provinces and Ituri. There are some fears in civil society and opposition circles that the regional force could further exacerbate insecurity and instability. Some EAC member states are responsible for, or are accused of, having perpetrated direct or proxy attacks, serious human rights violations and destabilisation efforts in the DRC in the past. In addition to Rwanda, Uganda, Burundi and, to some extent, South Sudan are confronted with non-state armed groups that maintain bases in eastern Congo, operate from there and, as a result, cause instability within those countries.

ECiDé party member acquitted, lower court military verdict against Lucha member overturned

According to UN Information Radio Okapi, the Buma Court of First Instance, in a verdict of 24.06.22, acquitted Luc Laembe, a member of the opposition party Engagement pour la Citoyenneté et le Développement (ECiDé) and spokesperson for the opposition LAMUKA platform in Ituri. Laembe had been imprisoned for more than six months and charged with "spreading false, disturbing rumours". The court ordered his release from prison. Furthermore, on 23.06.22, the military court of North Kivu, as a court of appeal, had annulled a first military sentence against twelve members of the civil society protest movement Lutte Pour Le Changement (LUCHA) on the grounds of lack of jurisdiction after the reinstatement of civilian criminal jurisdiction in the meantime (cf. BN of 13.06.22) and referred the case to a civilian court. The LUCHA members who protested the state of siege and were each sentenced to twelve months imprisonment in absentia for civil disobedience, among other things, in April 2022 (cf. BN of 04.04.22), were still in custody.

11 July 2022

The problem of torture practices continues after the change of power

Referring to a preliminary report by several NGOs, the Congolese news website La Prospérité reported on 07.07.22 that torture, including such resulting in death, continues to be used even after the change of the country's leadership. Since those affected do not always openly denounce torture, a certain number of unreported cases can be assumed. The NGOs complain above all about a "resurgence" of the use of torture by the national security services, especially by the domestic intelligence service (ANR). The ANR, which served as an instrument of repression and suppression under former President Joseph Kabila, continues to be criticised for maintaining practices that violate the constitution and human rights, despite the reform efforts of President Félix Tshisekedi (cf. BN of 25.04.22 and 21.03.22). The NGO Réseau pour les droits de l'homme (REDHO) reported that in the first half of 2022, three cases of torture resulting in death were documented in the Lubero territory of North Kivu province alone, where a state of emergency is still declared. While two cases were committed in a detention centre run by the Congolese Armed Forces (FARDC), one case was attributed to the ANR. In these cases, some suspects were arrested.

Fight against early marriages

According to consistent media reports, the Congolese government condemned early marriages at a meeting of the Council of Ministers on 01.07.22, according to the government, these occur mainly in rural regions. Since an amendment of the family law of 15.07.16 set the age limit for marriage at 18 years, early marriages of young girls have increased, among other things to pay off their parents' debts. Various ministries had been tasked to take appropriate measures to combat and stop early marriages, including enforcing laws prohibiting early marriage nationwide and conducting awareness campaigns in rural areas. According to the Minister of Communications and Media, Patrick Muyaya, early marriages are based, among other things, on a traditional understanding of women's roles, which is limited to household chores and procreation.

UN fears further worsening of food situation, M23 rebels reject de-escalation agreement

Citing UN figures, media report that food insecurity continues for over 27 million people in the DRC. Due to the ongoing armed fighting between the rebel group Mouvement 23 (M23) and the FARDC in parts of North Kivu, which has already displaced an estimated 170,000 people (cf. BN of 04.07.22), the UN assumes that the already precarious food situation in the country could continue to deteriorate. In the meantime, the M23 rejected the de-escalation agreement between DR Congo and Rwanda, which was concluded under Angolan mediation on 06.07.22, on the grounds that the Congolese government could only negotiate a ceasefire with the M23 itself as a Congolese group. The agreement provides, among other things, for the immediate cessation of hostilities and the immediate and unconditional withdrawal of M23 rebels from DR Congo, in addition to the normalisation of relations between the two countries. There are reports of new clashes between the M23 and the FARDC in the territory of Rutshuru (North Kivu).

18 July 2022

UN Annual Report: High number of child-specific human rights violations

According to the UN report of the Security Council Working Group on Children and Armed Conflict (CAAC), published on 11.07.22, the DRC is among the states in which the most serious human rights violations against children were recorded in the reporting year 2021, including killings, recruitment and use in armed conflicts, abduction, sexual and gender-based violence. Mostly non-state armed groups were responsible for the violations, which occurred mainly in the provinces of North Kivu, Ituri, South Kivu, Maniema, and Tanganyika, the report said. UN Secretary-General António Guterres expressed concern about the high number of serious child-specific human rights violations. He said the growing number of such violations by government forces, including the killing and maiming of children and attacks on schools and hospitals, particularly in North Kivu and Ituri, was also very alarming. Guterres called on the government to release children detained for alleged links to armed groups and to treat them in line with the 2013 government guidelines and international principles of juvenile justice. He also said the government must make greater efforts to combat and prevent sexual violence against children. He said that the armed forces are responsible for a persistently high number of such cases.

25 July 2022

HRW: Disastrous human rights and humanitarian situation, little progress in reform since change of power

Human Rights Watch (HRW) described the human rights and humanitarian situation as "disastrous", even years after the change at the head of state. The report goes on to say that this is particularly true in the eastern conflict provinces, where massacres and crimes against the civilian population continue and some 2,600 civilians have been killed since the state of siege came into force in May 2021. The number of internally displaced persons has reached a record high.

So far, the reform efforts of President Félix Tshisekedi have not brought about a fundamental change in the human rights situation. Critical voices continue to be silenced and democratic space restricted. Under President Tshisekedi, who released political prisoners and allowed exiled persons to return to the DRC during his first year in office, repression against people critical of the government, activists, protesters, and media representatives has increased in the last two years, HRW said. Nor can an intensification of the repressions be ruled out in the coming months in the wake of the general elections scheduled for 2023, according to HRW. The electoral process is fraught with various challenges and conflicts, including an electoral law that was recently passed without consensus, the controversial appointments to the Independent National Electoral Commission against the resistance of the opposition and civil society (cf. BN of 15.11.21 and 25.10.21), and widespread doubts about the fairness of the 2023 elections. Furthermore, there has been insufficient progress in reforming the judiciary and in combating widespread impunity and corruption.

Situation of Rwandophone and/or Tutsi people and Banyamulenge, no recent incidents known

A lawyer of Tutsi ethnicity residing in the provincial capital of Goma (North Kivu) stated under anonymity to The New Humanitarian that persons had been targeted for arrest and interrogation because of their Tutsi morphology or just because they are Kinyarwanda speakers. The lawyer had gone into hiding after the pogrom-like attacks against the Rwandan and Congolese Tutsi population during the mass protest in Goma (cf. BN of 20.06.22). According to him, the situation escalated after the police commander asked the local population to use machetes to defend the city against the "enemy". Everyone knew who was meant by this. No further ethnically motivated, actual or attempted killings and violence against Rwandan, Rwandophone and Tutsi people or members of the Banyamulenge Tutsi or people suspected of being such, merely because of their physiognomy or language (cf. BN of 27.06.22 and 20.06.22), have become publicly known in the country in July 2022 so far.

The president of the Tutsi community in Goma, David Karambi, said that although appeals for calm had been made by local authorities and community leaders, a resurgence of violence could not be ruled out at present because of the overall situation resulting from the resurgence of the Mouvement 23 (M23) rebel group and the tensions with the neighbouring state of Rwanda (cf. BN of 04.07.22 and 11.07.22).

Central and Western Congo: Security situation, inter-communal disputes

On 19.07.22, UNHCR spokesperson Boris Cheshirkov reported on another voluntary repatriation of Congolese nationals from Angola to the western Congolese territories that are under the full control of the Congolese government, and said that the improved security situation in western Congo would provide the returnees with an opportunity to return in dignity and security. The returnees' destinations are various western and some central Congolese provinces, including the provinces of Kasai, Kasai-Central, Kwilu, Sankuru, Lomami, Lualaba and the urban province/capital Kinshasa. Many returnees had fled political and ethnic violence, including the Kamuina-Nsapu rebellion, in the Kasai region (Kasai, Kasai Central, Kasai Oriental, Sankuru, Lomami provinces) between 2016 and 2018. Apart from other damages, the conflicts resulted in over three thousand deaths and an estimated 1.4 million internally displaced persons (IDPs). Since 2020 and up to now, ethnically motivated and/or land-related inter-communal clashes are occasionally reported from the Kasai region and Lualaba province. Past press coverage from 2022 indicated that there had been inter-communal clashes over land in such territories as Katanda (Kasai Oriental), Dimbelenge (Kasai-Central), Ngandajika (Lomami) and Lodja (Sankuru) resulting in deaths, injuries, rapes, burning of houses and displacement.

01 August 2022

UNHCR: Surge of civilian casualties in eastern Congo; security situation of the civilian population in Ituri

On 22.07.22, UNHCR expressed concern about the increasing number of civilian casualties caused by attacks of non-state armed groups on civilians and IDP camps in the affected provinces of eastern Congo.

According to the US monitoring group Kivu Security Tracker (KST), around 2,600 civilians have been killed in the two eastern provinces of North Kivu and Ituri alone since the state of siege came into force in May 2021 (cf. BN of 18.07.22). According to the KST, in Ituri the security situation deteriorated further in the second half of 2021 (cf. BN of 07.02.22), and according to UN figures, more than 800 civilian deaths were documented there in the period between February and June 2022. Almost 90 % of the registered victims were killed in attacks on IDP camps or directly in their former places of origin or return.

Several deaths in Kalemie Central Prison (Tanganyika)

According to UN information radio Okapi, the prison warden of the significantly overcrowded Kalemie Central Prison (Tanganyika) reported that four deaths had been documented there in July 2022 alone. The main causes were lack of food and health care, poor hygiene and sanitary conditions, and inadequate air supply. The prison is allegedly laid out for 250 people, but currently holds 900 inmates, of these 100 people are said to be malnourished.

Arrest of the National Secretary of the FCC

According to a media report citing a statement by former President Joseph Kabila's ruling alliance Front Commun pour le Congo (FCC), the domestic intelligence service (ANR) has detained the FCC's national secretary Jimmy Kitenge, since 26.07.22 without access to legal counsel or a visit. Kitenge was reportedly detained by the ANR as he was leaving the studio of the Canal Congo Télévision station. An anonymous source close to the ANR told Radio France International that Kitenge was remanded in custody for "offensive remarks against authorities and institutions".

Deaths, injuries, and arrests in various protests in eastern Congo

According to Okapi radio, on 27.07.22 police forces broke up a protest - previously banned by the authorities - of students of the University of Kalemie (UNIKAL) in the provincial capital Kalemie (Tanganyika) using excessive violence and live ammunition. One student was killed, five others were injured, some seriously, and several students were arrested. The students, some of whom were violent, set up barricades and torched car tyres, and fought back at the police with projectiles. While the Kalemie police commander stated that only one police officer fired live rounds at the student protest and was therefore arrested, the Tanganyika Provincial Minister of Education, Koya Mawazo, condemned the use of live rounds by several police officers in a statement dated 26.07.22. He said that the student protest had been triggered by the provincial governor's interference in academic matters of UNIKAL.

Attacks on UN mission MONUSCO

According to consistent media reports, massive and largely violent protests against the presence of the UN Stabilisation Mission in the DRC (MONUSCO) were staged in various eastern Congolese towns, particularly in Goma, Butembo and Beni (each in North Kivu Province) and Uvira (South Kivu) between 25.07. and 27.07.22. Several MONUSCO bases and sites were attacked, looted and vandalised. According to recent media reports, at least 22 people lost their lives, including at least 16 civilians and three MONUSCO forces, more than 67 people were injured, some seriously, and several protesters were arrested by Congolese security forces. As yet it is unclear who is responsible for the killings of the civilians. According to eyewitnesses, either the UN troops or the Congolese police and security forces are responsible. MONUSCO and the Congolese government announced investigations into the incidents. The protesters, who demanded the withdrawal of the multinational troops, accuse MONUSCO, which has been present in the DRC for over 20 years and currently has more than 16,000 armed and police forces deployed, of failing to effectively protect the civilian population (in accordance with its mandate) from the ongoing attacks by the various armed groups. The anti-MONUSCO protests were preceded by calls for the withdrawal of the mission by the youth wing of the ruling party Union pour la Démocratie et le Progrès Social (UDPS) in Goma and by the Congolese Senate President, Modeste Bahati, during a visit to Goma on 15.07.22. According to media reports, the situation is tense but calm. There are still calls for anti-MONUSCO protests. On 31.07.22, UN peacekeepers were prevented from crossing the border at Kasindi border post in Beni territory (North Kivu) near Uganda and opened fire after a verbal altercation. According to the Congolese government, two people were killed and 15 others injured.

08 August 2022

Kinshasa: Arrest of an ECiDé party member

On 06.08.22, Martin Fayulu, leader of the opposition party Engagement pour la Citoyenneté et le Développement (ECiDé), called for the release of party member Marie Masemi, who had been arrested at her home in the capital Kinshasa on 05.08.22. According to Luc Malembe of ECiDé, the "illegal abduction" ties in with Masemi's anti-government stance. An anonymous police source told UN Information Radio Okapi that Masemi was arrested mainly because of her "insults and defamatory remarks against the authorities" and is currently being held at a police station in Kinsahsa. According to Okapi, Masemi is known on social media for her statements against the government's leadership and regularly participates in protests organised by ECiDé. In the current reporting year, arrests and criminal proceedings including convictions of ECiDé members who had protested or expressed criticism became publicly known (cf. BN of 07.03.22, 25.04.22 and 04.07.22.).

Western Congo: Inter-ethnic clashes leave several people dead and others wounded

Okapi reported violent inter-ethnic and inter-communal conflicts in the western Congolese provinces of Mai-Ndombe and especially Kwilu since late July 2022. Since 24.07.22, continuing conflicts between the local Teke and non-local ethnicities, particularly the Yaka, in several localities of Kwamouth area in the Bateke Sud groupement (Mai-Ndombe) had resulted in several deaths and injuries, burning of houses and looting during attacks and counter-attacks. The Teke were trying to drive the non-local groups off their ancestral land. In various parts of Kwilu province, violent inter-ethnic clashes between different population groups, including Kombana and Kiehu, Lunda, Okum and Banzadi, related to disputes over land rights, some of which had been going on for decades, resulted in several deaths and some seriously wounded people, kidnappings and internal displacements as well as considerable damage to property. According to an NGO, on 26.07.22 the Congolese military used live ammunition against people resisting arrest in the village of Yolo Banzadi in the Idiofa (Kwilu) area, killing at least one person and injuring four others.

Lualaba Province: Serious human rights violations in police operation to fight crime

According to media reports, police used excessive force and harshness against suspected criminals during a large-scale police operation to combat (juvenile) crime in Kolwezi, the provincial capital of the southern Congolese province of Lualaba. Local sources reported both indiscriminate arrests, including of minors and school children and parents coming from work, and that persons were shot, tortured, died in police custody or were subjected to forms of forced labour by police forces. According to Chadrack Mukad'End, chairperson of the Lualaba Civil Society, 15 people were killed. Other civil society sources say that at least three people were killed and several injured,

including by beatings and ill-treatment during arrests. Several families reported people disappearing without leaving a trace. On 07.08.22, the Interim Provincial Governor, Fifi Masuka, speaking of lapses by individual police officers, confirmed three deaths among youths, attributing one death to drug abuse and two others to violent clashes between unspecified parties in police custody. The police operation will continue in Lualaba, alleged offences and crimes by police officers will be investigated and anyone responsible will be held accountable, Masuka added. He said that with this police operation the provincial government intended to prosecute hundreds of juvenile delinquents, to rid the town of beggars as well as street children. According to official figures, 200 to more than 280 "criminal" youths, commonly known as "kulunas" in DR Congo, were arrested. Some of them were released and almost 200 of the arrested were taken to Kaniama Kases (Haut-Lomami province) for rehabilitation and social reintegration.

Eastern Congo: precarious humanitarian situation, drastic underfunding jeopardises UNHCR programmes

UNHCR's Director of External Relations, Dominique Hyde, said on 02.08.22 that since the beginning of 2022, UNHCR is unable to effectively respond to the vastly increased humanitarian needs of the approximately 500,000 refugees and 5.6 million internally displaced persons in the DRC due to lack of funding. The DRC is one of the most underfunded UNHCR operations in the world, she said. By the end of June 2022, only 19% of the required USD 225 million had been received. The consequences for refugees and IDPs are acute and far-reaching. 82% of internally displaced persons nationwide face the loss of adequate support to find shelter. Those affected are forced to sleep in churches, schools, stadiums, in the open air or to return prematurely to their places of origin. Fighting between Congolese armed forces and non-state armed groups had internally displaced a further 160,000 people in North Kivu province alone since April 2022, while attacks on civilians in Ituri province had resulted in 800 deaths and forced 20,700 people to flee, she said. According to UNHCR, new waves of displacement are increasing pressure on areas already lacking basic services. According to the NGO Médecins Sans Frontières, the resurgence of violent clashes in the territories of Rutshuru and Nyiragongo (both in North Kivu) is exacerbating the already dire humanitarian situation North Kivu has been experiencing since June 2022, with an estimated 1.6 million internally displaced people and over 2.5 million vulnerable people. According to figures from the end of 2021, the DRC had the highest level of acute food insecurity in the world, with an estimated 27 million people suffering from acute hunger (cf. BN of 15.11.21).

15 August 2022

ANR: arbitrary arrests and prolonged detention without charges and trials

On 05.08.22, the NGOs Association Congolaise pour l'Accès à la Justice (ACAJ) and Justicia Asbl reported 30 known cases of arbitrary arrests by the National Intelligence Service (ANR) followed by indefinite detention without charge or trial. The NGOs called on President Félix Tshisekedi to take appropriate action to stop human rights violations perpetrated by the ANR and to initiate a fundamental reform of the security services. The ANR, which served as an instrument of repression and suppression under former President Joseph Kabila, continues to be accused of practices that violate fundamental laws and human rights, including the use of torture (cf. BN of 11.07.22, 25.04.22 and 21.03.22).

Former close presidential ally indicted, action against opposition members

According to media reports, Jean-Marc Kabund, once a close ally of President Tshisekedi, who joined the opposition in July 2022, was arrested on 09.08.22 after his parliamentary immunity was allegedly waived. He has been held in pre-trial detention in Makala Central Prison in Kinshasa ever since, although the Court of Cassation, the highest and final court instance, ordered house arrest on 12.08.22 following a successful application by the defence. Kabund had been charged with "public insult, damaging accusations, insulting public authorities, insulting the head of state and spreading false rumours", among other things. Kabund had already declared is presidential candidate for 2023 and allegedly he had publicly criticised the current rulers at the launch of his Alliance pour le Changement (A.CH) party on 18.07.22. A.CH denounced the politically motivated prosecution and instrumentalisation of the judiciary and the authorities. Kabund, former Secretary General and Interim President of the presidential party Union pour la Démocratie et le Progrès Social (UDPS), was expelled from the UDPS at the end of January 2022 and resigned from his position as First Vice President of the National Assembly at the end of March 2022. The leader of the opposition party Engagement pour la Citoyenneté et le Développement (ECiDé), Martin Fayulu, described the

recent arrests and detentions of opposition figures Kabund, Jimmy Kitenge of the former ruling party *Peuple pour la Reconstruction et la Démocratie* (PPRD) of former President Kabila (cf. BN of 01.08.22) and ECiDé member Marie Masemi (cf. BN of 08.08.22), who has since been released, as cases of political imprisonment. Kabund is the second person from President Tshisekedi's inner circle to be arrested and imprisoned, after François Beya (cf. BN of 21.04.22 and 14.02.22), the former special advisor to the president on security issues, who is currently still in prison and whose application for provisional release on health grounds is to be heard by the High Court of Justice on 15.08.22.

22 August 2022

François Beya and Jean-Marc Kabund: further developments

Former Special Adviser to the President on Security Affairs François Beya (aka François Beya Kasonga) was granted provisional release on health grounds by the High Court on 16.08.22 (cf. BN of 15.08.22, 21.04.22 and 14.02.22). Beya was ordered to attend all hearings in his trial, to refrain from making statements that may disturb public order and not to leave the country without the knowledge of the judges. Beya, his private secretary and three senior security officers are charged with conspiring and insulting the head of state, violating orders and inciting the military to commit acts in breach of duty and discipline respectively. Beya denies the charges. He considers himself a personal prisoner of the head of the National Intelligence Service (ANR). The provisional release was preceded by the transfer of the case to other judges; those previously in charge had repeatedly refused to grant such a release. On 19.08.22, Beya flew to Paris for several weeks of medical treatment. The flight had been permitted by the High Court and President Félix Tshisekedi, who is said to have not yet officially relieved Beya of his duties as special advisor. Jean-Marc Kabund, once a close ally of Tshisekedi and now with his own party *Alliance pour le Changement* (A.CH), remains detained in Makala prison despite the Court of Cassation's decision on 12.08.22 to transfer Kabund to house arrest (cf. BN of 15.08.22), this follows from a media report on 21.08.22.

Western Congo: continuation of inter-ethnic clashes

According to media reports, 15 people were killed in inter-ethnic clashes between the Teke and Yaka communities in Mai-Ndombe province on 19.08.22 alone (cf. BN of 08.08.22). 31 others were reportedly injured in the attack in Masia-Kwa village (Kwamouth area), according to a report based on information provided by a member of parliament from the region. The central government, criticised for its lack of visible response to the conflict, announced on 19.08.22 that it would send a mission to the region.

EAC regional force: Burundi sends first contingent

Burundi has become the first East African Community (EAC) state to send a contingent as part of the regional stability and peacekeeping mission in eastern DR Congo (cf. BN of 04.07.22), which was due to start already at the end of July 2022. Burundi is said to be particularly interested in pursuing the Red Tabara rebel group (cf. BN of 13.06.22 and 07.02.22).

29 August 2022

Human rights NGOs: Prison conditions remain poor in DR Congo

According to media reports, 15 NGOs as well as the NGO Bill Clinton Foundation for Peace (BCFP) criticised the harsh and life-threatening conditions in the DR Congo's prisons and detention centres, all of which suffer from overcrowding, in a joint report published on 24.08.22. According to the report, living, hygiene and sanitary conditions as well as food and medical supplies are problematic. Detainees are forced to sleep standing up, on the floor or in sanitary facilities. Meals provided in detention centres are one-sided and of poor quality, with some detainees not even having access to such food. It is known that the detention conditions caused deaths. According to Emmanuel Cole, BCFP Chairperson in the DR Congo, the Minister of Justice, Rose Mutombo Kiese, has not lived up to her 2021 promises for the improvement of detention conditions in the country, particularly the reduction of overcrowding and the improvement of food and health services. According to Cole, the current overcrowding in prisons is also linked to the "abuse of power" by some judges, who are accused of negotiating provisional release from prison in exchange for money.

Moreover, according to the BCFP, the unofficial dungeons (so-called "cachots") of the past, where people were held incommunicado, subjected to harsh conditions and physical abuse, are still in operation and full of detainees, despite the closure order issued by President Félix Tshisekedi after taking office. These conditions of detention are particularly precarious.

The NGOs called for the closure of all illegal detention centres in accordance with presidential closure orders, an end to arbitrary and unlawful arrests and detentions by state security forces, including prolonged detention without charge or trial, and speedy criminal trials and pre-trial detention proceedings in accordance with the law.

Central Congo: Mistreatment and family exclusion of a girl accused of witchcraft

Citing a police source, the UN information radio Okapi on 24.08.22, reported the arrest and announcement of the prosecution of a woman in the city of Boma in the western Congolese province of Congo-Central for mistreating a twelve-year-old girl accused of witchcraft. At the behest of her maternal aunt, the perpetrator had burnt the girl, who had been excluded from the family circle because of the accusation of witchcraft, with fire on several parts of her body, including by placing the naked girl on embers during an exorcism ceremony. According to the police, the purpose of the torture was to elicit a confession from the girl that she was a witch and at the same time to liberate her from being a witch. The police intervened after the maternal grandfather filed a police report about the incident. Belief in witchcraft is widespread throughout the country and among all sections of the population, whoever is accused of witchcraft faces various human rights violations and forms of discrimination (cf. BN of 13.12.21, 27.09.21 and 23.05.22).

Rutshuru Territory (North Kivu), Djugu (Ituri): Humanitarian and Human Rights Situation of IDPs

According to the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), at least 1.5 million internally displaced persons (IDPs) in North Kivu province, which has been affected by significant militia and rebel violence, are in need of substantial emergency humanitarian assistance. Citing OCHA, a media report stated that ongoing armed hostilities between the Tutsi-dominated rebel group Mouvement 23 (M23), officially classified as a terrorist organisation by the Congolese government, and Congolese armed forces have internally displaced at least 20,000 more people in the territory of Rutshuru (North Kivu) since early August 2022 alone. The fighting had already internally displaced an estimated 170,000 people in Rutshuru and Nyiragongo territories (North Kivu), according to UN data from July 2022 (cf. BN of 04.07.22). OCHA reports that at least 156 civilians have been killed in Rutshuru territory only in the period January to July 2022, and 1,608 human rights violations and abuses against civilians have been documented in the period May to July 2022, according to unnamed humanitarian partners.

Meanwhile, UN Information Radio Okapi, referring to Ituri civil society, reported that more than 100,000 people in the Bahema Baguru and Mabisa areas of Djugu Territory (Ituri) are experiencing dire basic living conditions that have already led to new cases of malnutrition including eight child deaths. The situation is attributed to the activities and attacks of the ethnic militia Coopérative de développement du Congo (CODECO), which is one of the most dangerous non-state armed groups in the DRC. Ituri civil society called on CODECO militia leaders, who continue to be blamed for massacres of civilians and further attacks on civilians in Djugu territory, to honour their unilateral commitment of 04.06.22 to cease hostilities and participate in the peace process (cf. BN of 13.06.22).

05 September 2022

Kinshasa: Suppression of an A.CH protest, arrest of several journalists

UN Information Radio Okapi reported that on 29.08.2022, the police dispersed of a protest by members and sympathisers of the recently formed opposition party Alliance pour le Changement (A.CH) of the imprisoned Jean-Marc Kabund, the former close ally of President Félix Tshisekedi, in the capital Kinshasa. An A.CH party spokesperson, who pointed out that the protest had been properly registered with the relevant authorities, denounced police brutality without giving further details. The protesters demanded the enforcement of the Court of Cassation's last instance ruling of 12.08.22 to transfer Kabund, who remains in Makala Central Prison, to house arrest as requested. At the same time, they demanded the complete cessation of the prosecution, which they described as politically motivated because of Kabund's harsh criticism of the government (cf. BN of 08.08.22 and 22.08.22).

According to media reports, the Observatory for Press Freedom in Africa (Olpa) condemned the arrest of three journalists who wanted to report on this opposition protest, on 31.08.22. The police forces had arrested the

journalists on the assumption that they belonged to the A.CH party and had held them temporarily in police custody. The interrogating police officers had extorted money from the journalists to ensure that they would be treated "with dignity" while in police custody.

Lualaba Province: Several human rights defenders arrested

Citing the NGO Voie Citoyenne (VOICI), Okapi reported on 02.09.22 that six human rights defenders in the Lubudi territory of the southern Congolese province of Lualaba had been arbitrarily arrested by unspecified security forces and taken into incommunicado detention. The victims include a member of civil society and the chairperson of the cultural association, Lwanzo Iwa Mikuba. The arrests were made a fortnight ago without giving any reason. The Congolese authorities in the Lubudi territory did not respond to Okapi's inquiries about these cases.

South Kivu Province, Mwenga and Uvira Territories: More internal displacement, situation of IDPs

According to the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), more than 50,000 people were internally displaced between March and August 2022 in the conflict province of South Kivu alone. Recent waves of displacement due to rebel and militia violence and insecurity had been documented in parts of Uvira and Mwenga territories. The situation of the internally displaced is described as precarious. The humanitarian and security situation of the population in parts of Mwenga, Uvira and Fizi territories has repeatedly been described as critical (cf. BN of 25.10.21 and 14.02.22).

Mai-Ndombe Province: Ongoing interethnic conflict between Teke and Yaka

The media continue to report of killings, violence, burning of houses, looting and other human rights violations caused by the inter-ethnic clashes between the Teke and Yaka ethnic groups that have been ongoing for weeks in areas of Kwamouth territory in the western Congolese province of Mai-Ndombe (cf. BN of 08.08.22 and 22.08.22). According to government figures of 31.08.22, more than 30 people lost their lives so far, while local civil society estimates more than 35 dead. Six members of the security forces deployed to the region for pacification had been killed. Some non-governmental sources said security forces were responsible for extralegal killings as well as involvement in looting in some villages. The provincial authorities closed a major highway (N17) to civilian traffic on 31.08.22 after members of an unspecified armed ethnic group set up road barriers at various points to identify members of hostile ethnic groups during systematic identity checks. Several people were killed. As a result of the inter-ethnic clashes, more than 6,000 people have already been internally displaced, according to OCHA, while civil society sources speak of more than 10,000 refugees, mainly fleeing to Bandundu (provincial capital of Kwilu) and Mongata village (Kwango province). Various sources unanimously describe the situation of the IDPs as precarious. Some sources attribute the conflicts to the increase in a customary-law levy on agricultural produce that non-Kwamouth ethnic groups, including the Yaka, but also Suku, Mbala and Songe, are required to pay to the Teke. The violent and deadly clashes are considered to result from the forced collection of these customary-law levies, which allegedly include detentions and other treatment considered to be inhumane. For their part, the Teke accuse the Yaka of making attempts to install their own tribal leaders on ancestral Teke land. The government expressed concern about an escalation of tensions and the spreading of the conflicts to surrounding regions or provinces. Civil society actors fear that the conflicts could follow a similar course as the inter-ethnic conflicts between the Ntende and Nunu ethnic groups in late December 2018 in the Yumbi territory of Mai-Ndombe province, which according to UN reports left 500 people dead and destroyed several villages.

12 September 2022

UNJHRO report: Significant decrease in human rights violations in July 2022

According to the United Nations Joint Human Rights Office in the DRC (UNJHRO), 371 human rights violations and abuses were documented across the country in July 2022, including summary and extra-judicial executions of at least 200 civilians. This represented an overall decrease of 22% compared to June 2022 (475 incidents), which was mainly due to a reduction in human rights violating incidents attributable to state actors (-30%). While the police and armed forces were responsible for most incidents among state actors, 75% of all documented incidents were attributable to armed non-state actors operating in the conflict provinces. Attacks by national Mai-Mai groups and the ethnically oriented factions of the Coopérative de développement du Congo (CODECO) had increased significantly. While the number of attacks by the foreign radical Islamic armed group Forces démocratiques alliées

(ADF) in the eastern conflict province of North Kivu had decreased, the number of ADF attacks in the neighbouring conflict province of Ituri had gone up drastically. However, according to UNJHRO, cases of conflict-related sexual violence against adults had also increased, mainly perpetrated by armed non-state groups.

Ituri: Forced recruitment of minors by ADF and allies, situation of child combatants

Citing the NGO Convention for the Respect of Human Rights, the UN information radio Okapi reported that the ADF and its allied Maï-Maï group of the Kyandenga were forcibly recruiting school-age youth as well as children in the territories of Irumu and Mambasa in Ituri province. While according to the UN Sanctions Committee, minors should no longer be part of or deployed in the Congolese armed forces, forced recruitment and deployment of child combatants among various armed non-state groups is widespread in various conflict provinces (cf. BN of 15.11.21). In the past, the UN Committee on the Rights of the Child (CRC) has reported that the reintegration of former child combatants, into society is problematic as adequate rehabilitation services were lacking. Former child combatants especially women, sometimes experience social exclusion and stigmatisation and are therefore susceptible to repeated recruitment by armed groups or to seeking to re-join such groups.

North Kivu: Selective restriction of political freedom rights of provincial deputies

Jean-Paul Lumbu, the Vice-President of the Provincial Assembly of North Kivu Province, which has been under a state of siege since May 2021, told Okapi on 08.09.22 that some provincial deputies are being silenced and repressed. He had also been threatened for his political views. While some provincial MPs could fully exercise their political freedoms, others had their rights restricted, such as Didier Lukogho, who was arrested and detained for organising a political rally. There are other reports of provincial MPs being arrested and detained, for example for their critical stance on the controversial state of siege in the two eastern provinces of North Kivu and Ituri (cf. BN of 14.02.22).

19 September 2022

Another opposition activist charged with insulting the president

According to media reports, the Prosecutor General's Office Kinshasa-Matete filed charges against the former Minister of Relations with Parliament and now coordinator of the extra-parliamentary opposition movement Dynamique pour une sortie de crise (DYSOC), founded in August 2020, Jean-Pierre Lisanga Bonganga, for insulting the President of the Republic and spreading false rumours. The media said that the charge is based on the allegation that Bonganga made a statement in 2019 which amounted to saying that the current President Tshisekedi did not really hold power, that former presidential candidate and leader of the opposition party Engagement pour la Citoyenneté et le Développement (ECiDé), Martin Fayulu, won the 2018 presidential election and that former President Joseph Kabila dominated the "empire". Informal election results of civilian election observers had actually shown Fayulu as the clear winner of the 2018 presidential election (cf. BN of 25.10.21). Bonganga is calling the charges politically motivated because of his public support for the recent statements of Fayulu, whom he calls president. Fayulu had declared on 30.08.22 that since January 2021 each national MP has been receiving a monthly MP salary of USD 21,000 (approx. EUR 22,055, as of 19.09.22), in a country where 70% of the population is living on less than two US dollars a day. The reports further say that Bonganga's supporters fail to understand the reasons for the indictment because of a statement made years ago, especially since Bonganga nowadays officially recognises Tshisekedi as president of the DR Congo. Like Jean-Marc Kabund (cf. BN of 05.09.22), the recently arrested leader of the Alliance pour le Changement (A.CH) party, who is also facing similar charges, Bonganga accuses the political rulers of embezzlement.

ASADHO demands release of imprisoned and convicted members of Bundu dia Mayala/Congo

In a statement dated 13.09.22, the NGO Association Africaine de Défense des Droits de l'Homme (ASADHO) expressed concern about the continued detention of 33 civilian members of the political party Bundu dia Mayala (BDM), which emerged from the political or separatist-religious movement Bundu dia Kongo (BDK) in the late 2000s. The members from the Congo-Central province had either been sentenced to death or to life imprisonment or to imprisonment for several years. The civilians, some of whom are held in the two military prisons (Angenga, Ndolo), had all been arrested for participating in public protests in various towns in Congo-Central Province in 2017, which were organised by the BDK/BDM under the leadership of former Member of Parliament Zacharias

Badiengila, also known as Muanda Nsemi. ASADHO pointed out that the continued detention of this group of people was in violation of the political détente measures ordered by President Tshisekedi after taking office. ASADHO called for legal action against all officers of the National Intelligence Agency (ANR) involved in the arrests and detentions, as well as a presidential pardon for those wrongfully arrested and convicted, as has been issued in other cases since the change in the state leadership. The ANR, which served as an instrument of repression and suppression under former President Joseph Kabila, continues to be accused of maintaining practices contrary to the constitution and human rights, including the use of torture (cf. BN of 15.08.22, 11.07.22, 25.04.22 and 21.03.22).

Maï-Ndombe Province: Inter-ethnic conflict between Teke and Yaka

According to UN Information Radio Okapi, at least 30 people, including children and a village chief, were killed and several houses burnt down during renewed violent clashes in the inter-ethnic conflict between the Teke and Yaka ethnic groups in the Kwamouth territory of the western Congolese province of Maï-Ndombe (cf. BN of 05.09.22). Other sources put the death toll at up to 35. According to Kwamouth Civil Society Vice-President Martin Suta, some people were arrested, including uniformed persons. The Minister of Defence, Gilbert Kabanda Kurheng, informed on 16.09.22 that several leaders of the unrest had been arrested. The regional security situation has deteriorated since August 2022 and the ethnic conflict has intensified. An estimated 20,000 people fled to other provinces (cf. BN of 05.09.22) or abroad. Suta said that the local civil society in Kwango province counted more than 18,000 displaced people, including 285 registered unaccompanied minors.

UN: Highest rate of malnourished people worldwide

According to Bruno Lemarquis, Deputy Special Representative of the UN Secretary-General and Humanitarian Coordinator in the DRC, the total number of undernourished people in the DRC is currently 27 million, the highest rate in the world.

26 September 2022

Violent dispersal of protests of various kinds

UN Information Radio reported on the violent dispersal of protests by security forces. The police used force and tear gas to break up an unregistered protest in the Gombe neighbourhood of the capital Kinshasa on 21.09.22. The protesters demanded wages and bonuses as well as better working and living conditions for an estimated two thousand public sector doctors. There were injuries on both sides and several protesters were temporarily arrested. The National Union of Doctors and the Congolese Ministry of Human Rights both condemned the police action and the excessive use of force and called for an investigation and prosecution of police misconduct. Citing a decree from the governor of Kinshasa, the local provincial commissioner of the national police justified the dispersal of the rally by citing a general ban on protests in the area of where the rally was held. During an allegedly peaceful protest in the town of Beni in the state of emergency province of North Kivu on 21.09.22, 21 members of the civil movement Lutte pour le changement (LUCHA) were arrested. After the use of firearms against protesters in Rutshuru-Centre (North Kivu) on 22.09.22, one protester was killed and four others were injured. According to the authorities, a responsible police officer was arrested and an investigation was initiated. During the protests in North Kivu, participants demanded that the Congolese army liberate Bunagana, a border town in the territory of Rutshuru, that has been under the control of the rebel group Mouvement 23 (M23) for three months.

Eastern Ituri Province: Security situation for the civilian population, numbers of IDP, child combatants

According to the local head of the UN Stabilisation Mission in the DRC (MONUSCO), non-state armed groups killed 179 civilians in the state of emergency province of Ituri in August 2022 alone. Furthermore, the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) announced that it has registered more than 1.7 million internally displaced persons in Ituri since June 2022. The situation of the IDPs is described as precarious. They have no access to shelter, food, drinking water and medical care. MONUSCO's Child Protection Unit, which reported on the repatriation of 235 children from the non-state armed groups in Ituri since the beginning of 2022, stated that children and school-age adolescents were affected by non-state (forced) recruitment and deployment in almost all villages in the territories of Djugu, Irumu, Mambasa, Magahi and Aru. Those affected are forcibly recruited through propaganda and manipulation of their parents, or recruited with money, or have voluntarily joined non-state armed groups due to lack of employment or social support.

Western province of Maï -Ndombe, Kwilu: Ethnic conflict spreads, 100 dead in new clashes

According to media reports, the inter-ethnic conflict between the Teke and Yaka (cf. BN of 19.09.22), initially limited to the territory of Kwamouth in the western Congolese province of Maï -Ndombe, is spreading to the Bagata area of the neighbouring province of Kwilu to the south. Violent clashes in Kwamouth between 21.09 and 23.09.22 had killed nearly 100 people and triggered new waves of displacement.

Arrest and imprisonment of a lieutenant general on various charges including high treason and coup d'état

According to media reports, Lieutenant General Philémon Yav, a key figure in the military apparatus for 25 years and, most recently, also commander of operations against armed groups in eastern Congo, was arrested on 18.09.22 and has since been detained in Makala prison. Yav is charged with treason and preparing a coup d'état for allegedly collaborating with a senior Rwandan army officer involved in a possible coup d'état plot in the DRC. Yav is also accused of deliberately killing a brigadier general in Goma (North Kivu) by poisoning him. According to anonymous sources in security circles, at least 75 members of the armed forces close to the lieutenant general have been arrested in North Kivu. Other anonymous local sources of unknown nature informed that only the heavy weapons of the briefly detained servicemen were seized. Already at the beginning of February 2022, in connection with the arrest of François Beya, former special advisor to President Félix Tshisekedi on security issues and part of the DRC security system for 40 years (cf. BN of 14.02.22), rumours circulated about an alleged failed coup d'état in the DRC.

10 October 2022

UN report: Torture and other forms of abuse remain widespread

According to media reports, a joint report published on 05.10.22 by the UN Joint Human Rights Office (UNJHRO) in DR Congo and the United Nations Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), covering the period from 01.04.19 to 30.04.22, highlights the continuing nationwide use of torture and cruel, inhumane or degrading treatment in a climate of widespread immunity. The report alleges that persons exercising protected basic freedoms, such as freedom of expression or freedom of assembly, risk imprisonment and torture. The report documents 3,618 cases of torture and other forms of abuse nationwide involving at least 4,185 victims, including children, for which it claims members of the Congolese security forces and armed forces and non-state armed groups are responsible in almost equal portions. Cases of torture by non-state armed groups in cooperation with members of the security forces have reportedly also come to light. The report notes that 93 % of all cases documented nationwide have been recorded in the conflict-ridden provinces, where impunity is particularly widespread. The number of prosecutions brought against state and non-state actors on grounds of torture and abuse and the corresponding number of convictions remains small considering the extent of the problem, in addition to which a substantial number of unprosecuted and unexposed cases is to be assumed. Nada Al-Nashif, Deputy UN High Commissioner for Human Rights, states that, while the Congolese government has made efforts to combat torture and abuse, recommendations are rarely put into practice. There are numerous reports of the continued use of torture (resulting in death in some instances) following the changeover of power, in particular by state security forces such as the domestic intelligence service (ANR) (cf. BN of 11.07.22).

Numerous deaths in prison, no evidence of any measures to improve prison conditions

Recent press reports point out that the precarious conditions in the substantially overcrowded prisons, with inadequate healthcare and food supplies, have been responsible for numerous deaths in prison. MONUSCO recorded a total of 93 deaths at eight prisons up to 31.08.22, first and foremost at Goma central prison (North Kivu), followed by Makala central prison in Kinshasa and Bunia central prison (Ituri). These deaths are attributed primarily to malnourishment, tuberculosis and consequences of overcrowding. UN radio station Okapi has reported that eight inmates died at Kalemie central prison (Tanganyika) as a result of malnourishment and medical neglect in the period from 18.09. to 29.09.22 alone. Okapi reports that the food and healthcare situation in this central prison has been critical for some months now, in the face of sustained inaction by the provincial government. The provincial coordinator of the citizens' movement Parlement Debout recently told Okapi that a total of 47 inmates had died at Kalemie central prison since the beginning of 2022, citing a severe or total lack of food and/or healthcare as the main reasons behind these deaths. According to the coordinator, there are a number of acutely malnourished and ill inmates in Kalemie central prison at present.

The NGO Bill Clinton Foundation for Peace (FBCP) has criticised the continuing failure of the government and the judicial authorities to take any action to improve prison conditions since a joint report by several NGOs on overcrowding in prisons was published in August 2022. According to the report, harsh and life-threatening conditions prevail in the prisons and detention centres of DR Congo, all of which are overcrowded (cf. BN of 29.08.22).

Haut-Katanga province: Improvement to security situation makes returns to the province possible

UNHCR spokesperson Boris Cheshirkov, who reported in July on options for safe and dignified return to various provinces in western Congo and to certain central provinces (cf. BN of 25.07.22), has stated that the stable security situation opens up possibilities of people returning to a number of regions in the south-eastern province of Haut-Katanga, without naming any specific regions. Cheshirkov reports that since the end of 2021 Congolese refugees who fled political and inter-ethnic conflicts in the south-east of DR Congo between 2016 and 2017 have been able to return voluntarily with the support of the UNHCR, adding that 11,000 more refugees are set to follow up to the end of 2022.

Situation for Rwandans, Rwandan-language speakers and or people of Tutsi descent; ethnic conflict reaches Kwilu

According to UN radio station Okapi, three youths in Masimanimba territory (Kwilu) in the western Congolese province of Kwilu experienced substantial hostility on 01.10.22 due to their idiom and their morphology, on the basis of which they were assumed to be members of a Nilotic people, to which Tutsi also belong. They were reportedly accused of being infiltrators and/or Rwandan rebels. Police intervention prevented the situation escalating into lethal violence. The youths were taken to the police station and duly released on the same day, after their parents had presented Congolese birth certificates. Reports most recently appeared in June 2022 on numerous ethnically motivated attempted or actual killings and violence against Rwandans, Rwandan-language speakers and people of Tutsi descent, members of the Banyamulenge Tutsi community or people who are suspected of belonging to any of these groups solely on account of their physiognomy or speech (cf. BN of 20.06.22, 27.06.22 and 25.07.22). The western Congolese province of Kwilu is now also affected by the continuing serious interethnic conflict which was originally limited to the neighbouring province of Maï-Ndombe (cf. BN of 27.09.22). President Félix Tshisekedi and others speak of a “black hand” behind this conflict, alluding to the fact that individuals who do not speak any of the country’s languages or dialects have been arrested in Maï-Ndombe.

17 October 2022

Increasing repression of opposition figures and dissidents

According to a press report, Dismas Kitenge, president of the NGO Groupe Lotus and honorary vice-president of the International Federation for Human Rights (FIDH), has expressed his concern to the UN Human Rights Council at the increase in arbitrary arrests and imprisonment of people critical of the government in the run-up to the elections planned for 2023. Kitenge said that the arbitrary practices and repressive methods applied against opposition figures and dissidents by the domestic intelligence service (ANR) is reminiscent of former president Joseph Kabila’s period of government.

Demonstrations broken up by force, arrests

It has been reported in the media that a number of anti-government demonstrations and one protest action were broken up by use of force and many participants were arrested in the period between 10.10. and 15.10.22. Police reportedly used disproportionate force and tear gas to break up a demonstration by the “MBONDA” opposition platform in the Matete district of the capital, Kinshasa, on 10.10.22. A number of demonstrators, including the MBONDA coordinator and leader of the NKITA political party, Jerry Lubala, were allegedly arrested. The demonstrators were calling for elections to be held as planned in 2023 and for an end to the state of siege in North Kivu and Ituri which has been in place since 2021, as well as a reassessment of the role of the contentious UN Stabilisation Mission in the Democratic Republic of the Congo (MONUSCO). In Goma, the capital of North Kivu province, police forces reportedly fired tear gas and warning shots at a spontaneous protest action against increasing police violence since the declaration of the state of siege on 12.10.22. The protesters had set up barricades and set fire to tyres on public roads and at other locations. The protest action is said to have been sparked

by the killing of a young driver by a police officer in the course of a routine traffic check. The police officer has since been arrested. On 15.10.11 police reportedly broke up a demonstration by the civil society protest movement Lutte pour la Changement (LUCHA) in Butembo (North Kivu), arresting 20 members of LUCHA.

The demonstrators were calling for the liberation of the border town of Bunagana in Rutshuru Territory, which has been under the control of the Mouvement 23 (M23) rebel group for four months, and for an end to the state of siege. Several days earlier, LUCHA had called for the release of eight LUCHA members who have been held in custody since 05.10.22 for participating in an officially banned demonstration which the police broke up by force in Kiwandja in Rutshuru Territory. Those arrested include a breast-feeding mother and a disabled person.

Western Congo: Continuing inter-ethnic conflict; humanitarian situation and security

The media continue to carry reports of killings, acts of violence, houses burnt to the ground and other human rights violations in connection with the inter-ethnic clashes between the Teke and Yaka groups which have been ongoing for some months now. The conflict, which was originally limited to Kwamouth Territory in Maï-Ndombe province to the north-east of the capital, Kinshasa, has since spread to the neighbouring province of Kwilu (cf. BN of 05.09.22 and 27.09.22). Reports in the media in October 2022 have most recently cited incidents in Bagaga Territory (Kwilu) and Kwamouth. According to the UNHCR, more than 142 people have been killed and almost 26,000 people, first and foremost children and women, have been internally displaced since the conflict broke out. Thousands have reportedly fled abroad. Other sources put the death toll at over 180 and the number of internally displaced persons at over 35,000. The situation for the internally displaced people, particularly in the regions of Kwilu and Maï-Ndombe, is described as extremely precarious, with corresponding reports of deaths.

Global Hunger Index 2022: Hunger situation “very serious”

NGO Welthungerhilfe assesses the hunger situation in DR Congo as “very serious”, with a Global Hunger Index (GHI) rating for 2022 of 37.8. The country ranks 118th among 121 countries assessed in the index. WHI ratings are calculated on the basis of a combination of the indicators malnourishment, retarded growth and emaciation among children aged under five and child mortality. The NGO states that violent conflicts have contributed to food insecurity in DR Congo. According to the UN coordinator for humanitarian aid in DR Congo, the number of people affected by malnutrition in DR Congo currently stands at 27 million - the highest level worldwide.

24 October 2022

Unlawful arrest and imprisonment of teachers by ANR

The national teachers' union (FOSYNAT) has sharply criticised what it describes as the arbitrary arrest and imprisonment of at least five teachers by the national domestic intelligence service (ANR) in North Kivu province, which is under a state of emergency. To date, the only information forthcoming on this matter has been confirmation from a secret service source to UN radio station Radio Okapi that the prefect of the institute in Goma has been arrested by official order of superiors, without stating any further details.

Kabund family, interference with political freedom of action of the A.CH party

On 14.10.22 the regional court of Kinshasa-Matete sentenced the wife of the detained and indicted chairman of the recently founded opposition party, Alliance pour le Changement (A.CH), Jean-Marc Kabund, to an unsuspended prison term of six months for offences in the area of defamation, and required her to pay damages to the victim to the amount of US\$ 5,000. The victim, who filed the corresponding demand for prosecution, is the vice-governor of Kinshasa, Gérard Mulumba. Kabund, who once belonged to president Tshisekedi's inner circle and faces criminal charges including publicly insulting the president at his party's founding ceremony, remains in prison despite a ruling by the final court of appeal on 12.08.22 that he should be transferred to house arrest (cf. BN of 15.08.22).

Okapi has also reported that youths forced their way into the A.CH's party headquarters in Kinshasa and prevented a political event by the A.CH's women's league on 16.10.22, citing Kabund's imprisonment. Political activities by the A.CH were recently suppressed at a demonstration in Kinshasa, which police reportedly broke up by force (cf. BN of 05.09.22).

Second-highest poverty rate worldwide

Citing a current report from the World Bank, Deutsche Welle has reported that almost 64 % of the Congolese population lived on an average wage of under US\$ 2.15 a day in 2021. The World Bank estimates that almost one in six people exposed to extreme poverty in sub-Saharan Africa live in DR Congo, which has the second-highest number of poor people worldwide.

31 October 2022

Situation of media representatives, increasing repression

The United Nations Joint Human Rights Office (BCNUDH) reports increasing intimidation and threats against media representatives. The office has observed a steady increase since the beginning of 2022 in the number of media representatives who have faced verbal and physical attacks as well as arrest by the domestic intelligence service (ANR) on account of their coverage of current events in DR Congo. An increase in repressive measures against people critical of the government and dissidents was recently reported in the run-up to the elections planned for 2023 (cf. BN of 17.10.22). The disappearance of an international journalist has led to contradictory assertions. Reports citing national and international NGOs indicate that members of the ANR arrested Congolese journalist Steve Wembi in Kinshasa on unknown grounds on 25.10.22 and subsequently placed him in incommunicado detention at a secret location. This version of events has been dismissed as false rumours by Congolese government spokesperson Patrick Muyaya and subsequently also by the head of the NGO Journaliste en danger (JED). According to other sources, two members of Wembi's family and the journalist Pascal Mulegwa, a correspondent of French international broadcaster Radio France Internationale in Kinshasa, were temporarily detained by the ANR on the same day after attempting to obtain information about Wembi's fate. Mulegwa was allegedly subjected to excessive force during his arrest and a short period in secret service custody.

Press reports of media representatives facing repression, restrictions and various forms of harassment have been common in recent months, particularly in the country's crisis-ridden provinces.

Court of appeal overturns conviction of activist and La Véranda Mutsanga leader

On appeal by Fiston Isambiro, one of the leaders of the civil society youth group La Véranda Mutsanga in Beni, the military court of North Kivu has repealed the sentenced passed on 22.04.22 by the military court of first instance in Beni (North Kivu) and referred the case back to the lower court for a new hearing and decision. The court of first instance sentenced Isambiro, a civilian, to an unsuspended prison term of ten years for various military offences.

HRW: The situation of indigenous peoples

In a report published on 28.10.22, the NGO Human Rights Watch (HRW) pointed out that indigenous groups remain exposed to lethal attacks throughout the country. HRW has documented the killing of 66 indigenous Iyeye, including at least 40 children, in the western Congolese province of Tshuapa in 2021, stressing that no one has been held to account for the massacre so far. According to various sources, between 700,000 and two million members of indigenous peoples live in DR Congo. According to HRW, indigenous peoples continue to be refused equality and fundamental rights, in addition to which they face various forms of discrimination, including from institutions. Their access to justice, healthcare and education is commonly restricted. The report further states that indigenous peoples continue to be refused access to their ancestral land or are driven from their land on economic grounds, without receiving any compensation. Indigenous peoples are also confronted with social exclusion and segregation in the face of persistent prejudice and stereotyping. The law to protect the rights of indigenous peoples in the DR Congo is still awaiting ratification by president Félix Tshisekedi.

07 November 2022

North Kivu: Rutshuru under rule of M23; human rights, humanitarian and security situation

On 28.10.22 the UN Security Council expressed concern at increasing activity by non-state armed groups in the conflict-ridden provinces of eastern Congo and the resumption of armed combat operations by the Tutsi-dominated rebel group Mouvement 23 Mars (M23). On 03.11.22 the United Nations High Commissioner for Human Rights (OHCHR), Volker Türk, reported a rapid decline in the already precarious security situation in the eastern province of North Kivu, above all in Rutshuru Territory, and warned of a dire worsening of the human rights

situation. According to reports in the media, the M23 rebels and the Congolese armed forces (FARDC) resumed hostilities in Rutshuru on 20.10.22, following several weeks of quiet. The OHCHR reports that more than a dozen civilians have been killed and at least 40 injured in the renewed fighting, for which the warring parties are blaming each other. Türk estimates that more than 90,000 have fled the area since fighting resumed, while the spokesperson of the Office for the Coordination of Humanitarian Affairs in DR Congo mentions a figure of at least 160,000. The UN estimates that earlier hostilities between M23 and FARDC in parts of North Kivu caused 200,000 people to flee the fighting and led to a number of civilian deaths.

It is unanimously agreed that M23 has almost doubled the territory under its influence and control since 20.10.22 and that Rutshuru Territory is largely under its rule. On 30.10.22, it captured the district capital, Rutshuru Centre, the second-largest town in North Kivu province, and later the largest military camp in North Kivu, Rumangabo. These two locations are situated 70 km and 40 km north of the provincial capital, Goma. Isolated sources refer to fighting close to Goma or directly outside the city. As a result of the large-scale territorial conquests, the city of Goma with its population of over one million is cut off from the northern half of the province, which plays a crucial role in ensuring the supply of goods and food to the city. The already precarious humanitarian situation in North Kivu, and in Rutshuru Territory in particular, has further deteriorated for those living in the areas under M23 rule and for the internally displaced people. The World Food Programme reported as recently as in August 2022 that 94 % of households in Rutshuru Territory are exposed to food insecurity. A number of humanitarian organisations have already left Rutshuru Territory and some have also departed from Goma.

There are reports of parallel administrations being established in the regions which have been under M23's control for some time now, and also in the recently conquered areas. Violence and reprisals against civilians are also reported.

DR Congo has repeatedly accused neighbouring Rwanda of supporting M23. While Rwanda rejects this assertion, it does appear to be corroborated by an unpublished UN report from July 2022 and a statement released by US monitoring group Kivu Security Tracker on 05.11.22. As part of the response to the M23 offensive, the Rwandan ambassador was recently expelled from the country. According to reports in the media, mass protests against Rwanda have occurred in various towns and cities. Congolese police forces reportedly used tear gas and warning shots to prevent demonstrators, some of whom were armed, from crossing the Rwandan border.

Kinshasa: Human trafficking and sexual exploitation

The coordinator of the government agency to prevent and combat human trafficking (APLTP), Cécile Meta, has described the capital, Kinshasa, as a starting point, transit location and destination for human trafficking. Meta claims that human trafficking and people smuggling take place here in part within organised crime structures. Victims of human trafficking who have been lured here or abducted come from various parts of the country, he says. They are transported to Kinshasa by air, road or waterways and accommodated in a number of areas on the outskirts, with those destined for prostitution housed above all in the municipalities of Gombe and Ngaliema. Some victims are allegedly taken abroad.

15 November 2022

Pledge of protection for Rwandan-speaking Congolese of Tutsi and Hutu origin

According to a report in the media, the Congolese president, Félix Tshisekedi, has provided notable Rwandan-speaking representatives of the Congolese Tutsi and Hutu community with guarantees of protection for these ethnic communities from violence and discrimination. The pledges of protection have been provided at a time of increased tensions with neighbouring Rwanda against the backdrop of the continuing fighting in parts of North Kivu province between the Congolese armed forces and the Mouvement 23 Mars rebel group (M23), whose members originate for the most part from the Tutsi people. The allegedly Rwanda-backed group is believed to have large areas of Rutshuru Territory under its control at present (cf. BN of 07.11.2022). There has been no further public knowledge since June 2022 of any pogrom-like and ethnically motivated attempted or actual killings and violence against Rwandans, Rwandan-language speakers and people of Tutsi descent, members of the Banyamulenge Tutsi community or people who are suspected of belonging to any of these groups solely on account of their physiognomy or speech (cf. BN of 20.06.22, 27.06.22 and 25.07.22).

Central Congo: Early marriages

In the period from January 2021 up to and including 14.11.2022, the NGO *Enfant Avenir* has documented more than 800 cases of early marriages in the central Congolese provinces of Kasai-Central and Sankuru alone which involve children born as a result of rape, with negative consequences for the lives and education of those concerned. The government recently condemned the problem of early marriages, which is particularly prevalent in rural areas, announcing education campaigns and the enforcement of criminal law to address the issue (cf. BN of 11.07.22).

Western Congo, Mai-Ndombe and Kwilu provinces: security situation remains tense

Various sources are unanimously agreed that the security situation remains tense and volatile in those parts of the western Congolese provinces of Mai-Ndombe and Kwilu which have been affected for a number of months by ongoing inter-ethnic hostilities between the Teke and Yaka ethnic groups (cf. BN of 05.09.22, 27.09.22 and 17.10.22). According to reports in the media, a number of killings have taken place, other human rights violations have occurred, houses and fields have been burned to the ground and new waves of displacements have been triggered in connection with further armed attacks in Bagata Territory (Kwilu) and in Kwamouth Territory (Mai-Ndombe) to the north-east of the capital, Kinshasa. Security and defence forces have reportedly arrested dozens of people in connection with attacks on various villages in recent weeks.

21 November 2022

Situation for Rwandan-speaking ethnic Tutsis; M23 advance in North Kivu; forced recruitment

Contrary to previously released information, *Africanews* reported on 20.11.22 that numerous Kinyarwanda speakers, such as ethnic Tutsi and Banyamulenge, have been killed in the past two months. The Congolese president, Félix Tshisekedi, recently guaranteed these groups protection (cf. BN of 15.11.22). The victims were reportedly suspected of being allies of the allegedly Rwanda-backed rebel group *Mouvement du 23-Mars* (M23), whose members are predominantly of Tutsi origin. M23, which holds extensive territories along the borders with Rwanda and Uganda in North Kivu (cf. BN of 07.11.22), has continued its advance in Rutshuru Territory and most recently in parts of Nyiragongo Territory, and is heading in the direction of the provincial capital of Goma, a city with a population of around two million. Isolated sources refer to forced recruitment by the M23 rebels in the territories under their control.

UNHCR calls for a halt to compulsory expulsions and removals to the eastern Kivu provinces and Ituri

Referring to a revised UNHCR position paper on returns to eastern provinces of DR Congo, Elizabeth Tan, Director of International Protection, appealed to the international community on 18.11.22 to halt compulsory expulsions and removals of Congolese nationals, including rejected asylum seekers, to the conflict-ridden provinces of North Kivu, South Kivu and Ituri in the east of DR Congo. The UNHCR has expressed concern at the increasing attacks on the civilian population and internally displaced people in eastern Congo, which have claimed more than 1,000 civilian lives since February 2022. Since the beginning of 2022, the UNHCR has recorded more than 50,000 violations of legally protected rights concerning civilians, including internally displaced people and refugees. The number of internally displaced people continues to rise. Prior to the latest large-scale waves of displacements resulting from the continuing fighting between M23 and the Congolese armed forces, the UNHCR had already put the number of internally displaced people at 5.6 million, the Kivu provinces and Ituri alone accounting for an estimated 4.9 million of this total. It states that more than a million people have additionally fled abroad. There is a substantial need for emergency humanitarian relief and access is considerably restricted. The UNHCR describes DR Congo as one of its most underfunded operations worldwide (cf. BN of 08.08.22).

New cases of excessive force used by police against opposition figures and demonstrators

According to a report in the media, police prevented a gathering of supporters of the opposition party *Engagement pour la Citoyenneté et le Développement* (ECiDé) to welcome ECiDé leader Martin Fauyuluat at N'djili airport on 13.11.22. The gathering had been registered but prohibited in advance by the relevant authority. According to UN radio station *Okapi*, ECiDé party leadership member Valéry Mpoy described the police's actions as brutal and spoke of excessive force being used. The party's supporters were allegedly subjected to widespread physical violence and tear gas was used to drive them apart. He said that he and ECiDé's deputy secretary-general, Faustin Kwakwa, had been brutally beaten up and injured, as had two other ECiDé party members.

Citing the network for human rights (REDHO), Okapi has also reported that four people have been killed in the space of two months as a result of the police using live ammunition at demonstrations in Butembo (North Kivu).

28 November 2022

Internally displaced persons dying for lack of basic necessities and medical care; internally displaced children

Recent press reports attribute a number of deaths at various camps for people displaced by the conflicts in the eastern provinces of North Kivu and Ituri and the western province of Kwilu to the precarious living conditions, food and healthcare situations at the camps. Seven children and one woman have reportedly died as a result of medical neglect and catastrophic living conditions at the informal Kanyaruchinya camp in Nyirangongo Territory (North Kivu), approx. 20 km behind the front lines of the fighting with the Mouvement 23- Mars rebel group (M23) (cf. BN of 21.11.22). The extremely densely populated camp, in which an estimated 40,000 internally displaced people from Rutshuru Territory are believed to be living, is reportedly confronted with a continual influx of further displaced people from the territory, which is largely under the control of the M23 rebels. There have also been deaths attributable to malnourishment, a lack of basic necessities and inadequate medical care at various camps for internally displaced people in Djugu Territory (Ituri). At the Djaiba camp for displaced people in Djugu Territory (Ituri), which has an estimated population of 10,000, the death toll since September 2022 is reported to have risen by a further 14 people to 44. There is a particular prevalence of children among the dead. Child deaths have also recently been reported from the Lodha camp for displaced people in Djugu. The extremely bad living conditions at both camps have already led to deaths in the past. In addition, the ethnic factions of the Coopérative de développement du Congo (CODECO) militia have reportedly threatened or already attacked the two camps. CODECO, which is among the most dangerous non-state armed groups in eastern Congo, is frequently accused of carrying out attacks aimed specifically at camps for displaced people in Djugu (cf. BN of 07.02.22 and 13.06.22). Four deaths have been reported in the city of Bandundu (Kwilu), where an estimated 9,000 internally displaced people are believed to be living. These have fled interethnic conflicts either in Kwamouth Territory (Maï-Ndombe) or Bagata (Kwilu) (cf. BN of 14.11.22). The precarious living conditions for internally displaced people in the two western Congolese provinces of Maï-Ndombe and Kwilu had already claimed lives prior to the latest deaths (cf. BN of 17.10.22). UNICEF warned on 07.11.22 that the precarious conditions in the heavily overcrowded and unhygienic camps for internally displaced people posed a serious threat to the health and lives of thousands of children while also exposing them to an increased risk of gender-based violence.

06 December 2022

Western Congo: Violent inter-ethnic clashes reach Kinshasa; attacks by government forces

According to the provincial MP for the city province of Kinshasa, Papy Epiana Nzamu, the ongoing inter-ethnic hostilities between the Teke and Yaka have reached Kinshasa city province. This was duly confirmed by the government on 02.12.22. In the absence of effective action by the state, members of the Yaka ethnic group have, among other acts, allegedly killed 15 Teke and injured others in the territories of the Muluku municipality in Tshangu district. The ethnic conflict, which was originally limited to Kwamouth Territory in Maï -Ndombe province to the north-east of the capital, Kinshasa, has since spread to the neighbouring province of Kwilu (cf. BN of 14.11. and 17.10.22). The conflict is giving rise to substantial internal displacement and has claimed the lives of more than 200 civilians. As per November 2022, the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) estimates the number of internally displaced people at more than 55,000. Citing a source from the realm of civil society, UN radio station Okapi has reported that the Congolese armed forces which have been dispatched to Kwamouth continue to be accused of carrying out attacks on the civilian population. In the past, the Congolese forces have been accused, among other acts, of extra-legal killings of civilians (cf. BN of 05.09.22).

UN: Ethnically motivated killings and violence

The special adviser to the UN Secretary-General on the prevention of genocide, Alice Wairimu Nderitu, has expressed concern at the ongoing violent inter-ethnic conflicts in western and eastern Congo. According to Nderitu, targeted killings of civilians continue in the eastern conflict-ridden provinces, and these are linked in part to the victims' ethnicity. Public hate speech and incitement to discrimination, hostility or violence are on the increase throughout the country, in particular with regard to Kinyarwanda speakers and the Banyamulenge minority. Nderitu

notes that Banyamulenge are particularly exposed to systematic attacks, including sexual violence, on account of their ethnicity and their alleged loyalty to neighbouring countries. There are frequent reports of repressive measures or ethnically motivated attempted or actual killings of and violence against Rwandans, Rwandan-language speakers and people of Tutsi descent, including Banyamulenge or people who are suspected of belonging to any of these groups solely on account of their physiognomy or speech (cf. BN of 21.11., 25.07. and 20.06.22).

Cases of excessive force by the police against demonstrators, use of firearms, arrests

Okapi has reported that police used force and live ammunition to break up a demonstration by students of Kisangani University in Kisangani (Tshopo province) on 01.12.22. The demonstration was concerned solely with internal issues relating to the university. Students and police apparently clashed in the course of the demonstration and six students reportedly sustained gunshot wounds. For their part, the police refer solely to six people having suffered minor injuries due to stones thrown by students.

The security forces used force against allegedly peaceful demonstrators at a demonstration in Goma (North Kivu) on 01.12.22 which was organised by a number of citizens' movements and civil society groups and which had been banned in advance by the authorities. Local sources have reported the arrest of a number of initiators of the demonstration and seven media representatives who were covering the event. The media representatives were allegedly beaten up during their arrests and some of their equipment was damaged. According to the NGO Journaliste en danger (JED), all the media representatives were only briefly detained. The demonstration was staged, among other issues, in protest at the presence of international forces in the province of North Kivu, which is under a state of emergency. In particular, the announcement of the arrival of 1,000 Ugandan military personnel in North Kivu as part of the East African Community (EAC) rapid response force has been condemned, as Uganda is accused, together with Rwanda, of supporting the rebel group Mouvement 23-Mars (M23). M23 currently continues to hold extensive territories along the borders with Rwanda and Uganda in Rutshuru Territory in North Kivu (cf. BN of 07.11.22).

North Kivu, Rutshuru Territory: Numerous reprisal attacks on civilian population, massacre

According to various consistent reports in the media, the M23 rebels, the majority of whom are of Tutsi origin, have recently carried out reprisal attacks on the civilian population in the extreme west of Rutshuru Territory, which is largely controlled by M23, at the border with Masisi Territory. A massacre reportedly took place on the local population when the town of Kishishe in the groupement of Bambo was recaptured by M23 on 29.11.22. The Congolese government has revised the civilian death toll from the original figure of 50 to 272. Independent verification of the figures is not possible. According to the UN and the NGO Human Rights Watch, there are reports of a high number of civilian casualties in Kishishe. M23, which denies having carried out the massacre, has since conceded that eight civilians died as a result of "stray bullets" in the course of fighting with other armed groups in Kishishe. A number of local sources have reported that the local population has been the target of punishments and reprisals because M23 has recently been attacked and driven out of various locations, including Kishishe, by the Forces Démocratiques de Libération du Rwanda (FDLR), an armed group consisting predominantly of ethnic Hutu, and its allies, including the Mai-Mai-Nyatura Hutu group. Civilians in other towns and villages of this region who are suspected of supporting or collaborating with the Mai-Mai groups or the FDLR have reportedly also been killed or abducted. This information cannot be independently verified.

12 December 2022

UNJHRO: Rise in the number of human rights violations; eastern Congo, M23

The UN Joint Human Rights Office (UNJHRO) documented 429 human rights violations and abuses throughout the country in October 2022, which represents a slight increase over the previous month. Around 40 % of the cases documented throughout the country are reportedly attributable to state actors and 60 % to non-state actors. 86 % of all cases documented nationwide were recorded in the eastern conflict-ridden provinces, where North Kivu accounts for the most cases by far (237), followed by South Kivu, Tanganyika and Maniema.

According to findings by the United Nations Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), the precarious security situation in eastern Congo has deteriorated substantially in recent weeks. A provisional report on an investigation by the UNJHRO has confirmed that the rebel group Mouvement 23-Mars (M23) carried out a massacre on the local population in the Kishishe and Bambo regions of Rutshuru

Territory/North Kivu between 28.11. and 30.11.22 (cf. BN of 06.12.22). At least 131 civilians were reportedly killed in the massacre, including 17 women and 12 children. According to Special Representative Keita, at least 22 women and five girls were additionally raped, resulting in the death of the rape victim in one instance. M23 is said to be holding the five girls as sex slaves.

Promulgation of law to promote and protect indigenous Pygmy peoples

It has been reported in the media that president Félix Tshisekedi has promulgated law no. 22/03 of 15.07.22 to promote and protect the rights of indigenous Pygmy peoples (original French: Loi n°22/ 03/ du 15 juillet 2022 portant protection et promotion des Droits des peuples autochtones pygmées). The law reportedly guarantees indigenous peoples recognition of their fundamental rights and an entitlement to participate fully in society on an equal footing with all other segments of the population. It prohibits the discrimination to which these marginalised indigenous peoples are subjected throughout the country - also at institutional level - in general areas of life (including those areas falling under civil law) according to the findings of a current report by the NGO Human Rights Watch (cf. BN of 31.10.22). Further benefits for these peoples include a legal entitlement to free access to justice, healthcare and education (including further education), with immediate effect. The costs in each case are to be borne by the state. Certain forms of discrimination against indigenous peoples, e.g. in the area of employment, reportedly now constitute prosecutable offences and are punishable with imprisonment (the maximum possible term of which is unknown). The government is additionally said to be planning the establishment of a special fund for the protection of indigenous peoples.

UN: One quarter of population at threat of being reliant on humanitarian aid in 2023

According to the UN coordinator for humanitarian aid in DR Congo, Bruno Lemarquis, forecasts indicate that one in four Congolese citizens in the country will be in need of humanitarian aid in 2023. Millions of Congolese citizens, primarily in the eastern parts of the country, continue to be affected by food insecurity and malnutrition, as well as internal displacement and epidemics. Lemarquis states that the DR Congo already has the highest rate of malnourished people worldwide (cf. BN of 19.09.22). According to the Congolese press agency, UNICEF is also warning of a worsening of the humanitarian crisis in DR Congo as a result of the ongoing attacks by non-state armed actors and armed hostilities. Members of relief organisations working in eastern Congo warned on 08.12.22 of a possible further deterioration of the health situation due to a steep rise in cholera cases in the severely overcrowded informal camps for people who have been internally displaced by the conflicts in the country, particularly in Nyirangongo Territory (North Kivu) in the vicinity of the provincial capital, Goma. Doctors Without Borders reports that more than 177,000 internally displaced people have moved into the makeshift shelters in this territory in recent weeks. It is generally agreed that the situation for the internally displaced people is highly problematic. A number of deaths have come to light in recent weeks as a result of inadequate medical care and the poor living conditions (cf. BN 28.11.22).

19 December 2022

Kivu provinces: Human rights and security situation

Citing a human rights activist, UN radio station Okapi reported on a worsening of the human rights situation in the eastern province of South Kivu on 12.11.22, stating that the basic right to freedom of assembly and freedom to demonstrate is being violated. The ongoing activities of non-state armed domestic and foreign groups in most areas of South Kivu are seen as an alarming destabilising factor as violence continues against the civilian population. The capture of extensive territory by the Mouvement 23-Mars rebel group (M-23) in the neighbouring northern province of North Kivu is said to be further exacerbating the socio-economic situation for the population in South Kivu.

There are reports in the press that fighting between the Congolese forces and M23 and also between allied armed groups and M23 is continuing in Rutshuru Territory and North Kivu. According to information which is not independently verifiable, the local population in the territories controlled by M23 continues to face reprisals and punitive measures (cf. BN of 06.12.22) and other human rights violations, including arrest, torture, rape and enforced labour. A provincial MP has reported that M23 arrested more than 42 people for boycotting an M23 solidarity march in the border town of Bunagana on 13.12.22. Two people allegedly died as a result of physical abuse. This information cannot be independently verified.

Ituri and Irumu provinces: ADF responsible for more than 100 civilian deaths

According to the NGO Convention pour le Respect des Droits Humain, the radical armed Islamist group Forces démocratiques alliées (ADF)/Madina at Tawhid Wai Muwahedeen (MTM) has killed more than 100 civilians in 2022 to date in three chiefdoms of Irumu territory in the eastern province of Ituri alone. The NGO believes the actual number of civilians killed to be substantially higher, as many civilians are victims of kidnapping and abduction by the ADF.

Eastern provinces of Tanganyika and Maniema: Security situation in the border region

Okapi reports that several hundred internally displaced people have protested in the town of Kongolo, Tanganyika at the lack of equal access to humanitarian aid from the Congolese government and humanitarian organisations. According to Okapi, in recent weeks and months the displaced people have fled violence in Nyunzu Territory, Tanganyika emanating from Malaika Kabala, a Mai-Mai splinter group which is active both in Maniema and Tanganyika. A further source of displacement is the conflict between Twa and Bantu in Kabambare Territory, Maniema. It has also been reported in the media that Mai- Mai- Malaika Kabala coming from Kabambare looted the village of Muhemba in Nyembo chiefdom on the night of 15.12.22.

President of Lubumbashi commercial court steps down due to alleged political interference

According to various consistent reports in the media, the president of the commercial court of Lubumbashi (Haut-Katanga province), Laurent Batubenga Ilunga, has resigned. The lawyer Peter Kazadi, a close aid of Congolese president Félix Tshisekedi, had apparently exerted political pressure on the judiciary in a case involving Moïse Katumbi, and Illunga stepped down out of fear for his own and his family's safety. In response to inquiries by Okapi, Kazadi denied the accusations. Katumbi, who fled into exile on political grounds under former president Joseph Kabila, is a former governor of Katanga province and currently leads the party Ensemble pour la République. He recently announced that his party was leaving the governing coalition Union Sacrée de la Nation and that he intended to run in the presidential election in 2023.

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