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DRC: Stop using prolonged state of siege as excuse to crush protests

The Democratic Republic of Congo (DRC) authorities must guarantee the rights to freedom of peaceful assembly, association and expression, Amnesty International said today on the second day of a new wave of demonstrations in the eastern DRC against the UN peacekeeping force, the ongoing state of siege, and the resurgence of the Movement of March 23 (M23) armed group.

Authorities have threatened to crush the latest protest in North Kivu province, which began on 26 September 2022 to denounce the ongoing occupation of Bunagana in eastern DRC by the M23 armed group. Protesters are also demanding authorities lift the ongoing state of siege, and insisting on the withdrawal of a UN peacekeeping mission from the country. The Mayor of Goma, an army officer with three pending criminal complaints against him in relation to suppressing peaceful demonstrations, has called the organizers “troublemakers” and threatened them with arrest and prosecution.

“Since imposing the state of siege in May 2021, demanding accountability from the DRC authorities in the two affected provinces has become particularly risky. Dozens of critics of the state of siege have been arbitrarily detained, and sometimes prosecuted by military courts. Military authorities must stop using the state of siege as an excuse to clamp down on dissenting voices,” said Muleya Mwananyanda, Amnesty International’s Director for East and Southern Africa.

“President Tshisekedi must translate into action his repeated commitment to uphold human rights. To protect civic space, he must order the lifting of blanket bans on protests imposed by governors and mayors across the country, including in the provinces under the state of siege.”

“Ahead of the 2023 elections, it’s essential that the government takes necessary measures to respect, protect and fulfil human rights, including freedom of association and peaceful assembly, in line with regional and international standards,” said Muleya Mwananyanda.

Amnesty International is calling on the DRC government to ensure all those responsible for unlawful acts committed in the repression of protests are held accountable, and victims receive justice.

Background

President Tshisekedi declared a state of siege (similar to a state of emergency) in eastern DRC’s provinces of North Kivu and Ituri in May 2021. He appointed military and police officers to replace civilian authorities and granted them extraordinary powers, including the power to restrict freedoms and prosecute civilians before military courts, in breach of international law and standards. The measure, meant to be short-lived, has since been extended around 30 times and is set to become permanent, despite its failure to help improve the security situation. On the contrary, armed groups have increased their activity in the region and the number of civilian casualties has more than doubled over the last year and half, as shown by Kivu Security Tracker data. Meanwhile, the state of siege has been used by the military and police authorities appointed and accountable to the President to silence criticism, including by arresting and imprisoning civil society and opposition activists, as Amnesty International [has documented](#).

Last week, civil society groups in North Kivu called on the population of Goma and other cities in the province to observe two days of “ville-morte” (dead town) on 26 and 27 September to protest the occupation of Bunagana town by M23 since June, which they say is backed by neighbouring Rwanda – a [claim supported by a report of the UN Group of Experts in June](#) – to demand the lifting of the state of siege, and the withdrawal of MONUSCO, the UN peacekeeping mission in the country.

DRC authorities have increasingly [crushed dissent](#) and arbitrarily detained civil society and opposition activists on trumped-up charges, dashing hopes that the human rights situation in the country would improve after former President Kabila stepped down in January 2019. Just two

months ago, mass anti-UN protests in the provinces of North Kivu and South Kivu turned violent, resulting in the deaths of 32 demonstrators and bystanders, and four UN peacekeepers. The investigations promised by the authorities and the UN into these incidents are yet to be concluded.

The right to protest is under threat across all regions of the world. Amnesty International's new global campaign "[Protect the Protest](#)" is challenging attacks on peaceful protest, standing with those targeted and supporting the causes of social movements demanding human rights change.

When policing assemblies, security forces have an obligation to minimize harm and injury, preserve human life and exercise restraint in the use of force. Law enforcement officials should only use force where there is no other means of achieving their legitimate objectives, and when the use of force is necessary and proportionate to the situation they face. This role should always be carried out in a way that ensures full respect for the right to life, liberty, and security of all persons, including those suspected of committing a crime.

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the occupation of Bunagana by
the armed group M23

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