

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	485
Land:	Den Demokratiske Republik Congo
Kilde:	Amnesty International
Titel:	Amnesty International Report 2017/18
Udgivet:	22. februar 2018
Optaget på baggrundsmaterialet:	1. marts 2018

AMNESTY INTERNATIONAL REPORT 2017/18

**THE STATE OF THE WORLD'S
HUMAN RIGHTS**



**AMNESTY
INTERNATIONAL**



officers and some customers as a result of his allegedly aggressive behaviour. The victim's family had filed a complaint against the police in January, alleging that the investigation was not thorough; their lawyer criticized the police for failing to secure the scene and evidence.

In May, the Council of Europe Commissioner for Human Rights urged the Czech authorities to remove a pig farm from the site of a former Nazi concentration camp, where most of the victims were Roma, in the village of Lety u Písku. While appreciating the government's efforts to buy the land, the Commissioner was concerned over the length of the process, and the government's repeated failure to remove the pig farm and create a memorial as a measure of reparation for the Roma who suffered and died there during the Second World War. In November, the government signed a contract to buy off the land from the owner of the pig farm and made a commitment to build a memorial on the site.

SECURITY AND HUMAN RIGHTS

The Czech Republic continued to export arms to countries where there was a substantial risk that such arms could be used to commit or facilitate serious human rights violations, including the unlawful use of force against protesters or opposition groups. In May, during an arms fair in the city of Brno, the President stated that the Czech arms industry needed to "export globally", denying that the country had responsibility to prevent the re-export of its equipment to countries which are "not safe".

DEMOCRATIC REPUBLIC OF THE CONGO

Democratic Republic of the Congo

Head of state: **Joseph Kabila**

Head of government: **Bruno Tshibala Nzenze (replaced Samy Badibanga Ntita in April)**

The human rights situation further deteriorated. Violence in the Kasai region left thousands dead, at least 1 million internally displaced, and caused more than 35,000 people to flee for neighbouring Angola. In the east, armed groups and government forces continued to target civilians and engage in illegal exploitation of natural resources with impunity. Police, intelligence services and courts continued to crack down on the rights to freedom of expression, association and peaceful assembly. Human rights defenders and journalists were harassed, intimidated, arbitrarily arrested, expelled or killed.

BACKGROUND

President Kabila remained in post although his second constitutional term ended on 19 December 2016. A political agreement was signed in December 2016 by the ruling coalition, the opposition and some civil society organizations. It provided that President Kabila would remain in power, and a government of national unity would be appointed, led by a Prime Minister designated by the Rassemblement, the main opposition, with the task of organizing the elections by December 2017. The agreement established the National Council for the Implementation of the Accord and the Electoral Process (CNSA) to monitor progress, led by Rassemblement leader Etienne Tshisekedi. The agreement included a commitment by President Kabila to adhere to the constitutional two-term limit and not undertake a revision or change of the Constitution. Implementation of the

agreement stalled over the appointment and distribution of political posts to the transitional institutions. In February Etienne Tshisekedi died. In April, President Kabila unilaterally appointed Bruno Tshibala as Prime Minister; the Rassemblement refused to recognize the appointment. In July, Joseph Olenghankoy was also unilaterally appointed as chairman of the CNSA. The main opposition leaders, the Catholic Church and the international community denounced these appointments as violating the agreement.

Voter registration in the run-up to the elections was significantly delayed. In July, the president of the Independent National Electoral Commission announced that elections could not be held in December 2017, on grounds including the security situation in the Kasai region.

Violence that erupted in 2016 over the killing of Chief Kamuena Nsapu spread to five provinces, triggering an unprecedented humanitarian crisis. In the east, several armed groups stepped up their attacks to expel President Kabila. Both the Democratic Republic of the Congo (DRC) security forces and the UN Organization Stabilization Mission in the DRC (MONUSCO) were unable to tackle the insecurity and neutralize more than 40 local or foreign armed groups that remained active.

The annual inflation rate increased by around 50% in 2017, contributing to deepening levels of poverty. Strikes were held demanding salary increases for teachers, university professors, doctors, nurses and civil servants. A cholera epidemic affected at least 24,000 people; over 500 died between January and September.

FREEDOM OF EXPRESSION

Press freedom and the right to information were restricted. The granting of visas and accreditations to foreign correspondents was drastically limited. At least one journalist, a Belgian national, was expelled in September; a French national and a US national were unable to renew accreditation in June and August respectively. On at least 15 occasions,

Congolese and foreign journalists were intimidated, harassed and arbitrarily arrested and detained while carrying out their work. In many cases, their equipment was confiscated or they had to erase recorded data. The Minister of Communication issued a decree in July introducing new rules requiring foreign correspondents to obtain authorization from the Minister to travel outside the capital, Kinshasa.

In August, the day before a two-day protest, organized by the opposition, calling on people across the country to stay at home to encourage the publication of an electoral calendar, the Post and Telecommunications Regulatory Authority ordered telecommunication companies to strictly limit all social media activity and communication.

FREEDOM OF ASSEMBLY

Authorities continued to ban and repress public dissent and peaceful assemblies organized by civil society organizations and the opposition, especially protests concerning the political crisis and elections. Opposition peaceful protesters were intimidated, harassed and arrested by security forces; government supporters' demonstrations took place without interference from the authorities.

On 31 July, more than 100 people, including 11 Congolese and foreign journalists, were arrested during country-wide demonstrations organized by the Struggle for Change (LUCHA), to demand the publication of the electoral calendar. A journalist was charged in connection with the protest and remained in detention in Lubumbashi; four demonstrators received prison sentences. The others were released without charge the same or following day.

EXCESSIVE USE OF FORCE

Protests other than those organized by government supporters were often met with excessive and sometimes lethal force.

On 15 September, in Kamanyola, the army and police fired at a crowd of Burundian refugees protesting the detention and deportation of four refugees by DRC

intelligence services; 39 protesters were killed, including at least eight women and five children, and at least 100 were injured. No legal action was known to have been taken against the perpetrators by the end of the year.

HUMAN RIGHTS DEFENDERS

Human rights defenders and youth activists were targeted by security forces and armed groups for their work; they included Alex Tsongo Sikuliwako and Alphonse Kaliyamba, killed in North Kivu.

In May, the Senate passed a bill purporting to strengthen protection for human rights defenders. However, the bill contained a restrictive definition of what constituted a human rights defender. It strengthened the state's control over human rights organizations, and threatened to curtail their activities. It could result in the non-recognition of human rights organizations.

CONFLICT IN THE KASAÏ REGION

Violence in the region, which erupted in 2016, spread to five provinces and left thousands dead, and by 25 September, 1 million were internally displaced; there was widespread destruction of social infrastructure and villages. Militias emerged, which increasingly attacked people on the basis of their ethnicity, namely those perceived to support the Kamuena Nsapu uprising.

Followers of Kamuena Nsapu were suspected of human rights abuses in the region, including recruitment of child soldiers, rapes, killings, destruction of over 300 schools and of markets, churches, police stations and government buildings.

The Bana Mura militia was formed around March by individuals from the Tshokwe, Pende and Tetela ethnic groups with the support of local traditional leaders and security officials. It launched attacks against the Luba and Lulua communities whom it accused of supporting the Kamuena Nsapu uprising. Between March and June, there were reports that in Kamonia territory, the Bana Mura and the army killed around 251

people; 62 were children, 30 of them aged under 8.

VIOLATIONS BY SECURITY FORCES

The Congolese police and army carried out hundreds of extrajudicial killings, rapes, arbitrary arrests and acts of extortion. Between February and April, internet videos showed soldiers executing alleged Kamuena Nsapu followers, including young children. The victims were armed with sticks or defective rifles, or were simply wearing red headbands. The government initially dismissed the accusations, saying they were "fabricated" to discredit the army. However, in February it acknowledged that "excesses" had taken place and pledged to prosecute those suspected of serious human rights violations and abuses in the region, including its security forces.

LACK OF ACCOUNTABILITY

On 6 July, seven army soldiers were given sentences of between one year and life imprisonment in connection with extrajudicial executions in Mwanza-Lomba, a village in Kasai Oriental province. The sentences followed a trial in which the victims were not identified and nor were their relatives given the opportunity to testify before the court or seek reparations.

On 12 March, Swedish national Zaida Catalan and US national Michael Sharp, both members of the UN Security Council DRC Sanctions Committee's Group of Experts, were executed during an investigative mission in the Kasai Central province. Their bodies were found 16 days later, near Bunkonde village. Zaida Catalan had been beheaded. Three of their drivers and an interpreter who accompanied them disappeared and had not been found by the end of the year. In April, the authorities showed diplomats and journalists in Kinshasa a video of the execution of the two experts; the origins of the video remained unknown. The video, which claimed that Kamuena Nsapu "terrorists" were the perpetrators, was shared on the internet and admitted as evidence in the ongoing military court trial of the people accused of the killings. The trial began on 5 June in the city of Kananga.

In June, the UN Human Rights Council established an independent international inquiry, which was opposed by the government, to investigate serious human rights violations in the Kasai province. In July, the UN High Commissioner for Human Rights announced the appointment of an international team of experts, which in September began investigating the incidents and is expected to issue its findings in June 2018.

CONFLICT IN EASTERN DRC

Chronic instability and conflict continued to contribute to grave human rights violations and abuses. In the Beni region, civilians were targeted and killed. On 7 October, 22 people were killed on the Mbau-Kamango road by unidentified armed men.

Kidnappings increased in North Kivu; at least 100 cases were recorded in Goma city. In North Kivu, South Kivu and Ituri, dozens of armed groups and security forces continued to commit murder, rape, extortion, and to engage in illegal exploitation of natural resources. The conflict between the Hutu and Nande in North Kivu resulted in deaths, displacement and destruction, especially in the Rutshuru and Lubero areas.

In the Tanganyika and Haut-Katanga provinces, communal violence between the Twa and the Luba continued. In Tanganyika the number of internally displaced people (IDPs) reached 500,000. Between January and September, over 5,700 Congolese fled to Zambia to escape the conflict.

Despite the security situation, the authorities continued to close IDP camps around the town of Kalemie, forcing displaced people to return to their villages or to live in even worse conditions.

DETENTION

There was an unprecedented number of prison breakouts across the country; thousands escaped, and dozens died. On 17 May, an attack was carried out on Makala Penitentiary and Rehabilitation Centre, Kinshasa's main prison. The attack, which the authorities blamed on the political group

Bundu dia Congore, resulted in the escape of over 4,000 prisoners. On 11 June, 930 prisoners escaped from the Kangbayi central prison in Beni city, including dozens convicted a few months earlier for killing civilians in the Beni area. Hundreds of other detainees escaped from prisons and police detention centres in Bandundu-ville, Kasangulu, Kalemie, Matete (Kinshasa), Walikale, Dungu, Bukavu, Kabinda, Uvira, Bunia, Mwenga and Pweto.

Prisons were overcrowded, and conditions remained dire, with inadequate food and drinking water, and poor health care. Dozens of prisoners died of starvation and disease.

CORPORATE ACCOUNTABILITY

In August, the Ministry of Mines validated a National Strategy to Combat Child Labour in Mining. National and international civil society groups were given the opportunity to provide feedback. The government announced that it would “progressively” implement many of their recommendations and eradicate child labour by 2025.

DENMARK

Kingdom of Denmark

Head of state: **Queen Margrethe II**

Head of government: **Lars Løkke Rasmussen**

The government annulled an agreement with UNHCR, the UN refugee agency, to accept refugees for resettlement. The classification of transgender identities as a “mental disorder” was ended.

REFUGEES AND ASYLUM-SEEKERS

Denmark failed to accept any refugees for resettlement. The government annulled its standing agreement with UNHCR to receive 500 refugees annually for resettlement. From January 2018, the government, not Parliament, will decide each year if Denmark is to accept refugees for resettlement.

Individuals granted subsidiary temporary protection status had to wait three years before being eligible to apply for family