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DR Congo: Crackdown on Opposition Ahead of Elections

(Kinshasa) – The authorities in the [Democratic Republic of Congo](#) have targeted leaders of opposition political parties, restricting their fundamental liberties and arresting party officials since May 2023, Human Rights Watch said today.

The crackdown is taking place amid heightened political tension ahead of the formal presidential election campaign, which begins on November 19. The general election is scheduled for December 20. Congolese authorities are obligated under [regional](#) and [international](#) human rights law to ensure the rights to freedom of expression, association, peaceful assembly, and movement. The authorities should end arbitrary arrests and fully respect the due process and fair trial rights of those detained.

“The Congolese authorities’ recent wave of arrests and restrictions on fundamental liberties is targeting opposition presidential candidates and their top officials,” said [Thomas Fessy](#), senior Congo researcher at Human Rights Watch. “The government should urgently ensure that opposition candidates, their supporters, and all Congolese are freely able to express their views and hold peaceful demonstrations ahead of the December election.”

On May 23, [police prevented the convoy](#) of Moïse Katumbi, leader of the opposition party Ensemble pour la République (Together for the Republic), from entering Kongo-Central province, just south of Kinshasa, where he planned to hold several political meetings and rallies. Police officers blocked Katumbi’s and his associates’ vehicles on instructions from the provincial governor, Guy Bandu Ndungidi. Citing security reasons, Ndungidi had earlier told Katumbi to postpone his plans and organize a

one-day trip to a single location instead of a provincial tour, which he rejected.

On May 25, police blocked opposition candidates Katumbi, Martin Fayulu, Delly Sesanga, Matata Ponyo, and their supporters from gathering outside the National Independent Electoral Commission. The authorities had earlier ordered them not to hold a sit-in there to protest what they described as “[the chaotic electoral process](#).”

Opposition leaders Martin Fayulu (right) and Moise Katumbi (left) at a protest against the electoral process in Kinshasa, Democratic Republic of Congo on May 25, 2023. © 2023 Justin Makangara/Anadolu Agency via Getty Images

Police used tear gas [to disperse the crowd](#) and beat some of the demonstrators. In response, some protesters hurled rocks and projectiles at security forces. Two days later, authorities [banned another opposition demonstration](#) in the southern city of Lubumbashi, and police blocked streets to prevent demonstrators from gathering.

Human Rights Watch [previously documented](#) the violent repression of a peaceful demonstration by several opposition parties on May 20. Police arrested dozens of people and seriously injured at least 30, including a child.

On May 30, [military intelligence agents arrested](#) Katumbi’s top adviser, Salomon Kalonda, on the tarmac of Kinshasa’s N’djili airport while he was boarding a flight with Katumbi and his associates. Kalonda was detained at the military intelligence headquarters until June 10, then transferred to Kinshasa’s Ndolo military prison. [Speaking to the media on June 5](#), the military intelligence legal counsel, Col. Kangoli Ngoli, said Kalonda was accused of illegal possession of a weapon and undermining state security. He alleged that Kalonda had been in contact with [the M23 armed group](#) and its Rwandan backers “to overthrow the administration in place in [Congo] by all means.”

On June 8, government ministers and military intelligence [hosted a meeting](#) with several foreign ambassadors to present what officials said was evidence supporting their claims. On August 14, Kalonda was formally charged with treason as well as receiving classified documents and inciting military personnel “to commit acts contrary to their duty.”

Kalonda’s brother, Moïse Della, told Human Rights Watch that after the arrest, the police searched Kalonda’s residences in Kinshasa and Lubumbashi and some of his family members’ properties, including their 85-year-old mother’s house. “They broke her bed and her bedroom windows as well as wardrobes and a dresser,” Della said. “She is really traumatized. She is Muslim but that Friday she couldn’t go pray at the

mosque ... They ransacked her home and took her video tapes of the Qur'an." Military intelligence agents [also searched Katumbi's residence](#) in Kinshasa.

Kalonda's arrest, detention, and [the apparently abusive searches](#) of family members' homes raise serious concerns of politically motivated efforts to intimidate the political opposition, Human Rights Watch said. United Nations and diplomatic sources told Human Rights Watch that they are concerned that Kalonda's arrest may be politically motivated.

On June 20, members of the [Republican Guard](#), a military unit that protects the president, arrested another opposition presidential candidate, [Franck Diongo](#), in Kinshasa, accusing him of illegal possession of a weapon. He was detained at the military intelligence headquarters, then transferred to Ndolo military prison on July 8 following a hearing with a military prosecutor. He was [released](#) without charge on July 15.

Chérubin Okende, a 61-year-old member of parliament and spokesman for Katumbi's political party, [was found dead](#) with gunshot wounds in his car in Kinshasa on July 13. The Congolese government quickly made two arrests, [denounced](#) the "assassination," and [announced](#) an inquiry involving "foreign services of friendly countries" to ensure transparency.

Forensic experts from the United Nations Stabilization Mission in Congo (MONUSCO) as well as UN police officers and South African and Belgian experts appear to [be providing assistance](#) to Congolese investigators, said a relative of Okende and UN and diplomatic sources. The investigation into Okende's killing should be credible, impartial, and transparent, and all those responsible should be appropriately prosecuted, Human Rights Watch said.

In several recent cases, Congo's justice system and state security agencies – including the intelligence services, police, and Republican Guard – have acted in a partisan manner, Human Rights Watch said. In a memorandum to the National Commission for Human Rights on July 15, several Congolese civil society groups [called on](#) the government to end the intelligence service's arbitrary arrests and detentions.

The government crackdown is also having an impact on media coverage of opposition political parties, Human Rights Watch said. The press freedom group [Journalists in Danger \(JED\)](#) said on July 31 that it was deeply concerned about "the increase in acts of intolerance and physical violence against journalists by supporters of political parties" while covering political events. For instance, [on July 29 in Kananga](#), alleged ruling party supporters threw rocks that struck at least four journalists and six cameramen covering Sesanga, who was also hit.

The UN Joint Human Rights Office reported in August that "the pre-electoral environment in [Congo] is increasingly characterized by a

narrowing of civic space and political and electoral violence, arbitrary arrests and detentions, abductions and threats targeting political opponents, excessive use of force against peaceful demonstrators, and hate speech and incitement to violence.” The office warned that such abuses “risk damaging the credibility of the electoral process” and “increase the risk of violence.”

In a joint statement, the United States, the European Union delegation, several EU member countries, Japan, and the United Kingdom [recently raised concerns](#) about “the excessive use of force in response to recent demonstrations, restrictions imposed on freedom of movement as well as arbitrary arrests.”

President Félix Tshisekedi, who is running for a second term, has demonstrated little apparent interest in ensuring that all political parties can function freely, Human Rights Watch said. On June 25, [in a speech](#) in Kasai-Oriental province, Tshisekedi said he would “target without hesitation nor regret any Congolese who would endanger [the] country’s security and stability ... No matter what people say: human rights violation, deprivation of freedoms, I will not give up because I am a democrat and will remain a democrat. I have no lesson to learn from anyone in these areas.”

The Congolese government has an international legal obligation to ensure that its security forces do not violate the fundamental freedoms necessary for free and fair elections, including the rights to freedom of expression, association, peaceful assembly, and movement. The authorities should investigate and take appropriate action against government officials, regardless of position or rank, who violate those rights.

“Arresting those close to opposition leaders and preventing them from moving around the country or from organizing demonstrations and rallies sends a frightening message ahead of the electoral campaign,” Fessy said. “The government should urgently reverse course or risk escalating an already extremely tense situation.”

Associated documents

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