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Briefing Notes Summary

Group 62 – Information Centre for Asylum and Migration

Democratic Republic of the Congo – January to June 2024

30 June 2024

08 January 2024

Presidential elections: logistics problems, protests and Tshisekedi declared election winner

The citizens of the Democratic Republic of the Congo elected a new president, inter alia, at the general elections held on 20.12.23. In the run-up to the elections, the Independent National Electoral Commission (CENI) had given its assurance that every citizen of the country who was registered to vote would actually be able to vote. Nevertheless, the general elections were awaited by the national and international community with clear concerns regarding the security situation, logistics, transparency and free and equal opportunities for all presidential candidates (cf. BN of 13.11. 23 and 04.12.23).

According to media reports, polling stations in some parts of the country opened with significant delays on the morning of 20.12.23. Of the 44 million voters eligible to vote for 19 presidential candidates, including incumbent President Felix Tshisekedi, many people reported difficulties in casting their vote at one of the 75,000 polling stations because they were forced to queue for hours in some areas and technical and power failures occurred at the polling stations. As a result of the major logistical problems that arose on election day, the electoral commission extended voting in affected districts until 21.12.23.

To control the security situation, the security authorities ordered a 24-hour closure of the borders by land and sea as well as airspace for unauthorised flights. However, they decided not to restrict internet access.

Since 21.12.23, several opposition candidates have criticized the elections and have demanded a rerun. In the week following the elections, dissatisfied citizens also voiced their dissatisfaction.

On 27.12.23, protesting opposition supporters clashed violently with the police on the streets of Kinshasa. According to media reports, the protesters were calling for the election to be annulled, claiming it had been a sham. The government banned the protests. Several people were wounded as police fired tear gas and threw stones back at protesters. The two main opposition candidates, Martin Fayulu and Moise Katumbi, condemned what they considered to be overly harsh action by the security forces.

On 31.01.24, CENI announced that the incumbent President, Felix Tshisekedi, had won the election again with a clear lead of 73% of the votes. Moise Katumbi followed in second place with 18% and Martin Fayulu in third place, garnering 5% of the votes cast. None of the remaining 16 candidates received more than 1% of the vote. Tshisekedi is to be sworn in for a second term of office on 20.01.24.

The head of the electoral commission acknowledged that there had been some irregularities in the election process, but asserted that the result reflected the will of the people. According to him, voter turnout was 43% of the voting-eligible population. The government has officially rejected the opposition's demand for a rerun of the disputed elections. It says the Constitutional Court has seven days to rule on all complaints filed against the election result and to announce the final result. However, several presidential candidates have already announced that they will not challenge the election result in court. One of the reasons for this is the lack of trust in the judicial system.¹

15 January 2024

Presidential elections: Constitutional Court confirms election result

According to media reports, the Congolese Constitutional Court rejected two legal challenges submitted on the election results on 09.01.24.

At the end of December 2023, nine opposition candidates had jointly signed a declaration, describing the election of 20.12.23 as fraudulent, rejecting the results and calling for a rerun. On 03.01.24, Théodore Ngoy who came last in the presidential election also submitted an application to the Constitutional Court for the election to be annulled. According to him, the election was marred by a number of irregularities.

After hearing both applications on 08.01.24, the Constitutional Court rejected them on 09.01.24 and announced the final election results. The reason for the decision was the enormous gap between Félix Tshisekedi who garnered 73.47% of the vote and the runner up Moise Katumbi who took 18.08% of the votes. The alleged irregularities would not have changed the ranking of the candidates, the court said. The percentages of votes obtained announced by the Constitutional Court differed only slightly from the figures published by the Independent National Electoral Commission (CENI) on 31.12.23.

The two main opposition candidates Moise Katumbi and Martin Fayulu, who came third with 4.92% of the vote, have decided not to challenge the election result in court. One of the reasons for this was the lack of trust in the judicial system (cf. BN of 08.01.24). Tshisekedi is to be sworn in for a second term of office on 20.01.24.²

22 January 2024

Parliamentary elections and Tshisekedi's swearing in

On 14.01.24, the Independent National Electoral Commission (CENI) published the preliminary results of the parliamentary elections held along with the presidential elections on 20.12.23. The CENI has published the names of 477 of the 500 deputies. It says the coalition and President Felix Tshisekedi who has been re-elected in office, the Sacred Union of the Nation (in French: l'Union sacrée de la nation), are well on their way to reaching the majority. Tshisekedi's party alone, the Union for Democracy and Social Progress (Union pour la Démocratie et le Progrès Social (UDPS)), is said to have won 69 seats in parliament. According to media reports, five out of the 40 or so parties and political groups that won seats in parliament are opposition parties. Together, these parties only won around 30 seats. Some opposition parties such as former President Joseph Kabila's People's Party for Reconstruction and Democracy (Parti du Peuple pour la Reconstruction et la Démocratie (PPRD)) and supporters of Martin Fayulu in the Lamuka coalition had boycotted the parliamentary elections; others failed to reach the 1% threshold required to gain seats in the national assembly. Petitions can be filed with the Constitutional Court challenging the results of the parliamentary elections up until the national assembly is officially inaugurated at the end of January 2024.

The list of national deputies remains incomplete for the time being for a number of reasons. On the one hand, the elections in Kwamouth in Mai-Ndombe and in the areas of Masisi and Rutshuru in North Kivu could not be held due to the activities of armed groups. On the other hand, the CENI had annulled the elections in the constituencies of Masimanimba in Kwilu and Yakoma in North Ubangi due to electoral fraud, declaring the votes of 82 candidates invalid.

According to media reports, the Independent National Electoral Commission has come in for harsh criticism. It has failed to account for the use of USD 400 million in state funds, it has not been transparent regarding the awarding of public contracts and it has overrun its budget.

Felix Tshisekedi was sworn in as President once again on 20.01.24. Opposition candidates such as Martin Fayulu and Moise Katumbi had called for protests on inauguration day, media reports say. Supporters of the President cheered at the ceremony held in the capital Kinshasa. No protests were held there and no incidents were reported at smaller demonstrations held in other cities.³

29 January 2024

North Kivu: rebel attacks claim civilian casualties

The rebel group Mouvement 23-Mars (M23) has killed at least 19 people, most of them civilians, in attacks carried out on the town of Mweso in the province of North Kivu since 23.01.14. According to media reports, the town had been under rebel control for several months. The latest fighting that erupted between M23 and the Congolese armed forces (FARDC) reportedly included heavy artillery bombardments. Both warring factions have been trading blame for the deaths. The peacekeeping troops of the United Nations Organisation Stabilisation Mission in the Democratic Republic of the Congo (MONUSCO) reportedly patrol the area surrounding their mission base in Nyanzale to protect the civilian population. According to MONUSCO, they managed to secure an escape corridor. More than 1,000 people who were forced to flee their homes have found accommodation at emergency shelters. Médecins Sans Frontières (MSF), which is currently supporting the hospital in Mweso, reported considerable difficulties in rescuing civilians and treating the injured. In this context, MSF have called for compliance with international humanitarian law in relation to hospitals, healthcare centres and civilian areas. It says around 8,000 people have fled to the hospital, which is considered to be safe, since the fighting began.⁴

05 February 2024

Thousands left without shelter after flooding

Weeks of heavy rainfall in the Democratic Republic of the Congo in January 2024 have caused the Congo River and several tributaries to overflow, resulting in severe flooding in several provinces across the country. Thousands of people lost their homes after the floods. According to official figures, 12 people died and 1,177 houses were destroyed. However, media reports say that at least 500 families have been left homeless by the floods in the city of Shabunda (South Kivu) alone, 900 families have been left homeless in the city of Lubumbashi (Haut-Katanga) and 200 houses have been destroyed in the city of Kisangani (Tshopo). Cities in the west of the country in the province of Kwilu and the capital Kinshasa have also been severely affected. The Congo River has risen by more than six metres since January 2024 and has thus almost reached its highest level since the year 1961. Doctors without Borders (MSF) report that they are providing assistance in the most badly affected communes, as many people are not receiving any support from anywhere else. MSF estimates that 600,000 people in eight provinces of the Democratic Republic of the Congo have been affected by the floods.⁵

19 February 2024

Tear gas used at rallies against Western organisations

On 12.02.24, citizens gathered for a rally in the embassy district of Gombe in the capital Kinshasa and other cities throughout the country to protest against the presence of Western organisations in the country and against Western governments in general. According to media reports, the protesters set fire to several cars and Belgian flags as they positioned themselves in front of several embassies, including the French, US and British embassies. Dozens of police officers were deployed in the neighbourhood, and tear gas was also used to disperse the protestors in order to protect the embassies.

The head of the United Nations Organisation Stabilisation Mission in the Democratic Republic of the Congo (MONUSCO) has already reported attacks against mission staff and vehicles in Kinshasa on 10.02.24.

The unstable situation in the east of the country continues to worsen due to further fighting and the increasingly critical humanitarian situation. In view of this, the protesters are accusing Western diplomats of becoming accomplices of Rwanda. They say Rwanda, in turn, is guilty of supporting the rebel group Mouvement 23-Mars (M23), which is destabilising the eastern part of the Democratic Republic of the Congo. In eastern Congo, the Congolese army is fighting alongside Burundian soldiers and armed forces from the Southern African Development Community (SADC) against the M23 rebel group. Several million people from the hardest hit province of North Kivu have been displaced. The capacities of the reception centres and the ability to supply food and medicine are increasingly reaching their limits. International organisations are concerned about the humanitarian situation.⁶

26 February 2024

Civil society laments setback for human rights

On 21.02.24, the Panel of Experts of Congolese civil society reported a setback for human rights in the country. They say a "climate of terror" has developed, with activists being arbitrarily arrested, adding that it is incomprehensible that the government led by President Félix Tshisekedi, which is committed to the fight for human rights and respect for freedom of expression and assembly, is resorting to repression. According to a member of the Panel of Experts, two activists were temporarily detained on 03.02.24 for commemorating the 600-day siege of the strategically important trading and border town of Bunagana in the eastern conflict-ridden province of North Kivu. He also mentioned the ongoing detention of the popular journalist and correspondent of several international media outlets, Stanis Bujakera (cf. BN of 18.09.23).⁷

11 March 2024

North Kivu: sharp rise in the number of civilians wounded in the armed conflict

The Director General of the International Committee of the Red Cross (ICRC) has reported on the areas in eastern Congo that are affected by the armed conflict between the M23 rebel group and the Congolese army together with their allies. In the province of North Kivu, he said the already overwhelmed healthcare facilities have recorded a sharp increase in the number of civilians wounded by heavy weapons, adding that around 40 percent of seriously wounded persons, many of whom are women and children, are the victims of shelling or other heavy weapons. He said the use of these weapons in urban, densely populated areas is adding a new dynamic to the conflict and is threatening to further exacerbate one of the largest and most complex humanitarian crises.

According to media reports, an attack carried out on the town of Nyanzale in the territory of Rutshuru (North Kivu province) claimed the lives of at least 15 civilians as recently as 04.03.24. The town has since been under the control of the M23 rebel group. The town of Nyanzale is home to thousands of internally displaced persons who have fled the fighting in the surrounding areas. Nyanzale is located around 130 kilometres north of the provincial capital Goma.⁸

South Kivu: two women accused of witchcraft killed

A group of youths in a village dragged two women aged 60 and 65 from their homes, stoned them and then burned them alive in the Uvira region (South Kivu province) on the evening of 03.03.24. RFI reports that the women were accused of witchcraft and held responsible for the deaths of several people who had recently gone missing from the village. Representatives of civil society and socio-political leaders have condemned the incident. According to a local organisation, at least 33 primarily elderly women accused of witchcraft were murdered in 2023. Other women accused of witchcraft have reportedly been forced into hiding due to the witchcraft accusations made against them.⁹

25 March 2024

Journalist Stanis Bujakera convicted and released

On 19.03.24, the Congolese authorities released the journalist Stanis Bujakera Tshiamala, who has been held in custody at Makala prison for more than six months, after being convicted at trial the previous day. Bujakera had been arrested at Kinshasa Airport on 08.09.23 (cf. BN of 18.09.23) and since held in pre-trial custody.

The trial against Bujakera was based on an article he allegedly wrote about the murder of former minister and opposition politician Chérubin Okende. The article allegedly placed the intelligence service of the Congolese military under suspicion of having been involved in the murder of the politician. Okende, former spokesman for the opposition party Together for the Republic (Ensemble pour la République), had been found shot dead at the wheel of his car on 13.07.23.

On 18.03.24, the court found Bujakera guilty of "spreading rumours and fake news", among other things, and imposed a six-month prison sentence and a fine. Having already spent six months in prison at the time of the conviction, the journalist was able to leave prison after paying the fine. The public prosecutor, who had previously

called for a prison sentence of 20 years at the trial, withdrew his appeal against the conviction. International media and human rights organisations such as Amnesty International, HRW and Reporters Without Borders (RSF) condemned Bujakera's arrest from the outset and called for his release.¹⁰

Moratorium on the death penalty lifted

According to media reports, the Ministry of Justice of the Democratic Republic of the Congo announced on 13.03.24 that the government will reinstate executions. This applies in particular to members of the military who are guilty of treason and to members of armed groups and criminal gangs. The death penalty was regularly imposed in these cases, but has been systematically commuted to life imprisonment since the moratorium was imposed in 2003. By ending this moratorium, the government wants to combat the increasing violence of militant groups and gang violence in the country. International organisations and governments have criticised the decision.¹¹

15 April 2024

North Kivu: Fatalities after suspected rebel attack

On 08.04.24, the Southern African Development Community (SADC) reported that on 04.04.24, armed actors described as rebels killed three Tanzanian military personnel and injured three other people near their camp close to the towns of Sake and Goma in North Kivu province, eastern DR Congo. This is the same site where two South African military members had been killed and several others injured in February 2024.

Those killed most recently were part of a Southern African peacekeeping force that had been deployed in December 2023 to support government troops fighting the M23 rebels in the ongoing conflict in eastern DR Congo. The SADC Mission in the Democratic Republic of Congo (SAMIDRC) is made up of troops from South Africa, Malawi and Tanzania.¹²

22 April 2024

Ituri and North Kivu: Increasing attacks by ADF rebels

Since the beginning of April 2024, the authorities have recorded several attacks with civilian casualties in the provinces of Ituri and North Kivu, which are suspected to be caused by rebels from the Allied Democratic Forces (ADF) group. The media reported an attack near the town of Beni (North Kivu) on 12.04.24 that killed at least ten civilians. The attackers apparently fired on people working in the fields. A total of around 40 civilians have been killed around the town of Beni since the beginning of April.

The media also reported around ten deaths in the Irumu (Ituri) territory in February 2024 as a result of a violent attack by ADF rebels. Around 30 further civilians died in two attacks in the territory of Djugu (Ituri) on 06.04. and 14.04.24; these attacks were presumably caused by another rebel group.

The UN has reported that since the beginning of 2024, a total of almost 200 people have been killed in the two regions. The rebel group ADF originates from neighbouring Uganda and has also established itself in eastern DR Congo. The group has pledged allegiance to the Islamic State and frequently carries out attacks that further destabilise a region where many militant groups are active.¹³

Soldier sentenced to death

On 15.04.24, a court found a soldier guilty of the murder of three civilians and sentenced him to death. This is the first judgement of this kind since the moratorium on the death penalty was lifted (cf. BN of 25.03.24). The execution of the judgement can still be prevented by an appeal procedure.¹⁴

27 May 2024

Coup attempt

In the morning of 15.05.24, a group of around 50 armed men in camouflage clothing briefly occupied the presidential office in the Palais de la Nation in the capital Kinshasa, and attacked the residences of the prime minister, the defence minister and another senior politician. The Congolese authorities spoke of an attempted coup.

Media report that the attackers entered the Palais de la Nation and hoisted Zairean flags. Security forces then intervened and thwarted the coup attempt. The army killed the group's leader, U.S.-based Congolese politician Christian Malanga, and three other people. Around 40 others were arrested. According to media reports, Malanga had presented himself on his website as the "President of New Zaire" and head of a government in exile but had not mentioned any plans to seize power by force.

The situation in the capital Kinshasa has since returned to normal. Pending the results of the investigations launched to identify those responsible, security forces remain deployed around the Palais de la Nation.¹⁵

03 June 2024

Court proceedings initiated after coup attempt

The Congolese press agency (ACP) reported on 01.06.24, citing a government source, that the authorities have initiated legal proceedings in two court cases following the alleged coup attempt on 19.05.24 (cf. BN of 27.05.24). Firstly, the hearings of the attackers who were arrested by the Armed Forces of the Democratic Republic of Congo (FARDC) after the foiled coup attempt have been completed. The files are now being prepared for handover to the competent court.

Secondly, investigations are nearing completion against several members of the military involved in alleged extrajudicial executions in the context of the prevented coup. A video taken on the sidelines of the event shows how FARDC soldiers pursuing the attackers executed one of them, despite the fact that he was detained and handcuffed. It is planned that the military personnel involved will soon be brought before a military tribunal.¹⁶

17 June 2024

Several dozen civilian casualties in new ADF attacks

The rebel group Allied Democratic Forces (ADF) is believed to have killed up to 150 civilians in several attacks on towns and villages in North Kivu province in June 2024. This was reported by the local authorities and civil society representatives. On 07.06.24, the inhabitants of the villages of Masala, Keme and Mahini were attacked by men carrying guns and machetes. Supported by the Red Cross, volunteers searched for missing people and have so far reported at least 41 deaths. IS, whom the ADF had joined, claimed responsibility for around 15 attacks on villages and roads near the town of Beni (North Kivu) from 01.06. to 11.06.24, stating to have killed 125 people, almost all of them civilians. The administrative head of Beni said that at least 109 people were killed in ADF attacks in the first ten days of June 2024. In the Lubero region, media reported over 40 new deaths after an attack on the village of Mayikengo on 12.06.24. The government blames the rebel group ADF for the attacks.

Since the beginning of 2024, there have been increasing reports of deadly attacks on civilians by the rebel group in Ituri and North Kivu provinces (cf. BN of 22.04.24). The ADF rebel group originates from neighbouring Uganda and has also established itself in eastern DRC. They have pledged allegiance to IS and frequently carry out attacks, further destabilising regions where many militant groups are active.¹⁷

Group 62 – Information Centre for Asylum and Migration
Briefing Notes
BN-Redaktion@bamf.bund.de

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