



**Democratic Republic of the Congo – Researched and compiled by the
Refugee Documentation Centre of Ireland on 14 August 2015**

**Any recent media information on State repression or oppression
including gender related violence in detention**

The 2014 US Department of State country report on the Democratic Republic of the Congo (DRC), in a section titled “Prison and Detention Center Conditions”, states:

“Conditions in most prisons throughout the country remained harsh and life threatening. Even harsher conditions prevailed in small detention centers run by the ANR or other security forces, which were often used for lengthy incarceration.” (US Department of State (25 June 2015) *2014 Country Reports on Human Rights Practices – Congo, Democratic Republic of the*, p.4)

In a subsection headed “Physical Conditions” this report states:

“According to a joint prison coordination committee, composed of representatives from the Ministry of Justice and Human Rights, the Ministry of Defense, and the UN Stabilization Mission in the country (MONUSCO), the number of persons in pretrial detention in 2010 exceeded 18,000, including an estimated 500 women. The reported total number of sentenced prisoners did not exceed 4,000, including approximately 100 women. Authorities generally confined men and women in separate areas, but often held juveniles with adults. They rarely separated pretrial detainees from convicted prisoners. Serious threats to life and health were widespread and included violence (particularly rape), food shortages, and inadequate potable water, sanitation, ventilation, temperature control, lighting, and medical care. Because inmates had inadequate supply of food and little access to water, many relied exclusively on relatives, nongovernmental organizations (NGOs), and churches to bring them sustenance. Facilities were severely overcrowded. For example, in September 2012 the Makala Central Prison in Kinshasa held 6,078 detainees, four times its capacity of 1,500. The Goma Central Prison held 1,208 detainees, eight times its capacity of 150. At the Bukavu Central Prison, more than 220 men slept in a room the size of a shipping container, on metal sheets without mattresses and with little ventilation.” (ibid, p.4)

This section also states:

“On May 31, in Boma Prison in Katanga province, officials allegedly held four prisoners overnight in a single pretrial detention cell where they reportedly died of suffocation. On May 1, at Kapapa Prison in Lubumbashi, one detainee reportedly died from sickness because he did not receive medical care. In May the United Nations reported that in a number of detention centers in Kinshasa, there was little ventilation and light, which subjected detainees to

extreme heat. The United Nations reported that 50 individuals died in detention from starvation or illness between January and September.” (ibid, p.4)

A Human Rights Watch report states:

“Democratic Republic of Congo authorities should promptly and properly exhume a mass grave that may contain the bodies of people forcibly disappeared or executed by Congolese security forces, Human Rights Watch said today. On June 5, 2015, the families of 34 victims filed a public complaint with Congo’s national prosecutor requesting justice and the exhumation of the mass grave in Maluku, a rural area about 80 kilometers from the capital, Kinshasa. Local residents, opposition leaders, the United Nations peacekeeping mission in Congo (MONUSCO), and human rights groups, including Human Rights Watch, have raised concerns about a March 19 nighttime mass burial, in which government security forces participated, on the edge of Maluku’s Fula-Fula cemetery. The government has neither exhumed the gravesite nor revealed the identities of those buried there.” (Human Rights Watch (8 June 2015) *DR Congo: Exhume Mass Grave*)

In a section headed “The January 2015 Demonstrations” this report states:

“Based on Human Rights Watch research, at least 38 civilians were shot dead by police and members of the Republican Guard presidential security detail during the demonstrations in Kinshasa from January 19 to 21. Many of the victims were shot in the head or chest and appeared to have been deliberately targeted. In some cases, security forces took the bodies away, and families were unable to locate the body for burial. In other cases, security forces prevented families from taking the body out of the morgue. Human Rights Watch also documented five cases in which people arrested by the police or Republican Guard during the protests have disappeared. Their families have been unable to locate them in any of Kinshasa’s prisons, other known detention centers, or morgues.” (ibid)

See also Human Rights Watch report which states:

“In January, security forces brutally suppressed demonstrations in Kinshasa and other cities. Police and Republican Guard soldiers shot dead at least 38 people in Kinshasa and 5 in Goma. Dozens were wounded, and at least 5 people in Kinshasa were forcibly disappeared. Congo’s National Intelligence Agency (Agence Nationale de Renseignements, ANR) arrested political party leaders and detained them without charge for weeks or months without access to lawyers or family members. In March, the ANR arrested about 30 youth activists and others attending a workshop in Kinshasa to promote the democratic process. Authorities in Goma arrested at least 15 youth activists who peacefully protested the Kinshasa arrests and in some cases badly beat and tortured them. Eight prominent activists and political party leaders remain in detention in Kinshasa on trumped-up charges. They include the youth activists Fred Bauma and Yves Makwambala; human rights defender Christopher Ngoyi; and political party leaders Jean-Claude Muyambo, Ernest Kyaviro, Cyrille Dowe, Jean-Bertrand Ewanga, and Vano Kiboko.” (Human Rights Watch (22 July 2015) *DR Congo: Crackdown on Dissent Tops Rights Concerns*)

A Human Rights Watch report on the detention of pro-democracy activists in March 2015 states:

“Congo’s national intelligence agency (Agence Nationale de Renseignements, ANR) arrested about 30 pro-democracy activists and others on March 15 in Kinshasa, the capital, following a workshop on Filimbi, a movement to promote responsible youth engagement in the democratic process. Another Filimbi activist was arrested on March 16. Three remain in detention without charge or access to legal counsel and without being brought before a judicial official. Police in Goma on April 7 arrested four others who were peacefully protesting the Kinshasa arrests. They are in Goma’s central prison on charges of inciting disobedience to public authority.” (Human Rights Watch (15 April 2015) *DR Congo: Release 7 Detained Democracy Activists*)

In a section headed “Arrest and Ill-treatment of Activists in Goma” this report states:

“On March 17, as LUCHA activists protested in front of the ANR office in Goma, calling for the release of their colleague Bauma in Kinshasa, intelligence officials rounded up 11 protesters, slapping and hitting them as they took them into the ANR office. They threw to the ground and kicked a Belgian researcher who was watching the demonstration. She was later hospitalized. They also roughed up a Belgian journalist and briefly detained and questioned him. The ANR officials ordered the 11 activists to sit on the ground. When they locked arms and started singing the Congolese national anthem, the officials kicked and slapped the protesters again. They forced one 26-year-old activist to roll in the mud and lie under an outdoor faucet. An ANR agent opened the tap and water poured into his mouth and eyes for about 10 minutes – a form of near-drowning that amounts to torture.” (ibid)

A Dow Jones Institutional News report states:

“Congolese government security agents are cracking down on pro-democracy activists and sympathetic U.S. diplomats, raising concerns about the intentions of President Joseph Kabila who is due to relinquish control of a country with a history of heavy-handed rule. Dozens of protesters gathered this week outside the headquarters of the National Intelligence Agency in the Democratic Republic of the Congo’s eastern city of Goma to protest against the detention of pro-democracy activists. On March 17 security agents rushed out of the building and began beating activists. It was a heavy strike against civil society groups which have been pressuring Mr. Kabila to respect the country’s constitution and step down when his second elected term ends in 2016.” (Dow Jones Institutional News (19 March 2015) *Congo Escalates Crackdown on Pro-Democracy Activists*)

An article from The Guardian states:

“When Congolese youth leaders and their Senegalese and Burkinabé colleagues met in March to launch a campaign for democracy, the regime reacted forcefully. Security police – the Agence Nationale de Renseignement (ANR) – and men in military uniform stormed the venue where the group was planning to launch the Filimbi movement. They arrested several attendees, including members of the local and foreign press, Kevin Sturr (the head of USAid’s democracy and governance programme in the Congo), Senegalese

and Burkinabé youth leaders, and 26 activists. Sylvain Saluseke, an international insurance firm executive and Filimbi member, and youth leader Fred Bauma of Goma-based LUCHA, were also arrested. Over the next days, mass arrests continued in Kinshasa and Goma, where several LUCHA activists were apprehended and allegedly tortured.” (The Guardian (10 June 2015) *Release the Congolese activists still in jail for planning peaceful demonstrations*)

A report from the International Federation for Human Rights (FIDH) on the detention of a prominent human rights defender states:

“On March 4, 2015, the criminal proceedings against Mr. Christopher Ngoyi Mutamba who is facing charges of ‘publication of false information’, ‘incitement to disobey the law and rebellion’, ‘incitement to racial hatred’, ‘destruction’ and ‘robbery’ and in which the State of DRC along with 22 Chinese citizens are acting as civil parties, opened before the Kinshasa/Matete court. The defendant, who was not notified of the hearing within the time-frame prescribed under, refused to appear voluntarily. Therefore, the Court declared itself un-seized of the matter and postponed the opening of the trial to March 18, 2015 to conform to legal requirements. As of January 12, 2015, Mr. Ngoyi Mutamba, had actively took part in several peaceful actions denouncing an electoral reform. On January 21, 2015, after visiting injured protesters, Mr. Ngoyi Mutamba was kidnapped by armed elements of the national guard in Kinshasa and held incommunicado for approximately twenty days by the national intelligence agency (ANR).” (International Federation for Human Rights (FIDH) (9 March 2015) *DRC : A prominent human rights defender unjustly detained and prosecuted*)

A Human Rights Watch report on alleged human rights violations by the police, in a section titled “Police Abuses during Operation Likofi”, states:

“The police conduct in Operation Likofi was ruthless and often illegal. Around 350 police took part in the operation from various Kinshasa-based police units, including many from the National Intervention Legion (Légion nationale d’intervention, LENI) and the Mobile Intervention Group (Groupement mobile d’intervention, GMI). They committed widespread human rights violations, including extrajudicial executions, enforced disappearances, arbitrary arrests, looting, extortion, and intimidation of family members and witnesses to abuses.” (Human Rights Watch (18 November 2014) *Operation Likofi: Police Killings and Enforced Disappearances in Kinshasa, Democratic Republic of Congo*, p.17)

This section of the report also states:

“Almost all of the extrajudicial killings documented by Human Rights Watch took place in November 2013, during the first two weeks of Operation Likofi. The enforced disappearances mostly took place thereafter, between late November 2013 and February 2014. According to police officers interviewed by Human Rights Watch who participated in Operation Likofi, as well as a confidential foreign government report, the police changed their tactics in December 2013 after the United Nations and local human rights organizations publicly raised concerns about the summary executions. Instead of executing their suspects publicly, those they arrested were taken to a police camp and some were later killed clandestinely on the outskirts of Kinshasa and their

bodies thrown in the Congo River. The change seems to suggest that senior officials knew about the killings, but rather than act to stop them and bring those responsible to justice, authorities instead became more secretive and attempted to cover up the abuses.” (ibid, p.19)

In a section titled “Extrajudicial Executions of Suspected Kuluna” this report states:

“Human Rights Watch confirmed 51 extrajudicial executions of suspected kuluna in Kinshasa by police who took part in Operation Likofi between November 2013 and February 2014, including of 5 boys between the ages of 14 and 17. In many of these cases, victims were shot at night in front of family members, neighbors, friends, or other witnesses. The police often returned at dawn to remove the bodies. In some cases, the police made no attempt to hide their participation in the killings. Instead, they would call residents to gather around and look at the alleged kuluna they had killed. The mother of one victim—a young man who sold clothing accessories in Kinshasa’s main market—told Human Rights Watch that after the police tied up and fatally shot her son in the chest and hips, one policeman called out to onlookers in the street: ‘Come look, we killed a kuluna who made you suffer!’ She said they then put his body in the police pickup and drove off. Many of the victims were beaten and humiliated by the police in front of a crowd before they were killed, and in some cases they were handcuffed and blindfolded. A teacher from Selembao commune who witnessed how the police beat and killed a suspected kuluna told Human Rights Watch: ‘I was shocked when I saw how the police beat these young people, hitting them with the butts of their guns and making them cry out. They then threw water on their bodies, saying they were being baptized to remove their sins, and then they shot dead one of the young men.’” (ibid, p.24)

This response was prepared after researching publicly accessible information currently available to the Research and Information Unit within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

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