



Refugee Documentation Centre (Ireland)
LEGAL AID BOARD

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Treatment of human rights activists by the government

A publication released by the *United Nations Security Council* in November 2012 points out that:

“The situation of human rights defenders and journalists in the Democratic Republic of the Congo remained precarious” (United Nations Security Council (14 November 2012) *Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo*, point 56/page 11).

In October 2012 *Frontline Defenders* states:

“Human rights defenders in the Democratic Republic of Congo (DRC) are becoming more vulnerable by the day...” (Frontline Defenders (11 October 2012) DRC – *Francophonie Summit : Human rights defenders are increasingly vulnerable*).

This report also notes:

“The vulnerability of human rights defenders seems to have reached new and unacceptable levels both in regions directly affected by the activities of rebel groups and regions under government control, to the extent that the continued presence of these human rights defenders in the country is now under threat” (Ibid).

It is also pointed out in this report that:

“Some human rights defenders are also facing attacks from security services. These acts of violence sometimes go hand in hand with the confiscation of work materials such as computers and telephones, and on occasions work documents are also targeted” (ibid).

A report issued in September 2012 by *Freedom House* notes:

“...the Congo is home to a vibrant civil society, consisting of thousands of non-profit organizations that often supplant state functions, but that these same groups often face harsh repression. Civil society organizations regularly criticize the government on the internet, in reports, and over the radio. Their rights are guaranteed by the constitution, and a new law to protect human rights defenders was passed by the Senate in August 2011. Most of these organizations' funding comes from foreign donors. There have been no recent reports of obstacles for donors in funding local non-profits. However, the rights of these organizations are often not respected” (Freedom House (20 September 2012) *Countries at the Crossroads 2012 - Democratic Republic of the Congo*).

Commenting on events of 2011, a publication issued in May 2012 by the *United States Department of State* notes that:

“A wide variety of domestic and international human rights organizations investigated and published findings on human rights cases. However, SSF continued to harass, beat, intimidate, and arbitrarily arrest and detain local human rights advocates and NGO workers, and government intimidation of domestic human rights defenders worsened” (United States Department of State (24 May 2012) *Country Reports on Human Rights Practices for 2011, Congo, Democratic Republic of the*, Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights).

SSF is an acronym for State security forces.

This report also states:

“Domestic human rights NGOs were particularly vulnerable to harassment, arbitrary arrest and detention, and other abuses by SSF, when reporting on or supporting victims of abuses by FARDC, ANR, or other SSF and when spotlighting the illegal exploitation of natural resources in the East” (ibid, Section 5 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights).

An undated summary from *Frontline Defenders* points out that:

“The situation in the Democratic Republic of the Congo (DRC) remains volatile and human rights defenders remain at grave risk” (Frontline Defenders (Undated) *Democratic Republic of Congo*).

This document also notes:

“Congoese human rights defenders are frequent targets of intimidation, judicial proceedings, stigmatisation, death threats, incommunicado detentions, arbitrary arrest, gender based violence, ill treatment in prison including refusal of access to lawyers and medical care, physical assault and in some cases torture or even killing by DRC government agents or armed groups” (ibid).

References

Freedom House (20 September 2012) *Countries at the Crossroads 2012 - Democratic Republic of the Congo*

<http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=printdoc&docid=505c1733c>

Accessed Tuesday 11 December 2012

Frontline Defenders (11 October 2012) DRC – *Francophonie Summit : Human rights defenders are increasingly vulnerable*

http://www.frontlinedefenders.org/files/drc_francophonie_summit_human_rights_defenders_are_increasingly_vulnerable.pdf

Accessed Tuesday 11 December 2012

Frontline Defenders (Undated) *Democratic Republic of Congo*

<http://www.frontlinedefenders.org/democratic-republic-congo>

Accessed Tuesday 11 December 2012

United Nations Security Council (14 November 2012) *Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo*

http://www.un.org/ga/search/view_doc.asp?symbol=S/2012/838&Lang=E

Accessed Tuesday 11 December 2012

United States Department of State (24 May 2012) *Country Reports on Human Rights Practices for 2011, Congo, Democratic Republic of the*

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>

Accessed Tuesday 11 December 2012

This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre 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.

Sources Consulted

Amnesty International
BBC News
Electronic Immigration Network
European Country of Origin Information Network
Freedom House
Google
Human Rights Watch
Immigration and Refugee Board of Canada
Internal Displacement Monitoring Centre
International Crisis Group
IRIN News
Lexis Nexis
Minority Rights Group International
Online Newspapers
Refugee Documentation Centre E-Library
Refugee Documentation Centre Query Database
Reliefweb
Reuters
United Kingdom Home Office
United States Department of State
UNHCR Refworld