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Democratic Republic of Congo: End persecution of human rights defenders

Amnesty International today called on the government of the Democratic Republic of Congo (DRC) to protect human rights defenders, who continue to be arbitrarily detained by security agencies and subjected to an alarming number of death threats.

In its briefing "Human Rights Defenders under attack in the Democratic Republic of Congo", Amnesty International documents the persecution faced by eight prominent human rights defenders in the DRC, harassment the organization fears will intensify in the build-up to 2011 presidential and national elections.

"The government of the DRC must uphold the right to freedom of expression and ensure that Congolese human rights defenders are protected from threats, arbitrary arrests and assault, said Andrew Philip, Amnesty International's researcher on the DRC. "Many human rights defenders are detained simply because they speak out on behalf of others."

Golden Misabiko, head of the Katanga branch of a national human rights organization, was arrested by the National Intelligence Agency (ANR) in July 2009 after his organization published a report alleging that government security officials were involved in illegal mining of highly radioactive uranium and other minerals from the Shinkolobwe mine, Katanga province.

Following detention for almost a month, Golden Misabiko was convicted and sentenced to one year in prison with eight months' suspended after being found guilty of "publication of false information", a conviction that his lawyers are seeking to overturn. Golden Misabiko suffered severe stomach pains, persistent vomiting and psychological trauma brought on by the appalling conditions of detention, where he was forced to pay the guards to sleep outside on a piece of cardboard to avoid an overcrowded and dirty cell.

Robert Ilunga, a community advocate and head of a human rights NGO in Kinshasa, was arrested by the ANR and held incommunicado for nine days in September 2009 after the NGO issued a press release denouncing harsh working conditions endured by workers at a gravel-making company in Kasangulu, in the province of Bas-Congo.

The ANR in particular, frequently arrests, detains and intimidates human rights workers in the DRC. Amnesty International receives regular reports of torture and other ill-treatment taking place in ANR detention facilities.

"Human rights defenders in the DRC play a crucial role in drawing attention to human rights abuses but intensifying harassment makes it increasingly difficult for them to carry out this important work," said Andrew Philip.

Leaders of four human rights organizations based in the south-eastern city of Lubumbashi, Katanga province, received anonymous and increasingly sinister SMS messages since mid-September, when they led a local campaign in support of the then detained Golden Misabiko.

"I do not know how much longer I can bear the stress and mental suffering caused by these threats, but every day I resist the temptation to just return to normal life with my family, because I refuse to be intimidated into stopping my work," a human rights defender told Amnesty International.

One of the four human rights leaders who campaigned for Golden Misabiko, Grégoire Mulamba, was abducted on 18 October 2009 on his way home from work. The taxi that was supposed to take him home (suddenly) diverted from the usual route and as Grégoire Mulamba challenged the driver, one of the passengers pushed a gun into his ribs and blindfolded him. Stopping after 20 minutes, Grégoire Mulamba feared he would be killed but was instead dumped in a cemetery on the outskirts of Lubumbashi.

The other three leaders, Timothee Mbuya, Emmanuel Umpula and Dominique Munongo, fled Lubumbashi in the end of September 2009, fearing for their lives. All three returned to the city in October to continue their human rights work, despite an escalating stream of death threats.

Congolese human rights defenders have told Amnesty International that harassment and arrests directed towards them have increased sharply throughout 2009, reports echoed by UN observers in the country.

A number of states expressed concern over the situation of human rights defenders in the DRC and made recommendations to the DRC government during the UN's Universal Periodic Review of the DRC that took place in Geneva in December 2009.

The Universal Periodic Review (UPR) is an opportunity for the UN Human Rights Council to examine the human rights record of all member states. Each country is reviewed every four years with the aim of ensuring states are meeting all of their human rights obligations.

The DRC has since indicated that it supports the UPR recommendations to "take further measures to protect the rights of human rights defenders..."; to "ensure that crimes and violations against human rights defenders and journalists are effectively investigated and prosecuted" and to "adopt an effective legal framework for the protection of human rights activists in line with the Declaration on Human Rights Defenders".

Amnesty International urges the government to make these changes in law and practice promptly.