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Human Rights Council adopts Universal Periodic Review outcome on the Democratic Republic of the Congo: Amnesty International urges action to protect human rights defenders, to combat impunity and arbitrary detention and calls for independent vetting of members of the security forces

Amnesty International welcomes the support by the Democratic Republic of the Congo of eight recommendations aimed at improving the safety and right to freedom of expression of human rights defenders.¹ The organization hopes that these recommendations will be given priority in the government's implementation plan. A first step should be to ensure that the Human Rights Liaison Committee, established by the now disbanded Ministry of Human Rights, is given the necessary resources to function regularly and effectively, and to discuss as a matter of urgency practical steps to implement the above recommendations.

Amnesty International recently warned of increased risks to human rights defenders in the DRC. It highlights the case of Golden Misabiko, sentenced to prison in September 2009 for the publication of a report by his organisation which made credible allegations of human rights violations by state officials. Amnesty International calls on the authorities to overturn his conviction.

Amnesty International believes that the issue of arbitrary and incommunicado detention by the security services and the army did not receive sufficient attention in the UPR process and urges the government to uphold the recommendation, made by Spain, to set up a taskforce within the Ministry of Justice to combat arbitrary detention and to seek urgent ways of improving the situation of prisoners.² Amnesty International particularly regrets that the government did not support of the recommendations to grant access to the Joint UN Human Rights Office, UN Special Rapporteurs and other independent mechanisms to places of detention of the National Intelligence Agency, the National Guard and any other detention centre.³

Finally, Amnesty International urges the DRC to expressly support recommendations made by six states to establish a vetting or screening mechanism to exclude suspected perpetrators of gross human rights violations from the security forces, pending judicial investigation.⁴ The issue of impunity was raised in no less than 12 recommendations that enjoy the support of the DRC.⁵ Amnesty International shares widespread concerns that some national army officers suspected of serious violations of international human rights and humanitarian law, including sexual violence, are still serving in operations in Eastern DRC. This Periodic Review should give renewed impetus to the government to show genuine political will to implement the "zero tolerance" policy announced in July 2009, as this has not yet shown satisfactory progress.

¹ Report of the Working Group on the Universal Periodic review, Democratic republic of the Congo, A/HRC/13/8, paragraph 94, recommendations 100 to 107

² Ibid, paragraph 96, recommendation 6

³ Ibid, paragraph 97, recommendations 1 and 3.

⁴ A/HRC/13/8, paragraph 96, recommendations 15, 16 and 17 and paragraph 97, recommendations 4(b), 7 and 8.

⁵ A/HRC/13/8, paragraph 94, recommendations 77 to 89

Background

The UN Human Rights Council adopted the outcome of the Universal Periodic Review of the DRC on 18 March 2010 during its 13th session. Prior to the adoption of the report of the review Amnesty International delivered the oral statement above. Amnesty International also contributed to the information basis for the review through its submission on the DRC: <http://www.amnesty.org/en/library/info/AFR62/009/2009/en>

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