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ORAL STATEMENT

ITEM 10: Technical assistance and capacity-building

DRC: The “State of Siege” in North Kivu and Ituri and the lack of justice and accountability raise serious human rights concerns

UN Human Rights Council
Forty-eighth session
13 September – 8 October 2021

Madam President,

Amnesty International welcomes the reports of the Office of the High Commissioner for Human Rights on the Democratic Republic of the Congo and the international team of experts on the situation in the Kasai.

Amnesty International is concerned by the continued deterioration of the human rights situation in the provinces of North Kivu and Ituri, currently under a special regime of “State of Siege,” and continued lack of justice and accountability for human rights violations in the DRC, including crimes under international law.

We are concerned that the special regime was put in place without notification to the United Nations as it is required under Article 4.3 of the International Covenant on Civil and Political Rights. As it was designed, the “State of Siege” is not the appropriate response to address the conflict and its human rights consequences in the two provinces. Our monitoring of the human rights situation in the two provinces shows a sharp increase in human rights violations where access to justice has drastically been limited.

We urgently call on the DRC government to assess the impact of the “State of Siege” on access to justice and protection of civilians in North Kivu and Ituri with the participation of human rights groups, to lift the powers given to military courts over civilians, and to notify the UN Secretary General about derogations to the ICCPR.

Amnesty International is also concerned by the lack of progress on judicial proceedings related to violence against protesters during the electoral process between 2015 and 2018. We are concerned by the lack of implementation of the reports produced by the government’s

instituted joint investigation commissions designated as *Commission d'enquête mixte 3121 and Commission d'enquête mixte 1919*).

We request the DRC government to review the mandate and the work done by these two commissions with a view to 1) expand their geographic scope to cover the whole country, and 2) to promptly implement their recommendations that will lead to the prosecution of those responsible for human rights violations in the lead up to the 2018 elections, provide justice for victims, and the adoption of guarantees of non-repetition.

We further urge this Council to renew the mandate, and expand the geographic scope, of the international team of experts, to cover the entire country, including all areas under a state of siege.

Thank you, Madam President.