



AMNESTY INTERNATIONAL PUBLIC STATEMENT

AI Index: IOR 40/5396/2022
29 March 2022

Enhanced interactive dialogue on oral updates on the Democratic Republic of the Congo (HRC res. 48/20)

We welcome the extension of the mandate of the team of international experts to cover the entire national territory of the Democratic Republic of the Congo.

The work of the team of international experts and the technical assistance provided to the Congolese authorities by OHCHR are essential at a time when serious human rights violations, including crimes under international law, continue to be committed almost daily in the DRC, most often with impunity.

In North Kivu and Ituri provinces, large-scale killings of civilians continue despite the ongoing DRC-Uganda joint military operations and the state of siege declared in May 2021. In South Kivu and Tanganyika provinces, the DRC army and the UN peacekeepers are still failing to protect civilians from attacks carried out by armed groups. Amnesty International urges the Congolese authorities and MONUSCO to do everything possible, in line with international standards, to ensure the effective protection of civilians, including in IDP sites which are increasingly being attacked by armed groups, especially in Ituri, and to ensure that those responsible for attacks targeting civilians, whoever they are, are held accountable.

Ongoing Congolese authorities' efforts to provide truth, justice, and reparations to victims of egregious crimes are scattered, inconsistent, and insufficient. While we welcome that this Council has requested technical assistance to be provided for transitional justice, we stress that any meaningful process must include a judicial mechanism with a strong international component to hold perpetrators to account.

In the provinces under the state of siege, military authorities are using their extraordinary powers to silence critical voices and suppress peaceful protests. Military justice, which has taken over criminal jurisdiction over civilians, is being used as an instrument of repression and it is overstretched, resulting in an increased number of individuals in preventive detention and further deterioration of living conditions in both provinces' overcrowded prisons. Amnesty International calls on the Congolese authorities to immediately and unconditionally release all people arbitrarily detained, to provide them with reparations, and to lift all restrictions on the exercise of people's human rights which do not meet the requirement of "the extent strictly required by the exigencies of the situation" under article 4 of the ICCPR. President Tshisekedi must revoke the power granted to military justice to prosecute civilians, in flagrant violation of

international human rights standards. Furthermore, the Congolese authorities must fulfill their obligation to notify the UN Secretary General about the justification, scope, and duration of any derogations from the ICCPR under the state of siege regime.