

CONTEXT

The organization Partnership for Integrated Protection (PPI), working to promote peace and protect human rights defenders, has documented, **“Forty-three (43) new cases of violations and abuses against human rights defenders, journalists and the media in the DRC”**, during the month of August 2023, compared to 23 cases in July 2023, an exponential increase of 20 cases, of which the province of North Kivu comes at the head of the poster. Thus, one (1) journalist was killed on August 30, 2023 in Goma in the province of North Kivu during the bloody repression of the demonstration of a mystico-religious sect called Wazalendo demanding the departure of the UN mission and one (1) was arrested while carrying out his work during the same demonstration. Still in North Kivu, four (4) HRDs were arrested by FARDC elements in Bulenge while they were sensitizing the displaced to take part in a peaceful demonstration and twenty-four (24) pro-democracy activists were arrested in the city of Goma in the middle of a demonstration aimed at the claim for the supply of drinking water in the city of Goma and the cessation of the collection of the illegal tax by the General Directorate of Migration (DGM) at the port for any traveler by boat heading for Bukavu in the province from South Kivu. In the same province, the president (1) of the civil society of the Waloa-Loanda group in Walikale lives under death threats from the armed group Kifua-Fua while one (1) HRD was violently attacked by a major of the FARDC in front of the Karisimbi communal house in the city of Goma. In the province of South Kivu, one (1) HRD was killed in the territory of Fizi and two (2) other civil society actors from Walungu physically attacked by people supposedly close to Mwami Ngweshe, following their support of the population in the fight against relocation the capital of Walungu of the development project of 145 territories; and at the initiative of these same executioners, one of these activists is currently being prosecuted before the Walungu peace prosecutor's office. In the same province, a journalist was arrested by the police in the town of Bukavu, on the grounds that he had filmed the macabre scene of police harassment of women sellers at Independence Square. South Kivu always, the media (1) are launching an SOS in light of the tax harassment on the part of the provincial communications and media division of which they are victims and which is making their working conditions increasingly difficult. In Ituri, one (1) HRD was assassinated in Mambasa while one (1) other was arrested by the military court of this province. In the province of Maniema, three (3) HRDs were victims of attack, aggression and threats following their activism and remarkable support of the population in actions to demand their rights.

In order to have a clear idea of the progress of these violations, below is a brief summary according to the circumstances, locations, alleged perpetrators and the current state of the victims.

PPI OVERVIEW

Partnership for Integrated Protection (PPI) is a Congolese organization with a regional mandate working to promote peace and protect human rights defenders.

PPI's vision is “A community of human rights defenders totally free from persecution and violations of their rights”.

PPI's mission is to “Protect human rights defenders against individual and institutional threats but also strengthen their capacities and equip them with working tools adapted to the imperatives of globalization, and train them to maintain interinstitutional cooperation between societies. civil and state actors for the cause of human rights, peace and institutional reform”;

This monitoring sheet is one of PPI's advocacy tools, aiming to serve as a "directory" of cases of violations and abuses so that they are known to all and that sooner or later the perpetrators are arrested and punished in accordance with to the law. “Each period has its own history,” they say.

I. Violations and abuses against journalists and media

1. Assassination of journalist Dorcas Tabitha: In Goma in the province of North Kivu in the DRC, journalist Dorcas Tabitha was killed on August 30th, 2023. by police who violently repressed the demonstration organized by a mystico-religious sect called Wazalendo demanding the departure of the UN mission (MONUSCO) in the DRC, deemed ineffective in restoring peace for more than 20 years on Congolese soil. It is important to note that at least 53 people were killed in this demonstration according to official sources, while sources from civil society and human rights organizations report a heavier toll of up to hundreds of people. dead because others continue to die in hospitals and health facilities as a result of their injuries, thousands seriously injured and more than 200 demonstrators arrested,

2. Arrest of journalist Austère Malivika in Goma: Journalist for the voice of America (VOA-Kiswahili), the journalist Austère Malivika was arrested near Nyabushongo in Goma in the province of North Kivu on 08/30/2023, in the midst of his work. According to information received by PPI, this media professional was arrested by the security elements while he was taking pictures during the bloody repression of the demonstration organized by a mystical-religious sect called Wazalendo demanding the departure of the UN mission (MONUSCO) in the DRC, deemed ineffective for the restoration of peace.

3. Arrest of journalist Hassan Murhabazi in Bukavu, South Kivu: Journalist Hassan Murhabazi was arrested and then detained for several hours in the Congolese national police cell in Labotte on August 11, 2023 in the city of Bukavu. The latter was arrested while filming the blunders of certain elements of the police who attacked certain women small traders who displayed their goods on the road towards Independence Square. He was released late in the evening of the same Friday thanks to the intervention of his fellow journalists and certain human rights defenders.

4. Over taxation of the media in the province of South Kivu: In South Kivu, the media are victims of tax harassment which makes their working conditions increasingly difficult. In a statement made public, the National Union of the Press of Congo UNPC and the Community Radio and Television Network (RATECO), claim to be confronted with tax harassment such as regular and excessive requests for payment of taxes and the renewal of fees licensing from state services, particularly the provincial communications and media division. This comes at a time when no initiative has been taken by the authorities concerned for the popularization of the nomenclature of taxes to be paid, the popularization of the new law on the press promulgated on March 13, 2023 by the President of the Republic, but they also do not make any compensation with regard to the media for the taxes they collect and do not grant them any subsidies as provided for by law.

Faced with this persistent fiscal insecurity with regard to the media in South Kivu, Partnership for Integrated Protection (PPI) asks the provincial governor to call on the Head of the Communication and Media Division as a matter of urgency, and in the case On the contrary, it is up to the media to organize large-scale actions, particularly days without information until this Head of Division undergoes an exemplary sanction.

5. Legal proceedings against journalist Pascal Kamanzi: Journalist Pascal Kamanzi is still in front of the bar. The 3rd trial in which he is being prosecuted took place once again on August 24, 2023. at the Bukavu high court. After a brief investigation, the case was adjourned to September 14, 2023.. As a reminder, the journalist Pascal is being sued by the political actor Mushi Bonane who accuses him of having allowed comments considered defamatory against him by certain guests during the political debate show that he moderated around the month of April 2023 on Fan Fm in Bukavu in the province of South Kivu.

II. Violations and abuses against HRDs

1. HRD assassination Kambale Kivuga Omer in Mambasa in the province of Ituri: Mr. Kambale Kivuga Omer was assassinated in Mambasa in the province of Ituri, on August 12, 2023. Member of the NGO CODEPEF in Mambasa and president of young people in Biakato, he was kidnapped at his home the day before by armed men and not otherwise identified and then found dead the next day in the same village. While some sources suspect armed robbers of being the perpetrators of this assassination, the NGO CODEPEF, on the other hand, points the finger at the FARDC elements disguised in civilian clothes who are at the root of this despicable act. This is because this HRD was recently responsible for sensitizing the young people of BIAKATO to march against the 31st brigade of Mambasa which played a passive role against the armed groups of the ADF in this region.

2. HRD assassination Patient Namuhinda in Fizi in South Kivu: In the territory of Fizi in South Kivu, the lifeless body of Mr. Patient Namuhinda, human rights defender from the territory of Walungu in the village of Irhongo Mwimbi was found on the Morning of August 12, 2023 in the village of Nyangi Milimba , Babungwe.

3. South group, Ngandja sector, Fizi territory in South Kivu Province. Human rights defender and member of the NGO "CIFDH", the motive and the circumstances of the death of Patient Namuhinda have not been elucidated.

4. Arrest of 4 HRDs in Bulenge, North Kivu: On August 10, 2023, four (4) human rights defenders were arrested in Bulenge in North Kivu while they were mobilizing displaced people to take part in a demonstration planned for August 11 to challenge the inaction of the Congolese government and its silence in the face of the occupation of Masisi and Rutshuru by elements of the M23/RDF.

These are Neema Serutoke, Innocent Rugero, Patient Komayombi and Aron Sibomana who were brutalized and arrested by elements of the armed forces of the Democratic Republic of Congo.

5. Arrest of Master Christian Utheki in Bunia in the province of Ituri: Lawyer by state and president of the communities victims of the atrocities of armed groups (G5-A), Maître Christian Utheki, was arrested and detained at the Ituri military prosecutor's office on August 8, 2023. According to our information, the victim had gone to the place to immerse himself in the situation of his brothers from the Alur community detained by this military court, when he was held for facts concerning his activities as President of the Communities victims of war crimes and against the humanity of Ituri.

6. Attack against the president and secretary of civil society in the Walungu territory: On August 8, Mr. Christian Mwambali and Mr. Benjamin Bahane, respectively the president and permanent secretary of Walungu civil society, were attacked by people identified as close to the Mwami of the Ngweshe chiefdom while they were on the road passing by the Mudwanga market in Walungu center. According to the president of Walungu civil society, they were attacked by a group of more than fifteen people, equipped with knives, sticks and catapults. Their lives were saved thanks to the intervention of the population. Of these people, it was noted and identified the agents of the chiefdom, the chief of the village of Mudusa and certain people who work at the royal court of Ngweshe. The latter accuse the president and secretary of civil society of Walungu of having opposed the relocation of the administrative building of the Walungu territory from Walungu center to Lurhala, which is a lack of respect for Mwami. Note that as part of the 145 territory development program launched by the government, the construction of administrative buildings is planned in Walungu. On this subject, it is for more than three months that the civil society of Walungu has been discussing the problem of attempted relocation of the office of the Walungu territory to Mubone/Lurhala more than 25km from the capital by administrator of the Walungu Territory with His Majesty Mwami Ngweshe, something to which this citizen structure is opposed. Since then, these human rights defenders have lived with death threats. Added to this are legal proceedings initiated against the permanent secretary of civil society, Mr. Christian Mwambali, at the prosecutor's office at the Walungu Peace Court.

7. Aggression of Master Carlos Byamungu by a major of the FARDC in Goma in North Kivu: Lawyer at the North Kivu bar, Master Carlos Byamungu was attacked at the Karisimbi communal house in the city of Goma. According to concordant sources, he was assisting his client before the judicial police officer in a land dispute when a FARDC major named Lodi Kitwana took him to task. The lawyer was first threatened and then beaten by this soldier who had come to accompany his cousin who was opposed to the client of the aforementioned lawyer. The author of this act who is a civil-military commander of the 1101st regiment based in Rusayo was arrested and brought before the military justice. A hearing in flagrante was convened at the military court of Goma where at the end of the trial, this soldier was sentenced to 10 years in prison and disbarred from the armed forces of the DRC.

8. Assault, attack and threat against 3 HRDs in Maniema province: The home of Mr. Kapela Alexandre, member of Arche d'Alliance and resident in Salamabila in the sector of the same name, territory of Kabambare in the province of Maniema, was the target of attack by weapon carriers not otherwise identified on date of August 25, 2023. Having not met the owner of the house, they took several valuable items from the HRD's house. Since that day, the HRD continues to receive threatening messages, which forces him to live in hiding. Still in Salamabila, the house of HRD Amuri Selenge was set on fire on the night of August 27, 2023. This after the victim intervened in a case of arbitrary arrest of a civilian following the conflict between two artisanal gold miners in the military auditor of the province of Maniema. In the BB/Lulindi sector in the Kabambare territory Madame Ashura, a female HRD engaged in the fight against SGBV and living in Lusangi, lives under threats from Malaika militiamen because of the actions she takes to raise awareness among female victims of rape. The share of these militiamen to seek treatment in health facilities. To this end, she leads a life of secrecy following the growing threats she encounters.

9. Death threat against the president of the civil society core of the Waloa-Loanda group in Walikale: Benjamin Shekanabo, president of the core of the civil society of the Waloa-Lowanda group in the territory of Walikale in the province of North Kivu, is the victim of death threats from the armed group Kifua-Fua of the self-proclaimed general Shukuru Bulenda, active in the area. These threats come after a meeting held by the DDH last July and during which the participants who are the inhabitants of this group deplored the absence of the state. During the same meeting, participants also demanded the unconditional return of all the displaced people who fled this part of Walikale following persistent insecurity. Since then, HRD Benjamin Shekanabo, considered a poster child, has been forced to live in hiding, thus abandoning his family.

III. Violations and abuses against pro-democracy activists

1. Arrest of 24 pro-democracy activists in Goma, North Kivu: On August 3, 2023, six (6) human rights defenders were arrested and transferred to the P2 police cell in Goma in the North Kivu province. They are J. Mulagizi, P. Itula, M. Bandu, H. Nyamwami, Gl. Bagaya, and Yeson M. All from the Lucha DRC-Africa citizen movement who demonstrated to demand drinking water. This citizen movement launched the campaign called "Goma wants water" in order to demand from the authorities the provision of drinking water in the volcanic city. In the same city, Mr. Jack Sinzahera, activist of the citizen movement's collective Amka Congo, was arrested on August 12 in Goma by the DGM migration services while he was protesting against the illegal collection of taxes by this state service in port facilities. of the volcanic city. Indeed, the general directorate of migration DGM charges illegal fees varying between 500 and 1000 Congolese francs per passenger each time they board boats shuttling between Goma-Bukavu and vice versa, in violation of the law.

Two other activists including Espoir Muhinuka Aspirine de la Lucha and Boob Lwaboshi of the Licho La Raiya movement were arrested on August 10, 2023 in Goma while they were visiting their colleague Jack Sinzahera of Amka Congo, arrested at the public port of Goma by the DGM agents. The latter were detained at the town hall of Goma. On August 21, 2023, four (4) human rights defenders and pro-democracy activists from the LUCHA RDC-Africa citizen movement were arrested in Goma while they were demonstrating to demand drinking water in the city of Goma in North Kivu. Three days later, on August 24, 2023, eleven (11) other activists were arrested in the same city and in the same circumstances. After their hearing in the P2 police cell, they were transferred to the cell of the Military Garrison Auditorate of Goma where they are still detained in humanly catastrophic conditions, although they only demanded drinking water. Four (4) human rights defenders and pro-democracy activists from the LUCHA RDC-Africa citizen movement were arrested in Goma while they demonstrated to demand drinking water in the city of Goma in North Kivu. Three days later, on August 24, 2023, eleven (11) other activists were arrested in the same city and under the same circumstances. After their hearing in the P2 police cell, they were transferred to the cell of the Military Garrison Auditorate of Goma where they are still detained in humanly catastrophic conditions, although they only demanded drinking water. Four (4) human rights defenders and pro-democracy activists from the LUCHA RDC-Africa citizen movement were arrested in Goma while they demonstrated to demand drinking water in the city of Goma in North Kivu. Three days later, on August 24, 2023, eleven (11) other activists were arrested in the same city and under the same circumstances. After their hearing in the P2 police cell, they were transferred to the cell of the Military Garrison Auditorate of Goma where they are still detained in humanly catastrophic conditions, although they only demanded drinking water.

IV. Repression of demonstration

On 08/30/2023, the police violently repressed a demonstration in Goma in the province of North Kivu, leading to more than 53 deaths, more than 78 injured and more than 200 people arrested, after official sources. For certain civil society organizations, citizen movements and human rights organizations, the number of people killed varies between 100 and 200 deaths. It is important to point out that this demonstration was organized by a mystical-religious sect called Wazalendo which is demanding the departure of the UN mission (MONUSCO) from the DRC, deemed ineffective for the restoration of peace, for more than 20 years on Congolese soil.

In view of this dark picture, the organization Partnership for Integrated Protection (PPI), working for the promotion of peace and the protection of HRDs and journalists, condemns these violations and abuses against human rights defenders, while proposing possible solutions below:

1. To the President of the Republic, to redefine the true mission of the military unit of the Republican Guard, more than one of whom continues to decry the violence and aggressiveness that characterizes the GR to the point of interfering in mafia cases and the commission of serious human rights violations wherever they are often affected.

2. To the Congolese government, of :

- Promote the opening of civic space, the basis of democracy, in order to allow Congolese citizens to express themselves freely on the management of their country and to enjoy their right to demonstrate, freely guaranteed by the constitution and other laws of the republic;
- Order the pure and simple release of all the demonstrators arrested on August 30 in Goma and against whom an unjustified trial was opened in flagrante delicto proceedings;
- Do everything possible for an effective return to peace in the DRC and in the provinces under a state of siege, in particular including North Kivu and Ituri, by eradicating the M23 rebellion supported by Rwanda and other armed groups which sows terror and desolation in the east of the country.

3. To the military justice of North Kivu, to speed up the hearings opened in flagrante delicto proceedings against certain soldiers of the Republican Guard (GR) and army officers so that responsibilities are established and that the perpetrators of the carnage of August 30 in Goma against una

4. To the provincial government of North Kivu, to order the release of all the activists detained in various dungeons and prisons in the city of Goma for having demonstrated so that the city is served with drinking water.

4. To the joint National Assembly-Senate committee, to accelerate the process of harmonizing views on the vote on the law on the protection and responsibility of the human rights defender in the DRC, from the opening of the September 2023 session, in order to facilitate its promulgation by the leader of the State before the end of the current legislature.

armed civilians are punished in accordance with the law ;

5. To the provincial government of South Kivu, to urgently question the Head of the Communication and Media Division, regarding tax harassment against the media and which does not allow the latter to freely exercise their work.

6. To the Media of South Kivu, to remain united and ready to respond unanimously if necessary to the call of the national union of the press of Congo (UNPC) and RATECO for the organization of large-scale actions, particularly the days without information in case the Head of the Communication Division does not stop the tax harassment against them.

3. At the Bukavu High Court and the prosecution at the Walungu Peace Court in the province of South Kivu, to stop with the judicial harassment, respectively against the journalist Pascal Kamanzi and the president of the civil society of Walungu, Mr. Christian Mwambali, who are obliged to appear each time unfairly before the bar.

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