

November 8, 2016

Re: Averting a Large-Scale Crisis in the Democratic Republic of Congo

Dear UN Security Council delegations,

Your visit this week to the Democratic Republic of Congo comes at a critical moment. If President Joseph Kabila stays in power beyond the end of his constitutionally mandated two-term limit on December 19, with no clear commitments on if and when he will step down, there is a real risk that protests will erupt, security forces will respond with excessive force, and the country could descend into widespread violence and chaos, with potentially volatile repercussions across the region.

The following are Human Rights Watch's recommendations for actions that the United Nations Security Council should take now to help avert a large-scale crisis, end the harassment and repression of the political opposition and civil society, and prevent the country's fragile, young democracy from unraveling. With the December 19 deadline fast approaching, urgent action and strong leadership are critical.

Recommendations:

- Deliver strong public messages denouncing political repression and other serious human rights violations; urge the government to immediately release all political prisoners, end politically motivated prosecutions, open arbitrarily closed media outlets and ensure that the right to peaceful assembly is respected. At least 28 activists were arrested after participating in peaceful activities in the past two weeks alone. Since last Saturday, authorities have interfered with the signals of the two most important radio stations in Congo – Radio France Internationale (RFI) and the UN-backed Radio Okapi – blocking access for millions of Congolese to credible, independent reporting.
- Call upon the government to allow independent human rights monitors to access detention centers including those of the national intelligence agency (ANR), to allow Congolese and international human rights groups to work without interference, and to ensure that those responsible for serious human rights violations are appropriately held to account.
- In line with the Security Council Sanctions Committee's mandate, urgently apply targeted UN sanctions against senior security force and intelligence officers and government officials responsible for the violent crackdown and other serious human rights violations. Our [research](#) has found that the following individuals have played critical roles in the repression: ANR Director Kalev Mutond, Republican Guard overall commander Gen. Ilunga Kampete, western region army commander Gen. Gabriel Amisi (known as "Tango Four"), Vice Prime Minister and Interior Minister Evariste Boshab, and Kinshasa police commissioner Gen. Céléstin Kanyama.

- Urge President Kabila to step down at the end of his mandate to help prevent a broader crisis, and support efforts to ensure that his security and that of his family are guaranteed post-presidency. Consider endorsing the “[roadmap](#)” proposed by a coalition of 173 citizens’ movements and Congolese human rights and civil society organizations on how to overcome the country’s political crisis.
- Should President Kabila not step down, urge him, at a minimum, to publicly commit to stepping down by a specific date before the end of 2017. Support clear, specific measures to help ensure these commitments are respected, and fully explain the international consequences should he fail to do so.
- Support a truly inclusive dialogue to seek a broad consensus on organizing future elections, to determine the transition leadership, and to put measures in place to ensure a new calendar is respected and that free expression and assembly will be respected during the electoral period. Urge donors to commit to providing financial and technical support to a credible electoral process, if a clear calendar is in place and there is demonstrated political will to implement it.
- Urge MONUSCO to deploy greater numbers of peacekeepers to areas where political violence might break out, including the capital, Kinshasa. As part of the mission’s Chapter 7 mandate to protect “civilians under threat of physical violence ... in the context of elections,” peacekeepers should act proactively, deploy to the areas near political demonstrations to help deter potential violence, and be prepared to fully implement their mandate. The UN Joint Human Rights Office (UNJHRO) should be involved in the decision-making process to determine when and where police and military troops should deploy to best protect civilians at risk.
- Urge MONUSCO to put detailed plans in place to protect activists, human rights defenders, journalists, and politicians at risk, and ensure that all parts of the mission are ready and willing to implement these plans.
- Support efforts to more effectively protect civilians in eastern Congo’s volatile Beni territory, particularly through better community engagement, information collection and analysis, and support to judicial investigations and prosecutions through the Prosecution Support Cells. MONUSCO should also increase its patrols and be ready to deploy unilaterally if civilians are at risk, while withholding support to military units or commanders who may have been involved in the Beni massacres or other serious human rights abuses.

Please let us know if you have any questions or would like to discuss further.

Your sincerely,
 Ida Sawyer
 Senior Researcher – Human Rights Watch

<https://www.hrw.org/news/2016/11/09/hrw-letter-un-security-council-visit-dr-congo>