

## Congolese civil society under pressure: members of the EurAc network raise alarm over the erosion of civic space in the Democratic Republic of Congo (DRC).

On May 17, 2024, Gloria Sengha, a political activist and initiator of the "Tolembi Pasi" campaign was kidnapped alongside two other activists, Robert Bunda and Chadrack Tshadio<sup>1</sup>. Far from being an isolated incident, this arbitrary arrest is added to the long list of actions profoundly hostile to freedom, often violent<sup>2</sup> and accompanied by acts of torture<sup>3</sup>, carried out against civil society since the beginning of the year in the Democratic Republic of Congo (DRC). Whether they are political opponents, journalists<sup>4</sup>, or human rights defenders<sup>5</sup> (HRDs), all are paying the price of a hardening of the regime.

The sharp increase in cases of violence and attacks against those who dare to oppose the current government confirms that an environment unfavorable to the exercise of fundamental freedoms is now firmly established in the DRC. Numerous violations of the right to demonstrate, to assemble or simply to express oneself are increasingly impacting the work of civil society, which nevertheless plays an essential role in defending and protecting fundamental freedoms. A striking example was the case of 17 April, when a dozen activists were arbitrarily arrested and detained while peacefully protesting against the situation of insecurity in Goma<sup>6</sup>. These repressive actions come with troubling legislative developments. The national law for the protection of HRDs adopted in June 2023 includes many articles that significantly restrict their activities<sup>7</sup>. The ambitions of the new Minister of Justice, Constant Mutamba, to criminalize the LGBTIQ+ community are also observed with high concerns<sup>8</sup>.

The election period facilitated the implementation of a rigorous system to restrict civil liberties. Serious human rights violations against dissenting voices and the continuous shrinking of the civic space before and during the polls raised questions about the legitimacy of these elections. Now that a new government is firmly established, civil society can legitimately question the extent which this repression could reach. This question is even more valid considering that the security and economic situation in the country continues to deteriorate. Powerful political argument, the conflict in the East has regularly been invoked by the regime to justify censoring any individual suspected of collaborating with the "enemy". The political instrumentalization of the security context is such that the regime no longer hesitates to attack the most sacred figures of the institutions<sup>9</sup>.

In this context, **President Tshisekedi's decision to lift the moratorium on the death penalty is deeply alarming to both local and international civil society. By challenging the right to life enshrined in Article 61 of the Congolese Constitution, this decision not only represents a significant setback**

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<sup>1</sup> [DR Congo: Prominent Activist Abducted](#), Human Rights Watch (HRW), May 23, 2024

<sup>2</sup> [Violences à l'ANR en RDC](#), Actualite.CD, 7 février 2024

<sup>3</sup> [En RDC, les services secrets accusés de pratiques violentes](#), Deutsche Welle, 9 novembre 2023

<sup>4</sup> [Graves attaques contre des journalistes dans le nord-ouest de la RDC](#), Reporters Sans Frontières, 23 février 2024

<sup>5</sup> [Exigez la libération du militant King Mwamisyo](#), Amnesty International (AI), 24 avril 2023

<sup>6</sup> [En RDC, vague d'arrestations à Goma avant une manifestation contre l'insécurité](#), Jeune Afrique, 18 avril 2024

<sup>7</sup> [Loi nationale de la RDC : défis et opportunités](#), Protection International, 30 novembre 2023

<sup>8</sup> [RD Congo : le ministre de la justice veut réprimer l'homosexualité sans attendre la promulgation d'une loi](#), 76crimes, 16 juin 2024

<sup>9</sup> [RDC : le cardinal Ambongo visé par une enquête pour « propos séditieux »](#), Africanews, 6 mai 2024

**for human rights but also poses the risk of an intensified crackdown on critical voices.** In a country with a deeply dysfunctional justice system, the reintroduction of the death penalty paves the way for summary executions justified under the guise of state security.

**Confronted with these developments that threaten its existence, the Congolese civil society is forced into silence or exile,** echoing the experience of Mino Bopomi and Palmer Kabeya. These two activists from the citizens' movement Filimbi were forced to leave their country due to an increasingly hostile political environment. From abroad, they continue to fight for better living conditions for the Congolese people while advocating for the duty of transparency and accountability of the public authorities.

**As members of the Europe-Central Africa (EurAc) network, we would like to stress the critical importance for each government to create – and strengthen - the conditions conducive to the defense of human rights, characterized by the free exercise of the right to freedom of expression.** The existence of dissenting voices and their acknowledgment by all state actors are essential attributes of any democratic society. They are also the sign of a vibrant and pluralistic civil society, capable of holding state institutions accountable for their actions and decisions.

**Because expressing opinions against the actions of a government in power should not constitute a crime in any country, EurAc would like to alert the European Union (EU) and its Member States to the increasingly alarming shrinking of the civic space in the DRC.** Freedom of expression constitutes one of the 30 fundamental rights and freedoms set out in the Universal Declaration of Human Rights<sup>10</sup>. As a signatory country, the DRC has demonstrated its willingness to guarantee and protect these principles without discrimination. Similarly, and because it is based on values of respect for human dignity and fundamental rights, the EU has a responsibility to proactively advocate for the support of human rights within the framework of its foreign policy. By mobilizing all available instruments, the EU must sanction behaviors that undermine these principles while supporting local initiatives aimed at preserving civic space. Specifically, it must leverage its political and diplomatic influence to:

- Engage in political dialogues with the Congolese government to advocate for the protection of HRDs and raise emblematic individual cases such as the one of Gloria Sengha (Envol) as well as those of Mino Bopomi and Palmer Kabeya (Filimbi), both of whom were forced into exile.
- Strengthen support for Congolese civil society in its crucial role as defenders of human rights and public freedoms and make its protection a priority. This translates into increasing European-level funding to support and protect HRDs, as well as introducing simplified visa procedures for the most-at-risk.
- Continue to urge the Congolese government to reconsider lifting the moratorium on the death penalty, which jeopardizes the work of HRDs and goes against the obligations of the Congolese government to protect human rights.
- Support the Congolese government in implementing an inclusive and structured dialogue with civil society on issues related to human rights and civic space protection, especially with regard to revising the law on the protection of HRDs.

## About EurAc

The Europe-Central Africa network (EurAc) was created in 2003 and brings together 33 non-governmental organisations active in Central Africa, with a particular focus on the Great Lakes region. EurAc advocates for a strong, coherent and sustainable commitment from the European Union and its Member States to help the region build a better future.

## For more information

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