

COI QUERY

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Question(s)	<ol style="list-style-type: none">1. Background on the political situation in DRC2. Security situation and civilian casualties in Kinshasa
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COI QUERY RESPONSE – Democratic Republic of Congo (DRC)

Updates on the security situation in Kinshasa between 1 January 2020 - 30 June 2021

The aim of this COI Query Response is to provide a brief overview on the latest developments on the security situation in Kinshasa as well as on the political and security situation in DRC. The reporting period is from 1 January 2020 to 30 June 2021, however for data on civilian casualties the reporting period is from 1 January 2020 to 9 July 2021. For previous information on the political and security situation in DRC, including in Kinshasa, it is possible to consult the [EASO COI Query Response on DRC](#) published on 26 November 2019.

1. Background on the political situation in the DRC

In December 2020, 'Tshisekedi announced the dissolution of a power-sharing government that had included the Course for Change (CACH) coalition and the Common Front for Congo (FCC) of former president Kabila', as Freedom House stated.¹ After the contested elections that took place in 2018, the opposition candidate Félix Tshisekedi was sworn as president in 2019. Tshisekedi won the elections in 2018 but he participated in a governing coalition with Kabila's supporters who were the parliamentary majority at that time. After two years from the elections, Tshisekedi has the support of the majority of the members of the National Assembly (400 out of 500).²

On 12 April 2021, a new government was announced in the DRC after months of negotiations. The new government is composed by the member parties of President Felix Tshisekedi's coalition, the 'Union Sacre'.³ The new government gives President Felix Tshisekedi full control of the government, reportedly putting an end to a power struggle with his predecessor Joseph Kabila.⁴ According to the Prime Minister, Sama Lukonde, the priorities of the newly formed government are: security, infrastructure and electoral reform.⁵ Specifically, on the 26 April 2021 the National Assembly voted in favor of the Government's action program for 2021-2023 which includes the following key actions:

'The declaration of a state of emergency in conflict affected eastern provinces, the establishment of a disarmament, demobilization, community reintegration and stabilization programme that precludes integration into the army or the police, the implementation of security sector, justice and administrative reforms, as well as consensus-based constitutional reforms; and the holding of local and national elections in 2023'.⁶

The UN reported that a state of siege was imposed in Ituri and North Kivu Provinces effective from the 6 May 2021 for a period of 30 days with the possibility of extension for 15-days period. During the state of siege, the governments of Ituri and North Kivu will be replaced by a military governor

¹ Freedom House, Freedom in the World 2021, Democratic Republic of the Congo, 3 March 2021, [url](#)

² VOA, DR Congo's Tshisekedi 'in Full Control of New Government', 13 April 2021, [url](#); Africa News, DR Congo: New pro-president Felix Tshisekedi government established, 12 April 2021, [url](#)

³ Africa Report (The), DRC: President Tshisekedi finally forms a government, 15 April 2021, [url](#)

⁴ DW, DR Congo announces formation of new government, 12 April 2021, [url](#); VOA, DR Congo's Tshisekedi 'in Full Control of New Government', 13 April 2021, [url](#)

⁵ Al Jazeera, DR Congo names new cabinet, cements president's power, 12 April 2021, [url](#)

⁶ UN Security Council, United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, Report of the Secretary-General, 21 June 2021, [url](#), p.2

and a vice governor of the police.⁷ France24 reported that it is possible for the president to declare state of siege or emergency under the constitution of DRC, mainly ‘if severe circumstances immediately threaten the independence or integrity of the national territory, or if they interrupt the regular functioning of institutions’.⁸

Human rights situation

Human Rights Watch report, covering the year 2020, stated that ‘human rights in the Democratic Republic of Congo took a downturn in 2020 with various attacks on protesters, journalists and politicians’.⁹ Amnesty International reported that the humanitarian crisis in DRC in 2020 was getting worse as it is noted an increase in violence ‘particularly in the east and central parts of the country involving armed groups’.¹⁰ In its report for 2020, USDOS reported that members of the security forces committed ‘numerous abuses’. The source added:

‘Significant human rights issues included: unlawful or arbitrary killings, including extrajudicial killings; forced disappearances; torture and cases of cruel, inhuman, or degrading treatment or punishment; harsh and life-threatening prison conditions; arbitrary detention; political prisoners or detainees; serious problems with the independence of the judiciary; arbitrary or unlawful interference with privacy; serious abuses in an internal conflict, including killing of civilians, enforced disappearances or abductions, and torture and physical abuses or punishment, unlawful recruitment or use of child soldiers by illegal armed groups, and other conflict-related abuses; serious restrictions on free expression and the press, including violence, threats of violence, or unjustified arrests of journalists, censorship, and criminal libel; interference with the rights of peaceful assembly and freedom of association; serious acts of official corruption; lack of investigation and accountability for violence against women; trafficking in persons; crimes involving violence or threats of violence targeting persons with disabilities, members of national, racial, and ethnic minority groups, and indigenous people; crimes involving violence or threat of violence targeting lesbian, gay, bisexual, transgender, and intersex persons; and existence of the worst forms of child labor.’¹¹

Between March and April of 2021, 1084 human rights violations have been documented by MONUSCO. According to the Secretary-General ‘more than 90 per cent of the documented violations were committed in conflict-affected provinces’.¹²

2. Security situation in Kinshasa and civilian casualties

The Rule of Law in Armed Conflicts project (RULAC) of the Geneva Academy of International Humanitarian Law and Human Rights in its overview of the security situation in the DRC, updated in April 2021, reported that ‘The Democratic Republic of Congo (DRC) is engaged in several non-international armed conflicts (NIACs) on its territory against a number of armed groups in Ituri, Kasai

⁷ UN Security Council, United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, Report of the Secretary-General, 21 June 2021, [url](#), pp.2; AA, DR Congo declares state of siege over conflict in east, 4 May 2021, [url](#)

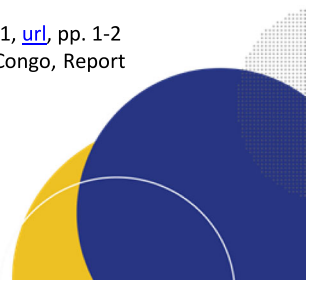
⁸ France24, DR Congo imposes military rule in regions under ‘state of siege’, 4 May 2021, [url](#)

⁹ HRW, Democratic Republic of Congo, Events of 2020, 13 January 2021, [url](#)

¹⁰ AI, Democratic Republic of the Congo 2020, 7 April 2021, [url](#)

¹¹ USDOS, 2020 Country Reports on Human Rights Practices: Democratic Republic of the Congo, 30 March 2021, [url](#), pp. 1-2

¹² UN Security Council, United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, Report of the Secretary-General, 21 June 2021, [url](#), p.5



and Kivu', while no active non-state armed groups are mentioned in Kinshasa.¹³ This is also confirmed by other sources.¹⁴ Global Conflict Tracker indicated that more than one hundred groups are believed to be active in the country, but in the eastern region of DRC, while there is no reference regarding armed groups' action in Kinshasa.¹⁵ A UN analysis of the human rights situation in DRC in May 2020 indicated the province of Kinshasa among others as an area not affected by conflict.¹⁶

However, the Global Initiative Against Transnational Organized Crime, a Geneva-based think-tank, referred to the urban youth gangs, the Kulunas and the new surge in their activity in Kinshasa since the beginning of 2020, which attributed to the rise in insecurity and serious crimes, including armed robbery and violent assaults.¹⁷ The Overseas Security Advisory Council (OSAC) mentioned Kinshasa as being a 'critical-threat location for crime' and indicated opportunistic crime targeting motorists or vehicle passengers, express kidnappings and robberies as the most reported incidents. Also, the same source assessed Kinshasa as being 'a low-threat location for terrorism directed at or affecting official U.S. government interests.' Furthermore, Kinshasa is referred among the states which experience occasional demonstrations by political opposition parties, students, workers unions, civil servants, and churchgoers, many of which turn violent as authorities continue to use lethal force.¹⁸

The Overseas Security Advisory Council (OSAC) described the police force in Kinshasa as ineffectual. According to the aforementioned report the limited capacity of Congolese security forces is the main reason why communal and ethnic militia, other armed groups, and criminal elements can act with impunity. Furthermore, a number of armed groups from neighbouring countries has been enabled to operate, due to the government's inability to control its borders adequately. Some of the main problems in police effectiveness, according to the aforementioned report are lack of basic understanding of the law, poor equipment, lack of training, inconsistency in the administration of laws and regulations and police corruption.¹⁹

Displacement

According to the Internal Displacement Monitor Centre (IDMC), between 1 January and 31 December 2020 there were 2 290 000 new displacements in the whole country due to violence and conflict and 279 000 due to disasters.²⁰ The big number of IDPs is also confirmed by a report of the Norwegian Refugee Council, mentioning that more than five million people are currently internally displaced within DR Congo, while an average of 6 000 people forced from their homes every day.²¹

Civilian casualties

Data on violent incidents provided below is based on EASO analysis of publicly available curated datasets from the Armed Conflict Location and Event Data Project (ACLED).²² For the purpose of this COI Query Response, only the following types of events were included as violent incidents in the analysis of the security situation in Kinshasa: battles; explosions/remote violence; violence against

¹³ RULAC, Non-international Armed Conflicts in Democratic Republic of Congo, 13 April 2021, [url](#)

¹⁴ UN Security Council, Final report of the Group of Experts on the Democratic Republic of the Congo (security-related developments in the provinces of North Kivu, Ituri and South Kivu), 10 June 2021, [url](#); HRW, Democratic Republic of Congo, Events of 2020, 13 January 2021, [url](#); UNHCR, Attacks by armed groups displace 20 000 civilians in eastern DRC, 16 July 2021, [url](#); USAID, Democratic Republic of the Congo – Complex Emergency, Fact Sheet #41, 8 July 2021 [url](#)

¹⁵ CFR, Global Conflict Tracker, Violence in the Democratic Republic of Congo, last updated 15 July 2021, [url](#)

¹⁶ UNHCR, United Nations Joint Human Rights Office in the Democratic Republic of Congo (UNJHRO) MONUSCO – OHCHR, May 2020, [url](#)

¹⁷ Global Initiative Against Transnational Organized Crime, Criminals or vigilantes? The Kuluna gangs of the Democratic Republic of Congo, may 2021, [url](#)

¹⁸ OSAC, Democratic Republic of the Congo 2020 Crime & Safety Report, 3/12/2020, [url](#)

¹⁹ OSAC, Democratic Republic of the Congo 2020 Crime & Safety Report, 12 March 2020, [url](#)

²⁰ IDMC, Democratic Republic of Congo Country Information, n.d., [url](#)

²¹ NRC, The world's most neglected displacement crisis, 27 May 2021, [url](#)



civilians. The ACLED data provided below refer to the timeframe between 1 January 2020 and 9 July 2021.

During the aforementioned timeframe, ACLED collected a total of 3 665 security incidents in DRC, 1 926 of which are coded as battles, 17 as explosion/remote violence, 1722 as violence against civilians. Specifically, in Kinshasa, ACLED collected a total of 13 security incidents during the same reference period; 3 of which are coded as battles and 10 as violence against civilians.²³

International Crisis Group's Crisis Watch did not report on any civilian casualties in security related incidents in Kinshasa in the period of January 2020 - July 2021.²⁴

HRW reported that in April 2020 police used 'excessive lethal force against a separatist religious movement, killing at least 55 people and wounding scores more'.²⁵ On 9 July, An Amnesty International Report referred to 'excessive force' by police, used as a response to the mass protests which took place in several cities against the appointment of the new Electoral Commission President, killing at least one protester in Kinshasa, injuring many more.²⁶ A UN analysis indicated that 8 human rights violations were reported in Kinshasa. UNJHRO addressed 39 cases of threats against 73 people, including two women, among whom 60 were human rights defenders (including one women), four victims (all men) and nine journalists (including one woman) in Ituri, Kinshasa.²⁷ GardaWorld, a privately owned security services company, reported clashes between rival religious groups at the Stade des Martyrs in Kinshasa in 13 May 2021 with unverified reports on fatalities.²⁸ According to the same source at least 3 people were killed on 9 July 2020 during clashes in Kinshasa between protestors and security forces.²⁹

²² ACLED, About Acled, n.d., [url](#)

²³ EASO analysis based on publicly available ACLED data. ACLED, Curated Data Files, DRC, 1 January 2020 – 9 July 2021, [url](#)

²⁴ International Crisis Group, Crisis Watch, Tracking Conflict Worldwide, Democratic Republic of Congo, n.d, [url](#)

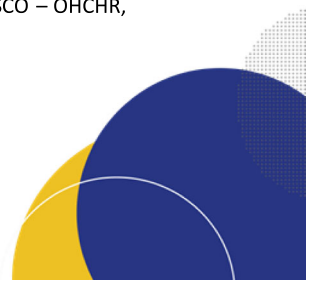
²⁵ HRW, DR Congo: Bloody crackdown on political religious groups, 19 May 2020, [url](#),

²⁶ AI, Amnesty International Report 2020/21, 7 April 2021, [url](#), pp. 138-141

²⁷ UNHCR, United Nations Joint Human Rights Office in the Democratic Republic of Congo (UNJHRO) MONUSCO – OHCHR, May 2020, [url](#)

²⁸ GardaWorld, DRC: Clashes at Stade des Martyrs, Kinshasa, 13 May 2021, [url](#)

²⁹ GardaWorld, DRC: Opposition demonstrators gather in Kinshasa, 13 July 2020, [url](#)



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