



18 March 2010
Check against delivery

**UN Human Rights Council
Thirteenth Session, 1 -26 March 2010**

Item 6: Consideration of UPR outcome reports

Democratic Republic of the Congo

Mr. President,

Amnesty International welcomes the support by the Democratic Republic of the Congo of eight recommendations aimed at improving the safety and right to freedom of expression of human rights defenders.¹ We hope that these recommendations will be given priority in the government's implementation plan. A first step should be to ensure that the Human Rights Liaison Committee, established by the now disbanded Ministry of Human Rights, is given the necessary resources to function regularly and effectively, and to discuss as a matter of urgency practical steps to implement the above recommendations.

Amnesty International recently warned of increased risks to human rights defenders in the DRC. We highlight the case of Golden Misabiko, sentenced to a term of imprisonment in September 2009 for the publication of a report by his organisation which made credible allegations of human rights violations by state officials. We call on the DRC authorities to overturn his conviction.

Mr. President,

Amnesty International believes that the issue of arbitrary and incommunicado detention by security services and the army did not have received sufficient attention in the UPR process. We urge the government to uphold the recommendation by Spain to set up a task force within the Ministry of Justice to combat arbitrary detention and to seek urgent ways of improving the situation of prisoners.² Amnesty International particularly regrets that the government has not expressed support of the recommendations to grant access to the Joint UN Human Rights Office, UN Special Rapporteurs and other independent mechanisms to places of detention of the National Intelligence Agency, the National Guard and any other detention centre.³

¹ Report of the Working Group on the Universal Periodic review, Democratic republic of the Congo, A/HRC/13/8, paragraph 94, recommendations 100 to 107

² Ibid, paragraph 96, recommendation 6

³ Ibid, paragraph 97, recommendations 1 and 3.

Finally, Amnesty International urges the DRC to expressly support recommendations made by six states to establish a vetting or screening mechanism to exclude suspected perpetrators of gross human rights violations from the security forces, pending judicial investigation.⁴ The issue of impunity has been raised in no less than 12 recommendations that enjoy the support of the DRC.⁵ Amnesty International shares widespread concerns that some national army officers suspected of serious violations of international human rights and humanitarian law, including sexual violence, are still serving in operations in Eastern DRC. This Periodic Review should give renewed impetus to the government to show a genuine political will to implement the national "Zero tolerance" policy announced in July 2009, which has not yet shown satisfactory progress.

Thank you, Mr. President.

⁴ A/HRC/13/8, paragraph 96, recommendations 15, 16 and 17 and paragraph 97, recommendations 4(b), 7 and 8.

⁵ A/HRC/13/8, paragraph 94, recommendations 77 to 89