



## Joint NGO Submission: UPR on DR Congo 33<sup>th</sup> Session (May 2019)

Submitted by:

Ecumenical Network Central Africa (OENZ)  
Chausseestr. 128/129  
D-10115 Berlin / Germany  
office@oenz.de, Tel.: +49 30 48625700  
www.oenz.de

In cooperation with:

AGEH, Bread for the World, EIRENE, MISEREOR, pax christi,  
United Evangelic Mission

For further information, please contact:  
Gesine Ames, office@oenz.de

### 1. General Remarks

The Democratic Republic of Congo (DRC) has signed or ratified the following international human rights conventions: The International Covenant on Civil and Political Rights (CCPR), the International Covenant on Economic, Social and Cultural Rights (CESCR), the International Convention on the Elimination of all Forms of Racial Discrimination (CERD), the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), the United Nations Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment (CAT) and the Convention on the Rights of the Child (CRC).

The following review will cover human rights violations committed in the DRC between 2014 and 2018 with regard to the recommendations of the previous Universal Periodical Review cycle including:

- Protecting the population against the exertion of violence by the national security forces and illegal armed groups.
- Ending endemic sexual violence especially in crisis areas.
- Ending the recruitment of child soldiers.
- Ending the displacement of masses of civilians caused by violent altercations between militias and the national army.

- Combating impunity among human rights offenders.
- Protecting journalists, youth movements, human rights defenders and the political opposition from arbitrary detentions and threats as well as ensuring their freedom of expression.
- Combating discrimination and improving equality of indigenous peoples.
- Improving the precarious conditions in prison and detention centres.
- Improving the labour conditions in mineral mines.
- Improving social security, health and economic conditions.

Despite having received these recommendations and having committed to the aforementioned conventions, human rights abuses have deteriorated significantly over the past few years. It is also controversial that the DRC is part of the United Nations Human Rights Council since the beginning of 2018. This role will require the country to take on more responsibility instead of degrading human rights.

## **2. Political conditions and conflict related to Joseph Kabila's prolonged presidency**

In 2014, when the Congolese government proposed changes to the constitution, allowing president Kabila to run for presidency for a third term during the foreseen elections in 2016, the number of protests increased. During demonstrations in Bukavu in February 2014, 25 people were killed when the police made use of tear gas and live ammunition. Several people were injured during a rally in Goma in September 2014.

On January 2015, Kabila released a draft law for the alterations to the electoral law, causing uprising among the population and opposition. During these protests the national police used live bullets and killed approximately 42 people in Kinshasa and 5 in Goma.

In 2016, more than 100 state opponents were arbitrarily detained and abused. In May, one person was killed and several, including children, injured during protests in Goma. Especially throughout the talks between the opposition and the ruling party in Kinshasa, further unrest was sparked. Demands for Kabila to respect the constitution and to announce in public that he would not stand for the presidential election again resulted in the death of approximately 37 protestors. As Kabila's second and therefore legitimately last term approached by the end of December 2016, another 40 protesters were killed and numerous people arrested.

Systematic repression on any form of freedom of expression continued throughout 2017. Despite signing the New Year's Eve peace agreement, the Congolese government did not demonstrate strong commitment towards arranging elections by the end of 2017 and disregarded many of the compromises negotiated during the talks with the opposition. Apart from that, the death of opposition leader Etienne Tshisekedi led to further trouble inside the opposition ranges. Hence further uprising and consequent repressions through national security forces led to a total of 62 fatalities and further losses throughout the year.

## **3. Exertion of violence by the National Security Forces and illegal armed groups**

Armed groups as well as national security forces, such as the "Forces Armées de la République Démocratique du Congo" (FARDC), kept committing numerous brutal human rights violations and misconduct against civil society.

The Congolese government failed to implement the Disarmament, Demobilization and Reintegration program (DDR) to reintegrate and hold former militia members liable and thus improve security.

Instead, many of the combatants and their peers died stricken of disease or starvation or regrouped in camps in Equateur and North Kivu after the government failed to take care of them. A second DDR program implemented later on also seemed to have little effect on the situation.

While serious human rights abuses deteriorated throughout Katanga, North and South Kivu in 2015-2016, the Ituri province was also beset with violent attacks by the “Forces de résistance patriotiques en Ituri” (FRPI). In December 2016 the Mongala, Kasai-Occidental, Kasai-Central and Tanganyika Provinces, which had so far remained untouched for the most part, also became affected by violent disruptions.

### **3.1. National Security Forces**

In 2014, the police in Kinshasa was accused of carrying out 51 extrajudicial executions of members of the “Kuluna” gang (mostly street children), while 33 other people disappeared. It is said that FARDC affiliates also tortured militia leaders in Orientale and Ituri and later that year regained control in some of the Congo’s eastern parts, where they raped 41 women and arbitrarily arrested numerous alleged M23 followers for ransom. Generally, the FARDC often marked up internal conflicts and corruption, whilst the low wages led soldiers to pursue their own interests.

In March 2015, government security forces buried 421 bodies in a mass grave in Maluku, which the government later failed to exhume. The FARDC is also believed to have been involved in the killings of 680 people in North Kivu since October 2014 and jailed 29 children, who were supposedly part of a local militia.

In 2016-2017, the situation in the opposition provinces of Kasai deteriorated. During the confrontations between the “Kamuina Nsapu” militia and the FARDC thousands of people died. Nearly one million were internally displaced and about 35 000 people fled to the neighbour countries, such as Angola. During these confrontations, the FARDC was accused for their brutal action against any possible suspects, especially young men. In July 2017 the United Nations identified the occurrence of 80 mass graves in the Kasai region since violence erupted in 2016.

Two UN researchers, Michael Sharp and Zaida Catalán, and their interpreter Betu Tshintela were killed on March, 12 2017 while investigating crimes associated with the ”Kamina Nsapu” rebellion in the Kasai Central Province. Human rights groups have suspected the government may have played a role in the killings and an UN inquiry in August 2017 could not rule out government involvement. The FARDC has also been accused of supporting a militia group named “Bana Mura” which killed many civilians.

In South-Kivu, alleged Congolese national security forces reacted excessively during a protest of Burundian refugees in the camp Kamanyola, where at least 40 people were killed and many more wounded in September 2017.

According to a report by the United Nations, about half of the 515 cases of human rights abuses in July 2018, are due to the national security forces.

### **3.2. ADF-NALU**

The “Allied Democratic Forces-Army for the Liberation of Uganda” (ADF-NALU) is a rebel group in Uganda and the DRC. For many years its headquarters have been located in the North Kivu province and the militia is mainly active in and around the city of Beni. The militia also abducted scores of civilians and killed approximately 175 people between October and December 2014.

In 2014, military operations by the FARDC and MONUSCO were launched against the ADF-NALU, nevertheless it remained active in gold trade and smuggle and is said to account for 500 deaths since

October 2014. Additionally the group has been involved in several ethnic massacres and rapes, as well as recruiting children and looting in the Kivu provinces.

### **3.3. FDLR**

The “Democratic Forces for the Liberation of Rwanda” (FDLR) is accountable for numerous ethnic massacres and mass rapes as well as killing five people in Buruko, North Kivu in September 2014. After the defeat of the M23, the Congolese army turned its attention to the FDLR, causing many of the combatants to lay down their weapons in May and June 2014. However, the military operations against the FDLR failed in 2015 due to disagreements between UN peacekeepers and government forces, thus allowing the massacres and serious human rights violations to continue throughout 2017. The militia is also to be held accountable for ethnic massacres of 170 civilians and scorching 2.200 homes in North-Kivu in 2016.

### **3.4. Mai Mai**

Several of the Mai Mai groups actively terrorised the population in the Kivu provinces and have been involved in illegally trading raw materials for years. The Katanga region, which had been unwavering so far, was also beset by the Mai Mai, whose attacks led to numerous deaths and displaced persons. Human rights abuses by the Mai Mai also include the recruitment of hundreds of child soldiers, rape and mutilation of civilians. In 2015, one Mai Mai group kidnapped 20 schoolchildren of which some were killed later. Additionally, the arrival of numerous Burundian refugees in the South Kivu region led to the establishment of new Mai Mai groups, in order to defend their territories and interests in the area.

### **3.5. Raia Mutomboki**

The “Raia Mutomboki” militia is actively involved in illegal raw material trade in particular and responsible for ethnically motivated violence in South and North Kivu. In 2015, for instance, the group used machetes and guns to kill 21 Hutu civilians in Masisi, North Kivu and kidnappings in the area have increased with the militia’s presence.

### **3.6. Sexual Violence**

Large numbers of women and girls, but also men are affected by sexual violence in the DRC on a daily basis. Members of illegal armed groups and the National Security Forces are the main perpetrators. Often there are no adequate facilities to care for the victims and many are ashamed to seek help due to stigma associated with sexual violence. Additionally, victims often do not have access to judicial services in rural areas, where most of the offences take place and many lack the financial resources to fund a trial. Despite some efforts to reduce the number of perpetrators getting away without being convicted, many still do manage to shirk justice.

For instance, during a rigged rape trial in Minova, set up in order to convict the FARDC soldiers who had raped 126 women and girls after being defeated by the M23 in Goma in 2012, only 2 lower ranking out of 39 soldiers were convicted in 2015. Several women also received threats following the trials.

This shows that the UN’s resolutions on sexual violence in the DR Congo, such as the one reached in September 2013, the appointment of Jeannine Mabunda Lioko as the presidential adviser on the issue and the introduction of an action plan on combating sexual violence by soldiers in 2014 have largely proven ineffective.

### **3.7. Child Soldiers**

The recruitment of child soldiers remains a grave concern in the eastern regions of the DR Congo in particular. While the signing of the UN Action Plan in 2012 seems to have taken effect and hardly any children were deployed within the national security forces, they do still engage in enslaving girls for sexual and domestic purposes. Illegal armed groups on the other hand continue to recruit children as

combatants, domestic and sexual slaves, yet the exact number of affected adolescents remains unknown. According to recent estimates, there are 5,000-10,000 child soldiers in the Kasaï and more than 3,000 in Tanganyika and South-Kivu, off which only 4,000 could be liberated by UNICEF in 2017.

In 2016 alone, almost 500 new recruitments were noted. The main perpetrator groups include the FDLR, Nyatura, Mai Mai Mazembe and the FRPI. Approximately 120 children got killed in the conflicts and nearly another 120 were mutilated. Further children got harmed or killed during altercations with the FARDC.

Many of these adolescents remain under the control of militias. Only small numbers could be freed and for those who are liberated access to the much-needed assistance is often lacking. About a third of the recruits are girls, yet only 7% of them have been released so far. Research shows that access to education often helps the girls to reintegrate as it does aid in recovering their “social value”. Yet many of those, who were able to escape, then face stigma, trauma and rejection within their communities.

To this point only the condemnation and the enforcement of reparations to be paid by warlord Thomas Lubanga in 2017 can be assessed positively, while many of the perpetrators remain unpunished and their recruits continue to suffer from grave human rights abuses.

### **3.8. IDPs and refugees**

The persevering activities of militias in the DR Congo, as well as ethnical and land conflicts are causing increasing numbers of people to be internally displaced or seek refuge in neighbouring countries. Between 2016 and 2017 alone, approximately 100,000 people fled the country. With a count of 3.9 million internally displaced people in October 2017 the number had more than doubled since 2015. Tanganyika, North and South Kivu as well as the Kasaï Provinces are the most affected regions. Many of those who sought refuge in other countries fled to neighbouring ones. In total, approximately 621,711 Congolese refugees were holding up in other African countries by October 2017. The DRC itself is also hosting 526,000 refugees from its neighbour countries, such as Burundi, triggered by the political crisis in 2015.

The situation further deteriorated within three days in January 2018, when around 7000 people fled to Burundi after conflicts between the Congolese army and rebel groups in the South-Kivu province. Similarly, the conditions in the Tanganyika province are noticeably worsening and causing increased numbers of internally displaced persons due to violent encounters between the Twa and Luba.

Ethnically motivated conflicts between the Hema and Lendu groups in and around Djugu, Ituri also caused enormous refugee movements since December 2017. During the fighting more than 260 people were killed and thousands of homes were burned. Around 350.000 people fled the violent scenes of which at least 42.000 sought refuge in Uganda, crossing Lake Albert. By March 2018 the fighting had stopped and some people returned to their home region while the National Security Forces and the MONUSCO investigated the altercations.

Refugee camps are often overwhelmed with the sudden masses of refugees seeking shelter. Furthermore, their lack of access to water, food and sanitation facilities often cause the outbreak of epidemics such as cholera and other diseases. Upon return many people also find their homes or entire villages burnt down, looted and peers killed by the militias.

### **3.9. Impunity**

Some progress was made in the fight against impunity, when Bosco Ntaganda, a former militia leader, surrendered to the International Criminal Court in February 2014 and faced charges for 18 war crimes and crimes against humanity. Dominic Ongwen, a former LRA commander has also been brought to

trial and General Jérôme Kakwau and Germain Katanga were persecuted for several crimes against humanity.

Yet despite several efforts to strengthen the judicial system in the DRC throughout the last few years, many human rights abuses and war crimes committed by militias and the national security forces particularly remain unaccounted for.

Sylvestre Mudacumura, an FDLR commander, remained at large, while FRPI leader like Justin Banaloki and others have been seized but not been brought to trial. Additionally the members of the national security forces, who are accused of having committed the 51 extrajudicial executions of the “Kuluna” affiliates in 2014, have not been held responsible.

Judges and legal staff are being paid low wages or none at all, making them more susceptible to corruption. Often trials are also tampered with through witness bribes. A draft law instituting specialized mixed chambers to try war crimes and crimes against humanity committed since 1990 has been refused by the Congolese government in 2016 while an amnesty law for a number of war crimes – excluding grave human rights abuses – committed between 2006 and 2013 was adopted in 2014.

While the International Crime Court (ICC) is actively involved in prosecuting Congolese human rights violators, the Congolese justice system itself remains fragile and needs to be reinforced in order for the state to gain more credibility and confidence within its civil population.

#### **4. Restrictions imposed on media, democratic movements, human rights defenders and the opposition**

Representatives of the media, democratic movements, human rights organisations and the opposition are key targets for threats and arbitrary detentions executed by national security forces as well as militia groups. During confinement, prisoners are often held incommunicado for long periods of time without any possibility to contact their legal advisers and prepare their court hearings. Their whereabouts often remain unknown. Therefore many of them conduct their work at a grave personal risk, especially when voicing politically critical views. According to the “Association Africaine de Défense des Droits de l’Homme” (ASADHO) the National Intelligence Service for example holds a list of 419 pro-democracy youths who were allegedly responsible for the marches on December 31, 2018 and are now actively sought after.

##### **4.1. Freedom of the press**

With media playing an increasingly important role for international communication, the Congolese government simultaneously reinforces its repression of news outlets or communication platforms.

Preceding demonstrations in January 2015 the government shut down Internet access and texting services for a couple of days, which according to government representative Lambert Mende prevented a civil war. Additionally the television station “Canal Kin Television” (CKTV) and the radio station “Radio Television Catholique Elykia” were closed down for months.

On November 5, 2016, in advance of anti-Kabila demonstrations, the government temporarily shut down several media channels, including Radio Okapi and Radio France Internationale, of which the latter remained jammed for 10 months. Moreover, Lambert Mende released a decree, which imposed significant restrictions on the freedom of expression of international media outlets in the DRC.

Throughout 2017, about 40 journalists were arrested. Two of the most prominent cases were Edouard Diyi, the head of “Télévision Kasaï Horizons”, who received death threats for his family and the journalist Jérôme Mwana, whose house was broken into by armed men who then kidnapped his wife.

Both had allegedly reported too critically of the government. Lastly, the government shut down internet and text message services again during the protests in December 2017 and early 2018.

#### **4.2. Democratic movements**

Since 2015 democratic movements as “Lutte pour le Changement” (LUCHA) have been emerging. LUCHA uses peaceful protest methods, such as sit-ins and non-violent demonstrations nonetheless the government has branded it a radical organisation and made use of harsh measures against it.

In March 2015, two youth activists, Fred Bauma (LUCHA) and Yves Makwambala (Filimbi) were arrested during a meeting in Kinshasa and accused of endangering state security. Subsequently, while protesting for the two activists to be freed, another 18 LUCHA members were detained in March 2016. Bauma and Makwambala were only released in August 2016, after the international community increased pressure.

In November 2015 two other LUCHA members were detained during a peaceful demonstration to call attention to the frequent massacres around Beni, which had not been investigated. The activists were later sentenced to three months in prison.

In February 2016, another six affiliates were arrested while preparing placards for a demonstration and subsequently put on trial for instigating revolt against the government, facing a prison sentence. Only after the UN put pressure on the Congolese government to release the young people in July 2016, did Kabila sign a pardon. On February, 25 2018 Rossy Tshimanga Mukendi, member of a democratic movement, has been killed by the police forces during demonstrations. Further arrests of LUCHA and members of other democratic movements continued throughout 2017 and 2018.

#### **4.3. Human rights defenders**

Despite previous recommendations to respect the democratic space and freedom of expression, as well as engagement in human rights activities, a continuous threat against human rights defenders remains in the DRC.

Christopher Ngoyi Mutamba, Chairman of the NGO “Synergie Congo culture et development” and Coordinator of the platform Civil Society of Congo was kidnapped by government forces in January 2015 and detained for twenty days. He was then put on trial on March 4, 2015 without being notified beforehand and accused of publicising false information and instigating violations to the law and rebellion after publicly speaking out against the electoral reforms.

In March 2016, Vincent Machozi, a catholic priest and human rights defender, who had been promoting human rights in eastern Congo, was shot by unidentified men in army uniforms. John Luhiri, a human rights lawyer, was arrested by the national police in November 2017 and has not been heard of since. These and many more cases verify the immense threats human rights defenders face in the DRC.

In May 2017, the Senate adopted a draft bill for the protection of human right defenders in order to ensure their legal acceptance and protection. This seemed to be a positive development, yet the bill restricts, who and to what extent one can engage in human rights activities and is therefore not conform with the provisions of the United Nations Declaration on Human Rights Defenders.

#### **4.4. Opposition**

Due to protests, in which violence is used by both sides, opposition party members are often exposed to harassment and arbitrary arrests by the national security forces.

In 2014, Vital Kamerhe, the president of the Union for the Congolese Nation (UNC), was hindered continually at expressing himself freely against the government. Furthermore, government forces broke

up several oppositional movements in Bukavu in February and Goma in September 2014, leading to numerous injuries among the protestors. Even UNC Secretary-General Jean-Bertrand Ewanga was sentenced to one year in prison after allegedly slandering the president and some of his fellow politicians.

With Kabila's proposal to change the electoral law, further protests by the opposition were sparked. In early 2015 the National Intelligence Service arrested several oppositional party leaders, including Jean-Claude Muyambo, Ernest Kyaviro and Vano Kiboko and held them incommunicado for months without formally charging them. Kabila's intimidation tactics even affected former members of his own political coalition, namely the G7, who levelled criticism against his plans for a third presidential term and were consequently harassed by national security forces.

Arbitrary detentions of political opponents continued throughout 2016 and during oppositional protests several people got shot and injured. In May 2016, the politician Moïse Katumbi officially announced that he was running for the office of president, backed by a union of a number of oppositional parties. Subsequently, the Ministry of Justice launched an investigation into the recruitment of foreign mercenaries. When he was later questioned in this regard he was allowed to leave the DRC on the account of health complications, but was found guilty in absentia for another alleged crime and received a sentence for three years in prison and a fine. As revealed afterwards, one of the judges involved in the case had been forced by the National Intelligence Service to agree on the sentence. Katumbi was repeatedly prevented from entering the DRC in August 2018 in order to submit his presidential nomination. This clearly contradicts Article 30 of the Constitution which contains, that no Congolese can be expelled from the territory of the DRC, nor forced into exile.

The opposition politician Jean-Pierre Bemba was prohibited to return to his family residence. The given reason was its location, apparently too near to the Presidential residence. However, there is no law that could justify such a ban unless there is acute danger to the President or other Congolese, which obviously was not the case. Bemba's candidacy was not accepted by the electoral commission. The official reason was Bemba's conviction for influencing witnesses in the International Criminal Court in The Hague. One of his lawyers, however, was able to stand for the parliamentary elections, although he had received the same guilty verdict.

## 5. Role of the church

With the approaching end of Kabila's mandate in December 2016 the "Catholic National Episcopal Conference of Congo" (CENCO) got involved and supported the negotiations between the opposition and the ruling party for the New Year's Agreement.

In a statement published in June 2017, the CENCO took note of the deteriorating socio-economic and humanitarian conditions, as well as the growing repression of democratic spaces. Further, it called upon civil society to stand up for its rights and the government to meet the goals acknowledged within the New Year's Agreement. In November 2017, the CENCO asked president Kabila to publicly announce standing back from the presidential elections and the "Independent National Electoral Commission" (CENI) to publish its financial plans for the upcoming elections in order to ensure transparency.

With the non-compliance of the New Year's agreement to arrange the presidential elections before the end of 2017, a number of municipalities subsequently organised strictly peaceful demonstrations against the government in Kinshasa, Kasai and Katanga-Province on December 31, 2017. During the protests, government security forces killed at least 8 people and over 120 protestors were arrested.

Correspondingly, another non-violent march organised by the “Catholic Lay Coordinating Committee” (CLC) on January 21, 2018 led to the death of at least another 6 people, 60 wounded and numerous arrests. Nationwide protests were called by the same Committee on February 25, 2018. During these protests one man was killed and two people seriously injured as police opened fire on demonstrators in the capital Kinshasa. Three priests were arrested as they led a march in the eastern district of the city Kisangani. In many places the police refused the population entry to the Sunday mass.

As a result of its commitment the Catholic Church is the target of constant immense threats. In the province Kasai churches were especially targeted and destroyed on a large scale. Subsequently at least two Bishops had to flee the region. Similarly, the protestant pastor François-David Ekofo had to flee the country after having lamented the deplorable conditions and poverty in the DRC and the failure of the state in a sermon on January 16, 2018. A draft bill is currently discussed in the parliament which aims at reducing freedoms over associations and churches.

## **6. Rights of indigenous peoples**

As mentioned in the report of the previous cycle the problematic living conditions of indigenous peoples are persisting. Many of them have a spiritual bond to the grounds that their ancestors have lived on for centuries. Among other things, this causes conflicts between different (ethnic) groups which are strengthened due to the millions of internal displaced people and refugees who fled into the DRC. In addition, a number of these territories have been declared National parks due to their richness in species and unique nature. Nevertheless, in doing so no account was taken of the indigenous groups, who considered these areas their homes. This has especially led to conflict between the indigenous people and the park rangers. In Kahuzi-Biega National Park, for instance, the seventeen years-old Christian Nakulire was shot by a park ranger on August 30, 2017. He allegedly thought Nakulire was a poacher, even though he was not carrying any weapons. Throughout the country indigenous peoples suffer from discrimination as minorities and several efforts to eliminate the issue have not taken effect.

## **7. Conditions in prisons and detention centres**

Conditions in prisons and detention centres throughout the country are in dreadful conditions. The lack of hygiene and access to healthcare, food and water has caused several people to die in prisons in the DRC. Many detention centres are also overpopulated up to 400% and fail to separate men and women, causing amplified insecurity, while prisoners are held incommunicado for long periods of time. In a prison in Bunia, Ituri, for instance, nine detainees died within two weeks due to the poor hygiene conditions in January 2018. According to the same prison, seventeen inmates had died there in 2017. Additionally, there have been several prison outbreaks throughout the DRC. In Beni, North Kivu, for example, 930 inmates managed to escape in June 2017, causing concern over security among the population.

## **8. Expulsion of international experts**

Beside the political opposition, media representatives, youth activists and human rights defenders, even external persons have been subjected to harassment and deportation. During the last years, external researchers and journalists have been kept from entering the DRC and continuing their work on the ground. In September 2017, researcher Kris Berwouts was prevented from departing shortly before his flight to Brussels. He was detained for several hours in the General Directorate of Migration (DGM) and his visa was cancelled without reason. In June 2017 the accreditation of Sonia Rolley, correspondent from Radio France Internationale (RFI) in the DRC, had not been renewed, but the application for its renewal was ignored by the Congolese government. In August 2016 Ida Sawyer, the Central Africa Director at Human Rights Watch, was asked to leave the DR Congo where she had been working since 2008. No reason was given to why her visa had not been renewed. When she came back with another visa, obtained through the Embassy of the DRC in Washington, she was told by the General Director of

Migration that she was no longer welcome in the country and subsequently accompanied to the Rwandan border and deported by agents of the DGM. After publishing a report on March, 2016, including indications on the involvement of the FARDC during massacres in Beni, Jason Stearns, the Director of the Congo Research Group, was expelled from the DRC.

## **9. Raw material industry and labour conditions in mineral mines**

While the government is seeking to make profit of the mineral trade the conditions in the mines remain devastating. The majority of the work is done through manpower and appropriate safety gear is often not available, causing many of the miners to have shown physical reactions after coming into contact with the minerals. Workers receive low wages, often driving them into debt. Many suffer from malnutrition and exhaustion due to the poor security and working conditions. Mines also continue to employ high numbers of children, especially since the National Action Plan to stop Child Labour in 2011 has not been implemented yet. Particularly among children there are increased incidences of physical impairment through the harsh labouring conditions. Lastly, the mineral trade continues to trigger conflict between several illegal armed groups as well as the national security forces, which make profits off of demands for illegal payments from miners.

## **10. Economic and social developments**

Due to the political crisis and the absence of state institutions, the disastrous economic situation in the country has worsened. In 2015, the DRC ranked 176<sup>th</sup> out of 188 countries in the Human Development Index with a value of 0,435, marking it as a low human development country. Since 2013 its HDI value has therefore increased by a rate of 0,016. Life expectancy is at 59.1 years and the average number of completed years of education is at 6.1. Compared to the median rates in Sub-Saharan Africa the DRC is therefore doing slightly better at life expectancy and mean years of schooling, yet its Gross National Income (GNI) per capita is only at 680 US\$ compared to 3,383 for Sub-Saharan Africa.

The total expenditure on health in 2014 amounted to 4.3% of the GDP. Approximately 74 infants out of 1000 live births died between birth and age 1, 97.6 under the ages of 5 and malnutrition also continues to be a serious issue. In March 2018 the UN announced that especially in the Kasai region more than 2 million children were at risk of dying from malnutrition. Additionally 370,000 people in the country are living with AIDS of which only 42% receive Antiretroviral Therapy (ART).

Since November 2017, the country has experienced increased incidences of Cholera cases especially in the Kinshasa province. Between November 2017 and February 2018, 1065 cases were reported of which 43 died. Severe flooding caused the number of cases to double in January, yet towards the end of the month a decline of new cases could be marked up. The origin of the disease is attributed to the increasing population, causing overcrowding, as well as poor infrastructure and lack of appropriate sanitation facilities and clean water around Kinshasa.

Ebola erupted in May 2018 in the north-western province of Equateur. The epidemic has been halted relatively quickly with the help of the World Health Organization (WHO). In July, the Health Minister officially declared the Ebola epidemic to be over. 33 people died during this epidemic in total.

In the eastern Congolese province of North Kivu, Ebola virus broke out in August 2018 near to the city Beni. The Ministry of Health confirmed 46 cases of contagion by the time of this report; 43 people have already died. The fight against the epidemic takes place under unlikely conditions: war, mass escape and refugee camps facilitate the spread of disease.

The majority of the Congolese population faces poor living conditions and unemployment, causing frustration and an increased use of violence especially among the youth. Additionally, food prices are rising and the Congolese franc is losing value. Despite these conditions the government has suggested budget cuts from 6.1 billion US\$ to 5.2 billion US\$ in 2017.

While the population is suffering under such deprived conditions, president Kabila and his family on the other hand are making profits off of the country's richness in natural resources. The family owns or is shareholder of at least 80 companies nationally and internationally. It profits from being involved in enormous mining projects, farming, banking, real estate, telecommunications and airlines, which also receive partial support from the Congolese government itself, the World Bank and the United Nations.

The legality of such businesses raise serious concern, as the transparency of these ventures is not guaranteed. Seeing as the country is already ranked 156<sup>th</sup> out of 176 countries within the corruption index, the Kabila family businesses have the potential to create further conflict of interest.