

General allegation

105th session (2 – 6 March 2015)

Democratic Republic of the Congo

38. On 26 March 2015, the Working Group transmitted information received from credible sources concerning obstacles encountered in the implementation of the Declaration.

39. The Working Group received reports indicating that an operation named “Likofi” was launched on 15 November 2013 by the Minister of the Interior, Security, Decentralization and Customary Affairs with the aim to eradicate kulunas (delinquent gang members) in Kinshasa. During the operation, conducted from November 2013 to February 2014, uniformed and hooded police officers allegedly raided the homes of suspected kulunas at night and arrested them at gunpoint, reportedly without producing an arrest warrant.

40. According to the information received, about 350 police officers, including officers from the Congolese National Police, the National Response Legion and the Mobile Intervention Group, participated in the operation. They allegedly committed widespread human rights violations, including enforced disappearances. The victims allegedly also included persons under the age of 18 and persons accused of being members of local gangs, often as an act of revenge for a conflict of a private nature.

41. The sources documented that most of the enforced disappearances took place between late November 2013 and February 2014. This was reportedly due to a strategy changed in December 2013, after concerns were raised by the United Nations and local human rights organizations with regard to summary executions in the previous weeks. According to the information received, instead of being executed publicly, suspected kulunas were taken to an unknown location in the outskirts of Kinshasa, where some were allegedly later killed secretly and their bodies thrown into the river Congo or buried in mass graves. More than 30 individuals, including four boys under the age of 18, were disappeared in the context of operation Likofi.

42. The family members of the disappeared persons attempted to determine the fate or whereabouts of their relatives, by visiting prisons, detention centres, morgues and hospitals throughout Kinshasa, but in vain. According to the sources, their requests for information from government authorities have been largely ignored. Several relatives filed complaints with the military prosecutor, which were mostly unsuccessful. Journalists, doctors, morgue employees, family members of the victims and human rights activists were warned by the police or other State agents not to disseminate information on the violations committed during the operation. Some relatives of disappeared persons therefore did not file any complaint owing to their fears of reprisal.

43. A commission of inquiry composed of police officers was established in September 2014 to investigate alleged cases of abuse. The commission has a mandate to identify the location of burial sites of executed persons, to provide information on the fate or whereabouts of the disappeared, to keep the families of victims informed and to make recommendations for legal action against the perpetrators of abuse. The commission has no judicial power and allegedly lacks impartiality, since it consists only of members of the police force, the very institution responsible for the alleged abuse and the threats against family members and witnesses of alleged violations. It has been reported that those presumed to be responsible for the operation are well known, but no proceedings have been initiated against them.