

The human rights situation in the Democratic Republic of Congo

The FIDH, meeting in Bogotá, Colombia, for the 42nd Congress,

Recalling the obligations of the Democratic Republic of the Congo (DRC) under the African Charter on Human and Peoples' Rights, the African Charter on Democracy, Elections and Governance, and other ratified regional and international human rights instruments, such as the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,

Recalling the decision of the Prosecutor of the **International Criminal Court (ICC)** in October 2024 to renew investigations in the DRC into crimes committed by all parties since January 2022, primarily in North Kivu, and the ICC's support for the project to create a special tribunal for the DR Congo expressed notably during roundtable discussions with non-governmental organisations (NGOs) in June 2025,

Recalling the United Nations Human Rights Council (HRC) resolution of 7 February 2025 establishing a **fact-finding mission (UN FFM)** in the DRC and, to continue its work, a Commission of Inquiry (Col) composed of three independent experts, with a mandate to document violations, preserve evidence, identify those responsible, and provide reports to the Human Rights Council as of 2026,

Deploring the HRC's decision to terminate the UN FFM's mandate in September 2025 and not to operationalise the Col due to budgetary constraints,

Recalling the **United Nations Security Council** resolution adopted on 21 February 2025 on the situation in the DRC, condemning Rwandan support for the March 23 Movement (M23) and that of the Armed Forces of the DRC (FARDC) to other armed groups, including the Democratic Forces for the Liberation of Rwanda (FDLR), and calling for the immediate withdrawal of Rwanda and the M23 from the territory of the DRC, while urging the parties to the conflict to resolve the conflict through diplomatic means and to facilitate the delivery of humanitarian aid,

Recalling in particular the press release issued by the **African Commission on Human and Peoples' Rights** (ACHPR) on 30 January 2025, in which the Commission condemns the attacks by armed groups and deplores the deterioration of the security and humanitarian situation in eastern DRC,

Recalling also the communiqué of the **Peace and Security Council of the African Union** dated 3 February 2025, in which the Council emphasises the need to address the underlying and structural causes of the conflict in eastern DRC and instructs the AU Commission to immediately dispatch a fact-finding mission on the ongoing crisis in eastern DRC,

Recalling the decision of the **African Court on Human and Peoples' Rights** of 26 June 2025 establishing the jurisdiction of the Court and the admissibility of the DRC/Rwanda case,

Deeply concerned by the human rights situation in **eastern DRC**, where clashes between armed groups and the FARDC have led to **serious violations of human rights and international humanitarian law** that affect civilian populations, including sexual and gender-based violence against women and children, the forced recruitment of children, arbitrary arrests and illegal detentions, and inhuman and degrading treatment,

Deeply concerned by the **situation of human rights defenders**, journalists, and members of civil society

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organisations who since the intensification of armed clashes in the east are facing increased threats due to their activities,

Greatly concerned by the **mass escapes** from certain prisons in eastern DRC and the mass sexual violence committed against female prisoners in this context at the Goma prison and for the safety of the victims of the escaped prisoners, that of the witnesses who testified at their trials, and that of the lawyers and other members of the judiciary staff,

Recalling the decades-long **persistence of armed violence** due to the activities of armed groups and clashes with the national army in eastern DRC, and the failure of diverse efforts, including those of the military and of the legal system to curb the violence,

Emphasising that addressing **the root causes of violations and crimes, which include the illegal exploitation of natural resources and impunity for the perpetrators of serious violations** committed in the context of armed conflict in the east, remains crucial to the search for sustainable solutions to end the cycle of armed violence,

Emphasising that military solutions involving **multiple armed actors**, including armies from the region, are not a sustainable solution for ending the cycle of armed violence and achieving lasting peace in the region,

Emphasising that information from several corroborating sources indicates that **Rwanda** provides support for the military activities of the M23 armed group and its political ally, the Congo River Alliance (Alliance du Fleuve Congo-AFC), in the east of the country, including in areas under their occupation,

Concerned by the quasi-institutionalised use of armed groups by the Congolese authorities to fight the M23, particularly through their integration into the **Defence Army Reserve (Réserve de l'armée de défense-RAD)**,

Noting that a **peace** agreement was signed between the DRC and Rwanda on 27 June 2025, under the auspices of the United States and Qatar,

Concerned by the lack of transparency surrounding the agreements on **critical raw materials** signed between the European Union and the DRC and Rwanda, on the one hand and those negotiated between the United States and the DRC and Rwanda on the other, and the importance of ensuring the traceability of minerals, implementing human rights due diligence, and ensuring that perpetrators are held liable for serious violations, including those at high levels, to ensure that these agreements do not contribute to fuelling armed conflict in the DRC and that they truly benefit the Congolese people,

Concerned by the information contained in reports, such as that of the United Nations Security Council Sanctions Committee Expert Group on the DRC, which describe the illegal exploitation of natural resources in the DRC by armed groups, including the M23-AFC, for export to Rwanda and further afield,

Concerned by the rampant **corruption** in the DRC that pervades all levels and sectors, including security and defence and local administrations that benefit from the exploitation of natural resources and the taxes levied on civilians,

Stressing that **there can be no lasting peace without justice**, and the importance of addressing impunity for serious human rights violations by opening investigations and prosecutions at the national, regional, and international levels when appropriate, including through a mixed mechanism dedicated to the situation in the DRC (special criminal tribunal or hybrid chamber) in a coordinated and complementary manner,

Concerned by the **widespread repression by the Congolese authorities of civil society**, particularly in connection with the armed conflict in the east and characterised by attacks on democracy and fundamental freedoms, including freedoms of expression and of the press, and

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Concerned by the DRC government's decision to resume the executions of persons sentenced to death and to lift the moratorium on the death penalty in force since 2003, and by the death sentences handed down since that decision,

The FIDH calls on

The Congolese authorities to:

- conduct independent and impartial investigations and prosecutions of cases of human rights violations, including sexual and gender-based violence, in the context of the conflict in the east;
- terminate all prosecutions and cease acts of intimidation against defenders and allow them to operate in an environment conducive to their activities;
- improve detention conditions, ensure the safety of women in prisons, support the digitisation of court records, and strengthen the role of the National Human Rights Commission (CNDH) in monitoring and reporting on detention conditions;
- renounce executions, reverse the decision to lift the moratorium on the death penalty in the DRC, and encourage the abolition of the death penalty; and
- address the root causes of the conflicts, including corruption, the illegal exploitation of natural resources, and impunity, in all peace and trade agreements between the DRC and countries in the region.

All parties to the conflict and their supporters to:

- conduct peace process negotiations that are more inclusive and consultative of civil society and the Congolese population, so as to better respond to the needs and demands of the people; and
- cooperate with existing investigative and prosecutorial mechanisms, including the with ICC open investigation into the international crimes committed in eastern DRC since January 2022.

The African Union, and in particular the AU Commission and the ACHPR to:

- dispatch a fact-finding mission charged with investigating crimes committed in the east, including sexual and gender-based violence, and identifying the root causes of the conflict, in complementarity with existing investigative efforts.

The International Criminal Court, and in particular the Office of the Prosecutor, to:

- continue its current investigation, prosecute those most responsible for international crimes, and support the establishment of a hybrid justice mechanism for the DRC, in accordance with ICC policy on complementarity.

The United Nations, and in particular the Security Council and the Human Rights Council, to:

- follow up on the recommendations made by United Nations experts on the DRC in their latest report; and
- redouble efforts to operationalise the Commission of Inquiry as soon as possible, and call on all other actors, including financial actors, to support this process.

Courts of competent jurisdiction to:

- ensure the meaningful participation of victims and survivors and civil society engagement with all justice mechanisms.

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Third States to:

- support the establishment and operationalisation of emergency and longer-term assistance mechanisms for human rights defenders in the DRC, and
- support the protection of human rights defenders, and the victims and witnesses of crimes committed by fugitive detainees, including in zones under the control of the armed forces of the DRC (FARDC) and their allies, by calling for concrete measures to prevent reprisals and ensure their safety.

Civil Society to:

- continue to document serious violations committed in eastern DRC and collaborate with the ongoing ICC investigation and other international and regional investigative mechanisms.