

■問い合わせ

コンゴ民主共和国：「①政権交代後(2019年以降)のUDPSの一般党員に対する政府、治安機関の抑圧行動の有無、②ANRなど治安部隊による政治的活動や政治活動家に対する抑圧について、政権交代前後で変化があるか(政権交代後もカビラ前大統領派の政党が下院や地方議会の多数派を占めており実質的な権力を握っている、すなわち従前と変わらないと報じられているがあるが、治安部隊についてもこれが当てはまるか、あるいは治安部隊による人権侵害状況については政権交代による改善がみられないとの情報があるか。)

■回答

コンゴ民主共和国の「①政権交代後(2019年以降)のUDPSの一般党員に対する政府、治安機関の抑圧行動の有無、②ANRなど治安部隊による政治的活動や政治活動家に対する抑圧について、政権交代前後で変化があるか(政権交代後もカビラ前大統領派の政党が下院や地方議会の多数派を占めており実質的な権力を握っている、すなわち従前と変わらないと報じられているがあるが、治安部隊についてもこれが当てはまるか、あるいは治安部隊による人権侵害状況については政権交代による改善がみられないとの情報があるか。)に関する調査依頼に対し、難民研究フォーラムが規定の時間的制約の中で調査したところ、以下の情報が見つかりました。

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1. 2019年政権交代後の中央政府・地方行政の権力図、治安当局の状況

(1) ジョセフ・カビラ前大統領との関係を含む、フェリックス・チセケディ政権の状況

ア 英国内務省「[国別政策情報ノート コンゴ民主共和国：政府への反対、3.0版（仮訳）](#)」（2019年11月）

4.3.8 フィナンシャル・タイムズの2019年8月26日の報道によれば

『フェリックス・チセケディがジョセフ・カビラに代わって中央アフリカコンゴ民主共和国の大統領に就任してから7ヵ月を経て、コンゴ民主共和国の首相はついに新政府を発表した。カビラは2019年1月に退任したが、同氏の与党は議会選挙で圧倒的多数を獲得し、これによって閣僚の任命に対する多大な影響力も獲得した。この異常な勢力均衡は、チセケディと疑惑の選挙後にチセケディの就任を見守ったカビラ間で交わされた裏取引に基づく、数ヵ月に及ぶ交渉という結果をもたらした。

『新内閣は、チセケディの変革への指針(CACH)の党員23人及び、カビラのコンゴ統一戦線(FCC)の任命者42人という顔ぶれになった。閣僚の4分の3を与党が占めるという初めての態勢を、シルベストル・イルンガ=イルカンバ首相は、「重要な革新である」と評した。カビラ政権の下で防衛相及び石油相を務め、再び防衛相に任命された Aime Ngoy Mukena のように、以前の行政の職位に就いた者もいた。

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4.3.9 2019年8月26日のBBCNewsがDRCの新内閣を専有したカビラ派の選任について論評したところによれば、

...

『国防相、内務相及び財務相といった主要閣僚は、以下のように両連合間で二分された。

- ・『内務・治安相-ギルバート・マラバ(Gilbert Malaba)、チセケディ陣営
- ・『国防相-ンゴイ・ムケナ(Ngoy Mukena)、カビラの側近
- ・『鉱山相-ウィリー・サムソニ、カビラの政党連合の一員で上カンタガ州の前鉱山相
- ・『財務相-セレ・ヤラグリ(Sele Yalaghuli)、カビラ陣営、前税務局長
- ・『予算相-Jean-Baudouin Mayo Mambek、チセケディの同盟者、若手

...

4.3.10 BBCの朝刊ウェブサイトには、次のように副大臣が記載された。

- ・『副大臣、予算相、Jean-Baudouin Mayo Mambek
- ・『副大臣、内務・治安・慣習問題相 - KANKONDE MALAMBA, Gilbert(CACH)
- ・『副大臣 - 司法相 - TUNDA YA KASENDE, Celestin(FCC)
- ・『副大臣 - 企画相 - MUNEMBWE TAMUKUMWE, Elysee(FCC)

・『副大臣 - 土木・インフラ相 - NGOOPOS SUNZHEL, Willy(FCC)』 33

5.2.3 変革への指針 (CACH)は、共同候補として大統領選に出馬する意図でフェリックス・チセケディとヴィタル・カメルへ間で取り交わされた協定に準ずる選挙連合である。40 2019年7月29日に、CACHは、コンゴ統一戦線(FCC)と連立内閣樹立に向けた合意に達した。41 この連立内閣は、閣僚48人、副大臣17人の65席で構成される予定である。42 CACH連合は、閣僚ポスト全65席のうち23席を割り当てられている。43

イ 在コンゴ民主共和国日本国大使館「[コンゴ \(民\) 月例報告 政治関連 2019年10月](#)」(2019年11月)

(5) PPRD の党会議決定事項

- ・23日と24日の両日、PPRDはカビラ前大統領の地元であるルブンバシ市で評価のための会議を行い、カビラ前大統領は政治活動を再開し、これまでのAutorite MoraleからPPRDの全国代表(President National)に就任することが決定された。また、カビラ前大統領が2023年の大統領選挙に立候補することは憲法上問題ないとの見解が示された(24日付AFP)。

ウ 在コンゴ民主共和国日本国大使館「[コンゴ \(民\) 月例報告 政治関連 2019年9月](#)」(2019年10月)

(2) イルンガ新内閣の信任

- ・6日、特別国会で、15の柱からなるイルンガ内閣の施政方針が採択され、同内閣の信任式が行われた(国営テレビ・ラジオ局(RTNC)生中継)。
- ・7日、チバラ前首相とイルンガ新首相は業務の引継ぎを行った。

エ 在コンゴ民主共和国日本国大使館「[コンゴ \(民\) 月例報告 政治関連 2019年8月](#)」(2019年9月)

(1) 新内閣の組閣

- ・11日、カビラ前大統領陣営の議会多数派プラットフォーム「FCC (Front Commun du Congo, コンゴ統一戦線)」と、チセケディ大統領陣営のプラットフォーム「CACH (Cap pour le Changement, 変化への方向)」の代表は、両プラットフォームに割り当てられた内閣ポスト(当館注：FCC42ポスト、CACH23ポストの合計65ポスト)に関し、各ポストに対し3名の候補者(うち1名は女性)を記載したリストをイルンガ次期首相に提出した。
- ・14日、チセケディ大統領は、イルンガ次期首相が提出した内閣名簿の初版について、「女性閣僚及び新旧世代のバランスが考慮されていない」の理由で拒否し、改訂を求めた(14日付AFP)。(当館注：実際にはこの日に内閣名簿は提出さ

れていないとの情報もある。)

- 15日、マブンダ国民議会議長は、チセケディ大統領からの13日付書簡により、今月19日から9月7日まで臨時国会を招集したと発表した。同臨時国会の議題は政権の承認、政府行動大綱のヒヤリング及び内閣の信任である(15日付AFP)。
- 20日、ムウイラニャ FCC 調整役とラマザニ・シャダリ PPRD 常任書記は記者会見を行い、FCC が新内閣における閣僚の若返りを行った等述べた(20日付 FCC ツイッター)。
- 21日、チセケディ大統領は訪問先のルアンダでの記者会見で、すべてが順調ならば明日(22)日には内閣名簿の初版とともに首相と面談し、同日夜には内閣名簿が発表されると述べた(21日付 Radio Okapi)。
- 26日未明、イルンガ首相は連立政権の新内閣名簿(当館注:最終的に66ポスト)を発表した。これは、チセケディ大統領の就任から7か月後となる。新内閣の男女比は男性が83%、女性が17%である

オ ●記事 [「DRC announces new government 7 months after president inaugurated」](#)
Aljazeera (2019年8月26日)

The Democratic Republic of the Congo (DRC) has announced a new coalition government, seven months after the inauguration of President Felix Tshisekedi.

Announced on Monday by the president's spokesperson, the power-sharing agreement saw 23 members of the executive drawn from Tshisekedi's Direction For Change party, and the remaining 42 from former long-time president Joseph Kabila's Common Front for Congo (FCC) coalition.

Gilbert Malaba, a member of Tshisekedi's party, was appointed minister of interior and security, while the defence ministry went to Ngoy Mukena, a close Kabila ally.

The mining portfolio went to Willy Samsoni, a member of Kabila's coalition and a former mines minister in the local government of Haut-Katanga province, while the DRC's former director general of taxes, Sele Yalaghuli, also a Kabila stalwart, was named finance minister.

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Tshisekedi-Kabila coalition

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The FCC dominated concurrent legislative elections, winning 342 of the 485 seats in the DRC's parliament.

Following the polls, Kabila and Tshisekedi issued a joint statement in March confirming "their common will to govern together as part of a coalition government".

...

Since his inauguration in January, Tshisekedi has signalled a break with his predecessor

in some areas.

In March, he pardoned hundreds of political prisoners, a marked shift away from the policies of Kabila, who had scores of his opponents jailed.

カ 記事「[コンゴの大統領は再選挙には出馬しなかったが、まだ支配している](#)」NYT
(2019年1月14日)

先週、次期大統領として正式に指名された直後、チセケディ氏はカビラ氏に「敬意を表し」、カビラ氏は「変革のパートナーであって、敵ではない」と述べた。

ローマ教会を含めた、大半の第三者立会人が違法であるとみなす選挙後、コンゴ情勢は引き続き流動的であるが、1つ確実に確かなことがある：強烈な国際的圧力あるいは断固とした国内暴動がないので、カビラ政権は実質上国家運営を継続しそうである。

...

インターネットの遮断がもう3週間継続しているにもかかわらず、キンシャサの住民は自分のやるべきことをやってきた。政府は、遮断は選挙前の虚偽情報や憶測の流布を阻止する意図だったと言っているが、批判者は対抗馬のデモ組織を防ぐための動きだったと述べている。

(2) 下院・州議会等の議席数等

ア 英国内務省「[国別政策情報ノート コンゴ民主共和国：政府への反対、3.0版（仮訳）](#)」（2019年11月）

4.3.3 France24 の2019年5月20日の報道によれば、

『2019年1月24日に就任したチセケディは、同氏が宣言した改革プログラムの前進に向けて努力を重ねている。同氏の首相選任は、18年の在任期間を経て多大な政治的影響力を蓄積したカビラに承諾される見込みである(中略)

『カビラの政治連合は、議会、広大且つ不安定な国内各地の州議会及び知事の職位で優勢を保持している。』25

4.3.5 2019年7月17日の国連安全保障理事会の事務総長の報告書、国連コンゴ民主共和国安定化ミッション(UN Organization Stabilization Mission in the Democratic Republic of the Congo)によれば、

...

『[2019年]5月18日までに、国内全26州の議会で元老院議員の間接選挙が実施された。この選挙は汚職疑惑に包まれ、主に、民主社会進歩連合の支持者による抗議デモ及び散発的な暴力を引き起こした。一部の抗議デモ参加者は、民主社会進歩連合が過半数を握る東カサイ州及びキンシャサを含む州議会などにおいて、コンゴ統一戦線が元老院議席の過半数を獲得したことに憤慨した。元老院議員

は2019年4月2日に任命されたが、議長及び事務局を選任していない。』27

5.3.1 フリーダムハウスの2018年に関する報告書によれば、『2018年6月に、カビラ及び同氏の政党、PPRDは、議会幹部、知事及び一部の市民社会構成員及びジャーナリストで構成される政党連合、コンゴ統一戦線(FCC)を結成した。』
44

イ 現代アフリカ地域研究センター「[今日のアフリカ コンゴ民主共和国、チセケディ新政権の基盤](#)」(2019年3月24日)

…チセケディ政権発足から時間が経つにつれ、カビラ派の権力基盤が強固であることが明らかになってきた。カビラ派のFCCは、12月末の大統領選挙と同時に実施された下院選挙および州議会選挙で過半数を獲得している。3月15日に実施された上院選挙でも圧倒的な多数を占めたが、上院議員と知事は州議会議員が選出するので、これは当然の結果である。3月22日付アフリカ・コンフィデンシャル誌は、カビラ政権で情報相を務めたメンデ(Lambert Mende)がサンクル県の、カビラの弟ゾエ(Zoe Kabila)がタンガニーカ県の知事になるとの見立てを報じている。上下両院、州議会、州知事と、コンゴのフォーマルな権力機構はすべてカビラ派が押さえることになる。まだ新首相は発表されていないが、首相は議会与党から出すとされているので、カビラ派が就任することが確実視されている。なおカビラ自身は、終身名誉上院議員の地位を得たと報じられている。

ウ ●IPU Parline「[コンゴ民主共和国 下院 選挙結果](#)」(2020年10月6日閲覧)

The Joint Front for Congo (FCC, see note 1), a coalition supporting outgoing President Joseph Kabila, retained the majority in the 500-member National Assembly, taking over 330 seats. Opposition coalition Lamuka, led by Mr. Martin Fayulu, took 102 seats (see note 2). The former oil tycoon's coalition was backed by former Vice-President Jean-Pierre Bemba and former Governor of Katanga province, Mr. Moise Katumbi, who were barred from running in the presidential elections held in parallel with the parliamentary polls (see note 3). Another opposition coalition, Heading for Change (CACH), co-led by Mr. Felix Tshisekedi (leader of the Union for Democracy and Social Progress, UDPS) and former Speaker Vital Kamerhe, took 46 seats.

...

Note 1:

The FCC included the Presidential Majority led by Speaker Aubin Minaku, and the Rally of Political and Social Forces Acquired for Change, led by Prime Minister Bruno Tshibala, amongst others.

Note 2:

By 10 June 2019, the Constitutional Court had invalidated over 30 opposition MPs,

mainly from the Lamuka coalition, due to alleged electoral disputes. Opposition members rejected the Court ruling, stating it had been issued beyond the two-month deadline stipulated in Article 74 of Law 06/006 on the Organization of Presidential, Legislative, Provincial, Urban, Municipal and Local Elections.

Note 3:

Mr. Katumbi, who has been in self-imposed exile since 2016, tried to return to the country before the 8 August 2018 deadline to register as a presidential candidate but he was denied entry. On 1 August 2018, Mr. Bemba returned to the country after the International Criminal Court (ICC) acquitted him of the charges of war crimes and crimes against humanity in June. In September, the Congolese Constitutional Court invalidated Mr. Bemba's presidential bid because of his ICC conviction for witness-tampering, which was confirmed by the ICC in September.

Parties or coalitions winning seats	
Political group	Total
People's Party for Reconstruction and Democracy (PPRD)	50
Alliance of the Democratic Forces of Congo and Allies (AFDC-A)	41
Union for Democracy and Social Progress (UDPS-TSHISEKEDI)	32
Alternative Action for Well-being and Change (AAB)	30
People's Party for Peace and Democracy (PPPD)	25
Social Movement (MS)	24
Alliance of Actors for Good Governance of Congo (AABC)	23
Alliance for the Future (AA/a)	22
Movement for the Liberation of Congo (MLC)	22
Alliance of Democrats for Renewal and Progress (ADRP)	22
Alliance of Movements of Kongo (AMK)	22
Unified Lumumbist Party (PALU) and allies	17
Union for the Congolese Nation (UNC)	16
Future of Congo (ACO)	12
Alliance of Construction for an Emergent Congo (ABCE)	11

Rally for the Reconstruction of Congo (RRC)	11
Action of allies to improve living conditions for the Congolese (AAAC)	10
Group of 7 (G7)	11
Christian Democratic Party (PDC)	10
Alliance for the overall transformation of Congo (ATIC)	10
Alliance	8
Stand Up Congo (CODE)	8
Progressists' convention for the Republic (CPR)	8
Dynamics of the Congolese Political Opposition (DO)	8
Alliance for Democratic Alternative (AAD)	10
Movement for the Integrity of the People (MIP)	7
Alliance in the Unity (ADU)	6
Alternative for the Republic (AR)	9
Rainbow of Congo (ACC)	5
Group 18 (G18)	4
Avançons	1
Party for the People's Revolution (PRP)	1
United for the Republic (UREP)	1
Alliance of Progressives for Congo (APCO)	3

エ 記事「[コンゴ前指導者カビラの連立政権が決定的な上院過半数議席を獲得](#)」ライター (2019年3月17日)

[出身国情報 コンゴ民主共和国 \(2020年9月7日版\)](#) の3(2)オを参照。

(3) 政府内の軋轢

ア 在コンゴ民主共和国日本国大使館「[コンゴ\(民\)月例報告 政治関連 2019年11月](#)」(2019年12月)

(1) CACH と FCC の軋轢

- ・10日、カブンド国民議会第一副議長（UNDP 前幹事長）は、ルアラバ州コルウェジでチセケディ大統領の肖像が国家情報局（ANR）及び警察の面前で何者かに燃やされたことに対し、「CACH（チセケディ大統領陣営のプラットフォーム）は、責任の所在が明確となるまで、FCC（カビラ前大統領陣営の議会多数派プラットフォーム）との協議を中断する」とツイッターで述べた。

イ ●国連安保理「[MONUSCO 国連事務総長報告](#)」 eci (2020年9月21日)

II. Political developments

2. Political dynamics in the Democratic Republic of the Congo during the period under review were marked by continuing tensions within the ruling Cap pour le changement (CACH)-Front commun pour le Congo (FCC) coalition, discussions over nominations to key judicial and electoral bodies and calls among some opposition and civil society actors for a dialogue on electoral reforms.
3. Attempts by FCC deputies in the National Assembly to introduce judiciary reform bills faced resistance from CACH, the opposition coalition and civil society organizations, which expressed fear that such bills could infringe on the independence of the judiciary. Amidst rising tensions, the Vice-Prime Minister in Charge of Justice resigned on 11 July. Following a meeting between President Tshisekedi and his predecessor, former President Joseph Kabila, on 2 July, the commitment to the coalition was publicly reaffirmed.
4. On 17 July, President Tshisekedi made appointments to several civilian, military and judicial bodies, including that of the first female judge to the Constitutional Court. The Prime Minister's spokesperson subsequently questioned the legality of those appointments, as the orders had been countersigned by the Vice-Prime Minister in Charge of the Interior rather than the Prime Minister, who was on official mission within the country at the time. The FCC claimed that the ordinances were unconstitutional, as they allegedly did not follow defined procedures. Most of the decisions have nevertheless been implemented, except for the new judges appointed to the Constitutional Court, whose inauguration will take place during the next parliamentary session, starting on 15 September.
5. Tensions also surfaced when the National Assembly confirmed Ronsard Malonda as a board member of the Independent National Electoral Commission and a presumptive future president of the Commission. Protests were organized across the country by civil society organizations, the CACH and Lamuka platforms, and some faith-based groups. President Tshisekedi advised the sociopolitical groups in charge of designating board members of the Electoral Commission to harmonize their positions and seek consensus, and subsequently stated that he would not sign the ordinance appointing Mr. Malonda. Despite movement restriction measures related to the coronavirus disease (COVID-19) pandemic, civil society organizations actively participated in political life, organizing multiple large-scale demonstrations throughout the country against the proposed judicial reforms and the nomination of the new president of the Independent National Electoral

Commission, and in favour of electoral reforms.

6. On 28 July, President Tshisekedi met with a group of 12 personalities from across the political spectrum who have been advocating a national consensus on electoral reforms. During the subsequent press conference, the Lamuka-affiliated spokesperson of the group stated that their initiative aligned with the President's views on the need for consensus among political actors and that it did not seek to create new power-sharing arrangements. The group subsequently met with the Prime Minister, the outgoing President of the Independent National Electoral Commission and the leaders of several religious and civil society organizations. FCC representatives were sceptical of the process and referred to legislative bodies as the appropriate place to discuss electoral matters.
7. The reporting period was also marked by the conviction for embezzlement and sentencing of Vital Kamerhe, President Tshisekedi's Chief of Staff and leader of the political party Union pour la Nation congolaise (UNC), to 20 years' imprisonment and 10 years of ineligibility to stand for public office. Kamerhe's appeal proceedings started on 24 July and are ongoing. The UNC and its supporters, especially in Kamerhe's native province of South Kivu, continued to criticize what they described as an unfair and politically motivated trial. Some civil society organizations, however, welcomed the result as a milestone in the fight against corruption and demanded that similar judicial proceedings be launched against members of the current and former Administrations who were presumed to have engaged in corruption.
8. The socioeconomic situation remained fragile owing to inflation, mainly driven by a weakening exchange rate of the Congolese currency and external shocks related to the COVID-19 pandemic. The Central Bank of the Democratic Republic of the Congo foresees a 2.4 per cent contraction of the country's economy in the current year. At the meeting of the Committee on Economic Trends held on 18 August, the Prime Minister instructed the Vice-Prime Minister in Charge of Budget, the Minister of Finance, and the Governor of the Central Bank of the Democratic Republic of the Congo to adhere to the government cash flow plan to stabilize the national economy. At a meeting held on 9 September, the Committee noted that the stability recorded in the economic sector throughout August was linked to the macroeconomic and monetary stability pact signed between the Government and the Central Bank.

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ウ ●記事「[DR Congo's justice minister questioned by police over proposed judicial reforms](#)」france24 (2020年6月27日)

DR Congo's justice minister was briefly arrested on Saturday, the latest twist in a crisis over proposed judicial reforms that have triggered violent street protests. He was released after being questioned by the police for several hours.

The action against Celestin Tunda Ya Kasende came a day after he clashed with President

Felix Tshisekedi over the contested legal changes, according to a ministerial source.

The reforms, proposed by supporters of the still influential former president Joseph Kabila, has caused a damaging rift in the fragile government coalition.

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エ ●記事「[Congo president's chief of staff arrested amid graft probe](#)」Reuters (2020年4月9日)

Vital Kamerhe, the chief of staff to the president of Democratic Republic of Congo, was arrested on Wednesday after testifying in an investigation into the alleged misappropriation of public funds, police said.

Kamerhe's arrest was a blow to President Felix Tshisekedi, who took power in January last year after campaigning on promises to clean up corruption, which watchdog groups said flourished under his long-serving predecessor, Joseph Kabila.

Tshisekedi's spokesman, Kasongo Mwema, said: "The president does not comment on the decisions of the justice system."

The arrest followed hours of testimony at the public prosecutor's office. Outside, police used tear gas to disperse a large group of Kamerhe's supporters and enforce a ban on meetings of more than 20 people in response to the coronavirus pandemic.

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オ ●[ACLEL](#)抽出データ (抜粋) (2020年10月19日時点)

出来事のタイプ：戦略的な変化>逮捕

情報源：France24; Radio Okapi

メモ：On 27 June 2020, the justice minister Celestin Tunda Ya Kasende, a senior figure in Kabila's FCC political alliance, was arrested by the police in his house in Kinshasa. He was then questioned for several hours before being released the same day. Reportedly, the arrest came after he had shared opinions in the parliament over the controversial judicial reforms which had not been validated by the president.

出来事のタイプ：戦略的な変化>逮捕

情報源：AFP; Cas-Info

メモ：On 30 October 2019, provincial minister of Interior of Kinshasa and PPRD official Dolly Makambo was arrested after the killing of Vijana Hospital Administrative Director by a policeman who was part of his guard. He spent the night of 30-31 October in front a military court, and was assigned to residence on 31 October for inciting policemen to commit actions that are contrary to their duties.

2. 2019年以降の治安当局の状況

ア ●米国国務省「[人権状況報告 2019年・コンゴ民主共和国](#)」(2020年3月11日)

The primary responsibility for law enforcement and public order lies with the Congolese National Police (PNC), which operates under the Ministry of the Interior. The National Intelligence Agency (ANR), overseen by the presidency, is responsible for internal and external intelligence. The Armed Forces of the Democratic Republic of the Congo (FARDC) and the military intelligence service operate under the control of the Ministry of Defense and are primarily responsible for external security but in reality focus almost exclusively on internal security. The FARDC suffered from weak leadership, poor operational planning, low administrative and logistical capacity, lack of training, and questionable loyalty of some of its soldiers, particularly in the east. …

イ ●HRW「[ワールドレポート 2020 - コンゴ民主共和国](#)」(2020年1月14日)

…In March, Tshisekedi removed Kalev Mutondo as director of the National Intelligence Agency, where he was a principal architect of former President Joseph Kabila’s administration’s drive to repress dissent.

ウ 英国内務省「[国別政策情報ノート コンゴ民主共和国：政府への反対、3.0版\(仮訳\)](#)」(2019年11月)

4.3.9 2019年8月26日のBBCNewsがDRCの新内閣を専有したカビラ派の選任について論評したところによれば、

…

『国防相、内務相及び財務相といった主要閣僚は、以下のように両連合間で二分された。』

・『内務・治安相-ギルバート・マラバ(Gilbert Malaba)、チセケディ陣営

・『国防相-ンゴイ・ムケナ(Ngoy Mukena)、カビラの側近

…

4.3.10 BBCの朝刊ウェブサイトには、次のように副大臣が記載された。

…

・『副大臣、内務・治安・慣習問題相 - KANKONDE MALAMBA, Gilbert(CACH)

・『副大臣 - 司法相 - TUNDA YA KASENDE, Celestin(FCC)

…

3. 2019年以降の治安・人権状況

ア ●国連安保理「[MONUSCO 国連事務総長報告](#)」eoi (2020年9月21日)

IV. Human rights situation

21. There were 2,140 documented human rights violations and abuses across the country in the second quarter of 2020, an 8 per cent increase from the previous quarter. State agents were responsible for nearly 44 per cent of those violations. Armed groups in the conflict-affected eastern provinces, most notably those based in Djugu, committed the remainder of the violations.

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23. The increase in the overall number of documented human rights violations is also due to sustained attacks against civilians by armed assailants, mainly in the Djugu, Irumu and Mahagi territories of Ituri Province, where at least 323 civilians were killed (including 64 women and 87 children), 156 wounded (including 58 women and 33 children) and 127 abducted (including 30 women and 18 children), and 53 women and girls were subjected to sexual violence between April and June 2020. Human rights violations by national security forces in those territories also increased, resulting in the extrajudicial killing of 11 civilians, including five women and two children. Although North Kivu saw a decrease of 13 per cent in human rights violations, it is still the province with the highest number of documented violations. South Kivu and Tanganyika registered an increase in such violations of 28 and 12 per cent, respectively, in the second quarter of 2020. MONUSCO pursued advocacy efforts at the provincial level to strengthen the protection of civilians and respect for human rights, including through participation in joint MONUSCO-FARDC committees to tackle the issue of impunity.

V. Humanitarian situation

24. On 25 June, the Minister of Health, Eteni Longondo, announced the end of the tenth Ebola virus disease outbreak in the eastern part of the Democratic Republic of the Congo, which had started on 1 August 2018 in North Kivu and extended into Ituri and South Kivu. Over 3,400 people were infected by Ebola, more than 2,200 of whom died. Meanwhile, the eleventh Ebola outbreak was declared in Equateur Province on 1 June. As at 13 September, 121 infections, 48 deaths and 54 survivors had been reported. The epidemic increased pressure on the already limited basic social services and exacerbated the vulnerability of the affected populations, especially among women and children.

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イ ●HRW「ワールドレポート 2020 - コンゴ民主共和国」(2020年1月14日)

Some of the most acute violence in the country in recent years took place in Yumbi, western Congo, in mid-December 2018 when at least 535 people were killed. Most of the victims were ethnic Banunu, killed by ethnic Batende. In eastern Congo, numerous armed groups, and in some cases government security forces, attacked civilians, killing and wounding many. The humanitarian situation remained alarming, with 4.5 million people internally displaced, and more than 890,000 people from Congo were registered as refugees

and asylum seekers.

4. 2019年以降の治安当局による人権侵害

ア ●IRBC「[クエリー回答 \[COD200185.FE\] : 人権活動家の状況](#)」(2020年4月3日)

1. Situation of Human Rights Activists

In a report covering the period from 29 June to 25 September 2019, the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) reports the following:

[UN English version]

Obstacles to freedom of the press and attacks and threats against human rights defenders and other civil society actors continued to be observed. In some cases, armed groups targeted journalists and civil society members who had reported human rights abuses or supported the work of Ebola response teams. While several peaceful demonstrations were held without incident, others were suppressed by the authorities, including through lethal force. (UN 27 Sept. 2019, para. 55)

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In a note documenting the main trends in terms of human rights violations in the DRC in January 2020, the UN Joint Human Rights Office (UNJHRO) in the DRC reports the following:

[translation]

In January 2020, the UNJHRO documented 91 human rights violations in the democratic space, a substantial increase from the 41 violations documented in December 2019. This increase is mainly due to the high number of arbitrary arrests and illegal detentions, violations of the right to freedom of opinion and expression, and death threats from Congolese National Police (Police nationale congolaise, PNC) officers and members of the Armed Forces of the DRC (Forces armées de la RDC, FARDC), primarily against human rights activists and other members of civil society. (UN 26 Feb. 2020)

According to a report by Front Line Defenders [2], an Irish human rights organization, on 6 September 2019, 18 human rights activists taking part in a peaceful demonstration against the alleged misappropriation of public funds were arrested and whipped by police officers while in detention at a Kinshasa police station (Front Line Defenders 10 Sept. 2019). The same source also reports that on 9 September 2009, four human rights activists, members of Struggle for Change (Lutte pour le changement, LUCHA), who took part in a protest in Kananga (Kasaï-Central Province) “to request that the provincial governor rescind his decision to appoint local authorities as the move is not aligned with the Constitution” were wounded by police and taken to the hospital (Front Line Defenders 10 Sept. 2019). According to this source, they were released from the hospital the next day (Front Line Defenders 10 Sept. 2019)....

イ ●米国国務省「[人権状況報告 2019年・コンゴ民主共和国](#)」(2020年3月11日)

Government security forces, as well as illegal armed groups (IAGS), continued to commit abuses, primarily in the east and the Kasai region. These abuses included unlawful killings, disappearances, torture, destruction of government and private property, and sexual and gender-based violence. IAGs also recruited, abducted, and retained child soldiers and forced labor. The government took military action against some IAGs but had limited ability to investigate abuses and bring the accused to trial (see section 1.g.).

A. ARBITRARY DEPRIVATION OF LIFE AND OTHER UNLAWFUL OR POLITICALLY MOTIVATED KILLINGS

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On January 10, security forces used lethal and disproportionate force to disrupt post electoral demonstrations. According to Human Rights Watch (HRW), at least 10 civilians were killed across the country during the day of political gatherings. In the city of Kikwit, in Kwilu Province, the PNC killed five persons, including two adolescent boys and a man who were bystanders on their way to the hospital to donate blood. During demonstrations in Kikwit, at least 22 protesters were wounded by gunfire. In Kisangani, Tshopo Province, PNC agents killed a nine-year-old boy while dispersing unarmed demonstrators. The same day, in Goma, North Kivu Province, police killed an 18-year-old man while dispersing demonstrators.

...

Although the military justice system convicted some SSF agents of human rights abuses, impunity remained a serious problem. The government maintained joint human rights committees with the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) and used available international resources, such as the UN-implemented technical and logistical support program for military prosecutors as well as mobile hearings supported by international nongovernmental organizations (NGOs). Military courts convicted some SSF agents of human rights violations. The United Nations reported the government convicted at least 32 FARDC soldiers and 102 PNC officers for crimes constituting human rights violations during the first half of the year. In the previous year, the government convicted 120 FARDC soldiers and 66 PNC officers for similar violations.

On February 26, in response to police firing on university protesters in January, a Lubumbashi court sentenced the deputy provisional police commissioner to one year in prison. The court sentenced the four police officers who fired at the students to 20 years' imprisonment. A fifth police officer who fled and failed to appear in court was sentenced to death in absentia. The court also ordered the government to pay the families of those killed 83.2 million Congolese francs (\$50,000) each and 66.6 million Congolese francs (\$40,000)

to the families of those injured.

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Arbitrary Arrest:

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According to the UNJHRO, on April 22, the ANR arrested and detained four human rights defenders in the Kongo Central town of Pema for “causing public disorder” after they denounced police extortion of local residents. The UNJHRO also reported that on June 13, a magistrate ordered two human rights defenders arrested in the Kasai Central town of Demba after they prevented an angry mob from chasing a man accused of witchcraft.

Freedom of Expression:

The law prohibits insulting the head of state, malicious and public slander, and language presumed to threaten national security. Authorities sometimes intimidated, harassed, and detained journalists, activists, and politicians when they publicly criticized the government, president, or SSF. On April 9, Radio Television Nsanga in Kasai Province was stormed by nine armed PNC officers on orders of the director of the local telecommunication authority. Journalists were ordered to abruptly interrupt broadcasting and leave the premises. The previous day agents from the telecommunication authority had asked the station to pay 338,000 Congolese francs (\$200) in tax without explaining why. Plainclothes and uniformed security agents allegedly monitored political rallies and events.

B. FREEDOMS OF PEACEFUL ASSEMBLY AND ASSOCIATION

FREEDOM OF PEACEFUL ASSEMBLY

...

On June 30, the country’s Independence Day, the PNC violently dispersed a peaceful demonstration of opposition coalition Lamuka supporters in Goma, North Kivu Province. During the dispersal a man was shot and died of his injuries the next day. On the same day, despite having no legal basis to do so, Kinshasa governor Gentiny Ngobila banned a planned march by Lamuka supporters in the city, citing the day’s symbolic nature in his decision. President Tshisekedi publicly supported the decision to ban all protests across the country on June 30. According to the United Nations, police fired tear gas to prevent the march, and anti-riot police intercepted the group’s leader, Martin Fayulu. ...

...

In Kinshasa opposition parties were often allowed to hold political rallies. On February 2, Martin Fayulu, runner up in the December 2018 presidential election, held a rally with thousands of supporters in Kinshasa, where he called for peaceful resistance against what he described as a rigged election. Police did not intervene in the rally, and the event was covered on state television. On June 23, opposition politician Jean-Pierre Bemba held a

large rally in Kinshasa to commemorate his return to the country after a self-imposed exile.

ウ ●HRW「[ワールドレポート 2020 - コンゴ民主共和国](#)」(2020年1月14日)

According to the Kivu Security Tracker, which documents violence in eastern Congo, assailants, including state security forces, killed at least 720 civilians and abducted or kidnapped for ransom more than 1,275 others in North Kivu and South Kivu in 2019. Beni territory, North Kivu province, remained an epicenter of violence, with about 253 civilians killed in more than 100 attacks by various armed groups, including the ADF. At least 257 civilians were kidnapped in Rutshuru territory, North Kivu province, often by armed groups.

The Fizi and Uvira highlands in South Kivu saw fighting between the mainly ethnic Banyamulenge Ngumino armed group and allied self-defense groups, and Mai Mai groups, comprising fighters from the Bafuliro, Banyindu, and Babembe communities, with civilians often caught in the middle. Clashes between armed groups in the South Kivu highlands surged in February, displacing an estimated 200,000 people over the following months.

エ 英国内務省「[国別政策情報ノート コンゴ民主共和国：政府への反対、3.0版\(仮訳\)](#)」(2019年11月)

6.5.3 国連拷問禁止委員会は2019年6月の『コンゴ民主共和国の第2回定期報告に関する総括所見』の中で以下のように述べた。

…

国連拷問禁止委員会が、2019年6月の『コンゴ民主共和国の第2回定期報告書に関する総括所見』の中で論評したところでは、委員会は『[DRC内の]多数の拘禁施設で、コンゴ民主共和国軍、国家警察及び国家情報庁の職員による、特に、反政府派への所属を疑われる個人への拷問が極めて常用化されている報告に強い懸念を示す。』81

6.5.4 委員会は、国家情報庁の行動に対する司法監視の欠如及び、『その職員に認められている刑事免責及び拷問行為に関連する調査及び訴追の事実上の欠如が刑事免責の日常化という現状を創出及び維持するのに寄与していることにも不安を感じた。』82

6.5.5 また、同委員会によれば、

『(中略)特に、女性は何らかの形態の反政府活動又は人権擁護活動に直接又は間接的に参加したために拘禁された状況では、拘禁中の拷問という慣行が広く行われている。委員会は、この行為の蔓延を撲滅する取り組みにおいて締約国(DRC)が講じた立法、制度及び司法上の措置及び、性的暴力に関する国家元首の人格代表者の任命に着目する一方で、両政府軍(コンゴ民主共和国軍及びコンゴ国家警察)及び非政府武装集団が戦争の武器として、極めて憂慮される且つ、増え続けるように見える数の女性、幼い女兒、男性及び子どもに対して-極めて残忍な形態で-使い続けているかかる暴力の蔓延性に依然として不安を感じる。委

員会は、刑事訴追と異なり、訴追しても賠償という結果に至らない過程において、国に対する救済命令の執行を確保するために複雑で長期に及ぶ、高額な手続きを行わなければならない被害者が、司法の恩恵を受ける機会を与えられないことも危惧する。』83

5. UDPS（民主社会進歩同盟）の構成員／支持者の状況

(1) UDPS 活動家の釈放

ア 英国内務省「[国別政策情報ノート コンゴ民主共和国：政府への反対、3.0版（仮訳）](#)」（2019年11月）

[出身国情報 コンゴ民主共和国（2020年9月7日版）](#)の3(3)②アを参照。

(2) UDPS 構成員等による平和的な活動（治安当局による介入なし）

ア ●[ACLED](#) 抽出データ [コンゴ民主共和国+2019年1月～]（抜粋）（2020年10月19日時点）

On 12 September 2020, a group of UDPS party members marched in Kananga (Kananga, Kasai-Central) against the nomination of provincial leaders by the deputy president of this party, Jean Marc Kabund. [size=no report]
On 24 August 2020, several members of the UDPS marched in Kasumbalesa town (Sakania, Haut-Katanga) to demand the dismissal of the party's Secretary General amidst power disputes to preside this party in this province. [size=several]
On 9 July 2020, thousands of members and supporters of the UDPS party and Lucha marched in Mbuji Mayi (Kasai-Oriental) against the endorsement of Ronsard Malonda as chairperson of the CENI (National Independent Electoral Commission). [size=thousands]
On 9 July 2020, tens of supporters of the UDPS party marched in Kamina (Haut-Lomami) against the endorsement of Ronsard Malonda as chairperson of the CENI (National Independent Electoral Commission). No incidents were reported. [size=tens]
On 9 July 2020, members and supporters of the UDPS party marched in Kasumbalesa (Sakania, Haut-Katanga) against the endorsement of Ronsard Malonda as chairperson of the CENI (National Independent Electoral Commission), despite the ban on all demonstrations due to the coronavirus restrictions. [size=no report]
On 7 July 2020, members of LUCHA and Filimbi movements, as well as supporters of the UDPS party marched in the streets of Kananga (Kananga, Kasai-Central) against the decision by the National Assembly to appoint Ronsard Malonda as chairman of the Independent National Electoral Commission (CENI). The demonstrators claimed that this appointment was done irregularly and demanded its annulment. [size=no report]
On 2 July 2020, taxi drivers, young members of the UDPS, among others, took to the streets

<p>of Kananga (Kananga, Kasai-Central) to demand the Governor's departure from office following a vote of no confidence on 24 June 2020. [size=no report]</p>
<p>On 25 June 2020, supporters of the UDPS party marched in Mbuji Mayi (Kasai-Oriental) to demand the political rejection of the constitutional changes proposed by deputies of the FCC party, claiming that these changes would undermine the judiciary independence. The demonstrators chanted slogans against FCC deputies. [size=no report]</p>
<p>On 25 June 2020, a hundred UDPS party supporters, including taxi drivers, marched in Tshikapa (Kasai) against the changes proposed by deputies of the FCC party in the judiciary system, claiming that these changes would undermine its independence. The demonstrators chanted slogans against FCC deputies without further incidents. [size=a hundred]</p>
<p>On 24 June 2020, supporters of the UDPS party marched in Kikwit (Kwilu) to demand the political rejection of the constitutional changes proposed by deputies of the FCC party, since they claimed that these changes would undermine the judiciary independence in favor of this party, with majority in the parliament. [size=no report]</p>
<p>On 12 June 2020, tens of UDPS party members, including women leaders, marched again on the streets of Bukavu (Sud-Kivu) to demand the immediate release of their leader Vital Kamerhe, who is being judged over corruption in Kinshasa. The supporters also called the international community to get involved in the case, as they believe Kamerhe is being victim of a political maneuver. [size=tens]</p>
<p>On 4 March 2020, youth, some of them UDPS supporters, marched in protest against insecurity in Lubumbashi (Haut-Katanga), calling for the resignation of the Governor Jacques Kyabula. The event took place in the context of rampant instability perpetrated by armed bandits during nights in the said city. [size=no report]</p>
<p>On 5 February 2020, hundreds of UDPS activists protested in Mwene-Ditu, Lomami, to request for the departure of the Mayor. [size=hundreds]</p>
<p>On 4 February 2020, a protest of hundreds of UDPS activists took place in Goma to request for the departure of the chief of the transport division of the province of Nord Kivu, accused of misappropriation. [size=hundreds]</p>
<p>On 12 November 2019, UDPS militants reportedly staged a demonstration in Limete commune of Kinshasa, to celebrate the first anniversary of demonstrations that caused the withdrawal of the candidacy of Martin Fayulu to the presidency. [size=no report]</p>
<p>On 12 November 2019, tens of UDPS militants reportedly staged a demonstration in the city of Bukavu, Sud-Kivu, to celebrate the first anniversary of demonstrations that caused the withdrawal of the candidacy of Martin Fayulu to the presidency. [size=10]</p>
<p>On 9 November 2019, people allegedly took to the streets of Bandundu in Kwilu to show support for the free primary education measure put forward by President Tshisekedi, in a march organised by UDPS militants. [size=no report]</p>

<p>On 9 November 2019, UDPS militants reportedly staged a demonstration in the city of Kolwezi, Lualaba, to denounce the lack of political will of provincial authorities to carry out the free primary education measure put forward by President Tshisekedi. [size=no report]</p>
<p>On 9 November 2019, PPRD militants loyal to former President Joseph Kabila reportedly staged a demonstration after a similar UDPS march in the city of Kolwezi, Lualaba, to tell the population not to listen to UDPS militants. [size=no report]</p>
<p>On 9 November 2019, more than a thousand people allegedly took to the streets of Kinshasa, from boulevard Triomphal to the Ministry of Primary, Secondary and Technical Education in Gombe neighbourhood, to show support to the free primary education measure put forward by President Tshisekedi. The march was organised by NSCC, with UDPS participants attending. [size=1000]</p>
<p>On 9 November 2019, people allegedly took to the streets of Kananga, Lubumbashi, Fizi, Matadi and Mabuji Mayi, in addition to Kinshasa, to show support to the free primary education measure put forward by President Tshisekedi. The marches were organised by NSCC, with UDPS participants attending. [size=no report]</p>
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<p>On 25 October 2019, in Goma, unspecified number of students and UDPS, UNC members staged a protest demanding free education. [size=no report]</p>
<p>On 16 October, in Kananga, unspecified number of UDPS activists protested against crash of AN 74 plane, what is claimed as attempted assassination of the president. [size=no report]</p>
<p>On 15 October, in Tshikapa, unspecified number of UDPS activists protested demanding punishment of those, guilty in the crash of the presidential plane several days earlier. The</p>

protesters considered the crash as an assassination attempt on the president. [size=no report]
On 11 October, in Kinshasa, unspecified number of UDPS activists protested against the president and announcing it's divorce with FCC. [size=no report]
On 3 October, in Goma, unspecified number of UDPS members protested by blocking the passage to IPP as a part of teachers strike. [size=no report]
On 10 June, in Kinshasa, unspecified number of UDPS workers have protested in front of their office. [size=no report]
On 30 May, in Kinshasa, a group of people protested in support of Etienne Tshisekedi at the headquarters of the UDPS [size=unknown].
On 28 May, in Bukavu, UNC and UDPS members protested against unequal distribution of seats in local government. [size=unknown]
16 March 2019. UDPS party supporters demonstrated in Kananga following the party's losses in the senate elections. [size=no report]
15 March 2019. UDPS party members protested in front of the Provincial Assembly in Kinshasa, after UDPS party deputies voted for FCC candidates instead of those aligned to their own party in the senate elections. [size=no report]

(3) UDPS 構成員等による暴力を伴う活動

ア 英国内務省「[国別政策情報ノート コンゴ民主共和国：政府への反対、3.0 版（仮訳）](#)」（2019年11月）

<p>6.3.9 2019年6月17日の German Information Centre、庇護及び移住に関するブリーフィングノートによれば、</p> <p>『2019年6月12日に、キンシャサで、2018年1月に党首フェリックス・チセケディが大統領に就任した UDPS の支持者と、ジョセフ・カビラ前大統領が創始者である PPRD の支持者間で武力衝突が発生した。こうした衝突は、12番街、Sendwe 通り及び Lumumba 通りから報告された。例えば、キンシャサのリメテ区の6番通りにある PPRD の青年同盟の本部前で闘争が何度も勃発した。カビラ派の『コンゴ統一戦線』、FCC は、党事務所を複数荒らされた。警察は催涙ガス及び威嚇射撃を使って戦闘員を離散させた。</p> <p>『2019年6月12日朝、キンシャサ人民宮殿(国民議会の議事堂)前で行われた急進派の PPRD の青年部(通称「レッドベレー」(RedBerets))の抗議行進に伴って衝突が発生した。この行進は2日前に同じ場所で UDPS 青年部が行った大会に呼応して行われたものだった。UPDS の支持者は、カビラ派の議員複数人を攻撃し、チセケディ大統領を侮辱したことを非難したと言われている。』 69</p>

イ ● [ACLED](#) 抽出データ [コンゴ民主共和国+2019年1月～] (抜粋) (2020年

10月19日時点)

<p>On 11 September 2020, a group of UDPS party members marched in Kananga (Kananga, Kasai-Central) against the nomination of provincial leaders by the deputy president of this party, Jean Marc Kabund. They set up barricades in streets with burning tires. The demonstration opposed another march in support to Marc Kabund. [size=no report]</p>
<p>On 16 August 2020, a group of men associated with the UDPS party chased and beat the president of the ECIDE party, which is part of the Lamuka Coalition party, in Kananga (Kasai-Central). The assailants reportedly assaulted the man because he had announced his candidacy to run for governor. [size=no report]</p>
<p>On 3 August 2020, members and supporters of president Tshisekedi's Union for Democracy and Social Progress (UDPS) demonstrated in Kasumbalesa (Sakania, Haut-Katanga) to show their outrage after the killing of a prominent local UDPS politician by unknown people. The activists vandalized and ransacked 2 police stations, a court and private property. The police intervened to disperse the crowd. Reportedly, a bystander was shot during the chaos and later died in hospital. [size=no report]</p>
<p>On 13 July 2020, members of the UDPS party barricaded streets and set tires on fire in Lubumbashi (Haut-Katanga) during an anti-police demonstration following the discovery of 3 lifeless bodies near the river. Reportedly, the bodies belonged to UDPS members who went missing during the march held the previous week against the appointment of Ronsard Malonda. The police opened an investigation. [size=no report]</p>
<p>On 9 July 2020, hundreds of members and supporters of the ruling UDPS party and other social movements marched in the city of Lubumbashi (Haut-Katanga) against the endorsement of Ronsard Malonda as chairperson of the CENI (National Independent Electoral Commission), despite the ban on all demonstrations due to the coronavirus restrictions. The police erected several barriers and dispersed the crowd using tear gas and shooting at the demonstrators. 4 people died from gunshot injuries and 10 more were injured, 7 of them by gunshot. Tens went missing. 1 police officer was also injured. [size=hundreds]</p>
<p>On 9 July 2020, supporters of the UDPS party marched in the streets of Kananga (Kasai-Central) against the decision to appoint Ronsard Malonda as chairman of the Independent National Electoral Commission (CENI). Some demonstrators confronted the police, who had erected barriers, throwing stones and other objects. The police finally fired tear gas and gunshots at the crowd, resulting in at least 3 activists being injured. [size=at least 3]</p>
<p>On 9 July 2020, thousands of members of the ruling UDPS, Lucha, Filimbi and other associations marched near parliament in Kinshasa against the endorsement of Ronsard Malonda as chairperson of the National Independent Electoral Commission. Some demonstrators erected barricades with burning tires and confronted the police with stones and petrol bombs. 2 demonstrators and 1 policeman were killed in clashes, with at least 27 people injured, including 19 policemen. Public and private property and political party offices were destroyed. Several</p>

<p>arrests were made, including 1 journalist. [size= thousands]</p>
<p>On 8 July 2020, rival UDPS and PPRD youth supporters, many of them taxi drivers, engaged in a fight in Lubumbashi (Haut-Katanga). Several supporters were injured, including 1 who was shot and injured, and 20 motorbikes were burned. The police intervened and fired warning shots to disperse them. [size=no report]</p>
<p>On 24 June 2020, hundreds of UDPS party supporters, many of them motorcycle taxi drivers, demonstrated around the National Assembly in Kinshasa for a second straight day against the proposed changes in the judiciary presented by the FCC party. Some demonstrators, threw stones and petrol bombs, blocked traffic outside the parliament and erected barriers with burning tires to prevent the FCC deputies from accessing the parliament compound. The police first fired warning shots and then used tear gas and water cannons to disperse the crowd. Overall, 15 policemen and 3 demonstrators were injured and 40 people were arrested. A journalist suffered injuries after being targeted by supporters of the UDPS during the demonstration. [size=hundreds]</p>
<p>On 24 June 2020, numerous supporters of the UDPS party marched in the streets of Lubumbashi to demand the political rejection of the constitutional changes proposed by deputies of the FCC party. Some demonstrators blocked the traffic erecting barriers with burning tires. Some others broke into the provincial parliament where they threatened and chanted songs against FCC deputies. The police escorted the demonstrators without further incidents. [size=numerous]</p>
<p>On 24 June 2020, a group of supporters of the UDPS party vandalized and attempted to break into the residence of the president of the Kongo-Central provincial parliament in Matadi (Matadi, Kongo-Central). The incident took place during demonstrations against proposed changes in the judiciary presented by deputies of the FCC party. [size=no report]</p>
<p>On 23 June 2020, several dozen members and supporters of the UDPS party, many of them taxi drivers, demonstrated around the national Assembly in Kinshasa against 3 legislative proposals to reform the justice system presented by the FCC party. Some members threw stones against deputies' cars and bothered visitors who were trying to access the building. The police intervened and fired tear gas to disperse the crowd. [size=several dozen]</p>
<p>On 27 May 2020, a group of supporters of the UDPS party barricaded and set tires of fire in some roads in Mbuji Mayi (Kasai-Oriental). The demonstrators also looted businesses, destroyed 1 police vehicle and attacked local vendors who refused to keep their activities closed. The Police fired tear gas and tried to disperse the crowd who threw stones and other objects, resulting in 30 police officers injured and around 20 demonstrators arrested. The latter were reacting to the dismissal of the national Assembly's vice-president, from the UDPS, and demanded the dissolution of the coalition between President Tshisekedi (UDPS) and his predecessor Joseph Kabila (FCC). [size=at least 20]</p>
<p>On 26 May 2020, some tens of members of the presidential UDPS barricaded the road and set on fire tires in Lubumbashi (Haut-Katanga) to demonstrate against the dismissal of the vice-</p>

<p>president of the national Assembly and demand the dissolution of the coalition between President Tshisekedi (UDPS) and his predecessor Joseph Kabila (FCC). The Police intervened and dispersed the demonstrators. [size=some tens]</p>
<p>On 26 May 2020, a group of activists of the presidential UDPS party vandalized and burned materials from the headquarters of 2 parties belonging to the FCC party in Mbuji Mayi (Kasai-Oriental), the PPRD and the ACDD. The Police intervened and dispersed the demonstrators with tear gas. The latter opposed the dismissal of the national Assembly's vice-president and demanded the dissolution of the coalition between President Tshisekedi (UDPS) and his predecessor Joseph Kabila (FCC). [size=no report]</p>
<p>On 26 May 2020, around 300 members of the presidential UDPS party barricaded and set tires on fire in Kinshasa (Kinshasa) to demonstrate against the dismissal of the vice-president of the national Assembly and demand the dissolution of the coalition between President Tshisekedi (UDPS) and his predecessor Joseph Kabila (FCC). The Police intervened and dispersed the demonstrators. [size= around 300]</p>
<p>On 9 May 2020, young members of the presidential UDPS party clashed with young members of the opposition UNAFEC Party in Kasumbalesa (Sakania, Haut-Katanga) the day when official delegations of various political parties visited this town. Two UNAFEC members were killed across two days of clashes. Fatalities coded across 2 events. [size=no report]</p>
<p>On 8 May 2020, young members of the presidential UDPS party clashed with members of the opposition UNAFEC party in Kasumbalesa (Sakania, Haut-Katanga) the day before official delegations of various political parties visited this town. Two UNAFEC members were killed across two days of clashes. Fatalities coded across 2 events. [size=no report]</p>
<p>On 12 March 2020, members of the UDPS set tires on fire in demonstration in Kinshasa (Kinshasa). Demonstrators reported they had been abandoned by the party, calling the political group to include them in employment and training opportunities, as well as the resignation of the interim president and the secretary general, among other issues. Police forces used teargas to disperse demonstrators. [size=no report]</p>
<p>On 4 March 2020, rioters set tires and barricades on fire in demonstration in the context of an overall blockade decreed by UDPS parliamentarians in Mbuji Mayi (Kasai-Oriental). Simultaneously, a group of people started throwing stones at an UDPS office, clashing afterwards with UDPS members in favor of the said blockade. Four demonstrators were arrested and some others arrested. [size=at least 4]</p>
<p>On 12 November 2019, women journalists Ange Makadi and Winnie Imana were reportedly assaulted by UDPS supporters at the party HQs in Limite commune of Kinshasa, before a meeting. Supporters allegedly asked journalists to delete images they had filmed.</p>
<p>On 12 October, in Mbuji Mayi, unspecified number of UDPS militants attacked the police forces as a reaction of national deputy arriving to the province. In the clashes with the police, 5 policemen were wounded and 3 vehicles damaged. [size=no report]</p>

<p>On 12 October, in Mbuji Mayi, several dozen demonstrators, including UDPS members, clashed with police, gravely injuring 5 policemen and damaging 3 vehicles during the demonstration against return of a national deputy to the city. Dozens of demonstrators were arrested. [size=several dozen]</p>
<p>On 11 October, in Kinshasa, suspected UDPS activists attacked office of PPRD party setting buildings and the vehicles part at the premises on fire.</p>
<p>On 11 October, in Kinshasa, unspecified number of UDPS activists demonstrated in front of the presidential house against the suspected attempt on life of the president following disappearance of the presidential plane AN 74. A group of people burned tyres and police forces intervened. [size=no report]</p>
<p>On 5 October, in Kinshasa, unspecified number of UDPS and UNC members demonstrated demanding free education in DRC. A group of rioters attacked a journalist while he was covering a UDPS protest. The journalist has been hospitalized. The attack has caused international uproar. [size=no report]</p>
<p>On 24 July, in Mbuji Mayi, unspecified number of UDPS party supporters demonstrated against reshuffle of the government by erecting barricades and burning tires. In ensued clashes with PNC 4 demonstrators were injured and hospitalized. The agitated crowd attacked the provincial minister of justice, budget and public service and beat him severely. [size=no report]</p>
<p>On 23 July, in Mbuji Mayi, unspecified number of UDPS party supporters demonstrated against reshuffle of the government and broke windows of Muya health center. [size=no report]</p>
<p>08 May 2019. Two groups of UDPS party supporters fought with each other in Limete. The groups threw projectiles at each other. Police intervened with tear gas to disperse the groups. [size=no report]</p>
<p>08 April 2019. PPRD and UDPS party members fought and threw objects at each other in Lubumbashi. Police used tear gas to disperse the groups. 11 people were injured. [size=no report]</p>
<p>18 March 2019. UDPS party members began fighting amongst themselves outside of the party headquarters in Limete, following the announcement that elected senators would not be installed. However, some of the demonstrators argued the elections results should be invalidated. Police utilized tear gas to disperse the demonstrators. [size=no report]</p>
<p>18 March 2019. UDPS party members vandalized and looted the UDPS office in Goma. The attack stems from allegations of corruption among party representatives who elected FCC senators. [size=no report]</p>
<p>18 March 2019. UDPS party members and former Kamonia Nsapu militia members demonstrated against the results of the senatorial elections in Kananga. Some of the demonstrators attempted to attack a property owned by one of the elected senators but were repelled by security forces. [size=several hundred]</p>

<p>16 March 2019. Angry UDPS party supporters burned down five homes of UDPS and FCC deputies in Mbuji Mayi. They accused their party deputies of being corrupted by the FCC. The demonstrators lynched a police officer who was guarding the home of a FCC party member in Mbuji Mayi. They also attacked a local radio station, which they accused of hiding the governor. [size=no report]</p>
<p>16 March 2019. UDPS party supporters demonstrated in Kinshasa over the senate election results and alleged corruption of governor Andre Kimbuta. The demonstrators barricaded a road and burned tires. [size=no report]</p>
<p>16 March 2019. UDPS party members demonstrated outside of the party headquarters in Goma, following the parties losses during the senatorial elections. The demonstrators made a fire in front of the headquarters. They called for the resignation of the UDPS president. [size=no report]</p>
<p>15 March 2019. Following the senate elections, UDPS party members burned tires on the roads of Limete. Police utilized tear gas to disperse the demonstrators. [size=no report]</p>

(4) UDPS 構成員等に対する活動の制限、抑圧等

ア ●米国国務省「[人権状況報告 2019年・コンゴ民主共和国](#)」(2020年3月11日)

B. FREEDOMS OF PEACEFUL ASSEMBLY AND ASSOCIATION
FREEDOM OF PEACEFUL ASSEMBLY

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On July 20, Kinshasa governor Ngabila banned all protests from July 22 to July 27 after the youth wing of President Tshisekedi’s UDPS political party announced plans to protest the candidacy of former minister of justice Alexis Thambwe Mwamba for the Senate presidency, and counter protests were organized by the youth wing of former president Kabila’s party.

イ ●記事「[DRC police break up protests as political tensions rise](#)」Aljazeera (2020年7月9日)

The protests on Thursday took place a day after Interior Minister Gilbert Kankonde banned all rallies across the DRC, citing the risk of coronavirus infection.

In the capital, Kinshasa, hundreds of members of President Felix Tshisekedi’s Union for Democracy and Progress (UDPS) were dispersed near the seat of parliament after a three-kilometre (two-mile) march, AFP news agency reported.

A similar-sized rally in Lubumbashi, the second-largest city located in the country’s southeast, was broken up by police and troops who used tear gas or fired live rounds into the air.

In Kananga, a UDPS stronghold in the central region of Kasai, three demonstrators

suffered gunshot wounds when security forces clamped down on a demonstration outside party headquarters, according to AFP.

Other protests were reported in south-central Mbuji-Mayi, the eastern city of Beni and in Kisangani, in the northeast.

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ウ 記事「[コンゴの首都で地方選挙結果をめぐって抗議行動が噴出](#)」AP (2019年3月16日)

民主社会進歩連合 (UDPS) が地方議会でキンサシャから上院議席を獲得できなかったことを受けて、フェリックス・チセケディ (Felix Tshisekedi) 大統領の民主社会進歩連合党員はキンサシャでデモ行進した。警察は金曜日の夜デモ鎮圧のために催涙ガスを噴射した。

...

有権者が地域代表者を選び、その後上院議員は代表者によって選ばれる。党の軍事党員は上院議員を選んだ一部の地域代表者所有の家や車両を攻撃したかどで訴えられている。

エ ● [ACLED](#) 抽出データ [コンゴ民主共和国+2019年1月~] (抜粋) (2020年10月19日時点)

On 2 August 2020, unidentified armed men shot and killed a prominent local UDPS (Union for Democracy and Social Progress) politician in Kasumbalesa (Sakania, Haut-Katanga) after breaking in his house. The assailants also broke into another house where they shot and injured another man, before fleeing towards the forest.

On 30 July 2020, a group of local armed men tortured and killed (burned alive) 2 men in Kinzau Vuete (Seke-Banza, Kongo-Central). The victims, 2 twin brothers from Luba ethnic who were visiting this town, were reportedly killed because of their ethnicity and affiliation with the UDPS party.

On 25 July 2020, a group of supporters of the UDPS party, many of them moto-taxi drivers, confronted and threw stones against members of the FCC (Common Front for Congo) attempting to stage a demonstration march in Kananga (Kasai-Central) in response to demonstrations against the FCC's influence on the state and election process. The police intervened and used tear gas to disperse the crowd and the demonstration was finally cancelled. No fatalities and/or injuries reported. [size=no report]

On 9 July 2020, UDPS members and supporters marched in Butembo (Nord-Kivu) against the endorsement of Ronsard Malonda as chairperson of the CENI (National Independent Electoral Commission). The police arrested 4 demonstrators without further incidents. [size=at least 4]

<p>On 9 July 2020, more than 100 UDPS supporters gathered in Kikwit (Kwilu) against the endorsement of Ronsard Malonda as chairperson of the CENI (National Independent Electoral Commission). Police prevented the demonstrators from marching with barriers, enforcing the ban on all rallies due to the risk of coronavirus infection. [size=more than 100]</p>
<p>On 9 July 2020, supporters of the ruling UDPS party marched in Kolwezi (Lualaba) against the endorsement of Ronsard Malonda as chairperson of the CENI (National Independent Electoral Commission). During the rally, a group of members of the rival PPRD party confronted the demonstrators but the police intervened and separated them with no further incidents. [size=no report]</p>
<p>On 9 July 2020, UDPS, Lucha and Filimbi activists marched in Goma (Nord-Kivu) against the appointment of Ronsard Malonda as chairman of the Independent National Electoral Commission (CENI). The police, who enforced the ban on rallies due to the coronavirus restrictions, charged and dispersed the demonstrators, arresting around 50. Some demonstrators were injured by police. [size=at least 50]</p>
<p>On 9 July 2020, UDPS supporters marched in Tshikapa (Kamonia, Kasai) against the decision to appoint Ronsard Malonda as chairman of the Independent National Electoral Commission (CENI). The police fired tear gas at the crowd when demonstrators breached police cordons, resulting in 2 demonstrators injured and another arrested. [size=at least 3]</p>
<p>On 9 July 2020, a hundred members and supporters of the ruling UDPS party marched in Kindu (Maniema) against the endorsement of Ronsard Malonda as chairperson of the CENI (National Independent Electoral Commission). During the rally, a group of members of the rival PPRD party confronted the demonstrators but the police intervened to separate them. [size=a hundred]</p>
<p>On 9 July 2020, UDPS supporters demonstrated in Kipushi (Haut-Katanga) against the endorsement of Ronsard Malonda as chairperson of the CENI (National Independent Electoral Commission). Police erected barriers and blocked demonstrators from marching, enforcing the ban on rallies due to the coronavirus restrictions. [size=no report]</p>
<p>On 9 July 2020, around 20 UDPS members marched in Kongolo (Tanganyika) against the endorsement of Ronsard Malonda as chairperson of the CENI (National Independent Electoral Commission). The police enforced the ban on rallies due to the coronavirus restrictions and dispersed the group. 5 people were arrested. [size=around 20]</p>
<p>On 9 July 2020, UDPS members and supporters marched in Beni (Nord-Kivu) against the endorsement of Ronsard Malonda as chairperson of the CENI (National Independent Electoral Commission) despite the ban on gatherings and rallies due to the coronavirus. The police intervened at the beginning of the march and dispersed the group, arresting 10 people. [size=at least 10]</p>
<p>On 9 July 2020, UDPS members and supporters marched in Kalemie (Tanganyika) against the endorsement of Ronsard Malonda as chairperson of the CENI (National Independent</p>

<p>Electoral Commission) despite the ban on gatherings and rallies due to the coronavirus. The police cordoned off the governmental building and prevented the demonstrators from finishing the march. Some denounced abuse by the police. [size=no report]</p>
<p>On 9 July 2020, members and supporters of the UDPS party marched in Kisangani (Tshopo) against the endorsement of Ronsard Malonda as chairperson of the CENI (National Independent Electoral Commission). The police intervened with tear gas and warning gunshots. 6 UDPS members were arrested, while 3 were reportedly robbed and injured by police. [size=at least 6]</p>
<p>On 9 July 2020, members of the UDPS party marched in Matadi (Kongo-Central) against the endorsement of Ronsard Malonda as chairperson of the CENI (National Independent Electoral Commission). The police responded with tear gas and also gunshots to disperse the demonstrators, who continued marching in smaller groups. 4 demonstrators suffered gunshot injuries. [size=at least 4]</p>
<p>On 8 July 2020, activists and supporters of LUCHA and Filimbi social movements, as well as political parties, including the UDPS, ECIDEEC and Together For Change, marched in Goma (Nord-Kivu) against the appointment of Ronsard Malonda as chairman of the Independent National Electoral Commission (CENI). The police fired tear gas at the crowd and arrested around 100 activists. [size=at least 100]</p>
<p>On 15 May 2020, young members of the Union for Democracy and Social Progress (UDPS), including taxi drivers, demonstrated in front of the National Assembly in Kinshasa against a petition by other parties to remove the first National Assembly's vice-president from his position. The police intervened to disperse the UDPS activists. [size=no report]</p>
<p>On 7 February 2020, UDPS activists protested in Kinshasa against the suspension of some leaders of the city of Kinshasa. Police intervened but no major incident as reported. [size=no report]</p>
<p>On 18 December 2019, a protest of UDPS militants took place in Kasumbalesa after the police killed one of them the day before. Police intervened and 2 people died and others were injured. [Size=unreported].</p>
<p>On 17 December 2019, an UDPS militant was killed by the police in Kasumbalesa because he refused to obey.</p>
<p>On 11 June, in Lubumbashi, unspecified number of UDPS members protested against FCC-CACH coalition. Several protesters were detained by police. [size=unknown]</p>
<p>On 6 September, in Kinshasa, 25 people were arrested by PNC as they demonstrated against South African xenophobia and attacks against migrants in RSA. PNC has used tear gas to disperse the crowd of 300 that attempted to break in to the RSA embassy prior to sit-in in front of the location. UDPS members reportedly were among protesters. [size=300]</p>

6. 野党の構成員等の状況

(1) 政治囚の解放等

ア 英国内務省「[国別政策情報ノート コンゴ民主共和国：政府への反対、3.0版（仮訳）](#)」（2019年11月）

2.4.6 チセケディは就任以来、安全保障部門、政治空間の開放及び表現の自由の拡大を含む複数の改革の実施に取り組んできた。2019年3月に、チセケディ大統領は、政治犯700人に対する大統領恩赦を発表した。これには、野党党员、フランク・ディオンゴ（Franck Diongo）、ディオミ・ンドンガラ（Diomi Ndongala）及びフィルミン・ヤンガンビ（Firmin Yangambi）などがある。しかし、本報告書の起草の時点では、700人のうち何人が釈放されたかは不明であった。大統領はさらに、政治亡命者に帰還するよう要請した。2019年5月には、カビラ前大統領の敵対者として有名なモイズ・カトゥンビ（Moise Katumbi）が3年の自主亡命を経て、また、ラムカ連合の党员で野党党首のアンティパス・ムブサ・ニヤムウィシ（Antipas Mbusa Nyamwisi）が7年間の亡命の末DRCに帰国した（反政府集団の扱い、チセケディ政権 - 2019年及び政治犯参照）。

4.3.4 国際危機グループが2018年12月の選挙後の動向について述べたところによれば、

『チセケディ政権の下で、DRCの政治空間は開放されつつある。同氏はその就任演説の中で、政治犯を解放し、警察の秘密拘禁施設を閉鎖し、亡命政治家の帰還を許可することを誓約した。チセケディは上記の約束の遂行に向けて若干前進した。カトゥンビ[モイズ・カトゥンビ-著名な野党党员で実業家]は、その恩恵を被った1人になった。[2019年]4月半ば過ぎに、DRCの上訴最高裁判所である破毀院(Court of Cassation)は、財産不正取得罪を破毀した。[2019年]5月には、カトゥンビを帰還させる下準備として、検察官はクーデター説の調査も取り下げた。』²⁶

6.6.4 CIRB[カナダ移民難民委員会]は、2018年の選挙以降の野党党员の扱いに関する情報要請に応じた2019年7月15日付の回答の中で、他の情報源(一部はフランス語を翻訳したもの)を引き合いに出し、以下のように述べた。2019年3月13日に、チセケディ大統領の官房長官、ヴィタル・カメルへは、反政府派のフランク・ディオンゴ、弁護士で人権活動家のフィルミン・ヤンガンビ[ヤンガビ]を含む受刑囚およそ700人に対する大統領恩赦を発表した。92 政治活動を理由に逮捕された受刑者はその判決を減じられた又は集団恩赦を受けた。93 伝えられたことによれば、フィルミン・ヤンガンビ及びフランク・ディオンゴはそれぞれ、2019年3月15日及び16日に釈放された。これに付随して、2019年3月21日に、別のコンゴ人野党党员[元議員、ウジェーヌ・ディオミ・ンドンガラ(Eugène Diomi Ndongala)]も釈放された。94 ラジオ・オカピの報道によれば、UPDSの活動家3人は2019年3月19日にンドロ(Ndolo)刑務所から釈放されたということである。95 国内日刊紙 Form des As によれば、ウジェーヌ・

ディオミ・ンドンガラの釈放を最後に、「2016年 のサンシルベストル合意(Saint Sylvestre Political Agreement)(Accord de la Saint Sylvestre) [2]の対象になった象徴的事案に関与した人物で刑務所に残ったものはいない。」96 CIRB の報告によれば、2019年3月15日の朝時点で、だれが刑務所に残ったかについてメディア内では若干混乱が発生し、2019年3月20日には、釈放を待機する人権擁護家がまだいたということである。』97

...

6.6.5 2019年7月17日の国連安全保障理事会の事務総長の報告書、国連コンゴ民主共和国安定化ミッション(UN Organization Stabilization Mission in the Democratic Republic of the Congo)によれば、『通称、100日間非常事態プログラムの一環として、また、2016年12月31日の政治合意を踏まえて、チセケディ大統領は政治犯700余人、とりわけ、弁護士フィルミン・ヤンガンビ及び野党党首フランク・ディオングに恩赦を与えた。』98

6.6.6 報告書の続きによれば、『チセケディ大統領は就任と同時に、政治犯の釈放及び秘密拘禁施設の全面的閉鎖を含め、人権状況の改善に積極的に取り組んだ。これに続いて、2019年3月に、個人及び集団恩赦措置に関する大統領令4件及び省令2件が発令された。この措置は、刑期の4分の1を終えた受刑者、服役期間が3ヵ月を超えており且つ善良な行いを示した被拘禁者、2014年2月11日の恩赦法の対象者であるにもかかわらず勾留されている個人及び、2015年1月1日から2018年12月31日までに実施された大衆抗議運動又は政治集会に関連して有罪判決を受けた被拘禁者が対象であった。選挙プロセスに関する合意フォローアップ評議会 (Conseil national de suivi de l'Accord et du processus electoral)の議長が2019年3月26日に発表した、国家情報庁の刑務所監房の事実上の閉鎖は、検証できなかった。』99

イ [在コンゴ民主共和国日本国大使館「コンゴ\(民\)月例報告 政治関連 2019年10月」](#) (2019年11月)

(4) 不法拘束者237名の釈放

・19日、キンシャサ市のマカラ中央刑務所に不法拘束されていた237名は、トゥンダ司法相が主催した式典の後、刑務所から釈放された(19日付 AFP)。

ウ [記事「追放されたコンゴ野党党首の詐欺有罪判決破棄」](#) Reuters (2019年4月20日)

控訴裁判所は追放されたコンゴ野党党首モイス・カトゥンビ (Moise Katumbi) の不動産詐欺に対する有罪判決を、第一審裁判所は前ジョゼフ・カビラ政権に圧力を受けていたと判断して、覆したと金曜日にカトゥンビの弁護士が述べた。

コンゴ共和国の銅採掘カタンガ (Katanga) 地域の前知事であるカトゥンビは、カビラの与党から離党し、その年の後半に大統領選に出馬すると発表してまもな

く、2016年6月に不在のまま懲役3年を言い渡された。

エ 記事「[コンゴの野党党员フランク・ディオング \(Franck Diongo\) が自由の身に](#)」 [africanews.com](#) (2019年3月17日)

コンゴの野党党员フランク・ディオング (Franck Diongo) は土曜日マカラ (Makala) 刑務所から釈放された際最高の歓迎を受けた。コンゴ民主共和国旗の下で彼が始めて味わった自由である。

ルマンバ進歩運動 (Lumumba Progressive Movement) 理事はフェリックス・チセケディによる恩赦受益者の一人である。

オ 記事「[コンゴ共和国チセケディ大統領は政治囚の釈放を命令](#)」 [Soft Power News](#) (2019年3月14日)

[出身国情報 コンゴ民主共和国 \(2020年9月7日版\)](#) の3(2)カを参照。

(2) 平和的な反政府運動の抑圧

ア 英国内務省「[国別政策情報ノート コンゴ民主共和国：政府への反対、3.0版 \(仮訳\)](#)」 (2019年11月)

2.4.7 2018年12月の選挙運動は、広範囲に及ぶ武力抗争及び人権侵害によって傷を負わされた。しかし、この選挙以降、政治空間は開放的になり、暴力事件は減少した。国連によれば、2019年1月から3月にかけて、表現及び集会の自由に改善傾向が見られたということであり、人権侵害事案は2018年10月から12月までに比べて13%減少したと報告した。しかし、2019年4月から6月を通じて、報道及び市民社会活動家に対する威嚇は依然として懸念原因であった。そのような状況でありながら何事もなく実施された平和的抗議デモもあった一方で、当局の抑圧により、恣意的逮捕、暴力、殴打及び傷害という結果をもたらしたのもあった(集会の自由：抗議デモ、表現及び結社の自由及び、2018年の選挙を参照)。

6.3.8 2019年6月5日に公表された2018年版英連邦外務省の人権及び民主主義における報告書(コンゴ民主共和国の箇所)は、『民主的空間、表現の自由及び平和的集会の権利に対する制限は、依然として懸念されると報告した。[2019年]1月21日及び2月25日にカトリック教会平信徒調整委員会が行った平和的抗議デモは、政府職員によって暴力的に鎮圧され、これによって少なくとも7人が命を奪われた。当局は、抗議デモを封じるために、日常的に、インターネット及びSMSのアクセスを全国規模で停止した。』68

...

6.3.10 2019年7月1日の German Information Centre、庇護及び移住に関するブリ

ーフィングノートによれば、

『2019年6月30日に、最大規模の野党連合、ラムカは、警察に禁止されていたキンシャサでの抗議行進を呼びかけた。およそ50人の警官が、マルタン・ファウル大統領候補とアドルフ・ムジト前首相が乗った車の進行を妨害した。警察は、催涙ガスを使って数百人規模の大会を解散させた。警察は、2019年6月30日のコンゴの独立記念日の抗議行進を禁止していたが、ラムカはこの日に行うことを譲らなかった。抗議行進は、2019年6月半ばに裁定された、ラムカの議員21人及び元老議員2人に対する憲法裁判所の当選無効に向けられたものだった。この議席は、ジョセフ・カビラ前大統領を支持するコンゴ統一戦線(FCC)の候補者のものになった。ゴマ(北キヴ州)市警察の禁止に反してやはり2019年6月30日に行われた別の抗議行進では、抗議者1人が大会を解散させようとしていた警察に射殺された。2019年6月29日に、フェリックス・チセケディ大統領はフランスメディアの取材の中で、「我々は、民主主義と政治的混乱を取り違えている人々がいることに驚いている」と述べた。』70

6.3.11 ヒューマンライツ・ウォッチ(HRW)は同じ事件について報告した。それによると、

『コンゴ民主共和国の警察は、2019年6月30日に行われた反対抗議運動を解散させた際、実弾を発砲して1人を殺害した。警察は、首都キンシャサ及びコマ市東部で、抗議者に対して催涙ガスを使用し、殴打し、恣意的逮捕を実行した(中略)ゴマ市警察は、催涙ガス及び実弾を使ってデモ参加者を離散させた(中略)2019年6月30日に、ゴマ市警察は、ラムカの支持者少なくとも4人を逮捕した(中略)「4人は、[ムンゼンゼ]警察署で殴打され、服を切り裂かれた。[監房]に入ると、警察はそこにいた被拘禁者にも殴るよう命令した。」逮捕された4人のうち少なくとも2人が殴打された。ヒューマンライツ・ウォッチは、4人と面談し、傷跡を見せられた。その日の遅くに、ラムカの支持者5人が逮捕され、他の4人と共に一晩拘束された。2019年7月1日に、抗議者の拘禁について質問した別の反政府活動家が逮捕された。上記の個人は全員、罰金を支払って、その日の遅くに釈放された。』71

...

6.4.3 人権理事会は選挙終了後、[2019年]に入ってから、国家防衛軍及び治安部隊による選挙後の抗議デモを解散させるための逮捕に言及し、以下のように報告した。『一斉逮捕事件が多数発生したことにより多数の被害者が発生した。例えば、2019年1月11日には、ラジオによる選挙結果の発表後にルブンバシ市で行われた平和的抗議デモにおいて、子ども27人を含む少なくとも32人がコンゴ国家警察の職員に恣意的に逮捕された。一斉逮捕は少なくとも6件記録されており、被害者は30人から79人となっている。』77

イ 在コンゴ民主共和国日本国大使館「[コンゴ\(民\)月例報告 政治関連 2019年7月](#)」(2019年8月)

(6) キンシャサで政治的デモ行進が一週間の禁止

- ・ 21日、コンゴ(民)国家警察のカソゴ・キンシャサ州警察長官は記者会見で、政治的緊張の高まりを受け、ンゴビラ・キンシャサ特別州知事が翌週のキンシャサでのすべての政治的デモ行進を禁じたことを発表した。

ウ 在コンゴ民主共和国日本国大使館「[コンゴ\(民\)月例報告 政治関連 2019年6月](#)」(2019年7月)

(6) 野党の抗議行動に対するキンシャサ州政府及びチセケディ大統領の対応

- ・ 27日、野党プラットフォーム Lamuka に現在残っているリーダー5名が、汚職及び野党当選者の当選取消等に抗議すべく30日の実施を呼びかけていた平和的デモ行進に関し、ンゴビラ・キンシャサ市長は同日付書簡で、独立記念日当日であることを理由にデモ行進の実施を不許可と通達した。また、チセケディ大統領は29日にルブンバシ市で収録した RFI と France24 の合同インタビューで、キンシャサ市長によるデモ行進の不許可決定に関し、「数日前の許可された集会(当館注：23日のベンバ MLC 党首の帰国後に開催された集会を指す)では混乱が発生した訳で、自分としてはこの不許可決定に賛成である」と発言した(28日付 AFP 及び29日付 France24)。

エ ●米国国務省「[人権状況報告 2019年・コンゴ民主共和国](#)」(2020年3月11日)

B. FREEDOMS OF PEACEFUL ASSEMBLY AND ASSOCIATION

FREEDOM OF PEACEFUL ASSEMBLY

...

On May 10, in Goma, the PNC used excessive force to disperse members of civil society movement Lucha, during peaceful protests against reported poor service by telecommunications providers. Eight persons were taken to the hospital, including three individuals who were beaten to the point of losing consciousness.

On June 30, the country's Independence Day, the PNC violently dispersed a peaceful demonstration of opposition coalition Lamuka supporters in Goma, North Kivu Province. During the dispersal a man was shot and died of his injuries the next day. On the same day, despite having no legal basis to do so, Kinshasa governor Gentiny Ngobila banned a planned march by Lamuka supporters in the city, citing the day's symbolic nature in his decision. President Tshisekedi publicly supported the decision to ban all protests across the country on June 30. According to the United Nations, police fired tear gas to prevent the march, and anti-riot police intercepted the group's leader, Martin Fayulu. On June 24, a union of doctors and nurses held a rally in Kinshasa to protest nonpayment of back salaries. According to local media, PNC officers beat and fired tear gas at the protesters. The PNC claimed the assembly was illegal because the association had not received permission from the mayor's office.

オ ●HRW [「ワールドレポート 2020 - コンゴ民主共和国」](#) (2020年1月14日)

At his swearing in, Tshisekedi said his administration would “guarantee to each citizen the respect of the exercise of their fundamental rights” and end all forms of discrimination, promising that his government would prioritize “an effective and determined fight against corruption ... impunity, bad governance, and tribalism.” His administration released most political prisoners and activists detained during the country’s protracted political crisis, and those living in exile were allowed to return home. In March, Tshisekedi removed Kalev Mutondo as director of the National Intelligence Agency, where he was a principal architect of former President Joseph Kabila’s administration’s drive to repress dissent.

Many other senior security force officers, with long histories of involvement in serious human rights abuses, remained in their posts. Members of Kabila’s political coalition maintained a majority in parliament, as well as about two-thirds of the posts in the new government.

...

Tshisekedi’s victory over opposition candidate Martin Fayulu in the December 30, 2018 elections was disputed by an independent observation mission from the Catholic Church. Leaked data from the state-controlled electoral commission (Commission électorale nationale indépendante, CENI) and data gathered by the church showed that Fayulu won about 60 percent of the vote.

Fayulu’s supporters from an array of opposition political parties protested in many cities across Congo. Security forces often responded to protests, some violent, with excessive, including unnecessary, lethal force. Security forces killed at least 10 people and injured dozens during protests after provisional results were announced on January 10. At least 28 people suffered gunshot wounds in Kikwit, Kananga, Goma, and Kisangani when security forces dispersed demonstrators.

...

There has been a significant decline in political repression since Tshisekedi came to power. Many political prisoners and activists detained in previous years were freed, while activists and politicians in exile were allowed to return. However, some peaceful demonstrators continued to be arbitrarily detained or beaten by security forces.

On June 30, Congo’s independence day, police fired live ammunition, killing one person, during opposition protests in Goma against corruption and election fraud.

カ ●記事 [「Congo, Rép. Dém.: Menaces de mort à l’encontre de M. Dismas Kitenge et de sa famille」](#) OMCT (2020年9月23日)

Selon les informations reçues, depuis le 8 septembre 2020, M. Dismas Kitenge et sa famille sont la cible d’appels téléphoniques malveillants de la part d’un homme non identifié qui profère des menaces de mort et des injures à leur encontre. Ces menaces ont débuté le

soir du 8 septembre 2020 par un appel anonyme, après que M. Kitenge a évoqué, lors d'une réunion avec le Ministre des droits humains la veille, une campagne de plaidoyer prévue à l'occasion du déplacement d'un général impliqué dans les crimes commis à Kisangani entre 1999 et 2000. Quelques jours plus tard, les appels malveillants ont recommencé, cette fois par le biais d'un numéro de téléphone identifiable. Lors de ces appels téléphoniques, une personne non identifiée a promis de tout faire pour éliminer M. Kitenge en raison de ses prises de position contre les autorités et personnalités publiques de RDC.

キ ●記事 [「DRC : another journalist arrested on complaint by Sankuru province governor」](#) ecoi (2020年9月18日)

François Lendo, the manager of local Radio Losanganya, was about fly from Lodja, a city in Sankuru province, on 15 September to attend a meeting of the Congolese journalists' union but landed in prison instead after being arrested at Lodja airport.

Lendo, who is still being held, was arrested on a complaint brought against him by Joseph-Stéphane Mukumadi, who is holding onto the post of Sankuru governor although the provincial assembly voted to remove him from this position and no longer regards him as legitimate.

The complaint, which RSF has seen, accuses Lendo of insulting the governor by claiming on the air that he was waging "a terror campaign" and had arrested and tortured those who "tried to intercede." RSF has heard the audio recording in which Lendo allegedly said this and, in fact, the speaker is a local civil society lawyer. The recording was originally played on *Top Congo* and only later was it replayed by Lendo's station.

...

ク ●記事 [「Denis Mukwege: UN guards DR Congo Nobel laureate after death threats」](#) BBC (2020年9月10日)

Nobel peace laureate Denis Mukwege has been placed under the guard of United Nations security forces in the Democratic Republic of Congo after death threats against him.

The gynaecologist and his colleagues have treated tens of thousands of rape victims and he went on to share the Nobel Prize in 2018.

Dr Mukwege said he received death threats after condemning a massacre.

...

ケ ●記事 [「DRC police break up protests as political tensions rise」](#) Aljazeera (2020年7月9日)

The protests on Thursday took place a day after Interior Minister Gilbert Kankonde banned all rallies across the DRC, citing the risk of coronavirus infection.

In the capital, Kinshasa, hundreds of members of President Felix Tshisekedi's Union for Democracy and Progress (UDPS) were dispersed near the seat of parliament after a three-kilometre (two-mile) march, AFP news agency reported.

A similar-sized rally in Lubumbashi, the second-largest city located in the country's southeast, was broken up by police and troops who used tear gas or fired live rounds into the air.

In Kananga, a UDPS stronghold in the central region of Kasai, three demonstrators suffered gunshot wounds when security forces clamped down on a demonstration outside party headquarters, according to AFP.

Other protests were reported in south-central Mbuji-Mayi, the eastern city of Beni and in Kisangani, in the northeast.

...

コ ● **ACLED** 抽出データ [政治活動の抑圧 (キンシャサ、2019年1月以降)] (抜粋) (2010年10月8日時点)

出来事の種類：抗議活動 > 介入を受けた抗議活動

情報源：Actualite

メモ：On 23 September 2020, members and supporters of Filimbi and Lucha civil society movements as well as other activists marched in Kinshasa (Kinshasa, Kinshasa) to demand the expulsion of the Rwandan ambassador for his comments in connection with the denial of massacres during the Second Congo War. The police intervened using teargas to disperse the demonstrators, triggering confrontations which led to several arrests. [size=no report]

出来事の種類：抗議活動 > 抗議参加者に対する過度の武力行使

情報源：Jed Afrique

メモ：20 March 2019. Digital Congo journalists protested in front of the building in Kinshasa. Soldiers guarding the media offices opened fire to disperse the protesters. [size=no report]