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ABJECT FAILURE OF INTERNATIONAL COMMUNITY TO PROTECT HUMAN RIGHTS DEFENDERS IN CONGO – in this Opinion Piece Front Line's Deputy Director Andrew Anderson analyses how the failure of the international community to seriously address the security needs of human rights defenders has contributed to the climate of impunity in DRC.

The killing this week of Floribert Chebeya, one of Congo's most respected and longstanding human rights defenders, is not only a devastating loss for his family, many friends, and the human rights movement in Congo and internationally. It is also bloody confirmation of the abject failure of the international community to protect human rights defenders in Congo. In spite of the huge and expensive international engagement with Congo, with over 20,000 personnel currently deployed in the UN's largest field mission, as well as billions in funding from the UN, EU and others, there has been little sustained focus on human rights and impunity.

The blatant murder of Floribert Chebeya is a signal that in spite of all the international engagement the perpetrators perceive no significant political costs in killing one of the most internationally respected and well connected human rights defenders in Africa. And why should they fear any consequences? The lessons of the murders of prominent human rights defenders Pascal Kabungulu in July 2005, Serge Maheshe in June 2007 and Didace Namujimbo in November 2008 is that any investigations by the Congolese authorities will be seriously flawed and those who are really responsible will not be brought to justice. The international community will probably make some initial denunciations but will not sustain any focus on any inquiry or judicial process.

Front Line and other international NGOs sent missions to Congo to follow-up on the murder of Pascal Kabungulu and press for effective action against the perpetrators. In spite of initial assurances it became clear that representatives of the international community in Kinshasa did not follow seriously the judicial proceedings and soon gave priority to other matters. Sadly, Floribert Chebeya has reaped the bitter fruit of that failure to understand the consequences of such neglect.

In UN Security Council Resolution 1925 of the 28th May 2010 authorising the extension and renaming of the UN mission in Congo the protection of civilians was set as a first priority. It proclaims: “Ensure the effective protection of civilians, **including humanitarian personnel and human rights defenders**, under imminent threat of physical violence, in particular violence emanating from any of the parties engaged in the conflict;” And yet there has apparently been little understanding that the most important protection is effective action to bring those responsible for killings to justice. And when there has been most welcome action by the International Criminal Court to take action against perpetrators of crimes against humanity in Ituri it has not been accompanied by measures to protect the local human rights defenders who helped to gather evidence.

Of course the primary responsibility lies with the killers. This time there must be serious efforts to bring those responsible to justice. The calls from the UN for an independent investigation and the

offer of expert assistance must be pressed strongly. Given the huge international support for the Congolese Government it must be made clear that anything less will be unacceptable.

But we must also reflect on the failures of the international community. Human rights defenders working at the local and national level in countries around the world are the most important actors in strengthening the protection of human rights in their countries. They often face threats, harassment, detention, torture or attempts on their lives precisely because they are effective in trying to make the powerful more accountable for their actions. It is for this reason that the UN unanimously adopted a Declaration on Human Rights Defenders in 1998 identifying the particular need to protect the rights of those working for the rights of others. It is why the European Union adopted Guidelines for the Protection of Human Rights Defenders under the Irish Presidency in 2004.

This week it was our friend Floribert Chebeya who was killed. He was one of the first people to be invited to Front Line's first Dublin Platform in 2001 because he was already so well respected for his work in the face of great personal danger. In April it was our friend Bety Carino who was killed in Mexico a few weeks after she attended the fifth Dublin Platform. Last summer it was our friend Natasha Estemirova who was murdered in Chechnya. In 2009 Front Line documented 24 murders of human rights defenders around the world, and there were certainly more than that. We are not aware of any of the killers being brought to justice.

Front Line facilitated 124 temporary relocations of human rights defenders at immediate risk last year. We provided 350,000 Euro in 154 grants for security measures for human rights defenders. We took up the cases of 396 individual human rights defenders at risk in 56 countries. And every time a human rights defender is killed we search our souls about whether we could have done more. Floribert was an old friend who we had provided help to in the recent past and who was often involved in our efforts to try and help others. We are devastated by his loss. Is it too much to hope that finally, this time, we might see justice done?