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Democratic Republic of the Congo: Léon Nkubiri Mbeba threatened following documentation of human rights violations related to a World Bank-funded project

Human rights defender **Léon Nkubiri Mbeba** of Goma, Democratic Republic of Congo, has been the subject of death threats, attempted kidnappings, and a smear campaign during his past two years of work documenting and denouncing human rights violations by Société Zhengwei Technique Coopération (SZTC), a company implementing a World Bank-funded road development project. Most recently, in February 2019, the human rights defender received threatening phone calls, and attempts to bribe his family were made with the demand that Léon Nkubiri Mbeba abandon his work.

Léon Nkubiri Mbeba is the coordinator of the **Réseau d'aide aux Femmes et Enfants Nécessiteux** (Support Network for Women and Children in Need – *RAFEN*), an association in Goma that documents, monitors, and denounces human rights violations against women and children, educates survivors about their rights, and connects them to relevant resources. *RAFEN* has worked with the United Nations Refugee Agency and the United Nations Population Fund in the course of their work supporting survivors of human rights violations.

In early 2017, *RAFEN* learned of a series of abuses committed by employees of SZTC, a Chinese construction company working to build the Bukavu-Goma road as part of the World Bank-funded High-Priority Roads Reopening and Maintenance (ProRoutes) Project. *RAFEN* documented many cases of sexual and gender-based violence committed by SZTC employees against women and girls living around construction sites of the ProRoutes Project, including rape. They also documented cases of SZTC using local child labour, and loss of livelihood as SZTC refused payment for services and goods from local quarries and construction companies.

After documenting these abuses, Léon Nkubiri Mbeba and several of his colleagues at *RAFEN* connected survivors with local lawyers in Bukavu and Goma to prepare two cases to bring to the Prosecutor's Office in the two cities. On 10 April 2017, Léon Nkubiri Mbeba contacted the World Bank office in Kinshasa by email to alert them to the incidents as well as to the ongoing court cases in Goma. He followed up on his email several times in June 2017 by phone; however he did not receive a response. On 3 August 2017, Léon Nkubiri Mbeba and a colleague sent a request to the World Bank Inspection Panel (IP) to do an inspection of the ProRoutes Project in Goma, based on the violations that they had documented. Following their request, on 13 September 2017, the IP published a letter to confirm that their request met the IP's admissibility criteria.

On 27 September 2017, following the publication of the request to the IP to inspect the ProRoutes Project in Goma, Léon Nkubiri Mbeba received a set of threats by phone. The anonymous phone callers threatened to arrest him and kill him because of his work. Following the IP's visit to the project site on 6-11 November 2017, Léon Nkubiri Mbeba received a death threat on 20 November 2017; *RAFEN* believes that the death threat was linked to the IP's findings and the confirmation of the human rights violations, which were released on 21 November 2017. After receiving Board approval to investigate the ProRoutes Project, the IP published an investigation plan on 13 December 2017, and conducted their investigation from 17-31 January 2018. Throughout this time period, Léon Nkubiri Mbeba consistently informed relevant IP and World Bank personnel about the threats against him.

Léon Nkubiri Mbeba and *RAFEN* participated in the IP's investigation visit to Goma, under condition of anonymity. On 26 February 2018 and 9 April 2018, he was the target of two kidnapping attempts by anonymous men wearing helmets. In that time period, Léon Nkubiri Mbeba and

RAFEN had accompanied survivors to court for their ongoing cases related to the ProRoutes project. On 9 November 2018, Léon Nkubiri Mbeba escaped a third kidnapping attempt, and during the attempt he was beaten and injured. RAFEN believes that this kidnapping attempt was related to the publication of the IP report on its investigation in autumn 2018.

In 2019, Léon Nkubiri Mbeba has continued to receive threats; on 6 and 8 February 2019, he received phone calls where an anonymous caller warned him to be on guard because he had refused to attend a World Bank hosted meeting with civil society actors and affected communities about the ProRoutes Action Plan scheduled for 12 February 2019. The human rights defender declined to attend the meeting as adequate security measures were not in place to ensure his physical safety before, during, and after the meeting. On 9 and 12 February 2019, his older and younger brother were visited at their homes in Tongo Butale by a group of representatives from SZTC, the local village chief, and the police captain of the town. When the delegation arrived at each of Leon Nkubiri Mbeba's brothers' houses, they offered them USD \$8,500 in cash and advised his family to take the money in exchange for Leon abandoning his work in bringing cases to court and speaking about the project. The family reported that after they refused to take the cash, the delegation threatened them by saying that they would expel the family from the village for making so much trouble, and for blocking development in their community. Rumours have also been circulated in the town about Léon Nkubiri Mbeba's family, saying that they are working against the interests of development and the community's interests.

Front Line Defenders condemns the ongoing threats and harassment of Léon Nkubiri Mbeba and his family as it believes that the human rights defenders is being targeted for his legitimate and peaceful defence of human rights in the Democratic Republic of the Congo.

Front Line Defenders urges the authorities of the Democratic Republic of the Congo to:

1. Carry out an immediate, thorough and impartial investigation into the death threats and attempted kidnappings against Léon Nkubiri Mbeba, with a view to publishing the results and bringing those responsible to justice in accordance with international standards;
2. Take all necessary measures to guarantee the physical and psychological integrity and security of Léon Nkubiri Mbeba as well as of the members of his family.

Front Line Defenders urges the World Bank to:

1. Use its leverage with SZTC and local authorities in Goma to ensure that threats, attacks, and intimidation against Léon Nkubiri Mbeba and his family are stopped immediately;
2. Carry out an investigation into the threats and attacks against Léon Nkubiri Mbeba and if it is found that personnel related to SZTC are responsible, take immediate action to ensure accountability and non-repetition;
3. Strengthen its procedures to ensure that when threats against human rights defenders occur in relation to World Bank funded projects, prompt action is taken by the World Bank to secure the well-being of the defender and their family.