

KONTEKST:

Potrebno utvrditi politički motivisano nasilje za vreme i nakon izbora 2011.godine u DR Kongu, u cilju analize i donošenja odluke u konkretnom slučaju, a povodom zahteva za azil lica poreklom iz DR Konga, prema izjavi iznetoj na zahtevu za azil i usmenoj raspravi;

PITANJE: Politički motivisano nasilje za vreme i nakon izbora 2011.godine u DR Kongu

ODGOVOR:

Strah od nasilja i ugrozavanje slobode izražavanja zabrinjavao je inostrane zvaničnike pre i nakon održanih izbora.^{1 2}

Prvi slobodni viseštranački izbori u Demokratskoj Republici Kongo održani su 28. novembra 2011.godine.^{3 4 5} Na izborima je na petogodišnji mandat ponovo izabran Joseph Kabila.^{6 7}

Opšti izbori koji su održani u novembru 2011.godine praćeni su brojnim nepravilnostima i kršenjima ljudskih prava, uključujući protivpravna ubistva i proizvoljna hapšenja od strane snaga bezbednosti.^{8 9 10 11} Nasilje od strane policije i drugih bezbednosnih snaga za vreme izbornog procesa uključivalo je ograničavanje političkih aktivnosti, prekoračenje upotrebe sile protiv demonstranata i proizvoljna hapšenja pre svega pripadnika opozicionih stranaka, njihovih pristalica i novinara.¹²

¹ UK Foreign and Commonwealth Office: Human Rights and Democracy: The 2011 Foreign & Commonwealth Office Report - Section IX: Human Rights in Countries of Concern - Democratic Republic of Congo, April 2012, http://www.ecoi.net/local_link/228603/336682_en.html

² ACCORD - Austrian Centre for Country of Origin and Asylum Research and Documentation: Query response on DR Congo, 14.maj 2012.- http://www.ecoi.net/local_link/220558/327776_en.html

³ USDOS - US Department of State, Country Report on Human Rights Practices for 2011 - Congo, Democratic Republic of the, http://www.ecoi.net/local_link/217670/324300_en.html, pristupljeno 24.decembra 2012.godine

⁴ UK Foreign and Commonwealth Office: Human Rights and Democracy: The 2011 Foreign & Commonwealth Office Report - Section IX: Human Rights in Countries of Concern - Democratic Republic of Congo, April 2012, http://www.ecoi.net/local_link/228603/336682_en.html

⁵ The Guardian: Joseph Kabila's election victory sparks fears of violent backlash, 9.decembar 2011.godine/ <http://www.guardian.co.uk/world/2011/dec/09/joseph-kabila-victory-backlash-fears>, pristupljeno 24.decembar 2012. godine

⁶ ACCORD - Austrian Centre for Country of Origin and Asylum Research and Documentation: Query response on DR Congo, 14.maj 2012.- http://www.ecoi.net/local_link/220558/327776_en.html

⁷ UK Foreign and Commonwealth Office: Human Rights and Democracy: The 2011 Foreign & Commonwealth Office Report - Section IX: Human Rights in Countries of Concern - Democratic Republic of Congo, April 2012, http://www.ecoi.net/local_link/228603/336682_en.html

⁸ UN Office of the High Commissioner for Human Rights, United Nations Report Details Human Rights Violations During General Elections in the Democratic Republic of the Congo, 20.mart 2012.- http://www.ecoi.net/local_link/212715/318825_en.html

⁹ HRW: World Report 2012: Democratic Republic of Congo/ Presidential and Legislative Elections- <http://www.hrw.org/world-report-2012/world-report-2012-democratic-republic-congo>, pristupljeno 11.decembra 2012. godine

¹⁰ Reuters: DR Congo forces killed at least 33 poll, 20.mart 2012.- <http://www.reuters.com/article/2012/03/20/ozatp-congo-democratic-killings-idAFJ0E82J06220120320>

¹¹ Amnesty International: Annual report 2012- Democratic Republic of Congo- <http://www.amnesty.org/en/region/democratic-republic-congo/report-2012>, pristupljeno 14.decembra 2012.

¹² Human Rights Watch, World Report 2012: Democratic Republic of Congo/presidential and legislative elections, <http://www.hrw.org/world-report-2012/world-report-2012-democratic-republic-congo>

Ozbiljni incident dogodio se nedelju dana pre izbora, kada je 18 ljudi izgubilo život od strane predsedničke straže koja se oružjem sukobila sa demonstratorima.^{13 14}

Policija Konga se u nekoliko navrata tokom izbornog perioda sukobljavala sa pristalicama opozicione strane, članovima medija i borcima za ljudska prava,^{15 16 17} što je rezultiralo i ljudskim žrtvama.^{18 19}

Period posle izbora obeležila su nezakonita ubistva i hapšenja mnogih protestanata.²⁰

Ujedinjene nacije su u postizbornom periodu, od 26.novembra do 26.decembra 2011.godine zabeležile 33 ubistava od strane snaga bezbednosti,^{21 22} najmanje 83 ranjenih,²³ 16 nestalih i preko 260 pritvorenih civila, na području glavnog grada Kinšase.^{24 25} Većina pritvorenih civila je proizvoljno i nezakonito uhapšeno,²⁶ i neki od njih su prijavili slučajeve toture dok su boravili u pritvoru.²⁷ Prema izjavama svedoka posle izbijanja nemira u kojima su poginuli protestanti, uniformisani ljudi su bacali tela poginulih u reku Kongo,²⁸ dok su neka sahranjena u masovne grobnice.²⁹

¹³ UK Foreign and Commonwealth Office: Human Rights and Democracy: The 2011 Foreign & Commonwealth Office Report - Section IX: Human Rights in Countries of Concern - Democratic Republic of Congo, April 2012, http://www.ecoi.net/local_link/228603/336682_en.html

¹⁴ The New York Times: Congo/The rule of Joshep Kabala, 2.decembar 2012.- <http://topics.nytimes.com/top/news/international/countriesandterritories/congothedemocraticrepublicof/index.html>

¹⁵ ACCORD - Austrian Centre for Country of Origin and Asylum Research and Documentation: Query response on DR Congo, 14.maj 2012.- http://www.ecoi.net/local_link/220558/327776_en.html

¹⁶ Human Rights Watch, World Report 2012: Democratic Republic of Congo/presidential and legislative elections, <http://www.hrw.org/world-report-2012/world-report-2012-democratic-republic-congo>

¹⁷ OHCHR - UN Office of the High Commissioner for Human Rights, United Nations Report Details Human Rights Violations During General Elections in the Democratic Republic of the Congo, 20.mart 2012.- http://www.ecoi.net/local_link/212715/318825_en.html

¹⁸ UK Foreign and Commonwealth Office: Human Rights and Democracy: The 2011 Foreign & Commonwealth Office Report - Section IX: Human Rights in Countries of Concern - Democratic Republic of Congo, April 2012, http://www.ecoi.net/local_link/228603/336682_en.html

¹⁹ ACCORD - Austrian Centre for Country of Origin and Asylum Research and Documentation: Query response on DR Congo, 14.maj 2012.- http://www.ecoi.net/local_link/220558/327776_en.html

²⁰ Globalpost: Congo: Arrests of priests and nuns condemned, 19.februar 2012.-

<http://www.globalpost.com/dispatch/news/regions/africa/120217/activists-condemn-arrests-priests-nuns-congo>

²¹ Reuters: DR Congo forces killed at least 33 during polls: UN, 20.mart 2012.- <http://www.reuters.com/article/2012/03/20/ozatp-congo-democratic-killings-idAFJ0E82J06220120320>

²² UK Foreign and Commonwealth Office: Quarterly updates: Democratic Republic of Congo/ Quarter one update: 31 march 2012.- <http://fcohrdreport.readandcomment.com/human-rights-in-countries-of-concern/democratic-republic-of-congo/quarterly-updates-democratic-republic-of-congo/?showall=1>, poslednje ažuriranje 30. septembar 2012.-

²³ Voice of America: UN Report on DRC killings during election period- <http://www.voanews.com/content/un-drc-security-forces-killed-33-during-elections-143469566/181310.html>, poslednje ažuriranje 19.mart 2012.

²⁴ UN Office of the High Commissioner for Human Rights, United Nations Report Details Human Rights Violations During General Elections in the Democratic Republic of the Congo, 20.mart 2012.- http://www.ecoi.net/local_link/212715/318825_en.html

²⁵ BBC News Africa: DR Congo poll followed by wave of killings -UN, 20.mart 2012.- <http://www.bbc.co.uk/news/world-africa-17449240>

²⁶ BBC News Africa: DR Congo poll followed by wave of killings -UN, 20.mart 2012.- <http://www.bbc.co.uk/news/world-africa-17449240>

²⁷ UN Office of the High Commissioner for Human Rights, United Nations Report Details Human Rights Violations During General Elections in the Democratic Republic of the Congo, 20.mart 2012.- http://www.ecoi.net/local_link/212715/318825_en.html

²⁸ Reuters: DR Congo forces killed at least 33 poll, 20.mart 2012.- <http://www.reuters.com/article/2012/03/20/ozatp-congo-democratic-killings-idAFJ0E82J06220120320>

²⁹ BBC News Africa: DR Congo poll followed by wave of killings -UN, 20.mart 2012.- <http://www.bbc.co.uk/news/world-africa-17449240>

Većina uhapšenih su pripadnici opozicione partije Unija za demokratiju i narodni napredak (Union pour la Democratie et le progres Social-UDPS), ili potiču iz iste provincije kao i opozicioni lider Etienne Tshisekedi.^{30 31}

Strah od nasilja i ugrozavanje slobode izražavanja zabrinjavao je inostrane zvaničnike pre i nakon održanih izbora.^{32 33}

Opštu klimu tenzije nakon izbora je oslikao incident pri 'Maršu hrišćana' organizovanog od strane Katoličke crkve u znak protesta protiv navodne prevare održanim izborima.^{34 35} Policija Kinšase je uz upotrebu oklopnih vozila i vodenih topova nastojala da spreči marš i okupljanje u crkvama. Pritom je nekolicini sveštenika i protestanata određen pritvor.^{36 37}

KOMENTAR/ZAKLJUČAK:

Iz prethodno navedenih tvrdnji proizilazi zaključak da je period pre i posle izbora 2011.godine u DR Kongu, bio obeležen nezakonitim ubistvima i hapšenjima opozicionih lidera i pistalica, od strane bezbednosnih snaga i policije. Takođe se može zaključiti da se samim tim vršila represija nad opozicijom i protestantima koji su izražavali svoje nezadovoljstvo zbog rezultata izbora.

³⁰ BBC News Africa: DR Congo poll followed by wave of killings -UN,20.mart 2012.- <http://www.bbc.co.uk/news/world-africa-17449240>

³¹ UN Office of the High Commissioner for Human Rights, United Nations Report Details Human Rights Violations During General Elections in the Democratic Republic of the Congo,20.mart 2012.- http://www.ecoi.net/local_link/212715/318825_en.html

³² UK Foreign and Commonwealth Office: Human Rights and Democracy: The 2011 Foreign & Commonwealth Office Report - Section IX: Human Rights in Countries of Concern - Democratic Republic of Congo, April 2012, http://www.ecoi.net/local_link/228603/336682_en.html

³³ ACCORD - Austrian Centre for Country of Origin and Asylum Research and Documentation: Query response on DR Congo,14.maj 2012.- http://www.ecoi.net/local_link/220558/327776_en.html

³⁴ ACCORD - Austrian Centre for Country of Origin and Asylum Research and Documentation: Query response on DR Congo,14.maj 2012.- http://www.ecoi.net/local_link/220558/327776_en.html

³⁵ Globalpost: Congo:Arrests of priests and nuns condemned, 19.februar 2012.- <http://www.globalpost.com/dispatch/news/regions/africa/120217/activists-condemn-arrests-priests-nuns-congo>

³⁶ ACCORD - Austrian Centre for Country of Origin and Asylum Research and Documentation: Query response on DR Congo,14.maj 2012.- http://www.ecoi.net/local_link/220558/327776_en.html

³⁷ Globalpost: Congo:Arrests of priests and nuns condemned, 19.februar 2012.- <http://www.globalpost.com/dispatch/news/regions/africa/120217/activists-condemn-arrests-priests-nuns-congo>