

5 December 2017

## Democratic Republic of Congo: Human rights defender Ghislain Muhiwa arbitrarily detained

On 28 November 2017, human rights defender **Ghislain Muhiwa** was arrested and detained along with twenty one others during a peaceful protest.

[Ghislain Muhiwa](#) is a human rights rights defender and member of **Lutte pour le Changement – LUCHA** (Fight For Change). **LUCHA** is a non-violent and non-partisan youth civil society movement founded in June 2012 in Goma, the capital of North Kivu. The movement advocates for social justice and accountability in the DRC through campaigns, and encourages Congolese citizens to fight for the promotion and respect of human rights. In October 2016, President Joseph Kabila announced that the presidential elections would be postponed, extending his 2-term mandate beyond constitutional limits. LUCHA and its members have been instrumental in organising civil society to call for President Joseph Kabila to respect the constitution.

On 28 November 2017, Ghislain Muhiwa was arrested and detained by the Congolese authorities as he took part in a peaceful demonstration. The human rights defender had been one of the key organisers of the peaceful protest which was called to demand that President Joseph Kabila end his presidency as his constitutional mandate finished in 2016. During the demonstration, the police targeted protesters with tear gas and arrested twenty two people, including Ghislain Muhiwa. According to reports from human rights defenders at the demonstration, the police targeted Ghislain Muhiwa as one of the leaders of the protest by arresting and then beating him. He has been charged with “disturbing public order”, “belonging to an insurgency movement”, “insulting the Head of State” and “inciting civil disobedience and revolt”. He was brought in front of a judge on 2 December 2017 and he remains in detention.

This incident is part of a larger pattern of targeted action against and harassment of youth-led civil society movements in the DRC. On 30 September 2017, thirty-three members of LUCHA were [arrested](#) during a peaceful demonstration and detained for five days. On 19 September 2017, eleven human rights defenders affiliated with [Filimbi](#), a pro-democracy and civil society movement which advocates against poor governance and human rights abuses, were [arrested](#) while planning a peaceful demonstration and were detained for four days. Between 24 and 26 October 2016, fourteen members of LUCHA were [arrested](#) for mobilising students to participate in peaceful demonstrations organised throughout the DRC. Another LUCHA activist, Nicolas Mbiya, was [arrested](#) on 14 July 2017 and detained until 29 September 2017.

Human rights defenders in the Democratic Republic of Congo have been subjected to arbitrary detention and violent attacks, including killings. In 2017, Front Line Defenders has reported on the killings of human rights defenders [Tsongo Sikuliwako Alex](#), [Alphonse Luanda Kalyamba](#), [Marcel Tengezeza](#), the attempted killing of [Butoto Kiza](#) and death threats against [Philippe Busimba](#).

Front Line Defenders condemns the arbitrary arrest and detention of Ghislain Muhiwa as it believes he has been targeted for the legitimate exercise of the freedom of peaceful assembly and association.

**Front Line Defenders urges the authorities in the DRC to:**

1. Immediately and unconditionally release and drop all charges against Ghislain Muhiwa, as Front Line Defenders believes that he is being held solely as a result of his legitimate and peaceful work in the defence of human rights;
2. Ensure that the treatment of Ghislain Muhiwa while in detention adheres to the conditions set out in the 'Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment', adopted by UN General Assembly resolution 43/173 of 9 December 1988;
3. Cease targeting all human rights defenders in the DRC and guarantee in all circumstances that they are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions including judicial harassment.