



## COI QUERY

<b>Country of Origin</b>	<b>DEMOCRATIC REPUBLIC OF THE CONGO</b>
<b>Title</b>	<b>Treatment of members of the Engagement for Citizenship and Development (Engagement pour la Citoyenneté et le Développement, ECIDé) political group by the state</b>
<b>Reference period</b>	January 2021 to 22 March 2024
<b>Topic(s)</b>	<ol style="list-style-type: none"><li><a href="#">1. Background</a></li><li><a href="#">2. Treatment by the State</a></li></ol>
<b>Date of completion</b>	25 March 2024
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## COI QUERY RESPONSE – Democratic Republic of the Congo

### Treatment of members of the Engagement for Citizenship and Development (Engagement pour la Citoyenneté et le Développement, ECIDé) political group by the state

#### 1. Background

The Engagement for Citizenship and Development (Engagement pour la Citoyenneté et le Développement, ECIDé) is a Congolese political party created in March 2009 by Martin Fayulu, a former oil magnate.<sup>1</sup> The website of ECIDé provides the organigram of the party, which includes a Congress, National Council, National Bureau, President (Fayulu), Vice President (M. J. Luhaka), various Secretaries, and a Treasurer.<sup>2</sup> ECIDé has participated in several elections, including in the December 2023 one where Fayulu was the candidate in representation of the Lamuka coalition of political parties.<sup>3</sup>

Although the law recognized political parties and provides them with rights, the government prevented political parties from holding public meetings and peaceful protests, with security forces using force to prevent or disperse events organized by the political opposition.<sup>4</sup> For additional information, see EUAA Query [Political Opponents, journalists, activists](#), published on 16 September 2021.

Radio Okapi reported that ECIDé's spokesperson, Luc Malembe, issued a press release on 10 September 2023 accusing the Eastern Congo Mining Company (Société minière de l'Est du Congo, SMEC) of appropriating mining and forestry concessions from indigenous peoples in Mambasa, Itury province, and reselling them to Chinese companies.<sup>5</sup> SMEC rejected the accusations.<sup>6</sup>

In December 2023, sources reported that Fayulu criticised the organisation of the 20 December 2023 general elections, pointing to logistical issues with election materials and

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<sup>1</sup> ECIDé, Martin Fayulu : l'ancien magnat du pétrole qui veut être président du Congo, 17 June 2019, [url](#)

<sup>2</sup> ECIDé, Organigramme, n.d., [url](#)

<sup>3</sup> France 24, DR Congo opposition figure Martin Fayulu to stand in presidential election, 30 September 2023, [url](#); BBC News, Élections en RDC 2023 : « Je suis le candidat qui a le plus d'atouts » - Martin Fayulu, 18 December 2023, [url](#)

<sup>4</sup> USDOS, 2022 Country Reports on Human Rights Practices: Democratic Republic of the Congo, 20 March 2023, [url](#), p. 29; Freedom House, Freedom in the World 2023 – Democratic Republic of the Congo, February 2023, [url](#)

<sup>5</sup> Radio Okapi, Mambasa : le parti Ecidé accuse la SMEC de « s'approprier des concessions minières et forestières au profit des Chinois », 11 September 2023, [url](#)

<sup>6</sup> Radio Okapi, Mambasa : le parti Ecidé accuse la SMEC de « s'approprier des concessions minières et forestières au profit des Chinois », 11 September 2023, [url](#)



violations to electoral law.<sup>7</sup> President Tshisekedi won re-election with 70 % of the vote, while Fayulu obtained 5 %.<sup>8</sup>

## 2. Treatment by the state

In November 2021, state agents arrested Luc Malembe on charges of ‘spreading false rumors’ for criticizing the state of siege in Ituri province on social media.<sup>9</sup> The US Department of State (USDOS) 2022 country report for the Democratic Republic of the Congo indicated that after seven months in detention, Malembe was acquitted by a civil court judge.<sup>10</sup> Malembe was arrested on 9 August 2023 by the military when he was visiting a member of a civil society organization who was detained in Bunia, province of Itury.<sup>11</sup> The motive of Malembe’s detention remained unclear.<sup>12</sup> Malembe was released three hours later.<sup>13</sup>

On 22 April 2022, the police suppressed a protest by a group of demonstrators, including ECIDÉ supporters,<sup>14</sup> who were protesting at the People’s Palace against a proposed reform to electoral law.<sup>15</sup> According to local sources, the events left [informal translation] ‘more than a dozen injured and arrested’,<sup>16</sup> and those injured included two people whose legs were broken and another person who was shot in the hand.<sup>17</sup>

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<sup>7</sup> Africanews, DR Congo: Opposition leader Fayulu denounces “a violation of the electoral law”, 21 December 2023, [url](#); VOA, DRC President Felix Tshisekedi Declared Winner of Disputed Election, 31 December 2023, [url](#)

<sup>8</sup> NPR, Congo’s president is declared winner of election that opposition wants redone, 31 December 2023, [url](#); VOA, DRC President Felix Tshisekedi Declared Winner of Disputed Election, 31 December 2023, [url](#)

<sup>9</sup> USDOS, 2022 Country Reports on Human Rights Practices: Democratic Republic of the Congo, 20 March 2023, [url](#), p. 13; Mediacongo.net, Ituri: le parti ECIDE appelle à l’acquittement pur et simple de Luc Malembe, 18 February 2022, [url](#)

<sup>10</sup> USDOS, 2022 Country Reports on Human Rights Practices: Democratic Republic of the Congo, 20 March 2023, [url](#), p. 13

<sup>11</sup> Actualite.cd, DRC: the VSV calls for the release of Luc Malembe, ECIDE executive in Bunia, 10 August 2023, [url](#); Radio Okapi, Bunia : l’ONG Justice Plus note 2 cas « d’arrestation fantaisistes » en une semaine, 12 August 2023, [url](#)

<sup>12</sup> Actualite.cd, DRC: the VSV calls for the release of Luc Malembe, ECIDE executive in Bunia, 10 August 2023, [url](#); Radio Okapi, Bunia : l’ONG Justice Plus note 2 cas « d’arrestation fantaisistes » en une semaine, 12 August 2023, [url](#)

<sup>13</sup> Radio Okapi, Bunia : l’ONG Justice Plus note 2 cas « d’arrestation fantaisistes » en une semaine, 12 August 2023, [url](#)

<sup>14</sup> Radio Okapi, Kinshasa : la VSV condamne la répression contre les militants de l’Ecidé, 30 April 2022, [url](#); Actualite.cd, Examen de la loi électorale : une manifestation des militants de Lamuka réprimée aux abords du Palais du peuple, 22 April 2022, [url](#)

<sup>15</sup> Actualite.cd, Examen de la loi électorale : une manifestation des militants de Lamuka réprimée aux abords du Palais du peuple, 22 April 2022, [url](#)

<sup>16</sup> Actualite.cd, Examen de la loi électorale : une manifestation des militants de Lamuka réprimée aux abords du Palais du peuple, 22 April 2022, [url](#)

<sup>17</sup> Radio Okapi, Kinshasa : la VSV condamne la répression contre les militants de l’Ecidé, 30 April 2022, [url](#)



Sources reported that on 5 August 2022, Marie Masemi, member of ECIDé, was arrested by authorities in Kinshasa.<sup>18</sup> Radio Okapi reported that, according to local sources, Masemi was arrested due to her [informal translation] “insults and defamatory remarks against authorities”.<sup>19</sup> The same source indicated that Masemi is known [informal translation] ‘through social networks for her rants against the current regime leaders, including Félix Tshisekedi and Christophe Mboso,’ and that she also regularly participates in demonstrations organized by her political party.<sup>20</sup> Masemi was released three days after her arrest<sup>21</sup> and the charges dropped.<sup>22</sup>

On 4 November 2023, alleged supporters of the Union for Democracy and Social Progress Party (Union pour la démocratie et le progrès social, UDPS)<sup>23</sup> attacked a convoy made up of Fayulu and his supporters when they were heading to a pre-campaign rally in Tshikapa, Kasai province,<sup>24</sup> leaving two people and one policeman injured by the rocks thrown at them.<sup>25</sup> President Tshisekedi’s spokesperson condemned the attacks.<sup>26</sup>

On 27 December 2023, protesters in Kinshasa denounced the results of the general elections as illegitimate, including followers of Fayulu who clashed with the police,<sup>27</sup> throwing rocks, and burning tires.<sup>28</sup> Demonstrators intended to march to the Independent National Electoral Commission (Commission Electorale Nationale Indépendante, CENI), but the government banned the protest,<sup>29</sup> and some protesters barricaded inside Fayulu’s headquarters.<sup>30</sup> BBC

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<sup>18</sup> Radio Okapi, Kinshasa : Martin Fayulu exige la libération de Mme Marie Masemi, arrêtée depuis le 5 août, 7 August 2022, [url](#); Germany, BAMF, Briefing Notes: Group 62 - Information Centre for Asylum and Migration, 8 August 2022, [url](#), p. 2

<sup>19</sup> Radio Okapi, Kinshasa : Martin Fayulu exige la libération de Mme Marie Masemi, arrêtée depuis le 5 août, 7 August 2022, [url](#)

<sup>20</sup> Radio Okapi, Kinshasa : Martin Fayulu exige la libération de Mme Marie Masemi, arrêtée depuis le 5 août, 7 August 2022, [url](#)

<sup>21</sup> USDOS, 2022 Country Reports on Human Rights Practices: Democratic Republic of the Congo, 20 March 2023, [url](#), p. 19; Mediacongo.cd, Kinshasa : la militante de l’Ecidé, Marie Masemi libérée, 8 August 2022, [url](#)

<sup>22</sup> USDOS, 2022 Country Reports on Human Rights Practices: Democratic Republic of the Congo, 20 March 2023, [url](#), p. 19

<sup>23</sup> UDPS is a political party created in 1982 by now President Tshisekedi. UDPS, A propos, n.d., [url](#); Jeune Afrique, UDPS, n.d., [url](#)

<sup>24</sup> HRW, DR Congo: Electoral Violence Threatens Vote, 16 December 2023, [url](#); RFI, RDC: indignation après le caillassage du cortège de Martin Fayulu dans le Kasai, 6 November 2023, [url](#)

<sup>25</sup> HRW, DR Congo: Electoral Violence Threatens Vote, 16 December 2023, [url](#)

<sup>26</sup> HRW, DR Congo: Electoral Violence Threatens Vote, 16 December 2023, [url](#); Radio Okapi, Félix Tshisekedi condamne l’attaque contre le cortège de Martin Fayulu à Tshikapa, 6 November 2023, [url](#)

<sup>27</sup> Africanews, Opposition protesters clash with police in Kinshasa after partial results released, 28 December 2023, [url](#); BBC, DR Congo elections: Fayulu’s supporters clash with police in Kinshasa, 27 December 2023, [url](#)

<sup>28</sup> Africanews, Opposition protesters clash with police in Kinshasa after partial results released, 28 December 2023, [url](#)

<sup>29</sup> Africanews, Opposition protesters clash with police in Kinshasa after partial results released, 28 December 2023, [url](#); BBC, DR Congo elections: Fayulu’s supporters clash with police in Kinshasa, 27 December 2023, [url](#)

<sup>30</sup> Africanews, Opposition protesters clash with police in Kinshasa after partial results released, 28 December 2023, [url](#)



reported that, according to Fayulu, 11 of his supporters were injured in the clashes, while the police reported two officers injured.<sup>31</sup>

Additional information on the treatment of ECIDé members by the state could not be found among the sources consulted by EUAA within the time constraints of this query.

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<sup>31</sup> BBC, DR Congo elections: Fayulu's supporters clash with police in Kinshasa, 27 December 2023, [url](#)

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