



14 March 2019
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**UN Human Rights Council
Fortieth session, 25 February – 22 March 2019**

**Item 6:
Consideration of UPR outcomes**

CONGO

Mr. President,

Following recommendations accepted in its 2013 UPR, Congo abolished the death penalty in its Constitution. However, the Criminal Code has not yet been reformed to align it with the Constitution, and Congo has still not ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

Amnesty International therefore welcomes Congo's acceptance of recommendations to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights.¹ We urge Congo to immediately and effectively take steps to implement these recommendations.

Amnesty International is concerned by the use of torture and other ill-treatment in Congo. Although the government accepted recommendations previously to complete a review by 2014 of legislative codes on preventing and punishing torture, and to establish a National Mechanism for the Prevention of Torture, these recommendations have not been implemented. Cases of torture in detention facilities continue to be reported.

Amnesty International therefore welcomes Congo's acceptance of recommendations to investigate effectively all allegations of torture and other ill-treatment and to bring the

¹ Report of the Working Group on the Universal Periodic Review, Congo, A/HRC/40/16, recommendations 130.1 (Benin, Estonia, France, Portugal, Togo), 130.2 (Georgia), 130.3. (Paraguay), 130.4 (Chile), 130.5 (Montenegro), 130.6 (Germany), 130.7 (Slovenia), 130.71 (Ukraine), 130.73 (Iceland), 130.75 (Ireland).

suspected perpetrators to justice in fair trials and provide effective remedies and adequate reparations to the victims.²

In May 2018, several activists from the citizen movement, *Ras-le-bol*, were arrested while peacefully protesting and calling for the release of political prisoners. Amnesty International is concerned by such impermissible restrictions on the right to freedom of expression in Congo.

Amnesty International therefore regrets that Congo rejected the recommendation to immediately and unconditionally release all prisoners of conscience arrested solely for exercising their rights to freedom of expression and peaceful assembly.³ We ask Congo to reconsider its decision and to support and accept this recommendation.

Thank you, Mr. President.

² A/HRC/40/16, recommendations 130.8 (Denmark), 130.9 (Georgia), 130.10 (Paraguay), 130.50 (Italy), 130.77 (Brazil), 130.80 (Canada), 130.82 (Belgium).

³ A/HRC/40/16, recommendations 130.97 (United States of America).