



JUDICIAL PROCEEDINGS,

CLIMATE DEFENSE AND THE KIVU-KINSHASA GREEN CORRIDOR



Ensuring that the Kivu-Kinshasa
Green Corridor provides a strategic
framework for combating abusive
lawsuits

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LIST OF ABBREVIATIONS, ACRONYMS, AND INITIALISMS

ACEDH: Congolese Alert for the Environment and Human Rights (Alerte Congolaise pour l'Environnement et les Droits Humains)

ALLIED: Alliance for Land, Indigenous, and Environmental Defenders

ANR: National Intelligence Agency (Agence Nationale des Renseignements)

ASBL: Non-Profit Association (Association sans But Lucratif)

BCNUDH: United Nations Joint Human Rights Office (Bureau Conjoint des Nations Unies pour les Droits Humains)

CADHP: African Charter on Human and Peoples' Rights (Charte Africaine des Droits de l'Homme et des Peuples)

CLIDEF: Global Climate Legal Defense

CLIP: Free, Prior, and Informed Consent (FPIC) (Consentement Libre, Informé et Préalable)

CNDH: National Human Rights Commission (Commission Nationale des Droits de l'Homme)

CNS: National Security Council (Conseil National de Sécurité)

CNC: National Cyber Defense Council (Conseil National de Cyberdéfense)

COLO: Local Communities (Communautés Locales)

CVKK: Kivu-Kinshasa Green Corridor (Couloir Vert Kivu Kinshasa)

CSM: High Council of the Judiciary (Conseil Supérieur de la Magistrature)

DDEF: Environmental and Land Rights Defender (Défenseur des Droits Environnementaux et Fonciers)

DDE: Environmental Rights Defender (Défenseur des Droits de l'Environnement)

DDH: Human Rights Defender (Défenseur des Droits Humains)

DEMIAP: Military Detection of Anti-Fatherland Activities (Détection Militaire des Activités Anti-Patrie)

DLE: Local Environmental Defender (Défenseur Local de l'Environnement)

ERA: Environmental Rights Agreement in Africa

ELAW: Environmental Law Alliance Worldwide

FARDC: Armed Forces of the Democratic Republic of the Congo (Forces Armées de la République Démocratique du Congo)

FDHM: Fund for Global Human Rights (Fonds pour les Droits Humains Mondiaux)

ICCN: Congolese Institute for Nature Conservation (Institut Congolais pour la Conservation de la Nature)

ILC: International Land Coalition

LEAD: Leaders Network for Environmental Activists and Defenders

MONUSCO: United Nations Organization Stabilization Mission in the Democratic Republic of the Congo

M23: March 23 Movement (Mouvement du 23 Mars)

ONG: Non-Governmental Organization (NGO)

OPJ: Judicial Police Officer (Officier de Police Judiciaire)

OSC: Civil Society Organization (CSO)

PA: Indigenous Peoples (Peuples Autochtones)

PIDESC: International Covenant on Economic, Social and Cultural Rights (ICESCR)

PNC: Congolese National Police (Police Nationale Congolaise)

PNVi: Virunga National Park (Parc National des Virunga)

RFO: Okapi Wildlife Reserve (Réserve de Faune à Okapis)

RDC: Democratic Republic of the Congo (DRC)

SLAPP: Strategic Lawsuits Against Public Participation

SOCICO: Civil Society of the Congo (Société Civile du Congo)

SOMIFOR: Millennial Forestry Company (Société la Millénaire Forestière).

IMPORTANT NOTE

The views expressed herein do not reflect, directly or indirectly, those of ACEDH's partners who support its programs dedicated to assisting climate defenders, fostering civic education, and offering guidance to the Congolese government. We express our sincere gratitude for their efforts, which continue to bring hope to thousands of climate defenders, Indigenous leaders, and other key stakeholders working on climate issues and local rights.

We also extend our thanks to the entire Green Lawyers team, regional collaborators, colleagues, and partners whose valuable information made this work possible

WHO ARE WE?

ABOUT ACEDH

ACEDH, the Congolese Alert for the Environment and Human Rights, is a Congolese non-profit organisation with legal personality that strives for a fairer world where people and their environment are at the heart of all governance actions and concerns. Founded in Goma in 2008, it works on the pillars of human rights and environmental protection across the following areas: land governance, climate justice, strategic litigation on climate and biodiversity issues; a just energy transition; combating impunity for wildlife; advocacy and influencing practices and policies that impact the climate, land tenure and fisheries, as well as the protection of land and climate rights defenders.

ACEDH is a member of the global LEAD initiative, the global ALLIED Alliance, the regional ERA Initiative, the African Climate Defenders initiatives, and the global environmental defenders' platform ELAW, and is a partner of CLIDEF.

ACEDH, through its Executive Secretary, has received significant awards: the 2018 Face of Conservation Award in Amsterdam (Netherlands); the 2023 Front Line Defenders World Award in Dublin (Ireland) for the environment, land, environmental defenders and climate; the 2024 Global Citizen World Award in the Climate, Conservation, Defenders and Reforestation in New York, and the 2024 Tulip Award for its efforts in the areas of the environment, climate justice and social safeguards.

ACEDH has spearheaded flagship initiatives in education, training, and knowledge-sharing around legal frameworks, as well as the democratization of the climate debate, transparency, and public access to information. The organization employs a legal-socio-anthropological approach to transform perceptions regarding land tenure, fishing rights, and energy systems. By transcending identity-driven paradigms and tensions, it reframes land and natural resources as drivers of development thereby supporting the fight against food insecurity and promoting green land investments to foster stability and peace.

With the support of its partners and donors, ACEDH has represented more than 173 individuals before judicial and administrative bodies in proceedings related to wildlife and flora protection, driven by the work of its Green Lawyers.

The organization also supports a community of over 36,000 former plantation workers victims of land injustices since 2013 through advocacy, peaceful action,

and legal assistance in the former Belgian concessions of Kitshanga, where many have faced Strategic Lawsuits Against Public Participation (SLAPP).

Highly active in land reform processes, the opposition to oil exploitation, and the drafting of the national energy policy, ACEDH has a proven track record of achieving tangible results across local, national, and international spheres.

ACEDH is a member of several coalitions and working groups, including ELAW, ALLIED, ERA, the «Notre Terre sans Pétrole» campaign, and Stop Fossil Fuels. It is also involved in several regional initiatives established by the International Land Coalition (ILC) and Natural Justice regarding land rights defenders and environmental activists. ACEDH receives support from the 11th Hour Project., CLIDEF, FDHM, FILE FOUNDATION, ELAW, Natural Justice





1

INTRODUCTION AND CONTEXTUAL ENVIRONMENT

Natural resources, land and forest conservation, and the safeguarding of local community and Pygmy livelihoods in the DRC's equatorial forest extend beyond climate policy and social safeguards; they are fundamentally matters of safety and security for climate defenders and local communities, which are essential to democratic environmental governance.

A global leader in nature conservation and strategic minerals, the DRC holds and will maintain this status through the arduous sacrifices made by local communities, climate and land defenders, park rangers, fishers, farmers, Pygmy Indigenous peoples, and local leaders who have been actively working since time immemorial to protect the environment and wildlife.

At the global level, organizations such as Front Line Defenders and Global Witness have issued deeply alarming reports documenting striking numbers of rights and freedom violations against environmental and land defenders .

In 2025, many environmental defenders continued to pay with their lives to carry out their fight. According to a report published by the human rights

NGO Front Line Defenders, more than 350 human rights activists were killed last year, a quarter of them due to their environmental protection work. The report published by RFI records 358 human rights defenders assassinated in 2025, about a quarter of them for their commitment to the environment. Indigenous peoples' rights defenders account for 17% of the victims, struggles that are often closely linked to ecological fights. In the DRC in this year 2026, 12 environmental and land defenders have been killed according to the ACEDH report titled: «Repression, attacks against land and climate defenders and activists in the DRC», a report cited by the online media outlet Mongabay Africa in an article by Prosper Heri: DRC: In less than a year, 12 land and climate rights defenders killed.

In its report released today, the Congolese NGO Alerte Congolaise pour l'Environnement et les Droits de l'Homme denounces these violations of the rights and freedoms of defenders, land activists, and climate activists

These realities are also supported by the Global Witness report, which, in its press release of March 27, 2025, states that more than 2,100 land and environmental rights defenders were killed worldwide between 2012 and 2023

beyond assassinations and enforced disappearances, a situation often kept from the public eye threatens the work and freedoms of climate defenders, activists, and Indigenous leaders in resource extraction countries and zones. The mechanisms deployed to halt the efforts of environmental and land defenders, including Indigenous peoples and local community leaders, encompass arrests, detentions, torture, unfair trials, and, in short, judicial proceedings frequently criminal, but at times administrative, disciplinary, and civil—designed to legally silence defenders and victims.

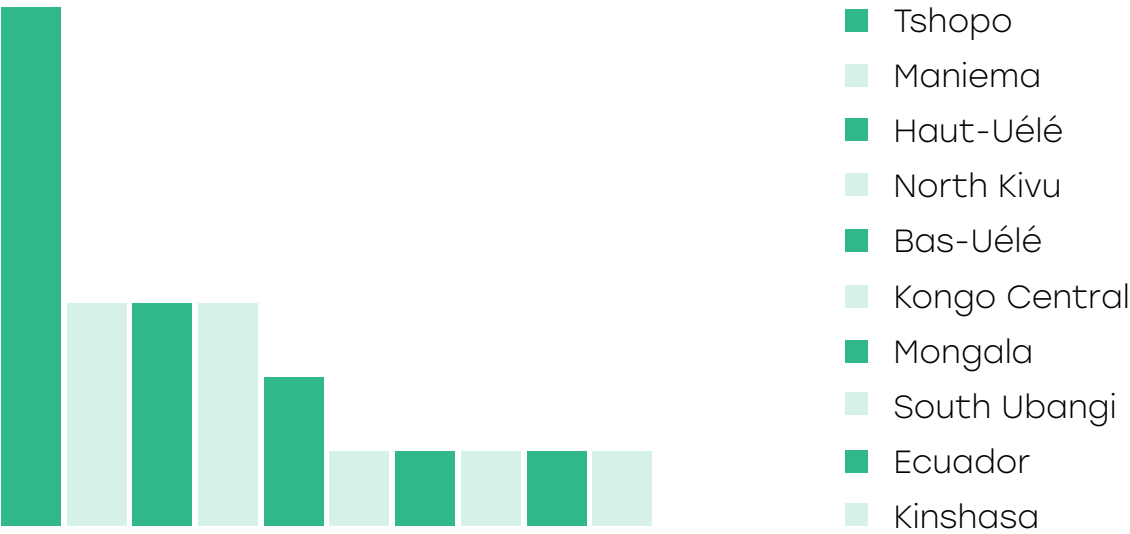
Behind these proceedings often lie investors, mining and oil companies, or resource extraction corporations and cooperatives seeking to exploit resources in violation of community rights. To prevent these victimized communities from exposing their illicit acts and to reduce them to silence, they benefit from the complicity of certain local authorities or high-ranking officials.

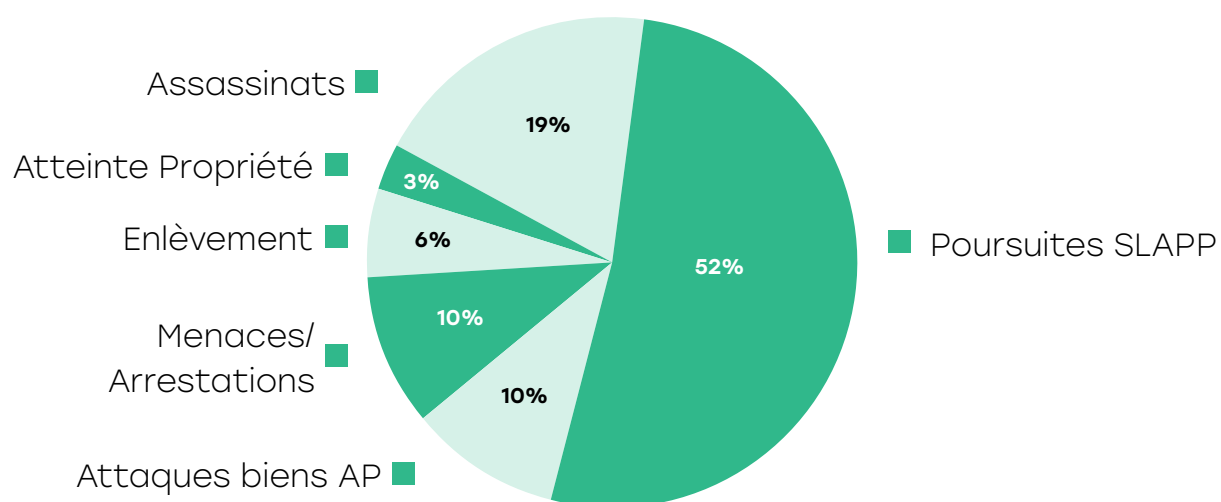
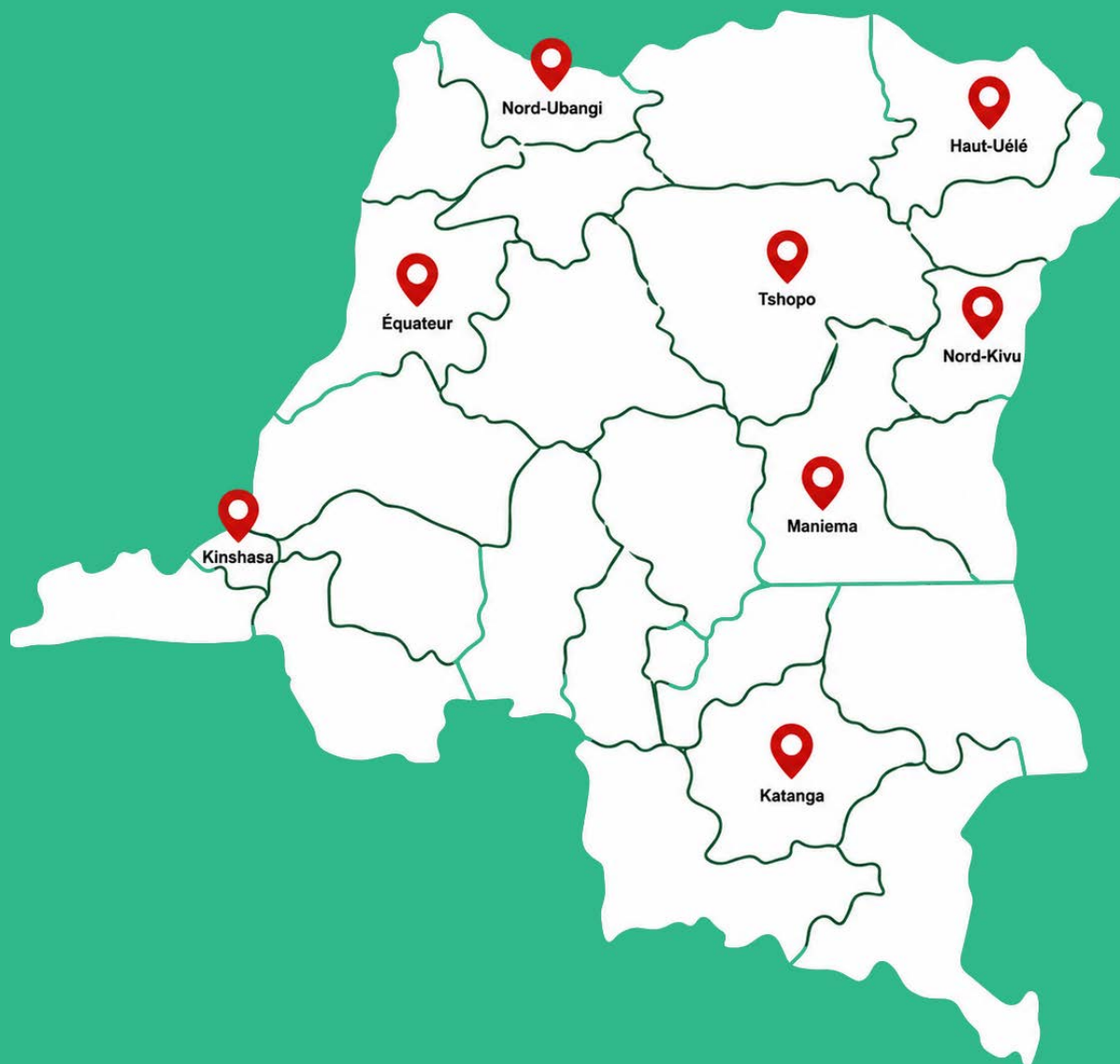
The judicial monitoring report on the situation of environmental and land rights defenders in the DRC during the year 2026 indicates that out of 100% of violation cases, 52 percent involve SLAPPs (Strategic Lawsuits Against Public Participation), with a large portion concentrated in the Kivu-Kinshasa Green

Corridor. Other cases that remain insufficiently documented and tracked are located in the mining areas of Lualaba, Haut-Katanga, and Haut-Lomami—that is to say, within the DRC’s strategic mineral zones.

Tableau 1. Situation de la répartition des dossiers selon les provinces

Province	Number of files	Percentage
Tshopo	7	29%
Maniema	3	13%
Haut-Uélé	3	13%
North Kivu	3	13%
Bas-Uélé	2	8%
Kongo Central	1	4%
Mongala	1	4%
South Ubangi	1	4%
Ecuador	1	4%
Kinshasa	1	4%





The Kivu-Kinshasa Green Corridor (CVKK): A national and international beacon of hope, yet at risk from SLAPPs and threats to the rights and freedoms of climate defenders?



The Kivu-Kinshasa Green Corridor is a protected area designated as a community reserve, created by Decree No. 25/01 of January 15, 2025. Spanning 2,400 km, it aims to establish the world's largest protected tropical forest zone and serves as a driving force contributing to the vision of the «DRC as a solution country» for climate justice and the energy transition. This community reserve-oriented protected area seeks to reconcile biodiversity conservation, the fight against climate change, and the socio-economic development of local communities. The decree notably provides for the protection of pre-existing community rights as well as

adherence to the principle of Free, Prior, and Informed Consent (FPIC) for relevant projects. Some voices believed that the creation of the Kivu-Kinshasa Green Corridor would be an important step in drawing national and global attention to the human rights situation, access to essential services, and freedom for environmental defenders and communities. Other voices estimated that the CVKK would be an obstacle to the rights of local communities and an opportunity for forest destruction.

Environmental defenders of all backgrounds, alongside local community leaders, play an important role in preserving and

protecting natural resources within the areas covered by the Kivu-Kinshasa Green Corridor, where land and forests face mining and forestry activities often carried out in violation of community rights and national laws. Since the establishment of this protected area, a multiplication of acts of intimidation, threats, arbitrary arrests, and abusive legal proceedings (SLAPPs) targeting environmental defenders, community leaders, and actors engaged in protecting land rights and natural resources continues to be reported. It remains a largely isolated forest and residential space with limited investment, social safeguards, access to justice, and access to services that promote social, economic, and cultural rights. Duty-bearers must take this situation seriously to protect those who fight for environmental protection in order to hope for meaningful participation in the safeguard of the CVKK.

Journalists and community leaders who report environmental crimes in the KIVU-KINSHASA Green Corridor area face multiple risks due to a lack of protection and security, exposing them to heavy sentences of penal servitude. Foreign firms illegally exploiting minerals and forests in this green corridor do not appreciate the work carried out by environmental rights defenders when the latter denounce or report violations of environmental rights that imperil ecosystems, or when they breach community rights regarding social responsibility agreements (cahiers des charges).

The state apparatus, which should intervene to safeguard the shared heritage represented by forests and ecosystems in general, proves increasingly ineffective, absent, or complicit with these multinational corporations, failing to guarantee the protection of individuals who dedicate themselves to defending the environment by exposing the abuses committed by these major companies. This passivity and complicity on the part of state services directly contradict the DRC's vision as a «solution country» for climate justice.

One cannot claim to uphold such a vision while failing to establish effective mechanisms to protect environmental defenders.

In this current year 2026, numerous violations of the rights and freedoms of environmental defenders have been recorded, posing a direct threat to the protection of this young protected area. This document presents selected documented and analyzed cases involving environmental defenders who have fallen victim to arrests, threats.

Strategic approach, rationale, and significance of the publication

Within the framework of its advocacy, lobbying, and judicial monitoring activities, ACEDH gathered the necessary data through monitoring agents, local partners, fishers, and Pygmy leaders alongside their organizations, which were trained and mobilized to monitor the situation of climate, Pygmy, and land defenders utilizing an early warning mechanism and an established system of verification and analysis. The «Green Lawyers» (Avocats verts) were deployed to the areas affected by these legal proceedings to provide legal aid to prosecuted defenders and others requiring legal support.

Investigative journalists, environmental civil society actors, and climate leaders collaborated with ACEDH across the zones covered by the CVKK area. A secure digital environment for information gathering was implemented to enhance rapid and concurrent data collection. Contact points, along with verification, documentation, and analysis nodes, facilitated the gathering, confirmation, and certification of informations. An internal team was tasked with cross-verification and triangular validation against diverse perspectives. Synchronized alert and triangulation pools were leveraged for data collection. The territories of the Kivu-Kinshasa Green Corridor (CVKK) and the issue of Strategic Lawsuits Against Public Participation targeting climate defenders and activists were specifically prioritized in this publication. This focus stems from the high expectations expressed across public, private, and community discourses regarding the positive impact of the CVKK, an initiative institutionalized in a region previously given little consideration, but which now commands growing attention globally and among numerous stakeholders and partners committed to core values of justice, human rights, climate security, wildlife protection, and the rule of law.

This report provides an executive summary of the dynamics linking resource extraction companies and operators with the judicial system, state authorities, and security services, alongside their adverse impacts on climate defenders and activists. Rather than solely documenting negative conditions, the report highlights constructive collaborations, support initiatives, and recommendations aimed at converting systemic challenges into opportunities through resource mobilization, advocacy, and lobbying to enhance the security and protection of climate defenders, journalists, local leaders, and Indigenous Pygmy communities. Through case-centered analyses and exchanges, the report presents actionable recommendations to improve conditions and strengthen stakeholder collaboration in support of the DRC's vision as a «Solution Country.».

It is also an advocacy instrument and a reference tool designed to guide future decision-making, the regulatory framework, and strategic planning within the context of the CVKK, as well as the implementation of social and economic projects.

Toward an Anti-SLAPP Strategic Framework for the CVKK, Human Rights, and Climate Justice

In light of the expectations placed on the CVKK by stakeholders and local communities, and considering the demonstrated need to strengthen support for social safeguard projects, climate justice, and public participation grounded in strict respect for human rights and environmental democracy, ACEDH formulates the following recommendations:



Establish a national and international multilateral strategy based on a campaign to combat SLAPPs in the DRC, with a particular focus on the CVKK;



Establish a consultative framework on the protection of acquired local rights, environmental safeguards, and corporate social responsibility;



Develop an institutional and organizational audit plan for the CVKK judicial system, accompanied by a capacity-building, management, and transparency strategy;



Promote mediation mechanisms and alternative dispute resolution methods related to natural resource management;



Support an information network on legal rights and channels for accessing public-interest information across the CVKK corridor;



Formulate tailored guidelines for corporate actions in areas with pre-existing rights, aligning them with CVKK compliance standards regarding human rights, fundamental freedoms, climate activist participation, and the prohibition of judicial instrumentalization;



Issue a special directive guiding judicial action within the Kivu-Kinshasa Green Corridor and targeting Strategic Lawsuits Against Public Participation (SLAPPs) within the judicial system;



Develop a regional monitoring, communication, and analysis plan involving civil society organizations and media to track human rights and freedoms, environmental compliance, and Free, Prior, and Informed Consent (FPIC) within the CVKK;



Strengthen operational, regulatory, and programmatic measures tailored to safeguarding the rights and freedoms of climate defenders, local communities, and Indigenous peoples;



Expand multi-stakeholder dialogue platforms for actors operating directly or indirectly within the CVKK;



Enhance access to new technologies and digital tools for land, Indigenous, and climate defenders;



Implement a capacity-building and legal empowerment strategy for women and Indigenous leaders within the CVKK;



Conduct strategic litigation concerning the rights and fundamental freedoms of climate defenders in the DRC;



Advocate for streamlined procedures and criteria for accessing legal aid and defense funds for protected actors;



Support judicial, constitutional, and disciplinary oversight regarding actions taken by Congolese judicial officials;



Stablish land registries and judicial frameworks interconnected with natural resource rights within the CVKK;



Strengthen mobilization efforts toward revising the law on the protection and accountability of human rights defenders in the DRC.

Additional Recommendations

To the Government:

- ✓ Map pre-existing concessions within the CVKK prior to its establishment;
- ✓ Condition the retention of concession rights within the CVKK upon strict compliance with local community and Indigenous rights, as well as adherence to environmental standards, thereby significantly reducing conflicts between defenders and concessionaires;
- ✓ Terminate abusive legal proceedings targeting environmental defenders and conduct formal investigations into severe incidents;
- ✓ Guarantee freedom of expression and civic participation;
- ✓ Establish a national protection mechanism dedicated to environmental defenders;
- ✓ Ensure the independence of investigations into threats and acts of intimidation;

To the ICCN and CVKK Management Authorities:

- ✓ Strengthen institutional dialogue mechanisms with local communities;
- ✓ Ensure transparent grievance redress processes;
- ✓ Guarantee continuous consultation with affected populations;
- ✓ Integrate civil society organizations into governance structures;
- ✓ Operationalize judicial institutions in underserved areas where access to justice remains critical;

To Civil Society Organizations:



Systematically document cases involving strategic lawsuits against public participation (SLAPPs);



Develop early warning systems for incidents concerning violations of defenders' rights and fundamental freedoms;



Strengthen national defender protection networks by providing legal counsel for every documented case;



Promote structured dialogue with public authorities, the judiciary, and security services;

Difficulties Encountered

This work drew upon activities fed by consultation and concertation actions around the HRD law in the DRC, conducted within the framework of the project



Strengthening the capacity of civil society organizations and communities negatively affected by the impacts of fossil fuels.

Supported by the 11th Hour Project as part of its support for legislative review and legal and institutional reform to protect climate defenders. The CLIDEF programme 'Support for legal assistance for climate activists'. These activities have enabled us to provide legal assistance to defenders facing prosecution, and thanks to the lawyers and affected defenders, we have gained access to information, which has enabled us to carry out an analysis. Several difficulties have posed obstacles, including the remoteness of the CVKK areas and limited access to transport and communications infrastructure. In certain areas, there are issues of insecurity and difficulties in accessing transport. Some written information contained in official documents contradicts the reality on the ground. Verifying and cross-checking this information required more time

and energy on our part, and at times involved risks. Access to information and testimonies is a major challenge. Getting in touch with certain investigative journalists in the CVKK area was at times very difficult, and this took us a great deal of time. The lack of financial and logistical resources directly allocated to this work was a major challenge. Some cases in provinces that were not visited, and where ACEDH did not provide support to human rights defenders, were not documented or analysed. Major land and environmental issues, which gave rise to certain sensitivities and tensions, sometimes presented challenges that required a thorough analysis and rigorous verification of the facts and the law.



2

THE KIVU-KINSHASA GREEN CORRIDOR AND EMERGING ISSUES

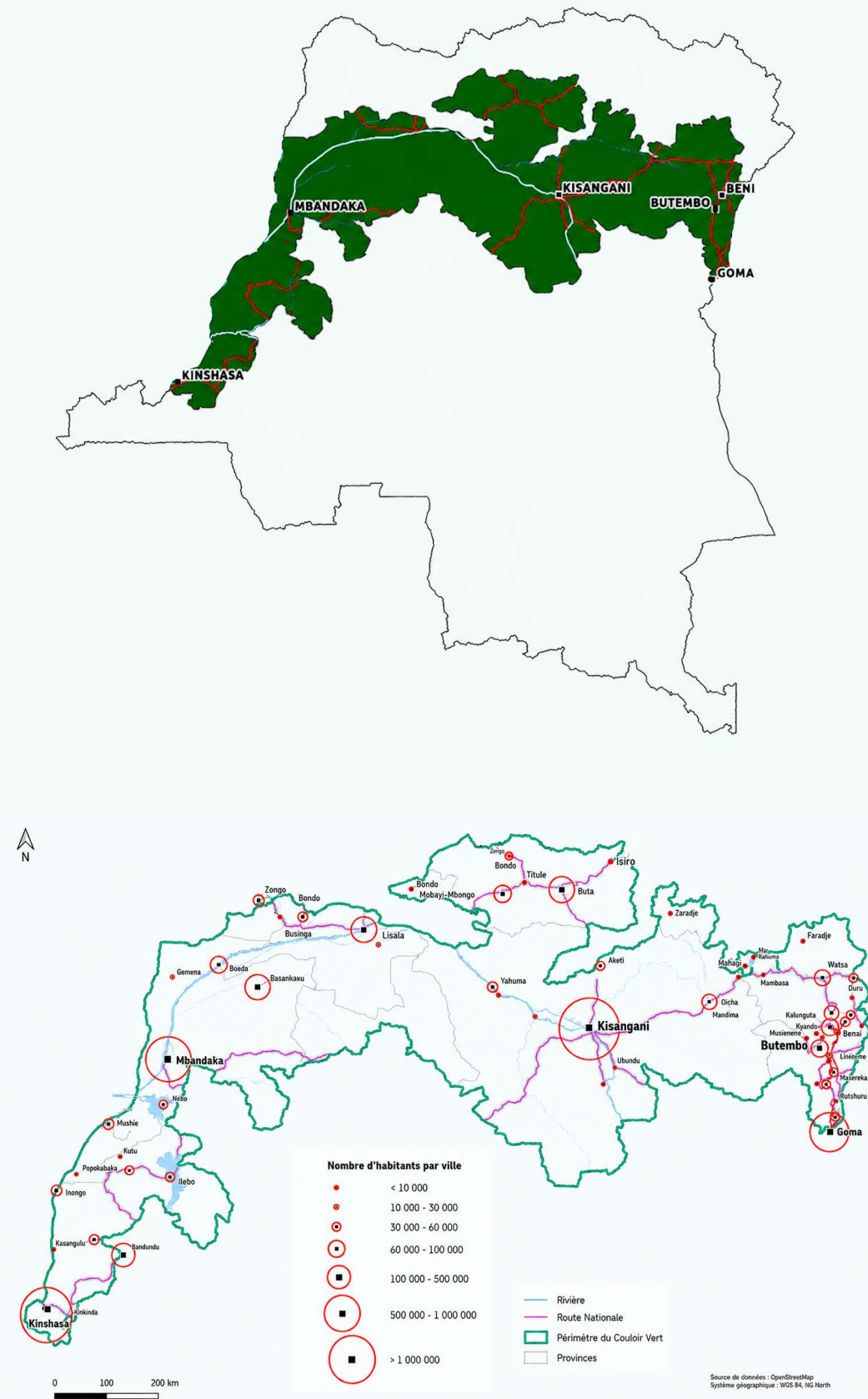
This section briefly presents the CVKK to outline its challenges, strategic importance, natural resources, and complex objectives, which demonstrate the necessity of climate defenders and environmentally conscious community leaders. However, the convergence with extractive activities, judicial malpractices, geographical isolation, and other structural challenges currently constitute major obstacles.

If essential frameworks sensitive to the rights and freedoms of defenders are not established, the commodities and activities originating from the corridor will not differ from extractive operations categorized as «conflict minerals» or neo-colonial practices, as they would rely on injustices extending to the sacrifice of human lives.

The territory faces compounding pressures from accelerating land tenure issues, mining activities, agricultural investments, conservation programs, transport and energy infrastructure, social requirements, Indigenous community activities, settlement and spatial planning initiatives, as well as traditional authorities and decentralized entities.

The strategic importance of the CVKK, the surrounding challenges, and the socio-ecological profile of its protected area and human settlements demand systematic attention to fundamental values, human rights, and environmental justice to preserve its overall integrity.

Map showing all entities and boundaries of the CVKK (refer to Decree), including localities and major cities.



The CVKK: Strategic and Legal Issues

What perspective exists regarding the spatial scale of the Kivu-Kinshasa Green Corridor (CVKK) ? It functions as a community-oriented protected area designed to foster sustainable economic development while pursuing conservation objectives.

This protected area was established through legislative intent via Law No. 24/020 of December 30, 2024, amending and supplementing Law No. 14/003 of February 11, 2014, on nature conservation, and delimited by Decree No. 25/01 of January 15, 2025. The legislature reaffirmed the objective of the 2014 law, which focuses on implementing effective strategies and rules for natural resource conservation given their contribution to development, poverty reduction, and climate regulation.

An analysis of the amendments indicates that five specific provisions were revised. Through these modifications, the legislature introduced several regulatory innovations: while maintaining that the primary strategy for nature conservation remains the creation of protected areas which belong to the public domain of the State, are non-alienable, and strictly prohibit activities incompatible with nature conservation (Article 12).

The legislature incorporated a category designated as a «community-oriented protected area reserve,» within which cultural and socio-economic development projects may be executed provided they do not infringe upon the rights of local communities or Indigenous Pygmy peoples. This framework integrates community rights with biodiversity conservation, marking an evolution in legislation that explicitly recognizes the interdependence among ecosystems, local economies, and Indigenous customs.

Furthermore, two critical concepts emerge within this provision: management plans and implemented measures must actively promote a green economy. This concept entails coupling natural resource conservation with economic development through participatory community mechanisms, notably Free, Prior and Informed Consent (FPIC), appropriate compensation schemes, grievance mechanisms, and incentive-based fiscal measures, elements that were absent from Law No. 14/003 of February 11, 2014, on nature conservation.

Other key issues at a glance:

- 1. The Green Corridor presents a strategic framework for poverty alleviation and conflict reduction affecting millions of inhabitants, while simultaneously ensuring the conservation of high-value forest ecosystems and global environmental assets**

A population of

31,5

Million residents within the Green Corridor, with 80% concentrated in 6 key urban centers (Kinshasa, Kisangani, Goma, Beni, Butembo, and Mbandaka).

3

Million hectares

of cultivated land, primarily located in the Tshopo and North Kivu provinces, yielding over 10 million metric tons of agricultural output,

28,5

Million hectares

of intact tropical rainforests and 6.7 million hectares of peatlands, representing an estimated carbon storage capacity of 40–50 GtCO

- 2. Comprehensive Economic Framework Centered on Renewable Energy, Agro-Industrial Processing, Clean Transport, and Carbon Finance**

-  Renewable Electricity: Provision of clean energy infrastructure to support socio-economic development while mitigating deforestation pressures.
-  Agro-Industrial Value Addition: Local processing to enhance economic value chains while generating stable employment opportunities in vulnerable regions.
-  Transport Infrastructure: Enhancement of national food security across the DRC, particularly within key urban hubs, by structurally connecting Eastern DRC to Kinshasa.
-  Carbon Financing: Preservation of major global carbon sinks through high-integrity carbon sequestration mechanisms.
-  Macroeconomic Strategy: The reduction of deforestation constitutes both a ecological imperative and a economic opportunity.



3

A JUDICIAL AND SECURITY SYSTEM INSENSITIVE TO CLIMATE JUSTICE AND FUNDAMENTAL FREEDOMS IN THE CVKK

As previously noted, local entities such as villages and towns and the institutions responsible for law enforcement and security (specifically the military, police, intelligence services, and judiciary) are active across the CVKK, though they face major operational challenges and weaknesses.

Rather than acting as protective mechanisms for environmental safeguarding and the defense of local rights and fundamental freedoms, these institutions are frequently used by corporations to pursue strategic lawsuits (SLAPPs) and support illegal activities or practices contrary to conservation. The judicial authorities tasked with upholding the law fail to provide effective oversight in the public interest. Instead, local communities, environmental defenders, and Indigenous peoples face repression and mistreatment by the judicial system (police, security services, prosecutors, courts, and prisons). Furthermore, administrative agencies responsible for environmental protection and social rights tend to side with corporate interests rather than with local populations. Below, we present documented cases and field realities, followed by an analysis and discussion.

REALITIES WITHIN THE CVKK ZONES:

Strategic Lawsuits and Other Threats Against Climate Defenders, Activists, Indigenous Peoples, and Local Communities

The region covered by the CVKK a space of hope for partners, civil society, and local communities is far from a paradise, though it could become one if strategies and efforts address its current challenges.

The CVKK corridor is a high-risk operational area for climate defenders and activists, Indigenous leaders, civil society advocates, environmental journalists, and women land rights activists. Beyond facing severe rights violations and ongoing threats, they endure strategic lawsuits against public participation orchestrated by mining and extractive companies. Furthermore, local authorities frequently act as advocates for corporate investors driving deforestation and destroying community livelihoods. Through unlawful practices, certain judicial actors have been turned into tools for enforcing corporate interests, creating a legal system that increasingly appears to favor the wealthy over the vulnerable.



4

CASES OF HUMAN RIGHTS AND FREEDOMS VIOLATIONS AGAINST ENVIRONMENTAL DEFENDERS IN THE KIVU-KINSHASA GREEN CORRIDOR DURING 2026

Situation in the Virunga Landscape and Lake Edward, North Kivu Province

In North Kivu province, while certain prosecutions occur in M23-occupied areas which we were unable to document due to the lack of recognized protection standards by the local controlling entities, judicial actions in areas under regular administration also show clear patterns of concern.

In these legally administered zones, climate defenders face judicial prosecution, harassment, and threats from security service personnel. Tragically, two park rangers were killed following an armed attack around Virunga National Park.

This pattern of attacks, assassinations, and uninvestigated killings targeting those fighting for wildlife protection in the DRC and the CVKK corridor highlights urgent concerns regarding the safety and fundamental freedoms of environmental defenders.

Collective Prosecutions and Attacks Against Environmental Defenders in the Kyavinyonge Fishery: Unnumbered Case file Before the Beni Military Garrison Prosecutor's Office

Facts and Judicial Context

This case stems from organized and targeted attacks against the individuals, homes, and property of environmental defenders M. V., K. M., M. M., K. K., and K. L., all based in the Kyavinyonge fishery on Lake Edward, on May 19, 2026. These attacks were orchestrated by clearly identified individuals allegedly backed by political figures within the central government and the provincial assembly. These political actors oppose environmental protection efforts in the area, targeting anyone advocating for nature conservation, such as combating illegal fishing practices or publicly supporting initiatives to restore Lake Edward.

The attacks occurred during community discussions among Kyavinyonge fishers regarding an operation led by the ICCN and COOPEVI to register and license canoes to regulate and clean up fishing activities. Opponents of this initiative targeted the environmental defenders who supported the operation.

The alleged perpetrators of these violent acts were reportedly supported by politicians using opposition to Virunga National Park (PNVi) as a political platform to gain public notoriety.

The environmental defenders who fell victim to these acts of vandalism and threats filed a formal complaint with the Beni Military Garrison Prosecutor's Office.

Environmental defenders M. V., K. M., M. M., K. K., and K. L. require support, leading to the mobilization of environmental defense lawyers (Avocats Verts) to ensure the perpetrators are brought to justice.

The Congolese state, through its relevant services, must deploy all necessary resources to deter such violent acts against environmental defenders. Special attention should be directed toward this zone, which faces ongoing threats of encroachment.

1. Okapi Landscape – RFO and Lake Albert in Ituri Province :

Threats of Judicial Prosecution Against Environmental Defender MN in Mahagi Territory

Environmental defender MN and fellow members of the Congolese Civil Society (Société Civile du Congo, or SOCICO) denounced illegal mining operations in the Alur-Djuganda Chiefdom, Ituri Province, through a document titled «Denunciation of Administrative Manipulation and Misappropriation of Signatures to Request the Illegal Return of Chinese Nationals to Illicit Mining in the Alur-Djuganda Chiefdom.

Unfortunately, this legal denunciation carried out in full accordance with the constitutional rights granted to every Congolese citizen, specifically under Article 53 of the DRC Constitution was met with hostility by the administration of the Alur-Djuganda Chiefdom. Consequently, the environmental defender and his colleagues received telephone threats. On June 19 of this year, the Chief of the Chiefdom organized a meeting during which SOCICO and its members were directly targeted with various forms of intimidation.

Furthermore, on June 29 ten days after the meeting, the Chief of the Alur Chiefdom issued an official document titled a «Requisition.» In this notice, he called upon all state security services to locate and arrest MN and his SOCICO colleagues, alleging contempt, defamation, and slander via social media...

As a result, to ensure their safety, the defender and his colleagues were forced into hiding to avoid illegal arrest and detention under the orders of the Alur Chief. The real offense committed by these environmental defenders was exposing the illegal operations of Chinese mining operators who have been active in their chiefdom for three years with the complicity of local authorities, causing severe environmental damage such as leveling hills, desecrating graves, and polluting rivers.

These prosecutions, orchestrated by the Alur Chief, aim to silence these defenders who were simply conveying community needs and reporting legal violations caused by mining extraction in the region.

The Chief of the Alur-Djuganda Chiefdom instructed the battalion commander of the Armed Forces of the Democratic Republic of the Congo (FARDC), the station commander of the Congolese National Police (PNC), the sub-station head of the National Intelligence Agency (ANR), and the captain of the Republican Guard all based in Djalasiga to arrest Mr. Mungudjakisa. As

coordinator of the Congolese Civil Society (SOCICO) and a human rights defender, he faces accusations including contempt, defamation, and social media abuse against local authorities and the Chief of the Alur-Djuganda Chiefdom, who authored the order. This action constitutes a severe violation of defenders' rights, which are constitutionally and legally protected in the DRC.

It is critical to note that this alleged requisition borders on the privatization and misuse of public security forces for personal gain. Regarding police forces, such actions are explicitly prohibited by Article 2(2) of the Organic Law of August 11, 2011, governing the organization and functioning of the PNC. Furthermore, the mandates of the ANR are clearly defined by Decree Law No. 003-2003 on the creation and organization of the National Intelligence Agency, which in no way covers the allegations made in this document.

A. Questioning and Arbitrary Arrest of Journalist/Environmental Defender RK in the Territory of Mambasa.

On May 31, 2026, at approximately 7:00 AM, while carrying out his work as a journalist and environmental defender, Mr. RK was questioned and arrested on the orders of the Deputy Commander of the Congolese National Police in the village of Muyuano, Mambasa Territory, Ituri Province. He was filming a timber depot allegedly belonging to an officer of the Congolese National Police in an area severely impacted by deforestation and the presence of armed groups, including the ADF. Alerted to the situation, the legal team from ACEDH stepped in to provide legal assistance to the detained defender and successfully secured his release. It should be noted that this journalist and his media outlet, Kilalo Press, had previously covered mining operations in the Epulu Okapi Wildlife Reserve in Mambasa. Consequently, his presence in the area was likely being monitored by security services and corporate actors, which ultimately led to his arrest and the confiscation of his journalism equipment.

Comments

To prevent such incidents, a formal complaint for arbitrary arrest should be filed against the instigating officer specifically the PNC commander of Muyuano village though this ultimately depends on the victim's decision.

Mambasa is a strategic part of the Kivu-Kinshasa Green Corridor, renowned for its rich mineral and forest resources, as well as being home to the Okapi Wildlife Reserve.

Active environmental defenders must be protected, as they are pivotal actors

in preserving biodiversity and safeguarding the rights of local communities, particularly within the Kivu-Kinshasa Green Corridor.

The Green Corridor requires a well-governed justice system including at the police level led by officials who uphold high standards of integrity and respect human rights and local community entitlements. Otherwise, international and national investments risk being ineffective or failing to achieve their intended outcomes. Achieving this will require systematic denunciations of officials who obstruct the proper administration of justice. However, these denunciations should consistently be paired with retraining and capacity-building programs on human rights and transparent natural resource management. These initiatives should specifically target politically exposed persons to inform them of the reputational risks their actions pose to the Republic and its relationships with development partners.

2. Bas-Uélé Province

SLAPP Suit Against Environmental Defender RE (Case File RI 006/PG 058/KKW – General Prosecution Office of Bas-Uélé)

This case opposes the Prosecutor General of Bas-Uélé and environmental defender Roger Elowa, a member of the Bas-Uélé Civil Society under the coordination of AMADI.

This environmental defender is being prosecuted by the General Prosecution Office of Bas-Uélé for co-signing a formal letter titled «Denunciation of Illegal Mineral Extraction in the Bautse Groupement, Abarambo Sector, Poko Territory.» In this document, local civil society activists exposed the illicit operations of a Chinese mining company, «Lubutu Mining.» Operating without an exploitation permit in violation of the Congolese Mining Code, the company engaged in illegal gold extraction, causing forest destruction, infrastructure damage to bridges, and river pollution, all while ignoring the social responsibility agreement (cahier des charges) signed with the local community.

To silence any opposition to the company's illegal activities and environmental damage, the firm weaponized the justice system. Regrettably, as observed in other provinces along the Green Corridor, judicial authorities allowed themselves to be manipulated by financially powerful corporations at the expense of local communities and broader ecosystems. This prosecution led by the General Prosecution Office and driven by «Lubutu Mining» serves a single purpose: to silence this defender and his colleagues. Within the Kivu-Kinshasa Green Corridor, such legal intimidation poses a direct threat to this newly established Protected Area, especially when initiated by the very institutions

tasked with safeguarding defenders.

The Congolese state must be reminded that the actions taken by this law-abiding citizen, RE, fall within the framework of the right to petition, which is guaranteed by Article 27 of the Constitution of February 18, 2006, as amended. This right allows any Congolese citizen, individually or collectively, to submit a request to a public authority, which has a legal obligation to respond within three months. No one may suffer prejudice for exercising this right. Furthermore, the Constitution of the Democratic Republic of the Congo (DRC) places environmental protection at the highest level of its legal framework. Article 53 establishes that every individual has the right to a healthy environment conducive to their full development, while imposing a duty to defend it. The State carries the responsibility to ensure its protection

Mr. RE resides hundreds of kilometers from Buta and has already been targeted by the company, which is fabricating legal and security complaints against him. As an elderly individual, the judicial summonses and prolonged stays in Buta to appear for non-criminal acts are rendering him increasingly impoverished and vulnerable across multiple fronts. It is both essential and legitimate to consider these human factors, alongside the legal merits, to drop all charges and allow him to continue his work.

In these circumstances, marked by the Chinese firm's attempt to weaponize and manipulate the justice system and security services, this climate activist and local civil society member is facing active threats. His freedoms of movement, assembly, and expression guaranteed by Articles 23 and 26 of the DRC Constitution are being severely eroded. Article 17 of the DRC Constitution protects citizens against non-criminal prosecutions, and Article 61 reinforces the non-derogable nature of this constitutional principle, stipulating that no one may violate it, even during a state of siege or emergency.

LEGAL ACTIONS AGAINST CLIMATE ACTORS AND BIODIVERSITY DEFENDERS IN TSHOPO



Tshopo Province is one of the DRC's major forest provinces, traversed by the Congo and Tshopo rivers and home to a vast portion of the equatorial rainforest.

Climate defenders and local communities facing the justice system

1. Case RP8530/025/CD Before the Kisangani/Makiso Peace Court,

1 1. Facts and Background;

This case opposes the Public Prosecution and civil party KAANZALINZALI, manager of the mining cooperative COEMYA DONDEDIEU, against environmental defenders K. S., G. K., M. F., and Z. A., who are being prosecuted for malicious accusation (imputation dommageable). In their environmental defense efforts, these activists had authored a detailed report exposing the illegal activities of this powerful mining enterprise owned by Chinese operators. The report highlighted the company's failure to comply with environmental standards during gold extraction, causing severe ecological damage.

Procedural Elements and the SLAPP Suit Initiated

This case was first called to a hearing on January 30, 2026, where the defenders were represented by the «Avocats Verts» legal collective. It was adjourned to February 13, 2026, because three of the environmental defenders had not been properly served. At the rescheduled hearing, the procedural irregularities were corrected, and the case was postponed to February 25, 2026, for formal proceedings.

1.2 Analysis :

The criminal action brought against defenders and activists following their report on environmental violations, water pollution, non-compliance with standards, and community rights abuses represents a strategy by this cooperative to silence advocates who were simply fulfilling their duties under the DRC Constitution. This is a classic method of silencing legitimate civil society and climate voices through institutional channels and legal procedures. In Congolese criminal law, the offense of malicious accusation (imputation dommageable) occurs when a specific fact that harms a person's honor is publicly attributed to them, carrying principal criminal penalties, civil damages, and reputational impact.

Under Article 74 of the Congolese Penal Code (Book II), malicious accusation is defined as maliciously and publicly imputing to a person (living or deceased) a specific fact whether true or false that is likely to damage their honor, reputation, or expose them to public contempt. It differs from slander (injure, Article 75) due to its specific nature, referring to a fact whose truth or falsity can be proven. The penalties provided range from 8 days to 1 year of main imprisonment. However, in the case at hand, the reported facts are real, tangible, and ongoing.

1.3 Potential Legal and Social Consequences in the Event of a Conviction.



Civil Reparations: If convicted, the defenders could be ordered to pay substantial compensatory damages to the plaintiff for moral and reputational harm.



Criminal Record: A conviction leads to an entry on their criminal record, which may restrict certain civic rights or professional opportunities.



Online Defamation: When allegations are shared through computer systems or social media platforms, courts may also apply related provisions governing cybercrime and the dissemination of false information.



Social Stigmatization: Convicted defenders face public prejudice within communities that may not fully grasp the unconvincing motives behind the ruling; this social stigma often extends to both their descendants and ancestors.

Legal actions undertaken to use the law as a protective tool

The «Avocats Verts» legal team will continue to support these environmental defenders to ensure their full acquittal, particularly given that most of the charges lack a precise factual foundation. In cases involving corporate interests, especially where well-resourced foreign mining entities aim to intimidate local populations to operate without resistance, a high-quality legal defense is essential, as there is a risk of attempted judicial corruption.

To counter these pressures, the environmental defenders filed a cross-action against the cooperative manager under case file RP8530/025/CD (Public Prosecution and Environmental Defenders S. K., G. K., M. F., and Z. A. v. Mr. KAAZALINZALI, manager of the COEMYA DON DE DIEU mining cooperative). The manager is being prosecuted for malicious prosecution under Article 76 of the Congolese Penal Code. This counter-action is designed to establish a legal balance between the defenders and the corporate entity, serving as a practical strategy to restore equality of procedural arms in court.

2. Case RMP 3357/PPTP 024/1/WAD Before the Public Prosecutor's Office at the Kabondo Peace Court / Kisangani.

Facts and background

An unidentified Chinese mining company filed a complaint against environmental defender S. K., who was served with a summons to appear before the Chief Prosecutor at the Kabondo Peace Court in Kisangani on February 16, 2026.

Procedural Elements of the Initiated SLAPP Suit

Given the multiple proceedings already launched against defender S. K. by mining companies operating in Tshopo Province, both in court and before the Bar Association, the «Avocats Verts» legal team took proactive action. They formally requested the Prosecutor General of Tshopo to transfer the case file to his office for review.

This initiative successfully neutralized the complainant's strategy. Unable to sustain its claims, the mining company ultimately abandoned the case after failing to appear before the Prosecutor General.

2.1 Analysis :

In such circumstances, a proactive legal strategy should aim to hold the corporate entity accountable based on the initial facts reported by the defenders, the very disclosures that prompted the company to pursue legal action against them. The «Avocats Verts» could file lawsuits against the company to obtain a court judgment for the environmental harm originally reported by the defender.

3. Prosecution Under File RMP5066 at the Yangambi High Court Prosecutor's Office:

Public Prosecution v. 8 Community Leaders and Environmental Defenders: D. B., G. A., A. B., J. C. Y., F. M., K. E., and W. S., Charged with Threat of Attack, Rebellion, and Disturbance of Public Order

The eight community leaders were acquitted on June 26, 2026. They had been arrested on April 30, 2026, under an arrest warrant issued by the Prosecutor's Office after organizing a peaceful demonstration against Booming Green, a timber logging company in Yahuma. The demonstrators demanded compliance with the social responsibility agreement while exposing abuses, rights violations against local communities, environmental damage, and official complicity. They were subsequently released by the court on June 26, 2026.

Analysis, Position, and Commentary

Peaceful demonstrations and assemblies in the Democratic Republic of the Congo (DRC) are constitutionally protected rights. Article 26 of the DRC Constitution guarantees the right to demonstrate and assemble peacefully; no one should face prosecution, arrest, or harassment for participating in a peaceful protest.

ACEDH maintains that actions taken by local communities regarding corporate activities within the Kivu-Kinshasa Green Corridor (CVKK) constitute both a constitutional right and an obligation governed by law, agreements, and established standards. At times, these actions reflect environmental civil disobedience, non-violent breaches of law to address climate urgency and government inaction. Utilizing direct methods such as road blockades, site occupations, or symbolic actions to compel public debate should not be treated as criminal offenses.

The prosecutions under file RMP5066 at the Yangambi High Court Prosecutor's Office represent judicial harassment in the form of SLAPP suits intended to intimidate climate defenders and activists across the CVKK, a region critical for advancing conservation efforts rooted in human rights and ecological standards

It is important to note that under Congolese criminal law, rebellion, threats of attack, and disturbing public order constitute serious offenses against public peace and state authority, punishable by terms of imprisonment and fines. Criminal law penalizes threats severely according to the gravity of the intended harm, often linking them to public intimidation offenses and handing down sentences proportional to the threatened act.

In practice, judges and public prosecutors frequently reclassify these infractions as insurrectional movements to intimidate environmental actors, complicate their lives, and deter others from mobilizing. Such charges carry severe penalties ranging from 5 to 20 years of imprisonment, or even the death penalty under laws applicable to state security.

The actions of the «Avocats Verts» legal collective and the mobilization of civil society actors securing the release of these community leaders deserve recognition. Given the extreme risks faced by these leaders, a conviction would have dealt a severe blow to climate action in the DRC at the local, national, and international levels.

4. Case of executions and murders of fisher folk communities in banalia: proceedings under complaint no. 0198/2026 before the kisangani garrison military prosecutor

Facts :

On November 22, 2025, military personnel assigned to guard the mining company «All for One Mining» committed the murder of eight local community members in the Poypoy sector, following local committee denunciations regarding the pollution of the Aruwimi River. According to local sources, this incident stemmed from the mining company's refusal to implement community development projects, its deployment of military personnel at mining sites, and the resulting community protests against rights violations, intimidation, and other abuses.

Following protests by members of the fishing community, four fishers were arrested on April 16, 2026, by ANR agents in Banalia on charges of rebellion. After an intervention by the «Avocats Verts» legal collective before the Kisangani Garrison Military Prosecutor, all four fishers were released.

On May 12, 2026, assisted by the «Avocats Verts,» the four victims submitted a formal complaint to the Tshopo Higher Military Prosecutor's Office under Complaint No. 0198/2026. This action pits the local community members of the Bapume, Bamboli, and Bambgo groupements—specifically fishers N. M., L. M., E. M., and M. B.—against soldier Mayele Ngalamulume, who was assigned to protect «All for One Mining.» The soldier is facing prosecution for murder and dissipation of ammunition under Articles 43–44 of the Military Penal Code (Book II) and Article 74 of the Military Penal Code.

Following this complaint, an arrest warrant was issued on June 4, 2026, for the implicated soldier. As of today, this soldier and his accomplices are in custody and have been transferred to Kisangani under heavy escort for formal investigation and potential referral to the Kisangani Garrison Military Court

Commentary

The right to life and corporate social responsibility are deeply intertwined with the impacts of extractive industries, regulated by the DRC Constitution, the Mining Code, and environmental legislation. The use of security forces by companies, whether through direct action or omission, resulting in the death of community members must be severely punished.

Industrial activities directly affect the living conditions, health, and access to a healthy environment for local populations. Toxic spills and the contamination of water sources by certain mining entities directly jeopardize public health and the fundamental right to life of neighboring residents. Consequently, community protests addressing these issues must not be treated as criminal offenses, nor should they lead a corporation to issue or remain silent before manifestly illegal orders that cause loss of life. No justification can excuse the extrajudicial execution of fishers.

On a constitutional level, Article 53 of the DRC Constitution guarantees every citizen the right to a healthy environment conducive to their overall development, placing an obligation on the State and by extension, economic actors to prevent ecological harm that threatens population survival. Regarding the Mining Code and socio-environmental obligations, Congolese mining law requires rights holders to fulfill an approved social responsibility agreement (*cahier des charges*) with local communities and to allocate 0.3% of net profits to community development projects.

Furthermore, the 2011 Environmental Law subjects industrial operations to rigorous environmental impact assessments to prevent soil and water pollution.

Given that Kisangani serves as the primary port connecting the Kivu-Kinshasa Green Corridor (CVKK), and that Tshopo Province plays a critical role within this corridor, environmental defenders must operate in conditions that allow them to work freely. The involvement of the «Avocats Verts» legal collective in supporting these defenders aims to secure justice and send a clear message to state actors and community members alike: environmental defenders belong to a protected category, and any unlawful action against them will meet a firm, proportional legal response.

Companies operating in the Kivu-Kinshasa Green Corridor (CVKK), whether legally authorized or not face accusations of serious rights violations, committed either directly or through complicity. This critical situation calls for immediate concern and action from all involved stakeholders.

5. Judicial proceedings against protected area personnel and environmental defenders: cases rpa 963/025 and rpa 959/025 before the tshopo military court

These cases hold major significance, not necessarily to confirm the guilt or innocence of park rangers tasked with protecting biodiversity in the Kivu-Kinshasa Green Corridor (CVKK) parks and reserves, but to demonstrate how the justice system can be used either to penalize or correct actions taken by staff, or to protect the rangers themselves. Positioned in challenging environments, protected area personnel frequently face attacks from armed groups and forces, forcing them into self-defense situations that may leave them accountable before military judges. At times, political figures manipulate the legal system against park rangers to build political capital or settle personal scores.

In carrying out their duties to enforce state conservation laws and protect wildlife, a crucial yet often overlooked group that pays a heavy price, up to the ultimate sacrifice due to armed attacks in the DRC, these personnel face severe barriers to accessing fair justice. In the two referenced cases, the individuals were prosecuted for alleged actions committed in Bas-Uélé Province but brought before the military court of Tshopo, a neighboring province. Compounded by difficulties in accessing evidence, calling witnesses, and the court's inability to travel for on-site investigations, these key biodiversity guardians face trial before military jurisdictions under extremely challenging conditions, often accused of severe offenses punishable by the death penalty or other heavy sentences.

In many parts of the country, local communities continue to view environmental defenders as adversaries to be removed by any means necessary, including violence. This hostility stems either from manipulation by anti-conservation politicians or from poor, insufficient, or absent communication between the ICCN and neighboring communities. The Management of the Green Corridor must address this challenge promptly. When poorly informed, communities perceive access restrictions to protected areas as measures intended to cause them hardship. To counter this perception, legal enforcement alone is insufficient; effective communication is needed to demonstrate the benefits of conservation both before and after the creation of the Green Corridor. It is essential to reassure communities that the Green Corridor initiative aims to avoid past mistakes and is committed to respecting the rights of neighboring populations.

Additionally, studies and analyses must be conducted to determine how best to structure protective measures and provide legal access for park rangers facing prosecution while enforcing the law within the CVKK.

On one hand, widespread insecurity and the proliferation of small arms and light weapons in the CVKK region provide poachers, traffickers, and certain Wazalendu youth groups with increased firepower to confront biodiversity guardians, often creating volatile situations that lead to deadly exchanges. On the other hand, there is a clear need to facilitate access to justice for these park rangers when, in the line of duty as climate defenders, they are called to account before the courts, whether rightly or wrongly accused.

A key example is case RPA 963/025, opposing the Senior Military Prosecutor and civil parties against Mr. M. N. J. On appeal before the Tshopo Military Court, he faces murder charges after being sentenced to 20 years' imprisonment by the Kisangani Garrison Military Court in 2019. The underlying incident occurred in 2019 during a routine patrol with fellow park rangers in the Rubitele Nature Reserve, Bas-Uélé Province.

In the majority of legal cases brought against personnel serving in national parks and wildlife reserves, the charges filed are exceptionally severe, directly placing their lives, freedom, and personal assets at risk. Frequently, these allegations are fabricated specifically to undermine park rangers, ultimately discouraging young people from stepping forward to become guardians of biodiversity.

ACEDH position and analysis.

Drawing from experience with unfair legal actions brought against protected area staff, as well as the politicization and manipulation of measures against conservation services, ACEDH remains firmly committed to combating impunity and upholding the rule of law.

In practice, park rangers perform exceptional, high-risk work to protect biodiversity under extremely challenging conditions in the DRC. Some have been accused of murder without a body ever being produced, or charged with imaginary killings simply for carrying out their duties to safeguard wild ecosystems. These rangers are critical actors for the climate future, the implementation of the Paris Agreement, and the ambitions of the DRC as a «Solution Country.» They face severe risks ranging from loss of life to groundless convictions as a result of their dangerous commitment to wildlife. While they must not enjoy impunity when an offense is objectively proven by a judge, they must be protected against unfair trials, armed attacks, arrests,

and detentions orchestrated by armed groups, political figures, or corporate entities due to their conservation work.

Defense rights fundamental guarantees enshrined in Article 19 of the DRC Constitution, include the right to legal counsel, the principle of adversarial proceedings, and the absolute non-derogability of these rights, even during a state of siege or emergency. These guarantees must be fully extended to protected area personnel in the DRC and explicitly integrated into a dedicated strategy within the Green Corridor framework, alongside protection and security measures for climate defenders, local communities, and indigenous peoples.

Furthermore, organizations and political actors who at times disregard the right to the presumption of innocence for protected area staff must remember that under the Congolese Constitution, every accused person is presumed innocent until proven guilty through a fair and equitable trial.

These rights correspond to practical procedural guarantees, including :

- 1** Right to Legal Counsel: The right to defend oneself or be assisted by legal counsel or an attorney of choice from the earliest stages of an investigation.
- 2** Adversarial Proceedings: The obligation to hear all parties equally and ensure fair disclosure of case documents.
- 3** Right to Appeal: The ability to challenge judicial decisions rendered against oneself through standard or extraordinary legal remedies.

6. Prosecution of Indigenous Pygmy Leaders in the Equatorial Forest and Peatlands of Mongala Province, Global overview of the cases

Prosecution of environmental defender E. K. F. (File RMP 3841/PR.064/1/NIL – General Prosecution Office of Mongala)

This case opposes the Prosecutor General of Mongala and the logging company Booming Green against environmental defender E. K. F., President of the Association for the Integral Development of Pygmy Indigenous Peoples of Bongandanga (ADOPAG Asbl). A prominent local defender of the environment and indigenous rights in Mongala Province, DRC, he is facing charges of contempt of court (outrage au magistrat).

On May 15, 2026, while following up on a formal complaint filed with the Prosecutor General of Mongala against Booming Green for forest and water source destruction, defender E. K. F. was abruptly arrested and detained on the Prosecutor General's orders for contempt. On May 19, 2026, a coalition of civil society environmental organizations submitted a formal denunciation of this illegal arrest and detention to national authorities, condemning the action and demanding his immediate release.

Prosecuted under file RMP 3841/PR.064/1/NIL, hastily opened against him on charges of contempt while he was monitoring case file RI 208/TM, the defender's organization had originally filed a complaint against Booming Green for serious environmental violations, including forest destruction and water source contamination in Bongandanga, in breach of the Forest Code and infringing upon Indigenous Pygmy rights. In a highly suspicious, biased, and questionable judicial maneuver aimed at halting his legitimate advocacy, the complainant was swiftly converted into the accused and placed under provisional arrest by the General Prosecution Office of the Mongala Court of Appeal on May 15, 2026.

On May 19, 2026, the «Avocats Verts» legal collective submitted a petition for release to the Prosecutor General of Mongala. On that same day, the defender was released, thanks to the combined efforts of environmental civil society organizations and the legal team.

On June 1, 2026, an on-site investigation led by the General Prosecution Office of Mongala was scheduled to look into the allegations raised by ADOPAG, led by E. K. F. While the judicial authority acted appropriately in releasing the

defender to allow him to continue his work, the issue of compensation for the harm suffered during his unlawful detention remains unaddressed..

7. Case of the questioning and arrest of environmental defender M. B. (transferred to kinshasa and monitored at the ANR)

Facts

This case opposes the Provincial Director (REDOC) of the National Intelligence Agency (ANR) in Kinshasa to environmental defender M. B., who is accused of participating in an insurrectional movement simply for traveling to Goma to attend an environmental forum. Arrested on January 9, 2026, in Zongo, South Ubangi Province, he was transferred to Kinshasa, where his whereabouts remained unknown for three months until he was located by the «Avocats Verts» legal team, who were denied access to meet or speak with him.

ACEDH position and analysis

Regardless of the stated motives for the arrest, this case clearly highlights the illegal practices and impunity enjoyed by intelligence services in the DRC. These services operate in violation of national legislation and the Constitution without judicial oversight or accountability. The defender has remained in detention for over seven months without being brought before a public prosecutor or a judge—held without cause, based merely on suspicion linking his attendance at a training in Goma as a free citizen to alleged ties with the AFC/M23 movement.

The DRC Constitution establishes fundamental legal principles: preventive detention must remain an exception, legal custody limits must be respected, and victims hold the right to redress. Under the national legal framework, aligned with the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the African Charter on Human and Peoples' Rights, individual liberty is the rule and detention the exception. Police Custody Limits: Strictly bounded by law (typically 48 hours before presentation to a competent magistrate, under Article 17 of the Constitution).

Written Warrant: Any preventive detention requires a regular, reasoned warrant issued by a qualified authority or magistrate. Illegal and arbitrary detention is strictly prohibited and penalized primarily under Article 67 of the Penal Code, Article 17 of the Constitution, and international conventions. Article 17 guarantees individual liberty, explicitly stating that detention is the exception

and freedom the rule; no one may be arrested or detained except pursuant to a written and reasoned order issued by a competent authority.

Despite these established legal safeguards, it is alarming that an environmental defender can be held for more than seven months without intervention from authorities or public prosecutors, the designated guardians of the law, even after multiple public alerts. This case reflects a broader pattern within the DRC's intelligence services, where officers act with unchecked impunity, and detained climate defenders and activists are denied fundamental rights, including access to legal counsel.

Procedural actions and advocacy conducted

May 4, 2026: The «Avocats Verts» successfully convinced the ANR services to grant the defender's family access to the detention facility to meet with him. The case remains ongoing.

May 11, 2026 (Received May 13, 2026): The «Avocats Verts» sent an official request to the Military Prosecutor General (Auditeur Général des Forces Armées), petitioning for the transfer and communication of the case file from the ANR to the Military Prosecution for formal investigation and scheduling.

May 18, 2026: The ACEDH «Avocats Verts» collective addressed a letter requesting intervention to the Minister of State for Justice of the DRC, seeking official involvement to secure environmental defender Blaise's release.

May 19, 2026: A coalition of civil society environmental organizations submitted a formal denunciation to senior DRC authorities regarding defender Blaise's ongoing detention. Legal efforts continue with the goal of securing M. B.'s immediate release.

June 11, 2026: Defender M. B. was interviewed for the first time following persistent advocacy by the «Avocats Verts.»

June 17, 2026: The «Avocats Verts» were received by the Chief of Staff to the Administrator General of the ANR to advocate on behalf of defender Blaise; during the meeting, the authority committed to personal involvement to achieve a swift resolution.

8. Prosecution of environmental defender C. Y. by the ANR (Summons No. 041/05/ANR/DSI/CPT/BKR/2025 – ANR/Bikoro)

Facts :

On October 20, 2025, environmental defender C. Y., a journalist at Radio Liberté Bikoro (located 128 kilometers from Mbandaka, Equateur Province) and a civil society actor with the organization CADEB was summoned by the ANR (National Intelligence Agency) Chief of Post in Bikoro and immediately detained.

He was falsely accused of violating Article 360 of the DRC Digital Code. The charge stemmed from his social media posts denouncing illegal logging in protected forests by SOMIFOR, a company operating without an exploitation permit, allegedly with the complicity of a local member of parliament and regional authorities.

SOMIFOR (Société la Millénaire Forestière SARL) is a Chinese-owned timber and logging company with industrial concessions in Equateur Province. Backed by certain Congolese authorities at both the provincial and national levels, the company actively facilitates strategic lawsuits and crackdowns against citizens, climate activists, and defenders. This prosecution, orchestrated by the ANR/Bikoro Chief of Post and manipulated by the implicated company, was clearly designed to intimidate the environmental defender into abandoning his advocacy, thereby leaving the illegal logging operations unchecked.

The statutory missions of the ANR are strictly defined by Decree-Law No. 003-2003 and in no way cover the alleged offenses held against C. Y.

Furthermore, under the DRC's constitutional framework—which aligns with the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the African Charter on Human and Peoples' Rights—individual liberty is the rule, and detention is the exception. This framework strictly guarantees legal limits on police custody and upholds the principle of the legality of offenses and penalties.

Upon being alerted, the ACEDH «Avocats Verts» legal team issued a formal denunciation on October 21, 2025, condemning the illegal arrest and detention. This intervention was successful. On October 22, 2025, defender C. Y. was released, though his health was significantly weakened by his time in detention.

To combat impunity and deter future illegal acts against environmental

defenders in the region, the «Avocats Verts» are actively gathering evidence to refer the case to the competent courts, seeking criminal and civil sanctions against the primary author of this arbitrary detention and all accomplices.

CRITICAL ANALYSIS OF THE SITUATION OF CLIMATE DEFENDERS WITHIN THE AREA COVERED BY THE KIVU-KINSHASA GREEN CORRIDOR (CVKK)



The CVKK encompasses distinct regional characteristics; notably, it serves as home to over 75 percent of the recognized Indigenous Pygmy peoples in the DRC, alongside local communities. The work of defenders, climate activists, and local communities under the Paris Agreement relies on recognizing their key role, integrating their traditional knowledge, and ensuring their active participation, access to information, and access to justice. This participation and recognition aim to strengthen climate justice through inclusion and accountability. These principles must guide action within the CVKK to offer hope and purpose for a strategic zone dedicated to climate justice and social safeguards. A judicial policy tailored to these values and objectives must be established to prevent SLAPP suits and ensure environmental democracy.

Importance and Foundation of Action by Defenders and Communities in Climate Matters

In the DRC, climate and environmental justice rests on core principles: the constitutional right to a healthy environment, the State's duty to protect, and the civic duty to defend nature. Judicial system actors must understand

that, in pursuit of climate justice, local communities operate on the front lines to protect forests and carbon sinks essential for reducing emissions.

Congolese citizens serve as guardians of the nation's natural resources, based on the right of all people to enjoy them. Article 58 of the Constitution of the Democratic Republic of the Congo establishes that all Congolese have the right to enjoy national wealth, and that the State has a duty to redistribute it equitably. This constitutional economic and social right is grounded in several international legal instruments advocating for development and resource sharing. International Covenant on Economic, Social and Cultural Rights (ICESCR), enshrines the right of peoples to freely dispose of their natural wealth and resources without prejudice to obligations arising from international economic cooperation. African Charter on Human and Peoples' Rights (ACHPR), Article 21 provides that the right to dispose of wealth and natural resources shall be exercised in the exclusive interest of the population and constitutes an inalienable right. It is also important to highlight the Declaration on the Right to Development, which reaffirms that the human person is the central subject of development and that States have a duty to formulate national development policies aimed at constantly improving the well-being of the entire population. Furthermore, Article 215 of the Congolese Constitution affirms that duly ratified international treaties and agreements take precedence over national laws upon publication, providing a solid legal basis for the actions undertaken by climate defenders, indigenous peoples, and local communities.

At the national legal level, the protection of Indigenous Pygmy peoples is centered around Law No. 22/030 of July 15, 2022. This legislation highlights their central role as forest guardians in climate action and defends their fundamental freedoms against persistent marginalization, guaranteeing their right to Free, Prior, and Informed Consent (FPIC), access to justice, and other protective measures.

Article 53 of the Constitution grants every individual the right to a healthy environment conducive to their overall development, while obligating public authorities to ensure its protection. This implies:

Access to Information and Participation: The right of local communities and indigenous peoples to be informed and consulted on natural resource exploitation projects.

Redress for Harm: The right to seek justice and compensation when local ecosystems are polluted or destroyed by industrial or extractive activities. This duty of care requires the protection of essential ecosystems and establishes civil and criminal liability, obligating actors to repair environmental damage and

adhere to national and international standards. Climate defenders, activists, local communities, leaders, and indigenous peoples share a duty to assist the State in implementing these policies and principles. Consequently, they cannot be subjected to prosecution simply for fulfilling these duties.

In their role as guardians, a function frequently misconstrued by individuals and corporations with damaging environmental motives, environmental defenders often find themselves targeted by schemes aimed at undermining their lawful advocacy and demand for compliance. This hostile environment hinders their work, leaving active defenders hesitant and discouraging prospective advocates from engaging in environmental rights protection. This underscores the vital need for a robust protection mechanism that enables environmental defenders to operate securely, particularly within the Green Corridor.

Strengthening a strategy against SLAPP suits and safeguarding a secure civic space

The Kivu-Kinshasa Green Corridor (CVKK) spans a vast area of forest ecosystems and peatlands stretching from eastern to western DRC. It encompasses protected areas, lakes, rivers, and forests harboring protected species of all categories. Created to harmonize biodiversity protection, climate change mitigation, and local community development, this initiative relies on inclusive, participatory, and responsible governance that respects the rights of affected populations. Beyond these nature reserves, the subsoil remains rich in valuable resources, including gold, diamonds, coltan, and other strategic minerals. Protecting defenders, thousands of farmers, and indigenous peoples requires a dedicated anti-SLAPP strategy so they can play their role against those undermining rights and climate initiatives. Multilateral spaces, communication tools, and civic judicial monitoring are essential to foster a climate-sensitive judicial policy grounded in effective standards, guidelines, and regulations.

This immense wealth in soil and subsoil makes the Green Corridor a prime target for foreign firms seeking to exploit precious minerals or log forests for industrial commercialization.

Because illegally operating mining and logging companies draw substantial profits from these activities, any individual or organization exposing these practices becomes an immediate target for neutralization. Spanning multiple provinces with difficult communication networks where entire chiefdoms remain disconnected from telecommunications even today, the CVKK presents harsh living conditions that complicate all activities, including judicial oversight.

As a result, many environmental and land defenders, as well as fishers involved in the cited cases, endure extreme hardship. They are frequently forced into hiding, far from their homes, to escape powerful corporations or investors who use corruption to instrumentalize state organs and conceal illegalities.

Attacks on defenders take many forms: retaliatory lawsuits designed to paralyze their operational capacity and deter environmental reporting; intimidation, threats, and harassment; restrictions on freedom of expression and participation in decision-making; and the criminalization of community-led natural resource monitoring. These practices drastically shrink civic space at a time when environmental defenders are vital for conflict prevention, monitoring illegal activities, and supporting communities in resource governance. Related fundamental rights, peaceful assembly, freedom of association, the right to petition, freedom of expression and thought, freedom of movement, and the right to protest are systematically violated to clear the way for corporations at the expense of local communities.

Certain officers and agents within security services, such as the National Intelligence Agency (ANR), Military Intelligence (DEMIAP), National Cyberdefense Council (CNC), Police Intelligence (GDR), National Security Council (CNS), as well as armed groups affiliated with either the government or the M23 rebel movement are deployed to arrest, torture, or forcibly disappear local environmental defenders and lawyers who dare to raise alarms against lawbreaking by powerful firms or influential political and military figures.

Other actors prefer using the court system by opening criminal cases against defenders who obstruct their interests. Regrettably, some magistrates succumb to corruption, a standard operating procedure for firms backed by substantial financial reserves. In contrast, local defenders are ordinary citizens who cannot match concessionaires in wealth or political leverage, leaving the law as their sole recourse. Consequently, numerous legal cases, such as those illustrated above remain ongoing across the various provinces traversed by the Kivu-Kinshasa Green Corridor, pitting large mining and logging companies against environmental defenders.

In most cases, environmental defenders face charges such as calumnious denunciation, injurious imputation, rebellion, contempt of court or authority, murder, criminal association, illegal land occupation, and public disturbance. These charges are used to silence any dissenting voice seeking to expose or alert others to environmental or forestry rights violations. Others are falsely accused of conspiring with the M23 rebel group, leaving them trapped in

isolated ANR detention centers without access to legal assistance, as security services label these matters state security issues requiring complete secrecy.

Jurisdictional issues along the Kivu-Kinshasa Green Corridor

A central concern regarding the rights and freedoms of environmental defenders working within the Kivu-Kinshasa Green Corridor is the operational capacity of the judicial system itself.

Following arrest, several climate defenders, local community members, indigenous leaders, and park rangers end up in unlawful detention due to a lack of judges, processing delays, and nonexistent court facilities—some of which exist only on paper due to the absence of magistrates in certain areas. Reaching other functioning courts requires traveling hundreds of kilometers through impassable terrain where transportation is available only once a week, with a high likelihood of missing it entirely. Furthermore, while Bar Associations exist in certain provinces, practicing lawyers are rarely present or resident, as most relocate to larger cities immediately after taking their oath.

The case of new provinces created following the dismantling of former provinces

Following the redistricting of the former Équateur and Orientale provinces under the constitutional reforms enacted in 2006 and amended in 2011, new provinces were established across these territories.

Among the major challenges facing these newly created provinces is the deployment of judicial institutions alongside other state services. On the ground, certain jurisdictions remain completely absent in several provinces. Consequently, cases falling under their competence are transferred to other provinces, in direct violation of Article 19 of the DRC Constitution, which guarantees every citizen the right to be heard by their lawful judge (*juge naturel*).

For example, Haut-Uélé and Bas-Uélé lack military courts; as a result, matters within the jurisdiction of a Military Court are referred to Kisangani, the capital of Tshopo Province notably demonstrated in cases RPA 963/025 and RPA 959/025 involving park rangers from the Rubitele and Lomami protected areas in Bas-Uélé.

In other instances, the absence of assigned magistrates renders existing courts non-functional. For example, the Peace Court (*Tribunal de Paix*) in Watsa, Haut-Uélé, cannot hold hearings because appointed judges are not present on-site. This severely complicates legal proceedings, particularly regarding the formal

review and regularization of detentions ordered by the public prosecutor's office. A similar situation exists in Bas-Uélé Province, specifically in its capital, where only the General Prosecution Office is operational, while other courts remain inactive due to missing judicial personnel. This pattern persists across all new provinces formed from the division of the former Équateur Province.

The ongoing state of siege in Ituri and Nord-Kivu provinces places environmental and land defenders under intensified pressure from military authorities and military courts when they speak out against biodiversity destruction and community rights violations linked to mining and logging activities.

Consequences for the Kivu-Kinshasa Green Corridor (CVKK)

As demonstrated above, environmental defenders represent the sole persistent voice confronting multinationals involved in illegal mining and logging, along with the severe consequences these activities inflict on the vast ecosystems within this green corridor.

Attacks against environmental defenders directly compromise the objectives of the Kivu-Kinshasa Green Corridor. These attacks undermine community governance, as fear of retaliation discourages the participation of local communities who are otherwise at the core of the community reserve model. Furthermore, they erode trust between communities and state institutions; when individuals reporting violations are prosecuted, local populations develop deep mistrust toward management authorities and conservation partners.

These attacks could lead to a decline in environmental monitoring, as defenders are often the frontline observers of illegal exploitation, deforestation, poaching, local community rights violations, and land disputes. Silencing them weakens early warning mechanisms. Ultimately, this poses a severe risk to the credibility of the Kivu-Kinshasa Green Corridor, given that the success of this new protected area relies heavily on social acceptance and sound practices to prevent smear campaigns and disinformation. Allegations of human rights abuses or inadequate consultation can erode its legitimacy among national and international partners, particularly when alleged perpetrators or accomplices within state institutions, such as the judiciary and security services continue to act with impunity.

Furthermore, the tactics of corporations and multinationals illegally encroaching on this space seek to completely overpower the State by manipulating its functional apparatus: security services, public administration, and civil and military courts. Their objective is to secure an unimpeded path to maximize profits.

To the extent that the state apparatus remains weak, susceptible to manipulation, corrupt, or virtually nonexistent, these multinational corporations will encroach upon all forests and extract minerals without regard for environmental standards. They will pollute the rivers winding through and sustaining the Kivu-Kinshasa Green Corridor (CVKK), threatening aquatic species with eventual extinction.

Such a scenario severely undermines environmental defenders, local communities, and indigenous peoples, leaving them without legal recourse as the state apparatus duty-bound to protect all citizens becomes beholden to corporate interests. Consequently, environmental defenders face systemic rights violations, including arbitrary arrests, illegal detentions, and heavy prison sentences, while the judicial system fails to fulfill its protective role.

This occurs despite numerous legal instruments at the national, regional, and international levels explicitly designed to safeguard defenders. These legal frameworks guarantee environmental defenders the freedom to act, undertake environmental preservation efforts, and protect the rights, livelihoods, and subsistence of local communities and Indigenous Pygmy peoples.

At the national level

The Constitution of the Democratic Republic of the Congo: Article 53, alongside numerous other provisions guaranteeing fundamental freedoms to all citizens.

Law establishing fundamental principles relative to environmental protection.

decree establishing the kivu-kinshasa green corridor: Focuses on community participation and the protection of the rights of affected populations.

At the regional and international levels

- ✓ African Charter on Human and Peoples' Rights: Articles 2, 3, 6, and subsequent provisions.
- ✓ United Nations Declaration on Human Rights Defenders (1998).
- ✓ Paris Agreement on Climate Change. ;

Furthermore, the existence of non-functional courts on paper across certain newly created provinces compounded by the absence of assigned civil and military judges, severely undermines environmental defense. This legal vacuum leaves local environmental defenders vulnerable to arbitrary arrest and

detention by security actors (such as corrupt ANR agents, armed forces, or national police officers influenced by multinational operators) without legal recourse. In other cases, defenders are transferred thousands of kilometers away from their home regions and lawful judges, rendering them unable to defend themselves or receive support from their families and chosen legal counsel.

Hence, there is an urgent need to find appropriate solutions to permanently address this unfortunate situation surrounding the Kivu-Kinshasa Green Corridor. Otherwise, the corridor's purpose will be compromised, and severe climate consequences will soon follow on a global scale, beginning with the total disruption and erosion of local community livelihoods. Creating a community protected area while leaving it exposed to uncontrolled extraction, without safeguarding the individuals dedicated to exposing environmental destruction, risks becoming an unprecedented act of greenwashing that reduces the «solution country» vision to an empty slogan.

OTHER MAJOR OPERATIONAL CHALLENGES

1. Legal Challenges

- ✓ The legal framework intended to protect human rights defenders is overly complex and restrictive. Due to heavy conditions and criminal provisions imposed on defenders alongside ordinary criminal law, it fails to serve as an effective protective tool for their rights and freedoms;
- ✓ Constitutional standards and international conventions despite their critical importance are insufficiently mastered by lawyers, magistrates, and defenders themselves;
- ✓ Climate policies and standards are poorly implemented on the ground and are frequently exploited merely for fundraising and strategic planning purposes;
- ✓ Judicial actors face corruption, manipulation, and political or corporate influence peddling from authorities and multinational corporations;
- ✓ In provinces like Haut-Uélé, Bas-Uélé, Mongala, Équateur, Tshopo, Kongo Central, and Maniema, judicial and provincial authorities depend logistically and financially on extractive companies. These corporations dictate terms, and authorities rarely oppose their decisions, often launching prosecutions directly at the request of corporate managers;
- ✓ Many jurisdictions exist solely on paper, operating without assigned judges or with prosecutors but no sitting judges. This represents a major hurdle in Bas-Uélé and parts of Haut-Uélé;
- ✓ Bar associations exist in newly established provinces, but registered lawyers reside outside these territories, leaving no local legal representation
- ✓ Accessing provincial or national remedies remains exceedingly difficult and costly due to complex legal procedures and limited legal services;
- ✓ Environmental law suffers from legal inflation, characterized by conflicting statutes, overlapping regulations, and significant legal vacuums;



Limited financial and logistical resources prevent organizations from providing holistic support to environmental defenders, specifically assistance covering all four essential dimensions (legal, psychosocial, digital, and physical safety)

2. Logistical and geostrategic challenges



Approximately 90 percent of climate defenders and activists live in remote areas alongside forests, flora, fauna, rivers, and mining sites. These regions lack basic infrastructure, including roads, vehicles, internet access, and electricity, creating severe obstacles to accessing justice. Conducting field missions in certain DRC provinces requires air travel, which is often available only once a week with a high risk of missed connections. Consequently, a short one-day or two-hour mission can require a seven-day stay. Urgent missions necessitate chartering aircraft, helicopters, boats, or vehicles—when available. This is extremely expensive and requires flexible funding partners to ensure an effective legal defense.



Provincial capitals and remote territories remain disconnected. When a defender is arrested in a territory, obtaining case files or facilitating transport for both defenders and security or judicial personnel to the General Prosecution Office involves traveling hundreds of kilometers through difficult, unpaved terrain;



Judicial facilities are located far from the villages where climate defenders reside. For instance, in territories like Walikale (North Kivu) which is geographically closer to Kisangani jurisdiction lies with the courts in Goma. Pursuing appeals at the national level remains similarly complex and cost-prohibitive;



Mobilizing lawyers to regions where Bar Associations exist without resident counsel is extraordinarily difficult for criminal proceedings. Even when financial resources are available, rental vehicles are frequently unavailable

3. Political, security, and public health (Ebola) challenges

-  Ongoing insecurity and armed conflict in North and South Kivu have paralyzed judicial operations, limiting access to justice and legal remedies as a protective strategy for climate defenders in eastern DRC. In areas held by M23/AFC, legal frameworks have been disrupted for nearly two years, while security harassment and judicial insecurity persist ;
-  Climate defenders and lawyers face severe travel restrictions in insecure zones. In some instances, legal counsel must route through neighboring countries to reach their clients; for example, traveling to assist a defender in Kinshasa or Isiro may require transit through Kampala before connecting to Kinshasa, Kisangani, and ultimately Isiro. Additionally, lawyers face police and immigration harassment based on their provincial origins.
-  Judicial proceedings are increasingly leveraged as SLAPP measures, using security concerns and the M23/AFC occupation to criminalize fundamental rights. Simple acts of advocacy, whistleblowing, or exercising freedom of association and expression are prosecuted if they counter the interests of influential officials;
-  Gathering evidence and accessing reliable scientific data present substantial obstacles in mounting a legal defense in environmental cases,
-  Defenders face high informal and extralegal expenses, alongside judicial fees issued without official receipts due to a lack of standard administrative accounting;
-  Security agencies, including the ANR and cyber-defense services, frequently violate constitutional norms under the premise of state security by denying lawyers access to detained clients, a right guaranteed by the Congolese Constitution;
-  Health protocols implemented to contain the Ebola virus outbreak have resulted in movement and operational restrictions for climate defenders and legal counsel. While established as precautionary measures, these restrictions further hinder access to justice and legal protection in affected zones;

4. Professional challenges and access to legal information



Few lawyers and magistrates are well-versed in laws and international conventions related to environmental protection, nature conservation, and the rights of climate activists as human rights defenders,



Many climate defenders and activists are unaware of their rights and lack access to legal protection mechanisms. Furthermore, they are frequently viewed simultaneously as defenders and as victims of injustice, which complicates judicial procedures and creates confusion among magistrates and judicial officers,



Climate laws and policies remain poorly understood by local communities and smugglers alike. Additionally, certain corrupt magistrates and lawyers hinder the proper administration of justice;

However, the commitment of ACEDH (Action Concrète pour l'Environnement et le Développement Durable) to defending climate advocates faces significant real-world challenges, particularly in high-turbulence zones like North Kivu. Most of these obstacles stem from unethical practices among judicial actors, as well as perpetrators who possess strong political and financial clout enabling them to sway judicial outcomes and issue threats against the lawyers representing these climate defenders and activists.

Conclusion and General Observations:

Beyond serving as a protected area, the Kivu-Kinshasa Green Corridor (CVKK) draws inspiration from the Virunga model and its social enterprise framework, making it a promising mechanism for promoting human rights. It represents an ideal conservation model one that is highly monitored, climate-responsive, and attentive to social safeguards.

The overlap of rights and land titles, the challenge of mastering existing real property rights, the rise of emerging land markets, and the rapid expansion of infrastructure and investment needs often proceeding without proper land use planning and zoning all demand active advocacy from environmental defenders to hold stakeholders accountable to legal rights and climate security requirements. Establishing essential tools and strategies to counter harassment and judicial prosecution is therefore urgent and vital to ensuring the success and local ownership of these initiatives.

Prompt action is required to reverse the current trend: moving away from a punitive justice system weaponized by corporations and political actors against good-faith, law-abiding citizens, and transitioning toward a protective judicial framework that safeguards the rights and freedoms of climate and natural resource defenders.

The proliferation of attacks and SLAPP suits against environmental defenders poses a major threat to the success of the Green Corridor. Beyond violating fundamental rights, these practices erode participatory governance, damage community trust, and undermine the conservation goals of this emerging protected area.

In this new configuration for the CVKK, the gap between operational judicial practices and the excessive protection granted to corporations under the guise of investor security to the detriment of climate defenders, local communities, and indigenous peoples must be definitively closed.

The judicial system must serve as a mechanism to protect rights and freedoms, support the fight against impunity, and drive fairer practices of due diligence and transparency. Despite existing challenges and barriers to accessing justice, the Kivu-Kinshasa Green Corridor (CVKK) presents a vital opportunity to make the region safer by implementing protective protocols and strategies to combat strategic lawsuits against public participation (SLAPPs). Targeted sanctions against offending companies and managers, along with campaigns

against unethical practices, must be strengthened.

Protecting environmental defenders must be viewed as an indispensable component of any conservation strategy rooted in human rights and community participation.

Attacks and SLAPP suits against environmental defenders across this region require continuous monitoring by all stakeholders supporting the Congolese government in achieving its vision as a «Solution Country» for climate justice.

Civic space must remain open to environmental defenders, allowing them to freely carry out their work to protect biodiversity and safeguard the rights of local communities.

Ultimately, the State has a central role to play in ending the prosecution of environmental defenders if it hopes to fulfill its commitments to climate justice.





ANALYTICAL REPORT ON LEGAL PROCEEDINGS IN THE CVKK AREA

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