

In Search of Justice: My Fight Against Impunity

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Déborah's husband, Pascal Kabungulu, was a prominent human rights defender in the Democratic Republic of the Congo. He was assassinated in 2005 as a result of his activism. Since then, Déborah and her family have found refuge in Canada where they continue their fight to end impunity. With the assistance of the Canadian Centre for International Justice and the NGO TRIAL International, Déborah filed a complaint with the United Nations Human Rights Committee in 2016 to reopen the investigation into Pascal's assassination. Déborah recently spoke with the PKI Global Justice Journal to tell her story.

It has been thirteen years since my husband, Pascal Kabungulu, was assassinated at our home, in front of our children. It was the middle of the night on July 31, 2005 when three men in military uniform came into our home and killed Pascal. My husband was a human rights defender who fought for justice. We believe that his enemies, people close to the power, wanted to silence him for having denounced atrocities and corruption that were taking place in the Congo. Pascal knew that his work was dangerous. He had already been threatened several times because of his work with the organization Héritiers de la Justice (Heirs of Justice) in Bukavu, South Kivu. He still insisted on helping others.

Shortly after his death, we also received threats. Human rights organizations in the region told us that we were in danger. We finally had to seek refuge in Canada in 2006. At first, I felt isolated. We knew

no one and I was afraid of everyone. I trusted no one; every time I saw a police officer or someone wearing military gear, my heart pounded.

But then an acquaintance who had been through a similar experience talked to me about the *Canadian Centre for International Justice* (CCIJ) and she counselled me to meet the director. This is how I learned about the possible recourses that existed in Canada and internationally, which allowed me to take steps to seek justice in response to what had happened to us. It is important for me to seek justice because the perpetrators remain free and can continue to harm others. Justice will only be done when those who are responsible for their acts are judged and punished. We hope that they are found and held responsible because no monetary compensation can bring back our loved ones. These people must know that what they did was wrong.

This is why I decided to file a communication before the United Nations Human Rights Committee in 2016 to find that our rights had been violated and to urge the Congolese authorities to reopen the investigation and punish the perpetrators. The judicial proceedings in the DRC seeking to identify and prosecute those who are responsible had been suspended after senior officials were implicated.[1] Our final recourse was therefore to turn to the international community. We hope that these steps with the Committee will bring justice and will encourage the Congolese authorities to reopen the inquiry and to hold those who are responsible for Pascal's assassination accountable. They took my husband and the father of my children forever, but if the decision of the Committee allows to launch a new trial in the DRC, this will at least serve as a step forward in ending impunity.

One day, truth will triumph

When such events overcome us, our health can deteriorate if we do not have the opportunity to explain our story or to speak to somebody. Just telling my story has helped me cope. It has shown me that I'm not alone and that there are people who support me. In this sense, I am very happy to participate in the Community Engagement in International Justice project[2] of CCIJ. This initiative has allowed me to tell my story in different ways, through different media, especially through photography and videography, allowing me to share my justice journey with a large number of people. It is comforting and validating to know that other survivors of atrocities are able to learn more about the options that exist to help them find justice as well.

I also want people to know what happened in the Congo. I am not going to be silent as long as people do not know the truth of what happened. I want people to know why this terrible event took place and why the perpetrators have not been held accountable. I know that there are others who have survived similar tragedies and I want them to be encouraged to not give up.

That is why I created the Fondation Pascal Kabungulu (the Pascal Kabungulu Foundation) when I arrived in Canada. The Foundation offers support to the families of human rights defenders who have been assassinated in the Congo. My children and I are grateful for the opportunity to be in Canada but there are other widows and orphans who have not had the same opportunities. My children help with the Foundation and they make me proud. It is as if they are following the footsteps of their father and

that they want to continue where he was forced to stop. It is also important to show the world that we have a need for people like him, people who advocate for others and who take care of others.

My family and the families who have lost human rights activists, whom the Pascal Kabungulu Foundation assists, are seeking justice. We encourage other families not to give up and to continue to fight for human rights so that crimes are punished, and that human rights defenders are free to carry on their work without being killed. Finally, we want the authorities to respect their obligations to protect human rights defenders.

Pascal was a good man; he was strong and courageous, and he used his influence to defend the most vulnerable and achieve justice in his community.

I hope that one day, it will be finally his time to obtain justice.

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For more information about Déborah, visit her page on the website of the Canadian Centre for International Justice.

References

1. Two soldiers were initially detained, a Commission of Inquiry was called, and a military court held several hearings. However, when witnesses implicated two senior officials, they were both initially detained but then immediately released. In December 2005, the military court ruled that it no longer had jurisdiction because the high-ranking officials were implicated, and the case was transferred to the Military High Court. To this day, no other judicial proceedings related to Pascal’s murder took place in the DRC.
2. The project is being launched in the fall of 2018. Consult the website of *Canadian Centre for International Justice* to obtain more information.