

**Flygtningenævnets baggrundsmateriale**

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# British Embassy Kinshasa

## **Information Pack for British Prisoners in Democratic Republic Of Congo**

|               |                                 |
|---------------|---------------------------------|
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# Introduction

## Who can help?

The Foreign and Commonwealth Office (FCO):

The FCO is represented overseas by its Embassies and Consulates (High Commissions in Commonwealth Countries). Both employ consular officers, and one of their duties is to provide help and advice to any British National who gets into difficulty in a foreign country.

## About the Embassy

We are impartial; we are not here to judge you. We aim to make sure that you are treated properly and fairly in accordance with local regulations, and that you are treated no less favourably than other prisoners.

We can answer questions about your welfare and about prison regulations but you must ask your lawyer or the court about legal matters. The attached list of lawyers is provided by the British Embassy for your convenience, but neither Her Majesty's Government, nor any official of the Embassy, take any responsibility for the competence or probity of any firm/advocate on the list or for the consequence of any legal action initiated or advice given.

We cannot get you out of prison, pay fines or stand bail or interfere with local judicial procedures to get you out of prison nor secure you an earlier trial date; we cannot investigate a crime.

We have tried to make sure that the information in this booklet is accurate and up to date, but the British Embassy cannot accept legal responsibility for any errors or omissions in the information. If in doubt contact a lawyer.

## Who are the Consular Representatives?

*The Address of the British Embassy in Kinshasa is:*

*British Embassy  
83 Avenue Roi Baudouin  
Kinshasa/ Gombe  
Telephone: 00423 81 556 6200  
E-mail: [kinshasa.consular@fco.gov.uk](mailto:kinshasa.consular@fco.gov.uk)  
Website: [www.gov.uk](http://www.gov.uk)*

*The British Embassy Consular representatives are:*

*Consul: Sophia Hatley  
Telephone: 00 243 (0) 81 556 6340  
E-mail: [sophia.hatley@fco.gov.uk](mailto:sophia.hatley@fco.gov.uk)*

*Vice Consul: Vintch Disasi  
Telephone: 00 243 (0) 81 700 5822  
E-mail : [vintch.disasi@fco.gov.uk](mailto:vintch.disasi@fco.gov.uk)*

*Honorary Consul (Congo Brazzaville)  
Tel: 00 242 (0) 55 513251*

*Vice Consul: Franck Tshimbiya  
Telephone: 00 243 (0) 81 715 2779  
Email: [franck.tshimbiya@fco.gov.uk](mailto:franck.tshimbiya@fco.gov.uk)*

## **First Steps**

### **Who will know I have been detained?**

When a British citizen is arrested and detained in DRC, the Congolese authorities must inform the respective Embassy upon the prisoner's formal request and it is their right to have this notification done by the authorities. However, we often learn of an arrest informally from friends or family, or the prison social worker.

### **What will my family be told?**

For reason of confidentiality we are not permitted to tell anyone that you have been detained or what the charges are without your permission.

### **What will the Consulate do?**

We aim to contact you within 24 hours of learning of your arrest and visit you within 48 hours where possible. However, given the difficulties in travelling across the DRC and prison regulations there may sometimes be a slight delay beyond this in arranging the visit. In this event, we will do our best to keep you informed. During our routine visits you will have the opportunity to discuss any health issues, security concerns, your treatment in prison and any other general issues that you wish to raise with our consular staff.

Normally we cannot provide consular assistance, including visits, to dual nationals in the country of their other nationality.

### **Would I have a criminal record in the UK?**

You should be aware that if you have been convicted for certain serious offences, such as sexual assault or drugs trafficking, we are obliged to inform the UK police. It is therefore possible that information about this offence may appear if a Criminal Records Bureau check were carried out by a prospective employer.

## **Visits**

Each prison has set visiting times. All prisoners are entitled to social (family / friends) or official (lawyers/ Consular officials) visits during set times. In extreme cases, the prosecution attorney may seek to limit visits if they consider this may be detrimental to the case.

### **How do my family and friends arrange a visit?**

Everyone has to comply with the date and times set out in prison regulations. Mostly visiting time is advertised outside prisons and visitors should go directly to the prison to visit. In certain circumstances Consular officers will accompany your family during their first visit to the prison; the subsequent visits by your family will be unaccompanied.

## **How many visits am I allowed?**

In the majority of the prisons you are allowed to receive visitors every day. Some temporary prisons only allow visits on certain days of the week. Please check with the prison social workers when visits are allowed.

## **Consular visits**

We will try to visit you every three months; during our routine visits you will have the opportunity to discuss any health issues, security concerns, your treatment in prison and any other general issues that you wish to raise with our Consular staff. If there is any information that you would prefer not to disclose to a Next of Kin you should let us know during the visit.

## **What can visitors bring?**

DRC has a large number of prison facilities and regulations about permitted items vary from one prison to another and the rules are frequently changed. Therefore, families should contact the prison authorities so they can provide them with an updated list.

## **Prison conditions/services**

### **Arrival at prison**

When someone is arrested they are taken to prison in the first instance. Any belongings that are not part of the investigation, process, or evidence will be given to the family; the court will keep them if you have no family. It is unfortunately not unusual for some belongings to go missing right after arrest or during prison transfers.

The British Embassy cannot store your personal belongings on your behalf. The only property we can keep for you are your passport and driver's licence. However, these are usually retained at the courts until the end of your sentence. Please note that your passport might be kept by the courts as evidence of the alleged crime or as a condition for your bail/parole. This measure is taken by the courts to prevent you from skipping bail.

### **General prison conditions**

Prison conditions in the DRC can be very harsh. Overcrowding and poor sanitation are a major problem in all prisons. Shower facilities are sometimes available but frequent power cuts mean that hot water is scarce. Mosquitoes, cockroaches and rats are commonplace. The prison authorities will only provide very basic items in prison such as prison uniforms and a bed.

### **How can I receive money?**

There are two ways in which you can receive financial assistance while in prison.

- **Private Funds:** Deposited to you by your family or friends. See [Annexes](#) for instructions on how to send funds.

- **Prisoners Abroad:** If your family can't support you financially Prisoners Abroad may be able to send you a small grant every quarter for essentials.

Money received from the UK will be converted into local currency and held on your behalf by our Embassy. Our Consular staff will then transfer your funds to you.

There is no prison account facility available in DRC but arrangement can be made between you and the prison director, so he can keep the money for you. In prisons in DRC you cannot keep more than around \$100 in Congolese Francs. Any remaining funds will be kept at the Embassy and sent to you later on. Please note that our Consular staff cannot be responsible for the loss of funds by the Prison Authorities.

Please note that the Embassy does not provide financial support to British Nationals in prison abroad.

### **Can I work or study in prison?**

Article 64 of Penal Code states work is compulsory for prisoners. However, prisoners cannot be compelled to work if there is good reason (normally health) why they cannot. Work in prisons normally consists of gardening, farming, joinery, soap factories and other activities aimed at social reintegration.

Studying or Learning and development opportunities are not available in DRC prisons. If you decide to undergo distance learning, request should be addressed to the attorney general for authorisation

### **Can I receive medical and dental treatment?**

The prison Medical Officer is responsible for prisoners' health care. However, lack of funding means that equipment, drugs and qualified staff are in short supply in most prisons. In most cases, prisoners rely on friends or relatives to purchase prescribed medication. Prisoners with serious health concerns are sent to local public or private hospitals. In some cases prisoners will be asked to cover the cost of any external (outside the prison) medical treatment.

### **Food and Diet**

There is an expectation that a prisoner's family and friends will provide his/her food. Prisons in DRC are extremely underfunded and are not always able to supply prisoners with food. In some prisons, areas are available for prisoners to grow their own food. The prison will provide water.

### **Mail/Parcels**

Letters are subject to censorship. Any ingoing or outgoing letter will be submitted to the director of the prison to assess its content. Some prisons will accept parcels (including foodstuff) but these too will be checked by the prison guard.

### **Can I make telephone calls?**

There are no telephone facilities in DRC prisons. However arrangement can be made with the prison authorities to have a mobile phone available but this should be purchased by you and will be kept by the authorities and handed to you only if you want to make a phone call. Again this arrangement is only made on request and can be refused.



## **Leisure and entertainment**

DRC prisons do not normally have leisure facilities beyond a yard for exercising.

## **Drugs**

It is widely known that drug trafficking between inmates in prisons is widespread. If you are caught with any kind of illegal drugs you will be punished accordingly.

## **How can I make a complaint about mistreatment?**

There is no official common complaints procedure in place for mistreatment in the DRC. If you wish to file a complaint please let us know during a consular visit so that we take your concerns forward.

## **The DRC Judicial System**

### **Is the system the same as the UK?**

The independence of the judicial system of the DRC is enshrined in the constitution. However, the DRC system faces many challenges to ensure its independence. Magistrates and Judges are underpaid and corruption and the politicisation of the judiciary is a big issue.

There are four different types of court in the DRC:

- Peace Court: Deals with civil cases
- Crown Court: Deals with criminal cases
- Court of Appeal: Will rule on sentences pronounced in both the Peace and Crown Court
- Supreme Court: Will rule on sentences pronounced in the Court of Appeal.

## **What should happen when I am arrested?**

Articles 4, 6 and 15 of the Congolese criminal procedure code lay out the procedure for arrest. The Director of Public Prosecution has the power to summon or subpoena anyone accused of a crime. But an arrest warrant is not necessary in all crimes. If a crime is “punishable by at least six months imprisonment, when there is a fear that the accused may abscond or when his/her identity is unknown” the Police also have the power of arrest without a warrant.

In cases where the crime is punishable by at least three months imprisonment, any citizen can, in absence of judicial authority, make an arrest.

## **For how long can I be remanded in custody?**

Under the DRC constitution, a person cannot be held in custody for longer than 48 hours without being charged. After this time, the arrested party must either be released or charged. An exception is in cases of national security when the arrested party can be held indefinitely but an extension to their detention must be granted and regularly reviewed by a court.

## **What happens when I am charged?**

There is no set length of time between being charged and coming to trial. Following an arrest, the arrested person must be brought before a court within 5 days. The court will then make a ruling on detention (remaining in custody, released on bail or released with no further charges). If the court rules that the arrested party must remain in custody, they can be held “under prevention detention” for a further 15 days. After this time, an extension must be sought from the court every month until the investigation is complete.

An exception to this is for the crime of sexual violence. Under article 1 of the Bill on Sexual Violence, the investigation into any allegation of sexual violence must be complete within one month and the trial must be complete within 3 months.

## **What provision is there for bail?**

Article 32 of the Criminal Code states that, bail can be granted in all cases. The power to grant bail lies with the judge appointed to the case.

## **What kind of legal assistance is available**

Arrested persons are entitled to legal representation from the time of their arrest and allowed access to their legal representation whilst in custody, subject to prison rules.

Article 73 of the criminal code does state that legal aid is available in the DRC. In reality, representations by a legal aid lawyer are extremely limited. You should consider hiring a lawyer if you have been arrested in the DRC. We can provide you with a list of English-speaking lawyers.

## **What happens at the trial?**

At the trial the prosecution makes its case. If at the close of the prosecution the court decides that there is no case against the accused, the case is dismissed. If the court decides that the accused has a case to answer, then the case for defence is heard. At the close of the hearing, both the public prosecutor and the defence summarise their case. The judge then delivers his verdict. The sentence must be passed within 48 hours of the verdict.

## **Sentences**

Sentences vary greatly in DRC and will depend on the seriousness of the crime and whether it is a State or Federal crime. Your lawyer/public defender will be best placed to advise on length of sentences and on appeals processes.

## **How can appeals be made?**

Appeals from the Peace and Crown Courts lie in the Court of Appeal. Appeals from the Court of Appeal lie in the Supreme Court.

## **What provision is there for reduction of sentence (remission) e.g. for good behaviour?**

There is some provision for a reduction of sentence. In these cases, applications are on the basis of 'good conduct - behaviour'.

### **What provision is there for clemency, pardon or early release?**

There is provision for a Presidential pardon in the Constitution, Article 87

Pardons are extremely rare. Once a judgement has been pronounced, without possibility for further appeal, the President becomes the only institution able to grant a pardon (clemency or early release). This is done by:

- The accused applies for the pardon
- An investigation involving the public prosecutor, the judges and the Attorney General as well as the penitential authorities is conducted,
- The case is escalated to the Ministry of Justice,
- The case is escalated to the office of the President,
- The president signs a decree to grant the pardon in the event of a successful application,
- The penitential authorities implement the decree

### **What about any financial penalties?**

This can occur and are decided by the Court.

### **Is transfer to another prison within DRC possible?**

If you have been tried and convicted you will be sent to a prison where you can expect to serve your sentence. Transfers are only permitted when there are exceptional and compassionate reasons for doing so.

### **Is transfer to the UK a possibility?**

There is no prison transfer arrangement between the DRC and the UK.

### **What are the procedures for release and deportation?**

The expulsion process is a compulsory administrative process that is carried out against all foreigners that commit a crime in DRC.

Any prisoners released that have an expulsion order issued against them will be transferred from the prison to the Congolese immigration office, for the administration process. If the person has the expulsion decree issued and signed, the DRC Government will not pay for the flight back to the person's country of nationality and the person must pay for the flight him/herself. He or she should discuss this with the prison authorities/with a consular officer. Once a flight has been arranged, the prisoner will then be escorted to the airport by the police until they are on a plane leaving DRC.

If the prisoner is released and they don't have an expulsion order issued against them, they can leave the country at any time at their own expense.

## **Prisoners Abroad**

Since 1978 the charity Prisoners Abroad has offered practical support and advice to British citizens imprisoned overseas. It is the only UK charity providing this service and it is available to all, whether guilty or innocent, convicted or on remand. Prisoners Abroad is concerned with your health and welfare, both during your imprisonment and also on your return to the UK, through their resettlement service (if you have registered whilst in prison). They can also provide support and advice to your family during your

imprisonment. In order to access any services, prisoners must first register with Prisoners Abroad by signing and returning their authorisation form.

Once you seek help from Prisoners Abroad, the Prisoner & Family Support Service will be your point of contact for advice and information. The type of assistance they can offer will vary from country to country, but generally they can provide you with information, in English, on:

- your rights as a prisoner and issues that may affect you such as health or transfer to the UK
- obtaining magazines, newspapers, books and the regular Prisoners Abroad newsletter
- writing to a pen pal
- learning the language of your country of imprisonment
- translation of documents
- grants for food if you are in a developing country and don't have funds from other sources
- grants for essential medicines and toiletries if you don't have funds from other sources
- preparing for release
- help for your loved ones, including information, family support groups and assistance with the cost of visiting

Prisoners Abroad  
89 – 93 Fonthill Road  
London N4 3JH  
UK

**Telephone:** 00 44 (0)20 7561 6820 or, for your relatives in the UK, Freephone 0808 172 0098  
(Mondays to Fridays 9.30 am to 4.30 pm, UK time)

**Email:** [info@prisonersabroad.org.uk](mailto:info@prisonersabroad.org.uk)

**Website:** [www.prisonersabroad.org.uk](http://www.prisonersabroad.org.uk)

## Glossary of Terms

### Useful legal terms

### Key phrases – English into [French]

#### TRANSLATION OF COMMONLY USED PHRASES

|                             |                                  |
|-----------------------------|----------------------------------|
| Good morning                | Bonjour                          |
| Good afternoon              | Bon après-midi                   |
| What language do you speak? | Quel langage parlez-vous ?       |
| What is your name?          | Quel est votre nom ?             |
| How old are you?            | Quel âge avez-vous?              |
| Where are you living?       | Où habitez-vous ?                |
| Where are you from?         | D'où venez-vous?                 |
| Address                     | Votre adresse                    |
| Telephone number            | Votre numéro de téléphone        |
| Social Security             | Votre numéro de sécurité sociale |
| Date of birth               | Votre date de naissance          |

Driver's License Number  
Do you have any paperwork?  
Do you have an attorney?  
Do you have a public defender?  
Do you have an interpreter?  
Please take your seat.

Votre numéro de permis de conduire  
Avez-vous des documents?  
Avez-vous un avocat ?  
Avez vous un avocat commis d'office?  
Avez-vous un interprète ?  
Veuillez vous asseoir, s'il vous plaît.

Are you a relative or friend of a person in court today? Etes-vous un parent ou un ami d'une personne présente dans ce tribunal aujourd'hui?

Please do not leave the courtroom until your case is called. Veuillez ne pas quitter ce tribunal avant que votre affaire ne soit appelée.

#### WEEK DAYS

Monday  
Tuesday  
Wednesday  
Thursday  
Friday  
Saturday  
Sunday

#### JOURS DE LA SEMAINE

Lundi  
Mardi  
Mercredi  
Jeudi  
Vendredi  
Samedi  
Dimanche

#### MONTHS

January  
February  
March  
April  
May  
June  
July  
August  
September  
October  
November  
December

#### MOIS

Janvier  
Fevrier  
Mars  
Avril  
Mai  
Juin  
Juillet  
Août  
Septembre  
Octobre  
Novembre  
Décembre 21

#### NUMBERS

One  
Two  
Three  
Four  
Five  
Six  
Seven  
Eight  
Nine  
Ten  
Eleven  
Twelve  
Thirteen  
Fourteen  
Fifteen

#### CHIFFRES

Un  
Deux  
Trois  
Quatre  
Cinq  
Six  
Sept  
Huit  
Neuf  
Dix  
Onze  
Douze  
Treize  
Quatorze  
Quinze

Sixteen  
Seventeen  
Eighteen  
Nineteen  
Twenty  
Thirty  
Forty  
Fifty  
Sixty  
Eighty  
Ninety  
Hundred  
Thousand  
Million  
Billion

Seize  
Dix-sept  
Dix-huit  
Dix-neuf  
Vingt  
Trente  
Quarante  
Cinquante  
Soixante  
Quatre-vingts  
Quatre-vingt-dix  
Cent  
Mille  
Million  
Milliard

#### PHRASES THAT MAY BE USED IN COURT

A

Abandoned  
Abduct (V)  
Abetment  
Abettor  
Abrogate (V)  
Abscond (V)  
Abuse Violence/  
Abused  
Accessory  
Accessory after the fact  
Accessory before the fact  
Accessory during the fact  
Accomplice  
Accuse (V)  
Accused  
Acquit (V)  
Acquittal  
Action  
Addict  
Adjudication  
Admission  
Adversary system  
Affidavit  
Affirmed  
Aftercare service  
Aggravating circumstances  
Aid and bet (V)  
Alcoholic  
Alibi  
Alimony  
Allegation  
Appeal  
Appearance

Abandonné  
Enlever  
Encouragement  
Instigateur  
Révoquer  
Se soustraire à la justice  
mauvais traitement/abus  
Maltraité/séances sexuels  
Complice  
Aide après le délit/receleur  
Complice par instigation  
Complice par abstention  
Complice/ coauteur  
Accuser  
Accusé  
Acquitter  
Acquitté  
Action  
Toxicomane  
Jugement  
Entrée  
Procédure accusatoire  
Attestation  
Affirmé  
Service postcure  
Circonstances aggravantes  
Assister et soutenir 3  
Alcoolique  
Alibi  
Pension alimentaire  
Allégation  
Appel  
Comparution

Appellant  
Arbitration  
Argue (V)  
Armed robbery (AR)  
Array  
Arrest  
Assault  
Assault and battery  
Assessor  
Attempt  
Attorney general  
Attorney  
Autopsy  
B  
Bail  
Bank fraud  
Bank secrecy  
Bar association  
Bias  
Battery  
Begging  
Bench warrant  
Brady material (DC)  
Breach  
C  
Calumny  
Canvas (V) (DC)  
Canvass (V)  
Capital punishment  
Charge  
Chief judge  
Child abuse  
Circumstantial evidence  
Complainant  
Complaint  
Confiscate (V)  
Conspiracy  
Contempt of court  
Convicted  
Conviction  
Counsel  
Count  
Court  
Court appearance  
Court procedure  
D  
Death penalty  
Defendant  
Defense  
Defraud (V)  
Delay

Appellant  
Arbitrage  
Discuter  
Vol à main armée  
Série de photographies  
Arrestation  
Voies de fait (agression)  
Coups et blessures  
Assesseur  
Tentative 4  
Ministère public  
Avocat  
Autopsie  
  
Caution  
Fraude bancaire  
Secret bancaire  
Ordre des avocats  
préjugés  
Coups et blessures  
Mendicité  
Mandat d'arrêt  
Preuve disculpante  
Infraction  
  
Calomnie  
Questionner sur les lieux du crime  
Solliciter  
Peine capital  
Chef d'accusation  
Président du tribunal  
Sérvices à l'encontre d'un mineur  
Présomption  
Plaignant  
Plainte  
Confisquer  
Association de malfaiteurs  
Outrage à magistrat  
Condamner  
Condamnation  
Conseil/ Avocat de la défense  
Chef d'accusation  
Cour/Tribunal  
Comparution devant le tribunal  
Procédure judiciaire  
  
Peine de mort  
Défenseur/accusé/prévenu  
Défense  
Frauder  
Retard

|                        |                          |
|------------------------|--------------------------|
| Dependant              | Personne à charge        |
| Deportation            | Expulsion                |
| Deposition             | Déposition               |
| Deprivation of liberty | Privation de liberté     |
| H                      |                          |
| Harsh language         | Violence verbale         |
| Hate-crime             | Crime Haineux            |
| Hearing                | Audition                 |
| Helplessness           | Vulnérabilité            |
| I                      |                          |
| Impeach (V)            | Accuser                  |
| Imprisonment           | Emprisonnement           |
| Indecent exposure      | Exhibition indécente     |
| Indictment             | Inculpation              |
| Infringement           | Infraction               |
| Inmate                 | Détenu                   |
| Inordinate delay       | Retard excessif          |
| Insanity               | Démence                  |
| Insider trading        | Délit d'initié           |
| Instigator             | Instigateur              |
| Institutionalization   | Placement en institution |
| Interpreter            | Interprète               |
| Interrogatory          | Interrogatoire           |
| Investigation          | Instruction              |
| J                      |                          |
| Jail                   | Prison/Maison d'arrêt    |
| Joyriding              | Vol d'utilisation        |
| Judge                  | Juge                     |
| Judgment of acquittal  | Acquittement             |
| Judicial review        | Contrôle judiciaire      |
| Judiciary              | Magistrature 11          |
| Juror                  | Juré                     |
| Justice operator       | Magistrat                |
| Juvenile               | Mineur                   |
| Juvenile delinquency   | Délinquance juvénile     |
| Juvenile offender      | Délinquant juvénile      |
| K                      |                          |
| Kidnapping             | Kidnapping               |
| L                      |                          |
| Labeling process       | Qualification pénale     |
| Landlord               | Propriétaire             |
| Larceny                | Vol simple               |
| Launder                | Blanchir                 |
| Law                    | Loi                      |
| Law clerk              | Greffier                 |
| Lawyer                 | Avocat                   |
| Lay a foundation (V)   | Expliquer son argument   |
| Legal assistance       | Aide judiciaire          |
| M                      |                          |
| Manslaughter           | Homicide involontaire    |
| Marital status         | Situation matrimoniale   |



Marshal  
 Mediation  
 Mercy  
 Misappropriation  
 Mistrial  
 Moral coercion  
 Motion  
 Murder  
 N  
 Narcotic drug  
 Neglect  
 Neglected  
 O  
 Oath  
 Objection  
 Offence  
 Offender  
 Office  
 P  
 Pardon  
 Parole  
 Party  
 Patent  
 Pawn  
 Penal  
 Perpetrator  
 Petit jury  
 Petit Larceny (PL)  
 Physical abuse  
 Plaintiff  
 Plea bargaining  
 Police officer  
 Preliminary hearing  
 Preventive measure  
 Prison  
 Prison Breach (PB)  
 Proof  
 Prosecute  
 Prosecution  
 Prosecutor  
 Public defender  
 Public drunkenness  
 Punishment  
 R  
 Ransom  
 Rape  
 Reasonable doubt  
 Rebuttal  
 S  
 Sentence  
 Sentence (V)

Police du tribunal  
 Médiation  
 Clémence  
 Détournement  
 Annulation du jugement  
 Violence morale  
 Requête  
 Meurtre  
  
 Stupéfiant  
 Abandon de famille  
 Abandonné / maltraite  
  
 Serment  
 Exemption de procédure/ objection  
 Infraction  
 Contrevenant  
 Bureau  
  
 Grace  
 Liberté conditionnelle  
 Partie  
 Brevet  
 Gage  
 institution  
 Auteur  
 Petit jury  
 Petit vol simple  
 Violence corporelle  
 Plaignant/ requérant / demandeur  
 Négociation de plaidoyer  
 Officier de police  
 Audience préliminaire  
 Mesure préventive  
 Prison  
 Mauvaise conduite en prison  
 Preuve  
 Poursuivre  
 Parquet  
 Procureur  
 Avocat commis d'office  
 Ivresse publique  
 Peine  
  
 Rançon  
 Viol  
 Doute raisonnable  
 Preuve contraire  
  
 Condamnation/ peine  
 Prononcer la peine

Serve (V)  
Settlement  
Sexual assault  
Warrant for arrest  
Willfully  
Withdrawal  
Witness  
Wrongdoing

Purger/ executer  
Accord/ Contrat/ Arrangement  
Agression sexuelle  
Mandat d'arrêt  
Avec préméditation  
Retrait  
Témoin  
Violation d'un droit

## Annexes

Options to transfer funds to British Nationals Overseas via the Foreign and Commonwealth Office

Please note: we can only advance funds to the person overseas, once your payment has cleared in our account.

1) **ELECTRONIC BANK TRANSFERS:** Contact your bank to arrange.

A "BACS" transfer usually takes 3-5 working days to clear in our account. Some banks do not charge for this service. If you have internet or telephone banking you may be able to arrange without visiting your bank.

A "CHAPS" transfer is usually received in our account within 12-24 hours. You will normally need to visit your bank to arrange and banks normally charge for this service.

For both the above bank transfers you will need to include the following details:

|                 |                                                                     |    |
|-----------------|---------------------------------------------------------------------|----|
| Bank:           | Citibank                                                            |    |
| Acct Name:      | GBS Re FCO Multivote Account                                        |    |
| Sort Code:      | 08-33-00                                                            |    |
| Account Number: | 12537125                                                            |    |
| Reference:      | Name of the person you are sending the funds for, plus country name | eg |
|                 | JOE SMITH – THAILAND                                                |    |

You may also need our bank address which is: Canary Wharf, London E14 5LB.

2) **BY POST**

Payments by Postal Order, Bankers Draft or Building Society cheque should be crossed and make payable to "The Foreign and Commonwealth Office". They should be sent to:

Accounts Receivable  
Foreign and Commonwealth Office  
Corporate Service Centre  
PO Box 6108  
Milton Keynes  
MK10 1PX

We recommend that you use Recorded or Special Delivery.

Please ensure that you include a note briefly explaining who the money is for and why.  
(Alternatively you may use the payment slip on next page.)

If you would like a receipt, please include a stamped addressed envelope.

3) Please note that personal cheques can take up to 15 working days to process and clear before we can advance funds. We do not accept Card payments, or cash sent in the post. If you wish to pay by cash, you can take the money to our offices at Northgate House, Milton Keynes but will need to telephone first to make an appointment.

To: Foreign and Commonwealth Office

Date:

Please find enclosed funds for:

Full Name:

Country/place the above is in:

Amount enclosed:

Fee to be deducted:

Payment method:

My name is:

My address is:



Foreign &  
Commonwealth  
Office

## List of lawyers in DRC

Prepared by British Embassy Kinshasa

<https://www.gov.uk/government/world/organisations/british-embassy-kinshasa>

The following list of lawyers has been prepared by the British Embassy **Kinshasa** for the convenience of British Nationals who may require legal advice and assistance in the **Democratic Republic of Congo**. It is provided on the understanding that we (the British Embassy) do not assume or undertake any legal responsibility to you, or those affected, if you choose to take it into account when instructing a local lawyer.

Further and alternatively, we cannot accept any liability to any person or company for any financial loss or damage arising from the use of this information or from any failure to give information.

Our aim is to provide our customers with as much relevant information to enable them to make better informed decisions but our lists **are not recommendations and should not be treated as such.**

List of lawyers in DRC

Updated: 04/04/2017

This list is in no particular order (following Honorary Legal Advisor's details).

## **Honorary Legal Advisor**

### **Cabinet Thémis**

Appt 3C, 3rd Floor, 37 Avenue Kelemie, Kinshasa/Gombe

Tel: +243 999930102 or +243 999975649

Email: [Themis@vodanet.cd](mailto:Themis@vodanet.cd) or [Themis.office@vodanet.cd](mailto:Themis.office@vodanet.cd)

This company has told us the following things:

- they have English speaking staff
- they are affiliated to DRC bar
- specialisations are in : Civil law, real Estate law, Family & probate law, contract & commercial law, Labour law, International law, Aviation law, Foreign Investment & foreign law
- they have experience of representing British nationals
- they can provide legal aid
- they can offer a Pro Bono service
- staff speak **English, French, Dutch, Lingala**
- they cover the whole country
- they do not have international offices

### **Mr Lievin Ngondji Ongombe**

Avenue des Madanriniers n° 278

Gombe, Kinshasa

Tel : +243 98180318, Email : [ukumbe@yahoo.fr](mailto:ukumbe@yahoo.fr)

This company has told us the following things:

- they have English speaking staff
- they are affiliated to Criminal Court and Member of International Criminal Bar
- specialisations are in : Civil law, Family & probate law, Contract & Commercial law, International law, Aviation law, Foreign Investment & foreign law
- they have experience of representing British nationals
- they can provide legal aid
- they can offer a Pro Bono service
- staff speak **English, French, Lingala**
- they cover Kinshasa and Paris
- they do have international offices, in Paris, France. Tel: 003361397059

**Mr Nkulungoy Hugo**

1<sup>st</sup> Floor, Immeuble de la Marie

Commune de Lubumbashi

Lubumbashi, Katanga

Tel : +243 814088543, Email : [nkuluhugo@yahoo.fr](mailto:nkuluhugo@yahoo.fr)

**This company has told us the following things:**

- they have English speaking staff
- they are affiliated to DRC Bar
- specialisations are in : Mining and Forest law
- they don't have experience of representing British nationals
- they can provide legal aid
- they can offer a Pro Bono service
- staff speak English, French, Lingala, Swahili
- they cover whole Lubumbashi
- they do not have international offices

**Cabinet CIAMALA & PARTNER**

1<sup>st</sup> Floor, Suite # 246-217, 30 juin boulevard, Gombe

Kinshasa

Tel : +243999930435, +243 0819930435, Email : [info@ciamala.com](mailto:info@ciamala.com) or [armand@ciamala.com](mailto:armand@ciamala.com)

**This company has told us the following things:**

- they have English speaking staff
- they are affiliated to DRC Bar
- specialisations are in : Mining and Forest law, Criminal, Investment in Raw Materials, Immigration Foreign claims, foreign investment
- they do have experience of representing British nationals
- they can provide legal aid
- they can offer a Pro Bono service
- staff speak English, French, Lingala, Swahili, tshiluba
- they cover whole Kinshasa
- they don't have international offices

**Cabinet CHABOTEAU**

Avenue Justice #57, opposite to college Boboto, Gombe  
Kinshasa

Tel : +243999906386, Email : [maitrerechaboteau@yahoo.fr](mailto:maitrerechaboteau@yahoo.fr)

**This company has told us the following things:**

- they have English speaking staff
- they are affiliated to DRC Bar
- specialisations are in : Mining and Forest law, Child Custody, immigration, foreign claims, foreign investment, adoption, Estates, Marriage/Divorce, Taxes, Collections, Contracts, Corporations
- they do have experience of representing EU nationals
- they can provide legal aid
- they can offer a Pro Bono service
- staff speak English, French
- they cover whole Kinshasa
- they don't have international offices

**CABINET SYLVANUS MUSHI BONANE**

172 Province Avenue (first floor of Ntaly's residence) Gombe,  
Kinshasa

Tel: +243991298233, +243818884888, +011-703-628-5825, Email: [bonanebob@yahoo.fr](mailto:bonanebob@yahoo.fr) ,  
[cabinet-bonane@vodanet.cd](mailto:cabinet-bonane@vodanet.cd) or [bonanebob@gmail.fr](mailto:bonanebob@gmail.fr)

**This company has told us the following things:**

- they have English speaking staff
- they are affiliated to DRC Bar
- specialisations are in : Mining and Forest law, Criminal, Immigration, Foreign investment, Adoption, Estates, Government Relations, Civil Damages
- they do have experience of representing EU and American nationals
- they can provide legal aid
- they can offer a Pro Bono service
- staff speak English, French, Swahili and Lingala
- they cover whole Kinshasa
- they do have international offices

**CABINET MADUDU SULUBIKA**

Boulevard du 30 Juin #33, Sn Brussels Building, 4<sup>th</sup> floor, Apartment #403  
Gombe, Kinshasa

Tel: +243998172499, +243815152179, +243898989090, +243901332938

Email: [christiemaadudu@yahoo.fr](mailto:christiemaadudu@yahoo.fr) , [cabinetmadudu@yahoo.fr](mailto:cabinetmadudu@yahoo.fr)

- they have English speaking staff
- they are affiliated to DRC Bar
- specialisations are in : Mining and Forest law, Criminal, Immigration, Foreign claims, Foreign investment, Estates, Marriage/Divorce,
- they do have experience of representing EU
- they can provide legal aid
- they can offer a Pro Bono service
- staff speak English, French and Lingala
- they cover whole Kinshasa
- they do not have international offices



**CABINET JOHN CLAUDE CRESPI**

P.O Box 10204 Kinshasa, DRC

Avenue Colonel Mondjiba #60, Suite 7c, Cotex-Texaf compound  
Gombe, Kinshasa.

Tel: [+243999999101](tel:+243999999101), +243819744455

Email: [musafiri@jcc.cd](mailto:musafiri@jcc.cd),

Website: [www.jcc.cd](http://www.jcc.cd)

- they have English speaking staff
- they are affiliated to DRC Bar
- specialisations are in : Mining and Forest law, Collections, Insurance, Marketing Agreements, Criminal, Immigration, Foreign claims, Foreign investment, Adoption, Estates, Marriage/Divorce,
- they do have experience of representing EU and American nationals
- they can provide legal aid
- they cannot offer a Pro Bono service
- staff speak English, French, and Lingala
- they cover whole Kinshasa
- they do have international offices

**CABINET EMERY MUKENDI WAFWANA & ASSOCIES**

P.O. BOX 14379, KIN I

Crow tower 7<sup>th</sup> floor, room 701-702 kinshasa, Gombe Intersection of avenue Batetela and 30 Juin Boulevard

Tel: [+24999915247](tel:+24999915247), +243999903157

Email: [cabsecretariat@cabemery.org](mailto:cabsecretariat@cabemery.org),

Website: [www.cabemery.org](http://www.cabemery.org)

Address in Lubumbashi – building BCDC Intersection of Avenue Munongo and Mwepu 4<sup>th</sup> floor  
C/ Lubumbashi

Tel: +243993200068

Email: [cablubum@cabemery.org](mailto:cablubum@cabemery.org)

Address in Matadi, Congo central

2 Avenue de la Poste building Bloc Pombal 1<sup>st</sup> floor Ville Basse

C/Matadi

Tel: [+243998510148](tel:+243998510148)

Email: +243998510148

- they have English speaking staff
- they are affiliated to DRC Bar
- specialisations are in : Mining and Forest law, Child Custody ,Adoption, Marriage/Divorce, taxes, Insurance, Marketing Agreements, Criminal, Immigration, Foreign claims, Foreign investment, Adoption, Estates, Marriage/Divorce,
- they do have experience of representing EU
- they can provide legal aid
- they can offer a Pro Bono service
- staff speak English, French, Swahili and Lingala
- they cover whole Kinshasa
- they do have international offices

## Feedback Form for Customers

If you do decide to use any of the lawyers on this list, we would like to hear from you. While there is no obligation on your part to provide feedback on the services you receive, any feedback you can give us is helpful.

Once completed, please return the form to the Embassy by post to 83 av, Roi baudouin Kinshasa / Gombe or by email to [Ambassade.britannique@fco.gov.uk](mailto:Ambassade.britannique@fco.gov.uk) An electronic version of the form is available at <https://www.gov.uk/government/world/organisations/british-embassy-kinshasa> Thank you for your help.

1. Name of firm:

Name of lawyer:

2. Date of contact:

Are any of the details on our list regarding this provider wrong? (e.g. address, telephone number, etc.)

3. What service did you need?

4. Why did you need this service?

Please circle the appropriate boxes below:

**(a) If the service provided English speaking services, how would you rate the standard of English?**

Excellent

Good

Average

Poor

Very Poor

**(b) How would you rate the professionalism of the staff?**

Excellent

Good

Average

Poor

Very Poor

**(c) How would you rate the overall service received?**

Excellent

Good

Average

Poor

Very Poor

**(d) How would you rate the value for money?**

Excellent

Good

Average

Poor

Very Poor

5. Do you have any other comments?

We would like to share this information with other customers but if you would prefer it not to be seen by others please tick the box ☐

Feedback provider's name:

Tel. No.:

Email:

Date:



# List of translators and interpreters in DRC

Prepared by British Embassy Kinshasa

<https://www.gov.uk/government/world/democratic-republic-of-congo>

The following list of translators and interpreters has been prepared by the British Embassy **Kinshasa** for the convenience of British Nationals who may require these services and assistance in **DRC**. It is provided on the understanding that we the British Embassy do not assume or undertake any legal responsibility, to you, or those affected, if you choose to take it into account when instructing a local translator or interpreter. Further and alternatively, we cannot accept any liability to any person or company for any financial loss or damage arising from the use of this information or from any failure to give information. Our aim is to provide our customers with as much relevant information to enable them to make better informed decisions but our lists **are not recommendations and should not be treated as such.**

Updated: 04/04/2017

This list is in alphabetical order.

## Congo American language Institute

**Address:** CALI, complexe Utexafrica  
Kinshasa – Ngaliema, DRC  
**Telephone:** +243 972616139 or +243 972616123  
**Email:** [admin@cali.cd](mailto:admin@cali.cd)

**This company has told us the following things:**

- they are affiliated to : USA Embassy
- specialisations are in **Teaching English ( Translating and interpreting)**
- they have experience of representing British nationals
- staff speak : **English, French, Lingala,Swahili**
- they cover Kinshasa and Lubumbashi

## Kinshasa Language Consultants

**Address:** Centre Paroissial Saint Anne  
Kinshasa – Gombe ( reference Gare centrale)  
**Telephone:** +243 998756551 or +243 818128413  
**Email:** [klckinshasa@yahoo.fr](mailto:klckinshasa@yahoo.fr)

**This company has told us the following things:**

- they are affiliated to : Congolese Ministry of education
- specialisations are in **Teaching English, , Translation , Interpreting**
- they have experience of representing British nationals
- staff speak : **English, French,**
- they cover Kinshasa

### **Global Language Solution (GLS)**

**Address:** 28 Avenue Ubangi,  
Kinshasa – Kintambo  
**Telephone:** +243 819984947 or +243 812350111  
**Email:** [services@gl.s.cd](mailto:services@gl.s.cd) or [contact@gl.s.cd](mailto:contact@gl.s.cd)  
**Web:** [www.gl.s.cd](http://www.gl.s.cd)

**This company has told us the following things:**

- they are affiliated to : Congolese Ministry of education
- specialisations are in **Teaching English, Translation , Interpreting, Editing, Sworn**
- they have experience of representing British nationals
- staff speak : **English, French, Spanish, Portugese, Swahili, Kikongo, Tshiluba**
- they cover Kinshasa and other cities

**Annex 3: FCO leaflet: In prison abroad**

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/35521/in-prison-abroad.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/35521/in-prison-abroad.pdf)

**Annex 4: FCO leaflet: Transfers home for prisoners abroad**

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/292519/FCO\\_Transfers\\_Home\\_0314\\_web.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/292519/FCO_Transfers_Home_0314_web.pdf)

**Annex 5: Prisoners abroad authorisation form**

<http://www.prisonersabroad.org.uk/uploads/news/id48/Authorisation%20form%20v3.1%20August%202013.pdf>

**Annex 6: Prisoners abroad family contact form**

[http://www.prisonersabroad.org.uk/uploads/news/id44/Contact\\_with\\_Family\\_Friends.pdf](http://www.prisonersabroad.org.uk/uploads/news/id44/Contact_with_Family_Friends.pdf)

**Annex 7: Prisoners aboard CFF form**

[http://www.prisonersabroad.org.uk/uploads/news/id49/Form\\_cff.pdf](http://www.prisonersabroad.org.uk/uploads/news/id49/Form_cff.pdf)

**Annex 8: Fair Trials International Questionnaire and leaflets**

<http://www.fairtrials.org>  
[http://www.fairtrials.org/documents/FTI\\_QUESTIONNAIRE\\_March\\_2012.pdf](http://www.fairtrials.org/documents/FTI_QUESTIONNAIRE_March_2012.pdf)  
<http://www.fairtrials.org/wp-content/uploads/Arrested-in-another-country-UK.pdf>

## **Disclaimer**

This booklet was compiled by the Consular Section, British Embassy in the Democratic Republic of Congo. It is revised on a regular basis

If any of the information contained in this booklet is incorrect, please draw inaccuracies to our attention so that we can make amendments.

The British Embassy in the Democratic Republic of Congo is not accountable for the information provided in this booklet. Local proceedings are subject to change at any time.

Thank you.

11/08/2017