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1. Creation and Leaders of the UDPS

The Union for Democracy and Social Progress (Union pour la démocratie et le progrès social, UDPS) party was created in 1982 (UDPS 14 Dec. 2010, 2; *Le Phare* 12 Jan. 2012). It is led by Étienne Tshisekedi (AFP 16 Apr. 2012; RFI 15 Apr. 2012; UDPS n.d.). Some sources indicate that Jacquemain (or Jacquemin) Shabani is secretary general of the UDPS (ibid.; RFI 1 Mar. 2012; Radio Okapi 13 Feb. 2012; KongoTimes! 8 Feb. 2012). Other sources name Kahungu Mbemba Raymond as assistant secretary general of the UDPS (UDPS 11 Apr. 2012; KongoTimes! 8 Feb. 2012) and Albert Moleka as chief of staff and spokesperson for Étienne Tshisekedi (Radio Okapi 15 Jan. 2012; *Le Potentiel*, 10 Mar. 2011).

2. Status of the UDPS in Relation to the Government and Other Political Parties

Some sources maintain that the UDPS is [translation] "the main opposition party" in the Democratic Republic of Congo (DRC) (OSISA 3-7 Oct. 2011, 1; *Le Monde diplomatique* Dec.

2011; KongoTimes! 25 Mar. 2012). There are some 400 political parties in the DRC (IPS 10 Nov. 2011; Jacquemot 31 Oct. 2011; CEAfri n.d.).

According to Radio Okapi, the United Nations radio station in the DRC (Radio Okapi n.d.), in August 2011, about twenty political parties designated Étienne Tshisekedi as the [translation] "joint" opposition candidate in the presidential election of 2011 (25 Aug. 2011). Radio France internationale (RFI) similarly said that, at a meeting held in Kinshasa on 24 August 2011, several opposition parties chose Étienne Tshisekedi as their [translation] "joint" candidate in the presidential election of November 2011 (24 Aug. 2011).

The DRC held presidential and legislative elections in November 2011 (EU 29 Mar. 2012, 1; Carter Center 23 Feb. 2012; *Le Monde* 29 Nov. 2011). Sources indicate that, according to the results published by the Independent National Electoral Commission (Commission électorale nationale indépendante, CENI) of the DRC, Étienne Tshisekedi finished second in the presidential election, with 32.33 percent of the vote, behind Joseph Kabila, who obtained 48.95 percent (EU 29 Mar. 2012, 8; RENADHOC 30 Jan. 2012, 2; *La Dernière Heure* 23 Dec. 2011). Challenging these results, Étienne Tshisekedi proclaimed himself president-elect of the DRC and took the oath of office in his own home (ibid.; AFP 23 Dec. 2011).

With regard to the legislative elections, sources report that the UDPS elected 42 deputies (Belga 7 Apr. 2012; *L'Observateur* 9 Apr. 2012). There are 500 seats in the National Assembly of the DRC (IPU 9 May 2012; *Jeune Afrique* 14 Feb. 2012). However, Étienne Tshisekedi declared these legislative elections [translation] "null and void" (RFI 15 Apr. 2012; AFP 16 Apr. 2012), since both Congolese and international observation missions reported numerous irregularities (ibid.). Furthermore, according to reports from the Carter Center and the European Union Observation Mission, the results of the presidential and legislative elections of November 2011 published by the Independent National Electoral Commission were not [translation] "credible" (Carter Center 23 Feb. 2012; EU 29 Mar. 2012, 8), since numerous irregularities tainted the electoral process (ibid.). Sources report that the UDPS ordered its elected deputies not to sit in the National Assembly (RFI 15 Apr. 2012; *La Prospérité* 11 Apr. 2012). In March 2012, Radio Okapi wrote that the UDPS had threatened to expel from its ranks any deputy who took part in the deliberations of the National Assembly (Radio Okapi 5 Mar. 2012). Also in March 2012, the Kinshasa-based daily newspaper *Le Potentiel* noted that the UDPS had threatened to dismiss deputies who continued to sit in the National Assembly (1 Mar. 2012). Thus, in April 2012, the UDPS party expelled 33 of its deputies who had agreed to sit in the National Assembly (UDPS 11 Apr. 2012; AFP 16 Apr. 2012; RFI 15 Apr. 2012).

3. Treatment of UDPS Members by the Authorities and Security Forces

In a public statement issued on 23 March 2012, Amnesty International said it had collected [translation] "a lot of information describing acts of torture, ill-treatment and arbitrary and illegal arrests" by security forces during the electoral process, to intimidate members of opposition parties, especially the UDPS and their real and perceived supporters.

In January 2012, moreover, various sources reported that Étienne Tshisekedi had been placed under house arrest (RENADHOC 30 Jan. 2012, 2; *Jeune Afrique* with AFP 23 Jan. 2012; *Le Phare* 12 Jan. 2012). In an article published 2 January 2012, the Kinshasa-based daily newspaper *Le Phare* explained that, since Étienne Tshisekedi declared himself to be the winner of the presidential election of November 2011, he was cut off from the outside world. *Le Phare* added that security forces were not only preventing Étienne Tshisekedi from leaving his home, but were keeping anyone, including his close collaborators, from entering the house (12 Jan. 2012). Among the sources that it has consulted, the Research Directorate has not found any information indicating whether Étienne Tshisekedi is still under house arrest.

Various media also report that Jacquemain Shabani, Secretary General of the UDPS, was arrested at Kinshasa Airport on 7 February 2012 (GLtv 7 Feb. 2012; RFI Feb. 2012; KongoTimes! 8 Feb. 2012). The Secretary General was to travel to Germany, where he had been invited to attend a conference on the situation in the DRC after the elections of November 2011 (ibid.). RFI reported that the Congolese authorities had accused him of being in possession of [translation] "unnecessarily subversive and offensive documents" (12 Feb. 2012). Moreover, they accused him of being responsible (alone or with others) for [translation] "tracts circulating at military and police garrisons, calling on security forces to disobey public authorities" (Radio Okapi 13 Feb. 2012). Quoted by Radio Okapi, the Minister of Communication and the Media of the DRC added that the migration service had found the master for these tracts in the laptop computer of the Secretary General of the UDPS, along with several other documents, including photographs bearing witness to [translation] "serious" human rights violations committed during the electoral period (ibid.). According to the Assistant Secretary General of the UDPS, quoted by KongoTimes! following his arrest, Jacquemain Shabani was taken to the Congo's national intelligence agency (Agence nationale des renseignements, ANR) [translation] "where he was stripped, hooded and savagely tortured by other persons also wearing hoods," before being freed by the head of the ANR (KongoTimes! 8 Feb. 2012). RFI also reported that the Secretary General had been beaten by security officers before he was released (12 Feb. 2012). He is reported to have filed a complaint against the ANR, as well as the Migration Branch (Direction générale des migrations), for [translation] "arbitrary arrest and illegal detention," "assault and battery" and "attempted murder" (RFI 1 Mar. 2012). Among the sources that it consulted, the Research Directorate has not found any information about further developments in this matter.

Sources also reported that, early in September 2011, the headquarters of the UDPS and the People's Party for Reconstruction and Development (Parti du peuple pour la reconstruction et le développement, PPRD) were ransacked, and the headquarters of Radio Lisanga Télévision (RLTV) was set on fire (ASADHO 8 Sept. 2011; *Forum des As* 7 Sept. 2011). The headquarters of these organizations are located respectively in the communities of Limete, Kasa-Vubu and Gombe, in Kinshasa (ASADHO 8 Sept. 2011). In July 2011, Congolese authorities shut down the RLTV station, owned by a political opponent, because [translation] "it advocated violence, incited hatred and sought to compromise the electoral process by airing a daily program called 'SET' (Soutien à Étienne Tshisekedi [Support for Étienne Tshisekedi])" (ibid.). According to the Ministry of the Interior of the DRC, UDPS headquarters was vandalized [translation] "in reaction to acts of vandalism perpetrated by UDPS militants" on 5 September 2011, at an office of the PPRD, the party in power (*Le Monde* with AFP 6 Sept. 2011). The Ministry added that 12 people were allegedly injured and six vehicles allegedly set on fire in the incident of vandalism against UDPS headquarters (ibid.). On the other hand, in *Le Phare*, the Secretary General of the UDPS was quoted as saying that the operation that destroyed the headquarters of his party and RLTV was conducted by soldiers, transported in police vehicles (7 Sept. 2011). He added that this operation killed two people, injured several others and resulted in the arrest of about fifty UDPS members (*Le Phare* 7 Sept. 2011). However, the source does not indicate what happened to those who were arrested (ibid.). Among the sources that it has consulted, the Research Directorate has not found any details regarding the possible reasons for this violence.

This response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

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Web sites, including: Afrik.com; British Broadcasting Corporation; Congo Vision; Canadian Council on Africa; Digitalcongo.net; Échos Grands Lacs; France24; Freedom House; Frontline Defenders; GrandsLacs.info; Human Rights Watch; International Crisis Group; International Refugee Rights Initiative; Organisation internationale de la francophonie; *La Référence*; Reporters Without Borders; Réseau des défenseurs des droits humains en Afrique centrale; Réseau documentaire international sur la région des Grands Lacs africains; Reuters; Slate Afrique; Societecivile.cd; Syfia Grands Lacs; United Nations — Integrated Regional Information Networks; World Organisation Against Torture.

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