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DR Congo: Crackdown on Presidential Aspirant

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Authorities in the [Democratic Republic of Congo](#) have arrested at least 27 associates of Moise Katumbi, a presidential aspirant, and other opposition party members since late April 2016. Congo's justice minister announced an investigation into Katumbi on May 4, the day he announced his candidacy.

The arrests occurred between April 22 and May 7 in and around the southern city of Lubumbashi, where Katumbi is based. The investigation into Katumbi for his alleged "recruitment of mercenaries, [including] several retired American soldiers," appears politically motivated, Human Rights Watch said. On May 7 the prosecutor's office in Lubumbashi summoned Katumbi to appear on May 9.

"The arrests and attacks in Lubumbashi appear to be more than just the usual police harassment, but targeted actions against a presidential aspirant and close supporters," said [Daniel Bekele](#), Africa director at Human Rights Watch. "The government should urgently reverse course and ensure that opposition parties and all Congolese are freely able to express their views and peacefully assemble."

On April 24, police fired teargas at Katumbi and a large crowd of peaceful demonstrators in Lubumbashi to block an opposition rally at which Katumbi was to speak. Two opposition party headquarters in Lubumbashi were recently vandalized.

Congo's communications minister Lambert Mende told Radio France Internationale (RFI) on April 25 that "the police used teargas to disperse people who wanted to block traffic [on the roads in Lubumbashi]. There were some administrative arrests," he added. "But without significant consequences, in my opinion."

The recent developments in Lubumbashi come in the context of a [broader crackdown](#) against activists, opposition party members and others who have urged that presidential elections be organized according to the constitutional timetable, Human Rights Watch said.

Political parties organized public meetings in cities across Congo on April 24 to commemorate the country's multiparty democratization process, which began 26 years ago. The opposition also sought to use the meetings to protest attempts to extend President Joseph Kabila's stay in power beyond his constitutionally mandated two-term limit, which ends on December 19. The meetings in Kinshasa, the capital, and the eastern cities of Goma and Bukavu proceeded peacefully.

A similar meeting in Lubumbashi had been organized by the G7, a platform of seven political parties dismissed from President Kabila's majority coalition in September 2015 after publicly calling on the president to organize presidential elections on time and support a successor. On March 30, the G7 announced their support for Katumbi as a presidential candidate. The former governor of Katanga province, Katumbi defected from Kabila's political party in September to join the opposition.

Early in the morning on April 24, police deployed heavily throughout Lubumbashi's neighborhood known as the Kenya commune, where the political meeting was to take place. Police searched all vehicles and passengers entering the neighborhood and blocked a number of streets.

After learning he would not be able to enter the neighborhood by vehicle, Katumbi entered on foot, avoiding the police barriers. A crowd of supporters accompanied him as he walked the several kilometers toward the Kenya stadium, the planned meeting site. As they neared the stadium, police began firing teargas toward Katumbi and the crowd around him, preventing the meeting from taking place.

Police and Republican Guard soldiers also blocked a team of human rights observers and security officers from the United Nations peacekeeping mission in Congo, MONUSCO, from entering the Kenya commune that morning. They were only able to enter toward the end of the day, by going around the police barriers.

In Lubumbashi during the days leading up to and following the scheduled public meeting, security forces arrested Katumbi's former cabinet director; 6 of Katumbi's employees; 2 sons of a G7 opposition leader, Pierre Lumbi, and 3 of their business employees; at least 10 opposition party members and others who had come out to participate in the scheduled public meeting; one of Katumbi's former security guards; and 4 human rights activists who were observing as security forces searched Katumbi's farm without a warrant. Sixteen of these have since been released, while 11 remain in detention. Human Rights Watch has received reports of additional arrests of those close to Katumbi that it is seeking to confirm.

Opposition party headquarters in Lubumbashi were attacked before and since the planned meeting. Police vandalized the headquarters of the National Union of Federalists of Congo (Union Nationale des fédéralistes du Congo, UNAFEC), one of the G7 members, in Lubumbashi on April 19 and 20 and have kept it shut under police guard. On April 26, unidentified assailants set fire to the Lubumbashi headquarters of another G7 party member, National Union of Federalist Democrats (Union Nationale des Démocrates Fédéralistes, UNADEF).

After the justice minister's announcement of the investigation into Katumbi on May 4, there were reports that Katumbi might be arrested or taken in for questioning. Three Congolese human rights activists went to Katumbi's house on the morning of May 5 to monitor the situation from outside. They told Human Rights Watch that about a dozen vehicles with suspected National Intelligence Agency (Agence nationale de renseignements, ANR) and other security force officials, most in civilian clothes, were deployed along the avenue in front of Katumbi's home. At about 3 p.m., an ANR official told the activists, "We know you very well, you work against the nation and you're spying on our agents." He then added, "We're on an official mission, and we order you to leave the 'sector' immediately and not to come back." The activists then left the area.

These recent incidents highlight the importance of MONUSCO increasing its military and police presence in Lubumbashi, a political hotspot where there is currently a minimal UN presence. MONUSCO should fully implement its mandate to protect all those at risk from political violence and threats in the area, Human Rights Watch said.

Over the past year and a half, government officials and security forces have arrested dozens of opposition leaders and activists, fired on peaceful protesters, banned demonstrations organized by the opposition, shut down media outlets close to the opposition, intimidated and threatened those who have considered joining the opposition, and prevented opposition leaders from moving freely around the country. In numerous recent cases, the justice system and other state institutions – including the ANR, police, and Republican Guard – have acted in a partisan manner on behalf of the government, Human Rights Watch said.

Preparations for presidential elections have stalled, and many senior government officials and members of Kabila's ruling coalition have said that elections cannot be held before the end of the year. They have called for a national dialogue to discuss the way forward. Many of the main opposition parties have refused to participate in the dialogue, citing fears it is merely a ploy for Kabila to stay in power.

"Arresting those close to opposition leaders, vandalizing their party offices, and using teargas to disrupt peaceful demonstrations sends a frightening message about future election security," Bekele said. "Government officials should get serious about their calls for dialogue by creating a climate of confidence and ending the campaign of harassment and violence."

For more information on the recent arrests and other political repression in Lubumbashi, please see below.

Authorization for public meeting in Lubumbashi

Ten days before the planned public meeting on April 24, UNAFEC wrote to Lubumbashi's mayor on behalf of the G7 to inform him of the demonstration. Human Rights Watch has on file a copy of the letter, with acknowledgement of receipt from the mayor's office. Congo's constitution and electoral law require the organizers of political demonstrations to inform local administrative authorities in writing 24 hours in advance of a planned demonstration, but they are not required to receive prior authorization.

Arrests in Lubumbashi

On April 22 at about 8:30 p.m., police without a warrant searched the Lubumbashi home of Professor Huit Mulongo, who had served as cabinet director for Katumbi during his governorship. Mulongo has been a leader of the Front Citoyen 2016, a coalition of parties and groups urging President Kabila to accept existing constitutional term limits.

The police arrested Mulongo after finding a revolver in his jeep and leaflets about the G7 and the Front Citoyen in his house. They took him to the National Intelligence Agency (Agence Nationale des Renseignements, ANR), where he spent a night before being transferred to a military tribunal. Judicial officials questioned Mulongo about his political activities and his revolver, which he said was appropriately registered. Mulongo was later transferred to Kassapa, Lubumbashi's central prison, where he remains in detention. His lawyer told Human Rights Watch that Mulongo has not been officially charged with any crime and there has been no response to a request for provisional release.

Early on the morning of April 24, before the scheduled opposition meeting in Lubumbashi, ANR agents, without a warrant, searched the Rift Congo Hotel, owned by the family of Pierre Lumbi, a

G7 leader and president of the Social Movement for Revival (Mouvement social pour le renouveau, MSR) political party. The agents targeted four hotel rooms, finding five weapons in one of them.

Hotel employees said that the ANR agents were joined by police and military intelligence officers. They seized the video recordings from the hotel's surveillance cameras and arrested Lumbi's two sons, Larry, 29, and Djela, 32, who manage the hotel as well as a receptionist, a security guard, and the technician who operates the surveillance cameras. All were taken to an ANR detention center.

Lumbi's younger son and the technician were released without charge at about 9 p.m. The others were released without charge at about 8 p.m. the next evening.

The Rift Congo Hotel management has not been shown the seized surveillance video, which should provide images of the person who checked into the hotel room where the weapons were found as well as the license plate number of the vehicle the person arrived in.

At about 5 p.m. on April 24, police and ANR agents arrested six of Katumbi's employees who were waiting for him in two vehicles on Bukama Avenue outside the Kenya stadium, including two drivers, three security guards and a United States citizen who works as a security adviser for Katumbi. One of the drivers said police officers beat him before taking him and the others to an ANR detention center. At about 2 a.m., ANR personnel took one of the detained security guards from his cell and whipped him dozens of times. Witnesses said that he returned to the cell with marks on his back and an injured right arm.

The two drivers were released the next day, while the others were transferred to the ANR in Kinshasa, where they are still being held. Katumbi told Human Rights Watch that he and his family had received multiple threats and that he had hired American security advisers after the government took away the security guards he had had while serving as governor.

Of the 10 opposition party members and others also arrested on April 24 after coming out to participate in the scheduled public meeting in Lubumbashi's Kenya commune, 5 were later released and 5 remain in detention, according to UN human rights observers. One of those arrested was a journalist for a pro-UNAFEC radio and television station, VKAT, which was shut down on March 11. He told Human Rights Watch that he had been accused of "sharing images" and was released the next day without charge after paying a sum of money.

On May 5, the authorities arrested one of Katumbi's former security guards. He was first held at a military tribunal before being transferred to the ANR in Lubumbashi, where he remains in detention.

On May 7, security forces deployed to Katumbi's Futuka farm, about 70 kilometers outside of Lubumbashi, and searched the premises without a warrant, according to Katumbi and people at the farm. Four Congolese human rights activists who were monitoring the situation were detained at around noon. They were held by the ANR at the farm until about 6 p.m. when three of them were released. The fourth, Hubert Tshiswaka, was then taken to an ANR detention center in Lubumbashi, where he was held until about 10:30 p.m. His phone was confiscated.

Attacks on Opposition Party Headquarters

On April 19, police in Lubumbashi tore down the G7 party flags and five large photos of Katumbi that had been posted on the gate outside the UNAFEC party headquarters soon after the UNAFEC leader, Gabriel Kyungu, announced the upcoming public meeting with Katumbi, their presidential candidate. UNAFEC members and other neighborhood youth soon gathered to protest. The police

fired teargas into the crowd. Some of the youth threw rocks at the police and burned tires in the streets. Later that evening, the police returned to the UNAFEC party headquarters to take down a large photo of Kyungu.

The next morning, large numbers of police were deployed to the Kenya commune and the clashes with the youth protesters continued. Witnesses said that the police fired teargas and each side threw rocks at the other. Many shops and businesses were closed.

At about 4 p.m., prosecutor's office officials arrived and sealed the UNAFEC headquarters shut. It remains closed, with police outside to prevent party members from entering.

The police arrested 11 men and a teenage boy during the protests outside the UNAFEC headquarters on April 19 and 20. The teenager was transferred to the children's tribunal and later released. The others were hastily tried on the night of April 21 without being given time to prepare a defense. Nine were convicted of rebellion, voluntary destruction of goods or property, and robbery and sentenced to 2, 5, or 10 years in prison. Two others were acquitted. The defendants' lawyer and a UNAFEC official said the nine who were convicted were in the area during the incidents but were not UNAFEC members. They are in Kassapa central prison.

Kyungu was not arrested, but a court in Lubumbashi found him guilty on April 22 of ordering the robbery of a store and ordered him to pay a fine of 10 million Congolese francs (about US\$10,800) to the owner. The court also ordered the destruction of the seized photos of Katumbi.

No police officers were arrested for the vandalism at the UNAFEC party headquarters or other abuses.

On April 26, soon after midnight, unidentified assailants set fire to the headquarters of another G7 party in Lubumbashi, UNADEF. Furniture, rugs, and curtains were destroyed and the walls and ceilings were partially burned before neighbors were able to put the fire out. The day before, UNADEF had submitted a letter to the mayor's office, informing him of a political meeting scheduled for May 2. UNADEF announced on May 1 that the meeting would be delayed, in respect for the national funeral service for Congo's international music icon Papa Wemba, scheduled that day in Kinshasa.

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