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DR Congo: Free Rights Activists

(Kinshasa, September 26, 2017) – Democratic Republic of Congo authorities should immediately and unconditionally release nine Congolese human rights and pro-democracy activists wrongfully detained for their participation in peaceful activities, 45 Congolese and international human rights organizations said today. Four activists were arrested on July 14 and 15, 2017 in Mbuji-Mayi and five others on July 31 in Lubumbashi.

“The Congolese authorities have thrown activists in jail for joining peaceful protests calling for elections and for Congo’s constitution to be respected,” said [Ida Sawyer](#), Central Africa director at Human Rights Watch. “The government should release them immediately and ensure that all Congolese have the right to peacefully demonstrate and express their political views.”

The nine activists are among hundreds arrested since 2015 as part of the Congolese government’s widespread crackdown on people who have opposed President Joseph Kabila’s effort to remain in power beyond his constitutionally mandated two-term limit, which ended in December 2016. In addition to human rights defenders and pro-democracy activists, the government has targeted political opposition leaders and supporters, journalists, and people suspected of having links to the political opposition. Many have been held for weeks or months in secret detention, without charge and without access to families or lawyers. Some allege that they were mistreated or tortured and some are suffering serious health complications. Many were put on trial on trumped-up charges.

The four activists detained in Lubumbashi had participated in a peaceful protest on July 31 against the national electoral commission’s failure to publish an electoral calendar, what many considered to be a critical step to ensuring that elections will be held by the end of 2017, as called for in a power-sharing agreement mediated by the Catholic Church in late 2016. Authorities arrested at least 128 people in nine cities during protests across the country that day, including 11 journalists.

Authorities released several of those arrested in Lubumbashi after a few hours, but five were transferred to the prosecutor’s office and accused of “provocation” and “inciting disrespect for public authorities”: Timothée Mbuya, president of Justicia, one of Lubumbashi’s main human rights organizations; Jean Mulenda, activist from the citizens’ movement Struggle for Change (LUCHA); Jean-Pierre Tshibitshabu, an activist and journalist at Radio Télé Kabekas (RTKA); Patrick Mbuya, a human rights activist and a member of l’Amicale des Jeunes Congolais Bomoko (AJC BOMOKO); and Erick Omari, who said he was a bystander.

They were transferred to Kasapa, Lubumbashi’s central prison, the same day. All except Timothée Mbuya were convicted on August 29 and sentenced to eight months in prison. As a lawyer, Mbuya was first heard by two courts with higher jurisdiction; he is now being prosecuted by the same court that convicted the four others. His trial is ongoing.

“Peacefully demonstrating to call for the publication of an electoral calendar is part of the exercise of rights and freedoms guaranteed by the Congolese constitution,” said Patrick Ilunga, public relations director at Justicia. “The Congolese judiciary should not serve as instruments of repression, but instead uphold the constitution and end any politically motivated prosecutions.”

The LUCHA activists arrested in Mbuji-Mayi, in southern Congo, on July 14 and 15 are: Nicolas Mbiya Kabeya, Josué Cibuabua Kalonda, Kabongo Kadima, and Mamie Ndaya. They were first held by the National Intelligence Agency (ANR), without access to families or lawyers, then transferred on July 20 to Mbuji-Mayi’s prosecutor’s office, and later to Mbuji-Mayi’s central prison, where they are still detained.

These pro-democracy activists had been investigating transparency in the voter registration process in Kasai Oriental province. They were accused of disclosing personal information people provided to the national electoral commission during voter registration, charges that appear to be politically motivated, the organizations said. On September 15, the prosecutor’s office sought five-month prison terms for the four. The Mbuji-Mayi High Court will deliver its judgment on September 26.

“Congolese authorities should immediately put an end to their crackdown on the rights to peaceful assembly and freedom of expression,” said Evie Francq, Congo researcher at Amnesty International. “They should immediately and unconditionally release all the human rights defenders and activists wrongfully detained in Mbuji-Mayi and Lubumbashi.”

Signatories

International organizations:

1. Amnesty International
2. FIDH, within the framework of the Observatory for the Protection of Human Rights Defenders
3. Human Rights Watch
4. Never Again Coalition
5. World Organisation Against Torture (OMCT), within the framework of the Observatory for the Protection of Human Rights Defenders

Congolese organizations

1. Les Amis de Nelson MANDELA pour la défense des Droits Humains (ANMDH)
2. Action contre l’impunité pour les droits humains (ACIDH)
3. Association congolaise pour l’accès à la justice (ACAJ)
4. Association des femmes pour le développement communautaire (AFEMDECO)
5. Action chrétienne contre la torture et la peine de mort, section du Haut-Lomami (ACAT/Haut-Lomami)
6. Action pour la justice et le développement (AJD)
7. Action rapide de développement (ARD)
8. Alliance pour la révolution de la conscience (ARPC)
9. Association africaine de défense des droits de l’homme, section du Katanga (ASADHO/Kat)
10. Comité de suivi pour la contribution des communautés et églises à la transformation humaine (COSCET)

11. Congrès pour le renouveau syndical (CORES)
12. Centre pour les droits humains et le droit humanitaire (CDH)
13. Centre international de promotion et développement et des droits humains (CEIPEDHO)
14. Centre pour la justice et la réconciliation (CJR)
15. Debout jeunesse congolaise (DJEC)
16. Femme d'action pour le réveil (FAR)
17. Fédération des droits de l'homme (FDH)
18. Filimbi
19. Institut africain de formation en droits humains (INAFDH)
20. Human rescue (HR)
21. Héritiers d'Afrique (HA)
22. Humanisme et droits humains (HDH)
23. Génération déterminée (GD)
24. Groupe d'action non violente évangélique (GANVE)
25. Justicia asbl
26. Libertas
27. Ligue contre la fraude et la corruption (LICOFA)
28. Ligue internationale des conseillers (LIC)
29. Ligue des droits des malades (LIDDM)
30. Ligue nationale paysanne des droits de l'homme (LINAPEDHO)
31. Ligue pour la zone Afrique des droits des élèves (LEZADEL)
32. Lutte pour le changement (LUCHA)
33. Mama ni mama (MM)
34. Mobilisation, encadrement, écologie et défense des droits humains par les amis des familles démunies (MEEDAF)
35. Nouvelle Dynamique Syndicale (NDS)
36. Nouvelle dynamique de la société civile (NDSCI)
37. Œuvre chrétienne pour la femme (OCF)
38. Réseau des communicateurs humanitaires (RCH)
39. La Voix des Sans Voix pour les Droits de l'Homme (VSV)
40. Voix du savoir (VS)