

URGENT ACTION

HUMAN RIGHTS ACTIVISTS SENTENCED IN UNFAIR TRIAL

On 24 September, a court in the Democratic Republic of Congo (DRC) found Gráce Tshiunza, Mino Bopomi, Cedric Kalonji and Carbone Beni guilty of “insulting the president”, “publication of subversive writings” and “civil disobedience”. The same court acquitted Palmer Kabeya. Amnesty International believes that the court’s decision against the four human rights activists is baseless and criminalizes legal and peaceful activism by human rights activists.

During an unannounced hearing on 24 September, the Peace Tribunal of Gombe in the capital Kinshasa found Gráce Tshiunza, Mino Bopomi, Cedric Kalonji and Carbone Beni guilty of “insulting the president”, “publication of subversive writings” and “inciting civil disobedience”. The court sentenced the human rights activists to 12 months in jail. The four are members of the Filimbi citizens’ movement. The human rights activists and their lawyers were not notified of the sentencing date and were therefore not present at the hearing. One of the activists’ lawyers told Amnesty International that they intend to appeal the court’s decision.

Gráce, Mino, Cedric and Carbone were arrested by the National Intelligence Agency on 30 December 2017 and detained in separate locations until 8 June, when they were transferred to the Prosecutor General’s office in Kinshasa for questioning. The next day on 9 June, all four and Palmer Kabeya, also member Filimbi, who had been kept incommunicado detention at a Military Intelligence Division facility since 23 December 2017 were transferred to Makala Prison in Kinshasa.

The five activists were arrested while mobilizing the public to participate in peaceful demonstrations to demand implementation of the 31 December 2016 Agreement for an “inclusive, peaceful and credible election.” The demonstrations had been called by the Lay Coordination Committee (CLC), a group affiliated to the Catholic Church. Filimbi has been one of the vocal citizens’ movements in the DRC calling for President Joseph Kabila to step down after his constitutionally-allowed two terms ended in December 2016.

Please write immediately in French, English or your own language:

- Calling the DRC authorities to release Gráce Tshiunza, Mino Bopomi, Cedric Kalonji and Carbone Beni immediately and unconditionally;
- Urging them to ensure that pending their release, the human rights activists are not subjected to torture and other ill-treatment while in detention.

PLEASE SEND APPEALS BEFORE 09 NOVEMBER 2018 TO:

Minister of Justice

Alexis Tambwe Mwamba
Ministère de la Justice
228 Ave de Lemera
Kinshasa-Gombe
BP 3137
DRC
Email: minjustdh@gmail.com
Salutation: Your Excellency

Minister of Human Rights

Marie-Ange Mushobekwa
Ministère des droits de l’Homme
Place Royale
Kinshasa-Gombe
DRC
Email: mushobekwa.likulia@gmail.com
Salutation: Your Excellency

And copies to:

Prosecutor General
Floribert Kabange Numbi
Procureur Général de la République
Immeuble INSS
Boulevard du 30 Juin
Kinshasa-Gombe
DRC
Email: florykan@yahoo.fr

Also send copies to diplomatic representatives accredited to your country. HER EXCELLENCY MS MARIE NDJEKA OPOMBO, Embassy of the Democratic Republic of the Congo, 45-49 Great Portland Street W1W 7LD, 020 7580 3931, Fax 020 7580 8713, missionrdclondres@gmail.com, www.ambardc-londres.gouv.cd

Please check with your section office if sending appeals after the above date. This is the second update of UA38/18. Further information:

www.amnesty.org/en/documents/afr62/8830/2018/en/

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ADDITIONAL INFORMATION

The Democratic Republic of Congo is set to organize general elections on 23 December 2018. These elections have been delayed since 2016. President Joseph Kabila, who has been in power since the death of his father in 2001, is not allowed to run for another term according to the constitution and is backing his party's recently-nominated flagbearer Ramazan Shadary. The delays in holding the elections have resulted in a political crisis. The government has used excessive force to repress protests and other demonstrations against the delayed elections.

In December 2017, the Lay Coordination Committee (CLC), a group affiliated to the Catholic Church, called for peaceful demonstrations against what it considered to be failure by the government to organize credible elections by December 2017 as set out in the 31 December 2016 St. Sylvestre Agreement. The Agreement was signed between the opposition, civil society and the government under the leadership of the Conference of the Catholic Bishops (CENCO). Among other key provisions of the agreement are trust-building measures which include the release of individuals detained for politically-motivated reasons, respect for a free press and allowing the return of opposition leaders from exile to participate in the upcoming elections. Protests organized by the CLC on 31 December 2017, 21 January 2018 and 25 February 2018 were met with unlawful force by the security forces in which at least 17 individuals were killed, and dozens injured.

On Monday 3 September, at least 23 peaceful protesters were injured and more than 80 arrested. In Kinshasa, Goma, Lubumbashi, Bukavu, Mbuji-Mayi and Tshikapa, protests calling on the National Electoral Commission not to use the controversial electronic voting machines in the upcoming elections were violently dispersed by the security forces. Many fear that the use of electronic voting machines in the DRC without proper civic education, and thorough audit could result in massive fraud.

Since 2015, the DRC authorities have resorted to unlawful detentions and clampdowns on critics who have tried to mobilize against the delays in the electoral process. In March 2015, pro-democracy activists and prisoners of conscience, Fred Bauma and Yves Makwambala were arrested at a press conference launching the Filimbi initiative. They were held in incommunicado detention and released on bail in August 2016.

Name: Grâce Tshiunza, Mino Bopomi, Cedric Kalonji and Carbone Beni
Gender m/f: m

Further information on UA: 38/18 Index: AFR 62/9169/2018 Issue Date: 28 September 2018