

Human Rights Watch

Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

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(Kinshasa) The government of the [Democratic Republic of Congo](#) should mark International Human Rights Day on December 10, by releasing everyone detained for their political views or for participating in peaceful political activities.

Congolese officials recent attempts to intimidate and silence peaceful activists and political opponents should end immediately, said [Ida Sawyer](#), senior Africa researcher at Human Rights Watch. International Human Rights Day is an opportune moment for the Congolese government to reverse this troubling trend and release everyone who has been locked up for peaceful political activities.

Twelve people arrested during a peaceful demonstration organized by the LUCHA youth movement in Goma, eastern Democratic Republic of Congo, on November 28, 2015. Timo Mueller / Human Rights Watch

Christopher Ngoyi. Human rights defender arrested in Kinshasa, capital of the Democratic Republic of Congo, on January 21, 2015 and held at an intelligence agency detention center for 20 days before being transferred to Kinshasa's central prison. Private

Ernest Kyavira. Opposition political party leader arrested in Goma on January 22, 2015 and transferred to Kinshasa where he was held at an intelligence agency detention center for 86 days before being transferred to Kinshasa's central prison. Private

Fred Bauma and Yves Makwambala. Activists with the Filimbi pro-democracy youth movement arrested on March 15, 2015 and held at an intelligence agency detention facility for several weeks before being transferred to Kinshasa's central prison. 2015 Private

Jean-Claude Muyambo. President of the opposition SCODE political party arrested in Kinshasa on January 20, 2015 after mobilizing participation in the demonstrations against proposed changes to the electoral law. 2015 AFP

Junior Mapeke N Labu, known as Radek Supreme. Congolese musician who was arrested in Kinshasa in May 2015 and accused of having links with the pro-democracy youth movement Filimbi. He is being held at an intelligence agency detention facility. Private

Juvin Kombi. LUCHA youth activist arrested during a peaceful demonstration in Goma on November 28, 2015. 2015 Alexis Bouvy

Pascal Byumanine. LUCHA youth activist arrested during a peaceful demonstration in Goma on November 28, 2015. Private

Jerry Olengha. Member of the opposition FONUS political party, arrested in Kinshasa on November 4, 2015 after attending a news conference by the party's president. Private

Paulin Lody. Member of the opposition FONUS political party, arrested in Kinshasa on November 4, 2015 after attending the news conference by the party's president. Private

In one of the most recent incidents, on November 28 in the eastern city of Goma, police fired teargas and live bullets in the air when about 100 people were attending a peaceful protest against the government's failure to halt massacres in Beni territory. A 14-year-old girl was shot and wounded. Authorities arrested 12 people, including two youth activists, three teenagers, and other demonstrators and bystanders. The teenagers were released after four days, but the others remain in detention on trumped-up charges.

Later that day, when an activist from the youth movement Struggle for Change (La Lutte pour le Changement, LUCHA), which had organized the protest, went to the police station to bring food to the detainees, police interrogated him for 45 minutes, slapped him, and tore his shirt.

On November 30, Goma's mayor, Dieudonné Malere, and senior city and security officials met with three LUCHA members. Meeting participants told Human Rights Watch that the vice mayor, Juvenal Ndabereye Senzige, told a LUCHA activist that he was the instigator of trouble in Goma using the cover of the LUCHA movement and that, if there are deaths in a future demonstration, it's you who we will take and make disappear. We will take you to a place where no one will be able to find you. In a meeting with Human Rights Watch on December 9, the vice mayor denied saying this.

On December 3, Mayor Malere issued a statement saying that LUCHA did not have the correct legal administrative documents and that it operates in total illegality. The mayor said that all LUCHA members and those who support them, from near or far, [should] cease all activities aimed at disturbing public order. Congolese law permits people to peacefully protest without being registered as an association, Human Rights Watch said.

Following the LUCHA protest, on December 3, a coalition of 33 Congolese human rights organizations, known as the Coalition for the Respect of the Constitution, published a declaration urging the Congolese government to respect the right to hold peaceful meetings and demonstrations. The coalition also expressed concern that the governments announced national dialogue to discuss elections could lead to electoral delays, which it said would violate Congos constitution. Two days later, Congos communications minister announced that the government had opened an administrative investigation into the 33 coalition member groups.

Over the past year, government officials and security forces have clamped down on those who have opposed attempts to delay the scheduled November 2016 presidential elections and extend President Joseph Kabilas term in office.

Under Congos constitution, President Kabila is due to step down in December 2016, at the end of his second term. Preparations for the November 2016 elections have yet to begin. Kabila and members of his majority coalition have indicated that the elections might be delayed, citing the flawed voter list and the high cost of elections.

The police and Republican Guard fatally shot more than 40 people during demonstrations in the capital, Kinshasa, and in Goma in January against proposed changes to the electoral law. Authorities have sought to ban political demonstrations in cities across the country, and dozens of youth activists, students, musicians, journalists, political party leaders, and supporters have been jailed. The National Intelligence Agency (Agence Nationale de Renseignements, ANR) held many of those arrested for weeks or months without charge and without access to their families or lawyers. Some have been put on trial on politically motivated charges.

In the southeastern city of Lubumbashi on December 1, police fired teargas to block supporters of the TP Mazembe soccer team from entering a private stadium to attend a meeting with the teams president, Moise Katumbi. The former governor of Katanga province, Katumbi resigned from Kabilas political party in September, citing concerns about delays in organizing elections.

On November 4 and 5, three members of the opposition political party Innovative Forces for Union and Solidarity (Forces Novatrices pour l'Union et la Solidarit, FONUS), including a 78-year-old woman with a disability, were arrested in Kinshasa following a news conference by the partys president, Joseph Olengankoyi, opposing delays in national elections. Those arrested were taken to a detention facility run by Congos intelligence services. The elderly woman was released after 26 days, while the other two were transferred to the prosecutors office after 33 days and charged with attacking state security. They are now in Kinshasas central prison.

The extension of Kabilas term in office, referred to by his political opponents as *glissement*, or sliding, has met with widespread opposition, including by the Catholic Church, civil society groups, youth activists, and former members of Kabilas majority coalition who have formed a group called the G7. Many have called for protests in early 2016 if the government does not start carrying out clear plans for timely elections.

Congos national prosecutor said during a news conference in Kinshasa on December 2, 2015, that public calls for people to go to the streets and demonstrate are undoubtedly a very clear way of cranking up the engine or pushing the trigger and putting peace at risk.

On November 28, Kabila announced he wished to hold a national dialogue to prepare the way for elections, though he did not say when it would start. Many opposition leaders have refused to participate, saying they believe it is another attempt to delay elections or to propose constitutional changes that would extend Kabilas term in office.

Kabila also said that he would grant individual pardons to some political prisoners to help restore calm. Any initiative to pardon prisoners should be part of a broader program to release all prisoners held in violation of their basic rights, Human Rights Watch said.

The Congolese government should release all political prisoners as a critical step in the right direction, Sawyer said. This step should be accompanied by measures to prevent such abuses in the future, including by halting arbitrary detentions and prosecuting officials responsible for rights violations.

For more information on current political prisoners in Congo, please see below.

List of Prisoners

The following people were arrested in the past year after speaking out against attempts to extend President Kabilas term in office or participating in peaceful demonstrations or other political activities. They remain in detention.

Detained in Kinshasa:

Arrested during the LUCHA demonstration in Goma on November 28 and held at Gomas central prison:

The nine people above are all charged with rebellion, incitement to acts of disobedience, insults to authorities, association with a criminal gang, intentional assault, and intentional destruction of goods or property belonging to others.

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