

Jean-François Kabanda

MEMBERS OF *L'UNION POUR LA DÉMOCRATIE ET LE PROGRÈS SOCIAL* (UDPS)

Ka Bila Kalele and Jean-François Kabanda have been found guilty of *propagation de faux bruits* (spreading false rumours) by the *Cour d'Ordre militaire* (Military Order Court) which sentenced them to two years' imprisonment.

Ka Bila Kalele is a professor at the University of Kinshasa and a leading member of the opposition party *Union pour la démocratie et le progrès social* (UDPS). Previously, he was a minister in a government of UDPS leader Etienne Tshisekedi.

Jean-François Kabanda is a freelance journalist and close collaborator of Ka Bila Kalele and he is also a leading member of the UDPS youth wing.

Ka Bila Kalele and Jean-François Kabanda were arrested on the evening of 24 October 1997. On that day, the UDPS had organized a demonstration. They were apparently accused of having participated in the demonstration. They were later charged with *atteinte à la sûreté de l'Etat* (endangering state security), apparently on the grounds that they had published an article calling upon the population to oppose Rwandese and American influence in the country, entitled, "*Cent million de dollars pour nous arracher notre pays et le donner aux Tutsi et aux Nilotiques*" [*"100 million dollars for grabbing our country and giving it to the Tutsi and Nilotics"*]. They were tried by the military tribunal court although they are civilians. The trial was unfair, mainly because the two men were convicted of a crime they had not been charged with.

Until late January 1998, Ka Bila Kalele and Jean-François Kabanda were detained at the *Centre pénitentiaire et de rééducation* (Penitentiary and Reeducation centre), the former Makala prison, in Kinshasa. On 30 January 1998, they were transferred for unknown reasons to Lubumbashi, Shaba province, in the south of the country.

Two other men, **Marc Ejiba** and **Albert Kahumbu**, were briefly detained in connection with these arrests. Marc Ejiba, Professor

Kalele's younger brother, was arrested on 31 October 1997 because he had brought him food to the *Police d'Intervention rapide*, (PIR) (Rapid Intervention Police) where he was detained at the time. While Marc Ejiba was being held, another person, Albert Kahumbu, was arrested while visiting him. Marc Ejiba was released after one week; Albert Kahumbu was released after 10 days.

What you can do:

Please publicise the case of Ka Bila Kalele and Jean-François Kabanda widely among

- **lawyers**
- **academics and students**
- **journalists**

and ask them to write appeals.

Please write a letter to the Minister of Justice, M. Mwenze KONGOLO, Ministère de la Justice, BP 3137, Kinshasa-Gombe, Democratic Republic of Congo (Telegrams: Ministre Justice, Kinshasa, Democratic Republic of Congo):

- **expressing concern about the sentencing of Ka Bila Kalele and Jean-François Kabanda to two years imprisonment;**
- **expressing concern that they were tried by a military court although they are civilians, and that they were convicted of a crime they had not been charged with;**
- **calling for their immediate and unconditional release.**

Please send similar letters to M. Raphael GHENDA, Minister of Information, Ministère de l'information, Kinshasa-Gombe, Democratic Republic of Congo

Justin Kampembe and Jean-Marie Lukudji

MEMBERS OF AN OPPOSITION POLITICAL MOVEMENT

Zahidi Arthur Ngoma, Ingele Ifoto, Justin Kampembe and Jean-Marie Lukudji have been detained since 25 November 1997 because of their political activities.

On 24 November 1997, a new political movement, known as the *Forces du futur* (Forces of the Future) was founded in Kinshasa. The following day, the *Police d'Intervention rapide* (PIR) (Rapid Intervention Police) surrounded the hotel where the meeting took place and prevented organizers and participants from getting into the building. At 3 pm on the same day, the organisers held a press conference at the house of the president of *Forces du Futur*, Zahidi Arthur Ngoma, to protest against the disruption of their meeting. After the press conference, the PIR surrounded the neighbourhood, broke into Zahidi Ngoma's house and arrested the leaders of *Forces du Futur*, together with several journalists and bystanders. The PIR took those arrested to the Gendarmerie headquarters known as the *Circonscription militaire* or *Circo*. While most of those arrested - the journalists as well as some other people - were released subsequently, the four leaders of the *Forces du Futur* remain in custody. All those arrested were beaten, some of them on their stomach and genitals. Zahidi Arthur Ngoma was whipped on his back and buttocks. Ingele Ifoto was reportedly beaten and tortured on his genitals. A soldier stabbed Justin Kampembe's eye with a pen. Justin Kampembe is reportedly seriously suffering from the injuries sustained during the ill-treatment and is reportedly still being denied access to a doctor.

On 28 November, the four detainees were taken to the *Centre pénitentiaire et de rééducation*, (Penitentiary and Reeducation Centre), former Makala central prison, in Kinshasa. However, on 30 January 1998, Zahidi Ngoma was transferred for unknown reasons to Lubumbashi, Shaba province, in the south of the country. Zahidi Ngoma, Ingele Ifoto, Justin Kampembe and Jean-Marie Lukudji have been charged with *atteinte à la sûreté de l'Etat* (endangering state security). Their trial has not yet started.

One of the journalists briefly arrested with the leaders of *Forces du Futur* on 25 November, Mossi Mwassi, was rearrested on 4 December at his house (see the Appeal Case of Mossi Mwassi).

What you can do:

Please publicise the case of Zahidi Arthur Ngoma, Ingele Ifoto, Justin Kampembe and Jean-Marie Lukudji widely among

- **lawyers**
 - **academics and students**
 - **journalists**
- and ask them to write appeals.**

Please write to the Minister of Education, M. Kamara ROKAHIKARA, Ministère de l'Education National, Kinshasa-Gombe, Democratic Republic of Congo:

- **expressing concern about the detention of Professor Zahidi Arthur Ngoma, Ingele Ifoto, Justin Kampembe and Jean-Marie Lukudji, arrested because they organised a peaceful political gathering;**
- **expressing concern that they were ill-treated and tortured;**
- **calling for their immediate and unconditional release;**
- **calling for investigations into reports that they were tortured, and urging that those responsible be brought to justice.**

Please send similar letters to the Minister of Justice, M. Mwenze KONGOLO, Ministère de la Justice, BP 3137, Kinshasa, Democratic Republic of Congo

JOURNALIST

Mossi Mwassi is a journalist, reportedly of South African origin, who works as a correspondent for the British Broadcasting Corporation (BBC) and a German radio station, *Deutsche Welle*, in Central

Africa. Before his arrest, he lived in the neighbouring Republic of Congo (Brazzaville).

Mossi Mwassi was arrested on 25 November 1997 after attending a press conference in Kinshasa organized by the *Forces du Futur*, a political opposition movement. The leaders of *Forces du Futur* as well as several journalists, including Mossi Mwassi, were taken to the Gendarmerie headquarters known as the *Circonscription militaire* or *Circo* in Kinshasa, where they were beaten. (see also Appeal Cases for Zahidi Arthur Ngoma and three other leaders of *Forces du Futur*). Mossi Mwassi was released after several hours but rearrested on 4 December 1997 at his house. He was first detained at the *Circo* and on 8 December transferred to the *Agence nationale de renseignements* (ANR) (National Intelligence Agency). Since 16 January 1998, Mossi Mwassi has been held at the *Centre pénitentiaire et de rééducation* (Penitentiary and Reeducation centre), former Makala prison. During his detention, he went on hunger strike for several days; he has now stopped this.

Mossi Mwassi has been charged with *atteinte à la sûreté de l'Etat* (endangering state security), *faux et usage de faux* (forgery), and *trafique d'influence* (trading of favours). During his interrogation, he was reportedly accused of being in contact with Commander Anselme Masasu Nindaga, a former security advisor to President Laurent-Désiré Kabila and commander of the *Alliance des Forces démocratiques pour la libération du Congo-Zaïre* (AFDL) who was arrested in late November 1997. Mossi Mwassi submitted a request for provisional release which had not been granted by mid-February 1998.

Amnesty International believes that Mossi Mwassi may have been arrested and detained solely because of his work as a journalist. There are also reports that he might be detained because he has evidence about massacres of Rwandese and Burundian Hutu refugees by the AFDL.

Emmanuel Cole, a Liberian citizen, was arrested on 27 December 1997 in connection with Mossi Mwassi's detention. He is President of the Bill Clinton Foundation, a Congolese political foundation. Emmanuel Cole was held at the *Conseil National de Sécurité* (CNS) (National Security Council), until 16 January 1998, when he was released. He was apparently accused of being in contact with Mossi Mwassi. During his detention at the CNS, members of the security forces made him lie on the floor and beat him with military belts and truncheons. He is still suffering from the wounds

inflicted by these beatings. On 19 January, Emmanuel Cole was interrogated at the CNS, although he was not detained. His identity card and other documents were seized.

What you can do:

Please publicise the case of Mossi Mwassi widely among journalists and journalists' unions asking them to write appeals.

Please write to the Minister of Foreign Affairs, M. Bizima KARAHA, Ministère des Affaires étrangères, BP 7100, Kinshasa, Democratic Republic of Congo:

- expressing concern about the detention of Mossi Mwassi, who may have been arrested because of his activities as a journalist;

- calling for an immediate investigation into the charges against Mossi Mwassi and seeking assurances that he will be immediately and unconditionally released if no evidence is produced to substantiate the charges;

- expressing concern about reports that Mossi Mwassi and Emmanuel Cole were beaten by members of the security forces;

- urging the authorities to order an impartial and independent investigation of reports of Mossi Mwassi's and Emmanuel Cole's ill-treatment and to ensure that those responsible are brought to justice.

Please send similar letters to the Minister of Justice, M. Mwenze KONGOLO, Ministère de la Justice, BP 3137, Kinshasa, Democratic Republic of Congo

PROTESTANT PASTOR

Théodore Ilunga Wa Nsenga is a protestant pastor at a parish in Gombe in the centre of Kinshasa, the capital. He is currently being detained at the *Centre Pénitentiaire et de Rééducation* (Penitentiary and Reeducation centre), former Makala prison.

He was detained from 6 to 10 December 1997 when he was released. On 16 December, he was rearrested by the *Agence Nationale des Renseignements* (ANR) (National Intelligence Agency). He was first detained at the ANR detention centre and then transferred to the *Centre Pénitentiaire* on 20 January where he was still being held at the beginning of February 1998.

Pastor Ngoye was apparently arrested because he gave a sermon that was critical of the government. In this sermon, he criticised the new Congolese national anthem and rejected the idea of printing the President's image on *pagne*, African cloth. He was arrested just after he had finished preaching.

He has been brought before the *Cour d'ordre militaire* (Military Order Court), and sentenced for *atteinte à la sûreté de l'État* (endangering the security of the state). The details of his sentence are unknown.

What you can do:

Please publicise the case of Théodore Ngoye Ilunga Wa Nsenga widely among church leaders, members and institutions, and ask them to write appeals.

Please write a letter to the Minister of Justice, M. Mwenze KONGOLO, Ministère de la Justice, BP 3137, Kinshasa, Democratic Republic of Congo (Telegrams: Ministre Justice, Kinshasa)

- expressing concern about the continuing detention of Théodore Ngoye Ilunga Wa Nsenga, who has been arrested because he expressed his political views in a sermon;
- expressing concern that he was sentenced by a military court although he is a civilian;
- urging the authorities to release him immediately and unconditionally;
- calling upon the authorities to ensure in any case that Theodore Ngoye has access to his family, a lawyer and medical care.

Please send copies of your letter to the Minister of Interior, M. Gaëtan KAKUDJI, Ministère de l'Intérieur, Kinshasa, Democratic Republic of Congo

Stève Mbikay

Michel Diumu
Henri Kiliba

TRADE UNIONISTS

Stève Mbikay, Michel Diumu and Henri Kiliba are leading members of the trade union *Solidarité*; Steve Mbikay is its Secretary General.

On 19 January 1998, the three men were arrested and taken to the *Agence Nationale des Renseignements* (ANR) (National Intelligence Agency), where they are currently held without charge.

On 17 January, they had protested against a decision by the *Office national des transports* (ONATRA) (National Office for Transport), to dismiss them, and had taken part in a television program where they expressed their opposition to this measure. After the program, they were arrested by members of the security forces on their way home from the television station.

What you can do:

Please publicise the case of Steve Mbikay, Michel Diumu and Henri Liliba widely among trade unionists and journalists and ask them to write appeals.

Please write a letter to the Minister of Justice, M. Mwenze KONGOLO, Ministère de la Justice, BP 3137, Kinshasa, Democratic Republic of Congo (Telegrams: Ministre Justice, Kinshasa, Democratic Republic of Congo):

- expressing concern about the continuing detention of Steve Mbikay, Michel Diumu and Henri Liliba, who have been arrested because of their trade union activities;
- urging the authorities to ensure that they have access to their family, a lawyer and a doctor of their choice;
- urging the authorities to release them immediately and unconditionally.

Please send a copy of your letter to the Minister of Transport, M. Henri MOVASAKANI, Ministère des Transports, BP 3304, Kinshasa-Gombe, Democratic Republic of Congo

Nyabirungu Mwene Songa

HUMAN RIGHTS ACTIVISTS/LAWYERS

Roger Sala Nzo Badila and Nyabirungu Mwene Songa were detained from late November 1997 until 12 February 1998 because of their human rights activities. They were provisionally released by the *Tribunal de Grande Instance* in Gombe, Kinshasa while their cases are investigated further. They have to report weekly to the State Security Court and restrictions have been placed on their movements.

Both men are leading members of a Christian organization, the *Centre national des droits de l'homme* (CENADHO) (National Centre for Human Rights). Roger Sala Nzo Badila worked in the Ministry of Citizens' Rights and Liberties under President Mobutu. Nyabirungu Mwene Songa is a professor of law at the University of Kinshasa.

Roger Sala Nzo Badila was arrested on the morning of 23 November 1997 at his home in Kinshasa. Three agents of the security service the *Agence nationale de renseignements* (ANR) (National Intelligence Agency) came to his house, accompanied by government soldiers, and searched for what they claimed were "subversive" documents. The soldiers took him to the *Conseil national de la sécurité* (CNS) (National Security Council) and held him there until 25 November when he was transferred to the ANR headquarters. Roger Sala Nzo Badila suffers from diabetes, and Amnesty International received reports that his health deteriorated in custody due to lack of the special diet and medical care that he needs.

Nyabirungu Mwene Songa was arrested at his house, on 28 November by members of the security forces who had a warrant signed by the Procurator General of the State Security Court. Both Nyabirungu Mwene Songa and Roger Sala Nzo Badila were held at the ANR until 15 January, then transferred to the *Centre Pénitentiaire et de Rééducation* (former Makala prison) where they were held until their release.

In January 1998, Roger Sala Nzo Badila and Nyabirungu Mwene Songa were charged with *atteinte à la sûreté de*

l'État (endangering state security) and treason. They were apparently arrested because of an article that Roger Sala Nzo Badila published in early July 1997 in the CENADHO newsletter, *Le Messager*. In the article, he criticized the human rights record of President Kabila's government. It seems that Roger Sala Nzo Badila and Nyabirungu Mwene Songa were also arrested because they had been in contact with members of Amnesty International.

Roger Sala Nzo Badila has been threatened before. On 9 July 1997, he was abducted and threatened by a group of soldiers who accused him of spying for the former minister for Citizens' Rights and Liberties. On 29 September 1997, a member of the security forces reportedly visited the CENADHO office asking for Roger Sala Nzo Badila.

What you can do:

Please publicise the case of Roger Sala Nzo Badila and Nyabirungu Mwene Songa among:

- religious institutions
- academics, journalists and writers
- lawyers and human rights activists

Please write to the Minister of Education, M. Kamara ROKAHIKARA, Ministère de l'Éducation Nationale, Kinshasa-Gombe, Democratic Republic of Congo:

- welcoming the release of Roger Sala Nzo Badila and Nyabirungu Mwene Songa;
- expressing concern that they were detained because they peacefully exercised their right to freedom of expression;
- urging the authorities to take steps to ensure that all members of civil society, including human rights activists, are guaranteed the right to freedom of expression;
- expressing concern that Roger Sala Nzo Badila was denied access to the medical care he needed, and urging the authorities to ensure that all detainees are given proper medical care.

Please send similar letters to the Minister of Justice, M. Mwenze KONGOLO, Ministère de la Justice, BP 3137, Kinshasa, Democratic Republic of Congo

**Arlette Fula
Charlotte Ndongi**

POLITICIAN AND FAMILY MEMBERS

Eugène Diomi Ndongala Nzomambu is the president of a political organization known as the *Front pour la survie de la démocratie au Congo* (Front for the Survival of Democracy in Congo). Under the government of former President Mobutu Sese Seko, Diomi Eugène Ndongala was a member of parliament and deputy minister of the Economy and Finance.

On the evening of 10 December 1997, a dozen members of the military police came to Eugène Diomi Ndongala's house. They raped his two sisters, Arlette Fula, aged 22, and Charlotte Ndongi, aged 21 and also searched and looted the house. The soldiers then arrested Eugène Diomi Ndongala on his return home. They did not have a warrant.

Eugène Diomi Ndongala was taken to a private residence and later transferred to Loano military barracks in Kinshasa. From there, he was taken to Kokolo military barracks. On 2 January 1998, he was taken to a farm at Mikonga, on the outskirts of Kinshasa and returned to Kokolo barracks the following day. During his detention, he has reportedly been severely beaten. His state of health deteriorated when he suffered from acute appendicitis. On 8 January 1998, after public pressure on the authorities, he was transferred to a hospital and underwent surgery. However, he is still detained: he continues to be permanently guarded by soldiers at the hospital.

Eugène Diomi Ndongala Nzomambu has not been charged with any offence. His detention without charge exceeds the legal limit of 48 hours, which can be extended to five days.

Arlette Fula and Charlotte Ndongi are still suffering from the shock of the rape, and require medical treatment.

What you can do:

Please distribute the case of Arlette Fula and Charlotte Ndongi widely among women's organizations, human rights organizations and parliamentarians and ask them to write appeals.

Please write letters to President

Laurent-Désiré Kabila, Présidence de la République, Kinshasa, Democratic Republic of Congo, Fax: + 243 88 02120, Telegrams: President Kabila, Kinshasa, Democratic Republic of Congo, Salutation: Monsieur le Président de la République

- expressing concern about the continuing detention without charge of Eugène Diomi Ndongala Nzomambu;

- urging the authorities to release him unless he has been charged with a recognizable criminal offence and given an opportunity to challenge the basis for his arrest;

- expressing concern about reports that Mr Ndongala was denied adequate medical care for several days, to a point where his life was in danger;

- expressing concern about reports that his sisters Arlette Fula and Charlotte Ndongi were raped by members of the military police;

- urging that these reports be investigated and those responsible brought to justice.

Please send similar letters to the Minister of Justice, Mwenze KONGOLO, Ministère de la Justice, BP 3137, Kinshasa, Democratic Republic of Congo (Telegrams: Ministre Justice, Kinshasa, Democratic Republic of Congo).

**UDPS MEMBER
AND ABOUT THIRTY OTHER UDPS MEMBERS**

Vovo Bossongo is a leading member of the main political opposition party, the *Union pour la démocratie et le progrès social* (UDPS) (Union for Democracy and Social Progress). She is 28 years old. She was arrested and tortured on 17 January 1998, together with around thirty other UDPS members and supporters.

On 17 January 1998, the UDPS organized a new year celebration for the party's leader, Etienne Tshisekedi, at the UDPS headquarters. The meeting was dissolved by the *Police d'Intervention Rapide* (PIR) (Rapid Intervention Police) and the military police, who barricaded the area. There are reports that this provoked violent clashes between the security forces and some UDPS members.

Vovo Bossongo and dozens of other UDPS members and supporters were beaten by the security forces and then taken to the gendarmerie headquarters in Kinshasa, known as *Circonscription militaire* or *Circo*. There they were tortured with electroshock batons. Vovo Bossongo was tortured with electroshock batons until she fainted. She was released two days after her arrest.

Some of the men arrested with Vovo Bossongo were reportedly tortured with the electroshock batons on their genitals. Several UDPS members are suffering from serious health problems after being tortured with electroshock batons. Albert Lutala was taken to hospital with respiratory problems. A person called Nukambala suffered from an epileptic fit and was also taken to hospital.

Vovo Bossongo was released two days later. However, around fifteen UDPS members and supporters are apparently still being held; their whereabouts are not known. Among them are **Adolphine Musuamba, Mbala Ntumba, Léonard Kapaka, Nkuku Ndongala** and **Clément Mangole**.

What you can do:

Please distribute the case of Vovo Bossongo widely to women's organizations and ask them to write appeals.

Please write letters to President Laurent-Désiré Kabila, Présidence de la République, Kinshasa, Democratic Republic of Congo, Fax: + 243 88 02120, Telegrams: President Kabila, Kinshasa, Democratic Republic of Congo, Salutation: Monsieur le Président de la République

- expressing concern about reports that Vovo Bossongo and other members of the UDPS were tortured with truncheons and electroshock batons

- urging that these reports be investigated and those responsible brought to justice;

- expressing concern about the arrest of around thirty UDPS members and supporters on 17 January 1998;

- expressing concern that the whereabouts of fifteen of these UDPS members and supporters are still not known;

- urging the authorities to make known their place of detention, to allow them access to their family, a lawyer and a doctor as a minimum;

- urging the authorities to release them unless they have been charged with any recognizable criminal offence and given an opportunity to challenge the legal basis for their arrest.

Please send similar letters to the Minister of Justice, Mwenze KONGOLO, Ministère de la Justice, BP 3137, Kinshasa, Democratic Republic of Congo (Telegrams: Ministre Justice, Kinshasa, Democratic Republic of Congo).