

PUBLIC

AI Index: AFR 62/32/99

17 November 1999

Further information on UA 292/99 (AFR 62/30/99, 8 November 1999) - Fear of execution / Further death sentences / Unfair trials

DEMOCRATIC REPUBLIC OF CONGO

Bukasa Musenga, employee of Elf Congo]
Gaby Ngimbi Kiamba, businessman] sentenced
Muzaliwa Maroy, Director of petrol, Military headquarters] to death
Issa Yuba, Commander of fuel depot, Military headquarters] on 19
Onza Kanda, Commander of fuel depot, Military headquarters] October

Lambert Djunga Shango, lawyer]
Pierre Risasi, lawyer] acquitted
Okumbo, former employee of state mining company]
Dada Feza Rukeratabaro (f), former employer of state mining co]

On 12 November 1999, Lambert Djunga Shango, Pierre Risasi, Okumbo and Dada Feza Rukeratabaro were acquitted due to insufficient evidence.

Amnesty International has no further information, however, of the other five sentenced to death by the *Cour d'ordre Militaire* (COM), Military Order Court on 19 October after it found them guilty of stealing fuel from the military.

The organization is concerned that the court's proceedings have consistently contravened international standards for fair trial and that its statute, which prohibits appeal to a higher jurisdiction, leaves defendants with no opportunity to challenge convictions and sentences.

Many thanks to all who sent appeals on behalf of the four acquitted.

Appeals on behalf of the other five still under sentence of death may continue as before by email/express/airmail letters in french or in your own language:

- urging President Kabila to spare the lives of Bukasa Musenga, Gaby Ngimbi Kiamba, Muzaliwa Maroy, Issa Yuba and Onza Kanda and to order a halt to further sentences of death;
- asking the authorities to respect their assurances to abolish the *Cour d'ordre militaire* and the death penalty.

APPEALS TO:

President

Président Laurent-Désiré KABILA
Président de la République, Présidence de la République
Kinshasa-Ngaliema, Democratic Republic of Congo

Telegrams: Président, Kinshasa, DR Congo

e-mails: UPP@ic.cd

Salutation: Monsieur le Président de la République / Dear Président

President of COM

Le Commandant Charles ALAMBA
Président de la Cour d'ordre militaire
Palais de Justice, BP 7016
Kinshasa Gombe, Democratic Republic of Congo
Telegrams:Président, COM, Kinshasa, DR Congo

Salutation: Monsieur le Président / Dear President

COPIES TO:

Minister of Human Rights
Monsieur SHE OKITUNDU
Ministre de Droits humains
Ministère de Droits humain
Kinshasa-Gombe
République Démocratique du Congo

Minister of Justice
Monsieur Mwenze KONGOLO
Ministre de la justice
Ministere de la justice
BP 3137 Kinshasa-Gombe, Democratic Republic of Congo

and to diplomatic representatives of Democratic Republic of Congo accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 20 December 1999.