

AMNESTY INTERNATIONAL PUBLIC STATEMENT

AI Index: AFR 62/018/2009
1 October 2009

Democratic Republic of Congo: Amnesty International calls for an end to intimidation of human rights defenders

Amnesty International deplores the conviction of human rights activist Golden Misabiko as a violation of the rights to freedom of expression and of human rights defenders lawfully to exercise their profession. The organization appeals to the DRC authorities to overturn the verdict and to quash the sentence of imprisonment imposed on Golden Misabiko.

Golden Misabiko was convicted on 21 September by the Lubumbashi Magistrates Court (Tribunal de Paix) of “spreading false information of a nature to alarm the local population”. He was sentenced to one year’s imprisonment with eight months’ suspended, meaning that he faces four months in prison. Golden Misabiko was not in court to hear the verdict. His lawyers have lodged an appeal against his conviction.

The arrest, detention and conviction of Golden Misabiko are wholly inconsistent with the DRC government’s obligation to uphold the UN Declaration on Human Rights Defenders, including the right of everyone, individually or in association with others, “freely to publish, impart or disseminate to others” information on human rights, and to draw public attention to “the observance, both in law and in practice, of all human rights and fundamental freedoms” [Article 6, Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms].

Amnesty International is also deeply concerned at death threats being made against four other human rights activists from Lubumbashi who have campaigned against Golden Misabiko’s prosecution. Grégoire Mulamba, Timothée Mbuya, Emmanuel Umpula and Dominique Munongo have been receiving the threats, made by text message, since 16 September. Among messages received by the four defenders are: “*You think you are clever. Understand that it is not over. We shall see when you are all dead...whether you can still organize protest marches*”. (“*Vous pensez être plus malin. Sachez que ce ne pas fini. On verra quand vous serez tous mort ... si vous ferez encore des marches*”).

The activists have been forced into hiding, but the threats are still continuing. The latest, received on 29 September, said that “*our services are informed*” and promised to hunt down the activists wherever they are. (“*Même là ou vous êtes, nos services sont informés, nous allons vous poursuivre partout sur notre territoire*”).

Amnesty International calls on the Congolese authorities to investigate the death threats and to bring those responsible to justice; to ensure that the defenders are protected against further threats and possible attack; and to halt acts of intimidation and arbitrary arrest of human rights defenders.

Background

Golden Misabiko, President of the human rights organization *Association Africaine de défense des Droits de l'Homme* in Katanga province, (ASADHO/Katanga), was arrested on 24 July and charged with “threatening state security” (“*atteinte à la sûreté de l'Etat*”). He was released on bail on 30 August, suffering ill-health as a result of his detention.

The arrest and prosecution of Golden Misabiko arose from a report published by ASADHO/Katanga on 12 July which alleged that state officials were corruptly profiting from artisanal mining at Shinkolobwe uranium mine, which had been closed by the government for reasons of national security and public safety in January 2004. The report said that the DRC authorities had not done enough to secure the mine. It also criticised the lack of transparency in a 26 March 2009 agreement between the government and the French nuclear energy company AREVA, regarding rights to prospect and mine for uranium in the DRC.

For further information see Amnesty International Urgent Actions of 30 July, 17 August and 22 September (UA 208/09, AFR 62/013/2009 and follow-up AFR 62/014/2009, and UA 249/09, AFR 62/017/2009).

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