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Democratic Republic of Congo: President Kabila must prevent further executions

Fifteen people are reported to have been executed in secret earlier this week in the Democratic Republic of Congo (DRC). They are the first executions known to have taken place since December 2000.

The executions took place just hours before 30 people were sentenced to death by the *Cour d'ordre militaire* (COM), Military Order Court for their alleged role in the assassination of Laurent-Désiré Kabila in January 2001. Amnesty International is greatly concerned that they and many others who are already on death row throughout the DRC may also be facing imminent execution.

"This is a dark day for human rights in the DRC," said Amnesty International. "These executions reflect an appalling lack of respect on the part of the DRC government for the most basic rights of Congolese citizens, including the right to life and the right to fair treatment before the courts."

The executions took place, by firing squad, on the morning of 7 January. The bodies were buried in a common grave nearby. The 15 individuals had been on death row at the capital Kinshasa's main prison, the *Centre pénitentiaire et de rééducation de Kinshasa* (CPRK), Kinshasa Penitentiary and Reeducation Centre. They were taken from their cells during the night of 5 to 6 January and taken to a military camp close to Kinshasa's Ndjili airport on the outskirts of the city.

These executions are the first which are known to have taken place since the lifting on 23 September 2002 of a moratorium on executions, which President Joseph Kabila had personally committed himself to respecting in an address to the UN Human Rights Commission in March 2001.

"President Joseph Kabila must act now to prevent further senseless deaths by immediately reimposing the moratorium on executions, which he has publicly expressed his personal commitment to respecting," said Amnesty International.

Background

Although Amnesty International does not yet have information on the crimes for which the 15 were convicted, it is understood that some, if not all, of those executed were sentenced to death by the COM. Since its creation in 1997, the COM, which has consistently failed to meet

standards of fairness set out by international law, has been responsible for the execution of some 200 individuals. The 15 people executed this week will not have had the right to appeal against their death sentences and will therefore have been entirely reliant on President Joseph Kabila exercising his prerogative to commute their sentences. It is not known if any formal petition for clemency was submitted to, or considered by, the president, as is required under Congolese law.

Amnesty International opposes the death penalty in all circumstances, considering it to be a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading treatment or punishment.

Further information on the trial and sentencing of those accused of involvement in the assassination of President Laurent-Désiré Kabila can be found in the Amnesty International report *From assassination to state murder?* (AFR 62/023/02) and press release of 7 January entitled *DRC- Thirty sentenced to death after unfair trial* (AFR 62/001/03).

Public Document

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