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Democratic Republic of Congo: Alarming increase in arbitrary arrests and detentions

President Joseph Kabila should take immediate steps to ensure that his government and security forces practice what he promises the people of the Democratic Republic of Congo (DRC), Amnesty International urged today as reports show an alarming increase in arbitrary arrests and detentions.

In his new year address to the nation on 31 December 2001, President Kabila expressed his belief in the fundamental value of freedom. Meanwhile his police and security services continued to arbitrarily detain and ill-treat those who dared to criticise his government.

"The continuing arrests of political opponents, students and journalists who have not committed a recognisably criminal offence demonstrate that promises of political openness and respect for human rights are virtually empty," Amnesty International said. "This failure to tolerate dissenting voices bodes extremely badly for the Inter-Congolese dialogue slated for the end of January 2002. The success of the dialogue must be measured against the establishment of and a commitment to the rule of law, including the right to freedom of expression and association."

Political opponents detained

Although in May 2001 President Joseph Kabila issued a decree revoking the ban on political parties imposed by the late president Laurent-Désiré Kabila, activities by opposition parties continue to be routinely curtailed. On and around 5 December 2001, five members of one of the DRC's

main political parties, the *Union pour la démocratie et le progrès social* (UDPS), Union for Democracy and Social Progress, were arrested after a meeting which was reportedly held to plan a demonstration through the streets of the capital, Kinshasa. The demonstration, which was apparently due to take place on 14 December, never took place. The five -- Modeste Sadiki, Jean-Baptiste Bomanza, Roger Kankonge, Kadima Kadima and Jean-Baptiste Mwampata -- are currently held in Kinshasa's main prison, the *Centre pénitentiaire et de rééducation de Kinshasa* (CPRK), Kinshasa Penitentiary and Reeducation Centre. Although they have been questioned about the planned march and other UDPS activities, they have not been formally charged.

"The detainees should either be charged with a recognisably criminal offence and promptly given the opportunity to answer these charges in a court of law or be immediately released," the organization said.

Severe ill-treatment of students

Amnesty International is also concerned about the severe ill-treatment of many students of the University of Kinshasa (UNIKIN) who were arrested by the police on 14 December following a student demonstration. More than 400 students were reportedly detained at the police headquarters known as the *Inspection de police de Kinshasa* (IPK). Many were subjected to beatings and whippings with military belts (*cordelettes*) and forced to use earth and sand as toothpaste until their gums bled. They were also made to walk around the paved courtyard of the IPK on their knees. Almost all the students were released the following day, although courses at UNIKIN remain suspended and many of the students have not been allowed to return to their accommodation on the campus. Eight students, who are accused of being ringleaders of the demonstration, remain in custody.

Tensions first mounted at UNIKIN on 12 December when police clashed with students demonstrating to demand a lowering of tuition fees. A police officer was reportedly seriously injured during clashes the following day. Amnesty International has not been able to confirm claims by the authorities that three police officers were killed during the disturbances.

In a separate demonstration by students at the University of Lubumbashi (UNILU), the police injured as many as seven students, at least one of whom was shot, in the capital of the southeastern province of Katanga. The students were protesting against newly introduced or increased accommodation and tuition fees.

While Amnesty International recognises the right of the authorities to bring to justice those suspected of criminal acts, the organization deplores the arbitrary arrests and unlawful detention of several hundred students and their ill-treatment.

"Those still in detention should be protected from further ill-treatment and any legal proceedings against them should conform to international human rights law and practice, including the right to legal counsel and to have their case heard by an independent judicial official", Amnesty International said.

Journalists targeted

Two journalists working for the satirical publication *Pot-pourri* -- its editor Guy Kasongo Kilembwe and secretary Vicky Bolingwa -- were also briefly detained between 31 December and 3 January. Their arrest appeared to be linked to articles published in their paper on 31 December which criticised the policies of Joseph Kabila and his government. They were initially accused of endangering state security (*atteinte à la surêté de l'Etat*), a charge which is regularly abused by the

*government as a means of imprisoning and intimidating its critics and opponents, but the charges against them were later dropped. Over 20 journalists were arbitrarily detained in the course of 2001, the majority for periods ranging from a few hours to several days. Freddy Loseke, editor of *Libre Afrique*, spent six months in prison on charges of libel, having previously been imprisoned for seven months in 2000.*

President Kabila was reported to have expressed his hope that 2002 would see peace in the DRC and that all citizens would be able to move freely throughout the country and cherish the fundamental values of freedom and national unity.

"President Kabila is urged to give a tangible meaning to these words by bringing an end to the practice of arbitrarily depriving Congolese citizens of their liberty, and by guaranteeing their right to freedom of expression and freedom of association," Amnesty said.

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