

UA 290/99

Incommunicado detention/Fear of Torture/ill-treatment

5 November

DEMOCRATIC REPUBLIC OF CONGO

Charles Fuamba Mukendi - human rights activist
Masengo wa Kabamba (f) - bar owner

Human rights activist Charles Fuamba Mukendi and Masengo wa Kabamba are detained incommunicado at the *Agence nationale de la recherche* (ANR), National Intelligence Agency, in Mbuji-Mayi, the capital of Kasai Oriental province. Amnesty International fears they may be tortured.

Charles Fuamba Mukendi is the director of a non-governmental human rights organisation, *Centre d'études et de formation populaires Kasai* (CEFOP-K), the Centre for Popular Studies and Training in Kasai. He was first arrested by ANR officials on 22 October and taken for questioning. ANR officials searched his house at dawn, apparently looking for documents considered a threat to state security. They confiscated a human rights report and personal items. He was accused of being a rebel sympathiser but released later that day, only to be rearrested and detained on 25 October.

Masengo wa Kabamba was arrested on 23 October, at Mbuji-Mayi's airport, reportedly because she was found to be carrying a report published by a local human rights group about the situation in Kasai. She is being held in the same cell as Charles Fuamba Mukendi.

Other human rights activists in Mbuji-Mayi claim they are being followed by security forces agents and others, and that government officials have threatened them about their work.

BACKGROUND INFORMATION

Sources in Mbuji-Mayi say that torture is routine and systematic at the ANR, usually consisting of beatings and verbal abuse.

Hundreds of people have been arrested for their perceived or actual opposition to the government of President Laurent-Désiré Kabila. The climate in Mbuji-Mayi, the "diamond capital" of the DRC, has been particularly tense, as the region is on the front line in the war with the armed opposition group known as the *Rassemblement pour la démocratie au Congo*, Rally for Congolese Democracy, and its allied forces from neighbouring Rwanda.

Human rights activists, journalists and others figure prominently among those threatened with arrest in the DRC. Many have been tortured and otherwise ill-treated.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in French, English or your own language:

- expressing concern at reports that Charles Fuamba Mukendi and Masengo wa Kabamba are detained incommunicado, which suggests that they may be tortured and otherwise ill-treated;
- expressing concern at reports that they have been detained solely because they were in possession of reports critical of the government's human rights record, and reminding the authorities of the right to freedom of expression

and association guaranteed to all Congolese citizens by Article 19 of the International Covenant on Civil and Political Rights (ICCPR), to which the DRC is party;

- calling for the immediate and unconditional release of Charles Fuamba Mukendi and Masengo wa Kabamba if they are not to be charged with a recognizable criminal offence.

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-mail: UPP@ic.cd

Salutation: Monsieur le Président de la République / Dear Président

Minister of Justice

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

COPIES TO:

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

and to diplomatic representatives of the 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 17 December 1999.