

EXTERNAL (for general distribution)

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UA 146/93 Legal concern/Fear of torture

7 May 1993

ZAIRE:

Josué BAKATUMANA Mulowayi  
Marcel KABONGO  
Bosco KALALA Ntambwe  
Jean KALENGA  
KANIKI  
KAPEPA (former army Colonel)  
KASONGO Tshilenga  
Gustave LEMBA  
Martin LIONGO  
LUAMBA

MBAYI Kalombo (retired army Colonel)  
MUKENDI Kabongo (retired army Warrant  
Officer)  
Anderson MUKOMA  
MUTOMBO Kalala  
OKITO  
Joseph OLENGA Nkoyi (Envoy of opposition  
Prime Minister, Etienne Tshisekedi)  
Dolly TSHIMPAKA Tambwe  
Lambert TSHISHIMBI

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Amnesty International is concerned for the safety of the 18 people named above who were arrested on various dates in April 1993 by members of the security services in the capital, Kinshasa. Reports indicate that as many as 30 people, including those named above, were arrested at night by members of the Service national d'intelligence et de protection (SNIP), Zaire's security police during April. They are said to be held incommunicado and there are reports that they have been subjected to torture or other forms of cruel, inhuman or degrading treatment.

Joseph Olenka Nkoyi, an envoy (*chargé de mission*) of opposition Prime Minister Etienne Tshisekedi, was arrested on 29 April 1993 and is being held at the Kinshasa headquarters of the National Gendarmerie, known as "CIRCO" (*circonscription militaire*). There are reports that he has been subjected to torture and has not been allowed to see a doctor.

He has been charged with inciting disobedience to legally established authority (*incitation à la revolte contre l'autorité légalement établie*). The charge apparently arises from his role in organizing a recent strike intended to force President Mobutu Sese Seko to relinquish power to Prime Minister Tshisekedi. Joseph Olenka Nkoyi and several other supporters of Tshisekedi were held for several days in October 1992 when they went to Kinshasa's Ndjili airport to welcome a delegation of four French-based human rights activists (see UA 395/92, AFR 62/09/93, dated 16 December 1992).

#### BACKGROUND INFORMATION

President Mobutu is locked in a bitter power struggle with Prime Minister Etienne Tshisekedi, head of the Union pour la démocratie et le progrès social (UDPS), who was elected by a pro-democracy National Conference in August 1992. Following riots by soldiers in January 1993, who were angry at being paid in controversial new banknotes which had been denounced as illegal tender by Prime Minister Tshisekedi and boycotted by supporters of his government, President Mobutu announced he was dismissing Tshisekedi and named a new Prime Minister, Faustin Birindwa. An executive legislative body, also nominated by the National Conference, the Haut conseil de la république (HCR), Higher Council of the Republic, has rejected Faustin Birindwa as Prime Minister and is trying to reach a compromise with President Mobutu.

Zaire now effectively has two Prime Ministers who are competing for power. The security forces and the government are still controlled by President Mobutu, who continues to defy domestic and foreign pressure to yield to democratic reforms. The arrest of the people named above is reminiscent of similar arrests or abductions of dozens of other government opponents, many of whom have either "disappeared" or been found dead, in recent years. It is also reported that Pierre Lumbi, Tshisekedi's Foreign Minister, is currently under house arrest after being arrested on 26 April 1993 in Kinshasa by security officers and held in custody for four hours.

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**RECOMMENDED ACTION:** Please send telegrams/telexes/faxes/express and airmail letters either in French, English or in your own language (Please note that communication with Zaire is very difficult and we have had reports of letters being returned, however, please do try to send appeals by any means you can or ask Zairian diplomatic representatives accredited to your country to arrange delivery for you):

- expressing concern at the reported arrest by the Zairian security police of the people named above and at their secret and incommunicado detention;

- urging that they be given immediate access to legal counsel, relatives and any necessary medical attention;

- expressing fears for their safety and seeking assurances that none of the detainees is being subjected to torture or other forms of cruel, inhuman and degrading treatment;

- asking that their arrest be acknowledged, the reasons for it be made public and that they should be brought promptly before a judicial authority, as required by law, to decide if they should remain in custody and should not, in any case, be kept in custody in a security detention centre for longer than the 48 hours allowed by law;

- urging the authorities to order their immediate release if they are not to be charged with recognizably criminal offences and brought to prompt and fair trials.

**APPEALS TO**

1) President:

Son Excellence Monsieur Maréchal MOBUTU Sese Seko  
Président de la République  
Kinshasa-Ngaliema  
République du Zaïre

**Salutation: Monsieur le  
Président/  
Dear President**

**Telegrams: Président Maréchal Mobutu, Kinshasa, Zaïre**  
**Telexes: 21368**

2) Chief of Staff of the Armed forces:

Monsieur le Général ELUKI Monga  
Chef d'Etat-Major Général des  
Forces armées zairoises (FAZ)

Ministère de la Défense nationale  
Kinshasa-Ngaliema  
République du Zaïre

**Salutation: Monsieur le Chef d'Etat-Major /  
Dear General**

**Telegrams: Chef d'Etat-Major Eluki, Kinshasa, Zaïre**

3) Head of the national security service:

Général LIKULIA Bolongo  
Administrateur général du Service  
national d'intelligence et de protection  
BP 3060  
Kinshasa-Gombe

**Salutation: Monsieur l'Administrateur Général /  
Dear General**

République du Zaïre

**Telegrams: General Likulia, Kinshasa, Zaire**

**COPIES OF YOUR APPEALS TO:**

1) Commander of the Presidential Guard:

Monsieur le Général de Brigade NZIMBI Ngbale  
Commandant de la Division spéciale présidentielle (DSP)  
Présidence de la République  
Kinshasa-Ngaliema, République du Zaïre

2) Human Rights organization:

Ligue zaïroise des droits de l'homme  
20 rue Draily, 6000 Charleroi, Belgium

and the following newspapers:

1) Le Potential

2 Avenue Msi-Manimba

BP 11338, Kinshasa 1, Zaire

2) Elima

BP 10017

Kinshasa-Limete, Zaire

and to diplomatic representatives of Zaire accredited to your country

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 25 June 1993.