

URGENT ACTION

DETAINED YOUTH ON TRIAL AFTER PEACEFUL PROTEST

Nine youth remain in detention after they were denied bail by the High Court in Goma. Among them are two activists from Lutte pour le Changement (LUCHA), Juvin Kombi Narcisse and Pascal Byumanine. They were arrested on 28 November in Goma during a peaceful demonstration in honour of victims of killings in the Beni area of North Kivu, Democratic Republic of Congo (DRC).

Juvin Kombi, Pascal Byumanine, Innocent Fumbu, Saïdi Heshima Wetemwami, Gervais Semunda Rwamakuba, Nelson Katembo Kalindalo, Jonathan Kambale Muhasa, Osée Kakule Kilala and Jojo Semivumbi appeared before the High Court in Goma on 21 January. This first hearing was focused on identification of the defendants.

The General Prosecutor has maintained three charges against the nine: belonging to a criminal organization, incitement to disobedience and insult to the authorities. The nine remain detained at Munzenze central prison, Goma after the court denied their bail request on 25 January. The next hearing is set for 4 February.

The nine youth were arrested by Congolese authorities on 28 November 2015 in Goma during a peaceful demonstration organized by LUCHA, a youth movement, in honour of victims of killings in the Beni area. The protest, which the authorities had been informed of in advance as required by law, was dispersed by the security forces, using tear gas and live bullets.

The nine were transferred from police custody on 30 November 2015 to the office of the Attorney General. They were charged with belonging to a criminal organization, incitement to disobedience and insult to the authorities, rebellion, assault and destruction on 2 December 2015.

Amnesty International considers the nine prisoners of conscience, detained solely for exercising their rights to freedom of expression and peaceful assembly.

Please write immediately in French, English or your own language:

- Urging the Congolese authorities to drop all charges against the nine immediately and unconditionally;
- Urging them to release the nine immediately and unconditionally;
- Urging them to respect the rights to freedom of expression, association and peaceful assembly including of LUCHA activists, their sympathisers and supporters;
- Urging the authorities to ensure that the nine are not subjected to any ill-treatment while in detention.

PLEASE SEND APPEALS BEFORE 9 MARCH 2016 TO:

General Prosecutor at the Court of

Appeal of Goma

Court of Appeal Goma

Rue camp de Metz

Goma

DRC

Salutation: Dear Prosecutor

Attorney General

Flory Kabange Numbi

Office of the Attorney General

P.O. Box 7016 Kinshasa 1

Kinshasa

DRC

Email: pgr_rdc@yahoo.fr

Salutation: Dear Attorney General

And copies to:

Minister of Justice and Human Rights

Alexis Tambwe Mwamba

Ministry of Justice and Human Rights

P.O Box 3137

Kinshasa/Gombe

DRC

Fax +243 8805521

Email: minjustdh@gmail.com

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the first update of UA 173/15. Further information:

<https://www.amnesty.org/en/documents/af62/3047/2015/en/>

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ADDITIONAL INFORMATION

LUCHA is a youth movement that was created in Goma, the provincial capital of North Kivu in the DRC, in 2012. The movement is known for its peaceful actions. They organize sit-ins, demonstrations and other actions to claim their rights and those of the people of DRC.

In a press release signed on 3 December 2015, the Mayor of Goma banned all of LUCHA's activities, claiming that the organization is not legally registered.

Earlier this year, four LUCHA activists were given a six months' suspended sentence for having participated in a peaceful protest for the release of their colleagues Fred Bauma and Yves Makwambala, who were held in incommunicado detention in Kinshasa at the time. Fred Bauma and Yves Makwambala, considered prisoners of conscience by Amnesty International, remain in detention in Makala prison, Kinshasa.

Name: Juvini Kombi, Pascal Byumanine, Innocent Fumbu Byunvohore, Sayi Heshima Wetemwami, Gervais Semunda Rwamakuba, Nelson Katembo Kalindalo, Jonathan Kambale Muhasa, Osée Kakule Kilala and DJodjo Semivumbi

Gender m/f: male

Further Information on UA: 173/15 Index: AFR 62/3290/2016 Issue Date: 27 January 2016