

URGENT ACTION

TWO LUCHA ACTIVISTS AND ONE YOUTH DENIED BAIL

On 25 February a court in Kinshasa denied a bail request by three young men, two of whom are members of Lutte pour le Changement (LUCHA). The tribunal also authorized an extension of their provisional detention at Makala Prison for 15 days.

A bail request by **Bienvenu Matumo, Marcel Heritier Kambale Kapitene** and **Victor Tesongo** was denied by the Peace Tribunal in Ngaliema, in Kinshasa on 25 February. The Tribunal also authorized an extension of their provisional detention for 15 days. Their lawyers will appeal this court decision.

Bienvenu Matumo and Marc Heritier, LUCHA youth activists, were arrested on the early morning of 16 February at a hotel where they were hiding. Their arrest, which authorities denied at first, occurred just hours before a general strike held in protest against delays in preparations for the 2016 general elections in the Democratic Republic of Congo (DRC). Victor Tesongo, who was helping them prepare leaflets for the strike, was arrested the night before. The three were held incommunicado until they were presented at the Prosecutor's office in the Gombe neighbourhood of Kinshasa on 19 February.

The three are detained at Makala Prison on a provisional warrant on the charges of "spreading rumours", "incitement to disobedience" and "undermining national security".

Amnesty International considers the three activists to be prisoners of conscience detained solely for peacefully exercising their right to freedom of expression. They are at risk of ill-treatment while in detention.

Please write immediately in French or your own language:

- Urging Congolese authorities to drop all the charges against Bienvenu Matumo, Marcel Heritier Kambale Kapitene and Victor Tesongo and immediately and unconditionally release them;
- Urging them to ensure that they are not subjected to ill-treatment while in detention;
- Calling upon them to uphold the rights to freedom of expression and peaceful assembly.

PLEASE SEND APPEALS BEFORE 8 APRIL 2016 TO:

Minister of Justice

Monsieur Alexis Tambwe Mwamba
Ministry of Justice
228 Avenue de Lemera
BP 3137
Kinshasa - Gombe
DRC
Email: minjustdh@gmail.com
Salutation: Honourable Minister

Minister of Interior and Security

Professor Evariste Boshab
Ministry of Interior and Security
Avenue Roi Baudoin
Kinshasa-Gombe
DRC
Email: ngomamundulu@gmail.com
Salutation: Honourable Minister

And copies to:

Prime Minister

His Excellency Augustin Matata Ponyo
Office of the Prime Minister
5 Avenue Roi Baudoin
Kinshasa-Gombe
DRC
Email: cabinet@primature.cd

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 second update of UA 36/16. Further information:

<https://www.amnesty.org/en/documents/afr62/3493/2016/en/>

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ADDITIONAL INFORMATION

As the November 2016 general elections draw closer, calls for President Kabila to step down have intensified, as has the government's crackdown on dissent. President Kabila took over the presidency after the death of his father in 2001. He was declared winner of the 2006 and 2011 general elections.

The DRC Constitution limits a president to two consecutive terms in office.

President Kabila has not been clear about his intentions on whether he will seek another term in office or not or whether he intends to stay in power beyond the timeframe stipulated by the Constitution. His party which is the ruling majority has been accused by the opposition of obstructing the preparations for the general elections in 2016.

LUCHA is a youth movement created in Goma, the provincial capital of North Kivu. LUCHA has been campaigning peacefully in DRC since 2012. Its members and sympathizers organize sit-ins, demonstrations and other actions to claim their rights and those of the people of DRC. They have continuously called for respect of the Constitution with regards to the timelines for general elections and strict respect of the presidential term limits.

Authorities have accused LUCHA of being a criminal movement, set up with the aim of disturbing public order. At least 19 people are currently in jail in connection with LUCHA.

Name: Bievenu Matumo, Marcel Heritier Kambale Kapitene, Victor Tesongo
Gender m/f: m

Further information on UA: 36/16 Index: AFR 62/3533/2016 Issue Date: 26 February 2016