

URGENT ACTION

SIX MONTH PRISON TERM FOR ACTIVISTS AFTER APPEAL

An appeal court has reduced the prison sentence for six members of the Lutte pour le Changement (LUCHA) youth movement from two years to six months. The six were arrested on 16 February in Goma, hours before a general strike held in protest against delays in organizing the 2016 general elections in the Democratic Republic of Congo (DRC).

LUCHA activists **Rebecca Kavugho, Serge Sivyavugha, Justin Kambale Mutsongo, Melka Kamundu, John Anipenda** and **Ghislain Muhiwa** had their prison sentence reduced from two years to six months on 4 March by an appeal court. They remain detained at Muzenze prison in Goma.

In the early morning of 16 February, authorities forced their way into a house where the six LUCHA activists had spent the night preparing messages for the general strike, called for by the opposition and civil society. The general strike was in protest against attempts to delay preparations for the 2016 general elections, which would extend President Kabila's rule beyond the timeframe outlined in the Constitution of the DRC.

They stood trial for charges of "attempting to incite disobedience".

Amnesty International believes the six activists have been convicted solely for peacefully exercising their rights to freedom of expression and peaceful assembly, and considers them to be prisoners of conscience.

Please write immediately in French or your own language:

- Calling on the DRC authorities to drop all charges against the six LUCHA activists in Goma and to immediately and unconditionally release them;
- Urging them to ensure that the six LUCHA activists are not subjected to torture and other ill-treatment while in detention.

PLEASE SEND APPEALS BEFORE 4 MAY 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 37/16. Further information:
<https://www.amnesty.org/en/documents/afr62/3530/2016/en/>

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ADDITIONAL INFORMATION

DRC's Constitution limits a presidential mandate to two consecutive five years terms. Tensions have increased as the incumbent President Kabila is prevented by the Constitution from seeking another term after he was declared the winner of two consecutive elections in 2006 and 2011.

President Kabila has never declared his intention to stay in power beyond the Constitution's limit of terms. However, there have been several attempts by the ruling majority to change the Constitution to allow him to stay in office or extend his rule beyond the timeframe fixed by the Constitution.

LUCHA is a youth movement that was created in Goma, eastern DRC in 2012. It is a community based organization that holds sit-ins, demonstrations and other actions to campaign for human rights and on social issues. LUCHA has been vocal in campaigning for the authorities to observe electoral deadlines in the Constitution, and for the president to respect term limits as enshrined in the Constitution.

The government has accused LUCHA of being a criminal movement, set up with the aim of disturbing public order. At least 19 people connected to LUCHA are currently in jail.

Name: Rebecca Kavugho, Serge Sivyavugha, Justin Kambale Mutsongo, Melka Kamundu, John Anipenda and Ghislain Muhiwa
Gender m/f: both

Further information on UA: 37/16 Index: AFR 62/3690/2016 Issue Date: 23 March 2016