

URGENT ACTION

PRO-DEMOCRACY ACTIVISTS ARBITRARILY DETAINED

Pro-democracy activists Rachel Pilipili, Francois Kahombo Hangi, Justin Mutabesha, Benjamin Kamuntu and Parfait Muhani have been in arbitrary detention since 21 January. They have alleged that they were beaten in the first five days of their detention by security officers. The five were arrested during a peaceful demonstration in Goma.

Rachel Pilipili, Francois Kahombo Hangi, Justin Mutabesha, Benjamin Kamuntu and Parfait Muhani have been detained at Munzenze prison since 30 January. The five pro-democracy activists are members of LUCHA (Fight for Change), a citizen movement which has been vocal in calling President Kabila to step down as his second and last term according to the Congolese constitution, ended in December 2016. They were held incommunicado in an overcrowded, non-ventilated and dark underground police jail called Kahembe in Goma in the first five days after their arrest when they were not allowed family visits or access to their lawyers. They all allege that during this time they were beaten by security officers. The five pro-democracy activists then spent another four days in a cell at the Prosecutor's Office before being transferred to prison. Since then, they have been granted access to lawyers and their families.

The five were arrested on 21 January at the Saint Joseph Cathedral in Goma during a peaceful demonstration organized by the Lay Coordination Committee (CLC) of the Catholic Church. The five pro-democracy activists have been charged with 'sequestration', 'spiteful destruction' and 'home invasion'. On 3 February, a magistrate set their bail at 100 USD each for their conditional release. The activists were not able to raise the amount. A second bail request for release was denied on 12 February.

Amnesty International considers Ms Rachel Pilipili, Mr Francois Kahombo Hangi, Mr Justin Mutabesha, Mr Benjamin Kamuntu and Mr Parfait Muhani to be prisoners of conscience detained solely for exercising their right to freedom of expression and peaceful assembly.

Please write immediately in French or your own language:

- Urging the Congolese authorities to immediately and unconditionally release Ms Rachel Pilipili, Mr Francois Kahombo Hangi, Mr Justin Mutabesha, Mr Benjamin Kamuntu, and Mr Parfait Muhani detained solely for exercising their right to freedom of expression and peaceful assembly;
- Urging them to conduct a thorough and impartial investigation into allegations that the pro-democracy activists were beaten in detention and hold to account those found responsible, in line with international standards;
- Calling on them to ensure that the five are not subjected to further torture or other ill-treatment;
- Urging them to respect the rights to freedom of expression and peaceful assembly and end the harassment of human rights activists including through arbitrary arrests and arbitrary detention.

PLEASE SEND APPEALS BEFORE 2 APRIL 2018 TO:

Minister of Justice

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

Minister of Human Rights

Marie-Ange Mushobekwa
Ministère des droits Humains
Place Royal
Kinshasa-Gombe
DRC
Email: mushobekwa.likulia@gmail.com
Salutation: Honourable Minister

Gouverneur du Nord-Kivu

Julien Paluku
Gouvernorat – Nord Kivu
Musée de Himbi
Goma
DRC
Email: julienkaho@julienpaluku.com
Salutation: Your Excellency

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.

**AMNESTY
INTERNATIONAL**



URGENT ACTION

PRO-DEMOCRACY ACTIVISTS ARBITRARILY DETAINED

ADDITIONAL INFORMATION

The Democratic Republic of Congo's (DRC) President Joseph Kabila has been in office since 2001 and was declared winner of the 2006 and 2011 elections. The Congolese Constitution limits presidential mandates to two consecutive terms of five years each. Although President Kabila's second and last mandate ended on 19 December 2016, he remains in power after failing to organize elections.

The Conference of Catholic Bishops (CENCO) led an inclusive national dialogue which resulted in an agreement signed on 31 December 2016. The Agreement included provisions aimed at building trust and improving the political situation in the country by releasing political prisoners, upholding the freedom of the press and allowing the return of opposition leaders from exile to participate in "inclusive, peaceful and credible elections."

President Kabila's failure to honour the 31 December Agreement has been seen by many as his unwillingness to leave power. This has led to several peaceful demonstrations led by the Lay Coordination Committee of the Catholic Church since December 2017. These protests have been held to call on President Kabila to fully implement the 31 December Agreement. These protests, so far conducted on 31 December 2017 and 21 January 2018, have been supported by the opposition groups and citizen movements including Filimbi. The brutal response of the security forces during these protests have resulted in the death of at least 13 civilians, hundreds injured, and several arbitrary arrests and detentions.

Name: Ms Rachel Pilipili (f), Mr Francois Kahombo Hangi (m), Mr Justin Mutabesha (m), Mr Benjamin Kamuntu (m), and Mr Parfait Muhani (m)
Gender m/f: Both

UA: 39/18 Index: AFR 62/7898/2018 Issue Date: 19 February 2018