

PUBLIC

AI Index: AFR 62/019/2002

30 September 2002

Further information on UA 120/02 (AFR 62/005/2002, 22 April 2002) and follow-ups (AFR 62/007/2002, 29 April 2002 and AFR 62/014/2002, 30 August 2002) - Arbitrary arrest / prisoner of conscience / ill-health

DEMOCRATIC REPUBLIC OF CONGO N'sii Luanda Shandwe (m), human rights defender

Human rights activist N'sii Luanda Shandwe is currently convalescing in a Kinshasa clinic after undergoing an operation for appendicitis. He appears to be recovering well from the operation, but may soon be returned to Kinshasa's main prison, the *Centre pénitentiaire et de rééducation de Kinshasa* (CPRK), Kinshasa Penitentiary and Reeducation Centre, where facilities for further medical care will be limited.

N'sii Luanda Shandwe was finally transferred, under armed escort, from the CPRK to a privately-run clinic called *La Candeur* on 20 September. This followed several weeks of pressure from both Congolese and international human rights organizations, who had been concerned that his health was being seriously jeopardized by the refusal of the prison authorities to ensure that he received appropriate medical treatment. His operation took place on the afternoon of 24 September and appears to have been successful. He has also largely recovered from the other illnesses from which he had been suffering, including malaria.

Seven police officers are currently stationed at the clinic to guard N'sii Luanda Shandwe, but visits are permitted by friends and members of human rights groups, including the *Comité des observateurs des droits de l'homme* (CODHO), Committee of Human Right Observers, of which N'sii Luanda Shandwe is the president. However, it is thought that the authorities are intending to return N'sii Luanda Shandwe to the CPRK in the coming days. The medical facilities at the CPRK are basic compared with those at private medical centres such as *La Candeur*, and it is feared that his early transfer back to the CPRK will hinder his recovery from his operation.

N'sii Luanda Shandwe has been in detention since 19 April. The accusations against him relate to alleged treason offences, but formal legal proceedings appear to have stalled and he has yet to appear in court. Amnesty International considers that the treason accusations have been contrived and that in reality he has been detained on account of his human rights activism.

FURTHER RECOMMENDED ACTION: Please send appeals in French or English or in your own language:

- welcoming the transfer of N'sii Luanda Shandwe to a medical centre where he has been able to receive appropriate medical treatment for appendicitis;
- stating that you consider N'sii Luanda Shandwe to be a prisoner of conscience, detained on account of his human rights activism, and urging for him to be immediately and unconditionally released;
- urging that, if he is to remain in custody, he is allowed to complete his convalescence at *La Candeur* medical centre and is not prematurely returned to the CPRK.

APPEALS TO:

Minister of Human Rights
Professeur Ntumba Luaba
Ministre de Droits humains

Ministère de Droits humains
33/C Boulevard du 30 juin
Kinshasa-Gombe
République démocratique du Congo
Email: ntumbaluaba@yahoo.fr
Fax: + 243 12 20 664 (this number can be very difficult to get through to)
Salutation: Monsieur le Ministre / Dear Minister

COM Prosecutor
Colonel Charles Alamba Mongako
Procureur général près la Cour d'ordre militaire
Palais de Justice, BP 7016
Kinshasa-Gombe
République démocratique du Congo
Salutation: Monsieur le Procureur général / Dear Prosecutor

Director of the Kinshasa Penitentiary and Reeducation Centre
Monsieur Kitunga Killy Dido
Directeur du CPRK
Centre pénitentiaire et de rééducation de Kinshasa
Kinshasa-Makala
Democratic Republic of Congo
Salutation: Monsieur le Directeur / Dear Director

COPIES TO: diplomatic representatives of the Democratic Republic of Congo accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 11 November 2002.