

PUBLIC

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31 August 2001

**Further information on UA 118/01 (AFR 62/007/2001, 16 May 2001) and follow-up (AFR 62/008/2001, 17 May 2001, and AFR 62/024/2001, 17 July 2001) - Arbitrary arrest / torture**

**DEMOCRATIC REPUBLIC OF CONGO (DRC) Golden Misabiko Baholelwa - human rights defender and prisoner of conscience**

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Contrary to recent government statements that his release was imminent, human rights defender Golden Misabiko Baholelwa remains in detention at Kinshasa's central prison as a result of his human rights activism.

At a press conference held in Kinshasa on Monday 27 August 2001, the DRC Minister of State for Foreign Affairs, Léonard She Okitundu, reportedly announced that any remaining political prisoners or prisoners of conscience were to be immediately released. The initiative was to form part of an ongoing peace process aimed at resolving a three year armed conflict that has ravaged the DRC. Golden Misabiko was apparently cited as one of the prisoners to be released, but no concrete steps are known to have been taken to ensure that he is released.

This appears to be the second time that a DRC government minister has made misleading statements on this case - during the 57<sup>th</sup> session of the United Nations Human Rights Commission held in Geneva from March to April 2001, the DRC Minister of Human Rights, Professor Ntumba Luaba, is also reported to have suggested that Golden Misabiko was either about to be or already had been released.

Since his arrest on 5 February, Golden Misabiko is understood to have been questioned on three separate occasions by members of the Commission of Inquiry investigating the assassination of President Laurent-Désiré Kabila. Questions focused on the activities of the human rights group *Association africaine de défense des droits de l'homme* (ASADHO), African Association for the Defence of Human Rights, of which Golden Misabiko is the Katangan branch president. In particular, he was questioned about a communiqué issued by ASADHO in December 2000 which denounced the executions in November of a number of alleged coup conspirators. The DRC authorities at first angrily denied the allegations, before later admitting to the UN Special Rapporteur on the human rights situation in the DRC, that the executions had indeed taken place.

Amnesty International considers that Golden Misabiko is a prisoner of conscience, detained for his human rights work, and is campaigning for his immediate and unconditional release.

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

- drawing attention to recent remarks attributed to government ministers suggesting that Golden Misabiko was about to be released and seeking clarification as to what steps, if any, have been taken to fulfil these apparent commitments to releasing him;
- expressing concern that he continues to be detained without charge, and urging that for as long as he remains in detention he is granted adequate access to relatives and lawyers, as well as adequate food;
- expressing concern at the reported torture of Golden Misabiko at the *Groupe Litho Moboti* (GLM) detention centre before his transfer to Kinshasa's central

prison and urging that anyone thought to be responsible for his torture be brought to justice and compensation be paid to Golden Misabiko;  
- stating that you consider Golden Misabiko to be a prisoner of conscience, detained on account of his human rights activism, and urging his immediate and unconditional release.

**APPEALS TO:**

**(Please note that the fax number given is difficult to get through to - please be patient and keep trying.)**

Minister of State for Foreign Affairs  
Léonard She Okitundu  
Ministre d'Etat chargé des Affaires Etrangères  
Ministère des Affaires étrangères  
BP 7100  
Kinshasa-Gombe  
Democratic Republic of Congo

**Salutation: Monsieur le Ministre d'Etat / Dear Minister of State**

Minister of Human Rights  
Professeur Ntumba Luaba  
Ministre des Droits humains  
Ministère des Droits humains  
33/C Boulevard du 30 juin  
Kinshasa-Gombe  
Democratic Republic of Congo

**Fax: + 243 12 20 664**

**Salutation: Monsieur le Ministre / Dear Minister**

Director of the Kinshasa Penitentiary and Reeducation Centre  
Kitunga Killy Dido  
Directeur du CPRK  
Centre pénitentiaire et de rééducation de Kinshasa  
Makala district, Kinshasa  
Democratic Republic of Congo

**Salutation: Monsieur le Directeur / Dear Director**

and 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 12 October 2001.