

UA 381/00

Fear of torture/"disappearance"/execution

18 December 2000

DRC

Commander Anselme Masasu Nindaga
Commander Vincent Madjaga
Colonel Madoadoa
Colonel Kasongo
General Sebalende
Bernard Munogolo, police officer
Jimmy Katenda, police officer
Batesema Mastaki, police officer
Guillaume Rugumbira Lwagunja, ANR member
Odon Mweze, ANR member
Ngalamulume Mukwege, civilian
As many as 50 other suspected political opponents

As many as 50 suspected political opponents have been detained and are held incommunicado in government-controlled DRC, many in unofficial detention centres where torture is routine. Some have reportedly "disappeared". Amnesty International fears for their safety.

The authorities began a brutal crackdown on suspected political opponents in late October following an alleged plot to mount a coup d'état against President Laurent-Désire Kabila's government, arresting both civilians and members of the army, police and security services.

Anselme Masasu Nindaga, a senior military figure and a former leader of the *Alliance des Forces démocratiques pour la libération du Congo* (AFDL), the Alliance of Democratic Forces for the Liberation of Congo, the armed opposition group which brought President Kabila to power in 1997, was arrested in Kinshasa at the end of October. He has since been transferred to the south-eastern town of Lubumbashi, where he is held in incommunicado detention. Several other members of the military are reportedly detained with him, including Colonel Madoadoa, Colonel Kasongo and General Sebalende. It is thought that they will be courtmartialled and that they are likely to face the death penalty.

A group of up to 34 other prisoners arrested in connection with the alleged coup plot are thought to be detained at Kinshasa's main prison, the *Centre Pénitentiaire et de Rééducation de Kinshasa* (CPRK), Kinshasa Penitentiary and Reeducation Centre. However, when visiting the CPRK on 30 November Amnesty International delegates were refused access to the block where they were being held. By the time the delegates returned to the prison the following day, the prisoners had been moved to another block within the CPRK to prevent Amnesty International from interviewing them. The prison authorities continue to deny that these prisoners are being held at the CPRK. The group is thought to include Vincent Madjaga, a naval commander from South Kivu province, who was reportedly stabbed in the leg with a bayonette and whipped at the time of his arrest on 26 October, and several police officers, including Bernard Munogolo, Jimmy Katenda and Batesema Mastaki, who were arrested on 28 October.

Other detainees are being held in various unofficial security service detention centres. Ngalamulume Mukwege, a civilian arrested on 14 November, and Guillaume Rugumbira Lwagunja and Odon Mweze, two members of a security service, the *Agence Nationale de Renseignements* (ANR), National Intelligence Agency, who were arrested around 15 November, are reportedly held at the Groupe Litho Moboti (GLM) building in Kinshasa.

To Amnesty International's knowledge, none of those arrested have been formally charged or have appeared before a court of law. Neither their families nor legal representatives have been allowed

access to them. Torture is routine in many of the unofficial detention centres where prisoners are held incommunicado and Amnesty International is particularly concerned for the safety of those who have reportedly "disappeared" since their arrest.

Almost all of those arrested are from the eastern provinces of North Kivu and South Kivu; some appear to have been arrested purely because they are from the Kivu region or know people there.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in French, English or your own language:

- expressing your concern at the recent wave of arrests and incommunicado detention of individuals from the provinces of North and South Kivu (please name some of them);
- expressing your fear that these detainees are at risk of torture and urging that immediate steps be taken to guarantee their safety, including by granting them immediate access to their legal representatives and families;
- expressing your further concern that some detainees have reportedly "disappeared" since their arrest and your fear that other detainees remain at risk of "disappearance" for as long as they remain in incommunicado detention;
- seeking clarification of what formal charges, if any, have been made against the detainees and urging that any legal proceedings against them conform to international standards of fair trial, including the guarantee of their right to legal representation of their choice, adequate time to prepare their defence and the right to appeal before a higher court.

APPEALS TO:

President

Président Laurent-Désiré KABILA
Président de la République, Présidence de la République
Kinshasa-Ngaliema, Democratic Republic of Congo

Telegrams: President, Kinshasa, DR Congo

e-mails: UPP@ic.cd

Fax: + 243 88 02120 (this number may be very difficult to get through to)

Salutation: Monsieur le Président de la République / Dear Président

Minister of the Interior
Monsieur Gaëtan Kakudji
Ministre de l'Intérieur
Ministère de l'Intérieur
Kinshasa-Gombe, Democratic Republic of Congo
Telegrams: Ministre Kakudji, Kinshasa, DR Congo
Salutation: Monsieur le Ministre

Minister of Justice

Monsieur Mwenze KONGOLO
Ministre de la justice
Ministère de la justice
BP 3137 Kinshasa-Gombe, Democratic Republic of Congo
Telegrams: Ministre Justice, Kinshasa, DR Congo
Salutation: Monsieur le Ministre

COPIES TO:

Minister of Human Rights
Professeur Kakez

Ministre des Droits humains
Ministère des Droits humains
Kinshasa-Gombe, Democratic Republic of Congo
e-mails: mininfordc@ic.cd
Salutation: Monsieur le Ministre

and to diplomatic representatives of 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 29 January 2001.