

URGENT ACTION

UNLAWFULLY HELD AFTER "ASSASSINATION PLOT"

A man arrested for his supposed involvement in what the National Intelligence Agency (Agence Nationale de Renseignements, ANR) claim was a plot to assassinate the president is being detained incommunicado. The ANR are apparently extorting money from his family and friends.

Christophe Mbay Mutomb has been detained by the ANR in the south-eastern city of Lubumbashi since 22 January. He is now malnourished and gravely ill. He has been denied access to his family and lawyer, and to medical treatment, since he was arrested. He suffers chronic back pain, for which he was receiving daily injections of painkillers, but which is now going untreated. He has not eaten properly since his arrest and has been described as dangerously thin.

Christophe Mbay Mutomb, who has five young children, is an electrical engineer who worked on hydroelectric projects in the east of the country. Now he is liable to lose his job, and with it his family's livelihood.

Under article 18 of the DRC's 2006 Constitution, no-one may be held without charge for more than 48 hours, after which they must be charged and transferred to the custody of the courts or else released. Incommunicado detention is unlawful at all times.

Christophe Mbay Mutomb was arrested at his home in the early hours of 22 January. He is one of around 20 people arrested in Lubumbashi around that time in connection with an alleged plot to assassinate President Joseph Kabila during a January presidential visit to the city. Most of those arrested have since been released without charge.

The continued detention of Christophe Mbay Mutomb may be motivated by corruption. Amnesty International understands that ANR officers have extorted money from his family and friends, promising he would be released. His family have apparently been threatened that unless they pay, he will be transferred to Kinshasa.

PLEASE WRITE IMMEDIATELY in French or your own language:

- Urging the authorities to ensure that Christophe Mbay Mutomb, held unlawfully by the ANR since 22 January in Lubumbashi, is given urgent medical attention by a qualified doctor, and immediate access to his lawyer and family;
- Calling on them to ensure that Christophe Mbay Mutomb is released immediately or else charged with a recognizably criminal offence and transferred without further delay to the custody of the courts;
- Urging them to order an immediate investigation of Christophe Mbay Mutomb's unlawful incommunicado detention and bring those responsible to justice.

PLEASE SEND APPEALS BEFORE 30 MARCH 2010 TO:

President

Son Excellence Joseph Kabila
Président de la République
Palais de la Nation
Kinshasa-Gombe
Democratic Republic of Congo
E-mail: presipp@yahoo.fr

Salutation: Dear President Kabila/
Son Excellence Monsieur le Président

Governor of Katanga

Moise Katumbi Chapwe
Please leave a message
on the Governor's official website:
http://www.katanga.cd/index.php?option=com_qcontacts&view=contact&id=3%3Akatumbi&catid=39%3Agovernors&Itemid=30&lang=fr
Salutation: Dear Governor /
Monsieur le Gouverneur

Katanga Public Prosecutor

Procureur Général de la Province du
Katanga
M. Pierre Essabe Kamulete
E-mail: pierreessabe@yahoo.fr
Salutation: Dear Procureur Général

Also send copies to diplomatic representatives accredited to your country. Please check with your section office if sending appeals after the above date.

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ADDITIONAL INFORMATION

The ANR, which is under the direct authority of the President, has frequently been accused of serious human rights violations, including arbitrary arrests, acts of torture and other cruel, inhuman and degrading treatment. The ANR is supposedly limited to investigating crimes against the security of the state, but routinely makes arbitrary arrests of peaceful opposition supporters, civil society activists, journalists and others accused of common criminal offences, often in order to extort money for their release. Lawyers, national human rights groups and UN human rights monitors are routinely denied access to people detained by the ANR.

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