

EXTERNAL

AI Index: AFR 62/37/97

UA 372/97 Fear of ill-treatment / Arbitrary arrest

27 November 1997

DEMOCRATIC REPUBLIC OF CONGO (DRC) Roger Sala Nzo Badila

Nsii Luanda Shandwe, student

Amnesty International is concerned for the safety of two human rights activists in Kinshasa. One is detained as a prisoner of conscience, and the other is in hiding in fear of arbitrary arrest.

Roger Sala Nzo Badila, Secretary General of the *Centre national des droits de l'homme* (CENADHO), National Centre for Human Rights, a non-governmental Christian human rights organization, was arrested on the morning of 23 November 1997 at his home in Kinshasa. Three agents of the security service the *Agence nationale de renseignements* (ANR) came to his house, accompanied by a group of government soldiers, and searched for "subversive" documents. The soldiers then took Roger Sala to the *Conseil national de la sécurité* (CNS), National Security Council, and held him there until 25 November when he was transferred to ANR custody where he is still held. He is not known to have been charged. There are no reports that Roger Sala has been ill-treated, but there have been previous reports of ill-treatment of detainees in ANR custody.

The arrest of Roger Sala, who has been harassed and threatened before, is apparently related to an article he published in early July 1997 in a CENADHO publication *Le Messenger*, criticising the human rights record of President Laurent-Désiré Kabila's government. He may also have been targeted because of his past work as a senior employee at the Ministry of Citizens' Rights and Liberties under former President Mobutu Sese Seko's government. On 9 July 1997, Roger Sala was abducted and threatened by a group of soldiers who accused him of spying for the former minister for Citizens' Rights and Liberties. On 29 September, a member of the security forces reportedly visited the CENADHO office asking for Roger Sala and where *Le Messenger* is printed.

Nsii Luanda Shandwe, president of the *Comité des observateurs des droits de l'homme* (CODHO), Committee of Human Rights Observers, and law student at the University of Kinshasa, has gone into hiding after being warned that the security forces were looking for him. He appears to be targeted because CODHO recently published a report on allegations of massacres committed by the *Alliance des forces démocratiques pour la libération du Congo-Zaïre* (AFDL), the national army. On 21 November 1997, soldiers raided CODHO's office in Kinshasa.

BACKGROUND INFORMATION

Hundreds of people are reported to have been arrested in various parts of the DRC since the AFDL took power on 17 May 1997. The vast majority of these arrests are reported to be arbitrary, carried out without arrest warrants, by soldiers who do not have the legal power to make arrests under Congolese law. Detainees are often held incommunicado, sometimes in unofficial detention centres such as private residences. Reports of ill-treatment and torture are common.

Those arrested have included members of political opposition groups critical of the AFDL, journalists, human rights activists as well as many dignitaries, including ministers of the former government. The AFDL have officially banned political party activity outside of the Alliance and suspended the Zaïrian constitution which guaranteed freedom of association and the right to hold peaceful demonstrations.

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

- urging that Roger Sala Nzo Badila be allowed full access to his family, medical care and legal counsel, and that he be protected from any form of ill-treatment;
- explaining that Amnesty International believes he is a prisoner of conscience held solely because of his human rights activities, and calling for his immediate and unconditional release;
- expressing concern about the alleged threat of arrest against Nsii Luanda Shandwe and urging that he not be subjected to arbitrary arrest or any other human rights violation and that his safety be guaranteed;

if possible, also:

- calling for immediate steps to end the current trend of arbitrary arrests and incommunicado detention in the DRC by prohibiting the use of unofficial detention centres and taking action within the law against military or civilian authorities who arrest and detain people without the legal authority to do so.

APPEALS TO:

We are currently unable to obtain fax numbers for the DRC authorities. Therefore, please send equal numbers of appeals to (1) the authorities listed below and (2) to the diplomatic representatives of DRC in your country, asking them, as a matter of urgency, to forward your appeal on to the authorities in DRC

President

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

Telegrams: President Kabila, Kinshasa DR Congo

Salutation: Monsieur le Président de la République

Minister of Justice

M. Célestin LWANGI
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

Minister of the Interior

M. Mwenze KONGOLO
Ministre de l'Intérieur
Hôtel du Conseil exécutif
Kinshasa-Gombe
Democratic Republic of Congo

Telegrams: Ministre Interieur, Kinshasa, DR Congo

Salutation: Monsieur le Ministre

COPIES TO:

Le Phare (independent newspaper), Faxes: +1 212 3769270 (this is a number in the United States but the fax will be transmitted to *Le Phare*)

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 10 January 1997.