

PUBLIC

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Fear for safety

DEMOCRATIC REPUBLIC OF CONGO (DRC) Hubert Tshiswaka (m), human rights defender

Human rights activist Hubert Tshiswaka has been threatened by representatives of a political party led by the Minister of Justice, and on 1 April received an anonymous telephone death threat. Amnesty International believes his life may be in danger.

Hubert Tshiswaka is the director of the human rights organisation *Action contre l'impunité pour les droits humains* (ACIDH), Action Against Impunity, for Human Rights, based in Katanga province, in the city of Lubumbashi.

In July the DRC is scheduled to hold its first general election since it gained independence from Belgium in 1960. Since 2002 the country has been run by a transitional power-sharing government headed by Joseph Kabila, leader of the *Parti du peuple pour la reconstruction et la démocratie* (PPRD), Party of the People for Reconstruction and Democracy. Another member of the coalition is the *Union nationale des fédéralistes au Congo* (UNAFEC), Union of Congolese Nationalists and Federalists, led by the Minister of Justice, Honorius Kisimba Ngoy. In the run-up to the elections, political tensions are on the rise in Katanga between native Katangans (predominantly from the Bulabakat ethnic group) and migrants from the Luba group, from neighbouring Kasai. UNAFEC is dominated by members of the Balubakat, some of whom are waging a campaign of intimidation against supporters of the opposition *Union pour la démocratie et le progrès social* (UDPS), Union for Democracy and Social Progress, led by Ethienne Tshisekedi. In Katanga UDPS supporters are mainly migrants from Kasai.

On 11 March ACIDH published a press release calling on the electorate not to vote for the *reputés criminels*, "alleged perpetrators of human rights abuses", and recommending them to vote for candidates able to promote human rights. It also said *communauté internationale devrait aider à écarter les présumés criminels*, "representatives of the international community who are organising the elections [should] exclude candidates accused of human rights abuses".

In an apparent response to the 11 March press release, ACIDH workers received a threatening letter from UNAFEC on 18 March, accusing Hubert Tshiswaka of *incitation à la haine tribale* "inciting ethnic hatred" and of being a representative of the migrants from Kasai province.

A 24 March ACIDH press release condemned UNAFEC's creation of a youth wing. The press release pointed out that UNAFEC have previously used a youth wing as a militia to intimidate their opponents. The press release also asked the UN peace-keeping mission in the country to ensure that all political parties commit themselves to peace and dissolve their youth wings.

On 1 April, UNAFEC responded with a letter to ACIDH, accusing Hubert Tshiswaka of being a supporter of the UDPS. The letter threatened that UNAFEC would no longer tolerate Hubert Tshiswaka's *campagne d'intoxication et d'incitation à la haine tribale* "campaign of indoctrination and incitement to hatred". That evening, Hubert Tshiswaka received an anonymous telephone call from a man who told him, *...tu t'amuses beaucoup, nous allons te régler tes comptes. Ce que tu écris t'amènera à la mort...* "you are enjoying it, we will sort you out. What you write will lead you to death."

On 12 April the newspaper *Le Lushois*, which is run by the Secretary General of UNAFEC, published an article entitled *Monsieur Hubert Tshiswaka incite à la haine tribale au Katanga. Son objectif est de saboter les élections*, "Hubert Tshiswaka is inciting tribal hatred in Katanga. His objective is to sabotage the election".

BACKGROUND INFORMATION

From 1906, while the DRC was under Belgium rule, many Luba from Kasai came to work the copper mines in Katanga. Tensions between the Luba and Bulabakat in the early 1990s culminated in the killing of thousands of Luba, and the expulsion of tens of thousands more.

In most areas of the country the local authorities are hostile to local NGOs, who they fear may expose their involvement in human rights violations. On 31 July 2005, prominent human rights activist Pascal Kabungulu Kibembi was murdered at his home in the eastern city of Bukavu, allegedly by soldiers.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in French, English or your own language:

- expressing grave concern for the safety of Hubert Tshiswaka, the executive director of the human rights organisation ACIDH, who has been threatened with death
- urging the authorities to take immediate steps to protect him;
- calling for an immediate and thorough investigation into the threats, with the results made public and those responsible brought to justice;
- reminding the authorities that they have an obligation to ensure that human rights defenders can carry out their activities without any restrictions or fear of reprisals, as set out in the United Nations Declaration on the Rights and Responsibilities of Individuals, Groups and Institutions to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms.

APPEALS TO: (Fax numbers may be difficult to get through to. Please keep trying.)

President and Head of State

Son Excellence Major-General Joseph KABILA, Président de la République

Présidence de la République, Palais de la Nation, Kinshasa-Ngaliema, République Démocratique du Congo

Fax: +243 8802120

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Salutation: Son Excellence Monsieur le Président de la République

Minister of Justice

M. Honorius KISIMBA NGOY, Ministre de la Justice et Garde des Sceaux,

Ministère de la Justice, Place de l'Indépendance, Kinshasa-Gombe, République Démocratique du Congo

e-mail: minjust@yahoo.fr

Salutation: Monsieur le Ministre

Minister of Human Rights

Marie-Madeleine KALALA, Ministre des Droits humains

Ministère des Droits humains, 33/C Boulevard du 30 juin, Kinshasa-Gombe

République Démocratique du Congo

e-mail: urgence_droitshumains@yahoo.fr

Salutation: Madame la Ministre

COPIES TO: diplomatic representatives of the DRC accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 25 May 2006.