

UA 126/99

Torture/1

DEMOCRATIC REPUBLIC OF CONGO

Laurent Kantu Lumpungu - President of *Association des cadres pénitentiaires*

Hassan Kabengele]

Lubanzila]

Lubanzila, 15]

Bikuta Vital]

Felly Mawila] members of opposition political party

Vianza Mwana]

Joel Mafuta]

Simon Mbengi,]

Baseya]

Mampasi]

Gerard Lukoki]

Laurent Kantu Lumpungu, president of the *Association des cadres pénitentiaires* (Association of Prison Officials) was arrested on 29 May 1999 while on duty at the capital's main prison, the *Centre pénitentiaire et de rééducation de Kinshasa*, (CPRK). He was reportedly whipped after he was taken to the main police station, the *Inspection provinciale de la police* (IPK). He was later transferred to the CPRK, but has not been accorded the same visiting rights as other prisoners.

His arrest appears to have been motivated by his critical description of the current conditions in the CPRK during an interview broadcast by the United States-based radio station *Voice of America* on 28 May. Amnesty International considers him to be a prisoner of conscience.

Hassan Kabengele and the 10 other members of the opposition political party *Union pour la démocratie et le progrès sociale* (UDPS), Union for Democracy and Social Progress, named above, were also allegedly whipped at the IPK on 29 May. They had been taken there after they were arrested in the Kimbanseke neighbourhood of Kinshasa, at the home of the president of the branch office. Sources in Kinshasa have indicated that they are to be moved to the CPRK, where their case will be transferred to a magistrate of the *Cour d'ordre militaire*, (COM), Military Order Court.

Although the 11 party activists have not been charged, and the reasons for their arrest remain unclear, Amnesty International believes that they may have been arrested and detained solely on account of their political activities, and, if so, would consider them prisoners of conscience.

BACKGROUND INFORMATION

Since renewed conflict broke out in eastern DRC in August 1998 hundreds of people, both civilian and military, have been arrested for their perceived or actual opposition to the government of President Laurent-Désiré Kabila. The atmosphere in Kinshasa has been particularly tense, where the government and its officials are especially sensitive to any form of criticism.

Human rights activists, journalists and others figure prominently among those threatened with arrest. Many have been tortured and otherwise ill-treated.

Hundreds of detainees, many of them prisoners of conscience, are awaiting trial by the Military Order Court. Trials before this court do not meet international standards and therefore are considered to be grossly unfair. Amnesty International is particularly concerned by the high number of death sentences that have been passed by this court after unfair trials in the last few months. More than 60 people sentenced to death by the court have been executed since the start of 1999, while more than 100 were executed during 1998.

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

- calling for the immediate and unconditional release of Laurent Kantu Lumpungu;
- urging that the 11 UDPS activists currently held at the CPRK are charged with a recognizable criminal offence or else released unconditionally;
- calling for an independent public investigation into allegations that the detainees have been tortured and to ensure that those responsible are brought to justice.

APPEALS TO:

President

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

Telegrams: Président, Kinshasa, DR Congo

email: UPP@ic.cd

Salutation: Monsieur le Président de la République / Dear President Kabila

Minister of Justice

Monsieur Mwenze KONGOLO
Ministre de la justice
Ministere de la justice
BP 3137 Kinshasa-Gombe, Democratic Republic of Congo

Telegrams: Ministre Justice, DR Congo

Salutation: Monsieur le Ministre/Dear Minister

COPIES TO:

Minister for Human Rights

M. Léonard She OKITUNOU
Ministre des droits humains
Ministère des droits humains
Kinshasa-Gombe
République Démocratique du Congo

e-mail: mininfordc@ic.cd

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 14 July 1999.