

UA 244/97 Incommunicado detention/fear of torture/extra-judicial execution  
29 July 1997

## DEMOCRATIC REPUBLIC OF CONGO

**Kianza Lumbete (m) and around 30 other demonstrators held at the presidential palace**

**Kiambukuta Komisa (45 years old, Male -died of gunshot wounds)**

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On 25 July 1997 soldiers opened fire on a peaceful demonstration by the political opposition group, *Parti Lumumbiste Unifié*, (PALU), United Lumumbist Party, in Kinshasa. At least one demonstrator, Kiambukuta Komisa, died as a result of gunshot wounds and a further six demonstrators are gravely injured. Amnesty International is seriously concerned for the safety of Kianza Lumbete and about 30 other demonstrators who were arrested by soldiers and are being held incommunicado at the Presidential Palace known as the *Palais de Marbre* in Kinshasa's Binza district. It is feared that they are being subjected to whippings and other forms of cruel, inhumane and degrading treatment while reportedly being held in a subterranean cell.

Around 100 other demonstrators at the same demonstration were also arrested, some of whom were held for several hours at Kokolo military camp, where they were beaten before being released. Others were allegedly held in unofficial cells at the home of the vice Minister of Interior or in cells at the *Conseil supérieur de guerre* (supreme military court). All of these demonstrators have since been released uncharged.

Soldiers also reportedly forcibly entered the house of PALU's leader Antoine Gizenga where they reportedly stripped naked and whipped a number of PALU supporters.

## BACKGROUND INFORMATION

Dozens, possibly hundreds of arrests have been made in Kinshasa and other parts of Congo since the *Alliance des forces démocratiques pour la libération du Congo-Zaïre*, (AFDL), took power on 17 May. 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 ex-ministers of the former government. The AFDL have officially banned political parties outside of the Alliance and suspended the Zaïrian constitution which guaranteed freedom of association and the right to hold peaceful demonstrations.

Forces of the AFDL are also reported to have committed other severe human rights violations in recent weeks in Kinshasa, including at least a dozen extrajudicial

executions. Amnesty International has asked the authorities to investigate such allegations and bring the perpetrators to justice.

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

-expressing concern at the alleged extrajudicial execution of Kiambukuta Komisa on 25 July, the attempted extrajudicial execution of other unarmed demonstrators, the whipping of PALU activists at the house of Antoine Gizenga and Kokolo military camp, asking that an inquiry be held to identify those responsible for these human rights violations and requesting they are brought to justice;

-expressing your fears for the safety of Kianza Lumbete and around 30 others who were arrested following the demonstration and are currently being held incommunicado, urging they be charged with a recognizably criminal offence or be immediately released, explaining that if charged they have access to visits by legal and medical professionals according to DRC's commitments under international law;

-urging President Kabila and other authorities to take immediate steps to end the current trend of arbitrary arrests and incommunicado detention in DRC by prohibiting the use of unofficial detention centres including the presidential palace and taking punitive measures against military or civilian authorities who arrest and detain people without the legal authority to do so.

**APPEALS TO:**

Head of State

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/Dear President of the Republic**

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/Dear Minister**

Minister of Justice

M. Celestin 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/Dear Minister**

**COPIES TO:**

Commandant Anselme Masasu NINDAGA  
Chef d'Etat-Major de l'AFDL  
Ministère de la Défense  
BP 4734  
Kinshasa-Gombe  
Democratic Republic of Congo

and to diplomatic representatives of Democratic Republic of Congo (ex-Zaire)  
accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat,  
or your section office, if sending appeals after 9 September 1997.