



Political Prisoners in DR Congo

June 28, 2018

This document presents a selection of cases of people who were arrested in the Democratic Republic of Congo since January 2015 as part of the government's campaign of political repression against those who have opposed President Joseph Kabila's efforts to stay in power beyond his constitutionally mandated two-term limit, which ended on December 19, 2016. They are still detained. This list is not exhaustive and only includes cases in which Human Rights Watch was able to confirm the full circumstances of arrest. Human Rights Watch documented hundreds of other cases of political prisoners who were arrested since 2015 and detained for at least 48 hours—and often much longer—before being released.

Detained in Kinshasa

	Name	Profile	Description
1.	Jean-Claude Muyambo	President of the political party Congolese Solidarity for Democracy and Development (Solidarité congolaise pour la démocratie et le développement, SCODE) and former president of the bar association of the former Katanga province	Arrested by security forces in Kinshasa on January 20, 2015 after having mobilized participation in demonstrations against proposed changes to the electoral law. First held in Kinshasa's central prison, he was subsequently transferred to a medical center for health reasons and was put on trial for allegedly selling a building that did not belong to him. During his detention, he has been transferred to a hospital several times to receive treatment for the ill-treatment he endured when he was arrested. On April 12, 2017, Muyambo was sentenced in appeal to five years in prison for breach of trust and ordered to pay US\$10,000 in damages to the civil party.
2.	Norbert Luyeye	Union of Republicans (UR), president	Five individuals were arrested on August 7, 2016 in Kinshasa at the home of Norbert Luyeye, president of the UR political party. On August 4, Luyeye had declared at his party headquarters that a legal vacuum would ensue if the National Independent Electoral Commission (CENI) failed to convoke elections in September 2016. He also announced a popular meeting in Kinshasa's Ndjili neighborhood on September 4 to raise
3.	Nsiala Bukaka	UR member	
4.	Nathan Luitela	UR member	

5.	Liongo Ibolembe	UR member	awareness among the population and prepare for the demonstrations scheduled to begin on September 19. All five were first held by the military intelligence services. According to Luyeye, two Republican Guard soldiers, Mafumba Boba and Mutabesha Bishimwa, were placed in detention with the group, with the apparent goal of accusing him of plotting attacks against state security, while he never had had any contact with them in the past. The detainees were transferred in December 2016 to Ndolo military prison in Kinshasa and were accused of endangering state security and plotting against the Republic. Their first hearing by a magistrate took place in January 2017. The two soldiers were released on June 10, 2017, without any charges brought against them. Four detainees were transferred to Kinshasa’s central prison on July 10, 2017. Ekulu stayed in Ndolo prison, before being transferred later to Kinshasa’s central prison.
6.	Jean-Paul Ekulu Yoka	Retired soldier, visitor at Luyeye’s home the day of the arrest	
<i>Eleven individuals were arrested just before or immediately after the Congolese Justice Minister announced on May 4, 2016, the start of an investigation into Moïse Katumbi, the former Katanga governor and an opposition leader and declared presidential candidate, for having allegedly “recruited mercenaries [including] several American ex-servicemen.” These allegations appear to have been politically motivated. No credible proof to sustain the charges has been presented to date. These individuals were accused of maintaining links with Katumbi or being involved in the alleged recruitment of mercenaries, and have been charged with endangering state security, among other charges. Four of them were released, often with conditions, while the other seven remain in detention. On March 10, 2018, the national prosecutor sent the President of the Supreme Court of Justice a motion for the determination of the case against Katumbi. Gédéon Butandu and Gabriel Tambwe, who had been released on March 20, 2018, are still on the list of people prosecuted jointly with Katumbi.</i>			
7.	Franck Mwashila	Associate of Katumbi	Arrested on April 24, 2016 in Lubumbashi and transferred on April 25 to the National Intelligence Agency (ANR) in Kinshasa, where they were held by the intelligence agency before being transferred to Kinshasa’s central prison on June 4, 2016.
8.	Sefu Idi	Associate of Katumbi	
9.	Fiston Malanga	Student	Arrested on May 2, 2016 in Lubumbashi. Transferred to Kinshasa on May 3, where he was held incommunicado by the intelligence services until being transferred to Kinshasa's central prison on June 4, 2016.
10.	Aaron Ngwashi	Officer of the Congolese National Police (PNC) seconded to Katumbi’s security detail when he was governor of Katanga province	Arrested in Lubumbashi on May 4, 2016 and detained by the ANR in Lubumbashi before being transferred to the military prosecutor’s office and then the Lubumbashi central prison. He was sent to the ANR in Kinshasa on May 29, 2016, where he was held incommunicado before being transferred to Kinshasa's central prison on June 13, 2016.

11.	Augustin Kabamba	Officer of the Congolese National Police (PNC) seconded to Katumbi's security service when he was governor of Katanga province	Arrested in Lubumbashi on May 4, 2016. He was detained by the ANR in Lubumbashi before being transferred to the military prosecutor's office and then the Lubumbashi central prison where he was prosecuted for endangering state security and forgery. He was sent to the ANR in Kinshasa on May 29, 2016 where he was held incommunicado before being transferred to Kinshasa's central prison on June 13, 2016.
12.	Ndol Tshamundj	Army officer, on duty in Kashobwe, Katumbi's home village in Haut-Katanga province	Arrested in Lubumbashi on May 8, 2016 and transferred to Kinshasa on May 29, where he was held incommunicado by the ANR before being transferred to Kinshasa's central prison on June 13, 2016.
13.	Philippe Namputu	Teacher and member of Si Dieu Est Pour Nous Qui Sera Contre Nous (SIDINOC), a Congolese NGO that works with orphaned children	Arrested on May 14, 2016 in Kinshasa. Held incommunicado by the ANR before being transferred to Kinshasa's central prison on June 4, 2016.
14.	Franck Diongo	Member of parliament and president of the opposition party Movement of Progressive Lumumbists (MLP)	<p>Arrested on December 19, 2016, the last day of President Kabila's second and final term in office, according to the constitution, after Diongo and his colleagues allegedly apprehended, held, and beat three Republican Guard soldiers wearing civilian clothes. Diongo was detained in several locations and says he was severely beaten in the following days, including at the Tshatshi military camp and the military intelligence headquarters in Kinshasa. According to the United Nations, Diongo was "subjected to cruel, inhumane or degrading treatments" while he was held by military intelligence officers.</p> <p>On December 28, following a hasty trial that he attended in a wheelchair and on an intravenous drip, Congo's Supreme Court of Justice sentenced Diongo to five years in prison for "aggravated arbitrary arrest" and "illegal detention," with no possibility to appeal the judgement. In June, his lawyers submitted a request in his name to the UN Working Group on Arbitrary Detention. On June 21, when other prisoners were registering to vote, the director of the voter registration center at Kinshasa's central prison did not allow Diongo to register, which would be a pre-condition for him to run again for parliament or</p>

			another office. As Diongo's health deteriorated, he was transferred on August 18, 2017 to a specialized medical center. But as his treatment was ongoing, Diongo was forcibly dragged out of his hospital bed on August 31, 2017 and taken back to Kinshasa's central prison. Diongo remains in prison now, in poor health.
15.	Gérard Mulumba Kongolo, alias Gecoco	Elected member of the national parliament for the PPRD in Kinshasa in 2011, who left the PPRD due to what he considered bad governance in the party. He also resigned from his position as a member of Kinshasa's provincial parliament, which he held since 2006. He first became a member of the MLC political party before later joining the UDPS in June 2017.	Intelligence officials of the Republican Guard arrested Gérard Mulumba ("Gecoco") and his political associate Isaac Kabundi on November 10, 2017. The officials found a message in Tshiluba insulting President Joseph Kabila in Kabundi's phone, which Gecoco had sent to Kabundi, asking for the translation. This was later cited as the reason for arrest. It seems that Gecoco was targeted for having joined the UDPS and having built a bridge in Kingabwa neighborhood, Limete commune, dedicated to the late Étienne Tshisekedi. He was detained at Tshatshi military camp where he was beaten and mistreated, before being transferred to the national intelligence agency, where he was detained in harsh conditions. He was later transferred to the Ngaliema clinic, as his health deteriorated. According to his doctors, he should have kidney surgery in Belgium. He was accused of "insulting the Head of State" and harmful accusations and then tried and sentenced to 18 months of prison while he was interned at the Ngaliema Clinic. This sentence was confirmed by the Kinshasa Court of Appeal. On April 13, 2018, Gecoco was transferred, sick and without the approval of his doctor, to Kinshasa's central prison. He was then brought back to the Ngaliema clinic on May 16 as his health deteriorated. On June 1, he was transferred back to the central prison, despite continuing health problems.
16.	Isaac Kabundi	Political associate of Gérard Mulumba	Kabundi is detained at Kinshasa's central prison. He was tried on the same day as Gecoco and is serving the same sentence as him.
17.	Palmer Kabeya	Activist of the citizens' movement Filimbi, in charge of the network in Kinshasa	Arrested in Kinshasa on December 23, 2017 by unidentified individuals, who found Kabeya in the possession of Filimbi's charter and membership forms. He was detained in a cell at the military intelligence services, without access to his family or a lawyer, until April 3, 2018, when he was transferred to the 3Z jail of the ANR.
18.	Carbone Beni	Filimbi's national coordinator	Six activists were arrested on December 30, 2017, while they were mobilizing people in Kinshasa to participate in protests planned the following day, after calls by the Catholic Church's Lay Coordination Committee (CLC) to protest the failure to
19.	Grace Tshunza	Filimbi member	

20.	Mino Bompomi	Filimbi member	implement the so-called New Year's Eve agreement, and to "free Congo." Two activists were released, while the four others were detained by the national intelligence agency, without access to their family or a lawyer.
21.	Cedrick Kalonji	Filimbi member	<p>In January, Beni spent a few days at a medical clinic run by the ANR for treatment of injuries to his lower abdomen and left knee suffered at the time of arrest. The pain in his lower abdomen worsened in March. On May 1, 2018, he was taken to Kinshasa's Ngaliema Clinic, where he was diagnosed with a hernia and appendicitis. On May 2, he was transferred to the Diamant Clinic for a hernia operation.</p> <p>On June 7, Kabeya, Beni, Tshunza, Bompomi, and Kalonji were transferred to the prosecutor's office in Gombe, Kinshasa, and later Kinshasa's central prison. According to their lawyer, they are accused, among other things, of "insulting the Head of State" and "threatening state security." Their request for provisional release was denied and their trial was due to start on June 29.</p>
22.	Christian Lumu Lukusa	Student, in charge of the external relations of the UDPS youth league	<p>This UDPS activist was abducted on November 22, 2017, while on his way to university, by men aboard a black Toyota car. He was taken to the special services office next to the Kinshasa Provincial Police Inspectorate where he was held for four days. He was transferred on November 25 to the ANR's 3Z jail. The reason for his arrest remains unknown. He is allowed occasional family visits but does not have access to his lawyer. He had started suffering from pulmonary pleurisy six months before his arrest. He is currently experiencing pain in his chest and when he is urinating, according to his family. He was transferred on May 25 to an ANR medical clinic.</p>
23.	James Katshingu Mwamba	UDPS member	<p>Katshingu was abducted on November 22, 2017, a few minutes before Christian Lumu (see above). He is detained at the ANR's 3Z jail. He suffers from appendicitis. He was transferred four times to an ANR medical clinic for care. He is allowed occasional visits from a family member but is not allowed to meet with his lawyer. The reason for his arrest remains unknown.</p>
24.	Evariste Kalala Kwete	Lawyer and UDPS member	<p>Kalala was abducted in the night of May 8 to 9, 2018 from his home in Kinshasa by a group of armed men, some of whom were in civilian clothes and some in police uniform. The men came with eight police jeeps, broke the windows and padlocks at the front door, and broke into the house. After recognizing Kalala, they took him to an unknown destination. He is now detained at the ANR, but he is not allowed visits from his family or his lawyer, and the reason for his arrest remains unknown.</p>