

URGENT ACTION

ACTIVIST IN MILITARY TRIAL RISKS 20 YEARS IN PRISON

Paul Kikukama Ndjokolo has been held at Kassapa prison in Lubumbashi since 29 September 2015. He is set to stand trial before a military court and risks a prison sentence solely for having distributed a civil society press release to police officers. Amnesty International calls for his unconditional and immediate release.

Paul Kikukama Ndjokolo was arrested on 29 September 2015 at the offices of the Special Police (Bureau des polices spéciaux) while he was distributing a press release by civil society organizations in Katanga to police officers. The press release dated 28 September 2015, criticized a legislative proposal to amend the rules governing referenda in the Democratic Republic of Congo (DRC), likely aimed at introducing the possibility of holding a referendum on the constitutional presidential term limit. Paul Kikukama Ndjokolo had been helping distribute press releases for civil society organizations for years prior to his arrest. He had no role in the drafting of the statement. He is also a supporter of the opposition party Union for Democracy and Social Progress (UDPS),

Paul Kikukama Ndjokolo was initially held at the police station where he was arrested before being transferred to Kassapa prison, where he remains to date.

Paul Kikukama Ndjokolo has been charged with inciting a member of the military “to commit acts contrary to duties or discipline” and risks five to 20 years imprisonment. Paul Kikukama Ndjokolo is not a member of the military and did not distribute the press release to members of the military. Nonetheless he is standing trial before the military tribunal of the garrison of Lubumbashi (Tribunal Militaire de Garnison de Lubumbashi).

The Principles on Fair Trial in Africa prohibit the use of military courts to try civilians.

Paul Kikukama Ndjokolo’s lawyers are concerned about his deteriorating health due to poor conditions at Kassapa prison.

Authorities in the DRC should immediately and unconditionally release Paul Kikukama Ndjokolo.

Please write immediately in French or your own language:

- Calling on the authorities in the DRC to immediately and unconditionally release Paul Kikukama Ndjokolo;
- Calling on them to refrain from trying civilians before military courts;
- Calling on them to ensure that Paul Kikukama Ndjokolo receives all necessary medical treatment and care he may require pending his unconditional release.

PLEASE SEND APPEALS BEFORE 11 AUGUST 2016 TO:

Minister of Justice

Monsieur Alexis Tambwe Mwamba
Ministry of Justice
BP 3137
Kinshasa- Gombe
DRC
Email: minjustdh@gmail.com
Salutation: **Honourable Minister**

Minister of Interior and Security

Professor Evariste Boshab
Ministry of Interior and Security
Avenue Roi Baudoin
Kinshasa- Gombe
DRC
Email: ngomamundulu@gmail.com
Salutation: **Honourable Minister**

And copies to:

Prime Minister
His Excellency Augustin Matata Ponyo
Office of the Prime Minister
5 Avenue Roi Baudoin
Kinshasa- Gombe
DRC
Email: cabinet@primature.cd

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



URGENT ACTION

ACTIVIST IN MILITARY TRIAL RISKS 20 YEARS IN PRISON

ADDITIONAL INFORMATION

DRC's President Joseph Kabila has been in office since 2001 and was declared winner of the 2006 and 2011 elections. The Congolese constitution limits a president to two consecutive terms. As the proscribed November 2016 elections draw closer, calls for President Kabila to step down have intensified, as has the government crackdown on those voicing these views.

Many believe President Joseph Kabila is trying to stay in power and is actively seeking ways of ensuring that. According to civil society and opposition parties, the authorities want to hold a referendum on the constitutional presidential term limit. In order to be able to hold such a referendum, a law governing the organization of referenda would have to be adopted. Even with such a legal change, many consider a referendum would be unconstitutional.

Civil Society in Katanga (SoCiKat), an umbrella organization, as well as 10 other NGOs opposed legislative proposals introduced by two members of Parliament (Simplice Ilunga and Lucien Kasongo) in September 2015.

Name: Paul Kikukama Ndjokolo
Gender m/f: m

UA: 150/16 Index: AFR 62/4333/2016 Issue Date: 30 June 2016