

URGENT ACTION

CIVILIAN'S MILITARY TRIAL POLITICALLY MOTIVATED

Professor Huit Mulongo is facing trumped up charges of possession of a military weapon and ammunition. He will be tried before a military court, despite being a civilian.

Police arrested **Professor Huit Mulongo** after finding a 'Starr' revolver in his car during a search of his home on 22 April. Three bullets were found along with the gun. The authorities that arrested him were presented with proof that an identification document for the revolver was issued to Professor Huit Mulongo by the bureau of weapons of the city of Lubumbashi in February 2013.

Professor Huit Mulongo was charged before the military court in Lubumbashi (*Tribunal Militaire de Garnison de Lubumbashi*) with illegal possession of a military weapon and munitions, which is a criminal offence under the Congolese military penal code. Congolese law does not specify which weapons are classified as military weapons or self-defence weapons. However, according to arms experts and other jurisdictions a 'Starr' revolver is classified as a self-defence weapon. Moreover, the weapon owned by Professor Huit Mulongo was identified by the relevant authorities in 2013 and an identification document issued in his name.

Professor Huit Mulongo was briefly taken to an intelligence service detention facility, then transferred to a detention centre at the office of the military prosecutor (*Auditoriat Militaire*) in Lubumbashi. Following a visit by Moise Katumbi and other political actors to the detention centre on 23 April, Professor Huit Mulongo was transferred again to Kassapa Prison in Lubumbashi. Due to serious health concerns, Professor Huit Mulongo was moved to the University Hospital of Lubumbashi on 15 June, where he remains to date.

Professor Huit Mulongo is the former chief of staff for Moise Katumbi who recently presented himself as a presidential candidate for the upcoming general elections. During the search of the Professor's house, agents searched for documents linking him to Moise Katumbi and asked questions about the presidential candidate. Professor Huit Mulongo is also a leading figure in Front Citoyen 2016, a platform of political and civil society actors calling for respect of Democratic Republic of Congo (DRC)'s constitution and a change of government in 2016.

The Principles on Fair Trial in Africa prohibit the use of military courts to try civilians (Section L(c) of the Principles on Fair Trial in Africa). Amnesty International believes the charges against the professor are politically motivated.

Please write immediately in French or your own language:

- Urging the authorities to drop all charges against Professor Huit Mulongo and release or charge him with a recognizable criminal offence before an ordinary domestic court;
- Urging them to ensure that he receives all medical treatment and care he may require;
- Calling on them to end harassment and intimidation of opposition leaders, civil society groups and their associates.

PLEASE SEND APPEALS BEFORE 11 AUGUST 2016 TO:

Minister of Justice

Monsieur Alexis Tambwe Mwamba
Ministry of Justice
228 Avenue de Lemera
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

CIVILIAN'S MILITARY TRIAL POLITICALLY MOTIVATED

ADDITIONAL INFORMATION

The DRC is expected to hold its general elections by November 2016 as per the 2006 constitution deadline. Lately, tensions have increased between the DRC government and opposition parties, as well as civil society, because of delays in preparations for these elections, including the presidential election. Many have been arrested and detained because of their calls for the elections to be organized in time and for President Kabila to step down after his second term.

President Kabila was declared the winner of elections organized in 2006 and 2011. According to the DRC's constitution, the president cannot seek a third term. The presidential mandate is limited to two consecutive terms of five years in office.

Since August 2014, political and civil society actors who have spoken out against a prolonged stay in power of the current president have been subjected to arbitrary arrest, detention and in several cases convicted on trumped-up charges.

The former governor of the ex-province of Katanga, Moise Katumbi and those perceived to be close to him in particular, have been intimidated and harassed. The arrest of Professor Huit Mulongo took place two days before an announced political rally in Lubumbashi's Kenya neighbourhood, where several employees of Moise Katumbi were arrested.

Professor Huit Mulongo (60) is the former chief of cabinet for Moise Katumbi, an opposition candidate vying for presidency. Professor Huit Mulongo is the leader of opposition party CRDD (Conscience républicaine pour la démocratie et le développement) and leading figure of Front des Citoyens 2016, a platform of political and civil society actors calling for respect for the Congolese constitution and a change of power in 2016.

Name: Professor Huit Mulongo
Gender m/f: m

UA: 149/16 Index: AFR 62/4332/2016 Issue Date: 30 June 2016