

URGENT ACTION

THREE ACTIVISTS SENTENCED TO A YEAR IN PRISON

A Peace Tribunal in Kinshasa sentenced three youth activists to a year in prison and fined them 100,000 Congolese Franc each (approximately 100 USD) on 20 May. The three were arrested on 15 and 16 February, just before a general strike called for by the opposition and civil society in the Democratic Republic of Congo (DRC).

Bienvenu Matumo, Marcel Heritier Kambale Kapitene, members of Lutte pour le Changement (LUCHA), and another activist **Victor Tesongo** were sentenced by the Peace Tribunal of Kinshasa/Gombe to a year in prison and fined 100,000 Congolese Franc each (approximately 100 USD). The Peace Tribunal made the decision on 20 May. Their lawyers will appeal this decision. The three youth activists had been charged with "spreading rumours" and "incitement to disobedience".

Bienvenu Matumo and Marcel Heritier Kambale Kapitene were arrested on 16 February, hours before a general strike called for by members of the political opposition and civil society in the DRC to protest against delays in preparations for the 2016 general elections in DRC. Victor Tesongo, who was helping the two others prepare leaflets for the general strike, was arrested a day before. The three youth activists were held incommunicado by the intelligence service for days before being presented at the prosecutor's office in the Gombe neighbourhood, in Kinshasa on 19 February.

Amnesty International believes the three youth activists are being prosecuted on baseless charges. Amnesty International considers the three to be prisoners of conscience and at risk of ill-treatment.

Please write immediately in French or your own language:

- Calling upon the DRC authorities to immediately and unconditionally release Bienvenu Matumo, Marcel Heritier Kambale Kapitene, and Victor Tesongo;
- Urging the DRC authorities to ensure that the three are not subjected to torture or other ill-treatment while in prison;
- Urging the DRC government to uphold the rights to freedom of expression and peaceful assembly.

PLEASE SEND APPEALS BEFORE 25 JULY 2016 TO:

Minister of Justice

Monsieur Alexis Tambwe Mwamba

Ministry of Justice

228 Avenue de Lemera

BP 3137

Kinshasa, Gombe

Democratic Republic of Congo

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

Democratic Republic of Congo

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

Democratic Republic of Congo

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. This is the second update of UA 36/16. Further information:

<https://www.amnesty.org/en/documents/afr62/3493/2016/en/>

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ADDITIONAL INFORMATION

The DRC is supposed to hold its general elections by November 2016 as per the 2006 constitution deadline. Lately, tensions have increased between the DRC government and the political opposition, 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 another term. The presidential mandate is limited to two consecutive terms of five years in office.

After several attempts by President Kabila's party to change the constitution, the Constitutional Court decided on 11 May 2016 that President Kabila could stay in power if the country failed to organize the elections in November 2016. This was seen by many as a way for President Kabila to stay in power beyond the constitution's term limits.

LUCHA is one of the many organizations from civil society that has been vocal in calling for the respect of the constitution. The youth movement has been campaigning through peaceful protests since 2012. It was created in Goma, the capital of North Kivu province. Its members and sympathizers organize sit-ins, demonstrations and other actions to claim their rights and those of the people of DRC.

Due to their stand on delays in preparing the elections and calls for the respect of the constitution, authorities have accused LUCHA of being a criminal movement with the aim of disturbing public order. The government has since systematically and violently suppressed LUCHA's activities. As of today, at least 10 members and sympathizers of LUCHA are detained.

Name: Bienvenu Matumo, Marcel Heritier Kambale Kapitene, Victor Tesongo

Gender m/f: m

Further information on UA: 36/16 Index: AFR 62/4231/2016 Issue Date: 13 June 2016

