



Democratic Republic of the Congo – Researched and compiled by the Refugee Documentation Centre of Ireland on 19 November 2013

Any reports of a prison called L’enceinte de l’etat Major des services Speciaux de la police nationale congolaise? What prisons or places of detention are there in Kinshasa, or particularly in commune of Lemba, if any?

No reference to a prison called L’enceinte de l’etat Major des services Speciaux de la police nationale congolaise was found among sources available to the Research and Information Unit.

An Immigration and Refugee Board of Canada response to a request for information on prison conditions in Kinshasa states:

“During a 15 February 2010 telephone interview with the Research Directorate, a representative of Voice of the Voiceless for the Defence of Human Rights (La Voix des sans voix pour les droits de l’homme, VSV), a human rights non-governmental organization (NGO) dedicated to defending human rights in the Democratic Republic of the Congo (DRC), stated that in the city of Kinshasa, there is an official prison called the Kinshasa Penitentiary and Reeducation Centre (Centre pénitentiaire et de rééducation de Kinshasa, CPRK), formerly known as the Makala Central Prison (Prison centrale de Makala), and several other unofficial prisons known as temporary detention centres.” (Immigration and Refugee Board of Canada (31 March 2010) *COD103415.FE – Democratic Republic of the Congo: The treatment of prisoners and prison conditions in Kinshasa*)

An Australian Government Refugee Review Tribunal research response, in reply to the question “Is there any information concerning the existence of the Penitentiary and Re-education Centre of Kinshasa? Is this located near a river where crocodiles are found?”, states:

“The Kinshasa Penitentiary and Reeducation Centre (CPRK) is the city’s largest prison and in 2007 had about 3,000 detainees, although built to hold 1,500. It had 4,400 detainees in June 2009, according to an International CURE report. The prison was formerly the Central Prison of Makala and is located on the Avenue of the Liberation, Selembao Commune.” (Australian Government Refugee Review Tribunal (24 November 2009) *Democratic Republic of the Congo: 1. Please provide brief information and distances between Kinshasa, Matadi, Lukala, Uige (Congo) and Luanda (Angola). 2. Please provide any information concerning incidents of violence and deaths of opposition supporters or other anti-government groups in March 2007? 3. Please provide information on the Movement for the Liberation of Congo (MLC) and current political situation. Also provide any relevant information on the treatment of members 2007 and subsequently. 4. Is there any information concerning the existence of the Penitentiary and Re-education Centre of*

Kinshasa? Is this located near a river where crocodiles are found? 5. Angolan passport and exit process)

A UK Home Office report on a fact-finding mission to Kinshasa, in a section headed “Detention Facilities in Kinshasa” (paragraph 2.78), states:

“[Representatives of Association de Défense des Droits de l’Homme (ASADHO) said] DGM has a small prison in their provincial headquarters in Kinshasa. Before the police used to detain people in Kim Maziere, which is now closed. ANR keep people in ‘cachots’ [underground cells].” (UK Home Office Border Agency (November 2012) *Democratic Republic of Congo: Report of a Fact Finding Mission to Kinshasa Conducted Between 18 and 28 June 2012*, p.19)

Paragraph 2.79 of this report states:

“[Representatives of Renadhoc said] These are other places of detention:
ANR – (Direction Exterieur /avenue 3Z)
[Détection militaire des activités anti-patrie] (Demiap Kintambo)
DGM (Direction Provinciale Kinshasa)
Demiap – AFRD (Military)
DGM Kin Maziere - still exists
Police Kin Maziere – closed
There are also some ‘cachots’ in police offices”
(ibid, pp.19-20)

Paragraph 2.86 states:

“[An official of the OHCHR/MOUNOSCO joint Human Rights Office said] The following detention facilities exist in Kinshasa:
Prisons:
Makala for civilians
N’dolo – for uniformed people
Other detention places:
ANR
DEMIAP – Intelligence/military
Republican Guard and some other places such as police cells, amigos etc.”
(ibid, p21)

In a report to the UN Human Rights Council the Special Rapporteur states:

“Records and monitoring are so poor that the Government does not even know how many prisons and prisoners there are in the country.” (UN Human Rights Council (14 June 2010) Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Philip Alston, p.3)

A document published by the Open Society Institute, in a section on the DRC headed “Detention facilities and prisons”, states:

“Prison infrastructure in the DRC barely exists. Prisons frequently lack gates, roofs, and windows, and in some places where prisons nominally should exist, there is only a marker indicating that a prison used to be there.” (Open Society Institute (OSI) (11 January 2011) *Putting Complementarity Into*

Practice: Domestic Justice for International Crimes in the Democratic Republic of Congo, Uganda, and Kenya, p.36)

The US Department of State country report on the DRC for 2012, in a section headed "Prison and Detention Center Conditions", states:

"Despite President Kabila's 2006 decision to close illegal jails operated by the military or other state security forces, there were no reports of such closures during the year. According to MONUSCO, SSF, particularly the intelligence services and the Republican Guard (RG), continued to operate numerous illegal detention facilities characterized by harsh and life-threatening conditions." (US Department of State (19 April 2013) *2012 Country Reports on Human Rights Practices - Democratic Republic of the Congo, p.5*)

This response was prepared after researching publicly accessible information currently available to the Research and Information Unit within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

References:

Australian Government Refugee Review Tribunal (24 November 2009) *Democratic Republic of the Congo: 1. Please provide brief information and distances between Kinshasa, Matadi, Lukala, Uige (Congo) and Luanda (Angola). 2. Please provide any information concerning incidents of violence and deaths of opposition supporters or other anti-government groups in March 2007? 3. Please provide information on the Movement for the Liberation of Congo (MLC) and current political situation. Also provide any relevant information on the treatment of members 2007 and subsequently. 4. Is there any information concerning the existence of the Penitentiary and Re-education Centre of Kinshasa? Is this located near a river where crocodiles are found? 5. Angolan passport and exit process*
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