



Refugee Documentation Centre (Ireland)
LEGAL AID BOARD

DRC - Researched and compiled by the Refugee Documentation Centre of Ireland on Thursday 7 & Friday 8 February 2013

**Information required on the RCD/N including: Legal status;
Arrest of members in January 2012 including Rolbahunbu**

A report published in September 2012 by *Reuters* commenting on RCN/N leader Roger Lumbala states:

“An opposition figure wanted in the Democratic Republic of Congo on treason charges has left neighbouring Burundi, where he had taken refuge, and has gone to France, his lawyer said on Sunday. Roger Lumbala, a Congolese member of parliament and former rebel, arrived at the South African Embassy in Burundi's capital Bujumbura earlier this month, seeking asylum” (*Reuters* (16 September 2012) *Fugitive Congo opposition figure heads to France-lawyer*).

Radio France International in September 2012 comments on Lumbala noting that:

“The 54-year old sought refuge in the South African embassy in Bujumbura, Burundi, earlier this month when he found out he was wanted by Congolese authorities. The DRC accuses Lumbala of having links with the rebel movement M23 and supporting a rebellion in eastern Congo, displacing at least 220,000 people within six months. His lawyer, Prosper Niyoyankana, confirmed Lumbala flew out of Burundi on Saturday and is due to arrive in France on Sunday. A spokesman for the Congolese government, Lambert Mende, says the DRC will ask France to extradite Lumbala” (*Radio France International* (16 September 2012) *Congo-Kinshasa: Politician Seeks Exile in France*).

This document also notes:

“Lumbala has led the Rally of Congolese Democrats and Nationalists since 2000. The rebel movement transformed into a political party in 2003, and Lumbala stood for presidential elections in 2006” (*ibid*).

A profile of RCD/N is included in a report issued in March 2012 by the *United Kingdom Home Office* stating:

“Rassemblement congolais pour la démocratie—National (RCD—N)
Leader: Roger Lumbala. Isiro
broke away from RCD—ML in Oct. 2000” (*United Kingdom Home Office* (9 March 2012) *The Democratic Republic Of Congo, Country Of Origin Information (CoI) Report*, p.201).

In January 2013 *Radio Okapi* in an article on M23 comments on Roger Lumbala stating:

“Members of the government and rebel 23 March Movement [M23] are already in the Ugandan capital Kampala after the two-week break observed for the Christmas and New Year festivities. The resumption of direct peace talks between the two parties, scheduled for 4 January, is still pending. The M23 rebels pulled out of Goma on 1

December, but they still occupy several towns in Nord-Kivu Province. Until the evening of 6 January, Ugandan Defence Minister Crispus Kiyonga was still meeting separately with the leaders of the two delegations at the Munyonyo Hotel, venue of the talks in Kampala. However, no one is capable of giving the exact date for the resumption of dialogue between the two parties. Concerning the members of the two delegations, local sources said the government negotiators are the same as those who participated in the talks two weeks ago. Raymond Tshibanda, the Congolese minister of foreign affairs, and signatory to the 23 March 2009 agreement, is still the leader of the DRC delegation. Meanwhile, the number of rebel M23 delegates has increased from 25 to 30, with new personalities such as Roger Lumbala, the former national opposition MP who recently joined the M23” (Radio Okapi (7 January 2013) *DRCongo government, M23 rebels talks delayed; rebels still demand cease-fire*).

The *New Vision* in January 2013 comments on Roger Lumbala and M23 stating:

“The M23 rebels have appointed Roger Lumbala, an opposition Member of Parliament onto their delegation to negotiate with the DRC government in Kampala. Roger Lumbala, who represents the Congolese opposition political party Congolese Rally for National Democracy (RCDN), joins the M23 delegation as the vice chairperson of the negotiating team” (New Vision (6 January 2013) *Uganda; M23 Rebels Appoint New Figure Onto Delegation*).

The *Daily Monitor* in January 2013 reports in a news story which refers to both the M23 and Roger Lumbala noting that:

“Mr Roger Lumbala, a member of the current National Assembly of the Democratic Republic of Congo, on Sunday [30 December] declared his "total adhesion" to the M23 rebel movement during an interview with Top Congo FM, a Kinshasa-based private radio. Mr Lumbala, 54, is the leader of a small political party, the Congolese Rally for Democrats and Nationalists, which has four out of 500 seats in the National Assembly” (Daily Monitor (2 January 2013) *DRCongo MP declares support for M23 rebels*).

This article also states that Lumbala:

“...currently lives in France” (ibid).

No further information on these issues could be found among sources available to the RDC.

Did the government issue a statement in January 2013, suggesting an agreement had been reached with M23

In January 2013 *BBC News* reports that:

“M23 rebels in the Democratic Republic of Congo have declared a unilateral ceasefire ahead of a second round of peace talks with the government” (BBC News (8 January 2013) *DR Congo's M23 rebels declare unilateral ceasefire*).

A document issued in January 2013 by *Reuters* states:

“African leaders failed on Monday to sign a U.N.-mediated peace deal aimed at ending two decades of conflict in eastern Congo, said a senior Congolese diplomat,

who pointed to concerns over who would command a new regional military force. The agreement was to include the deployment of several thousand extra soldiers to tackle armed militias in the mineral-rich east” (Reuters (28 January 2013) *Dispute over military command holds up Congo peace deal*).

A report published in February 2013 by the *Washington Post* notes that:

“Representatives of the Congolese government and the M23 rebels signed a preliminary agreement in which both parties accepted responsibility for the failure of an earlier peace deal, a Ugandan mediator said Wednesday, praising both parties as highly committed to the peace talks” (Washington Post (6 February 2013) *Congo government, M23 rebels sign preliminary agreement at peace talks in Uganda*).

This document also states:

“Since December the rebels and the Congolese government have been negotiating in the Ugandan capital Kampala under the banner of the International Conference on the Great Lakes Region, a regional bloc of which both Congo and Rwanda are members” (ibid).

Agence France Presse in February 2013 state in a report that:

“The government of Democratic Republic of Congo and M23 rebels holding peace talks in Kampala on Wednesday finalised a review of an earlier failed deal, a first step towards reaching a peace accord. “The government of the DRC and M23 considered and adopted the report on the peace agreement of 23 March 2009,” said Ugandan Defence Minister Crispus Kiyonga, who is mediating the talks” (*Agence France Presse* (6 February 2013) *DR Congo, rebels complete review of 2009 peace deal*).

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This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre 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.

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