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Information on former Katanga governor Moise Katumbi in court on 13 May 2016 and consequent supporting protests outside the courthouse

A report released in May 2016 by the *Agence France Presse* points out that:

“Congoese police fired tear gas on Friday to break up a demonstration by thousands of supporters of powerful opposition figure Moise Katumbi who had gathered outside a courthouse to protest allegations he had hired foreign mercenaries. Katumbi, the leading rival of President Joseph Kabila, attended a hearing in the court in Lubumbashi, the second city of the Democratic Republic of Congo, over the controversial allegations...An AFP reporter at the scene said police fired tear gas and beat the crowd back with truncheons, while security agents inside the courthouse were trying to eject dozens of lawyers who arrived to support Katumbi” (Agence France Presse (13 May 2016) *DR Congo police fire tear gas at opposition protest outside courthouse*).

Africa Review in May 2016 states:

“Group angry that Moise Katumbi has been charged with hiring foreign mercenaries. Police in the Democratic Republic of Congo have fired tear gas to disperse several thousand supporters of powerful opposition figure Moise Katumbi the country's second city Lubumbashi, the AFP news agency reports. They are angry that he has been charged with hiring foreign mercenaries. The protesters were gathered outside a courthouse where dozens of lawyers had arrived to give their backing to Mr Katumbi, who has denounced the allegations against him as "a grotesque lie", AFP adds” (Africa Review (13 May 2016) *DR Congo police fire tear gas at opposition supporters*).

Amnesty International in September 2016 states:

“Charged with threatening state security, Moise Katumbi was allowed to leave the country on 19 May 2016, but was sentenced in absentia on 23 June to three years' imprisonment in a real estate dispute, rendering him ineligible to stand for the presidency” (Amnesty International (15 September 2016) *Democratic Republic of the Congo: Dismantling dissent: Repression of expression amidst electoral delays*, p.6).

This document also states that:

“Between 9 and 13 May, the Prosecutor for Lubumbashi held three hearings which Moise Katumbi attended. Large crowds of supporters accompanied him to each of the hearings. Before the third hearing on 13 May, violence broke out between his supporters and the police, during which they pelted each other with large stones. Each side accused the other of bringing stones and of starting the violence...During the hearing Moise Katumbi felt unwell and asked for the hearing to be suspended. He was taken to the hospital. On 19 May the Attorney General formally charged Moise Katumbi with threatening state security, even though the prosecutorial hearings had not finished. In the same communication, the Attorney General allowed Moise

Katumbi to leave the country for medical treatment...The presidential aspirant left the country the following day and has since been in exile” (ibid, p.32).

In June 2016 the *United Nations Security Council* states:

“On 7 May, Mr. Katumbi received a summons to appear before the Director of Public Prosecutions in Lubumbashi on 9 May. Suspected agents of the national intelligence services reportedly conducted a search of Mr. Katumbi ’s farm outside Lubumbashi. Mr. Katumbi appeared before the Director of Public Prosecutions on 9 May, with crowds gathering outside the building . The MONUSCO leadership engaged with the provincial government authorities and representatives of political parties to advocate for restraint. Hearings continued on 11 and 13 May; the national police was deployed to manage the crowd. On 13 May, while entering the court building, Mr. Katumbi was exposed to tear gas fired by the national police to disperse demonstrators. He and two of his close collaborators were injured during clashes between the police and demonstrators. Twenty -nine demonstrators were arrested and five injured by the police on 9, 11 and 13 May in the context of the hearings” (United Nations Security Council (28 June 2016) *Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo*, p.3).

In August 2016 the *International Crisis Group* states in a report that:

“Katumbi took a bold step on 4 May, when he announced his intention to stand for president.¹² That day, Justice Minister Alexis Thambwe announced he was being investigated for “recruitment of mercenaries”. Facing hearings, growing pressure and intimidation, he was hospitalised on 13 May. On 19 May, the national prosecutor issued an arrest warrant, but Katumbi was later granted highly unusual permission to travel abroad for medical care. Since Katumbi and the G7 left the majority, tensions have increased, particularly in Lubumbashi, capital of the former province. Protests turned violent on 24 April.¹³ There are also more security forces, with armoured vehicles, in and around the city” (International Crisis Group (3 August 2016) *Katanga: Tensions in DRC's Mineral Heartland*, p.3).

This document also states:

“Demonstrations and violence escalated in April and May 2016, when the government accused Katumbi of endangering national security. He was injured in a protest outside the Lubumbashi courthouse and eventually flew abroad for medical treatment, an avoidance of all-out confrontation that may have suited both sides. He was subsequently convicted in a civil dispute over ownership of property, but the ruling and three-year prison sentence can be challenged, because he was convicted in absentia” (ibid, pp.24-25).

References

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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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