

URGENT ACTION

ACTIVISTS RISK PRISON AFTER PEACEFUL PROTESTS

Congolese pro-democracy activists Jean Mulenda, Patrick Mbuya, Jean-Pierre Tshibitshabu and Eric Omari were sentenced to eight months in prison on 30 August. They have appealed the sentence. A fifth activist, Timothée Mbuya is still facing trial. The five were arrested on 31 July for their involvement in public protests demanding the publication of the elections calendar. They are currently in custody.

Congolese pro-democracy activists Jean Mulenda, Patrick Mbuya, Jean-Pierre Tshibitshabu, Eric Omari and Timothée Mbuya were among nine people arrested by police outside a Catholic Church in Lubumbashi, Haut-Katanga province where they had attended mass. The nine were preparing to march to the local Independent National Electoral Commission (CENI) office to read and deliver a petition demanding that the elections calendar be published. The planned demonstration in Lubumbashi was one of several that had been organised across the DRC by youth movements and civil society organizations. At least 100 other people were arrested during the demonstrations in a dozen cities across DRC, but they were released without charge a few hours later. Four of the nine activists arrested were released without charge. The remaining five were charged with 'provocation' and 'incitement to disobedience to public authority' and transferred to Kasapa, Lubumbashi's central prison that evening.

The five were denied bail by a lower court on 7 August, and lost their appeal against the decision on 9 August. Jean Mulenda, Patrick Mbuya, Jean-Pierre Tshibitshabu and Eric Omari were found guilty on 30 August, and sentenced to eight months in prison. The four have appealed their conviction, which will be heard on 25 September. Timothée Mbuya's case was separated from the others. He has applied for a court of higher jurisdiction to determine his case. According to their lawyers, the prison guards have extorted money from family members visiting the activists. The lawyers have also had to pay the guards on several occasions before being allowed to see their clients.

Amnesty International considers Jean Mulenda, Timothée Mbuya, Patrick Mbuya, Jean-Pierre Tshibitshabu and Eric Omari as prisoners of conscience detained solely for peacefully exercising their right to freedom of expression.

1) TAKE ACTION

Write a letter, send an email, call, fax or tweet:

- Urging the DRC authorities to immediately and unconditionally release Jean Mulenda, Timothée Mbuya, Patrick Mbuya, Jean-Pierre Tshibitshabu and Eric Omari, as they are prisoners of conscience detained solely for peacefully exercising their human rights;
- Urging the authorities to ensure that, pending their release, the guards stop extorting money from families and lawyers.

Contact these two officials by 3 November 2017:

Minister of Justice

Mr. Alexis Tambwe Mwamba
Ministère de la Justice
228 Avenue de Lemera
BP 3137 Kinshasa-Gombe DRC
Email: minjustdh@gmail.com
Salutation: Honourable Minister

Ambassador François Balumuene, Embassy of the Democratic Republic of Congo

1100 Connecticut Avenue, NW, Suite 725, Washington, D.C. 20036
Tel: 202 234 7690 | Fax: 202 234 2609 -OR- 202 223 3377
Email: ambassade@ambardcusa.org
Salutation: Dear Ambassador

2) LET US KNOW YOU TOOK ACTION

[Click here](#) to let us know if you took action on this case! *This is Urgent Action 218.17*

Here's why it is so important to report your actions: we record the actions taken on each case—letters, emails, calls and tweets—and use that information in our advocacy.

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ADDITIONAL INFORMATION

DRC's President Joseph Kabila has been in office since 2001 and was declared winner of the 2006 and 2011 elections. The Congolese Constitution limits a sitting president to two consecutive terms in office. President Kabila's second and last term ended on 19 December, but elections have not taken place.

Following a national dialogue supported by the Catholic Church and backed by the international community, an agreement was signed on December 31, 2016, extending president Kabila's term for a further one-year provided that the elections are held by December 2017 at the latest.

LUCHA in conjunction with a platform bringing together the main Congolese civil society organizations and opposition leaders organised peaceful demonstrations calling on the Independent National Electoral Commission (CENI) to publish an elections calendar. The elections are supposed to be held by December 2017. However, the CENI president and government officials have claimed that the elections may not take place due to security, technical and financial constraints. A second delay in holding the elections would violate the agreement of 31 December and plunge the country into a renewed constitutional crisis considering that President Kabila's term ended in December 2016.

Name: Jean Mulenda (m), Timothée Mbuya (m), Patrick Mbuya (m), Jean-Pierre Tshibitshabu (m) and Eric Omari (m)
Gender m/f: m

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