

26 January 2018

## **Democratic Republic of Congo: Continuing arbitrary detention of four human rights defenders in relation to a protest**

On 21 January 2018, four human rights defenders affiliated with the youth-led civil society movement **LUCHA** were arrested and detained while preparing for a peaceful pro-democracy demonstration in Goma, Democratic Republic of Congo (DRC).

Parfait Muhani, Rachel Benie, Justin Mutabesha and Ben Kamuntu are human rights defenders affiliated with **Lutte pour le Changement – LUCHA (Struggle For Change)**. [LUCHA](#) is a non-violent and non-partisan youth civil society movement founded in June 2012 in Goma, the capital of North Kivu. The movement advocates for social justice and accountability in the DRC through campaigns, and encourages Congolese citizens to fight for the promotion and respect of human rights. In October 2016, President Joseph Kabila announced that the presidential elections would be postponed which would extend his two-term mandate beyond constitutional limits. LUCHA and its members have been instrumental in organising civil society to call for the election of a new president.

On 21 January 2018, Parfait Muhani, Rachel Benie, Justin Mutabesha and Ben Kamuntu were arrested by police officers in front of St Joseph’s Cathedral, Goma, while preparing for a protest. The protest had been organised in a number of cities for that day by the Lay Committee of Coordination - Comité Laïc de Coordination (CLC) of the Catholic Church, a group of Catholic activists who are demanding respect for the constitution and in particular, the constitutional presidential mandate which would require President Kabila to step down. In Kinshasa the protest was [severely repressed](#) by the Congolese authorities with six people killed, 68 people wounded and 121 people arrested. In Goma the four human rights defenders listed above were detained at the police station at Kahembe and on 26 January 2018, they were transferred to the prosecutor’s office at the High Court of Goma where there will be a hearing on 27 January 2018. They have been charged with rebellion and disturbing public order and have been given access to legal representation.

These arrests follow a [spate of arrests and detentions](#) of human rights defenders affiliated with LUCHA and another youth-led civil society movement, [Filimbi](#), both in the preparation of and during the protests of 31 December 2017 which were also organised by the CLC. Members of LUCHA and Filimbi were arrested across the country, including Kinshasa, Kisangani, Kananga, Butembo, Beni and Kasindi. This includes the [ongoing detention](#) of Roger Katanga Mwenyemali, currently awaiting a hearing on 30 January 2018, who was arrested on 29 December 2017 while informing the public about the protests on 31 December 2017. While raising awareness of the same protest, eleven members of LUCHA were [arrested](#) in Kananga on 29 December 2017. They remain in detention at the central prison of Kananga and are charged with inciting civil disobedience and criminal participation. On 30 December 2017, six members of Filimbi were [arrested](#) while promoting the protest and four of them – Carbone Beni, Mino Bompomi, Grâce Tshiunza and Cedrick Kalonji – remain in detention without access to a lawyer. Another member of Filimbi, Palmer Kabeya, is currently [detained](#) at the Military Detection of Anti-Patriotic Activities - Détection militaire des activités anti-patrie (DEMIAP). Furthermore, human rights defenders have raised concerns as arrest warrants have been issued against five of the eight members of the CLC .

Since July 2017, Front Line Defenders has documented a number of cases of judicial harassment against these movements as civil society has increased its advocacy on calling for respect of the constitutional mandate. This has included the arrest of LUCHA activist, [Nicolas Mbiya](#), who was arrested on [14 July 2017](#) and detained until 29 September 2017. Fourteen members of LUCHA were [arrested](#) on 24 October 2017 for mobilising students to participate in peaceful demonstrations organised throughout the DRC and were detained for two days. On 19 September 2017, eleven human rights defenders affiliated with Filimbi were [arrested](#) while planning a peaceful demonstration and were detained for four days. On 30 September 2017, thirty-three members of LUCHA were [arrested](#) during a peaceful demonstration and detained for five days until 3 October 2017. On 28 November 2017, human rights defender [Ghislain Muhiwa](#) was [arrested](#) and detained along with twenty-one others for seven days for participating in a peaceful demonstration. On 19 December 2017, another member of Filimbi, [Sony Ndjeka Olela](#) was [arrested](#) while participating in a peaceful protest and remains in detention at the office of the ANR.

Front Line Defenders condemns the arrest and detention of Parfait Muhani, Rachel Benie, Justin Mutabesha and Ben Kamuntu, as it believes they have been targeted for the legitimate exercise of freedom of peaceful assembly and association. Furthermore, Front Line Defenders condemns the continued detention of both LUCHA and Filimbi members in relation to the pro-democracy protests on 31 December 2017 and calls on the DRC authorities to respect peaceful demonstrations.

**Front Line Defenders urges the authorities in the Democratic Republic of Congo to:**

1. Immediately and unconditionally release Parfait Muhani, Rachel Benie, Justin Mutabesha and Ben Kamuntu, Carbone Beni, Mino Bompomi, Roger Katanga Mwenyemali, Bony Dickson Mputu, Grâce Tshiunza, Cedrick Kalonji, Palmer Kabeya, Sony Ndjeka Olela and the other members of LUCHA and Filimbi arrested in relation to the protests of 31 December 2017 or 21 January 2018 as Front Line Defenders believes that they are being held solely as a result of their legitimate and peaceful work in the defence of human rights;
2. Cease targeting all human rights defenders in the DRC and guarantee in all circumstances that they are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions including judicial harassment.