



**Democratic Republic of Congo - Researched and compiled by the
Refugee Documentation Centre of Ireland on 3 June 2010**

**Information on the treatment of MLC members. Information about
whether they continue to be "persecuted" or whether this has
completely ceased in recent years.**

A report by the *United States Department of State* under the heading
'Arbitrary or Unlawful Deprivation of Life' states:

"On July 6, Kinshasa-based members of the Republican Guard (GR), an elite armed force under the control of President Joseph Kabila, killed Daniel Botethi, the vice president of the Kinshasa Provincial Assembly and a prominent figure of the opposition party Liberation of Congo (MLC), whose leader Jean-Pierre Bemba ran against Kabila for president in 2006. The soldiers shot and killed Botethi and his bodyguard at a roadblock in Kinshasa, near the site of an attack in May that injured opposition Senator Adolphe Onusumba. The MLC subsequently suspended its participation in government bodies to protest the killing. On September 22, the Military Tribunal of Kinshasa/Ngaliema sentenced four GR soldiers to death for their involvement in the killing. Although a soldier on trial for the murder testified that Kinshasa Governor Andre Kimbuta, an ally of President Kabila, ordered the killing, the connection was never proved." (United States Department of State (25 February 2009) *2008 Human Rights Report: Democratic Republic of the Congo*)

It also states under the heading 'Elections and Political Participation':

"Opposition deputies and senators from the MLC boycotted the National Assembly, Senate, and Kinshasa Provincial Assembly from July 10 to July 16 to highlight security concerns following the July 6 killing by GR soldiers of Kinshasa Provincial Assembly Vice President Daniel Botethi (see section 1.a.)." (Ibid)

A report by the *Home Office United Kingdom Border Agency* under the heading 'Opposition political activists or members of former rebel groups' states:

"There were widespread allegations of corrupt practices in the conduct of the senatorial and gubernatorial elections of January 2007 and violence broke out in the Bas Congo Province in February 2007 after supporters of the BDK movement protested against the results of the elections in the province. The United Nations estimated that 134 people died as a result of the violence, including members of the security forces. Although Jean-Pierre Bemba accepted the 2006 presidential election result, the refusal of his armed guards to join the national army led to intense clashes between Bemba's supporters and government troops in Kinshasa in March 2007. Mr Bemba's allies condemned what they described as the arbitrary arrest and intimidation of its

members, but President Kabila insisted that his troops had put down an armed rebellion. Mr Bemba travelled to Portugal after initially taking refuge in the South African embassy, and in his absence the opposition boycotted parliament on the grounds of lack of safety and harassment. During this period of unrest, the Presidential Guard reportedly seized and ransacked the MLC headquarters and targeted the homes of MLC politicians, robbing and threatening their families. However, opposition parties later returned to parliament after being promised talks with President Kabila and reports of politically-motivated harassment on all sides have diminished.”(Home Office United Kingdom Border Agency (2 November 2009) *Operational Guidance Note Democratic Republic of Congo p. 6 – par. 3.6.7*)

The same report continues stating:

“*Sufficiency of protection.* As this category of applicants’ fear is of ill-treatment/persecution by the state authorities, they cannot apply to these authorities for protection” (ibid)

A report by *Freedom House* under the heading ‘Political Rights and Civil Liberties’ notes:

“Of the approximately 247 registered political parties, only a dozen have broad representation. President Joseph Kabila’s coalition, the AMP, currently holds 332 seats in the National Assembly and 58 in the Senate. The 2007 exile of Bemba, whose MLC is the largest opposition party, represented a severe blow to political pluralism.

Opposition politicians have increasingly faced violence and harassment. In 2008, MLC politician Daniel Botethi was killed in Kinshasa. A military tribunal sentenced three soldiers to death in connection with his murder, and one of those convicted initially claimed that the Kinshasa governor had ordered the killing.” (Freedom House (2010) *Freedom in the World - Congo, Democratic Republic of (Kinshasa) (2010)*)

A report by the *UN Human Rights Council* under the heading ‘Freedom of expression, association and peaceful assembly, and right to participate in public and political life’ states:

“The High Commissioner stressed that other political groups such as the Mouvement de Libération du Congo (MLC) of former Vice-President Bemba were the targets of threats, arbitrary arrests, incommunicado detention, torture and other forms of intimidation or repression. The Secretary-General and MONUC reported on the March 2007 events in Kinshasa, when security forces assaulted the Bemba security detail and about 300 persons were killed. The High Commissioner indicated that in 2008, dozens of new cases of arbitrary detention of persons affiliated with MLC were reported” (United Nations Human Rights Council (18 September 2009) *Compilation Prepared by the Office of the High Commissioner for Human Rights, in Accordance with Paragraph 15 (B) of the Annex to Human Rights Council Resolution 5/1 pg. 9-par. 36*)

A report by *Amnesty International* under the heading ‘Torture, other ill-treatment and arbitrary detention’ notes:

"There were regular arbitrary arrests by state security forces, especially of military or police officers with suspected affiliations to the Mouvement de Libération du Congo (MLC) political opposition and its leader, Jean-Pierre Bemba Gombo, or of individuals suspected of supporting the CNDP. Many detainees were held incommunicado for weeks or months in unofficial military or intelligence service detention. "(Amnesty International (28 May 2009) *Amnesty International Report 2009 - DR Congo*)

A report by *Agence France Presse* under the heading 'DR Congo opposition group calls for release of journalist' states:

"The Movement for the Liberation of Congo (MLC) opposition group of Jean-Pierre Bemba on Wednesday called for the immediate release of a party member detained last week.

Imana Engulu, a journalist, was arrested on the "false pretext" of a traffic accident last Friday in Kinshasa, capital of the Democratic Republic of Congo, the MLC said.

No reason for his arrest had been given and "all efforts by his party and family to obtain his release had been in vain," said the party of the former rebel Bemba, who was defeated by Joseph Kabila at the last election in 2006." (Agence France Presse (25 June 2008) *DR Congo opposition group calls for release of journalist*)

The same report adds:

"The MLC said it believed the arrest was part of "a covert campaign of intimidation, repression and kidnapping against those identified as close to the MLC or its national president Jean-Pierre Bemba."

The party added that it wanted Engulu to be freed and the government to give assurances that it would end "the arbitrary arrests and other violations of human rights committed by some security services." (Ibid)

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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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