

## Democratic Republic of Congo

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| <b>Response to Information Request Number:</b> | DRC98001.zla/zhn  |
| <b>Date:</b>                                   | 8 May 1998  |
| <b>Subject:</b>                                | Democratic Republic of Congo: Information on the current status & treatment of former Mobutu government officials and their family members; and 2) Information on the current status of Banza Mukalay, Vice-President of Mobutu's MPR Party |
| <b>From:</b>                                   | INS Resource Information Center, Washington, DC   |
| <b>Keywords:</b>                               | Democratic Republic of Congo/Government Officials/Laurent Desire-Kabila/Mobutu Sese Seko/Banza Mukalay  |

### Query:

How are government officials from the Mobutu Sese Seko regime currently being treated by Laurent Desire-Kabila's regime?

Are family members of former upper echelon cabinet members at risk from the Kabila government?

What is the current status and whereabouts of Banza Mukalay, former vice-president of Mobutu's MPR Party?

### Response:

On Wednesday, 7 May 1997, President Mobutu Sese Seko departed Kinshasa for Gabon taking with him his family and high-ranking aides. He was supposedly en route to a summit of regional francophone leaders (*Guardian* 8 May 1997). Upon his departure, General Kpama Baramoto, the President's brother-in-law and former Army Chief of Staff left for South Africa. Several other ministers also fled Zaire. On 17 May 1997, President Mobutu departed Zaire for the last time, declaring that he was no longer involved in matters of state. One prominent cabinet minister, the vice-president of Mobutu's party, Banza Mukalay Nsungu, voluntarily remained behind in Kinshasa, believing that he could be of assistance to Mr. Kabila (*Guardian* 8 May 1997). The current whereabouts and status of Banza Mukalay Nsungu could not be found among the sources contacted by the RIC, however, we are presently awaiting further information on this topic. We will provide additional information as it becomes available. On 17 May, the national defense minister, General Mahele was reportedly assassinated by a member of the Special Presidential Division (*DIRB* August 1997).

Human Rights Watch (HRW) reports that in the months following the takeover, authorities of the Kabila regime arrested and detained dignitaries of the Mobutu era. Most of the detentions did not entail formal charges or trial. The detainees were often held in unofficial detention centers and denied access to family members, legal counsel and medical care. Torture and ill-treatment were reported. The Kabila regime also expropriated the property of prominent Mobutists and used it for official business. HRW met two former ministers, two party officials, a former governor, and a director of public sector enterprise during an August visit to a detention center. Mr. Kabila set up an "Office of Ill-Gotten Goods" whose purpose is to track down the wealth misappropriated by former officials (*HRW* December 1997). Mr. Kabila also ordered the return of property unlawfully seized from dignitaries of

the Mobutu regime (Agence France-Presse 12 November 1997). Mr. Kabila declared, when he seized power, that all nationals were welcome to come back, but that those who assisted Mobutu in ravaging the country would be held accountable (Africa News Service 1 April 1998). Information on the treatment of family members of former Mobutu cabinet members could not be found among sources contacted by the RIC.

In mid-June a number of Mobutu-era figures were arrested: Fundu Kota - former civil servant; Cleoface Kamitatu - long-time oppositionist; Patrice Djamboleka - former central bank governor; and Pierre Lumbi - former minister. The directors of some 50 state enterprises were suspended from duty on 21 June and over 20 former civil servants were detained. Jonas Mukamba Kadiata Nzemba, director of the KasaV Company, MinP re de Bakwanga, which funneled substantial payments to Mobutu has been held since May (*Africa Confidential* 4 July 1997). The RIC found no information on the current status of the individuals mentioned in this paragraph.

Three former Mobutu generals sought asylum in South Africa: Mvua Mudima; Ngbale Nzimbi; and Kpama Baramoto. They were arrested in December 1997 when they attempted to re-enter South Africa illegally. They are sought by the Democratic Republic of Congo for torture and murder. In March 1998 their request to be recognized as political refugees was denied by the Johannesburg High Court. The three officers had been residing in an exclusive Johannesburg suburb for more than six months and had left the country to allegedly plan an overthrow of Mr. Kabila (Africa News Service 27 March 1998).

In March 1998, the former ambassador to Zambia, Bongo Lega Zongaguza, sought asylum in Zambia fearing political reprisals by Mr. Kabila. Mr. Zongaguza was recalled in June 1997. His request for asylum was denied because Zambia found no evidence that Mr. Kabila intended to persecute ambassadors who had served under President Mobutu Sese Seko (Panafrikan News Agency 26 March 1998).

This response was prepared after researching publicly accessible information currently available to the RIC 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 find attached the list of additional sources consulted in researching this information request.

#### References:

*Africa Confidential* [London]. 1 August 1997. Vol. 38, No. 16. "Congo-Kinshasa: Payback Time."

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Africa News Service. 27 March 1998. Ann Eveleth. "Plotting a Putsch With Our Consent." (Westlaw)

1 April 1998. "Former Congo-K Ambassador Does Not Need Asylum." (Westlaw)

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*Country Reports on Human Rights Practices for 1997*. United States Department of State. Washington DC: United States Government Printing Office.

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Panafrican News Agency. 16 April 1998. Newton Kanhema. *Police Expect Mobutu's General to Apply For Asylum*. [Internet]. <URL:http.search.nando.net/plweb-cgi/fastweb>.

U.S. Newswire. 12 December 1997. "Sen. Ashcroft Opposes U.S. Pledge of Aid to African Regime With Suspect Record." (Westlaw)

#### **Attachments:**

*Africa Confidential* [London]. 1 August 1997. Vol. 38, No. 16. "Congo-Kinshasa: Payback Time." 4 July 1997. Vol. 38, No. 14. "Congo-Kinshasa: Kabila's Ghosts."

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Panafrican News Agency. 16 April 1998. Newton Kanhema. *Police Expect Mobutu's General to Apply For Asylum*. [Internet]. <URL:http.search.nando.net/plweb-cgi/fastweb>.

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