Democratic Republic of Congo: The notices to appear issued by the National Intelligence Agency (Agence nationale de renseignements, ANR) in Kinshasa, including the information indicated on them, the identity (office and rank) of the issuing authority, the circumstances in which they are issued, and the time between the date they are issued and the date they are received; whether they are delivered directly to the person concerned or whether they can be issued through a third party (June 2005)

Research Directorate, Immigration and Refugee Board, Ottawa

No information on the notices to appear issued in Kinshasa by the National Intelligence Agency (Agence nationale de renseignements, ANR) could be found among the sources consulted by the Research Directorate.

However, the following information on the "invitations" issued by the ANR in the province of Katanga, provided in 2 June 2005 correspondence by the executive secretary of the Centre for Civil and Human Rights (Centre des droits de l'homme et du droit humanitaire, CDH), a human rights organization in Lubumbashi, may be of some interest:

[Translation]

These are "invitations" and not notices to appear. Generally, the ANR uses kidnappings, but it also depends on the reasons for which a person is being sought. In Lubumbashi, like in other cities, "invitations" are issued, but when a person is being sought outside ANR posts or the provincial government, search notices are usually sent out. The postal system does not operate properly and is not used by the ANR. Officers issue the invitations in person to the persons concerned.

Regarding the content of the invitations issued by the ANR (see the attached copy, which was provided by the CDH executive secretary), the ANR/Katanga provincial branch first gives its regards to the person concerned, whose name and occupation are indicated in a designated area. The person concerned is then asked to report to an ANR office at the time and place indicated on the invitation. The invitation also specifies that the person concerned must bring proof of identification and the invitation with him, and that the reason for the invitation will be explained to him at the ANR office.

The invitation bears the seals of the provincial branch and the provincial director general (see attached copy). However, in reality, the division head issues the invitation and signs it on behalf of the provincial director (CDH 2 June 2005b).
In general, [translation] "all the invitations are sealed (provincial branch, city or district office, community or territory office) and bear the signature of the division head, who issues the invitation on behalf of the provincial director" (ibid.).

In the attached copy, the invitation was issued by the general intelligence division (RGx) and signed by the leader of this division, even though the invitation is issued on behalf of the provincial director (ibid.). The invitations are printed on an A5-sized paper (half the size of an A4 paper) (ibid.).

The following information was provided by the CDH executive secretary during a 2 June 2005 telephone interview.

The invitations issued by the ANR are [translation] "summary." This means that the person invited generally has 24 hours to report. If the person concerned is not present when the invitation is delivered, the invitation can be left with a family member, who is responsible for giving it to him. The reason for the invitation is not given until the invited person appears (see also the attached copy).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

References

Centre des droits de l'homme et du droit humanitaire (CDH) [Lubumbashi]. 2 June 2005a. Telephone interview with the executive secretary.

______. 2 June 2005b. Correspondence from the executive secretary.


Additional Sources Consulted

The Association africaine de défense des droits de l'homme (ASADHO) did not respond to a request for information within the time constraints for this Response.

Internet sites, including: Ecoi.net, Federal Office for Refugees (ODR) of Switzerland, General Commission on Refugees and Stateless Persons (CGRA) of Belgium, Government of the Democratic Republic of Congo (RDC), United Nations Mission in the Democratic Republic of Congo (MONUC).

Attachment


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