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14 May 2008

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Republic of the Congo: Treatment of political opponents by the authorities following the August 2007 elections
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

Specific information on the treatment of political opponents by the authorities following the August 2007 elections could not be found among the sources consulted by the Research Directorate. However, the following information may be of interest.

A program official with the Congolese Human Rights Observatory (Observatoire congolais des droits de l'homme, OCDH) provided the following information in correspondence sent to the Research Directorate on 7 May 2008:

[translation]

Most of the political opponents who had gone into exile returned to the Congo after swearing allegiance to President Denis Sassou Nguesso. They included Jacques Joachim Yombi Opango, Bernard Kolelas, Christophe Moukoueke and Victor Tamba Tamba. The President provided some of them with vehicles, houses and bodyguards. Since their return, none of them has made any statement or taken any action to establish true democracy or respect for human rights and public freedom, which is scorned daily in the Congo ...

Moungounga kombo Nguila, and other officers such as former security minister Colonel Yves Marcel Ibala, and former interior minister General Filippe Bikinkinta, are still persona non grata in the Congo. Lieutenant-Colonel Mpassi Serge André, Captain Dibondo Bartel, Lieutenant Mizingou Louis Marie, Chief Warrant Officer Miyalou Alphonse, and Captain Pandi-Ngouari Bertin - who were arrested between January and March 2005 - are still being held without trial in the Brazzaville prison, in contravention of all the human rights agreements ratified by the Congo. They are suspected of trying to overthrow the government, on Moungounga Nguila kombo's orders.

In another document supplied by the Program Official, the OCDH presents its concerns regarding human rights in the Congo:

[translation]

Torture, arrests and arbitrary detention

...

- Three nationals of the Democratic Republic of the Congo - magistrate major Germain Ndabamenya Atakilome, Kimbanguist Chaplain Major Médard Mabwaka Egbonde and Police Captain Bosch Ndala Umba - have been in detention at the Central Office for Military Intelligence (Direction centrale des renseignements militaires) since 2004.

-Systematic torture and killing of detainees in police custody have occurred, including Guy Yambo, on 23 January 2007, and Algain MAMPOUYA on 1 November 2007 in Brazzaville. There was no court information sheet, hence the impunity of the perpetrators of these crimes. (7 May 2008)

According to Amnesty International (AI), of the 25 political detainees - including former colonel Serge André Mpassi - held since the beginning of 2005 and charged with [AI English version] "plotting to overthrow the government," 13 were provisionally released at the beginning of 2006 (AI 2007, "Prisonniers politiques;" see also AI 13 Dec. 2006, Sec. 1).

According to AI, the three nationals of the Democratic Republic of the Congo (DRC) were arrested under a [AI English version] "security agreement between the DRC and the Republic of Congo to crack down on each others' opponents" (AI 2007, "Détention et expulsion de demandeurs d'asile").

In an article published by Human Rights Watch (HRW) reporting that an anticorruption activist had been arrested and detained by authorities as a retaliatory measure in November 2006, the Director of the Business and Human Rights Program at HRW stated that [HRW English version] "'The government in Congo-Brazzaville is trying to silence anticorruption activists ...'" (15 Nov. 2006). The United States (US) Department of State also indicates that in 2007, the Republic of the Congo had political detainees and prisoners (US 11 Mar. 2008, Sec. 1e).

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

Amnesty International (AI). 2007. "Congo." *Amnesty International - Rapport 2007*. <<http://thereport.amnesty.org/fra/Regions/Africa/Congo>> [Accessed 16 Apr. 2008]

_____. 13 December 2006. "Congo : des détenus politiques dans un vide juridique." <<http://www.amnesty.org/fr/library/info/AFR22/003/2006>> [Accessed 16 Apr. 2008]

Human Rights Watch (HRW). 15 November 2006. "Congo-Brazzaville : les autorités tentent de réduire au silence les activistes qui luttent contre la corruption." <<http://hrw.org/french/docs/2006/11/15/congob14675.htm>> [Accessed 16 Apr. 2008]

Observatoire congolais des droits de l'homme (OCDH). 7 May 2008.
Correspondence sent to the Research Directorate by a program official.

United States (US). 11 March 2008. Department of State. "Congo, Republic of the." *Country Reports on Human Rights Practices for 2007*.
<<http://www.state.gov/g/drl/rls/hrrpt/2007/100476.htm>> [Accessed 16 Apr. 2008]

Additional Sources Consulted

Oral source: L'institut vie et paix (IVP) did not provide information within the time constraints of this Response.

Internet sites, including: AllAfrica.com, British Broadcasting Corporation (BBC), *Le Choc* [Brazzaville], Fédération internationale des ligues des droits de l'homme (FIDH), Freedom House, Jeuneafrique.com, Mwindi, Observatoire congolais des droits de l'homme (OCDH), *La Semaine africaine* [Brazzaville], Union panafricaine pour la démocratie sociale (UPADS), United Kingdom Home Office Country of Origin Information Service, United Nations (UN) Integrated Regional Information Networks (IRIN), Office of the United Nations (UN) High Commissioner for Human Rights (OHCHR), World News Connection (WNC).

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