

23/09/2016

REPORT OF LAUNCH "THE UNJUST AND UNHEALTHY CAMPAIGN: THE RIGHTS OF PRISONERS IN DR.CONGO "»



Organized by: **PEPA** NGO Supported by: **ARASA**

The context and justification

Prisons in the DRC for most dated and backed to colonial times and some have been not really renovated, they are characterized by a large dilapidation with consequences on respect for basic rights and dignity of prisoners, the ability of the current prisons is generally reduced, while the population grew. The situation is particularly difficult for women and minor children, marked in particular by the lack of characteristics for which were designed to meet its objectives. During PEPA team visits in prisons we regrettably saw the poor living conditions of prisoners and found out that woman and children are most vulnerable and highly exposed to risks. The fact is, many women and children are exposed to HIV/AIDS, TB, Malaria and those living with AIDs have almost no access to health facilities, etc.

Over a third of women and minor children in prisons in the DRC are for minor offenses and non-violent and other arrests for arbitrary of the detainees we interviewed had committed offenses related to the economic situation. Women and minors in detention face serious hygiene problems, exacerbated by overcrowding and insufficient and inadequate health infrastructure. The physiology of women and children require specific measures for care of health and hygiene rules particularly women during menstruation periods, during pregnancy and after childbirth must be closely monitored and children who need growth have only one meal a day. Insufficient and inadequate prison conditions affect the entire prison population but have a more severe impact on women and minor children to such an extent that they are often doing very shocked and have no fear of prison or even commit crimes. Thus, after conducting investigations in prison settings immersing himself in this situation, PEPA / NGO is an organization with a vision to safeguard human dignity, launched the campaign "Unjust **and** Unhealthy" in French "**Injuste & Malsain**".

Overall objective

Bring the decision makers to adopt laws and policies that promote HEALTHY and respect of prisoners' rights.

Specific objective

1. Better understanding and appreciation by policy makers in the DRC and in SADC region of prisoner rights issues with focus on women and children prisoners.
2. Encourage decision makers to change policies and improve health access and funding to prisoners.
3. Create awareness in the public of prisoner rights issues.

EXPECTED OUTCOMES:

1. Increased Budget allocation on Prison and access to Health facilities and improve the living conditions of prisoners,
2. Influenced duty bearers to take action on Prison Health budget and the living condition of children and women in prisons
3. Increased awareness on Prisoners Health Rights among Prisoners and all stake holders
4. Improvement of the living conditions of the prisoners, access to justice, reduce the rate of HIV/TB , Malaria and death in prisons of DR.Congo
5. Increased awareness on SADC Minimum Standards for HIV and AIDS, TB, Hepatitis B and C, and sexually Transmitted Infections Prevention, Treatment, Care and Support in Prisons.

LAUNCH OF THE CAMPAIGN

"UNJUST & UNHEALTHY CAMPAIGN" RIGHTS OF PRISONERS

Date : September 23, 2016.

Location : Goma, Conference Room JOY PLAZZA.

It was in an atmosphere of mobilization and communion for the common cause that takes place the launch of the campaign against the unjust and unhealthy practices for the rights of prisoners, carried in the beautiful conference room of Hotel LA JOIE PLAZZA from 9:30 to 12:30, under the moderation of **MR. Eric Selemani**.

Guests were state political and administrative authorities, human rights activists, civil society, children, young women, over the officers and courts, lawyers and other great personalities of North Kivu and South Kivu.



At the entrance of the room, a special decoration where campaign posters adorn the walls with messages sensitizing, and even Nelson Mandela (as a famous prisoner political icon became the best in the world) is not forgotten. The shirts are distributed to all guests at the entrance so that all wearing them gave good visibility for the appropriation of the campaign's key message.

After arrival of guests at **9:50am** was the national anthem and the presentation of the program of the day by the Moderator.



Welcome to the participants and introduction of government authorities sing the national anthem to start the ceremony of official launch UNJUST AND UNHEALTHY: Rights of the prisoners » in the big Wall of LAJOIE PLAZZA Hotel

10 hours- 10 h 05'

The Chairman of the Board of Directors of PEPA NGOs, Mr. **Appolinaire ZAGABE K.** briefly presents the background of PEPA, its objectives and finally areas intervention. He did not end without thanking the network partner **ARASA** partner for the support that has enabled and made the launch of the campaign that day a reality.

10 hours 6 '-11'- Always the same speaker (PCA PEPA, Mr. **ZAGABE**) with the rationale and objectives (3) of the Campaign, using a brochure prepared for this purpose.



He's hinting by "being a prisoner does not mean the end of life, he said, by being as Nelson Mandela, who later became a famous man..."» Is a call to all to join in this campaign that is beneficial to the community ".

Mr Appolinaire ZAGABE K. explains the objectives of the campaign.



At 10 hours 12 am, 'comes the first presentation by **Maitre Bwino** on

1. "Prison Life of women and minors."

He began by thanking the head of the PEPA to be invited to the campaign. Joints of the subject contain the introduction, minors in conflict with the law in detention and recommendations.

He notes in his introduction that "The law on protection of child rights determines the mechanisms of protection of children in conflict with the law (as author, victim, and prisoner)... It is a question to consider the age of the item offender - this age varies from one country to another. Here is a minor child 14 and under 18 ... The juvenile court. If the child is under the age of 14,

he should be released immediately and be taken to a specialized institution to support social psycho decision (Case MIDEFEOPS Goma)which does not happen in DRC.



Attorney BWINO developed doing the Theme, Prison: life of women and minor children. Which topic caught the attention of participants.



2. Problems of justice for children in conflict with the law.

"Access to justice, - children also have the problem of pre-judicial investigation ... Children need to feel fulfilled and reintegrated when they are in prison ...

In Muzenze Prison, children are kept as adults. An interpellation should be made to the authority for the situation to be improved,

A Desk of children- custody facilities in the DRC has been brushed, pulled archives, there is urgent need to build children rehabilitation centers.

As investigated particularly in **South Kivu** province speaking of specific cases **Nyangezi**, where the building of custody and rehabilitation centre of children turned into a hospital, and thereby there is a need to recover. In **Makala** Prison in Kinshasa, it is found overcrowding of children.

Girls and women, suffer in prisons due the absence of specific cells for women with needs; lack of gender-specific needs (intimate hygiene kits), CPN examinations, they have no access to rehabilitation and sexual harassment, judicial authorities or heads of prisoners.

2. The recommendations.

- Construction And rehabilitation institutions and state custody equipment;
- The Availability of a national operating budget places of detention;
- Strengthening Staff capacity supposed to protect children in conflict with the law;
- Construction, Equipment juvenile courts;
- A Good coverage number of judges for juvenile courts;
- A Working group to create and consolidate to address the issue of human rights of children and women in prison.

10:42 to 11:10

Lucien Munyantwari (Lawyer Court of Appeal Goma), as second exponent. He developed the topic "Access to justice and challenges in prisons."

He states in its introduction that given the complexity of this issue cannot claim the drain.

Challenges related to the protection of prisoners. The general conditions of prisoners / Held (those convicted of committing an offense and deprived of freedom of movement) in our country. Unfortunately in our country there are challenges to fulfillment.

Challenges are:

1. *Inherent to the daily living conditions and recovery of prisoners dignities (-health care rights, dressing and sleeping, bodily cleanliness, to moral and physical integrity)*
2. *The poor working conditions of law enforcement officers. The poor working conditions make access to justice for Pro-deo difficult. The large numbers of prisoners waiting for judgment, and becomes more victims of the effects of the functioning of our judicial system.*
3. *Promiscuity in the middle – Because of the inhuman conditions in prisons, once out of the jail they become and commit more crimes than before.*
4. *The safety of the prisoners.*

In short, the challenges are enormous, and the government will have to develop appropriate policies to meet the challenges, because it is unhealthy and unjust to see how women and children are highly exposed to risks.

11 Hours just 11 hours 9

Topic 3: Developed by the same speaker (Lucien Munyantwari) - "Access to Justice and Pro Deo Assistance".

Justice is a public service whose free access is guaranteed to all citizens. Many people have lack of knowledge of legal rights and procedures.

Geographical location a challenge to limited legal services throughout the entire country, because of the unavailability of judges in certain circles.

Human rights victims of violations do not have access to the judicial defenders. These pose the problem they do not promote the respect to the matter of human rights.

Financial charges / Affordability does allow some prisoners to resort to justice, hence the service free mechanism is demonstrated as an option to promote.

Suggestions: Further promote the legal aid system Pro deo

Pro-Deo consists of completely free legal services. Verification of prisoner's poverty status is appropriate in this case.

In his conclusion he recalled in a form interrogative- "Don't we say that Justice raises a nation"?



Challenges related to the protection of prisoners. The general conditions of prisoners / Held (those convicted of committing an offense and deprived of freedom of movement) unfortunately in DRC there are challenges existing.

Challenges are the same as stated above

In short, the challenges are enormous, and the government will have adopted appropriate policies to meet the challenges, because it is in the human dignity of men, women and children.

11 hours 10 '-11 hours 22'

The audience is invited to follow three stories of a young woman and two young boys who experienced the painful situations during their stay in places in prisons.



Much of the testimony of the girl testifies. "The situation is difficult and unbearable, so think about those people. Up to some small coinage of access (read, wear shoes); there women , girls and children are exposed(opportunistic infections related to HIV,TB and Malaria) and no timely access to ARV (anti-retroviral) during the prison stay.

"To receive care, there are doctors who are there but not motivated (they leave to 5pm so that it is difficult to access medical staff in cases of nocturnal exacerbations."



Testimonies of two boys, miners .

We were prisoned, the living conditions are not acceptable, people die in prisons because of serious sickness, lack of food, in the prison it is only worries Suffering ... suffering ... torture ... There is a diversity of people from the remote areas which makes the morals become corrupt in prisons ... We left there with bad behavior-drug abuse, premeditated crimes, Care in

terms of drugs does not exist....

In the prisons of Congo, The days when the United Nations agencies, international NGOs and charities arrive, you feel the hypocrisy of social workers and prison managers that give you enough to eat ... Other days this is a disaster ... Suggestion: your assistance to these distressed people in our prisons is important and Join PEPA in this campaign. "

At 11:23 - moderation returns to the synthesis saying he must insist on awareness, which is the role of each other.



11 Hours 25-40 games answers questions, contributions and comments from participants. Then, taking advantage of the presence of the Provincial Minister of Justice in the room, the word expected Advocacy with the Government addressed by Director of PEPA, **Mr. Apollinaire ZAGABE** in so clear terms, recalling and reflecting good faith.



11:52 - a special time, that's the word Launch and solemn commitment by Madam Justice Minister , Her **Excellency SIFA MASUMBUKO** (Personal Representative of prevented Provincial Governor), [recalling the general principles of the Universal Declaration of Human Rights \(UDHR\)](#) the ... law enforcement officials are required to know the standards of respect for human rights ... through capacity building and training that should be organized by the EPA, all leaders must be equipped and trained in the field of Human Rights.



Finally comes at **noon** formula dedicated "**... I officially launch the Campaign against Unjust and Unhealthy practices.**"». Declared the Minister of Justice of the Democratic Republic of Congo

As a convivial cocktail marked the end of the ceremonies



↑
Guests taking refreshments





the official launch of the campaign against the unjust and unhealthy practices was lived and witnessed by many at LA JOIE PLAZZA Hotel of Goma, on the date of September 23, 2016.



*Mr. Appolinaire with the secretary of the hotel
Government journalist and salvation of the
Congolese National Radio (RTN-NK)*



*After approval of the opening of the campaign Mr.
Appolinaire talking to accompany Minister
Provincial of the Justice and human rights.*

DURATION OF THE CAMPAIGN AND ACTIVITIES TO BE CARRIED OUT

1. THE DURATION OF THE CAMPAIGN

The campaign Unjust & Unhealthy, rights of prisoners will take a period of one year and may be renewed if necessary.

2. ACTIVITIES PLANNED DURING THE PERIOD OF THE CAMPAIGN

In order to achieve the objectives set, and after taking into account the recommendations of the Congolese government in the framework of the campaign, the following activities are planned to be carried out:

- Awareness and training of local, national Congolese on the rights of prisoners
- Training of the Provincial and National Government of the DRC on the rights of prisoners,

- Capacity building of the Congolese National Police on the rights of prisoners and their guards.
- Awareness of civil society, local, national, international unhealthy situation of prisoners and their involvement in accelerating the campaign.
- Training of judges on human rights and those of prisoners and in particular implementation of real justice.
- Avail the advocacy document to be debated in the parliament for the benefit of prisoners and in particular women and children in prisons.
- Advocacy and lobby to the Congolese Government, Congolese parliament for consideration and adoption of laws aimed at improving the living conditions of prisoners and access to health facilities.

CONCLUSION AND RECOMMENDATIONS

The campaign launch Unjust & Unhealthy organized by PEPA with the support of ARASA and officially launched by Her Excellency **MASUMBUKO SIFA**, the provincial Minister of Justice.



CONCLUSION

At the end of this report , the official launch of the campaign **UNJUST AND Unhealthy, Prisoners rights**, We will not end of congratulating local authorities and all organizations that were present on launch day, continuing a strong hand to allow us to achieve the objectives this campaign among other things, the provincial government, national and provincial officials, magistrates, court advocates, lawyers, the working Group Protection and prevention WPB, etc., of each sector where we will intervene for their contribution to this campaign as provided the information, if necessary, from all targeted environments. Seeing as how women and children are treated is inhuman, violation of human rights in prisons is seen everywhere and it is not a secret that the detention of prisoners' problem in DR Congo is not fair. This situation must call upon the consciousness of everyone. Therefore, we all must work to change these alarming conditions .The campaign organized by PEPA / NGO is not to teach a lesson or directions to the judicial authorities and following, but a way to alarm and call the policy makers and decision makers on the urgent need of ensuring respect of the human dignity of prisoners especially (children and women in particular).

PEPA / NGO believes that this can be done if the government of DR Congo takes into consideration the recommendations formulated by PEPA / NGO and its partners during the campaign that will be developed within a period of one year dated September 23, 2016, the day of the official launch by Madam Minister in charge of Justice and human rights in Goma in the Big wall of LA JOIE PLAZZA HOTEL in the presence of all partners activists of human rights and prisoners' rights including: national , local and international non-governmental organizations UN agencies such as MONUSCO and the national and provincial judicial institutions together with the officials of the penitentiary system of prisons and other independent institutions of human rights working in the Democratic Republic of Congo, all agreed that overall involvement of the urgent need to protect the prison population in general, based on improved conditions of prisoners and in particular those of women and minor children. So PEPA / NGO has developed the activity plan of this campaign by formulating recommendations and proposals to both government, non-governmental organizations, international organizations, for a joint collaboration in lobbying decision makers to influence laws that can contribute to improve as soon as possible the conditions of a prisoner in various prisons in the DRC.

RECOMMENDATIONS

- The government supports PEPA / NGO efforts in this activity for capacity building and ability of judges, lawyers on hard proceed requirements of the detention of women and children and also awareness of the prisoner conditions ,
- That NGOs working in the field of protection of human rights including the rights of women and children in prison to join in this campaign for the effectiveness and efficiency during the campaign period;
- That ARASA and as the partner to support (technical and financial) and increase resources so that PEPA / NGO is able to meet the scope of this campaign.
- That PEPA / NGO to broaden the campaign in all corners of the DRC by influencing and calling the d é makers to improve the living conditions in prisons.

Finally, we invite other national and international partners to join or support this campaign; there is a huge need of material, financial and moral support for the success of this campaign.

For any interest of partnering with us, contact us:

E-mail to: info@pepahumandignity.org, info.pepaorg@gmail.com and,

Copy to: zagabejasperr@gmail.com, zagabe@pepahumandignity.org

Or

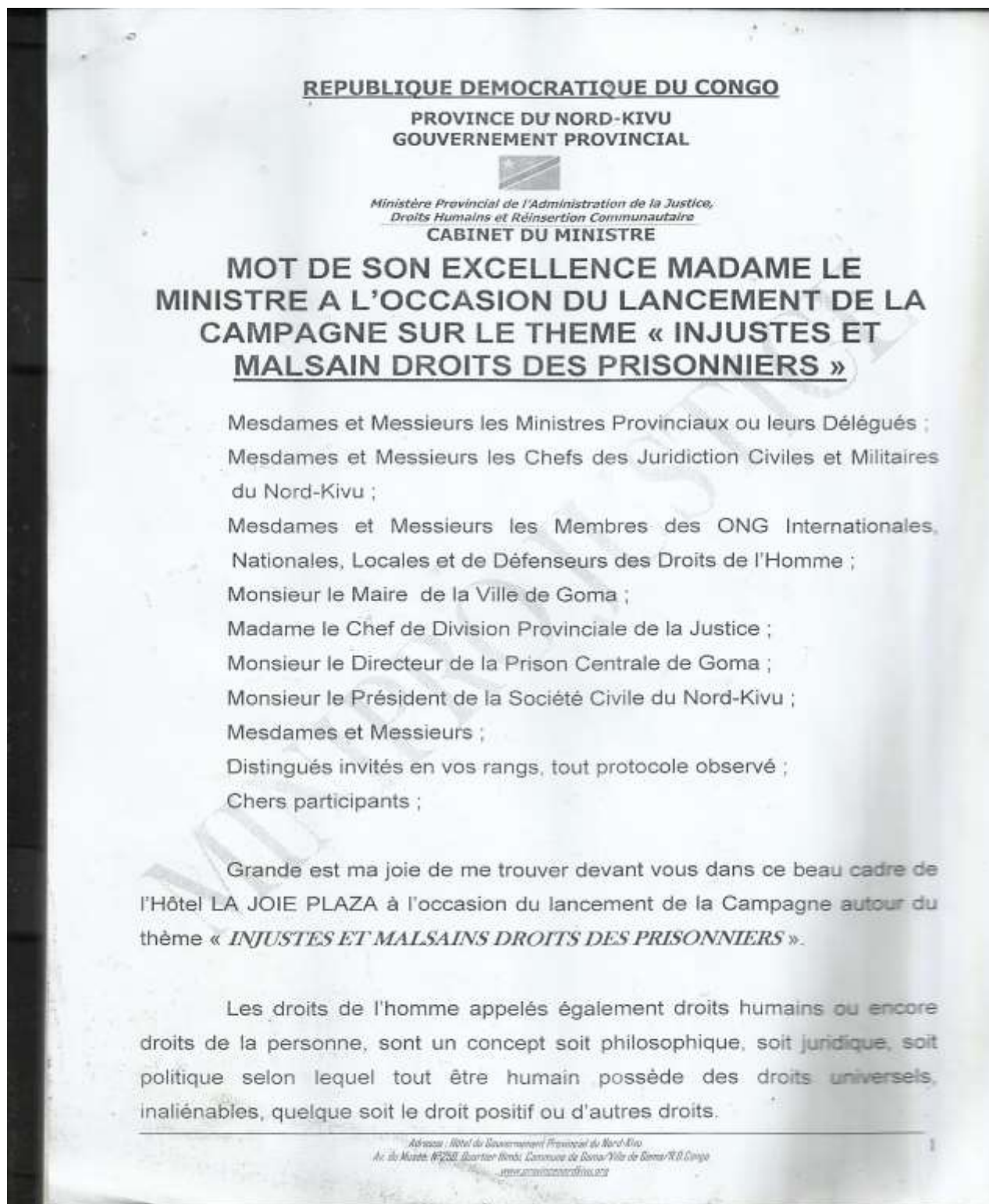
Reach us on phone at +243 816412225, +243998244785

VIDEO YOUTUBE watch the video of the launch of the Unjust& Unhealthy

https://www.youtube.com/watch?v=fIN_gCGKes8&feature=em-upload_owner

APPENDIX

SPEECH OF HER EXCELLENCY THE PROVINCIAL MINISTER OF JUSTICE, Ms JUSTINE
MASUMBUKO



Mesdames et Messieurs,
Distingués invités,

Les principes généraux de la déclaration universelle des droits de l'homme, précisent que les droits de l'homme sont un domaine relevant légitimement du droit international et d'un contrôle international.

Les responsables de l'application des lois sont tenus de connaître et d'appliquer les normes internationales en matière de droits de l'homme.

Pour le cas d'espèce, il est de droit que toute personne privée de liberté soit traitée en tout temps avec humanisme et avec le respect de la dignité inhérente à la personne humaine.

Aucun détenu ne pourra, même s'il consent, faire l'objet par exemple, d'expérience médicales ou scientifiques de nature à nuire à sa santé.

Nul ne peut être soumis à la torture, ni à des peines ou traitements cruels, inhumains ou dégradants, à la privation des besoins physiologiques comme l'alimentation ou à tout acte par lequel une douleur ou des souffrances aiguës physiques ou mentales sont intentionnellement infligées.

Cependant, à travers ces assises organisées par PEPA, tous les responsables doivent être outillés à l'application des lois, doivent être pleinement informés et instruits sur le respect des droits de l'homme en général et ceux des personnes privées de liberté en particulier.

Mesdames et Messieurs,
Distingués invités,
Chers participants,

*Adresse : Hôtel du Gouvernement Provincial du Nord-Est
Av. du Monde, N°758, Quartier Ntshi, Commune de Goma/Ville de Goma/R.D.Congo
www.associationdriv.org*

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Considérant que la reconnaissance de la dignité inhérente à tous les êtres humains de leurs droits égaux et inaliénables constitue le fondement de la liberté, de la justice et de la paix dans notre cher pays, la République Démocratique du Congo.

C'est à ce mot, qu'au nom de Son Excellence Monsieur le Gouverneur de Province, l'Honorable Julien PALUKU KAHONGYA et au mien propre, que je lance officiellement la campagne sous le thème « *INJUSTES ET MALSAINS DROITS DES PRISONNIERS* ».

Conjuguons nos efforts pour la promotion et la protection des droits humains au Nord-Kivu.

Que vive la Province du Nord-Kivu ;


Que vive le partenariat ;

Je vous remercie

Adresse : Hôtel du Gouvernement Provincial du Nord-Kivu
Bo. de Mairie N°258 Quartier Nord, Commune de Seta, Ville de Seta/R.D Congo
www.international.org

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LIST OF PARTICIPANTS TO THE LAUNCH OF THE CAMPAIGN



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FOR THE PEOPLE
Plaidoyer et Défense des
Vieilles Personnes et
PEPA/Organisation

Plaidoyer des Enfants et Personnes Agées à risque (PEPA/NGO)
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LANCEMENT DE LA CHAMPAGNE "INJUSTE ET MALSAINS DROITS DES PRISONNIERS" le 23 Septembre 2016

Lieu : Grande salle La Jolie Piazza Hôtel

LISTE DES PRESENCES

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98	Pacifique KABAYI	RACIO	Coord	0819757420	
99	Fiston MUGIHO	ADD	Sec Rap	0970929094	
100	AIZA MURUKWENE		Adjoint	0970929094	
101	ESABANYI MAMUKATO	IETAG	chef de pr	082237020	
102	NIWA BITONGWA	ADD	chef chef de programme	0970929094	
103	Alain BOMBA	ARP	Directeur	0988688888	
104	Boudou ABEHY	AQUILA asbl	Coordo	0988688888	
105	Fidus NARONGA	CJ DH	Coordo	0988688888	
106	Ephrem KAMBALE	FOP/ASBL	Coordo	0988688888	
107	Chantal KAYIBO	PHM	Point focal	0988688888	
108	Ephraïm MATABARO	RACIO	chargé de programme	0988688888	
109	Sam Paul MUYIM	GDH	Ass. Education	0988688888	
110	BAKATI KARAFULU	GESBI	control jurid.	0988688888	
111	Salaam AJUMUNGO	GESBI	Planification	0988688888	
112	CHRISTIAN Z. BAWNE	MYPHEN	Comm.	0988688888	

113	RICHARD KUBWA	JOURNALISTE/REPORTER	-	0994788642	
114	German CUKU	Emmanuel IV	Journaliste	0975924914	
115	Morgan MUKUNA	COORDO.	ADPD-DRC	0835482040	
116	TITO BIKETA	FREE EXPRESSION	Coordonateur	0813875000	
117	Fili LUKUFA	FDA	Assistante	0816195445	
118	GREEN TSHIBANGU	FDA	Assistante	0970963680	
119	VALENCE CHUMISA	GESBI	Educateur	0855876391	
120	Mutsuwa F.	FUPRO	Coord	0812913886	
121	LERON TANGI	FUPRO/MASIN	Anim	0882399916	
122	IRAHBA BAETI	CAFEDDHU	Coord	0993885085	
123	ITENBERO WIMATHE	CCTDR	Comptable	0997849194	
124	RYAMUNGU BATA	PEPA/NGO	Permanent	0992566332	
125	ALINE MUEKASHI	PEPA/NGO	Agente terrain	097901615	
126	AMADHANI	PEPA/NGO	-	0855755334	
127	PATRILIN	PEPA/NGO	-	0970531454	
128					
129					