

Press release**Mass jailbreak from Bukavu prison, in eastern DR Congo****One more threat to the victims of escaped prisoners**

Goma, DR Congo (East), 6 June 2014 – Avocats Sans Frontières (ASF) is concerned about the consequences of the mass jailbreak by 288 prisoners from the central prison in Bukavu, South Kivu. This kind of jailbreak from Congolese prisons is a threat to the safety of the victims of crime and witnesses who contributed to the conviction of some of the escapees. ASF is advocating improved management of prisons to avoid overpopulation and the risks of escape.

ASF is concerned about the consequences of these prison escapes for victims who have placed themselves at risk to put their attackers behind bars. This is particularly the case for 62 victims who, with courage and dignity, were heard during the trial of Emmanuel Kyat Hend Dittmann, also known as Pharaoh. In 2012, he was sentenced to imprisonment of 20 years for leading an insurrectionist movement and for crimes against humanity by imprisonment. Pharaoh and his three accomplices are among the prisoners who managed to escape from Bukavu central prison on the night of 4 to 5 June.

The same applies to two FDLR rebels, including the infamous Kazungu, sentenced to life imprisonment for having committed atrocities between 2005 and 2007 in the territory of Kalehe (South Kivu Province), whose crimes against humanity included rape (including sexual slavery), murder, torture and arbitrary imprisonment. At the time, more than 400 victims agreed to take part in the trial.

"Not only do the victims never obtain compensation for the harm suffered and the physical and social consequences on their lives, but also, their safety after the trial is not guaranteed. It's unacceptable", objects H el ene Trachez, ASF Head of Mission in DR Congo.

ASF is also worried for the civil society organisations and lawyers who gather testimonies and support victims during trials. Jailbreaks by criminals also increase the insecurity of populations and instability in the region.

These mass prison escapes are usually caused by the conditions of detention, which are disastrous in DR Congo. The lack of trained, paid staff to supervise prisons is glaring, and occupancy levels in prisons are well above what might be regarded as reasonable. On the day of the incident, there were 1,523 prisoners in Bukavu prison, which has a capacity of 500.

"Overpopulation in a prison places extreme pressure on the prison staff and increases the risk of escape. Yet the vast majority of prisoners are being held on remand. We need to combat illegal custody, to relieve the prisons", advocates the ASF Head of Mission.

Within the context of the Support Programme Promoting Justice in the East (PARJE, entitled Uhaki Safi), ASF supports barristers in redressing the situation of persons held illegally in custody.

"For example, thanks to the Office of Free Consultations of the Bukavu Bar, out of the 216 accused persons who benefited from legal assistance, 55 people were detained illegally including 16 women and 11 children; they have been released in the last 10 months. We need to continue this work and 'empty' the prisons of people who have no reason to be there, in particular people

waiting for rulings for minor offences and whose release does not represent a danger to public order", says Ms Trachez.

ASF is calling on the Congolese authorities to take all measures to guarantee the safety of victims and witnesses in trials who agree to place themselves at risk in the public interest. ASF is also launching an appeal for an improved prison policy, to be set up with the support of international sponsors. "This policy is fundamental, because it guarantees execution of court decisions. In this sense, it contributes to the safety of prison staff, parties to trials and populations. It is an essential link in the fight against impunity", concludes the ASF Head of Mission.

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