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The Law Society
of England and Wales

DRC: Joint press release on the arbitrary detention of lawyers at the Kinshasa-Gombe Bar Association

11 August 2025

The OIAD and Lawyers for Lawyers, in collaboration with the signatory Bars and organisations committed to the defence of lawyers' rights, express their deep concern regarding the arbitrary detention of Congolese lawyers Guillaume Muyembe, Patrick Katebe and Médard Palankoy by the authorities.

The three lawyers, all members of the Kinshasa-Gombe Bar, were arbitrarily detained incommunicado for several weeks, without any legal basis or judicial decision justifying their deprivation of liberty.

Médard Palankoy was abducted on 14 March 2025 by agents of the National Cyber Defence Council, without a warrant or court order. Since then, he has been held incommunicado, deprived of any contact with his family, a lawyer or a judge.

Guillaume Muyembe, a lawyer specialising in mining law, was arrested on 29 April 2025 after responding to a summons from the National Cyber Defence Council. His office was illegally raided without a warrant and seized, in flagrant breach of professional secrecy and fundamental guarantees of the rights of the defence. Since then, he has been detained without access to a lawyer and without being formally charged. Several people have stated that they believe his arrest was linked to his work as a lawyer for Fortunata Ciaparrone, who manages the assets of former president Joseph Kabila.

Patrick Katebe, a former journalist and lawyer in the law firm of Guillaume Muyembe, was arrested on 5 May 2025 on his way to recover his personal belongings, which had been confiscated during a raid on the law firm on 28 April 2025. Patrick Katebe was held incommunicado until Monday 9 June, when his wife was finally able to speak to him in a secret location. During this conversation, Patrick Katebe shared his lack of understanding about his arrest, explaining that he had been given varying, unfounded, explanations for this arrest, including some relating to his work in Mr Muyembe's law firm. Patrick Katebe was finally released on Saturday 14 June, after more than a month of arbitrary detention in which, according to him, he was held alone, in a cell less than a metre wide, with no access to the outside except for washing.

These cases appear to be part of a recurring pattern of arrests and incommunicado detentions of lawyers in the course of, or in apparent connection with, the exercise of their professional functions. Such practices can be likened to enforced disappearances and raise serious concerns about respect for the fundamental guarantees of lawyers' rights.

The United Nations Basic Principles on the Role of Lawyers (1990) state, inter alia, that governments should ensure that lawyers are able to perform their professional functions "without intimidation, hindrance, harassment or improper interference" (Principle 16.a), and that they should not be prosecuted or punished for "any action taken in accordance with recognized professional duties, standards and ethics" (Principle 16.c). In addition, when a lawyer is arrested, the competent authorities shall ensure that he or she is immediately afforded due process of law,



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including the right to be informed of the reasons for the arrest, to be promptly brought before a judicial authority, and to communicate with a legal counsel of his or her choice (Principle 27) and finally that "governments shall recognize and respect that all communications and consultations between lawyers and their clients within their professional relationship are confidential". (Principle 22).

In addition, the signatory organisations remind the Democratic Republic of Congo of its obligations under the following provisions:

Article 18 of the Constitution of the Democratic Republic of Congo :

"Anyone who is arrested must be informed immediately of the reasons for his arrest and of any charges against him, in the language he understands.

The person in custody has to be immediately informed of his rights.

The person in custody shall have the right to contact his family or counsel immediately."

Article 9 of the International Covenant on Civil and Political Rights :

« 1. Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law. (...) »

The signatory organisations recall that the protection of lawyers' independence is essential to the proper functioning of the rule of law and to effective access to justice. The Democratic Republic of Congo, as a State party to numerous international human rights protection instruments, has an obligation to guarantee that lawyers can exercise their profession without fear of reprisals or interference.

Signatories:

- Observatoire international des avocats en danger (OIAD)
- Lawyers for Lawyers
- Council of Bars and Law Societies of Europe (CCBE)
- International Bar Association's Human Rights Institute
- Law Society of England and Wales

