

## What do we know about MP Clément Kanku's tapped conversations?

On 8 August 2016, Chief Kamwina Nsapu, Jean-Prince Mpandi, attacked the town of Tshimbulu. The official record stated there were nine deaths. A journalist close to Kamwina Nsapu, Constantin Tshiboko, called Dibaya's MP Clément Kanku twice. On 23 May 2017, the Republic Attorney General said he wanted to open an investigation, following the broadcast of these two telephone conversations on social networks.

"The nature and circumstances of this conversation can in no way leave indifferent the officer of the public prosecution that I am. And if at the end of this investigation, the facts that were established convince me that the person of interest [Clément Kanku], is responsible, then he will be charged with participation in an insurrectional movement, murder, arson, wicked destruction, and associations with criminals"- Flory Kabange Numbi, State Prosecutor General, on 23 May 2017, at a press conference.

### Who is speaking?

- **Clément Kanku** is one of two elected MPs from Dibaya territory, president of the opposition Social Movement for Renewal. He **comes from the customary area of Kamwina Nsapu**, more precisely a place close to the village of the chief, called Nanshakale. On the basis of these records, Clément Kanku was **summoned on 11 August 2016** by the National Security Council (the Council which brings together all the heads of intelligence and security forces) which was on mission to Kananga and was headed by Evariste Boshab. On **20 December 2016**, four months later, Clément Kanku became the Minister of Regional Cooperation of Samy Badibanga's government, before being removed from office after the establishment of Bruno Tshibala's government.

- **Constantin Tshiboko** is a **journalist**, host of a community radio station in Tshikula, a **teacher** by profession, **responsible for the community centre** Clément Kanji Bukasa wa Tshibuabua, one of the community centres founded by MP Clément Kanku. According to his relatives, Constantin Tshiboko **was arrested on 9 August 2016** in Kananga and released a few days later. His record might have been filed away without further action.

## **Who is recording the conversations?**

These two conversations are part of a set of 129 recordings made by the Congolese security services on 8 and 9 August. These conversations, which include Constantin Tshiboko in all of them, involve dozens of people who have not all been identified by the services themselves. Among the names that are mentioned are fellow journalists, and customary chiefs such as Jean-Luc Ntenda, rival of Kamwina Nsapu, whom Constantin Tshiboko tried to reach with no success.

The two conversations entitled "HONORABLE CLEMANT \_20160808081756" and "HONORABLE CLEMANT \_20160808100404" were labelled. The date indicated is 8 August 2016. The second part indicates the time of the recording starts at: 08h 17 min 56 sec and 10h04 min 04 sec.

## **What are the speakers saying?**

Constantin Tshiboko called MP Clément Kanku twice to inform him of the latest developments in the attack on Tshimbulu on 8 August 2017.

In the first recording, MP Clément Kanku says "it's okay" when his interlocutor informs him that militiamen burnt Tshimbulu. He also replies that "it is a good thing", when Constantin Tshiboko informs him that the militia will burn the office of the Electoral Commission (CENI) or that they will open the doors of the prison. He then asks his correspondent to keep him informed.

In the second recording, Constantin Tshiboko informs the MP that the bodyguard of the police colonel was killed by one of the militiamen. Clément Kanku asks him the same question again, but he seems non-committal and is not pushing for further details. Constantin Tshiboko informs him that the Kamwina Nsapu followers lack petrol and that he himself would need phone credit. The hon. Member replied, "We'll see about that." In a press release (see [Communique-Kanku.pdf](#)) MP Clément Kanku publicly denied being the silent partner behind the violence in Tshimbulu and said he was convinced that everything will become clear in this case. According to his lawyer, he did not grant any of the journalist (and alleged militiaman) Constantin Tshiboko's requests, these phone calls were simply aimed at obtaining information on the evolution of the situation in his constituency. According to Clément Kanku's defence lawyer, these recordings have been cut short and have not been broadcast in their original version. His lawyer was preparing to challenge the authenticity of this "telephone wiretap" by all legal means.

## **Who broadcast these recordings?**

The broadcasting of these recordings followed the publication by the *New York Times* (<https://www.nytimes.com/2017/05/20/world/africa/congo-zaida-catalan-michael-j-sharp-united->), on 20 May, an article on the death of the two UN experts. The two NYT reporters say they discovered these recordings among others on Swedish Zaida Catalan's computer. MP Clément Kanku was allegedly informed,

according to the *New York Times*, that the group of experts was investigating him. The newspaper obtained a copy of these recordings through the family of the UN expert. The *New York Times* quoted them without making their entirety public.

A few hours after the publication of this article on *Whatsapp*, the instant messaging app, the two phone conversations were gathered into one. The whole thing was put in a video, which was embellished with images, photos of the MP, followed by other images that could resemble what Constantin Tshiboko, Clément Kanku's interlocutor was describing. The video shows a body and burnt buildings, as well as a bucket abandoned in the middle of the ruins, once a fire was extinguished. The same scenes are presented from several angles or frames, and they are also repeated. There also are images of weapons similar to those used by the Kamwina Nsapu, labeled as the police usually do. Were these weapons seized?

### **Video extract Kanku on *whatsapp* in document page**

Both the majority and the opposition have widely spread these recordings on *WhatsApp* as well as on other social networks, up to the point where it is difficult to determine the exact source. Their respective media quickly seized the recordings. Those close to the government insist that these wiretaps definitively prove that the authorities have no responsibility in the death of the two experts. Those who have connections to the opposition call Clément Kanku the ideal scapegoat for a regime whose investigation has been deemed too rapid, including by the United Nations.

HONORABLE CLEMANT 20160808100404

Constantin: Hello Honourable

Honourable: Yes, Constantin, you called me

Constantin: I have called you to inform you that they have already completed the destruction of all the offices. Just now, they've opened the gates of the prison.

Honourable: hum

Constantin: The **people, the brave** ones have gotten out of the prison. Now, they have already killed six police officers.

Honourable: hum

Constantin: And the others have killed six kids from the Kamwina Nsapu militia

Honourable: hum

Constantin: The Colonel's bodyguard has just been executed. It seems that the Colonel himself might still be in his house. That is why the militiamen would like to set it on fire in order to burn him alive.

Honourable: hum

Constantin: This is the operation that's just been underway

Honourable: The bodyguard was killed?

Constantin: What?

Honourable: Have they killed the bodyguard?

Constantin: Yes, they've killed the bodyguard, he is no more. They ended his life with blows with a stick. That is how they killed the first, then the second. Now they want to set the house on fire.

Honourable: And so, the gas... (Voices mix up) **Let Kande be happy about the great job done!**

Constantin: Yeah? (What?)

Honourable: What are you saying?

Constantin: They have no more gas. They took some gasoline by force from fuel sellers to complete the operation. But, Kabila has been playing us, chief. Is not it true that what he said in Uganda is humiliating for us?

Honourable: What did he say? How?

Constantin: What he said, isn't it humiliating for us?

Honourable: Ah, they're happy to be doing such things

Constantin: hum

Constantin: We do not know how to give you information for lack of phone credit. Here in **Tshikula**, there is not a single shop that has phone credit. This is why I have such difficulties to keep you regularly informed.

Honourable: OK, we will see about that. Thank you

Constantin: Thank you, honourable