

EXTERNAL (for general distribution)

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Legal concern

9 August 1991

BURUNDI:

Domitien Hakizumutware

Johnson Hatungimana

Sylvestre Maniraho

Serge Singirizina

and three others, names unknown

Amnesty International has learned that the four persons named above and three others, all members of the Hutu ethnic group, are held in custody since their arrest on 31 July 1991 in Buganda commune (district) in the northwestern province of Cibitoke. The wife of Johnson Hatungimana was also arrested but was released with her baby soon afterwards. The seven still detained are said to be held at Mpimba prison in the capital Bujumbura but there are reports that they may be transferred soon to Rumonge prison in southwest Burundi. They are reportedly accused of being members of an opposition group known as the Parti pour la libération du peuple hutu (PALIPEHUTU), Hutu People's Liberation Party, but they are not known to have been charged with any specific offence.

Those arrested are reported to have been found holding a meeting in the house of Johnson Hatungimana. It was said that the meeting was being held to plan the commemoration of the death in August 1990 in detention in Tanzania of the former PALIPEHUTU leader, Remy Gahutu. Before the arrests took place members of the Burundi security forces surrounded the house in which the meeting was being held. In yet unexplained circumstances one of the soldiers shot another soldier dead and also shot Sylvestre Maniraho in one foot. Sylvestre Maniraho has been hospitalized in Bujumbura military hospital.

Amnesty International is concerned that they may be prisoners of conscience as they do not appear to have used or advocated violence in the activities which led to their arrest. The organization is further concerned that they may be held for long periods without charge or trial and without having the opportunity to challenge the legal basis for their detention.

BACKGROUND INFORMATION

For much of the 1980s people suspected or known to be government critics were detained for long periods without charge or trial. Most of those arrested were Hutu detained because of their social positions or because they criticised domination of political and military power by the Tutsi. Thousands were summarily killed by members of the Tutsi-dominated security forces, especially in 1965, 1972 and 1988, following intercommunal disturbances or other political crises.

PALIPEHUTU was formed in the early 1980s by members of the majority Hutu ethnic group living in exile, to campaign against Tutsi domination. Its known and suspected sympathizers inside Burundi have been frequently subjected to harassment and prolonged detention without trial. The Burundi authorities accuse PALIPEHUTU of seeking political change by violent means but they are not known to have engaged in armed opposition.

PALIPEHUTU has declared as inadequate political reforms initiated by President Buyoya. In March 1991 President Buyoya appointed a Constitutional Commission which will draft a new constitution which is expected to recommend multi-party democracy. Only the ruling Union pour le progrès national (UPRONA), Union for National Progress, is so far allowed in Burundi.

RECOMMENDED ACTION: Telegrams/telexes/express and airmail letters, in FRENCH if possible:

- expressing concern that the persons mentioned above (naming one or more) were reportedly arrested because they met to hold a meeting concerning the anniversary of the death of the former leader of PALIPEHUTU, although they were not using or advocating violence;

- inquiring whether they are still being held and if so, where they are held and which authority is responsible for their detention, what the legal basis for their detention is

and seeking assurances that they will be allowed to challenge in a court of law the legal grounds for their detention;

- asking whether they have been charged with any specific offence and whether they have been allowed access to legal counsel and whether they can receive visits by their families;

- seeking assurances that they are not being ill-treated and have access to legal counsel and their families, and adequate medical care;

- urging the authorities to ensure that the seven people are released without delay if they are not to be charged with a recognizably criminal offence and brought promptly to fair trial.

APPEALS TO

1.

Son Excellence

[Salutation: Monsieur le Président]

Major Pierre Buyoya

Président de la République

Présidence de la République

BP 1870,

Bujumbura, République du Burundi

Telegrams: President Buyoya, Bujumbura, Burundi**Telexes: 5039 presibu bdi or 5049 mnd bdi**

2.

Monsieur Adrien Sibomana

[Salutation: Monsieur le Premier Ministre]

Premier Ministre et Ministre de la Planification

Présidence de la République

BP 1870

Bujumbura, République du Burundi

Telegrams: Premier Ministre Sibomana, Bujumbura, Burundi**Telexes: 5039 presibu bdi**

3.

Monsieur Sébastien Ntahuga

[Salutation: Ministre Ntahuga]

Ministre de la Justice

Ministère de la Justice

BP 1880

Bujumbura, République du Burundi

Telegrams: Ministre Ntahuga, Bujumbura, Burundi**Telexes: via Ministry of Foreign Affairs: 5065 minirext, attn...****COPIES TO:**

Monsieur Libère Bararunyeretse

Ministre de l'Intérieur et du Développement des collectivités locales

Ministère de l'Intérieur

BP 1910
Bujumbura, République du Burundi

Monsieur Cyprien Mbonimpa
Ministre des Relations extérieures et de la Coopération
Ministère des Relations extérieures
BP 1840
Bujumbura, République du Burundi

Monsieur Laurent Niyonkuru
Administrateur Général de la Sûreté nationale
Ministère de la Défense nationale
Bujumbura, République du Burundi

- Monsieur le Rédacteur-en-Chef, Le Renouveau, BP 2870, Bujumbura, Burundi

and to diplomatic representatives of Rwanda in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 20 September 1991.