

EXTERNAL

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Fear of torture and ill-treatment

2 April 1996

BURUNDI Michel NZIGUHEBA, journalist

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Amnesty International fears that Michel Nziguheba, who has not been seen since his arrest on 19 March 1996, may be facing ill-treatment or torture in detention.

He has not been officially charged and his exact place of detention is unknown.

The organization is also concerned that he may remain in custody without being allowed an opportunity to challenge the grounds for his detention before an impartial judicial official.

He was arrested by members of the gendarmerie as he left a conference of the *Association burundaise des journalistes*, Burundi Journalists Association.

Prior to the conference he had obtained a clearing certificate from the police to enable him to travel abroad to attend an international conference. Amnesty International believes he may have been arrested to prevent him travelling abroad and speaking out about the current situation in Burundi. Michel Nziguheba is a journalist with the newspaper, *L'Eclaireur*, *The Scout*, which is one of seven newspapers to be banned by a law designed to curb extremist reporting, but which has effectively curbed freedom of expression.

#### BACKGROUND INFORMATION

Burundi has been in a state of civil war since 21 October 1993 when President Melchior Ndadaye, a Hutu, was killed by government soldiers during a coup attempt. About 5,600 people, most of them members of the majority Hutu ethnic group, are being held in a number of detention centres around Burundi. The detainees are accused of killing members of the minority Tutsi ethnic group and Hutu members of Tutsi-dominated political parties, and of belonging to exclusively Hutu or Hutu-dominated armed groups which have been fighting the Tutsi-dominated government forces. Most of the detainees are held without charge and all of them without trial.

The Tutsi-dominated judiciary has failed to investigate allegations by detainees that they have been tortured. In March 1995, Amnesty International delegates visiting Burundi interviewed two detainees who had been tortured. The delegates were informed that a top judicial official had authorized the use of violence to extract confessions. Torture is reported to be carried out systematically, and with impunity, in detention centres belonging to the security forces. Deaths in custody are also often reported.

#### RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in French or your own language:

- asking to be informed of the reasons for the arrest and continued detention of Michel Nziguheba, and whether he has been charged with any specific offences and for his place of detention to be made public;
- seeking assurances that Michel Nziguheba has not been tortured since his arrest and that measures are being taken to guarantee his physical integrity;
- requesting the authorities to ensure that Michel Nziguheba has access to legal counsel, medical care and visits by his relatives and representatives of human rights and humanitarian organizations;
- urging the authorities to urgently ensure that Michel Nziguheba is released without delay, if he is not to be charged with recognizably criminal offences.

#### APPEALS TO:

1. Minister of Justice

Monsieur Gérard NGENDABANKA  
Ministre de la Justice  
et Garde des sceaux  
Ministère de la Justice  
BP 1880, Bujumbura, République du Burundi

**Faxes: +257 22 2148**

**Telegrams: Ministre de la Justice, Bujumbura, Burundi**

**Salutation: Monsieur le Ministre / Dear Minister**

2. Gendarmerie Chief of Staff

Colonel Pascal SIMBANDUKU  
Chef de l'Etat-major général de la gendarmerie  
Etat-major général de la gendarmerie  
Ministère de la Défense nationale  
Bujumbura, République du Burundi

**Telegrams: CEMG Simbanduku, Bujumbura, Burundi**

**Salutation: Monsieur le Chef d'Etat-major / Dear Chief of Staff**

3. Procurator General

Monsieur Jean-Bosco BUTASI  
Procureur Général  
BP 105  
Bujumbura  
République du Burundi

**Faxes: +257 222148**

**Telegrams: Procureur Général, Bujumbura, Burundi**

**Salutation: Monsieur le Procureur Général / Dear Procurator General**

**COPIES TO:**

1. Head of State

Son Excellence  
le Président Sylvestre NTIBANTUNGANYA  
Président de la République  
Présidence de la République  
BP 1870, Bujumbura, République du Burundi

**Faxes: +257 22 7490**

2. Prime Minister

Monsieur Antoine NDUWAYO  
Premier Ministre  
Présidence de la République  
BP 2800, Bujumbura, République du Burundi

**Faxes: +257 22 64 24**

3. Minister for Human Rights

Madame Marcienne MUJAWAHA  
Ministre des Droits de la Personne  
humaine, de l'Action sociale et de la Promotion de la femme  
Ministère des Droits de la Personne humaine,  
de l'Action sociale et de la Promotion de la femme  
BP 2690, Bujumbura, République du Burundi

**Faxes: +257 21 51 79 or 23 31 39**

and to diplomatic representatives of BURUNDI accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 15 May 1996.