

UA 343/00

Fear of i.**BURUNDI Jean NZIGIRABARYA**

A local government official who accused soldiers of killing civilians has been arrested on the orders of the commander of the local Gendarmerie (paramilitary police), in an apparent attempt to silence him. In 1999 two local officials in the same province who made similar accusations "disappeared" and are presumed to be dead. Amnesty International believes Jean Nzigirabarya is a prisoner of conscience, at risk of torture or other acts of intimidation or reprisal.

Jean Nzigirabarya is the *chef de colline* responsible for the Kizingwe *colline* (administrative unit), in Kanyosha commune, Rural Bujumbura. When a number of bodies were reportedly found in Kizingwe, local people claimed that they had been killed by soldiers based in the area on or around 30 October.

At a public meeting on 30 October with representatives of the local military, Jean Nzigirabarya accused them of responsibility for the killings in the Kizingwe area. Shortly after the meeting he was summoned by the Commander of Kanyosha Gendarmerie Brigade and detained in Kanyosha district cell (*cachot de la zone*), in what appears to be a clear act of intimidation by the military and gendarmerie.

The army are not known to have carried out any investigation into the reported killings. A number of sources have alleged that the army have removed the bodies since Jean Nzigirabarya's arrest.

There have been regular reports of torture and ill-treatment from the Kanyosha *cachot*, where Jean Nzigirabarya is held. Conditions in the cell amount to cruel, inhuman or degrading treatment. The cell which measures approximately 3m by 4m has been known to hold up to 40 detainees.

BACKGROUND INFORMATION

Torture and ill-treatment of detainees are routine in Burundi, in particular in police and military custody during the first few days or weeks after arrest and during interrogations. Detainees accused of links with armed opposition groups are at particular risk of torture and "disappearance".

Kanyosha commune has seen heavy fighting between armed opposition groups and the Burundian army during the country's seven year civil war. Both sides have committed human rights abuses. The armed forces have responded to reports of the presence of armed opposition groups with brutal counter-insurgency operations, in which hundreds of unarmed civilians have been killed, with virtual total impunity for the soldiers responsible.

RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in French, English or your own language (please check with your post office whether postal services are functioning to Burundi):

- calling for Jean Nzigirabarya to be released immediately and unconditionally from Kanyosha *cachot*, and for him to be protected from reprisals or further intimidation from the military;
- expressing concern that he appears to have been detained solely for calling for an investigation into alleged killings in the area by the military;

- calling on the authorities to guarantee his safety while he is in custody, and to ensure that he has free access to his family and humanitarian and human rights organizations;
- calling for an investigation into reports that an unknown number of civilians were extrajudicially executed in Kizingwe colline on or around 30 October, and, if these reports are substantiated, for those responsible to be brought to justice.

APPEALS TO: (Please note it can be difficult to get faxes through. You may be told by the operator that the line is not working or the number is wrong. Please keep trying.)

Minister of Defence

Colonel Cyrille NDAYIRUKIYE
Ministre de la Défense Nationale
Ministère de la Défense Nationale
BP 1870 Bujumbura
Burundi

Telegram: Ministre Defense, Bujumbura, Burundi

Fax: + 257 22 39 59 / 21 75 05

Salutation: Monsieur le Ministre/Dear Minister

Minister of Justice

Monsieur TERENCE SINUNGURUZA
Ministre de la Justice et Garde des sceaux
Ministère de la Justice
BP 1880, Bujumbura, Burundi

Telegram: Ministre Justice, Bujumbura, Burundi

Fax: + 257 22 21 48

Salutation: Monsieur le Ministre/Dear Minister

State public prosecutor

Monsieur Gérard NGENDABANKA
Procureur Général de la République
Bujumbura
Burundi

Telegrams: Procureur general, Bujumbura, Burundi

Fax: + 257 24 15 03

Salutation: Monsieur le Procureur général de la République / Dear State Public Prosecutor

Minister for Internal Affairs and Public Security

Col. Ascension TWAGIRAMUNGU
Ministre de l'Intérieur et de la Sécurité Publique
Ministère de l'Intérieur
Bujumbura
Burundi

Telegrams: Ministre interieur, Bujumbura, Burundi

Fax: + 257 22 19 82

Salutation: Monsieur le Ministre / Dear Minister

COPIES TO:

Minister for Human Rights, Institutional Reform and Relations with the National Assembly

Eugène NINDORERA, Ministre des droits de la Personne humaine, des réformes institutionnelles, et des relations avec l'Assemblée nationale, Ministère des droits de la Personne humaine, des réformes institutionnelles, et des relations avec l'Assemblée nationale, Bujumbura, Burundi

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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 20 December 2000.