

5 October 1999

Further information on UA 255/99 (AFR 16/20/99, 28 September 1999) and follow-up (AFR 16/22/99, 30 September 1999) - Torture/Fear of torture

BURUNDIGeorgette MPAWENIMANA (f)

Déo NZEYIMANA

Nestor RUBERINTWARE and scores of other detainees in and around Bujumbura

Georgette Mpawenimana was released on 5 October 1999 after a warrant for her provisional release was signed by the Public Prosecutor of Bujumbura's Court of Appeal.

Her husband Déo Nzeyimana remains in detention at Mpimba Central Prison. He and Georgette Mpawenimana were transferred from the *Brigade spéciale de Recherche* (BSR), special investigation unit, in Bujumbura to Mpimba Central prison on 2 October 1999. Déo Nzeyimana is reported to be clearly suffering the effects of torture, and is only able to walk with difficulty. He is reported to have been severely beaten on his feet and his lower legs, including on his ankle and knee joints. He has not been officially charged and the only documentation relating to his arrest is reported to be the arrest record (*procès verbal d'arrestation*) in which he is accused of threatening state security (*atteinte à la sûreté de l'Etat*). The basis of the accusation is not known to Amnesty International. The practice of transferring detainees from police custody to prison without authorisation from the Public Prosecutor has made it easy for detainees to be held for years without trial. The detainee must go to court to challenge the basis for the detention and once transferred to prison it may be years before the detainee is given this opportunity.

On 30 September Amnesty International had raised concern that the two had been denied food as a form of torture while in detention at the BSR. From the information it has now received, it appears that the two detainees did receive some food at the BSR, although Déo Nzeyimana was denied food for three days, and Georgette Mpawenimana for two days. Amnesty International does not consider Déo Nzeyimana to be at risk of torture in Mpimba Central Prison.

Amnesty International remains concerned for the safety of Nestor Ruberintware, who is in custody in appallingly overcrowded conditions at Kabezi *brigade* (police headquarters), Rural Bujumbura.

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

- welcoming the release of Georgette Mpawenimana and the transfer of Déo Nzeyimana to Mpimba central prison;
- calling for the accusations against them to be fully investigated and Déo Nzeyimana to be released if he is not to be charged with a criminal offence, for which there is evidence against him;
- calling for the reports of torture at the *Brigade spéciale de recherche* to be investigated and for those responsible to be brought to justice;
- continuing to seek assurances that immediate steps will be taken to ensure that Nestor Ruberintware will be protected from ill-treatment or torture;
- calling for the report that Nestor Ruberintware was tortured to be investigated, and if substantiated, for those responsible to be brought to justice;

- calling for the accusations against Nestor Ruberintware to be investigated and for him to be released if he is not to be promptly charged with a recognizably criminal offence, for which there is evidence against him.

APPEALS TO:

Minister of Justice

Monsieur Terence SINUNGURUZA
Ministre de la Justice et Garde des sceaux
Ministère de la Justice, Bujumbura, Burundi
Fax:+ 257 21 86 10
Telegram: Ministre Justice, Bujumbura, Burundi
Salutation:Monsieur le Ministre / Dear Minister

Minister of Defence

Lieutenant-Col. Alfred NKURUNZIZA
Ministre de la Défense Nationale
Ministère de la Défense Nationale
BP 1870 Bujumbura, Burundi
Telegrams: Ministre Défense, Bujumbura, Burundi
Faxes:+ 257 22 39 59 / 21 75 05
Salutation:Monsieur le Ministre/Dear Minister

Commander of the Brigade spéciale de recherche

Capitaine MANIRAKIZA
Brigade spéciale de recherche
BUJUMBURA, Burundi
Telegrams: Cmdt BSR, Bujumbura, Burundi
Faxes:c/o Ministry of Defence+ 257 22 39 59 / 21 75 05
Salutation:Monsieur le Commandant/Dear Commander

COPIES TO:

Minister for Human Rights

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, Bujumbura, Burundi
Fax:+ 257 21 75 49

State Public Prosecutor

Gerard NGENDABANKA, Procureur de la République, Bujumbura, Burundi
Fax:+ 257 24 15 03

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 16 November 1999.