

EXTERNAL (for general distribution)

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Further information on UA 264/91 (AFR 47/11/91, 31 July 1991) and follow-up AFR 47/12/91, 18 October 1991 - Fear of Torture/Legal Concern

RWANDA:Jean-Baptiste GACUKIRO (note that his surname is not GAKURU as erroneously stated in previous urgent action and follow-up

Jean-Baptiste Gacukiro, aged 40, a businessman in the northwestern town of Gisenyi, was arrested on 3 April 1991 by members of the Rwandese security forces and was reported to be held at a military camp in the capital, Kigali. He had been arrested earlier, on 21 February 1991, and had been released on 29 March 1991 without being charged or being able to ascertain the reasons for his arrest. Amnesty International was concerned that he was being held incommunicado in circumstances where he might be subjected to torture.

Responding to inquiries about Jean-Baptiste Gacukiro, the Rwandese Minister in the President's Office in charge of Defence and Security, Colonel Augustin Ndindiliyimana said in September 1991 that Jean-Baptiste Gacukiro had left Gisenyi to live in Kigali, and there had been no trace of him since.

In a recent response to further appeals about Jean-Baptiste Gacukiro the same Minister said the following:

"Les services concernés sont arrivés à découvrir qu'une personne répondant à ce nom porte aussi un autre de GACUKIRO Jean Baptiste. Cette dernière se trouve actuellement entre les mains de la Justice dans la Prison de Kigali"

(The services concerned have been able to discover that a person called by this name is also known as GACUKIRO Jean Baptiste. He is at present in the hands of the judiciary in Kigali prison).

This information has been verified with an independent source. However, the Minister did not indicate whether Jean-Baptiste Gacukiro has been formally charged with any specific offence and whether or when he may be brought to trial. Amnesty International is still concerned that Jean-Baptiste Gacukiro was held incommunicado in military custody for several months and that after several months he does not appear to have been charged with any offence.

FURTHER RECOMMENDED ACTION: Telexes/faxes/express and airmail letters in FRENCH, if possible:

- thanking the Minister for the information and expressing concern that Jean-Baptiste Gacukiro was held incommunicado in military custody without being

able to challenge the legal basis for his detention;

- expressing concern that his detention in military custody appears to have been unlawful and urging that members of the security forces responsible for the detention be brought to justice;

- inquiring whether he has been allowed to receive visits by his relatives and access to legal counsel of his choice;

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- asking whether he has been charged with any specific offence and, if so, which; and asking whether he has been allowed to challenge the legal basis for his detention;

- urging the authorities to release him without undue delay or, if he has been charged with a recognizably criminal offence, to ensure that he is promptly given a fair trial.

APPEALS TO:

1) Prime Minister and Minister of Justice:
Monsieur Sylvestre NZANZIMANA
Premier Ministre et Ministre de la Justice
Ministère de la Justice
BP 160, Kigali, République rwandaise
Telegrams: Ministre Justice, Kigali, Rwanda
Telexes: 22502
Faxes: + 250 74583

2) Minister of Defence and Security:
Le Colonel Augustin NDINDILYIMANA
Ministre à la Présidence pour la Défense et la Sécurité
BP 15, Kigali, République rwandaise
Telegrams: Ministre Defense et Securite, Kigali, Rwanda
Telexes: 22517
Faxes: + 250 74583

Salutation: Monsieur le Ministre / Dear Minister

Salutation: Monsieur le Premier Ministre / Dear Prime Minister

COPIES TO AT LEAST TWO OF THE FOLLOWING:

Monsieur le Docteur Casimir BIZIMUNGU
Ministre des Affaires étrangères et de la coopération
Ministère des Affaires étrangères
BP 179, Kigali, République Rwandaise
Faxes: +250 72902 or +250 72904

Monsieur Donat HAKIZIMANA
Secrétaire général
Service central de renseignements (SCR)
BP 125, Kigali, République rwandaise
(National security service)

and the following newspapers:

- Monsieur le Rédacteur-en-Chef, Kinyamateka, BP 761, Kigali, République rwandaise
- Monsieur le Rédacteur-en-Chef, La Relève, Office rwandaise d'information, BP 83, Kigali, République rwandaise
- Monsieur le Rédacteur-en-Chef, Isibo, Bureau central, BP 2258, Kigali, République rwandaise
- Monsieur le Rédacteur-en-Chef, Le Tribun du Peuple, BP 2314, Kigali, République rwandaise

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 28 January 1992.