

EXTERNAL

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MEDICAL CONCERN

ZAIRE

Ill-treatment of prisoners in Lubumbashi

Amnesty International has recently received information on a number of prisoners badly injured following their arrest in Lubumbashi in the south-east of Zaire. Arbitrary and violent arrest, torture and ill-treatment have become commonplace occurrences as the human rights situation in Zaire has deteriorated over the last four years. In 1990, political pressure forced President Mobutu to accede to demands for political reform, including the introduction of a multi-party political system. Zaire slid into political and economic crisis as a struggle grew between President Mobutu, who has now been in power for 29 years, and his opponents. Within this context there have been gross abuses of human rights, with the security forces responsible for arbitrary arrests, illegal detention, torture, extrajudicial executions and "disappearances". Large numbers of President Mobutu's opponents and human rights activists have been deliberately targeted in an attempt to silence opposition, but others have been arbitrarily detained and subjected to abuses as a result of the growing lack of control over the security forces.

In the years since 1990, there has been a progressive breakdown in law and order and the security forces have increasingly been acting outside the framework of the law. Detainees are frequently held incommunicado and without charge. Charges are occasionally brought, but it is rare for these cases to be brought to trial and the courts and judicial authorities often exercise little or no control over the use of imprisonment. Periods of detention are often very short, but beatings and torture are commonplace. There are extensive accounts of severe beatings, whipping, electric shock treatment and rape, both of detainees and their relatives. Corruption is rife within the security forces and bribes are extracted from civilians in order to escape arrest or other abuses, or to help prisoners "escape" from prison.

Amnesty International has received the following information about a number of recent arrests in Lubumbashi where those arrested are all reported to have suffered injury at the hands of the *Garde Civile* (Civil Guard). Two 32-year-old detainees - Odia Kabongo and Disashi Mwimpata - arrested on 9 and 10 December 1994 respectively, were both beaten with an iron bar when taken into detention. Odia Kabongo suffered fractures to his right collar bone and heel bone as a result, and Disashi Mwimpata is reported to have suffered multiple fractures and trauma to his left leg. Two further detainees - Assani Dijeba, age not known, and Shabani Saiti, aged 31, suffered a fracture of the tibia after each being shot in the left leg. Yet another detainee, Kalambay Ngoie, suffered bayonet wounds to his genitals and right flank and was shot in the leg at close range.

These detainees are all likely to be without medical attention. Prison conditions are extremely harsh and scores of deaths from starvation and lack of medical care have been

reported in prisons around the country. Amnesty International is raising these cases with the Zairean authorities as illustrative of the abuses to which detainees are commonly subjected.

In July 1994, after a long period of political stalemate, a transitional parliament was inaugurated. In an inaugural speech the new Prime Minister, Kengo wa Dondo, announced that measures were to be taken to deal with the general insecurity in the country, the deficiencies of the judicial system and the widespread and uncontrolled use of weapons by the security forces.

AI subsequently published an open letter to the Prime Minister in September 1994 in which it made a number of recommendations about the implementation of reforms. Important amongst those recommendations, which are still valid, were the placing of security forces under effective judicial and administrative control and an end to the impunity they currently enjoy.

In addition to arbitrary detention and ill-treatment, political killings and "disappearances" have also characterized the human rights picture in Zaire in recent years. Among those responsible has been the *Division Spéciale Présidentielle*, President Mobutu's own guard, which has played a role in maintaining the level of general instability. The task of the new Prime Minister and his cabinet is to lead the country through a transitional period of 15 months to the Third Republic and to organize a constitutional referendum and presidential and parliamentary elections which have recently been announced for July 1995.

For further information, please see *Zaire: Collapsing under crisis* (AFR 61/01/94, 2 February 1994) and *Zaire: Appeal by Amnesty International to the new Prime Minister* (AFR 62/03/94, 14 September 1994).

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To: Medical professionals
From: Medical Office / Central Africa team, Africa Program
Date: 13 February 1995

MEDICAL LETTER WRITING ACTION

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Ill-treatment of prisoners in Lubumbashi

Keywords

Theme: Torture/ill-treatment

Recommended Actions

Letters are requested from medical professionals to the addresses given below:

- welcoming the announcement made by the Prime Minister when the transitional government took office that measures were to be taken to end the general insecurity in Zaire, the deficiencies in the judicial system and the widespread and uncontrolled use of weapons by the security forces
- expressing concern at continuing reports of arbitrary arrest and violence on the part of the security forces
- raising the cases of the five men named on the attached, indicating the nature of the injuries they are reported to have suffered following arrest by the *Garde Civile* in Lubumbashi, and asking that the behaviour of those responsible for the ill-treatment be investigated
- asking about the current state of the detainees, whether they received any medical attention for their injuries and for details of the offences (if any) for which they were detained
- urging that all possible measures are taken to control abuses committed by the security forces and to ensure the proper administration of justice

Addresses

His Excellency
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Hôtel du Conseil Exécutif
Kinshasa - Gombe
République du Zaïre
(Prime Minister)
Monsieur Gérard KAMANDA WA KAMANDA

Vice-Premier Ministre
Ministre de la Justice
Ministère de la Justice
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République du Zaïre
(Vice-Prime Minister and Minister of Justice)

Monsieur Gabriel KYUNGU WA KUMWANZA
Gouverneur
Région du Shaba
Hôtel de Ville
Lubumbashi
République du Zaïre
(Governor of Shaba region in which Lubumbashi is located)