

PUBLIC

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UA 217/02 Prisoners of conscience/

17 July 2002

Fear of torture or ill-treatment/

Possible

DEMOCRATIC Pastor Bigabo (m)

REPUBLIC Pastor Mugaju Ruterera (m)

OF CONGO (DRC) Pastor Muzero (m)

/RWANDA

Pastor Rusingizwa Bitebetebe (m)

Andrea Nyamarimbwe (m)

Pastor Bigabo Ntwayingabo (m) ]

Bienvenu Rugagaza (m)] Arrested in Minembwe

Tito Kigwenu (m)] Feared "disappeared"

Muvura Munyakazi (m)]

Muhizi Makerere (m)]

Budederi Bigabo (m), civil servant, son of Pastor Bigabo,

Fanuel Sebatutsi (m), civil servant

Moïse Mudita (m), civil servant

And five other men detained in Uvira

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Amnesty International is concerned for the safety of the men named above and five others. They were recently arrested by agents of the *Rassemblement congolais pour la démocratie - Goma* (RCD-Goma), Congolese Rally for Democracy, a Rwandese-backed armed opposition group and *de facto* political authority in the Rwandese-controlled Kivu region of eastern DRC.

They are reportedly held in incommunicado detention, and are at risk of torture or ill-treatment from RCD-Goma officials. Amnesty International believes that many of the men are prisoners of conscience.

Several are leaders of, or influential figures among, the minority Congolese Tutsi ethnic population, known as Banyamulenge. The sole motive for their detention appears to be their failure to cooperate with RCD-Goma and Rwandese authorities to help bring an end to a serious Banyamulenge armed rebellion in the Minembwe territory near Uvira in South-Kivu province. Other detainees are Banyamulenge suspected of links with or sympathy for the rebellion.

Budederi Bigabo, Fanuel Sebatutsi, Moïse Mudita and five other men were arrested on 15 July in Uvira, South-Kivu province. They are now detained at the *Auditorat Militaire*, RCD-Goma Military Prosecutor's Office, in the town. There are fears that they may soon be transferred to Goma or other locations in eastern DRC, where they would be remote from their families and home community.

Pastor Bigabo was arrested in Uvira several days ago but has since been transferred to Goma. Pastors Mugaju Ruterera, Muzero and Rusingizwa Bitebetebe were arrested in Uvira in early April 2002. They are now believed to be held at Ndosho, a detention centre near Goma controlled by the Rwandese Patriotic Army (RPA). Detainees at Ndosho are held in cruel, inhuman and degrading conditions in a set of metal freight containers. In late April the RCD-Goma authorities announced that civilians accused of civil crimes would no longer be detained at Ndosho - a commitment they appear to have reneged on in these and other cases.

Andrea Nyamarimbwe, also known as Mugunga, was arrested on 15 July in Bukavu, South-Kivu. He is believed to be held at the *Agence Nationale de Renseignement* (ANR), National Intelligence Agency, in the city.

The five men arrested in Minembwe include a church leader and local village chiefs. They were arrested by RCD-Goma forces in the second week of July. There is no information on their whereabouts or situation following their arrest. Amnesty International is deeply concerned for their safety.

Four other Banyamulenge church representatives were detained briefly before being released on 15 July. Other prominent Banyamulenge are reportedly in hiding.

#### **BACKGROUND INFORMATION**

The Banyamulenge are mainly protestant christians, a fact which accounts for the large number of church leaders among those detained. Many Banyamulenge have been allied to the Tutsi-dominated RPA and its local Congolese allies since Rwanda first occupied eastern DRC in October 1996. Many occupy positions in the RCD-Goma administration and military. Banyamulenge have been targeted by combatants from other ethnic groups in the region for their perceived support for Rwandese occupation. The alliance with Rwandese forces, however, has always been uneasy, and increasingly the Banyamulenge have sought to affirm their Congolese identity and their wish to distance themselves from Rwanda and live in peace with other Congolese.

In February 2002 a rebellion against RCD-Goma and Rwandese rule was launched by Banyamulenge RCD-Goma soldiers and locally recruited youths in the Minembwe area, led by a former RCD-Goma officer, Patrick Masunzu. The steadily growing rebellion has since been joined by members of a Congolese (non-Banyamulenge) armed political group, the *mayi-mayi*. Large numbers of Banyamulenge civilians have been killed in the fighting, and up to 50,000 have been displaced. All forces involved in the fighting are reported to have committed abuses against the mainly Banyamulenge civilian population.

On 8 July, the RCD-Goma Head of Interior, Dr Bizima Karaha, visited Uvira in an apparent attempt to convince Banyamulenge community leaders to intercede with Patrick Masunzu to bring an end to the rebellion. Their failure to cooperate reportedly sparked the current wave of arrests.

#### **RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in French, English or your own language:**

- calling for the immediate and unconditional release of the detainees, unless they are to be charged with a recognizably criminal offence for which there is supporting evidence;
- calling for the authorities to make public the whereabouts of the five men arrested in Minembwe and since feared "disappeared";
- calling for assurances that the detainees will be protected from ill-treatment or torture, and from cruel or inhumane conditions of detention;
- calling for the men to be given immediate access to human rights and humanitarian organizations, to visits by family members and legal representatives.

#### **APPEALS TO: (Fax numbers may be difficult to get through to, but please keep trying.)**

President of Rwanda

President Paul KAGAME

Office of the President

PO Box 15, Kigali, Rwanda

**Fax: + 250 84390**

**e-mail: presirep@rwanda1.com**

**Salutation: Your Excellency**

RCD-Goma Head of Justice and Human Rights

Maître Moise NYARUGABO

Chef du Département de Justice, Droits Humains et Règlement de Conflits

Rassemblement congolais pour la démocratie - (RCD-Goma)

RCD-Goma Headquarters/Etat-majeur

Goma

Democratic Republic of Congo/ Republique democratique du Congo

**Fax: + 250 54 06 96**

**Salutation: Dear Chef du Département**

RCD-Goma Head of Interior

Dr Bizima KARAHA

Chef du Département de l'Intérieur

Rassemblement congolais pour la démocratie - (RCD-Goma)

RCD-Goma Headquarters/Etat-majeur

Goma

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**Fax: + 250 54 06 96**

**e-mail:deskinfordc@yahoo.fr**

**Salutation: Dear Chef du Département**

**COPIES TO:** Diplomatic representatives of RWANDA accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 28 August 2002.