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SENEGAL:

Climate of terror in Casamance

INTRODUCTION

For the past 15 years, civilians have been hostage to the conflict between the Senegalese Government and the *Mouvement des forces démocratiques de Casamance* (MFDC), Democratic Forces of Casamance Movement, an armed opposition group which is demanding the independence of this region in southern Senegal. Unable to overpower their adversary by military means, the two parties to the conflict have consciously chosen to terrorize civilians, including women and the elderly, to force them to take their side or at least to dissuade them from supporting the other side.

This armed conflict has involved a great many violations of human rights. Hundreds of civilians have been arrested and tortured by the security forces. Numerous people have been the victims of extrajudicial executions and dozens of others have "disappeared" after their arrest and never been seen again.

Amnesty International has gathered a large number of written and oral testimonies about the use of torture by the army and the gendarmerie (the para-military police). These statements reveal the formidable panoply of techniques used to humiliate and forcibly extract confessions from all suspects, be they healthy adult males, old people, women or the sick. Several prisoners have, for example, been tortured by electric shock; some have been beaten for hours whilst hanging by a rope from the ceiling; others have had molten plastic poured on their bodies or have been forced to ingest toxic substances, such as petrol. Motivated by the need to obtain confessions, the main purpose of these acts of torture is to serve as an example and create terror in the hearts of the people to dissuade them, once and for all, from supporting the MFDC's independence movement.

Human rights violations in Casamance are essentially the work of the army and the gendarmerie, which have for years been acting with total impunity. It is of course true the Senegalese security forces are faced with insurrection in Casamance, but they are not fulfilling their conventional role, which is to protect civilians against an internal or external enemy. Many of the people interviewed by Amnesty International have insisted that the Senegalese security forces are deliberately keeping the civilian population of Casamance in a state of terror and avenging themselves against innocent civilians for the human losses caused by attacks by the MFDC's armed fighters. Military sources have told Amnesty International, under the seal of anonymity, that it is regular practice for "the Senegalese army to torture and execute people in Casamance, and then to bury the victims' bodies close to army camps and checkpoints".

These massive violations of human rights cannot be explained away as "regrettable errors", since the Senegalese army is unanimously seen as a well-structured and well-disciplined army and has for many years regularly taken part in peace-keeping operations conducted both by the Organization of African Unity (OAU) and the United Nations (UN). Senegal itself proudly claims to have republican security forces that obey the orders of the political authorities. The very

serious acts attributed to Senegalese soldiers and gendarmes over past years therefore clearly imply the responsibility of the highest authorities of the State.

Amnesty International is particularly alarmed about the "disappearance" of people arrested by the security forces, and whose fate is unknown. Their names do not appear on any list of prisoners and the Senegalese authorities deny that they have been arrested. Despite repeated demands by some victims' relatives, Senegalese human rights organizations such as *Rencontre africaine pour la défense des droits de l'homme* (RADDHO), African Conference for the Defence of Human Rights, and Amnesty International, the Senegalese authorities have systematically refused to acknowledge the existence of this phenomenon and to put an end to the suffering of families who have to live in ignorance of their relatives' fate and are denied the right to mourn.

So, only fighters who have died, on both sides, are commemorated. The names of soldiers who have died in combat are regularly given out on national radio. As for the MFDC, although it never officially acknowledges any loss of human life, it nonetheless pays tribute to the memory of those who have died for its cause. Civilian victims, by contrast, have no right to such tributes.

Faced with the array of information which indicates that extrajudicial executions and "disappearances" are a recurrent phenomenon, the official line taken by the authorities is to say that any excesses - if, indeed, there are any - are because of the war and should be forgotten. In January 1997, for example, a Senegalese official told the Amnesty International delegation that it was time to "turn the page" - a page that remains hopelessly blank because the Senegalese authorities have persistently refused to conduct any serious inquiries into the human rights violations committed by their own security forces. This refusal is part of a strategy which aims to gradually build a wall of silence, behind which the suffering of victims and their relatives is forever concealed.

This refusal to investigate the human rights violations attributed to its security forces is in flagrant contradiction with the Government's many declarations about the importance it attributes to respect of human rights. This attachment to the rule of law was reiterated by the Senegalese Head of State himself, President Abdou Diouf, during a meeting with the Amnesty International delegation in January 1997. On this occasion, the Head of State promised to pursue any allegations of human rights violations reported to him by Amnesty International. In May 1997, Amnesty International sent him a memorandum listing numerous cases of torture, extrajudicial executions and "disappearances", requesting that each case be the subject of an independent inquiry¹. Ten months later, the Government has yet to respond. More serious still, since July 1997, human rights violations committed by the security forces in Casamance have seen a further escalation, with a very large number of extrajudicial executions and "disappearances". It seems that the Government's promises and the attachment to the rule of law so vaunted by President Abdou Diouf are nothing more than empty words, whose main purpose is to seduce international opinion and protect Senegal's public image.

¹ This memorandum is available on request.

Faced with these serious and repeated allegations of human rights violations, the Government can no longer content itself with vague promises, whilst continuing categorically to refuse to confront the human rights situation in Casamance. Senegal has ratified virtually every international instrument. It has a Constitution and legislation that offer full guarantees for the protection of human rights. In May 1996, the Senegalese Penal Code was, in particular, amended to specify that all acts of torture constitute offences against the law². These official safeguards must now be implemented to provide the protection they promise.

Since September 1991, Amnesty International has extended its field of action in the fight against human rights abuses and now also takes account of abuses committed by armed opposition groups as well as violations committed by government forces. These abuses of human rights include, in particular, the taking of hostages and torture, as well as deliberate and arbitrary killings. On the other hand, Amnesty International's mandate does not cover killings that may result from attacks against military targets within the framework of an armed conflict - for example, death caused by violent clashes between opposing factions or the death of people caught in cross-fire.

Amnesty International has for many years been denouncing the abuses committed with full impunity by the MFDC against unarmed civilians, be they traditional leaders or people who have recently settled in Casamance and originate from other parts of Senegal: all are suspected of collaborating with the Senegalese authorities. Dozens of civilians, including women and children, have been the victims of ill-treatment, acts of torture and deliberate and arbitrary killings. Some of these acts seem to have been committed by the MFDC on the basis of ethnic criteria. Members of the Manjak, Mandingo, Balante and Mancagne ethnic groups have often been the target of attacks by the MFDC, which feels that these non-Diola populations are not involving themselves in the struggle for the independence of Casamance. The MFDC also kills soldiers who fall into its hands.

Despite the written undertakings of the MFDC's political branch to respect the civilian population - undertakings reiterated by Father Diamacoune Senghor, the movement's Secretary General, to the Amnesty International delegation in January 1997 - armed fighters claiming to be fighting for the MFDC continue to drive peasants from their villages and to kill unarmed civilians. In August 1997, during a premeditated attack on a youth centre in Djibanar, the MFDC was responsible for the death of some ten children and adolescents, including two girls aged six and eight.

On several occasions in the past, Amnesty International has sent recommendations to the two parties, asking them to take urgent action to prevent any further abuses of human rights, but, as yet, nothing has in reality been done to put an end to a situation that has already claimed hundreds of civilian victims.

² This legal text specifies that: "No exceptional circumstance of any kind, be it the state of war or threat of war, internal political instability or any other exception, may be invoked to justify torture".

The human rights situation in Casamance requires urgent action. This is why, at the end of this report, Amnesty International makes recommendations to the two parties, in order to put an end to human rights abuses in Casamance. For as long as such abuses remain unpunished and nothing is done to prevent further abuses taking place, there can be no serious hope of any improvement in the situation as regards the respect of human rights.

FIFTEEN YEARS OF CONFLICT

1. Brief history

On 26 December 1982, demonstrators marched on Ziguinchor to demand the independence of Casamance. They attacked the Senegalese flag, ripping it from its pole outside Government buildings, and chanted slogans against the central Government in Dakar. The Senegalese authorities reacted immediately. The leaders of the MFDC, including Father Diamacoune, were arrested and sentenced to five years' in prison for threatening national integrity. This was the beginning of a conflict that was to last for 15 years and claim thousands of civilian and military victims.

After eight years of latent opposition, marked by violent demonstrations and ever-increasing military and judicial suppression, the nature of the conflict changed with the launching of the armed struggle by the MFDC in May 1990. The MFDC attacked military targets, but also civilian ones suspected of collaborating with the Senegalese authorities. In retaliation, the army arrested and tortured hundreds of people, some of whom were purely and simply executed.

Thus, the gears were set in motion. The civilian population was caught in the cross-fire. The Senegalese security forces suspected any Diola of having sympathies with the independence movement, whilst the MFDC's armed fighters harassed the civilian population of Casamance to secure financial support for their armed struggle.

On two occasions, in May 1991 and July 1993, cease-fire agreements were signed, leading to the release by the Senegalese authorities of hundreds of people who had been held without trial for many months. But negotiations faltered over the question of the independence of Casamance, a demand the MFDC refused to give up and that the Senegalese Government refused to consider, in the name of national integrity.

In 1993, by joint consent, the two parties agreed that a French expert, Jacques Charpy, should conduct historical research to determine whether, in the colonial past, Casamance had been an integral part of Senegal. The French expert's report, published in November 1993, acknowledged the "Senegality" of Casamance, but these conclusions were rejected by Father Diamacoune, Secretary General of the MFDC, in a counter-report made public in early 1995. The impasse was once again total and led to renewed fighting, which each party blamed on the other.

Tension increased in April 1995, with the kidnapping of four French tourists on the road between Ziguinchor and Cap Skirring, the region's most popular tourist destination. Despite intense searches by the Senegalese army, aided by a French reconnaissance aircraft, no trace of these four people has ever been found and to this day it is impossible to know what actually happened to them.

Officially sent into Casamance to find the four tourists, more than a thousand soldiers conducted a thorough combing operation throughout Basse Casamance to destroy the MFDC's military bases. Battles raged and took their toll of civilian victims who were arrested, tortured or killed.

The intensification of violence led the two parties to try to renew dialogue. In September 1995, the Senegalese Government created the *Commission Nationale pour la Paix en Casamance*, National Commission for Peace in Casamance, chaired by former minister Assane Seck, to perform a mission of mediation in the area. For his part, Father Diamacoune issued a call for peace in December 1995, together with a suggested timetable for talks with the Government. These two initiatives led to a noticeable easing of tension, without actually resulting in the opening of peace talks.

Despite the many problems caused by mutual mistrust, it seemed that a negotiated settlement might be reached during 1997. In April 1997, the Senegalese Government authorized four members of the MFDC's national bureau to travel to France to consult its external branch and establish a common position for negotiations. In its turn, an MFDC delegation from France visited Ziguinchor in July 1997 to hold discussions with Father Diamacoune. Then, for reasons which are difficult to identify, tension began to rise again. The renewal of the terrible cycle of MFDC attacks and reprisals by the army deferred for the time being any hope of talks and the civilian population found itself once again the hostages of this conflict.

2. The arrest of hundreds of prisoners of conscience

The 15 years of conflict in Casamance have led to the arrest of hundreds of Casamance civilians, charged with threatening State security, most of whom can be considered to be prisoners of conscience - that is, people imprisoned for, among other things, their political opinions or ethnic origin, without using or advocating violence.

Following the beginning of the armed struggle in 1990, the number of arrests increased, coming in successive waves (1990-1991, 1992-1993, 1995 and again from July 1997). Most of the people arrested during these periods were not arrested during fighting or even whilst in the possession of arms. Virtually all of them have been arrested in their homes, at their place of work or at roadblocks set up by the Senegalese army. Farmers have been arrested while working in their rice-fields or herding cattle in their fields. Women have been arrested while on their way to market to sell vegetables. Some people, including children, have been taken hostage from their homes when the security forces have failed to find the people they were looking for. A written statement received by Amnesty International describes one such arrest, which took place in July 1997:

"The soldiers had gone to my home to arrest me. Since I wasn't there, they took two of my children to the camp. 'Your father is a rebel', the soldiers told them. 'He has helped to feed the rebels and given them shelter'. Although threatened with death if they didn't confess, my children said their father had never been a rebel... Unable to get anything out of them, the soldiers let them go".

3. *The use of anonymous denunciations*

In most cases, Casamance civilians have been imprisoned on the basis of anonymous, unverifiable accusations. In some cases, these have been malicious denunciations by jealous neighbours or political opponents who saw this as a convenient way of getting rid of bothersome rivals. For example, in 1995, several people working in the hotel trade in the Cap Skirring region were denounced as MFDC sympathisers by unidentified individuals seeking to eliminate a competitor and take his place.

This is no new phenomenon. In a report published in 1991, Amnesty International stated that political disputes within villages - sometimes disputes over land-ownership - were at the root of these accusations and that, in most cases, there appeared to be no proof of any link between the people arrested and the armed opposition³.

Accusations have mostly concerned the alleged collection of funds for the MFDC. Women have been accused of cooking food for MFDC members and elderly people have been denounced by neighbours who suspected them of psychologically or physically training young people for battle.

The existence of such anonymous accusations was acknowledged by the Senegalese authorities in a White Paper published in October 1996, which states that: "It is obvious that people may be questioned as a result of information obtained from other prisoners or willing informants". The judicial authorities are also aware of the risks inherent in this phenomenon of large scale denunciations: for example, a person arrested in April 1995 was told by the *juge d'instruction*, examining magistrate, in Ziguinchor that "his case was complicated because it involved some jealousy". This did not prevent the magistrate from charging him with threatening State security.

Some accusations also seem to be politically motivated. For example, a large number of members of the main opposition party, the *Parti démocratique sénégalais* (PDS), Senegalese Democratic Party, have been denounced as rebels by their political enemies. In at least one case, prisoners were able to see the person who had denounced them. They were standing in rows with their heads down and the informant walked up and down, pointing out the people most strongly involved, according to him, in the rebellion. The informant was known to the prisoners, but they

³ See *SENEGAL: An escalation in human rights violations in Casamance region*, January 1991 (AI Index: AFR 49/01/91) page 4.

had no disagreement with him. This could have been a case of accusations motivated purely by the desire for a reward, which is promised by the authorities to anyone denouncing supposed rebels.

Apart from these particular cases, it would seem that most of the people imprisoned have been arrested because they were members of the Diola ethnic group and, for that reason alone, considered to be potential rebels. Some peasants have been reproached simply for being Diola and, when they have refused to confess their membership of the MFDC, the security forces have claimed that the Diola are secretive people who never tell the truth. Other civilians have been accused of being from Guinea-Bissau, a country considered by some soldiers to be responsible for starting the conflict.

4. *The risk of mistaken identity*

In addition to the threat of malicious denunciations, civilians are also at risk of being arrested because of mistaken identity. The Senegalese security forces have arrested civilians using lists that usually contain only the first name and surname of the person they are looking for. In Casamance, as in the rest of Senegal, the number of surnames is small. By way of example; of the 120 Casamance people still in prison in Dakar and Ziguinchor, 23 are called Diatta, 13 Badji and 13 Sané. And there are also people with identical full names: two Khalifa Diédhiou and two Mamadou Badji. The risks are all the more serious in that many people have been tortured even before their identity has been verified.

JUDICIAL IRREGULARITIES: the case of people arrested in 1995

An Amnesty International fact-finding mission was able, in January 1997, to investigate the case of 120 people arrested since April 1995 and still being held without trial, nearly three years after their arrest. Amnesty International's representatives were able to meet all the prisoners, without witness, in both Ziguinchor and Dakar, and they had discussions with the judicial authorities responsible for their cases.

The result of this fact-finding shows that there were no real charges against most of these people. They were being held by the Senegalese Government for purely political reasons, to serve as a bargaining chip in its talks with the MFDC.

This lengthy imprisonment without trial has had serious consequences for the prisoners' health. Amnesty International's representatives found that several prisoners were suffering from various illnesses and were not receiving adequate treatment. Also, five prisoners had died in prison and it was impossible to determine whether their deaths had been caused by illness or poor prison conditions. Four of them - **Ibou Badji, Nicolas Diatta, Edouard Manga and Amidou Diémé** - died in Dakar prison in 1996; the fifth, **Adama Coly**, died in Ziguinchor prison in 1997.

1. *Lack of any real charges against prisoners*

During the interrogations conducted by the gendarmes in their capacity as *officiers de police judiciaire*, criminal investigation officers, Casamance civilians arrested since April 1995 have rarely been reproached on the basis of specific facts. Accusations have concerned their supposed links with the MFDC, the fact that they might have sheltered a rebel or donated money to the Casamance independence movement. The gendarmes have made vague accusations, such as: "It would appear you prepare food for rebels" or "This one gives money to the rebels". When prisoners have asked who made these accusations against them, the gendarmes have said they have been reliably informed but have refused to give their informant's name.

All the Casamance prisoners or former prisoners met by the Amnesty International delegation in January 1997 said they had never been allowed to see the *procès verbal*, judicial statement, of their interrogation. For example, a gendarme told one prisoner who asked to read the judicial statement he was being asked to sign: "It's nothing to do with you; just sign it". Poor-sighted prisoners, deprived of their spectacles, have been forced to sign these statements and numerous illiterate prisoners have had no opportunity to have the statements read out to them.

Appearing before the *juge d'instruction*, who has notified them of the charges against them, most prisoners stated that they had signed judicial statements which they knew nothing about as a result of torture. But it would seem the magistrate did not see fit to take account of this information.

It is on the basis of such judicial statements, whose validity is challenged by various irregularities, that all the Casamance prisoners have been "charged with threatening State security and the integrity of the nation". Some have been charged with "participating in a rebel group" and others with "assassination and conspiracy to commit armed robbery with violence".

2. *Judicial investigation full of irregularities*

The judicial investigation of the cases of Casamance civilians charged with threatening State security is marked by numerous irregularities that seriously call into question the equitable nature of the Senegalese justice system when dealing with these cases:

a. *Inadequate judicial interrogation*

Despite the seriousness of the charges, Casamance prisoners have been held for months without being brought before a magistrate and, when they have seen a magistrate, interrogation has been very brief. According to the testimonies of numerous prisoners, the magistrate interrogated dozens of them on the same day and merely repeated the accusations made in the judicial statements drawn up by the gendarmes, asking the accused if the information was correct. During these hearings, which were sometimes attended by a lawyer, most, if not all, the prisoners denied having willingly signed their confession - a fact that was noted by the clerk but did not lead the examining magistrate to question the reliability of the charges or to open an inquiry into the allegations of torture. The magistrate's failure to take action with respect to allegations that torture had been used

to obtain confessions is a flagrant violation of the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (ratified by Senegal in August 1986)⁴.

b. The lack of confrontation with prosecution witnesses

The accused have not been brought face to face with their accusers, even though it is usually solely because of the latter's statements that they have been arrested. Justified by the need to guarantee their informants' safety, the authorities have refused to allow the accused to meet their accusers which infringes Article 14, Paragraph 3, Subparagraph e of the International Covenant on Civil and Political Rights, ratified by Senegal in 1978. This Covenant stipulates that anyone accused of a criminal act is entitled to "question or have questioned the prosecution witnesses". More worrying still, these anonymous accusers have not even appeared before the examining magistrate so that he or she can verify the reliability of their statements.

c. The lack of material evidence

Although some prisoners are accused of having been in the possession of weapons at the time of their arrest, these weapons have not been presented as evidence during questioning. The senior examining magistrate in Dakar, responsible for all these cases, told Amnesty International's delegation in January 1997 that the weapons seized were under seal at the clerk of the court's office and that he had not judged it worthwhile to take action to verify whether a prisoner acknowledged possession. Nor has this evidence been presented to lawyers, contrary to the provisions of the Basic Principles on the Role of Lawyers, adopted in 1990 by the United Nations' Eighth Congress. This document specifies that "It is the duty of the competent authorities to ensure lawyers have access to any relevant information, files and documents in their possession or under their control, in sufficient time for them to be able to provide their clients with effective legal assistance" (Principle 21).

This investigation, which concerns accusations of threats to State security, is, therefore, being conducted by judicial authorities which have not been able to question the anonymous accusers whose denunciations are the cause of arrest, and which have not thought it necessary to present the accused and their lawyers with the main pieces of evidence. It seems reasonable to wonder how an investigation, conducted without any confrontation of prosecution witnesses and in which confessions have not been challenged - confessions that all the evidence seems to suggest have been obtained by torture - can lead to the discovery of the truth.

d. Continued detention for political reasons

⁴ Article 15 of this Convention stipulates that a statement obtained by torture may not be used as evidence in court.

A final determining element indicates the arbitrary nature of the arrest and prolonged imprisonment without trial of Casamance civilians. Paradoxically, this element does not concern the conditions of their arrest following anonymous accusations or the charges levelled against them. It concerns the way in which about a hundred Casamance prisoners have been provisionally released since October 1995.

There have, in fact, been several waves of releases, concerning mainly women, the elderly, the sick and minors. The last wave of releases, which took place on 5 December 1996, concerned 52 people of all ages and seems to have been dictated less by humanitarian considerations. These releases seem to have been proposed to the Senegalese Government by the *Commission Nationale pour la Paix en Casamance*, set up by the Senegalese Government in September 1995, as a means of renewing dialogue between the two parties.

These releases have not been the result of a judicial decision but have been motivated purely by political strategy. This is particularly true in the case of the four members of the MFDC's political bureau, whose release in October 1995 seems to have been decided at the highest level of the State, to facilitate the renewal of dialogue.

Although concealed behind humanitarian justifications, the real reason for the release of some 100 prisoners has been to serve as a gesture of goodwill to the MFDC to encourage it to pursue talks.

This is confirmed by information gathered by the Amnesty International mission in January 1997. In December 1996, recently released Casamance prisoners were met in Ziguinchor by a welcoming committee comprising, in particular, members of the *Commission Nationale pour la Paix en Casamance*. In front of these people, who had been tortured and held without trial for more than a year and a half, members of the welcoming committee acknowledged that some of them might have been arrested by mistake or as a result of malicious denunciations. But they asked the released prisoners to forget everything they had undergone and not to seek revenge - a clear allusion to the settling of personal scores with respect to the anonymous denunciations that had resulted in their detention. The former prisoners were then told that: "The future depends on you. If you stay peacefully in your village, more prisoners will be released". The welcoming committee added, finally, that: "The Senegalese Government has made a gesture; now it is up to you to make one". Thus, at the moment of their release, people who had been arbitrarily arrested were told to "stay calm" if they did not wish to delay the future release of other prisoners as innocent as themselves.

These words, confirmed by independent sources who witnessed the ceremony, clearly prove that the innocence or guilt of Casamance prisoners is of no relevance. It is the political authorities that control their fate. As in the case of earlier imprisonments without trial of Casamance civilians in 1990-1991 and 1992-1993, the continued imprisonment of dozens of civilians arrested since April 1995 has much more to do with political decision-making than with

the result of any judicial investigation; the Senegalese justice system, which in principle is alone responsible for these people's continued imprisonment, cannot fail to acknowledge its absolute powerlessness.

Casamance civilians, both those who are still being held and those who have been released - only on a provisional basis - are, therefore, the powerless victims of the conflict and negotiations between the Senegalese Government and the MFDC which have very little to do with them. They do not know why they were arrested or, in the case of those who have been released, why they have been set free.

This determining element clearly shows that all the Casamance prisoners are being held by the Senegalese Government as a bargaining chip for its talks with the MFDC and that they cannot be individually blamed for any reprehensible act. Most of them were arrested simply because they were members of the Diola community, which is generally seen as a potential source of support for the MFDC's armed activities. Amnesty International considers most of these people to be prisoners of conscience and demands their immediate, unconditional release.

e. The imprisonment of the MFDC's political leaders

To these civilian detentions, where there is no apparent evidence of their involvement in criminal acts or support for such acts, we have to add the arrest, since April 1995, of the MFDC's main leaders, including **Father Diamacoune Augustin Senghor**, the MFDC's Secretary General, who was placed under house arrest at the *Centre des Oeuvres Sociales Catholiques* in Ziguinchor on 21 April 1995. He was placed under house arrest the day after an official statement by Father Diamacoune, in which he accused the Senegalese and French Governments of having hidden the tourists in a Casamance village.

Although the Senegalese authorities officially announced, in December 1995, that the MFDC's Secretary General had been released from house arrest, Amnesty International's delegation, which was given permission to meet him in January 1997, confirmed that he was not free in his movements. Gendarmes are still posted at the entrance to the *Centre des Oeuvres Sociales Catholiques* in Ziguinchor and Father Diamacoune cannot go anywhere without being accompanied by members of the security services, even on private ceremonial occasions. This *de facto* house arrest was reinforced following the renewal of fighting between the Senegalese army and the MFDC in July 1997. Thus, RADDHO, a Senegalese non-governmental organization which went to investigate in Casamance in September 1997, was not permitted to meet Father Diamacoune, officially for security reasons.

The house arrest of Father Diamacoune is the result of a political decision, without any legal basis. The MFDC's Secretary General has never been brought before a magistrate and has not had any charges brought against him, which is in breach of Article 9 of the International Covenant on Civil and Political Rights, which states that any person being detained must be

informed of the charges laid against him and be brought before a judge as soon as possible, or be released.

The day after Father Diamacoune was placed under house arrest, on 22 April 1995, the four members of the MFDC's national bureau - **Edmond Bora**, **Sanoune Bodian**, **Mamadou Diémé** and **Sarani Manga Badiane** - were arrested. These four people, who serve as a link in Ziguinchor between Father Diamacoune and the rebel forces, were in talks with the Senegalese authorities throughout the period of cease-fire. Charged with threatening State security, they were transferred to Dakar prison in June 1995, together with more than 180 other Casamance prisoners. Returned to Ziguinchor in October 1995, the four members of the MFDC's national bureau were once again placed under house arrest with Father Diamacoune, but were able to take part in the attempts to set up talks, sponsored by the *Commission Nationale pour la Paix en Casamance*. For this purpose, they were also authorized to travel to France in April 1997 to meet the external branch of the independence movement. The re-emergence of tension in Casamance since July 1997 means that both their role and their safety are threatened. One of the four members of the MFDC's national office, Sarani Manga Badiane, was arrested by Senegalese soldiers on 24 August 1997 and has not been seen since. Another, Edmond Bora, has apparently fled.

TORTURE AND ILL-TREATMENT

"As soon as we got out of the lorry, they began to beat us for no reason. They slapped us with both hands, kicked us and hit us with their rifle-butts. Then, they took us to an office where they flogged us with whips. They smoked cigarettes and stubbed them out on our bodies. They tore hair from our beards and moustaches; they cut my hair and forced me to eat it. We were all bound hand and foot when one of the gendarmes stared me in the eye and, when I stared back at him, he came up to me, put his two thumbs into my eyes and pressed hard - it really hurt."

The story told by this former prisoner, tortured in Casamance in 1984, is among dozens of written and oral statements collected by Amnesty International over many years. Each wave of arrests, following a renewal of violence, has been accompanied by the systematic use of torture against virtually every detainee, including women and the elderly.

In a memorandum addressed to the Senegalese authorities as long ago as May 1989, Amnesty International was already mentioning its concerns about an avalanche of information about the widespread and systematic use of torture in Casamance:

"This ill-treatment took the form of particularly brutal blows with batons, leaving indelible marks, by the use of torture in the form of electric shocks under the nails or to the genital

organs (both men and women), by prolonged deprivation of food and a total absence of medical care for sick or injured prisoners and by the humiliation of elderly people."⁵

Ever since the beginning of the conflict in Casamance, therefore, the security forces have chosen to use torture as a way of dealing with the crisis. These tactics have not only been used to extract confessions; they have also been intended to create a permanent state of terror among the population to dissuade people, once and for all, from supporting the MFDC's independence movement.

This widespread, systematic use of torture was once again confirmed during the two research missions sent to Casamance by Amnesty International in January and September 1997. It emerges that torture is used essentially at three clearly defined moments: at the time of arrest; during the period of *garde à vue*, when these prisoners are held incommunicado by the gendarmerie for the purposes of interrogation; and when prisoners are being transferred by boat from Ziguinchor prison to Dakar prison. During these three periods, prisoners are left at the mercy of the security forces, without any judicial protection.

1. Torture at the time of arrest

A large number of people arrested since April 1995 have been beaten and tortured at the time of their arrest, even before being asked a single question.

"We were travelling from Cap Skirring to Ziguinchor when the bus we were on was stopped by soldiers at Niambalang bridge. The soldiers took all the passengers' identity cards and then went off to consult a list that one of them was holding. They made us all get out and the bus drove off. They took us into the army tent that was at the roadside and began to hit us, accusing us of being rebels. They tied us up with wire that was connected to batteries. Then they put a bar between our feet and hands and suspended us between two posts. We were thoroughly thrashed as we hung there. They hit us on every part of the body and the electric current jolted our hearts and ears. It lasted for almost half an hour. And, while all this was happening, cars were passing on the road, without anybody having any idea what was happening to us in the soldiers' tent."

Others have been tortured in their own homes, sometimes in front of their families or neighbours - with the obvious intention of terrifying the population and dissuading people from helping the rebels. For example, a group of 17 people arrested in Gouraf on 26 June 1995 were forced to walk bent over, with their heads down and one hand reaching between their legs to hold the hand of the prisoner behind. In this position, known as "the monkey walk", these people were

⁵ The text of this memorandum is contained in *SENEGAL: Torture: the Casamance case*, 23 May 1990, (AI Index: AFR 49/02/90) page 3.

beaten with rifle butts by soldiers, in front of members of their village (see drawing No.1 page 15 by one of the prisoners).

Drawing No. 1 - The monkey walk (at the village of Gouraf, not far from Ziguinchor)

It is essentially soldiers who, who having been given responsibility to make arrests in villages and at roadblocks, immediately use torture against the people they have arrested, using lists of suspects drawn up by the gendarmerie on the basis of anonymous denunciations. These acts of torture are not used to obtain confessions to be included in any judicial statement. The army has no mandate to conduct investigations. Its remit is merely to arrest suspects and hand them over to gendarmes, who are the only ones empowered, in their capacity as *officiers de police judiciaire*, to conduct interrogations. This means that torture is being used by soldiers as revenge for loss of life or in order to terrify the civilians who fall into their hands.

2. Torture during garde à vue

Beaten and ill-treated at the time of their arrest, prisoners are often victims of violence when they are transferred to the gendarmerie brigade, where some are held incommunicado for eight days:

"I was arrested at my place of work on the morning of 27 April 1995. That evening, I was taken in a vehicle, with several other people, to the Nema Kadior gendarmerie brigade in Ziguinchor. For the whole journey (about 40 kilometres), we had to sit with our heads down, our faces in our hands and our toes touching the floor; in this position, we were beaten. When we arrived at the gendarmerie brigade, we were made to sit on the ground in a row, one behind the other, with our forehead resting on the back of the person in front. Every hour, trainee gendarmes counted us by hitting each of us on the head with a stick. The tenth prisoner in the line was hit much harder than the rest of us. The gendarmes forced us to hit each other, and blood ran down from some prisoners' ears. The gendarmes also forced us to do squats, with our hands over our ears, and rolls to the point of exhaustion - even people who were over 70 were subjected to these compulsory gymnastics. Whenever an officer came into the room, he ordered the trainees to stop. But the ill-treatment began again as soon as he turned his back and didn't stop until we were brought before the magistrate, on 4 May 1995".

Amnesty International's representatives heard dozens of similar stories, all of which describe the same conditions of detention throughout the period of *garde à vue* (see the handwritten testimony on page 17). This period, during which a suspect can be held incommunicado for purposes of interrogation, may not exceed a maximum of four days. But, when it comes to an alleged threat to State security, as in the case of the Casamance prisoners, the Code of Criminal Procedure allows for the initial period of incommunicado detention to be extended to eight days, before prisoners must be brought before the *parquet*, the department of public prosecution. It is during this period of incommunicado detention, when suspects have no access to a lawyer nor, in some cases, a doctor, that most of the cases of torture brought to Amnesty International's attention have taken place.

Every day at 6.30 in the morning, three trucks came to take us to the gendarmerie and, after breakfast, it was time for punishment. Everyone had to do press-ups and for a long time. Some would have to do circuits while they were being kicked; others had to endure beatings which sometimes made their ears bleed. Others would be drenched in water and made to "bathe" in the sand. They found this regime wasn't tough enough, so instead they took them to the pool of water behind the showers where the pigs wallow. Some old men lost their white beards - they were burned with cigarettes right through to the skin. And these people were not allowed to move. For others, they damaged their ears with cigarette butts. One prisoner, Paul Biagui, had a deep wound in his head - a gendarme put a lighted cigarette into the wound and left it there until it went out and he wasn't allowed to shudder.

Behind the garage was a large tent. There they took people and burned them with melted plastic - to stifle their cries they would start up a big noisy truck. Anyone who had a watch would have it stolen and broken; the same goes for chains, bracelets and rings. These are the games the gendarmes - who were responsible for guarding us for one week - indulged in.

Handwritten testimony and translation

During their eight days of *garde à vue*, Casamance prisoners have been subjected to all kinds of torture and humiliating and degrading treatment. Some have had buckets of water poured over them and then been forced to cover themselves with sand or roll in mud. Some have been forced to stand out in the sun, their heads bent and their backs exposed to blows with truncheons and batons. A bowl of water was placed in front of them but anyone who wanted to drink from it was beaten or forced to do squats to the point of exhaustion - all to the rhythm of the gendarmes' clapping, just like a gymnastics session. This water punishment was especially tough for people arrested in April, when it is particularly hot in Casamance.

At night, the prisoners were taken to an abandoned public works workshop, called the "TP", where they were forced to sleep amidst their own excrement and eat rotten food. This ill-treatment, inflicted without any interrogation taking place, was the daily lot of everyone detained on 27 April 1995 and the days following.

To obtain confessions, the gendarmes made systematic use of torture. In the barracks at Nema gendarmerie in Ziguinchor, these "heavy" interrogations took place in a small office. Some prisoners were ill-treated while the gendarmes clapped their hands or used a lorry engine to make enough noise to stifle their cries. The prisoners especially targeted by this torture included healthy young people, elderly people accused of having provided the MFDC with information and former Casamance gendarmes accused of having betrayed their country.

Below is a non-exhaustive list of the methods of torture discovered by Amnesty International delegates during the two research missions in 1997:

- making the prisoner lie with his hands behind his back, his forehead on the floor and his body and legs stretching upwards to form a right-angle at the waist. In this position, called *Djouli goulo* (which means "the monkey's prayer", in Wolof), prisoners are hit in the back for 15-30 minutes;
- hanging prisoners upside-down for many hours;
- throwing prisoners flat on their stomach in a hole and beating them (see drawing No. 2 page 19);
- stubbing out cigarettes on prisoners heads or in their ears;
- tearing hair from prisoners' beards and heads and making them eat it;

Drawing No. 2 - This happened at the military camp on Sindian, *département* of Bignona. On the left of the picture is the pile of sand dug from the hole

Drawing No. 3 - The soldiers made six people drink diesel oil on the back of their truck at around midnight while holding their noses and telling them they were drinking palm wine. This took place on the road from Cap Skirring to Boucotte Diembering

- forcing prisoners to ingest all sorts of harmful products. In August 1995, several prisoners were forced to drink diesel oil, which they were told was palm wine (see drawing No.3 page 19). Another prisoner has said that petrol was poured into his ears. Boiling coffee was also poured over the heads of prisoners who complained about being given nothing to eat;
- hitting prisoners on the genitals. One prisoner had his legs forced apart and petrol was poured into his anus and on his genitals;
- hitting prisoners while they are in the "bat" position. The prisoner's hands and feet are bound; a bar is passed between his legs and arms; and he is hung between two tables; in this position, he is beaten with ropes and clubs (see drawing No.4 below).

Drawing No. 4 - Position for interrogation shows a metal bar between two tables.

Amnesty International is also aware of several allegations of torture by electricity. These allegations, received over several years, do not concern only people of Casamance suspected of supporting the MFDC's independence movement. For example, Amnesty International has reported the case of an opposition member of parliament, **Mody Sy**, who was arrested in May 1993 and had electric charges applied to the fingers and genitals at the gendarmerie in Rue de Thiong, Dakar. This very serious allegation was not the subject of an immediate, independent and

exhaustive inquiry, as was demanded by numerous Senegalese and international human rights organizations⁶.

A young man from Casamance, arrested on 27 April 1995, made the following statement:

"I was stripped and thrown to the ground by six gendarmes, who soaked me with water. Then they attached electrical wire to my feet and ears and passed an alternating current through it, which they produced by turning a crank-handle. The electrical current reached my heart; my ears hurt and I couldn't hear any more. It hurt so much that I tore the wires off; and then somebody punched me in the face."

The main purpose of these acts of torture has been to obtain confessions and force prisoners to sign judicial statements drawn up by the gendarmerie. The extraction of confessions under torture is a practice that many Senegalese lawyers consider to be routine in their country and which they have been denouncing for many years.

The renewal of tension in Casamance, from July 1997, has led to an increase in torture:

"A prisoner tried to save himself, but he was hit by a volley of gunfire which severed one of his legs. The soldiers laid him out on the ground and started stabbing him; after each stab, they drove their knives into the sand to clean the blade. They cut off his lips and told him to eat them. Then, one of them shot him in the temple. The blood began to flow and they ordered me to drink it, catching it in my cupped hands, which I had to do. They finished him off with another bullet in the temple. Then they stripped me and poured a mixture of molten plastic and petrol over me. While the hot plastic was running down by body, they ordered me to give them information about people who had recently been killed".

The Amnesty International delegation was able to verify that this witness still bore visible scars of these burns (see photograph page 22).

Several witnesses have mentioned the role of army doctors who have treated torture victims without objecting to or denouncing this practice. One civilian was arrested on 29 July 1997, close to the army camp at Kandialan, when he was cycling home. He was taken to the camp, stripped and had his hands and feet tied together. In this position, he was

⁶ See *SENEGAL: Widespread use of torture persists with impunity, while human rights abuses also continue in Casamance*, 28 February 1996 (AI Index: AFR 49/01/96).

Burn marks caused by melted plastic

questioned about his links with the MFDC. Even before he had time to answer, he was hit round the head with a rifle-butt and his ears were slashed with a knife. He was beaten for an hour, and then transferred to the Nema gendarmerie, where the gendarmes refused to keep him because he was bleeding. He was taken back to the army camp, where a doctor "cheered him up" (the victim's own words) but did not untie his hands, which were still tied behind his back. Mercurochrome and alcohol were administered to his wounds and he spent the night in this position.

Another testimony gathered by the Amnesty International delegation in September 1997 shows that the security forces have used torture "to set an example", with the twin objective of terrorizing the civilian population and prompting people to cooperate. A Casamance farmer tortured in September 1997 was told, when he was released by the army, to tell the other villagers what the soldiers had done to him. A lieutenant said to him: "We want to turn the page; we want to work honestly and openly with you; Casamance will never be independent. It's a region of Senegal. If you see anyone suspicious, let us know; we'll hunt them out. We soldiers may die, but it is civilians who will suffer the most. If we're attacked, there will be reprisals, because you are all suspects". As soon as he was released, this farmer had a medical examination: the certificate states that he had "extensive bruising and multiple open wounds, probably caused by blunt or sharp instruments". He also went to see the *Préfet* of his *département* and his local Deputy Mayor to inform them of the ill-treatment to which he had been subjected; he was simply told to go and get himself treated at hospital.

According to some testimonies, torture would stop when a non-commissioned officer passed and would begin again as soon as his back was turned. It would be surprising, however, if officers did not hear prisoners' screams and were completely unaware of what was going on just a few yards from their offices. Furthermore, no disciplinary action seems to have been taken against the soldiers and gendarmes who have committed these acts of torture. One might even suspect that

intervention by officers, ordering ill-treatment to cease, was part of a deliberate strategy, simply to preserve the image of the security forces by making out that these acts of torture were "regrettable errors" committed by undisciplined individuals.

3. Torture and ill-treatment during the transfer by sea from Ziguinchor to Dakar

The torture and ill-treatment systematically inflicted during the period of *garde à vue* ceases when prisoners are brought before the examining magistrate in Ziguinchor, who charges them and sends them to prison. The ill-treatment continues, however, when they are being transferred from Ziguinchor to Dakar, during which time, although under judicial protection, prisoners are handed over to gendarmes, who have tortured and ill-treated them throughout the 15 years of conflict.

Amnesty International has long been denouncing these practices, which, in particular, caused the death in December 1983 of several prisoners on board the "Falémé", a Senegalese navy vessel. During this transfer, the gendarmes even reportedly tried to throw overboard the corpse of a prisoner who had died as a result of torture, but the ship's captain would not allow it. Other people died after they had left the ship at Dakar, apparently as a result of the cruel treatment they had suffered on board this vessel⁷.

In January 1997, the Amnesty International delegation collected a considerable amount of information and numerous testimonies concerning the most recent of these transfers by sea, which took place during the night of 8/9 June 1995.

"We were woken at Ziguinchor prison at four o'clock in the morning and met at the prison gates by a wall of gendarmes who beat us indiscriminately as we passed - we had to run this gauntlet for the whole 30 metres between the prison and the gendarmerie vehicles. We were then piled into three lorries and, throughout the journey to the port, we were punched, kicked and hit with rifle butts and batons. We were then put into a landing craft, all sitting in a row. Throughout the journey (to Dakar) we were showered with sea water and rubbish."

Dozens of testimonies mentioned, in particular, that Edmond Bora and the three other members of the MFDC's executive bureau were especially badly beaten and humiliated during this voyage. The four MFDC leaders were handcuffed throughout the journey and the guards trod on them and poured urine and dirty water over them, saying to the other prisoners: "Look, these are your leaders". The guards on the ship also threatened to kill and throw overboard some prisoners.

⁷ See *SENEGAL: Torture: the Casamance case*, 23 May 1990, (AI Index: AFR 49/02/90) page 5.

In addition to this, more than 20 prisoners were handcuffed during the entire voyage, which lasted 24 hours, despite the risk involved if the ship were to go down. Among the soaked and beaten prisoners, there were 13 women, one of whom had a two-year-old child with her. This ill-treatment was all the more shocking in that the prisoners had for more than a month been under judicial control and protection.

4. *Torture inflicted on the sick and elderly*

Elderly people have not been spared from torture. On the contrary, it would appear that they have been particularly targeted, because the Senegalese security forces suspect them of training people to join the rebel forces and giving them precious information.

For example, a man over the age of 70, who was arrested in Cagnobo in the *département* of Bignona on 10 October 1995, was taken to a youth centre that had been requisitioned by the army, where he was stripped to the waist and kicked by a dozen soldiers. They then tied his hands with rope and put him outside in the rain. A senior corporal then applied a hot iron to his arms, back and legs. Afterwards, the soldiers heated a shovel and hit him with it. Sent to Ziguinchor prison, he was treated for three months for his burns, the scars of which were still visible when Amnesty International delegates met him in January 1997.

Another person, aged 73, who is still being held without trial, provided the following statement:

"I was arrested at about nine o'clock in the evening on 27 April in Boukote, where I had gone to visit my daughter. I was beaten in the vehicle that took me away. They hit me when I was lying face down on the floor and stubbed out two or three cigarettes on my back. I was taken to the gendarmerie brigade in Kabrousse, where I was hit three times with a round object. The next day, from eight o'clock in the morning until midday, I was tied up with my hands and feet bound together behind my back and I was interrogated and beaten while in this position. They accused me of being an informer for the rebels. In Kabrousse, they poured solvent (which is used to mix paint) on my genitals. This colourless, strong-smelling liquid evaporates very quickly and burns. I suffered from these burns for more than 20 hours. Then they untied me, attached me to a bottle of butane and left me there".

People with signs of mental disability have also been arrested and tortured. For example, a man who had apparently been suffering for some time from mental problems was arrested in Gouraf on 26 June 1995. He was taken to the army camp in Ziguinchor, where soldiers hit one of his feet with a plank with a nail sticking out of it; they used it like an axe, with the nail driving into his foot and then coming out again with each blow. On their visit to Ziguinchor prison in January 1997, Amnesty International delegates discovered that this man seemed to have lost his

memory, became agitated for no apparent reason, spent most of the time curled up in a corner on his own, and had to endure the mockery of his fellow prisoners, who laughed at his behaviour.

A former prisoner apparently became mentally deranged after soldiers set light to the straw they had put on his genitals. Numerous statements confirm that this man, who was released in late 1995, had fits of madness while he was in Ziguinchor prison, during which he would attack the guards and scream insults at everyone.

5. Torture of women

At least 17 women were arrested in April 1995. They were all subjected to physical violence and 13 of them were transferred to Dakar and held without trial until November 1995. Mostly accused of having prepared food for the MFDC's armed fighters, they were all subjected to the usual treatment reserved for prisoners during the period of *garde à vue* at the Nema gendarmerie in Ziguinchor. Day after day, they had to sit one behind the other, their forehead resting on the back of the person in front. At night, they were separated from the men; they had to sleep on the floor, without mattresses or blankets, and were not allowed to have anything to drink or to go to the toilet until morning.

During the day at Nema gendarmerie, several of them were beaten. One of them had her clothes (*son pagne*) ripped by blows with a mango tree branch and was left naked in front of the other prisoners. One of the women gave this statement to Amnesty International's delegates:

"In late April, a gendarme from Kabrousse came to my house and tried to rape me. I managed to escape by screaming, but the gendarme was furious. He threatened me, saying: 'You're an obstinate woman, but you'll see'. A few days later, I was arrested at about six o'clock in the evening by gendarmes from Kabrousse, who accused me of collecting money for the rebels. There were nine other women being held in Ziguinchor and the gendarmes interrogated us one by one. We were slapped and kicked. They wanted to take us out of the main room and take us to their offices; some women went, but I refused, because I was afraid of being raped".

The Amnesty International delegation learned of the case of two women arrested on the road on 27 April 1995, when they were on the way from the village of Efoke to Oussouye to sell things at the market. One of them had a child of about a year old on her back; the other, who had had a child three weeks earlier, had left her infant in the village. The soldiers tried to rape them but they had been warned in advance of this danger by a soldier who spoke Diola. The women put up a struggle and avoided being raped. Taken to Nema gendarmerie brigade in Ziguinchor, they were forced to spread their legs and were tied up with rope. According to a fellow prisoner, the soldiers then set fire to their genitals - in front of the child. A lawyer tried to secure their provisional release, arguing that one of them had left her baby in the village and that the other had

her child with her in prison. When the public prosecutor in Ziguinchor rejected this request, the lawyer appealed to the *chambre d'accusation*, a criminal court, in Dakar, which also refused to release the women. These two women and 11 others were transferred to Dakar by ship with the rest of the Casamance prisoners and were not released until November 1995. According to several sources, the baby unwillingly abandoned by its mother died soon after.

There were, then, 13 women among the prisoners transferred by sea from Ziguinchor to Dakar on the night of 8/9 June 1995. One of them had a two-year-old child with her and another was pregnant (this woman gave birth to a baby girl in November 1995, while she was still in prison in Dakar). They all suffered the difficult conditions and ill-treatment described earlier. When they were leaving Ziguinchor prison to join the ship, one of them was slapped by a soldier because she wanted to go back for her bag, which she had left in her cell. Like the other prisoners, the women were constantly sprayed with sea water and excrement throughout the voyage.

Other women have been arrested, tortured and then released. **Sally Traoré**, who lived in Aniack, was arrested by soldiers at 11.30 at night on 10 February 1995. She and her husband were asleep in bed. Two soldiers came to the house and told Sally Traoré to follow them. Her husband asked if he could go with her, and the soldiers told him she would be back immediately. It would appear that she had been accused of providing funds for the MFDC. As a literacy teacher, Sally Traoré was the most educated member of her village, which could well have given rise to some jealousy. Furthermore, she had a mill and husked rice for the village, which enabled an anonymous accuser to claim she gave the money she earned from this to the MFDC's armed fighters.

Taken to the army camp in Aniack, just a few hundred metres from her house, Sally Traoré was stripped naked. Soldiers blindfolded her eyes with sticking plaster and made her get into a vehicle, which drove off in an unknown direction. She then spent the whole night, blindfolded, in a hole dug in the ground. The next day, with her hands tied behind her back, she was made to lie on her stomach in the hole and was beaten with sticks, whilst being interrogated about her links with MFDC fighters. After spending a second night in this hole, under the same conditions (feet and hands bound and eyes blindfolded), she was taken away by the soldiers and left 200 metres from her house. Treated in Ziguinchor hospital for extensive bruising, she is still suffering from physical and psychological consequences. For example, the Amnesty International delegation learned, in January 1997, that, two years after these events, she could still not hold anything in her hands or get up alone. Her menstrual cycle also ceased.

In other cases, women have been taken hostage by gendarmes who failed to find the person they were looking for. In particular, the gendarmes arrested the wife of a peasant and only released her when he gave himself up.

These allegations of torture against women are not new. In the memorandum sent by Amnesty International to the Senegalese authorities in May 1989, the organization cited inhumane

and humiliating treatment inflicted on women throughout the 1980s. The organization stated, for example, that, according to several statements, "lighted cigarettes were stubbed out in their genital organs and rags stuffed into their vaginas"⁸.

6. *Deaths caused by torture*

Amnesty International knows of several cases of Casamance civilians who have died as a result of the torture inflicted by soldiers at the time of arrest or in the hours following arrest. On 12 February 1995, **Bakary Diédhiou** was arrested by soldiers in Boulom, near Niaguis. Another prisoner arrested at the same time made the following statement:

"After we had been arrested, lieutenant X said to us: 'We're taking you to Soucoutha to kill you because, if we take you to Ziguinchor, you'll be released'. When we arrived at the camp, they tied our hands and feet and blindfolded us. The torture began: kicks and blows and molten plastic poured all over us. When evening came, they left us outside all night, still tied up. The torture began again the following day and Bakary did not survive".

On the night of 4/5 April 1995, **Anice Sambou**, a former hotel worker in Ziguinchor, was arrested in Niaguis. It would appear that, after an attack on the village by armed members of the MFDC, Anice Sambou's house was left unscathed; this was interpreted by the authorities as a sign of his complicity with the MFDC's armed fighters. Beaten with rifle butts, it would seem that Anice Sambou died before reaching prison. According to another source, he had his throat cut at the army camp in Niaguis.

The Amnesty International delegation was also able, in January 1995, to gather testimonies about the circumstances surrounding the death of **Kémo Sané**, a farmer who had three wives and two sons. He was arrested by soldiers at his home in Aniack one night in January 1995. Tortured by the soldiers, who poured molten plastic on his body, he was released a few days later. Suffering from multiple burns and extensive bruising, Kémo Sané returned to his village to receive traditional treatment. He died shortly afterwards as a result of the torture he had suffered. According to one witness, the soldiers had actually come looking for Kémo Sané's brother but, when they could not find him, they arrested the person who had the misfortune to be there.

7. *Material evidence of these acts of torture*

Apart from these testimonies, the two Amnesty International missions were also able to gather some material evidence of these acts of torture. Amnesty International's representatives saw the

⁸ The text of this memorandum is contained in *SENEGAL: Torture: the Casamance case*, 23 May 1990, (AI Index: AFR 49/02/90) page 4.

visible signs of torture and blows on the bodies of prisoners and former prisoners. Some still bore the marks of blows, had broken fingers and knife wounds on their arms. These marks accorded with the statements these people had made about their ill-treatment.

As regards cases of torture dating back to 1995, witnesses testify that they saw prisoners who were brought before the magistrate to be charged arrive at the court in Ziguinchor. The prisoners were ending their eight day period of *garde à vue* and "their physical condition was deplorable. Some were covered with blood, some were limping, and others had to be carried on their friends' backs because they couldn't walk".

Amnesty International's delegates also found written evidence of the existence of ill-treatment, recorded in the infirmary register at Ziguinchor prison, where the condition of prisoners on their arrival at the prison is noted. From 4 May 1995, the date of the first committal orders for prisoners from Casamance, the list of injuries alongside the name of each prisoner is striking, and Amnesty International's representatives were able to compare the statements made to them by prisoners with the contents of the infirmary register. For example, with regard to an elderly man who said he had been burned with an iron and a white-hot shovel, the register notes "burns, cuts and various bruises"; with reference to a prisoner who told the Amnesty International delegation that the gendarmes had hit him on the foot with a plank with a nail sticking out of it, the register notes "deep wound, with infection and traumatism, in the left foot".

Similarly, Amnesty International's representatives were able to gain access to the infirmary register at Dakar prison, in which the condition of prisoners on disembarking from the ship that had transported them from Ziguinchor was noted. This register is full of comments concerning "wounds to the index finger, wounds to the foot, wounds to the scalp and wounds to the tibia".

The research mission sent by Amnesty International in September 1997 was able to gather evidence and information, which were all the more irrefutable, since the alleged events had taken place only a few weeks earlier.

The testimonies of dozens of prisoners, confirmation of these practices by independent observers, the visible scars and the content of the infirmary registers are all evidence which proves that torture is still being used systematically in Casamance by the Senegalese security forces, which means that, now more than ever, there is a need to launch independent, exhaustive inquiries and put an end to the total impunity enjoyed by the people responsible for these acts.

IMPOSSIBLE TO MOURN

Since the beginning of the conflict in Casamance, dozens of civilians have been the victims of extrajudicial executions. This term refers to killings committed entirely outside the law and quite

deliberately, on the orders of the authorities. Other people have "disappeared" - these are people who are known to have been arrested by the Senegalese security forces, but whose fate is unknown (see the list in Appendix I).

Amnesty International fears that most of these people have been killed and buried in mass graves. If this is true, by refusing officially to acknowledge victims' deaths, the authorities are denying relatives the natural mourning process that follows the death of a loved one. This leaves a kind of void in which grief and hope are locked in an unbearable, unending battle that leaves surviving relatives feeling distressed and abandoned.

1. Extrajudicial executions

At about one o'clock in the afternoon of 17 August 1995, in the village of Carouate, 10 kilometres from Oussouye, soldiers burst into the home of **Bouloung Himbane**, a 70-year-old man who was no longer able to work. They killed the old man and dragged his body outside. Witnesses saw them leave and go off towards the nearby home of another elderly man, **Kassikébé Himbane**, who was also killed. One of the two widows told Amnesty International:

"I was away from the village, attending a funeral ceremony nearby. I heard the shots and came back to the village, where I found my husband lying dead on the ground. I shouted to the soldiers, who asked me if I knew this man. I said, 'Yes'. They told me: 'The law is like that. Go and find somebody to take the body away'. The soldiers were in uniform and there were about ten of them. Then they got into their vehicle and drove off".

These extrajudicial executions followed two deliberate and arbitrary killings three days earlier, in the same village, by the MFDC (see 'Abuses committed by the MFDC' page 38).

As in the case of arrests, soldiers have not hesitated to kill people with physical or mental problems. In January 1995, soldiers entered the home of **Jean-Pierre Manga**, who lived on the outskirts of Ziguinchor. According to relatives and neighbours interviewed by the Amnesty International delegation, Jean-Pierre Manga, who was about 40 years old, was a simple, slightly retarded man who was never seen in public. He was a day-labourer at SONACOS, an oil store in Ziguinchor, and went to work when his health allowed, since he was asthmatic. Beaten in front of his wife and neighbours, he was taken off to an unknown destination by soldiers. His body was found, riddled with bullets, two days later.

Civilians have also been killed at roadblocks, following identity checks. Amnesty International received, by post, an unsolicited statement by somebody who witnessed an extrajudicial execution on 23 September 1997. This witness was travelling in a public transport vehicle carrying about 15 passengers. The vehicle was stopped by soldiers on the outskirts of

Kolda at about 6.45 in the morning. One of the passengers said he did not have his identity card with him.

"The soldiers immediately burst into the vehicle and dragged him out, despite his protests. In the following minutes, I witnessed a scene of abject horror. The man was hit and beaten by seven soldiers, watched by their commanding officer. As they beat him, the soldiers insulted him in French and Wolof. His glasses were broken and the soldiers began to tie his hands. One of the soldiers hit him again and another said, 'Now we're going to cut your throat; that's what we do to rebels'. The man began to beg them to spare his life. 'They're just bluffing,' I thought to myself. 'It won't really happen.' But, to my absolute horror and eternal regret, they dragged him off, all tied up, towards the forest. They stopped about 30 metres away and one of the soldiers unsheathed his knife. I couldn't watch the actual act, but his cries and supplications and his final howl of pain will stay with me forever. Everybody was silent in the face of such brutality. We got back into the vehicle in a kind of deaf, surreal trance. It was difficult to speak and very little was said. After such horror, words have little meaning. I stared out of the window for hours and hours, watching the passing countryside..."

Another civilian was killed on the road because he had not heard the soldiers tell him to stop. On 12 July 1997, **Alphonse Diatta**, known as Reagan, a professional photographer living in Gouraffe, was on his way to a party in Ziguinchor, riding his motor cycle. Soldiers manning a roadblock at the entrance to the town told him to stop but, because he was wearing a personal stereo, the photographer did not hear them and was shot in the head.

2. "Disappearances"

All the "disappearance" cases concern people who have been arrested by the Senegalese security forces but their names are not included on lists of prisoners and nothing has been heard of them since their arrest.

Suspected of being a local MFDC political leader, **Youba Badji** was arrested in late January 1995, while he was accompanying women to the weekly market in Camaracounda. According to a witness, he was walking along the road when some soldiers asked him if he was called Youba Badji and examined his identity card. They let him go but called him back again a few minutes later. Nobody has seen him since.

Military base at Elinkine where at least two people "disappeared" in 1997

Many people have "disappeared" after being arrested at roadblocks. **Dominique Manga**, who originated from Djiwant and was working as a plumber in Cap Skirring, was arrested on 6 August 1995 by soldiers manning a roadblock at the entrance to Niambalang bridge, between Oussouye and Ziguinchor. He has not been seen alive since. A witness to his arrest, who had the courage to ask the soldiers what they were going to do with the young plumber, was told the prisoner's fate was not up to the army and that he would be handed over to the gendarmerie.

Several groups of people arrested together by the army have also disappeared. Six men, **Adama Sambou, Aliou Sambou, Alassane Amany Sambou, Fodé Sambou, Sidate Sambou** and **Malang Diatta**, all from the village of Mlomp, were arrested by soldiers in Edjoungo, in the *département* of Oussouye, on 17 July 1995. They were arrested just after they had accompanied home Queen Anna Sambou of Djiwante, the traditional representative of Casamance spiritual power in the *département* of Oussouye. Nothing has been heard of them since.

On 2 August 1995, soldiers arrested five people in the village of Essaoute, south-west of Ziguinchor: **Anomène Diatta, Nicolas Sambou, Awantaï Diatta, Jules Diatta** and the village chief, **Louis Diédhiou**. None of them has ever been seen again. One of these "disappeared" people's wives made the following statement:

"We were still in bed. There were five of us in the house: me, my husband and our three children, aged around ten, eight and seven. There had been a death in the family that day, and my daughter had got up early to sweep the entrance. Four soldiers came into the house and forced my husband to get out of bed. We were all asleep. The soldiers didn't ransack the house and didn't touch either the children or me. They tied up my husband with rope that's used to tether the goats and took him away. I stayed in the house with my children. The next day, I went to Oussouye to ask for information at the army camp. The soldiers were very agitated; there was a lot of coming and going and, since I speak neither French nor Wolof, I didn't dare speak to anyone. I wasn't able to grow any crops during the rainy season because I had nobody to help me".

Children arrested by Senegalese soldiers have also "disappeared". On 24 October 1995, Senegalese soldiers crossed the border between Senegal and Guinea-Bissau and went to the village of Essoukoudiak, where a Casamance refugee, **Jean-Pierre Sambou**, was living with his family. Jean-Pierre Sambou was arrested by the soldiers, together with two of his children, **Célestine**, known as Tuti (seven or eight years old), and **Julien**. None of them has ever been seen again. According to the two children's mother, the soldiers arrived when the entire family was busy keeping the birds off the rice fields.

"The soldiers surrounded the field. I was a little further away. The eldest of my children was able to run away. Another climbed onto a termite hill to see what was going on, because he doesn't hear very well. The soldiers grabbed them and beat them. The soldiers certainly meant to kill them. The boy managed to get away. They shot at him but missed. He's still alive. But my husband and two of my children - my son Julien and my eight-year-old daughter Célestine - were taken by the soldiers. I don't know what happened to them."

The number of "disappearances" has increased since the upsurge in incidents between the army and MFDC fighters in July 1997. In retaliation for the death of 25 soldiers killed by the MFDC on 19 August 1997, the Senegalese security forces targeted several MFDC leaders.

On 24 August 1997, two days after the bodies of 25 soldiers had been discovered in Mandina Mancagne, soldiers arrested one of the four members of the MFDC's executive bureau, **Sarani Manga Badian**, at his home, just as he was on his way to bed (see photograph page 34). He was arrested in front of numerous witnesses, including neighbours and children who were watching television in Sarani Badian's courtyard, since he was one of the few people in the neighbourhood who had a television. The soldiers searched the entire house and ill-treated some of the neighbours, including two children. According to one of the witnesses:

"A soldier came in, asking for Sarani, who tried to escape through a window; but the soldiers surrounding the house had little difficulty in catching him. They took him into his bedroom and spread him out on the floor; they walked all over him and kicked him and hit him with rifle butts all over. Sarani was screaming like a baby and his wife, who tried to intervene, was kicked in the face. Sarani was screaming with pain; he was bleeding everywhere, including from the head. He was wearing nothing but his *pagne*. The soldiers avoided speaking; they were muttering under their breath; they hit him to make him get into a lorry. There were four vehicles and about 40 soldiers. People living in neighbouring compounds were ordered to stay inside. Sarani was groaning with pain. 'It's not worth taking him away, just put him out of his misery,' said his wife to one of the soldiers. But they took him away and we haven't seen him since".

Another member of the MFDC disappeared after being arrested by soldiers: **Simon Malou**, a retired schoolmaster living in Tilène (a district of Ziguinchor), was supposed to be part of the MFDC delegation that accompanied Father Diamacoune when he went to France to consult with the movement's external branch. Simon Malou was arrested at his home on 24 August 1997, just as he was on his way to bed. According to someone who witnessed the arrest, the five soldiers who came looking for him were very impatient and did not say why he was being arrested:

"Simon was sitting on the veranda, saying his prayers before going to bed. He heard someone knocking loudly on the front door. It was Simon himself who called to his brother to open the door. As the door opened, he saw two armed men - soldiers carrying guns - who walked in without offering any explanation. Two others, also armed, stayed outside with the driver. They found Simon ready to go to bed, after finishing his prayers. He was wearing nothing but his *pagne* - no shirt or trousers. We asked them to explain but they refused to answer, simply saying that if we wanted to know, we should follow them. They forced him to go with them, prodding him in the back with their guns. Their car was parked in the road a few metres from the house; there were five of them. We tried to follow them but, since they were in a car, we couldn't keep up. They drove off in the direction of their 'camp', which is a few metres from the house. We've heard nothing since. We've lost all hope that he might be alive. Such sadness in the family. It is a tragedy for us, his children".

Sarani Manga Badian, one of the MFDC leaders who has “disappeared” since his arrest

Casamance civilians working in northern Senegal, who have simply come home to spend time with their families, have also been targeted by the army. **Jean-Pierre Nyafouna**, (see photograph page 35) a hotel worker in Mbour (near Thiès), was arrested by soldiers in Nyassia on 8 August 1997, when a transport vehicle was stopped at a roadblock. He was accused of being a member of the MFDC because he had a *grigri*, amulet. According to several witnesses, Jean-Pierre Nyafouna was screaming with pain and you could hear his cries almost as far as the army camp. He has not been seen since his arrest.

The parents of Jean-Pierre Nyafouna who has “disappeared”

Several arrests have taken place in public, as though the security forces were trying to terrify the population. **Edmond Sékou Sadio**, born in 1965, a barman in Tilène (a district of Ziguinchor), was arrested at 10.45 in the evening on 25 August 1997 by a commando unit comprising four civilians and two soldiers. He was arrested at his place of work, the Diamoraye bar, also known as Ndiago (see photograph page 36). After checking the identity cards of all the customers in the bar, members of the commando unit told them all to leave. A few minutes before entering the bar, the commando unit had arrested **François Sambou**, a nursery-school teacher. The two men have since "disappeared". Edmond Sékou Sadio's family has approached both the military commander responsible for the south, which covers Casamance, and the gendarmerie brigade, but have been told there were no patrols out that day.

Koulamouwo Edgar Diédhiou (see photograph page 36) was arrested by soldiers on 24 August 1997, when he was attending a party in the village of Siganar Bouloup, in the *département* of Ziguinchor. Since it had been pouring with rain, Koulamouwo Edgar Diédhiou's clothes were soaked and he had gone home to change. It was while he was there that he was accosted by soldiers based at the camp in the village of Siganar, who were also attending the party. Shots rang out as the party continued at the village. He was taken off in an army vehicle, towards the former *Ecole des Agents Techniques de l'Agriculture* (EATA), School for Agricultural Technicians, a national training centre for technicians in agriculture and agricultural engineering; the centre is close to Ziguinchor airport and has been partially requisitioned by the security forces. It was here that another prisoner saw him, bleeding badly and with his left thigh broken. He has not been seen since.

Wife of one of the “disappeared”, Koulamouwo Edgar Diédhiou

3. *Mass graves*

For years, Amnesty International has been publishing information about the existence of mass graves in Niaguis and at Niambalang bridge, in which an unknown number of victims of extrajudicial executions are reported to have been buried secretly. RADDHO, which also publicized these allegations, has publicly called for the launching of an independent inquiry, but the Senegalese Government has, as yet, done nothing to clarify these serious allegations.

In September 1997, Amnesty International's fact-finding mission was able to gather further information that corroborated the existence of mass graves, particularly the one at the former EATA, close to Ziguinchor airport. According to well-informed sources, a football pitch close to the former EATA was, in 1993, turned into a secret graveyard, where civilians who had been extrajudicially executed were buried at night. This practice seems to have recommenced since July 1997. Witnesses have noticed that the ground has regularly been dug and several people imprisoned at the former EATA have said they have heard shots and then never again seen some of their fellow prisoners. It would appear that, following the death of 25 Senegalese soldiers on 19 August 1997, the Senegalese security forces proceeded to arrest five members of the Balante community and one member of the Mancagne community, all from Guinea-Bissau. These people were arrested in the Kenya district (the other side of Ziguinchor airport, close to the fire station). Taken to the former EATA, they were killed at about three o'clock in the morning and buried where they were executed.

Niambalang bridge, where some of the "disappeared" are believed to be buried in mass graves

The Amnesty International delegation took vital testimonies from several Senegalese soldiers who were disgusted by the scenes they had witnessed and who, under seal of confidentiality, revealed the practices of the Senegalese army in Casamance. One of them told us:

"The army executes people. People who have no identity card are regularly arrested and executed; several people have been buried in Nyassia, Niambalang and Lindiane. As soon as someone is arrested, they are taken to the camp; suspects are questioned by the lieutenant-captain; they are pushed around, tortured, told to dig a hole and executed. Torture by pouring molten plastic over people is commonplace".

Another witness gave a specific example of an extrajudicial execution:

"After the events at Mandina Mancagne, a civilian aged about 30, who was not carrying an identity card, was arrested as he was crossing Ziguinchor airport. He was questioned and then brought before the airport's military commander; but, before the commander had time to make a decision, a soldier shot him in the chest".

These very serious and repeated allegations have never been the subject of inquiries by the Senegalese authorities, and the security forces have for years continued to violate human rights with full impunity. And yet the Senegalese army and gendarmerie claim to be well-structured, well-disciplined bodies. In view of this fact, the massive violations of human rights for which they have been responsible cannot be dismissed as "regrettable errors". It would seem that the army uses the notion of "disappearances" to conceal the widespread practice of extrajudicial executions. If, as the authorities proudly claim, Senegal really has republican security forces that obey the orders of the political authorities, then the very serious acts attributed to Senegalese soldiers and gendarmes over past years clearly imply the responsibility of the highest authorities of the State.

ABUSES COMMITTED BY THE MFDC

Since the MFDC opted for armed struggle in 1990, its military branch operating in Casamance has broken the fundamental rules of humanitarian law by committing numerous abuses. The MFDC has, for example, seriously abused human rights by killing villagers who have refused to give them food or money and by killing civilians suspected of collaborating with the Senegalese authorities, particularly traditional leaders or people from other areas of Senegal who have recently settled in Casamance.

This independence movement, which has been active since 1982, has both a political and a military structure, whose respective responsibilities are difficult to identify. A split occurred following the cease-fire agreement of 1991, when part of the movement, known as the *Front Nord*, Northern Front, and led by the MFDC's former chief of staff, Sidy Badji, renounced the armed struggle. This stance was denounced by the movement's more radical wing, the *Front Sud*, Southern Front, as a manoeuvre by the Senegalese Government to weaken the MFDC politically. The current *Front Sud*, signatory to the cease-fire agreement of July 1993, is officially led by

Father Diamacoune, though it is impossible to establish just how much influence he has over the armed fighters holed up in their bases on the Guinea-Bissau border.

1. Deliberate and arbitrary killings

Amnesty International has gathered many testimonies concerning deliberate and arbitrary killings committed by the MFDC (see Appendix II). On 14 August 1995, **Jean-Pierre Manga** and **Michel Diatta** were killed by MFDC fighters in their village of Carouante, apparently because they were suspected of acting as informers for the Senegalese security forces. One of the two widows gave the following testimony:

"They came at about nine o'clock at night and called to my husband in Diola. He went out and tried to run away, but they caught him. I took my three children and took refuge in another house, from where I heard the shots. Late at night, soldiers came to make inquiries and they found his body, full of knife wounds".

The other widow watched as armed men broke into her home at midnight, dragged her husband from bed and took him away. She heard gun shots and waited for a long time before doing anything; then she went looking for the body, which she found a few metres from the house. Neither of the two women knows why their husbands were targeted by the MFDC. One of them had called on villagers to vote in the 1993 presidential and legislative elections, but the MFDC had not bothered him at the time or threatened him since.

At the time of the 1993 elections, MFDC fighters terrorized people to make them boycott the elections, because they challenged their legitimacy. The MFDC particularly targeted Casamance dignitaries who were members of the ruling *Parti socialiste* (PS), Socialist Party. In January 1997, Amnesty International's delegation took testimonies from relatives of one of these dignitaries, **Omer Diatta**, who was President of the rural community of Oukout (one kilometre from Oussouye). In February 1993, President Abdou Diouf visited Casamance as part of the electoral campaign and was received by Omer Diatta. A few weeks later, on 13 April 1993, Omer Diatta was killed by the MFDC.

"Omer Diatta was riding his motor cycle back from Oussouye, where he had been to sing in a choir. We were all at home, waiting for him, when we heard a loud bang. Armed, masked men burst in; they pillaged our shop, taking goods worth more than two million CFA francs. They told us to help them take their booty as far as the rice fields. There, they told us they had killed Omer Diatta and told us where we would find his body. After that, the whole family had to leave the village and we have had serious financial problems."

During this same period, another PS dignitary, **Adama Ndiaye**, was killed at his home by MFDC fighters on 12 March 1993. He had been threatened several times before by MFDC members who had told him: "We're going to celebrate independence with you".

Many deliberate and arbitrary killings have been committed in front of the victim's family, as though the MFDC fighters wanted to set an example and warn people that anyone suspected of being a traitor to the cause would suffer the same fate. During the night of 17/18 March 1995, armed men went to the village of Boutoupa, looking for the village chief, who was accused of being in league with the Senegalese authorities. When they failed to find him, the armed men killed three of his colleagues. On 1 April 1995, in the village of Boulom, 15 kilometres east of Ziguinchor, armed men, apparently claiming to be MFDC members, killed **Elhadji Kéba Sagna** at his home and seriously injured his two wives; he was president of the dignitaries of the *département* of Ziguinchor.

The MFDC has also killed civilians who came from northern Senegal and were suspected of being Government collaborators. On 15 February 1995, two fishermen of the Toucouleur ethnic group, **Boubacar Bal** and **Mamadou Sy**, were tortured and shot dead by armed men claiming to be MFDC members, in the village of Kaléane, 20 kilometres south-east of Ziguinchor. These two deliberate and arbitrary killings were implicitly acknowledged by the MFDC in a statement dated 28 February 1995, which explained that the two men were killed because they were suspected "of being agents in the service of the Senegalese authorities".

Some deliberate and arbitrary killings seem to have been committed by the MFDC on the basis of ethnic criteria. Members of the Manjak, Mandingo, Balante and Mancagne ethnic group have often been the target of attacks by the MFDC, which feels that these non-Diola populations are not involving themselves in the struggle for the independence of Casamance. For example, two Manjak brothers, **Jean** and **Etienne Mendy**, were killed at their home in Niaguis on 29 July 1995. The two men were members of the PS and had received threats in 1994, which was why they had left their village of Sône and sought refuge in Niaguis. In January 1997, the Amnesty International delegation met relatives of the two dead brothers. One of their relatives gave the following testimony:

"At about eight o'clock in the evening, some Diola-speaking men from the bush came to the house; their clothes were dirty and they had foliage on their heads. They asked for Etienne and killed him by shooting him in the head. Jean was hit in the chest. Then they demanded money and a motor cycle, and left".

The increase in tension in July 1997 led to one of the MFDC's most murderous attacks against the civilian population. On the night of 7/8 September 1997, armed fighters burst into the youth centre in the village of Djibanar, in the *département* of Sédhiou, where a party was being held. They killed some ten children and young people, including two little girls - **Nakéba Diatta**

(aged eight) and **Timinadya Diatta** (aged six). Fifteen other people were injured during this attack. One of them made the following statement:

"At about three o'clock in the morning, all the children and young people were in the room where the party was being held. This was when rebels wearing combat uniform arrived. "What are you doing dancing while we are fighting for independence?" they asked. Among the rebels, I recognized a farmer from Birkama who had recruited people for the MFDC in 1992. A shot was fired outside and then the rebels began to fire on everyone in the room. I was injured in the ankle. I jumped out of the window and crawled as far away as possible. I heard shots ringing out for at least 20 minutes".

2. *Harassment of civilians*

For years, the MFDC's armed fighters have been raiding Casamance villages to get food and to force people to give them money. In 1995, information provided by civilians who had fled MFDC abuses, particularly around Efok and Youtou (close to the Guinea-Bissau border), all told stories of villages burned to the ground and civilians beaten, and even killed, when they refused to make a financial contribution to the MFDC's war effort. This was what happened, for example, in March 1995, to 60-year-old **Akagna Diédhiou**, who was killed by armed independence fighters in his village of Youtou.

Several villages have also been emptied of their inhabitants by the MFDC, so that they could use their fuel, food and livestock. People who have refused to leave their homes have been beaten or even killed. On 22 March 1995, villager **Bernard Mendy** and his wife were killed when they tried to return for their belongings at the village of Boutoupa (25 kilometres south-east of Ziguinchor), from which they had been driven by the MFDC.

The MFDC has also put pressure on civilians to force them to contribute money to the movement and, in some cases, to push young men to join the fighters' ranks. One witness told of a foray of this kind in his village in March 1995:

"The rebels came unarmed and asked the village chief to gather all the villagers in the square. They asked us to buy an MFDC card, which cost 1,000 CFA francs. Many people bought one, though some hesitated. I wanted to buy a card, just to be left in peace, but I was told I had to buy one for each member of my family (even my children) and I couldn't afford it. The rebels said we had a week to think about it, but then told us that if we refused, we'd be beaten and killed".

In other cases, the MFDC's armed fighters have stolen livestock and produce from the fields and taken villagers hostage to guarantee a safe get-away. One witness told of how the MFDC had stolen most of his brother's cattle in December 1992:

"My young brother had a herd of cattle close to Loudia (8 kilometres from Oussouye). One day, while he was gathering in the harvest, some armed men came and demanded his cattle. He recognized some of them as men who had joined the rebel forces. Of his 50 head of cattle, they took 41. They searched the house, taking clothing, money and tools, including a machete. They were also looking for shotguns. They took my brother hostage for three hours, so that he couldn't raise the alarm. Then they tried to kill him. It was dark. My brother heard a shot and pretended to have been hit. One of the men said to one of the others, in Diola: "Take this knife; we must cut his throat," but the other said it wasn't worth the bother".

This harassment has led many villagers to flee from their villages and take refuge in urban centres, where they live in poverty, because the only work they know is farming.

A WALL OF IMPUNITY

Casamance had not been able to break the pattern of violence because both parties to the conflict perceive armed force as the only way of resolving their political differences, but also because the people responsible for atrocities are never brought to justice.

Although dozens of cases of human rights abuses have been reported over many years, the two parties continue to deny the truth of this information and have thus constructed a wall of impunity behind which those responsible for further abuses can hide.

1. The Senegalese Government's reaction to allegations of human rights violations published by Amnesty International

Faced with repeated, serious allegations of human rights violations, the Senegalese authorities have persistently dismissed outright all the information provided by Amnesty International. All the testimonies made by prisoners and former prisoners, by their families and by human rights organizations that have been reported by Amnesty International have been dismissed by the authorities as lies or fantasies devoid of any truth.

The Senegalese authorities have also questioned Amnesty International's impartiality and even its ethics. For example, in response to the Amnesty International report published in May 1990 and entitled *Senegal: Torture: the Casamance case*, (AI Index: AFR 49/02/90) the Senegalese Minister of the Armed Forces at the time said, before the National Assembly, on

6 June 1990, that this document was "an incredible story written by a Casamance secessionist officially identified by the Senegalese Government".

In 1997, we once again witnessed this wish to dismiss fundamental issues in favour of vain, polemical attacks, such as the one made by Senegalese Minister of Justice, Jacques Baudin, when he stated that Amnesty International "has made us familiar with its fantastic communications and accusations, which rest on no evidence that can be produced". The Minister added that Amnesty International, "which is seeking international renown for itself, is taking the path of untruth".

As far as the Senegalese authorities are concerned, the conflict in Casamance has never involved any violations of human rights. Arrests by the security forces are never arbitrary. The White Paper published by the Senegalese authorities in October 1996 states that arrests by the security forces have concerned "people arrested while in the possession of arms" and "other individuals identified as in some way supporting the rebels, by providing them with information, providing them with resources or providing them with shelter".

As regards the allegations of torture, extrajudicial executions and "disappearances", the authorities say they have received no complaints from the relatives of these "pseudo-victims" - a term used by the Head of State himself when he met the Amnesty International delegation in January 1997.

The Minister of the Armed Forces, Cheikh Hamidou Kane, said, at a meeting with Amnesty International in January 1997, that the army could not conduct inquiries into events it knew nothing about. He said that not a single prisoner had been extrajudicially executed and that the people who had supposedly "disappeared" could very well have left their families for personal reasons or fled into neighbouring countries.

As far as the Senegalese authorities are concerned, then, it is up to the victim's family to provide evidence of events and make a formal complaint. This stance taken by the Senegalese Government, which makes judicial proceedings dependent upon the prior submission of a complaint, is contrary to the provisions of Article 12 of the UN Convention against Torture, which prescribe the launching of an impartial investigation whenever there are reasonable grounds to believe that an act of torture has been committed, whether or not the victim has lodged a complaint. What is happening, in fact, is that torture victims do not dare to lodge a formal complaint for fear of reprisals or because of external pressure.

Even in the rare cases in which Casamance civilians have managed to overcome their fear and reported the torture, extrajudicial execution or "disappearance" of a relative, the political and military authorities have not seen fit to open an inquiry.

Amnesty International is aware of several cases of this kind. In April 1995, a relative of **Pierre Ngandul**, who had been arrested by soldiers in Aniak, had the courage to go to see

Colonel Gomis, who was then Commander for the South. The colonel telephoned the army camp in Anjack and received confirmation of the execution. As far as Amnesty International is aware, no judicial proceedings followed.

In the case of the extrajudicial execution of two people in Carouante on 17 August 1995, no inquiry was launched, even though the village chief went to make a statement at the gendarmerie in Oussouye.

These examples illustrate the Senegalese authorities' stubborn refusal to investigate human rights violations committed by their security forces in Casamance. This inertia is evident in the two institutions responsible for enforcing respect of human rights: the gendarmerie and the justice system. The gendarmes have a mandate to launch inquiries into any allegations of human rights violations. This means they are the only ones in a position to investigate an allegation of ill-treatment committed by a soldier or gendarme. General Mamadou Diop, Commander-in-chief of the National Gendarmerie and Director of Military Justice, even told the Amnesty International delegation that the gendarmes have the power to initiate investigations if serious allegations are made, though he added that he was not aware of any information concerning acts of torture or extrajudicial executions in Casamance.

The Senegalese judicial system, which is supposed to fight against torture, also seems particularly disinclined to investigate these allegations. Many sources have confirmed that prisoners brought before the examining magistrate at the regional court in Ziguinchor throughout 1995 bore visible traces of injuries and ill-treatment. If a prisoner shows an injury to a magistrate, the magistrate must transmit this information to the public prosecutor, who has authority over the gendarmes, who are responsible for interrogations during *garde à vue* in their capacity as *officiers de la police judiciaire*. But the examining magistrate at the time did nothing. Similarly, the public prosecutor in Ziguinchor, informed by lawyers of the practice of torture, did nothing to pursue this information.

Those within the various services of the gendarmerie, army and justice system responsible for identifying and verifying cases of human rights violations are not doing their job - because of *esprit de corps* (unit loyalty) in the case of the gendarmerie and army and, in the case of examining magistrates, because of fear of coming into conflict with the security forces. If we add to this the discredit cast by the Senegalese authorities on all information published by human rights organizations, including Amnesty International, the system set in place to obstruct any possibility of an inquiry into a serious allegation of violations committed by the Senegalese security forces in Casamance seems to be flawless.

In only one case of torture have the Senegalese authorities actively responded in detail to an allegation presented by Amnesty International: the case of the mayor of the village of Goudomp, **Kéba Ndiaye**, who was arrested and tortured in late May 1995⁹.

In January 1997, the Senegalese authorities gave Amnesty International's delegation a copy of a judicial statement by the mayor of Goudomp, dated 4 November 1996, in which he states that he was always well treated. For the Senegalese authorities, this judicial statement was proof that all the allegations published by Amnesty International were pure inventions spread around by MFDC sympathisers.

Informed of this new element, Amnesty International's delegates questioned prisoners and former prisoners about the case of the mayor of Goudomp and received confirmation that the mayor had, in fact, been victim of the practice of mutual beatings to which prisoners are subjected during the period of *garde à vue* (see copy of handwritten testimony page 46). They even named the prisoner who had been forced to hit the mayor of Goudomp. Delegates also found a person who had been imprisoned at the same time as the mayor, who said: "The mayor was handcuffed and was hit with a baton and a rifle and kicked all over. His face was swollen and there was blood on his face and ears. His watch was broken and his ring and silver bracelet were ripped from him".

When the mayor of Goudomp, Demba Ndiaye (sic), came back to join us from the hands of the military he was completely wrecked, his clothes were in tatters. The torture he had endured and the way he had to sit on the boat from Ziguinchor to Dakar left him with terrible urinary problems. His children can testify to that because they cared for him by paying for the prescriptions.

Handwritten testimony and translation

⁹ See *SENEGAL: Widespread use of torture persists with impunity, while human rights abuses also continue in Casamance*, 28 February 1996 (AI Index: AFR 49/01/96).

Irrespective of these contradictory versions, Amnesty International wonders how much reliability can be accorded to the judicial statement presented by the Senegalese authorities. It would seem, in any case, that we are far from the immediate, independent and exhaustive inquiry advocated by all the international standards. Certainly, there was no immediate inquiry, since, conditionally released in December 1995, it was 11 months before the mayor of Goudomp was called back to the gendarmerie brigade in Ziguinchor - the very place where he had been tortured and possibly in the presence of the very men who had tortured him. This fact alone casts doubt on the independence of the inquiry. And as for its exhaustiveness, as far as Amnesty International is aware, no other witnesses to the events were questioned.

The mayor of Goudomp was, then, questioned months after the event, by the very gendarmerie company accused of having tortured him and during a time when he was only provisionally released. All these combined psychological pressures seem designed to guarantee his denial that he had been tortured - and all the more so in that one of the questions put to the mayor curiously concerned whether he was the one who had told Amnesty International that he had been subjected to torture. The possibility that pressure was exerted on an alleged torture victim, forcing him to deny the suffering he had undergone, is in itself sufficient justification for maintaining the strictest confidentiality as regards the identity of torture victims in Senegal.

2. MFDC leaders' response to the allegations of abuses published by Amnesty International

For many years, Amnesty International has publicly notified the MFDC of its concerns about the serious abuses committed by the movement's military branch. It has drawn the MFDC's attention to the fact that the rules of international humanitarian law, which cover all the parties to a conflict and, therefore, also an armed opposition group such as the MFDC, particularly proscribe attacks on civilian populations and people who are not directly involved in hostilities, including soldiers wounded in combat.

Furthermore, humanitarian law demands that the MFDC's armed opposition group take measures to prevent any such attacks. In connection with this armed conflict, Amnesty International has regularly called on the MFDC to cease abusing human rights and to give its military branch specific instructions not to kill people who are not taking an active part in the fighting.

The MFDC's political leaders have regularly assured Amnesty International that their fighters are given written instructions to this effect. This pledge was repeated in January 1997 during the meeting between Amnesty International's representatives and MFDC leaders, including Father Diamacoune and the four members of the movement's political bureau. However, the

renewal of MFDC attacks on civilians since July 1997 indicates that these promises have not been at all implemented.

Faced with the very considerable evidence provided by the Amnesty International delegation, the MFDC's leaders conceded that their movement had killed civilians considered to be supporters of the Senegalese State. They thus acknowledged their responsibility for the murder of the two Toucouleur fishermen, Boubacar Bal and Mamadou Sy, who were tortured and shot in February 1995. But they claimed that this was a mistake and that the two fishermen had been incorrectly taken for agents of the Senegalese security forces. It is worrying to realize that, in this specific case, it is the fact of mistaken identity that is regretted rather than the deliberate and arbitrary killing of people who were not taking part in the fighting. As for the other cases cited by Amnesty International, and particularly that of the dignitaries and religious figures killed by the MFDC, the movement's political leaders claimed that they had made inquiries with the armed branch which had found its armed fighters not guilty.

Father Diamacoune and the other members of the MFDC's political bureau strongly refuted information that the civilian population was being subjected to physical violence and harassment. They claimed that an independence movement would not terrorize its own people and that, if some villagers had been asked to leave their villages by the MFDC, it was in order not to rob them but to protect them against an imminent attack against Senegalese army positions.

As regards the massacre at the youth centre in Djibanar, where Amnesty International took many statements confirming the MFDC's responsibility, the movement's representatives in Europe confined themselves to stating, in a press release published on 30 September 1997, that if this "proves to be true, the MFDC, as ever, strongly condemns it". The press release goes on to sow seeds of doubt about the validity of the testimonies gathered by Amnesty International, by saying that "the Senegalese authorities have constantly intimidated the civilian population to make people tell untruths as soon as Amnesty International agents come to investigate". As we can see, the MFDC still prefers to doubt the reliability of the information published by Amnesty International rather than acknowledge its responsibility and take the necessary measures to prevent further abuses.

RECOMMENDATIONS

A Recommendations to the Senegalese Government

1. *To free the prisoners of conscience*

- Amnesty International urges the immediate and unconditional release of all prisoners of conscience in Casamance, held without evidence of their direct involvement in any act of violence.

2. *To end the practice of torture*

Official condemnation of torture

The highest State authorities should:

- clearly signal their opposition to torture;
- make it clear to all members of the security forces and to all those responsible for the application of the law that torture will not be tolerated in any circumstances and that torturers will be brought to justice;
- ensure that, during their training, all officials involved with the detention, the interrogation or the treatment of prisoners are specifically informed that torture is a criminal act and that they must refuse to obey any order to carry out torture.

Immediate adoption of protective measures during detention and interrogation

The government must guarantee that incommunicado detention does not become an opportunity for torture. Amnesty International urges a radical change in the provisions concerning detention and interrogation, in particular during the period of *garde à vue*, during which the detainees are held incommunicado, and most torture practices take place.

- It is essential that, after arrest, all prisoners appear without delay before a magistrate, and their families, lawyers or doctors be allowed to see them promptly and regularly.
- During *garde à vue*, detainees should be seen every day by someone in authority
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does not take part in the interrogation, preferably a *parquet* representative, since according to Senegalese law, the *parquet* is responsible for maintaining

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- Detainees should not be held in *garde à vue* and interrogated by officials of the same department, as is presently the case with the gendarmerie. The formal separation of these two security functions would afford some measure of protection to the detainees in that it would allow a department that does not take part in their interrogation to ensure that they are not ill-treated. Specific limits should also be fixed as regards the duration of the interrogation and the number of interrogators.
- A strict procedure should be established for the regular and personal supervision of interrogations by officials of the highest rank. A specific hierarchical order within the department would permit identification of the person charged with supervising the interrogations and with punishing those officers who violate the established order. Those with responsibility in the hierarchy who tolerate the acts of torture carried out by their subordinates should be held criminally responsible for these acts.
- The detention centres should be subject to regular visits of inspection by independent bodies.
- All detainees should be informed without delay of their rights, particularly their right to lodge a complaint against the treatment to which they are subjected. The authorities should also ensure that all complaints and information about torture become the immediate subject of an impartial and effective inquiry, the conclusions of which will be published.
- All detainees should have prompt access to a doctor of their choice when an allegation of torture or ill-treatment is made or when one suspects that torture or ill-treatment has taken place. This right should not depend on the opening of an official inquiry into the torture allegation.

Invalidity of declarations extracted under torture

- In order to ensure that interrogators do not resort to torture, the authorities should ensure that confessions and other evidence gathered under torture may never be used during a trial.

Proceedings against torturers

- It is essential that any person suspected of an act of torture be brought to justice. This principle should apply wherever such a person may be found, whatever the place where the crime was committed and whatever the nationality of the perpetrators or their victims. There must be no "safe haven" for torturers.

3. *To bring an end to "disappearances" and extrajudicial executions*

In view of the well-founded and repeated allegations of "disappearances", Amnesty International calls on the Senegalese Government to invite the UN Working Group on Enforced or Involuntary Disappearances to Senegal; to cooperate with the Working Group by providing it with specific information regarding the allegations (including information on the measures taken to discover the whereabouts of people who have "disappeared"); to investigate the facts; and to bring those responsible to justice.

- Amnesty International calls on the Government to condemn "disappearances" and extrajudicial executions, officially, publicly and at the highest level of the State, and to notify the security forces that these practices are in flagrant violation of human rights and will not be tolerated under any circumstances.
- The organization reiterates its recommendations that prompt and impartial inquiries be opened into all recent allegations of extrajudicial executions and "disappearances" which involve the Senegalese security forces in the context of the conflict in Casamance, and that those responsible are brought to justice.
- State officials suspected of involvement in extrajudicial executions and "disappearances" should be immediately relieved of their functions for the duration of the inquiry.
- The relatives of the victim should have access to all information concerning the inquiry, and be authorized to provide evidence. Plaintiffs, witnesses and lawyers, as well as every other person linked with the inquiry should be protected against any act of intimidation or reprisal.
- The inquiry should continue until the fate of the victim has been officially clarified.

B Recommendations to the MFDC

To bring an end to torture, as well as deliberate and arbitrary killings

- Amnesty International calls on the MFDC to take immediate steps to end torture and deliberate and arbitrary killings and to prevent such acts.
- The leaders of the MFDC must make it clear to those under their command that they are totally opposed to the torture and killing of prisoners and non-combatants. Amnesty International urges these leaders to exercise strict chain of command control over their forces and to hold responsible for their actions any member who has committed human rights abuses, or allowed them to be committed. Furthermore, the leaders of the MFDC must ensure that any person suspected of such actions is removed from any position of authority or duties which would provide them with the opportunity of committing further human rights abuses.

C Recommendations to both parties

Amnesty International calls upon both parties to the conflict to respect the fundamental principles of humane behaviour as set out in common Article 3 of the four Geneva Conventions of 1949, including treating civilians and anyone taking no active part in the hostilities humanely and preventing any illegal executions or torture.

Two Casamance human rights activists, Anquiling Diabone and Bénédict Lambal

Appendix I

LIST OF PEOPLE WHO HAVE "DISAPPEARED" SINCE 1992

The 52 civilians who are mentioned in this list were arrested by the Senegalese security forces. They have not been seen since. This list is far from exhaustive and only includes cases which Amnesty International was able to investigate. Amnesty International gathered information about dozens more cases of "disappearances" but was not able to verify whether the people concerned had indeed been arrested by the Senegalese security forces.

DATE	NAME AND PERSONAL DETAILS	PLACE OF ARREST	OTHER INFORMATION
September 1992	Famara BODIAN, aged 24, shopkeeper from the Gambia Ibou SANGA (known as "Blanc"), aged 50	Kaguitt	Following an attack by the MFDC on a military camp in Kaguitt, the army rounded up all men aged between 14 and 70. They were searched and beaten. Two of them, Ibou Sanga and Famara Badian were taken away in the direction of Ziguinchor. No news since.
October 1992	Ansou COLY, aged 15 Lamine COLY, aged 18 Assane DIEDHIOU, aged 15 Younousse SANGA Aliou Badaré SOMÉ, aged 15	Near Bissine	These five young people were arrested by soldiers on the road near Bissine. No news since.
1 November 1992	Jean-Pierre Koussalèyodo MANGA, from Niambalang	Ziguinchor	Arrested at a checkpoint at the entrance to Ziguinchor, he was reportedly carrying a MFDC membership card. No

			news since.
November 1992	Frédéric DIATTA, from Pointe Saint-Georges Dominique DIÈMÉ, Ponta village Chief	Ponta	These two men were arrested by soldiers the day after an armed attack by the MFDC on Pointe Saint-Georges. No news since.
November 1992	ALILINGUENE family: the father and his three sons	in Diakane Diola, near Oussouye	The entire Alilinguene family was arrested and taken to Ziguinchor. The women were released a few days later. The father and his three sons were accused of having participated in an MFDC attack and were reported to have been taken to the Edjoungo military camp, near Oussouye. No news since.
29 December 1992	Baïmoul (or Bajingor) SAMBOU, from Djiromaït and living in Oussouye	Oussouye	Arrested in Oussouye. He was reported to have been taken to the Edjoungo military camp. No news since.
2 January 1993	Bruno BASSÈNE, from Diakène	Near Ziguinchor	Arrested reportedly because he had witnessed the murder of Théodore and Ignace Djivounouk, two villagers also from Diakène, killed by soldiers in late December 1992. No news since.
14 January 1993	Edouard BASSÈNE Jean-Baptiste BASSÈNE Jean-Marie BASSÈNE Nicolas BASSÈNE	Dar Salam	Arrested by the army in Dar Salam village. No news about these seven men since.

	Ousmane BASSÈNE Gaston MANGA Daniel TANDENG		
February 1993	Simon Ampa Gomis DIATTA, bricklayer living in the district of Cadjifoulong (Mlomp)	Oussouye	Arrested at the market in Oussouye, he was reportedly taken to the Edjoungo military camp. No news since.
24 January 1995	Youba BADJI, from the village of Aniack	Camaracounda	Arrested by soldiers during an identity check: he was accompanying women to the weekly market of Camaracounda. No news since.
In the night of 17 to 18 February 1995	Amadou SANE Malang SANE	Aniack, an area of Niaguis	Arrested by soldiers in their village. No news since.
19 February 1995	Oumar DIEME Souleymane MANGA	Bissine	Arrested by soldiers in the village of Bissine. No news since.
6 August 1995	Dominique MANGA, from Djiwant, plumber in Cap Skirring	at the checkpoint on the Niambalang bridge situated between Oussouye and Ziguinchor.	Arrested by soldiers on duty at the bridge who were carrying out identity checks. No news since.
17 July 1995	Malang DIATTA Adama SAMBOU	In Edjoungo, Oussouye <i>département</i>	These six men were arrested by soldiers shortly after they had escorted Queen Anna Sambou of Djiwante back to her home. The queen is the traditional representative of Casamance spiritual power for the Oussouye

	<p>Alassane Amany SAMBOU</p> <p>Aliou SAMBOU</p> <p>Fodé SAMBOU</p> <p>Sidate SAMBOU</p> <p>all from the village of Mlomp</p>		<p><i>département</i>. No news of them since.</p>
2 August 1995	<p>Anomène DIATTA</p> <p>Awantai DIATTA</p> <p>Jules DIATTA</p> <p>Louis DIEDHIOU, Essaute village Chief</p> <p>Nicolas SAMBOU</p> <p>all from Essaute</p>	<p>Essaute, Oussouye <i>département</i></p>	<p>These five people were arrested in the early morning at their home in the presence of their family. No news since.</p>
24 October 1995	<p>Jean-Pierre SAMBOU and two of his children, Célestine (known as Tuti) SAMBOU (f), aged 7-8, and Julien SAMBOU</p>	<p>near the village of Essoukoudiak, inside Guinea Bissau</p>	<p>Arrested by Senegalese soldiers who had crossed the border. These people who had found refuge in Guinea Bissau have never been seen again.</p>
3 August 1997	<p>Kadialy SANE, aged 40, farmer from</p>	<p>Kandialan</p>	<p>Arrested near the Kandialan military camp. No news</p>

	Bagaya		since.
8 August 1997	Jean Pierre NYAFOUNA, employee in a hotel in Mbour (near Thiès)	Nyassia	Arrested in Nyassia by soldiers at a vehicle road check. He was accused of being a member of the MFDC because he was wearing a <i>grigri</i> (amulet). Not seen again.
24 August 1997	Sarani MANGA BADIAN, one of the four members of the Executive Bureau of the MFDC	Ziguinchor	Arrested at his home at about 9.30 in the evening by members of the Senegalese security forces as he was about to go to bed. His arrest took place in the presence of several family members and neighbours. No news since.
24 August 1997	Koulamouwo Edgar DIEDHIOU	in the village of Siganar Bouloup, Ziguinchor <i>département</i>	Arrested in the evening by soldiers while he was attending a celebration held in his village. No news since.
24 August 1997	Simon MALOU, a retired primary school teacher	in Tilène, a district of Ziguinchor	Arrested by soldiers at his home in the presence of his family as he was about to go to bed. No news since.
25 August 1997	Léon TOUPANE, sexton at the Ziguinchor cathedral	Ziguinchor	Arrested at his home by soldiers. No news since.
25 August 1997	Edmond Sékou SADIO, aged 32, barman in Tilène (an area of Ziguinchor)	Ziguinchor	Arrested at about 10.45 in the evening by a commando composed of four civilians and two soldiers at his place of work, the Diamoraye bar called "Bar Ndiago". No news since.
25 August 1997	François SAMBOU, a pre-school teacher	Ziguinchor	Arrested in the street a few minutes before Edmond Sékou SADIO (see above) by the same commando. No news since.

Appendix II

LIST OF CIVILIANS KILLED BY THE *MOUVEMENT DES FORCES DÉMOCRATIQUES DE CASAMANCE* (MFDC) SINCE 1992

The 27 civilians named in this list were all killed by armed combatants of the MFDC. The bodies of the victims were found close to the place where they had been abducted by combatants of the independence movement. This list is far from exhaustive and only includes cases which Amnesty International was able to investigate. Amnesty International gathered information about dozens more alleged cases of deliberate and arbitrary killings by the MFDC but was not able to verify whether the victims had indeed been executed by members of the armed forces of the Casamance independence movement.

DATE	NAMES AND PERSONAL DETAILS	PLACE OF ARREST	OTHER INFORMATION
September 1992	Boubacar MANE, Bissine village Chief	Bissine	Accused of opposing independence for Casamance, he was abducted and hanged by combatants of the MFDC.
3 December 1992	Dawda KIEME, member of the <i>Parti socialiste</i> (PS), Socialist Party.	Ziguinchor	Known for his opposition to the independence movement. He was killed at his home.
5 January 1993	Sekou BADJI, retired gendarme	Kignabou	Killed in his village.
21 February 1993	Jonas DIATTA, from Mlomp Babacar NDIAYE, teacher in Oussouye	Boukitingo	Both were members of the <i>Parti démocratique sénégalais</i> (PDS), Senegalese Democratic Party. They were killed reportedly because they had opposed MFDC calls for a boycott of the 1993 presidential and legislative elections.
11 March 1993	Baïlo DIALLO, shepherd from the Peul ethnic group	Diakène Wolof	Abducted in his village, his mutilated body was found three days later.
12 March 1993	Adama NDIAYE, member of the PS	Diakène Wolof	Accused of having denounced supporters of the MFDC, he was killed in his village.
13 April 1993	Omer DIATTA, President of the rural community of Oukout	near Oussouye	Killed as he was riding his moped. The MFDC had reproached him for having

			received President Abdou Diouf in his home during the electoral campaign in the region, in February 1993.
15 February 1995	Boubacar BAL Mamadou SY fishermen from the Toucouleur ethnic group	Kaléane	Originating from the north of Senegal, they were accused of acting as agents for the Senegalese security forces. They were tortured and then shot dead.
March 1995	Akagna DIEDHIOU, aged 60	Youtou	Killed reportedly because he had refused to contribute financially to the armed activities of the MFDC.
22 March 1995	Bernard MENDY and his wife.	Boutoupa	Driven away from their village Boutoupa by MFDC combatants, they were killed when they tried to return to collect their belongings.
1 April 1995	El Hadj Kéba SAGNA, traditional Chief, President of the dignitaries of the Ziguinchor <i>département</i>	Boulom	Accused of supporting the policies of the Senegalese government. He was killed at his home.
29 July 1995	Etienne MENDY Jean MENDY Two brothers from the Manjak ethnic group, members of the PS	Niaguis	Killed in their home. They had been threatened on several previous occasions by MFDC combatants because of their membership of the PS.
14 August 1995	Michel DIATTA Jean-Pierre MANGA	Carouate	Accused of acting as informers for the Senegalese security forces, they were abducted at their home and killed a few metres away.
Night of 7 to 8 September 1997	Nakéba DIATTA, aged 8 (f) Papisse DIATTA, aged 20, a deaf mute. Timinadya DIATTA,	Djibanar, district of Sédhiou.	MFDC combatants burst into the youth centre in the village of Djibanar where a party was being held. They reproached the villagers for dancing while they themselves were fighting for

	<p>aged 6 (f)</p> <p>Abdoulaye MANE, aged 16</p> <p>Fily Bayo MANE, aged 15</p> <p>Sékou MANE, aged 9</p> <p>Yafaye MANE, aged 9</p> <p>Famata SADIO, aged 14 (f)</p> <p>Yaya SADIO, aged 22 , farmer</p>		<p>the independence of Casamance. They fired indiscriminately on the crowd and killed nine people injuring 15 others.</p>
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Appendix III

Common Article 3 of the four Geneva Conventions

“In the case of armed conflict not of an international character occurring in the territory of one of the High Contracting Parties, each Party to the conflict shall be bound to apply, as a minimum, the following provisions:

1. Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed *hors de combat* by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria.

To this end, the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons:

- (a) Violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;
- (b) Taking of hostages;
- (c) Outrages upon personal dignity, in particular humiliating and degrading treatment;
- (d) The passing of sentences and the carrying out of executions without previous judgement pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples.

2. The wounded and sick shall be collected and cared for.

An impartial humanitarian body, such as the International Committee of the Red Cross, may offer its services to the Parties to the conflict.

The Parties to the conflict should further endeavour to bring into force, by means of special agreement, all or part of the other provisions of the present Convention.

The application of the preceding provisions shall not affect the legal status of the Parties to the conflict.”