

EXTERNAL

AI Index: AFR 62/09/95

EXTRA 150/95 Arbitrary detention / Fear of ill-treatment 27 November 1995

**ZAIRE**Batabiha BUSHOKI, secretary general of a Zairean non-governmental organization

**Prosper KAKOY - now released**

**Maître Live Rive PALUKU - now released**

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Concern for the physical safety of Batabiha Bushoki, arrested on 21 November 1995, has been heightened by allegations that two men detained with him were beaten in custody. Batabiha Bushoki, who is general secretary of the *Groupe d'Etudes et Actions pour un Développement bien défini* (GEAD), Study and Action Group for a Well-defined Development, and President of the *Campagne pour la paix*, Campaign for Peace, in North Kivu, is currently being held in a military camp in Goma in North Kivu in eastern Zaire.

Batabiha Bushoki was arrested along with Prosper Kakoy, vice-president of the regional branch of the *Union pour la Démocratie et le Progrès Social* (UDPS), Union for Democracy and Social Progress, and Maître Live Rive Paluku, regional president of the *Union Nationale des Démocrates Fédéralistes* (UNADEF), National Union of Federalist Democrats. All three were attending a meeting of Zairean local authorities, political parties and non-governmental organizations (NGOs) which had convened to meet the former President of the United States, Jimmy Carter, who was visiting the region.

According to reports, the three men were arrested after responding to questions posed to them by international journalists. They were reportedly led away (and thus were excluded from the meeting with Jimmy Carter), and beaten by members of the *Service d'action et de renseignements militaires* (SARM), Military Action and Intelligence Service, before being taken to a SARM camp in Goma.

After local pressure, Prosper Kakoy and Maître Live Rive Paluku were released uncharged on 22 November. Both individuals have testified that they were beaten in detention, raising fears that Batabiha Bushoki may also be facing ill-treatment. Torture and ill-treatment of political prisoners is common in Zaire. He has not been charged and it seems that he may have been arrested solely for expressing his opinions to the international media. Local authorities have refused to authorize a peaceful march by human rights activists to protest at the arrests.

#### **BACKGROUND INFORMATION**

Jimmy Carter was visiting the Goma region on the morning of 21 November in order to meet with local authorities, refugees and NGOs in preparation for a conference due to be held shortly in Cairo, Egypt, to seek solutions to the conflicts in the Great Lakes region.

The presence of thousands of refugees from Rwanda and Burundi in eastern Zaire has contributed to heightened insecurity in the region. Local human rights and development NGOs have been active in calling for action from the Zairean authorities to re-establish security in the Goma region.

Batabiha Bushoki, former president of the *Conseil régional des ONGs de développement* (CRONGD), Regional Council of Development NGOs, is a long-time critic of both military and civilian authorities in Zaire. While president of CRONGD, Batabiha Bushoki signed a public statement calling for the

resignation of both the governor of North Kivu and the regional military commander. He has since received death threats, allegedly from military authorities.

**RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters French or your own language:**

- expressing concern at the continued detention without charge of Batabiha Bushoki, and calling for his immediate and unconditional release unless he is to be promptly charged with a recognizably criminal offence and brought to trial without further delay;
- seeking assurances that Batabiha Bushoki is not being subjected to torture or ill-treatment, and urging that he be granted access to a lawyer of his choice and any medical attention he may need;
- expressing concern at allegations that the two men detained with him on 21 November, Prosper Kakoy and Maître Live Rive Paluku, were beaten in custody, and calling for these allegations to be thoroughly and impartially investigated and for anyone found responsible to be brought to justice.

**APPEALS TO:**

*Due to the current difficulties encountered with direct communication links with Zaire we are requesting that appeals be made to the President and the Prime Minister through the Embassy of Zaire in Belgium, with a request to forward them on to Zaire.*

1) President

Son excellence Monsieur Maréchal MOBUTU Sese Seko  
Président de la République du Zaire  
C/O Ambassade de la République du Zaire  
30 Rue Marie de Bourgogne  
1040 Bruxelles, Belgium

**Faxes: + 32 2 5140403 / 5123911**

**Telegrams: President Mobutu, c/o Zaire Embassy, Brussels, Belgium**

**Salutation: Monsieur le Président / Dear President**

2) Prime Minister

Monsieur Kengo Wa Dondo  
Premier Ministre  
C/O Ambassade de la République du Zaire  
30 Rue Marie de Bourgogne  
1040 Bruxelles, Belgium

**Faxes: + 32 2 5140403 / 5123911**

**Telegrams: Premier Ministre, c/o Zaire Embassy, Brussels, Belgium**

**Salutation: Monsieur le Premier Ministre / Dear Prime Minister**

**COPIES TO:** diplomatic representatives of Zaire accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 29 December 1996.