

EXTERNAL (for general distribution)

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UA 180/94

Legal concern / torture

6 May 1994

BURUNDI

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Pontien Ndayegamiye  
Pierre Nzisabira  
Jean-Marie Nibirantije  
Alexandre Manirakiza

and 18 others

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The 10 people named above and 18 others were arrested on 29 April 1994 by members of the security forces during an operation to disarm armed civilians in Kamenge suburb of the capital, Bujumbura. They are being held at the Gendarmerie's *Brigade spéciale de recherche* (BSR), Special Investigation Brigade. Amnesty International is concerned about reports that some or all of them have been subjected to severe beatings and other forms of ill-treatment, and have sustained serious injuries as a result. They have not been charged with any specific offenses or referred to a judicial authority.

The detainees were among hundreds of Kamenge residents who were ordered to leave the suburb in an attempt to disarm and arrest civilians in possession of firearms. They were first detained at the police training school known as *Ecole nationale de police* (ENAPO) and subsequently transferred to the BSR. A source has informed Amnesty International that they appear to have been severely beaten and suffered other forms of cruel, inhuman or degrading treatment. Some have swollen feet or faces, while others have their arms in slings. Some have wounds on their knees as a result of being forced to kneel on sharp objects. This type of ill-treatment is consistent with practices of the Burundi security forces in recent years.

#### BACKGROUND INFORMATION

The arrests at the end of April 1994 occurred in the context of the violence which engulfed most of Burundi in the aftermath of an attempted coup last October during which President Melchior Ndadaye was extrajudicially executed by the army. Although much of the violence had abated by the end of 1993, sporadic killings of Hutu by members of the security forces and between armed Hutu and armed Tutsi civilians have continued, mostly in Bujumbura.

During March 1994 about 500 Hutu civilians were reportedly killed during operations by the armed forces to disarm civilians in Kamenge. In April the authorities issued an ultimatum to armed Hutu civilians to surrender their weapons or be attacked. Now weapons were surrendered, leading to the operation in Kamenge at the end of April. The army first bombarded the suburb and then searched for the armed civilians. It has been reported that no firearms were recovered and that those arrested had no weapons. The arrests were apparently based on unsubstantiated suspicion or accusation of possessing firearms. Nine other persons arrested on 29 April are reported to have "disappeared" (see UA 181/94, AFR 16/12/94, 6 May 1994).

**RECOMMENDED ACTION:** Please send telegrams/telexes/faxes/express and airmail

**letters either in French, English or in your own language:**

- expressing concern at reports that some or all of the 28 people (naming some) arrested in Kamenge on 29 April 1994 were subjected to severe beatings and other forms of ill-treatment;
- expressing concern at reports that they have not been charged with any specific offence and have not been allowed access to legal counsel or referred to a independent judicial official to decide on the legal basis for their detention;
- urging the authorities to ensure that the detainees will not be subjected to further ill-treatment and that they will be allowed immediate access to medical care;
- urging the authorities to investigate reports of torture and other forms of ill-treatment with a view to bringing those responsible to justice, as required by the United Nations Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment ratified by Burundi in 1993;
- urging the authorities to release the detainees unless they are to be promptly charged with recognizably criminal offenses and given a fair trial.

**APPEALS TO**1) President:

Son Excellence

le Président Sylvestre NTIBANTUNGANYA

Président de la République

Présidence de la République

BP 1870, Bujumbura

République du Burundi

**Telegrams: President Ntibantunganya, Bujumbura, Burundi****Telexes: 5036 PRESIBU BDI****Faxes: 257 22 6424****Salutation: Monsieur le Président de la République/Dear President**2) Minister of Defence

Col. Gédéon FYIROKO

Ministre de la Défense nationale

Ministère de la Défense nationale

BP 1870

Bujumbura, République du Burundi

**Telegrams: Ministre Fyiroko, Bujumbura, Burundi****Faxes: 257 22 21 48****Salutation: Monsieur le Ministre/Dear Minister**3) Army Chief of Staff:

Lt-Col Jean BIKOMAGU

Chef de l'Etat-major général des Forces armées

Etat-major général des Forces armées

Ministère de la Défense nationale

Bujumbura, République du Burundi

**Telegrams: CEM Bikomagu, Bujumbura, Burundi****Faxes: 257 22 21 48****Salutation: Monsieur le Chef d'Etat-major/Dear Chief of Staff****COPIES OF YOUR APPEALS TO:**Officer in charge of investigations

Major Dieudonné Nzeyimana

Brigade spéciale de recherche

Gendarmerie nationale  
Bujumbura  
République du Burundi

Minister for Human Rights  
Monsieur Issa NGENDAKUMANA  
Ministre des droits de l'homme et des Réfugiés  
Ministère des droits de l'homme  
Bujumbura, République du Burundi

and to diplomatic representatives of Burundi accredited to your country

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat,  
or your section office, if sending appeals after 17 June 1994.