

EXTERNAL (for general distribution)

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Legal and Ill-Treatment Concerns

11 November 1991

RWANDA

Jean-Marie Vianney Mutokambali

Alexis Bizimana

Ernest Ntagara

David Kabera

Bushimire

Kayitankore

Ntagengwa

Tugirimukiza

The eight mentioned above were reportedly arrested between 20 and 22 October 1991 in Nyamata, Kanzenze commune (district), Bugesera Sous-préfecture (administrative sub-region) in Kigali préfecture (administrative region) on the orders of local government officials and are held in a prison at Kanzenze commune headquarters. They are reportedly accused of insulting President Juvenal Habyarimana but they have not been charged with any specific offence. There have been reports that they were subjected to severe beatings after their arrest.

Seven other people were also reportedly arrested in Nyamata in October 1991 and subjected to severe beatings before being released. Amnesty International has received reports that they are all still suffering ill-health as a consequence of these beatings.

BACKGROUND INFORMATION:

At least 8,000 people, most of them members of the minority Tutsi ethnic group, were arrested following a violent attack on Rwanda by Uganda-based Rwandese exiles, who are members of a rebel group known as the *Front patriotique rwandais* (FPR), Rwandese Patriotic Front. Many of those arrested were reportedly subjected to various forms of ill-treatment, including beatings, and some were tortured by soldiers, gendarmes or other security officials. Some prisoners were executed extrajudicially, especially in northern Rwanda. Most of the 8,000 detainees were released by the end of April 1991. About 30 civilians, 15 captured combatants and about several dozen soldiers remain in detention. Eighteen of the 25 civilians who were tried at the beginning of the year are serving prison sentences; several soldiers were sentenced in mid-1991 to various prison terms and a number of others are reportedly awaiting trial.

Another eight people arrested on 21 and 22 October 1991 in Nyamata, Kanzenze commune, Kigali préfecture have reportedly "disappeared" (See UA 382/91, AI Index: AFR 47/13/91, 8 November 1991). All those arrested were reportedly either members of the Tutsi ethnic group, suspected supporters of opposition parties or the rebel *Front patriotique rwandais* (FPR), Rwandese Patriotic Front.

In June 1991 Rwanda's Constitution was amended to replace the one-party state with a multi-party system, although the same political party has remained in power. There have been reports that supporters of some of these parties, especially the **Parti libéral** (Liberal Party), have been harassed and ill-treated by government and security officials. On 25 October 1991 David Gatera, the brother of Justin Mugenzi, President of the **Parti libéral** was killed at his home in Kigali by unidentified attackers armed with a gun and grenades. There has been speculation in Rwanda that David Gatera may have been killed by supporters of the ruling Movement républicain national pour la démocratie et le développement (MRND), Republican National Movement for Democracy and Development.

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RECOMMENDED ACTION: Telegrams/telexes/faxes/express and airmail letters:

- expressing concern at the reported arrest and detention in Kanzenze commune in October 1991 of **Jean-Marie Vianney Mutokambali, Alexis Bizimana, Ernest Ntagara, David Kabera, Bushimire, Kayitankore, Ntagengwa, Tugirimukiza**, apparently because they are suspected of supporting opposition political parties;
- inquiring whether they are still being held and if so whether they have been charged with any specific offences;
- expressing concern at reports that they were severely beaten after they were arrested;
- seeking assurances that **Jean-Marie Vianney Mutokambali, Alexis Bizimana, Ernest Ntagara, David Kabera, Bushimire, Kayitankore, Ntagengwa, Tugirimukiza** are no longer being ill-treated and are allowed access to independent legal counsel, medical attention and their relatives;
- expressing concern at reports that seven other people were severely beaten before being released;
- urging the authorities to order an independent and impartial investigation into the allegations of ill-treatment and to bring anyone found to be responsible to justice;
- urging the authorities to give public instructions to members of the security forces responsible for arrests and detention of suspects that the torture or ill-treatment, including beatings, of those arrested is prohibited;
- urging that these eight detainees should be released immediately unless they are charged with a recognizably criminal offence and promptly brought to trial.

APPEALS TO

1) President:

Son Excellence Juvénal HABYARIMANA
Président de la République
BP 15, Kigali, République Rwandaise

Monsieur le Président
Dear President

Telegrams: President Habyarimana, Kigali, Rwanda
Telexes: 22517
Faxes: + 250 74583

2) Prime Minister:

Monsieur Sylvestre NZANZIMANA
Premier Ministre
Présidence de la République
BP 15, Kigali, République rwandaise

Telexes: 22517

Faxes: + 250 74583

Monsieur le Premier Ministre

Dear Prime Minister

3) Minister of Justice:

Ministre de la Justice
Ministère de la Justice
BP 160, Kigali, République rwandaise

Monsieur le Ministre

Dear Minister

Telegrams: Ministre Justice, Kigali, Rwanda

Telexes: 22502

4) Minister of Defence and Security:
Le Colonel Bem Augustin NDINDILYIMAN
Ministre à la Présidence pour
la Défense et la Sécurité
BP 15, Kigali, République rwandaise

Monsieur le Ministre
Dear Minister

Telegrams: Ministre Defense et Securite, Kigali, Rwanda

COPIES TO AT LEAST TWO OF THE FOLLOWING:

Monsieur le Docteur Casimir BIZIMUNGU
Ministre des Affaires étrangères
et de la coopération
Ministère des Affaires étrangères
BP 179, Kigali, République Rwandaise
Faxes: +250 72902 or +250 72904

Monsieur Donat HAKIZIMANA
Secrétaire général
Service central de renseignements (SCR)
BP 125, Kigali, République rwandaise (National security service)

and the following newspapers:

- Monsieur le Rédacteur-en-Chef, Imvaho, BP 83, Kigali, République rwandaise
- Monsieur le Rédacteur-en-Chef, Kinyamateka, BP 761, Kigali, République rwandaise
- Monsieur le Rédacteur-en-Chef, La Relève, Office rwandaise d'information, BP 83, Kigali, République rwandaise
- Monsieur le Rédacteur-en-Chef, Le Consommateur Africain, BP 1852, Kigali, République rwandaise
- Monsieur le Rédacteur-en-Chef, Isibo, Bureau central, BP 2258, Kigali, République rwandaise
- Monsieur le Rédacteur-en-Chef, Le Tribun du Peuple, BP 2314, Kigali, République rwandaise

and to diplomatic representatives of Rwanda in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 23 December 1991.