

16 March 2007

UA 65/07      Forcible return/ fear of torture or ill-treatment

RWANDA/      Francois Ruceba (m), aged 45      ]  
UGANDA      Jackson Safari (m), aged 43      ]  
                Peter Kabagambe (m), aged 34      ]  
                Peter Bisamaza (m), aged 22]      ]  
                Vedaste Lyarwema (m), aged 40      ] Rwandan nationals  
                Paul Rwangabo (m), aged 28]      ]  
                Daniel Kazungu (m), aged 22]      ]  
                Aloysius Badege (m), aged 20      ]  
                Asumani Rutigana (m), aged 31      ]  
                Ismail Salomo (m), aged 18      ]  
                And approximately 60 further individuals

The 10 men named above were forcibly returned on 13 March from Uganda to Rwanda, on suspicion of involvement with an illegal armed group. Amnesty International fears that they are likely to face torture or ill-treatment, and an unfair trial, at the hands of the Rwandan authorities. Approximately 60 further individuals in Uganda facing similar accusations are also at imminent risk of forcible return to Rwanda. They all claimed that they fled Rwanda fearing for their lives, and at least one had initiated an application for asylum in Uganda.

The 10 were handed over by the Ugandan government to Rwanda's chief of external security, Joseph Nzabamwita on 13 March in the town of Kibale in western Uganda. They are believed to be detained at Remera Military Barracks in the Rwandan capital, Kigali. The Rwandan authorities allege that the 10 Rwandan nationals are members of the *Rassemblement du Peuple Rwandais* (Assembly of Rwandan People), an armed group seeking to overthrow the country's government. They were arrested in different locations by Ugandan Military Intelligence agents who alleged that the 10 Rwandese had been recruiting members for the *Rassemblement du Peuple Rwandais* in refugee camps and villages in Central and Western Uganda.

Amnesty International believes that there is a real risk that detainees will be tortured or subjected to other inhuman and degrading treatment in Rwanda. Rwanda has not ratified the UN Convention against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment (CAT).

**BACKGROUND INFORMATION**

Amnesty International has received numerous consistent reports of torture, extrajudicial killings and prolonged detention without trial of people alleged to be members of rebel groups based in Rwanda and Uganda. In 2006, the United States District Court of Columbia found in the case of *USA vs Francois Karake et al* that three Rwandan nationals alleged to have confessed to the murder of eight foreign nationals and one Ugandan guide in Bwindi Impenetrable National Park near the Ugandan border with Rwanda in 1999 were all tortured into "confessing" by the Rwandan army. All three of those accused admitted to being members of the armed rebel group, the Army for the Liberation of Rwanda (ALIR).

Amnesty International opposes the transfer of cases to Rwanda until the Rwandan government is able to guarantee full security to returned suspects during and after their detention; and until the Rwandan legal system can guarantee suspects the right of fair trial in accordance with internationally-recognized law and standards. Amnesty International has documented several cases of people, accused of crimes of genocide, who have been in pre-trial detention for more than 12 years.

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

To the Rwandan authorities:

- expressing concern for 10 men transferred from Uganda to Rwanda on 13 March;
- urging the Rwandan government to ensure that they are not subject to torture or ill-treatment;
- calling for them to be given immediate access to lawyers, relatives and all necessary medical treatment, and for the authorities to ensure that they are brought promptly before a court in accordance with international fair trial standards.

To the Ugandan authorities:

- expressing concern at the forcible return of 10 men to Rwanda on 13 March, and at reports that approximately 60 others are also at imminent risk of forcible return;

- urging the Ugandan authorities to uphold their obligations under the Convention against Torture to ensure that they do not extradite individuals to a situation where they face torture, or other cruel, inhumane or degrading treatment;
- urging the authorities to halt any further extraditions or other transfers of detainees to Rwanda until human rights standards regarding security of suspects and fair trials are demonstrated in Rwanda.
- calling for the Ugandan government to ensure access to fair asylum processes for Rwandans fleeing persecution, and to uphold the principle of *non-refoulement* of asylum-seekers and refugees.

**APPEALS TO:**

**Rwanda**

Maj.- Gen. Marcel Gatsinzi  
Minister of Defence and National Security  
BP 85, Kigali, Rwanda  
**Fax: + 250 577197**  
**Salutation: Dear Minister**

Sheikh Fazil Musa Harerimana  
Minister of Internal Security  
BP 446, Kigali, Rwanda  
**Fax: + 250 582071**  
**Salutation: Dear Minister**

Lt. Col. Joseph Nzabamwita  
External Security Service  
Office of the President, BP15, Urugwiro Village, Kigali, Rwanda  
**Fax: +250 584390**  
**Salutation: Dear Lt Col. Nzabamwita**

**Uganda**

Dr. Chrispus Kiyonga.  
Minister of Defence  
Ministry of Defence, P.O. Box 132, Bombo, Uganda  
**Email: ckiyonga@parliament.go.ug**  
**Salutation: Dear Minister**

Col. Leopold Kyanda  
Chief of Military Intelligence  
P.O. Box 132, Bombo, Uganda  
**Fax: +256 41 349462**  
**Salutation: Dear Col. Kyanda**

**COPIES TO:** diplomatic representatives of Rwanda and Uganda accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 27 April 2007.

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