

PUBLIC

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Torture/ill-treatment/ Unlawful detention

07 January 2004

BURUNDI

**Alexis NIMUBONA alias “Cewusi” (m)
Several others, names not known**

Alexis Nimubona is being unlawfully detained in an unofficial detention centre in southern Burundi after being arrested by members of Burundi's main active armed political group, the *Conseil national pour la Défense de la Démocratie – Forces pour la Défense de la Démocratie*, National Council for the Defence of Democracy – Forces for the Defence of Democracy, led by Pierre Nkurunziza and referred to as the CNDD-FDD (Nkurunziza). He is at serious risk of torture or ill-treatment.

CNDD-FDD (Nkurunziza) members have arrested and detained, mostly briefly, scores of people across the country since December 2003. Amnesty International considers them to be at serious risk of ill-treatment as several people detained in this way are known to have been whipped or beaten.

Alexis Nimubona, also known as Cewusi, was arrested by members of the CNDD-FDD (Nkurunziza), on or around 15 December 2003, on suspicion of collaboration with armed robbers. He was held with another man, in an unofficial place of detention in Rumonge, Bururi Province, reported to be a large hole in the ground. On 4 January, local inhabitants reportedly saw the two men being led away in the direction of a CNDD-FDD (Nkurunziza) base in Kimera, Buyengero commune, Bururi province. The other man was reportedly released on 6 January.

BACKGROUND INFORMATION

The CNDD-FDD (Nkurunziza) signed a power-sharing agreement with the Transitional Government of Burundi in October 2003, and is part of the new inclusive government which came into force in late November 2003. The CNDD-FDD (Nkurunziza) is being gradually integrated into the command structure of the current armed forces and under the terms of a ceasefire agreement thousands of fighters are preparing to be integrated into a new national armed forces or to be demobilised. However, as well as taking an active part alongside government armed forces in ongoing fighting with another armed political group, CNDD-FDD (Nkurunziza) members appear to be openly operating a parallel, armed police force; issuing summonses, conducting searches and arrests, and detaining suspects. They are reportedly administering punishment in the form of fines or beatings, sometimes as many as 100 strokes of a stick or other similar object. Most of those arrested appear to be suspected of armed robbery. Scores of arrests have taken place since December 2003.

An unknown number of people are detained across the country in this way, which places them outside any legal protection. Amnesty International has received information on people arrested by the CNDD-FDD (Nkurunziza) in Bujumbura and the provinces of Rural Bujumbura, Cibitoke and Bururi. The CNDD-FDD (Nkurunziza) is operating at least two unofficial detention centres in the northern districts Kamenge (7th avenue, Gikizi quarter) and Kinama (4th avenue, Bururi quarter) districts of Bujumbura.

On 26 December, CNDD-FDD (Nkurunziza) members took four women suspected of witchcraft from their homes in Ndava zone, Cibitoke province to a nearby road, where they were badly beaten on their legs, arms and feet. Two of the women have since been hospitalized, one with a badly broken arm. Three of the women were fined between 2,000 and 10,000 Burundian Francs (roughly equivalent to US\$2 -10).

On 2 January 2004 CNDD-FDD (Nkurunziza) members arrested Alain Niyonkuru and Didace in Bwiza district, in the north of the capital, Bujumbura, on suspicion of involvement in armed robberies. Alain Niyonkuru is

reported to have been severely beaten. They were detained with four others whose identities are not known in the Kamenge cell. Alain Niyonkuru and Didace were released after intervention by a Burundian human rights group, the *Association pour la protection des personnes détenues et des droits humains*, Association for the Protection of Detainees and Human Rights (APRODH) on or around 7 January.

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

- calling for immediate action to protect those Alexis Nimubona, also known as Cewusi, and others held by CNDD-FDD (Nkurunziza), from ill-treatment and other human rights abuses;
- expressing concern that the government appears to condone detention outside the framework of the law, by CNDD-FDD (Nkurunziza) members, and at reports that several people detained by the CNDD-FDD (Nkurunziza) have been badly beaten and fined (please give examples);
- calling on the government to ensure that suspects are arrested only by members of the recognized security forces and detained only in recognized places of detention, to protect suspects from violations of their rights including the rights not to be arbitrarily arrested, ill-treated or unlawfully detained.

APPEALS TO (Please note it can be difficult to obtain a fax tone. Please keep trying):

President of the Republic

Son Excellence

Monsieur Domitien NDAYIZEYE

Président de la République

La Présidence

Burundi

Faxes: + 257 21 26 70

Telegrams: President, Présidence, Bujumbura, Burundi

Salutation: Monsieur le Président de la République / Your Excellency

Minister of State responsible for Good Governance and leader of the CNDD-FDD

Monsieur Pierre NKURUNZIZA

Ministre de l'Etat chargé de la Bonne gouvernance

c/o Monsieur Onésime NDUWIMANA

Ministre de la Communication et porte parole du gouvernement

Bujumbura, Burundi

Faxes: +257 21 63 18

Salutation: Monsieur le Ministre de l'Etat / Dear Minister of State

Minister of Public Security

Monsieur Fulgence DWIMA BAKANA

Ministre de la Sécurité publique

Ministère de la Sécurité publique

Bujumbura, Burundi

Faxes: + 257 21 78 18

Telegrams: Ministre intérieur, Bujumbura, Burundi

Salutation: Monsieur le Ministre / Dear Minister

Minister of Justice

Monsieur Didace KIGANAHE

Ministre de la Justice et Garde des Sceaux

Ministère de la Justice

Bujumbura, Burundi

Fax: + 257 21 86 10

Telegrams: Ministre Justice, Bujumbura, Burundi

Salutation: Monsieur le Ministre / Dear Minister

COPIES TO:

Burundian Minister of Human Rights: Monsieur Déogratias RUSENGWAMIHIGO, Ministre des Droits de la Personne humaine, des Réformes institutionnelles et des Relations avec l'Assemblée nationale, Ministère des Droits de la Personne humaine, Bujumbura, Burundi. **Fax: + 257 21 75 49**

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 19 February 2004