

EXTERNAL (for general distribution)

AI Index: AFR 16/09/92
Distr: UA/SC

11 June 1992

Further information on UA 273/91 (AFR 16/02/91, 9 August 1991) - Note new concern: Unfair Trial

BURUNDI: Domitien Hakizumutware
Johnson Hatungimana
Sylvestre Maniraho
Serge Singirizina

and

Thomas Ntawoturitwotse
Augustin Kubwimana
Emmanuel Sinzumunsi
Nathan Bararunyeretse, released
Ananias Ntampaka

Amnesty International has just learned that six of the above people Domitien Hakizumutware, Johnson Hatungimana, Sylvestre Maniraho, Serge Singirizina, Thomas Ntawoturitwotse and Augustin Kubwimana have been found guilty of disturbing public order (perturbation de l'ordre public), subversion and collusion with the insurgents (complicité avec les infiltrés) who attacked Burundi in November and December 1991.

They have been sentenced to 20 years' imprisonment. Emmanuel Sinzumunsi was found guilty of having knowledge of offences committed by the six others but failing to report them to the authorities. He was sentenced to two years' imprisonment. Nathan Bararunyeretse was acquitted.

Ananias Ntampaka, a Rwandese migrant worker arrested with the others on 31 July 1991, did not appear in court. The authorities have not revealed his whereabouts or why he was not brought to trial.

The eight men who were brought to trial, were tried by the Tribunal de Grande Instance (High Court) in Bujumbura on 9 April 1992 and the judgment was given on 5 June 1992. The trial lasted several hours and the defendants did not have adequate opportunity to defend themselves, neither did they have legal counsel.

There is concern that those brought to trial had reportedly been subjected to severe beatings and other forms of ill-treatment during interrogation and that they may have been convicted on the basis of statements made under torture.

Several dozen other people arrested in the second half of 1991 in connection with the Parti pour la libération du peuple Hutu (PALIPEHUTU) activities are reported to be on trial in Ngozi, the northern provincial capital of Ngozi. Like the eight people above tried in April 1992, they have not had access to legal counsel. Amnesty International is concerned that they too may be subjected to unfair and summary trials.

FURTHER RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters, in French if possible:

- expressing concern about the unfairness and summary nature of the trial

of the eight people named above on 9 April 1992 and convicted on 5 June 1992 as the defendants had no access to legal counsel nor adequate opportunity to defend themselves;

- expressing concern that those brought to trial were subjected to severe beatings and other forms of ill-treatment during interrogation and that they may have been convicted on the basis of statements made under torture;
- expressing concern that those sentenced may be prisoners of conscience imprisoned solely because they supported PALIPEHUTU and without evidence that they used or advocated violence;
- requesting that the authorities order an independent and impartial investigation into reports that those convicted were subjected to torture and **page of FU UA 273/91...** ill-treatment during interrogation, and requesting that the judicial authorities review their conviction in order to rule uncorroborated evidence obtained under torture inadmissible;
- urging that those convicted for non-violent political activities be released and a fair trial be ordered for the others;
- enquiring why Ananias Ntampaka was not brought to trial and asking the authorities to reveal his whereabouts;
- urging the authorities to ensure that all other political detainees are given access to legal counsel with free legal assistance given to those unable to afford it, and that defendants are given adequate time to defend themselves and cross-examine witnesses in court.

APPEALS TO:

1. President:

Son Excellence Major Pierre Buyoya
Président de la République
Présidence de la République
BP 1870, Bujumbura, République du
Burundi

**Telegrams: President Buyoya,
Bujumbura, Burundi**
**Telexes: 5039 presibu bdi; 5049
mnd bdi**

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

2. Prime Minister:

Monsieur Adrien Sibomana
Premier Ministre
Présidence de la République
BP 1870
Bujumbura, République du Burundi

**Telegrams: Premier Ministre,
Sibomana, Bujumbura, Burundi**
Telexes: 5039 presibu bdi
**Salutation: Monsieur le Premier
Ministre / Dear Prime Minister**

3. Minister of Justice:

Monsieur Sébastien Ntahuga
Ministre de la Justice
Ministère de la Justice BP 1880
Bujumbura, République du Burundi

**Telegrams: Ministre Ntahuga,
Bujumbura, Burundi**
**Telexes: (via Ministry of Foreign
Affairs) 5065 minirext,
attn Ministre Ntahuga**
Faxes: + 257 222148

**Salutation: Ministre Ntahuga / Dear
Minister**

4. Minister of Foreign Affairs:

Monsieur Libère Bararunyeretse
Ministre des Relations extérieures et
de la Coopération
Ministère des Relations extérieures
BP 1840, Bujumbura, République du
Burundi

**Telegrams: Ministre Ngendabanyikwa,
Bujumbura, Burundi**
**Salutation: Ministre Ngendabanyikwa /
Dear Minister**

COPIES OF YOUR APPEALS TO:

Procurator General:

Monsieur Jean-Berchmans Majanyuma
Procureur Général de la République
BP 105, Bujumbura, République du Burundi

Gouverneur de la Province de Cibitoke
Hôtel de ville, Cibitoke, République du
Burundi

Governor of Cibitoke:

Monsieur Antoine Baza

President of Human Rights Organization:

Monsieur Eugène Nindorera

Président

Ligue burundaise des droits de l'homme

BP 177, Bujumbura, République du Burundi

Newspaper Editor:

Monsieur le Rédacteur-en-Chef

Le Renouveau

BP 2870, Bujumbura, République du

Burundi

and to diplomatic representatives of Burundi in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 23 July 1992.