

PUBLIC

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4 August 2003

Further information on UA 226/03 (AFR 16/012/2003, 25 July 2003) Fear of ill-treatment and torture

BURUNDI At least 18 detainees including:
Released: Pétronile Banyekazo (f)
Niyokwizigira (m), aged 14, her son
Her two-year-old child (gender unknown)
Boniface Nduwayo (m), trader from Mabanda, Makamba province

Benoit Bigirimana (m), trader
Dieudonné Harerimana (m)
Elias Kabura (m), baker
Saidi Manirakiza (m)
Samuel Mbazumutima (m), garage attendant
Onésphore Ndayitwayeko (m), trader from Kayogoro, Makamba province
Luc Ndikuriyo (m) husband of Pétronile Banyekazo
Vital Niyonguro (m)
Soulemane Nikoyagize (m), taxi driver
Freddy Nisubire (m), pharmacist
Elisa Ntakiyanira (m) and his worker, Piri (m)
Toto (m), electrician
Arias Wakya (m)

Boniface Nduwayo, Pétronile Banyekazo, her son Niyokwizigira (who is aged 14 and not 15 as previously stated) and her two-year-old child, were released on 26 July. Elisa Ntakiyanira and his worker Piri were both released on 25 July. Pétronile Banyekazo and her son Niyokwizigira were reportedly beaten while in detention.

Among the others arrested in the town of Makamba between 24 June and 22 July, 10 people have reportedly been transferred to Rumonge prison, southern Burundi. Benoit Bigirimana, Elias Kabura, Saidi Manirakiza, Samuel Mbazumutima, Onésphore Ndayitwayeko, Luc Ndikuriyo, Vital Niyonguro, Freddy Nisubire, Toto, Arias Wakya were all transferred between 25 July and 29 July. Toto, also known as Ndayisaba Johnson, was reportedly beaten before being transferred. Human rights monitors have not yet received permission to visit them. They may still be at risk of torture or ill-treatment in detention. Though conditions at Rumonge prison are unsanitary and overcrowded, they are an improvement on those in Makamba gendarmerie.

Dieudonné Harerimana and Soulemane Nikoyagize are both still reportedly in detention in Makamba gendarmerie. Arrests are reportedly still continuing in and around Makamba, and local human rights monitors report an atmosphere of panic in the area. Many residents have reportedly fled to the capital Bujumbura or to neighbouring Tanzania. There are no details of any charges faced by those arrested.

According to local human rights groups, Amnesty International's campaigning, including the UA, reportedly helped to curb the levels of torture of the detainees and encouraging the authorities to release some of the detainees.

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

- welcoming the release of Boniface Nduwayo, Pétronile Banyekazo, her son Niyokwizigira and her two-year-old child, and calling for assurances that all those still in detention (please give names) are protected

from ill-treatment and torture, and allowed immediate and continued access to their families, medical care, legal assistance and humanitarian and human rights organizations;

- calling for the allegations of torture against Pétronile Banyekazo, her son Niyokwizigira and Toto (also known as Ndayisaba Johnson) to be thoroughly investigated, the perpetrators brought to justice and the results of the investigations to be made public;
- expressing concern that arrests appear not to have been carried out in accordance with the law and seeking assurances that any further arrests will be lawful;
- calling for all those arrested to be promptly charged with a recognized criminal offence for which there is substantiating evidence warranting their detention or to be promptly and unconditionally released;
- urging that any women and children detained should be held separately from men.

APPEALS TO: (Please note there is no longer a telegram service to Burundi. Fax numbers can be difficult to obtain. Please keep trying. Please also check whether postal services are functioning to Burundi from your country)

Commander of Makamba District Gendarmerie:

Commander Salvatore

Fax: + 257 27 00 03 / 50 81 13 (if someone answers, say “La ligne de faxe, s’il vous plaît”)

Salutation: Monsieur le Commandant / Dear Commander

Minister of Defence

Général-Major Vincent NIYUNGEKO

Ministre de la Défense Nationale

Ministère de la Défense Nationale, Bujumbura, Burundi

Fax: + 257 24 78 20

Salutation: Monsieur le Ministre / Dear Minister

Minister of Justice:

Monsieur Fulgence DWIMA BAKANA,

Ministre de la Justice et Garde des Sceaux

Ministère de la Justice, Bujumbura, Burundi

Fax: + 257 21 86 10

Salutation: Monsieur le Ministre / Dear Minister

President:

Son Excellence

Monsieur Domitien NDAYIZEYE,

Président de la République

La Présidence, Burundi

Salutation: Monsieur le Président de la République / Your Excellency

COPIES TO:

Minister of Human Rights:

Monsieur Alphonse BARANCIRA,

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 15 September 2003.