

UA 333/02 Torture or ill-treatment/fear of torture 11 November 2002
or ill-treatment

BURUNDI **Elvis Kazungu (m) University student**
 Léonidas Ntakaye (m) Secretary General for Parti pour le
 redressement national (PARENA), Party for National Recovery
Zénon Nimubona (m) Spokesman for PARENA
Christophe Hicintuka (m) Executive Secretary for PARENA
Benoît Ndorimana (m) Businessman
Hilaire Ntahomvukiye (m) University Professor
Innocent Nsabiyumva (m) PARENA member
Thierry Bizoza Ndayishimeye (m) Reported PARENA member
At least three other unnamed university students

The men named above were arrested between 1 and 5 November, and are being held incommunicado in security force detention in the capital Bujumbura. Elvis Kazungu has reportedly been tortured. Amnesty International fears that the other detainees are also at risk of torture or ill-treatment.

All the men are members or alleged supporters of the opposition *Parti pour le Redressement National* (PARENA), Party for National Recovery. They are being held at the *Documentation Nationale* National Intelligence Agency, *Brigade Spéciale de Recherche* (BSR), gendarmerie special investigation unit, and *Police Spéciale de Roulage* (PSR), Special Haulage Police.

Elvis Kazungu was arrested late at night on 1 November. Whilst in detention, gendarmes from the *Bataillon d'Intervention* Intervention Battalion reportedly severely beat him around his head and on his joints, leaving him in need of urgent medical attention. He was transferred on 2 or 3 November to the BSR. On 7 November he was given superficial medical treatment in the presence of family members. On 11 November, a local human rights organization attempted to arrange hospital treatment for Elvis Kazungu. He remains in detention. According to reports, it is understood that no other detainee has yet to be seen by family members, lawyers, doctors or human rights organizations.

Some of the detainees, including the senior PARENA members, have been accused of threatening state security. They are suspects in an alleged plot to destabilize Burundi's Transitional Government and to assassinate President Pierre Buyoya and the President of the Transitional National Assembly, Jean Minani. The unnamed university students are reportedly suspected of taking part in violent protests on 4 November apparently aimed at bringing Bujumbura to a standstill.

BACKGROUND INFORMATION

Torture is routine and widespread in security force custody, including specifically at the *Documentation Nationale*, BSR and PSR. Previous victims have included senior PARENA members or alleged supporters detained on similar accusations.

The President of PARENA and former president of Burundi, Jean-Baptiste Bagaza, was placed under house arrest (*résidence surveillée*) in Bujumbura on 4 November, also accused of involvement in the plot. On 7 November PARENA was suspended as a political party by the government for six months.

On 4 November youths believed to be PARENA supporters exploded a number of grenades and attempted to erect barricades in various parts of Bujumbura.

Further grenade explosions took place on 6 November. No-one was injured by the blasts.

PARENA, a Tutsi-dominated political party, has been a vehement critic of President Buyoya, the Burundi peace process and the transitional arrangements that followed the signing of a peace agreement in August 2000. A number of senior PARENA members have previously been convicted on charges of threatening state security, after what appear to have been politically-motivated trials.

Other PARENA supporters remain in detention without charge or trial on suspicion of involvement in two coup attempts in 2001 allegedly led by junior army officers. The party has also been linked to extremist armed movements or militias that have incited violence against Hutu civilians and politicians.

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

- urging that all the men are protected from torture or ill-treatment whilst in detention;
- calling for an investigation into the allegations of torture against Elvis Kazungu and urging the authorities to bring the perpetrators promptly to justice;
- requesting that Elvis Kazungu, who was reportedly tortured and badly injured at the time of his arrest, receives immediate hospital treatment;
- calling for all the men to be given immediate access to their families, lawyers, medical care and human rights and humanitarian organizations;
- urging the release of any detainee who is not to be charged promptly with a recognizably criminal offence for which there is supporting evidence.

APPEALS TO: (Please note, fax numbers may be difficult to obtain, but please keep trying.)

Head of State

Son Excellence

Major Pierre BUYOYA, Président de la République

Présidence de la République,

BP 1870 Bujumbura, Burundi

Telegrams: Président, Bujumbura, Burundi

Faxes: + 257 22 74 90

Salutation: Monsieur le Président de la République / Dear President

Minister of National Defence

Général-Major Vincent Niyungeko

Ministre de la Défense Nationale

Ministère de la Défense Nationale,

Bujumbura, Burundi

Telegrams: Ministre Défense, Bujumbura, Burundi

Faxes: + 257 21 61 09 (army headquarters)

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

BP 1880 Bujumbura, Burundi

Telegrams: Ministre Justice, Bujumbura, Burundi

Faxes: + 257 21 86 10

Salutation: Monsieur le Ministre / Dear Minister

Minister for Human Rights

Monsieur Alphonse BARANCIRA,

Ministre des relations avec l'Assemblée nationale, des réformes
institutionnelles et des droits de la Personne humaine, Bujumbura, Burundi

Telegrams: Ministre Droits Personne Humaine, Bujumbura, Burundi

Fax: + 257 21 75 49

Salutation: Monsieur le Ministre / Dear Minister

COPIES TO:

State Public Prosecutor

Monsieur Gérard NGENDABANKA

Procureur Général de la République Bujumbura, Burundi

Telegrams: Procureur general, Bujumbura, Burundi

Fax: + 257 24 15 03

**Salutation: Monsieur le Procureur général de la République/Dear State Public
Prosecutor**

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 23 December 2002.