

9 July 1996

Further information on UA 117/96 (AFR 47/06/96, 3 May 1996) - Fear for safety / Fear of ill-treatment

RWANDACélestin Kayibanda, prosecutor of Butare
Fidèle Makombe, prosecutor of Kibuye

Célestin Kayibanda: In June 1996, Célestin Kayibanda was reportedly transferred to Nyanza prison, where he is still detained. On a visit to Rwanda in May, Amnesty International delegates were refused permission by the head of the gendarmerie *brigade* (station) in Butare to visit Célestin Kayibanda, at that time still held at the *brigade* following his arrest on 2 May. However, his conditions of detention were reported to be reasonably good. Amnesty International has not received any reports that he is being ill-treated.

A statement issued by the Prosecutor-General on 3 May states that Célestin Kayibanda was arrested on charges of genocide and murder. The specific accusations are that he and others manned a roadblock in the Mukingi *commune*, in the *préfecture* of Gitarama, and that he ordered the killing of several named persons.

Despite claims by the authorities in Butare that Célestin Kayibanda's file is now complete, it seems that to date, Célestin Kayibanda has not been formally charged in relation to these accusations.

Shortly before his arrest, Célestin Kayibanda had reportedly denounced the interference in the judiciary by administrative and military authorities.

Fidèle Makombe: Fidèle Makombe was suspended from his functions as prosecutor in May, shortly after he was beaten by a soldier. His injuries have left him deaf in one ear, for at least several months. His driver was also beaten. The following day, an *Inspecteur de police judiciaire* (judicial police inspector) who worked with Fidèle Makombe was also beaten by the same soldier.

Fidèle Makombe's suspension occurred a few days after he gave an interview to a French radio journalist in which he discussed his assault. His suspension may also be connected with the fact that on several occasions he had clashed with various local officials who had expected him to carry out arrests on the basis of unsubstantiated allegations. He had refused to obey these officials. They apparently also objected to him ordering the release of suspects against whom no formal accusations had been made.

In May, Amnesty International delegates met with a senior official at the Ministry of Justice. He stated that Fidèle Makombe was suspended for misconduct, following differences between himself and other local officials. He also confirmed that Fidèle Makombe had been assaulted by a soldier who was later arrested. He complained that Fidèle Makombe had spoken about the assault on the air to a foreign radio station before formally reporting it to the authorities in Rwanda.

These cases will be taken up by other Amnesty International networks. Thanks to all who have sent appeals. You may send one more round of letters to the authorities listed on the original action,
- asking for information on the progress of the case against Célestin Kayibanda;

- asking for information on the progress of the case against the soldier arrested on suspicion of involvement in the attack on Fidèle Makombe, and asking on what grounds Fidèle Makombe has been suspended from his functions as prosecutor of Kibuye.

Please note extra "**COPIES TO**" addresses for further appeals:

Prefect of Kibuye

Monsieur Assiel KABERA

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Prefect of Butare

Athanase SEMUHUNGU

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