

EXTRA 108/99 Fear for safety / ill-treatment / Extrajudicial execution

**RWANDA** Epiphanie Uwitakiye (f)

Félicien Gasana (aged 35) (killed), construction company worker, husband of Epiphanie Uwitakiye

Suzanne (f)

Blaise Barankoreho, construction company worker, husband of Suzanne

There are fears for the safety of the three people named above following the death of Félicien Gasana apparently as a result of injuries inflicted in detention. All three are detained at the *brigade* (gendarmerie detention centre) at Nyamirambo, in the capital, Kigali. On 10 August 1999 the commander of the *brigade* did not authorize local human rights groups to see the detainees.

On 6 August, Epiphanie Uwitakiye and Suzanne were arrested by a group of people as they tried to reclaim their houses, which had been occupied, in Nyamirambo *secteur*, Nyarugenge *commune*, in Kigali town. Both women were beaten, Epiphanie Uwitakiye reportedly particularly badly, and taken to the *bureau de secteur* (local government office) at Nyamirambo. The *conseiller de secteur* (local government official) intervened to protect the women and contacted the police. Five people - including a police official and a civilian official responsible for local security - then went to arrest Félicien Gasana and another group went to arrest Blaise Barankoreho, at their workplaces. The two men were taken to the *brigade* at Nyamirambo, where their wives were now also being held. Félicien Gasana was reportedly beaten along the way and was seen limping; Blaise Barankoreho was beaten at the time of his arrest.

When, on 10 August, relatives of Félicien Gasana tried to visit him at the *brigade*, they were told he had been taken to Kigali hospital (*Centre hospitalier de Kigali*). When they enquired at the hospital, they were told he had died the previous day. His body, which was in the morgue, bore visible wounds indicating severe blows to his head and face. The commander of the *brigade* at Nyamirambo claimed that Félicien Gasana had been taken ill but was still alive when taken to hospital. Other sources have indicated, however, that he may have been dead on arrival. His family say that he was in good health before being arrested. It is not yet known whether their request for an autopsy has been granted.

A request by Epiphanie Uwitakiye's family that she be allowed to attend her husband's funeral on 11 August - accompanied by security officials if necessary - was refused.

The motives for these arrests and for the killing of Félicien Gasana are not known. Some believe that these events are linked to the two couples' attempts to claim back their property; in an attempt in 1996 to reclaim their property, another relative of Blaise Barankoreho had been beaten.

The group who arrested them have accused them of participating in the genocide in Nyamirambo in 1994, which the commander of the *brigade* has cited as the basis for their arrest.

#### BACKGROUND INFORMATION

Human rights abuses in the context of disputes over property are common in Rwanda. Amnesty International has documented many cases of people who have been arrested, "disappeared" or killed following attempts to reclaim their

property which has been illegally occupied. In some cases, these abuses are carried out by military or other agents of the state, in other cases by private individuals. The authorities have done little to investigate arbitrary arrests, killings and "disappearances" in this context or to bring those responsible to justice.

Unsubstantiated accusations of participation in the genocide in Rwanda and denunciations by organized groups are also common. The accusation of participation in the genocide is often used to settle scores or as a form of revenge. Amnesty International is not in a position to state whether the three individuals above are guilty or innocent of these crimes, but is concerned about their safety as well as about arrest procedures.

**RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in French or English or your own language:**

- expressing concern for the safety of Epiphanie Uwitakiye, Blaise Barankoreho and Suzanne in detention, following the death of Félicien Gasana;
- asking for assurances that they will not be ill-treated in detention and that every effort will be made to ensure their safety and well-being;
- calling for an investigation into their ill-treatment during or soon after their arrest on 6 August 1999;
- asking why they are still detained and calling for their release unless they are charged with a recognizably criminal offence;
- expressing concern at the death of Félicien Gasana, who appears to have been killed in detention or as a result of ill-treatment in detention;
- asking for an immediate investigation into the causes and circumstances of his death, including an autopsy, and for those responsible to be brought to justice;
- asking the authorities to ensure that arrests are only carried out by officials with the legal powers and mandate to do so and on the basis of substantial evidence.

**APPEALS TO:**

Colonel Marcel GATSINZI  
 Chef d'Etat-Major de la Gendarmerie  
 Gendarmerie Nationale  
 BP 359, Kigali, Rwanda

**Telegrams: Chef d'Etat-Major Gendarmerie, Kigali, Rwanda**

**Faxes: + 250 86267**

**Salutation: Dear Chief-of-Staff / Monsieur le Chef d'Etat-Major**

Jean-de-Dieu MUCYO  
 Ministre de la Justice  
 Ministère de la Justice  
 BP 160, Kigali, Rwanda

**Telegrams: Ministre Justice, Kigali, Rwanda**

**Faxes: + 250 86509**

**Salutation: Dear Minister / Monsieur le Ministre**

Sheikh Abdul Karim HARELIMANA  
 Ministre de l'Intérieur  
 Ministère de l'Intérieur  
 BP 446, Kigali, Rwanda

**Telegrams: Ministre Intérieur, Kigali, Rwanda**

**Faxes: + 250 82071**

**Salutation: Dear Minister / Monsieur le Ministre**

**COPIES TO:**

Marc KABANDANA  
Préfet de Kigali Ville  
Préfecture de Kigali Ville  
Kigali, Rwanda  
**Faxes:+ 250 73684**

and to diplomatic representatives of RWANDA accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 10 September 1999.