

EXTERNAL

AI Index: AFR 62/03/96

27 March 1996

Further information on UA 56/96 (AFR 62/02/96, 1 March 1996) - Torture / Legal concern and new Medical concern

**ZAIRE Malira Kabuya
Byamungu Kahima
Ndasimwa Malira
Bonane**

Amnesty International has just learned that the four persons named above are being held in a cell at the military procuracy (*Auditorat militaire*) of Goma Garrison (*Garrison de Goma*). They were initially transferred in February 1996 from the headquarters of the *Huitième circonscription militaire* (CIRCO), Eighth Military District, in Goma to a military base known locally as "Camp Israel" and then to the Garrison at the end of February.

According to representatives of a local non-governmental organization who visited the detainees in mid-March, the four detainees are in very poor health. As a result of the harsh detention conditions and severe torture to which they have been subjected, the detainees are said to be suffering from weight loss and general weakness, swelling of the lower limbs, scabies and other skin diseases. Food and other assistance for the four detainees are being provided by their relatives. It is unclear whether they are still being subjected to torture.

In the original UA, it was reported that the four had been arrested and tortured with five other civilians, three of whom died as a result. The two who were hospitalized in Goma Hospital have been discharged and allowed to return to their homes without charge.

FURTHER RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in French, Kiswahili or in your own language:

- expressing concern that the four people named above are suffering from life-threatening illnesses as a result of severe torture and harsh detention conditions;
- calling on the authorities (1-3) to give immediate instructions to the commander and military procurator of Goma Garrison to ensure that the four are not subjected to further torture or ill-treatment, including harsh detention conditions, and that they are immediately allowed access to medical care by an independent doctor (appeals to the commander, address 4, should ask him to give instructions to military procurator);
- seeking assurances that the authorities have ordered an independent and impartial investigation into the reports of torture and that those found responsible will be brought to justice;
- demanding a commitment from the Zairian Government to pay compensation to the torture victims and the relatives of those who have died;
- urging that the four detainees be released without further delay, if they have not been charged with recognizable criminal offences;
- urging that if they have been charged and are therefore being legally held, they should be transferred to a civilian prison where their human rights should be safeguarded.

APPEALS TO:

1. President

Son Excellence Maréchal MOBUTU Sese Seko
de la République
Présidence de la République
Mont Ngaliema
Kinshasa, ZAIRE

Président

Telegrams: President MOBUTU, Kinshasa, ZAIRE

Telexes: 21368

Salutation: Monsieur le Président / Dear President

2. North-Kivu Governor

Monsieur Christophe MOTO Mupenda
Gouverneur
Région du Nord-Kivu
Hôtel de ville
Goma, République du Zaïre

Telegrams: Gouverneur Moto, Goma, Zaire

Salutation: Monsieur le Gouverneur / Dear Governor

3. Armed Forces Chief of Staff

Grand amiral ELUKI Monga
Chef d'Etat-major général des
Forces armées zairoises (FAZ)
Ministère de la Défense nationale
Kinshasa-Ngaliema
République du Zaïre

Telegrams: CEMG Eluki, Kinshasa, Zaire

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

4. Commander of Goma Garrison

Général Tembele
Commandant
Quatrième région militaire
Goma
République du Zaïre

Telegrams: Général Tembele, region militaire 4, Goma, Zaire

Salutation: Monsieur le Commandant

COPIES TO:

Minister of Justice

Monsieur Joseph Nsinga Udju
Ministre de la Justice et Garde des sceaux
Ministère de la Justice
BP 3137
Kinshasa- Gombe, ZAIRE

Prime Minister

Monsieur Léon KENGO Wa Dondo
Premier Ministre
Hôtel du Conseil Exécutif
Avenue des 3Z
Kinshasa - Gombe, ZAIRE

and to diplomatic representatives of Zaire accredited to your country (or the Zairian Ambassador in Belgium: 30 Rue Marie de Bourgogne, 1040 Brussels, Belgium, Fax: +32 2 514 0403).

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 10 May 1996.