

EXTERNAL (for general distribution)

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Further information on UA 42/92 (AFR 62/02/92, 4 February 1992) - Incommunicado detention/ill-treatment concern and new concerns - Torture/Unfair trial/"Disappearance"

~~ZAIRE: About 30 soldiers arrested at "La Voix du Zaire" radio and television complex following an alleged coup attempt~~  
(Please note corrected number of soldiers arrested)

Amnesty International has learned that about nine soldiers, arrested in connection with the alleged coup attempt on 22 January 1992, were sentenced to prison terms ranging from five to 10 years on 4 April. They were among about 30 soldiers accused of mutiny and other violent offences when they briefly took over the radio and television complex known as "La Voix du Zaire". They were tried by the Higher Court-Martial which also sentenced 18 soldiers, tried *in absentia*, to death.

During the trial some of the soldiers, who were held in underground cells at Tshatshi military barracks (camp Tshatshi), claimed in court that they were repeatedly subjected to torture which included severe beatings, assaults with bayonets, sexual assaults and mock executions.

According to independent sources in Kinshasa the trial did not conform to international standards for fair trial. The court martial did not order an independent investigation into claims by the defendants that they made false statements under torture. The trial was held in French, a language many of the defendants said they did not understand.

Prior to the trial about 30 soldiers were known to have been arrested on 22 January 1992. However, only about nine apparently appeared in court and the others were tried *in absentia*. There has been no explanation from the Zairian authorities as to what happened to those who were arrested but were not produced in court. It is feared that those "disappeared" may be dead. Fears are exacerbated by the fact that only those not in court were sentenced to death.

Amnesty International is concerned that there has been no independent and impartial investigation into the claims by the defendants that they were tortured while in custody. The organization is also concerned that the soldiers who were arrested but not brought before the court may be "disappeared" as no explanation has been given as to what has happened to them.

**FURTHER RECOMMENDED ACTION: Please send telegrams/telexes/express and airmail letters in FRENCH if possible:**

- expressing concern at reports that the soldiers who were sentenced by the Higher Court-Martial on 4 April 1992 were subjected to torture and other forms of cruel,

inhuman or degrading treatment while in custody at Tshatshi military barracks;

- urging the Zairian authorities to order an independent and impartial investigation into claims by the defendants that they were tortured in order to bring to justice those found responsible;

- calling for a review of their cases and any uncorroborated statements extracted under torture to be declared inadmissible in court;

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- calling for an immediate independent and impartial investigation into reports that some of the soldiers arrested on 22 January 1992 have "disappeared" in order to establish their whereabouts. If any have indeed "disappeared" those found responsible should be brought to justice.

**APPEALS TO:**

1) President:

Son Excellence le Maréchal  
MOBUTU Sese Seko  
Président de la République  
Présidence de la République  
Kinshasa-Ngaliema  
République du Zaïre

**Telegrams: President Mobutu, Kinshasa,  
Zaïre**

**Telexes: 21368**

**Salutation: Monsieur le Président /  
Dear President**

2) Prime Minister:

Monsieur Nguza Karl-i-Bond  
Premier Ministre  
Hotel du Conseil exécutif  
Kinshasa-Gombe  
République du Zaïre

**Telegrams: Premier Ministre Karl-i-  
Bond, Kinshasa, Zaïre**

**Telexes: 21368**

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

**COPIES OF YOUR APPEALS TO:**

Procurator General of the Zairian Armed  
Forces:

Général Farijala Eutcha  
Auditeur Général des Forces armées  
zaïroises  
Auditorat des Faz  
Ministère de la Défense nationale  
BP 4734  
Kinshasa-Ngaliema  
République du Zaïre

Presidential adviser:

3) Minister of Justice and Attorney  
General:

Monsieur Mobuka  
Ministre de la Justice et Garde des  
Sceaux  
Ministère de la Justice, BP 3137  
Kinshasa-Gombe

République du Zaïre

**Telegrams: Ministre de la Justice  
Mobuka, Kinshasa, Zaïre**

**Telexes: 2136**

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

4) Minister of Defence:

Monsieur Ngbanda Nzambo ko Atumba  
Ministre de la Défense nationale,  
la Sécurité du territoire et des  
Anciens combattants

Ministère de la Défense, BP 3137  
Kinshasa-Gombe, République du Zaïre

**Telegrams: Ministre de la Defense  
nationale, Kinshasa, Zaïre**

**Telexes: 2136 DDNZR**

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

Chief of Staff of the Armed Forces:

Monsieur le Général  
MAHELE Liyeko Bokungu  
Chef d'Etat-Major Général des  
Forces armées Zaïroises (FAZ)  
Ministère de la Défense nationale  
Kinshasa-Ngaliema  
République du Zaïre

Maitre NIMY Mayidika Ngimbi

Conseiller spécial du Chef d'Etat  
en matière de sécurité  
Présidence de la République  
Kinshasa-Ngaliema  
République du Zaïre

newspapers:

Elima, BP 10017 Kinshasa-Limete, Zaïre  
La Semaine, 138 Avenue Wagenia,  
BP 15116, Kinshasa 1, Zaïre  
Le Potential, 2 Avenue Msi-Manimba,  
BP 11338, Kinshasa, Zaïre

and to diplomatic representatives of Zaïre in your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 22 May 1992.