

EXTERNAL

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"Disappearance" / fear of torture

2 October 1996

ZAIREKabuku Makule, trader, aged 51
Albert Muhingi
and four others (names unknown)

Kisinyabo Kambere

Kabuku Makule and Albert Muhingi and four other men have "disappeared" following their arrest around 16 September 1996. Sources in the village of Luhonga in the Masisi district (zone) of North-Kivu region have reported seeing soldiers belonging to a paratrooper unit of the *Forces armées Zairoises* (FAZ), Zairian Armed Forces, arrest the men as they were travelling from their home village of Kitshanga to sell goods in Goma, the capital town of North-Kivu. The authorities have refused to reveal the whereabouts of the men to their relatives.

Amnesty International believes the men may have been arrested on suspicion of being members of an armed group and fears that they may be at risk of torture or extrajudicial execution.

Kisinyabo Kambere, a young man from Masisi district, was reportedly arrested on 21 September by members of the *Service d'actions et de renseignements militaires* (SARM), Service for Action and Military Intelligence, and is believed to be held in a cell at the SARM camp in Sake. Amnesty International has received reports that he may have been subjected to torture and other forms of cruel, inhuman or degrading treatment.

Zairian law states that civilian detainees must be presented before a recognizable judicial authority within 48 hours of arrest. The holding of civilians in military detention centres is also strictly forbidden after 48 hours.

BACKGROUND INFORMATION

Fighting between armed members of various ethnic groups, mainly in the Masisi district of North-Kivu region, most recently since November 1995, has led to a massive deployment of government armed forces to the region to restore peace.

Zairian soldiers sent to Masisi to quell the violence have been involved in looting and extortion as well as serious human rights violations including arbitrary arrest, torture and extrajudicial execution. Amnesty International is concerned that a pattern of arbitrary arrest by soldiers is followed by illegal detention in military camps, where torture often leads to death. Many of the victims have been men of the Hunde or Nande ethnic groups, apparently targeted as suspected members of armed groups.

On 10 September 1996, Shabahanga Muongo, a local farmer, was arrested and held by Gendarmes at Sake in Masisi district. He was later transferred to the custody of SARM, where he was severely tortured with a red-hot iron. He was released the following day but reported that two other detainees held at the SARM camp died following similar torture.

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

- expressing concern at the reported "disappearance" of Kabuku Makule and Albert Muhingi and four others, following their arrest by the FAZ around 16 September at Luhonga;
- seeking assurances that they and Kasinyabo Kambere are not being subjected to torture or other forms of cruel, inhuman or degrading treatment and that they will be promptly brought before judicial authorities and charged with a recognizable criminal offence or released;
- urging that an independent and impartial investigation be carried out into reports of torture of detainees in military custody and that those found responsible be brought to justice;
- explaining Amnesty International's concerns over the current pattern of arrest and detention in military camps and asking the authorities to ensure that members of the security forces refer all arrests to the civilian judicial system within 48 hours, as stipulated in Zaïrian law.

APPEALS TO:President

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

Président

Telegrams: President MOBUTU, Kinshasa, ZAIRE**Telex: 21368****Salutation: Monsieur le Président**North-Kivu Governor

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

Salutation: Monsieur le Gouverneur**Telegrams: Gouverneur Moto, Goma, Zaire**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, ZAIRE

Salutation: Monsieur le Chef d'Etat-major**Telegrams: CEMG Eluki, Kinshasa, Zaire****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.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat,
or your section office, if sending appeals after 13 November 1996.