

PUBLIC

AI Index: AFR 62/019/2003

UA 152/03

Extrajudicial executions / Torture and Ill-treatment

29 May 2003

DEMOCRATIC  
REPUBLIC  
OF CONGO (DRC)  
/UGANDA

Léopold Leti (known as Appo) (m),  
Jimmy Banga (m),  
Donatien Kanyi-Ngiya (m), administrator,  
Leti (m), driver,  
Avoti (m),  
Jean-Filbert Tshombe (m) and dozens of others  
Executed: Mboyo (m) and at least three others

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Dozens of detainees may be at imminent risk of extrajudicial execution or torture, following a failed attempt to overthrow the leadership of an armed political group operating in the Ituri province of north-eastern DRC. The detainees are being held incommunicado in metal containers and several have been tortured. At least four people are thought to have already been executed in the wake of the failed coup.

The attempted coup was directed, in his absence, against Commander Jérôme Kakwavu, leader of an armed group known as the *Forces armées pour le peuple congolais* (FAPC), Armed Forces for the Congolese People, which controls the town of Aru on the Congolese border with Uganda. The commander returned to Aru on 22 May, escorted by soldiers belonging to the Uganda People's Defence Forces (UPDF - Uganda's national army), and immediately began a brutal crackdown on those suspected of involvement in the coup. At present Amnesty International has the name of only one of the persons executed – a commander named Mboyo – but reports suggest that at least three other people have also been executed. Two of those executed were reportedly arrested at Aru airport on 22 May and executed on the spot.

Since 22 May, dozens of people, including both soldiers and civilians, have been arrested and are detained in metal containers. The conditions in these containers, in which it is very hot and difficult to breathe, constitute cruel, inhuman and degrading punishment. The detainees include Léopold Leti (known as Appo), a high-ranking member of another armed group, the *Union des patriotes congolais* (UPC), Union of Congolese Patriots, who was repeatedly stabbed in the back and the nape of the neck, as well as being beaten, following his arrest. Like all the other detainees, many of whom have been detained since 22 May, he has had no access to medical treatment or to food.

Other detainees include a driver for a local college faculty, Leti, reportedly arrested on the grounds that the mutineers had seized his car in mounting their coup, Jean-Filbert Tshombe (also a prominent member of the UPC), Avoti, Jimmy Banga, and Donatien Kanyi-Ngiya, the Administrator of Aru, who was arrested on 27 May. Around eight other suspected mutineers are being held in UPDF custody across the border in the Ugandan town of Arua. A small number of detainees have been released, including Father Jean Dhebo and Aru's Bishop, Emile Aiti. They were arrested on 22 May, apparently because some of the mutineers had used hotel accommodation owned by the church. Father Dhebo was severely whipped in detention.

## BACKGROUND INFORMATION

Ituri province has been the scene of appallingly high levels of human rights abuses, often directed against the civilian population, since the outbreak of war in the DRC in 1998. It is estimated that some 50,000 people have been killed and over half a million displaced from their homes since 1999. Uganda has played a pivotal role in the region, providing arms and logistical support to all of the armed groups currently operating in Ituri province, as well as maintaining UPDF forces in the region until their official withdrawal on 6 May 2003.

The *Forces armées pour le peuple congolais*, which is directly supported by the UPDF, is a relatively new splinter group of the *Union des patriotes congolais*, an armed group led by Thomas Lubanga which is in control of Ituri's capital town, Bunia. The underlying motive for the attempted coup against the FAPC leadership was reportedly a dispute over the sharing of profits derived from exploiting the area's natural

resources, including gold. The desire to control and profit from eastern DRC's natural resources has become the biggest single factor driving the continuing fighting in the region and has led directly to horrendous human rights abuses against the civilian population.

Amnesty International is supporting calls for the rapid deployment to Ituri of an international peace-keeping force, explicitly mandated by the United Nations to protect civilians at risk and to prevent further bloodshed.

For further information, please refer to the Amnesty International report *On the precipice: the deepening human rights and humanitarian crisis in Ituri* (AFR 62/006/2003, March 2003) and to the press release of 20 May, *The United Nations should urgently deploy a rapid reaction force to protect civilians in Ituri* (AFR 62/015/2003).

**RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:**

- urging the Ugandan authorities to intervene urgently to prevent further detainees held by the FAPC in Aru from being extrajudicially executed;
- pressing for the detainees held by the FAPC in Aru to be immediately removed from the metal containers, where the conditions amount to cruel, inhuman and degrading treatment and punishment;
- pressing for the detainees in Aru and also the eight or so detainees held by the UPDF in Arua to be granted immediate access to their families, to lawyers, and to any medical treatment they may require;
- pressing for concrete action to be taken against any FAPC or UPDF members who are suspected of having been involved in extrajudicial executions or acts of torture, beginning with their immediate suspension from their duties pending legal proceedings against them;
- seeking assurances the rights of all the detainees will be fully respected, including their right not to be subjected to cruel, inhuman or degrading treatment, their right to legal representation, and their right to a fair trial which conforms to international standards of fairness;
- urging the Ugandan government to take all practical steps it can to support and facilitate the deployment of a UN-mandated peace-keeping force to Ituri, including by ceasing all arms transfers and other logistical or financial support to armed groups in Ituri known to have been responsible for human rights abuses.

**APPEALS TO:**

Minister of Defence

Hon. Amama Mbabazi

Minister of Defence

Ministry of Defence, Bombo

P.O.Box 7069

Kampala, Uganda

**Fax: + 256 41 254829 (via Ministry of Justice)**

**Salutation: Dear Minister**

Deputy Prime Minister and Minister of Foreign Affairs

Hon. James Wapakhabulo

Second Deputy Prime Minister and Minister of Foreign Affairs

Ministry of Foreign Affairs

Embassy House, Parliament Avenue

P.O.Box 7084, Kampala, Uganda

**Salutation: Dear Deputy Prime Minister**

Army Chief of Staff

Nakibus Lakara

Chief of Staff, Uganda People's Defence Forces

C/O Ministry of Defence, Bombo

P.O.Box 7069

Kampala, Uganda

**Fax: + 256 41 254829 (via Ministry of Justice)**

**Salutation: Dear Chief of Staff**

Arua Resident District Commissioner

Mr Okoth Nyalulu Thomas

Resident District Commissioner of Arua

P.O.Box 1 Arua, Uganda

**Salutation: Dear District Commissioner**

**COPIES TO:** Diplomatic representatives of Uganda accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 10 July 2003.