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Rwanda must investigate unlawful detention and torture by military intelligence

Rwanda's military intelligence department known as J2 has illegally held scores of civilians in military detention without charge or trial amid credible claims of torture, Amnesty International states today in a new report.

Rwanda: Shrouded in Secrecy: Illegal Detention and Torture by Military Intelligence reveals unlawful detention, enforced disappearances, as well as allegations of torture by J2.

The report details credible accounts of individuals being subjected to serious beatings, electric shocks and sensory deprivation to force confessions during interrogations.

"The Rwandan military's human rights record abroad is increasingly scrutinized, but their unlawful detention and torture of civilians in Rwanda is shrouded in secrecy," said Sarah Jackson, Amnesty International's Acting Deputy Africa Director.

Hidden from view by J2, scores of men languished in incommunicado detention for months and some alleged they were tortured.

Between March 2010 and June 2012, Amnesty International documented 45 cases of unlawful detention and 18 allegations of torture or ill-treatment at Camp Kami, Mukamira military camp, and in safe houses in the capital, Kigali.

The men were detained by J2 for periods ranging from 10 days to nine months without access to lawyers, doctors and family members.

Most had been rounded-up by the military from March 2010 onwards after grenade attacks in Kigali, the departure of the former army chief, Kayumba Nyamwasa, and in the run-up to the August 2010 presidential elections. Many of these detainees were later charged with threatening national security.

Some stated in court that they had been tortured and coerced to confess. In violation of international law, judges typically asked them to prove torture, rather than ensuring that the allegations are investigated. The failure of judges to probe confessions that defendants claimed to have been coerced undermines the credibility of the Rwandan justice system.

Two individuals – Robert Ndengeye Urayenzeza and Sheikh Iddy Abbasi – are still missing since their enforced disappearance in March 2010.

At the United Nations Committee against Torture in Geneva in May 2012, the Rwandan authorities denied these cases of unlawful detention, despite overwhelming evidence to the contrary.

The Committee against Torture called on the Rwandan government to investigate reports of secret detention places and provide information on enforced disappearances.

Individuals and even lawyers are afraid to raise allegations of unlawful detention and torture in Rwanda, fearful for their safety. One family took their case to the East African Court of Justice in Tanzania instead. The Court found that the detention of Lieutenant Colonel Rugigana Ngabo, without trial or charge for five months violated Rwanda's obligations under the Treaty.

Following its obligation under the Convention against Torture, Rwanda has recently criminalized torture in its Penal Code.

Rwandan authorities have taken some positive steps to combat torture, including agreeing to ratify the Optional Protocol to the Convention against Torture and inviting the Special Rapporteur on Torture to visit Rwanda. However, no official has yet committed to investigating these cases.

“Donors funding military training must suspend financial support to security forces involved in human rights violations,” said Jackson.

The Deputy Prosecutor General told Amnesty International that “there is no torture in our country and we can't investigate on a false allegation.”

The number of new cases has declined over the last year, but the Rwandan authorities' failure to prosecute those responsible makes it likely that J2 could revert to these practices in response to actual or perceived security threats.

Background

Shrouded in Secrecy is based on seven research visits to Rwanda between September 2010 and June 2012. Amnesty International conducted over 70 interviews for this report including with individuals previously detained by the military, family members of people disappeared and lawyers.