

EXTERNAL (for general distribution)

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Torture

27 March 1995

BURUNDI

Jean MINANI, peasant farmer
Tharcisse NZIMPORA, bike taximan
and 10 others

Amnesty International (AI) is gravely concerned at findings by its representatives visiting Burundi that at least 12 people, including Jean Minani and Tharcisse Nzimpora, are undergoing torture sessions during interrogation at the *Brigade spéciale de recherche* (BSR), Special Investigation Brigade, in the capital, Bujumbura. The 12 are suspected of involvement in the assassination of the former mayor of Bujumbura, Lieutenant Colonel Lucien Sakubu.

On 15 March, Lieutenant Colonel Sakubu's mutilated body was found in Kinama, a Bujumbura suburb almost exclusively inhabited by members of the majority Hutu ethnic group. On 15 and 16 March, about 80 people from Kinama were arrested and transferred to the BSR for interrogation. Women and children among those arrested were asked to reveal identities of men thought to have been involved in the killing. All except the 12 men mentioned above were subsequently released.

AI's representatives met Jean Minani and Tharcisse Nzimpora in private at the BSR. Jean Minani's shoulders, arms and back bore wounds caused by very severe beatings with police batons known locally as "*indembo*" in Kirundi or *baton de protection* in French. He told the AI representatives that under torture he had confessed to involvement in the killing of Lieutenant Colonel Sakubu during the second torture session by an *Officier de police judiciaire* (OPJ), Judicial Police Officer. He denied this was true. Tharcisse Nzimpora had been subjected to repeated severe beatings on the back of his legs during two interrogation sessions, but had not yet confessed. The commander of the BSR, Commandant Pierre Ntahorwamiye told AI representatives that, by more or less violent means ("*des moyens plus ou moins forts*"), the 12 detainees are soon expected to confess.

AI's representatives expressed concern about these abuses to several government officials, but it is unclear whether any action has been taken to stop the torture.

BACKGROUND INFORMATION

Since a coup attempt in October 1993, politically motivated killings -- both massacres by Hutu and Tutsi, and sporadic political assassinations, mostly of prominent Hutu -- are reported virtually daily across the country. Since early 1994 the two communities have for the most part been living in mutually hostile areas, both in towns and in the countryside.

There is an almost complete breakdown of law and order in the country, resulting from the government's failure to control the armed forces or to prevent Hutu and Tutsi extremists from arming themselves. Responsibility for individual killings is often difficult to ascertain. There are numerous claims that members of the security forces assist groups of armed Tutsi and that extremist Hutu politicians support armed Hutu.

Several hundred people, most of them Hutu, suspected of belonging to or

supporting Hutu armed groups have been detained without trial. Many of the detainees have been subjected to torture and other forms of ill-treatment. Others have "disappeared" or been killed in custody.

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

- expressing deep concern at the torture of Jean Minani and Tharcisse Nzimpora by judicial police officers at the *Brigade spéciale de recherche* (BSR) in Bujumbura in mid-March 1995;
- calling for immediate steps to prevent any further torture of the detainees and to take action against the officials responsible for torturing them, as stipulated by the United Nations' *Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment*, to which Burundi acceded in February 1993;
- requesting the authorities to make public the identities of all detainees and to guarantee their safety by granting them access to relatives and lawyers, and ensuring that those who have been tortured receive immediate medical care;
- urging that torture not be used as a method of interrogation during the investigations into the assassination of Lieutenant Colonel Lucien Sakubu;
- calling on the authorities to transfer the detainees to a civilian prison from where they should either be charged with a recognizably criminal offence and promptly brought to a fair trial, or be released without further delay.

APPEALS TO:

1. Gendarmerie Chief of Staff

Lieutenat Colonel BARAHEBURA
 Chef de l'Etat-major général de la Gendarmerie
 Etat-major général de la gendarmerie
 Ministère de la Défense nationale
 Bujumbura, République du Burundi

Telegrams: CEM Barahebura, Bujumbura, Burundi

Faxes: +257 22 2148

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

2. Head of *Brigade spéciale de recherche* (BSR)

Colonel Pierre NTAHORWAMIYE
 Commandant de la *Brigade spéciale de recherche*
 BP 20, Bujumbura
 République du Burundi

Telegrams: Colonel Ntahorwamiye, Bujumbura, Burundi

Faxes: +257 22 2148

Salutation: Monsieur le Commandant/Dear Commander

3. Minister of Justice

Monsieur Melchior NTAHOBAMA
 Ministre de la Justice and Keeper of Seals et Garde des sceaux
 Ministère de la Justice
 BP 1880, Bujumbura
 République du Burundi

Telegrams: Ministre Ntahobama, Bujumbura, Burundi

Faxes: +257 22 2148

Salutation: Monsieur le Ministre/Dear Minister

COPIES TO:

Monsieur Antoine NDUWAYO
Premier Ministre
Présidence de la République
BP 2800, Bujumbura
République du Burundi
Faxes: +257 22 64 24

Madame Marcienne MUJAWAHA
Ministre des Droits de la Personne humaine, de l'Action sociale et de la
Promotion de la femme
Ministère des Droits de la Personne humaine
BP 2690, Bujumbura, République du Burundi
Faxes: +257 21 5179

Monsieur Jean-Bosco BUTASI
Procureur Général de la République
BP 105, Bujumbura
République du Burundi
Faxes: +257 22 2148

and to diplomatic representatives of Burundi accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat,
or your Section office, if sending appeals after 15 May 1995.