

EXTERNAL (for general distribution)

AI Index: AFR 16/14/94
Distr: UA/SC

UA 238/94

Fear of Torture

17 June 1994

BURUNDI **NDERYIMANA André**
MADEBEDEBE Camille
KAMBAYEKO Phillipe
MUGABO Jerome
NIBIZI Abraham
SHOFERI Déo
NDIHOKUBWAYO Marc
BACAHIRYA Henri
SINDIMWO Marcel
Mr. Alexis
NDEMERA Berchmans
NTAHIMPERA Gasparo
BARYIMARE Tharcisse
and 6 others

- all civil servants

Amnesty International is extremely concerned for the safety of those listed above, amid reports that they are being severely tortured and that one of them, André Ndereyimana, is close to death. They have been in detention since they were arbitrarily arrested at the end of May 1994, are currently being held in Gitega prison in central Burundi. They are all civil servants.

The arrests were carried out, mostly at night, between 26 May and 1 June in Karuzi and Gitega provinces in central Burundi, by members of the security forces. Phillipe Kambayeko was reportedly dragged along the ground at the time of his arrest, with his hands and legs tied. Abraham Nibizi was arrested in the capital, Bujumbura.

Although no charges have been announced against the detainees, it appears they are suspected of involvement in the mass killings which occurred in late 1993.

A commission of inquiry to establish responsibility for the killings was opened by Burundi's Procuracy in April under government orders. It is not clear whether the commission or the Procuracy's Criminal Investigation Police ordered these arrests.

BACKGROUND INFORMATION

Violence engulfed most of Burundi in the aftermath of an attempted coup in October 1993 during which the country's first democratically elected president, Melchior Ndadaye, was killed by the soldiers. Between October and December 1993, up to 100,000 people were killed. Many Hutu civilians were extrajudicially executed by the security forces (dominated by the Tutsi ethnic group), some of them in reprisal for the killing of Tutsi by Hutu gangs. Although much of the violence had abated by the end of 1993, sporadic killings of Hutu by members of the security forces and between armed Hutu and armed Tutsi civilians have continued. Burundi society has become severely polarised as a result of the killing.

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

- expressing concern at reports that some of the people named above (naming some) arrested between 26 May and 1 June 1994 have been subjected to severe beatings and other forms of torture or cruel, inhuman or degrading treatment, both at the time of their arrest and in detention in Gitega;

- urging the authorities to ensure that they will not be subjected to any further torture or ill-treatment and that they will be allowed immediate access to medical care;
- urging the authorities to investigate the reports of torture and other forms of ill-treatment with a view to bringing those responsible to justice, as required by the UN Convention against Torture ratified by Burundi in 1993;
- expressing concern that the detainees appear to have been subjected to arbitrary arrest, and asking to be informed of what charges are to be brought against them, and urging that they be immediately released if they are not to be promptly charged with a recognizably criminal offence.

APPEALS TO

1) President:

Son Excellence

le Président Sylvestre NTIBANTUNGANYA

Président de la République

Présidence de la République

BP 1870, Bujumbura

Burundi

Telegrams: President Ntibantunganya, Bujumbura, Burundi

Telexes: 5036 PRESIBU BDI

Faxes: + 257 22 6424

Salutation: Monsieur le Président de la République/Dear President

2. Minister of Justice

Monsieur Fulgence Dwima BAKAMA

Ministre de la Justice et Garde des sceaux

Ministère de la Justice

BP 1880, Bujumbura, Burundi

Faxes: + 257 222148

Telegrams: Ministre de la Justice Bakama, Bujumbura, Burundi

Salutation: Monsieur le ministre

3. Public Prosecutor

Monsieur Jean-Berchmans Majanyuma

le Procureur Général de la République

Palais de Justice

BP 82

Bujumbura

Burundi

Telegrams: Procureru Général Majanyuma, Bujumbura, Burundi

Faxes: + 257 222148

Salutation: Monsieur le Procureur

COPIES OF YOUR APPEALS TO:

Monsieur Thomas BARANKIJE

Commissaire général de la police judiciaire et des parquets

BP 417, Bujumbura, République du Burundi

Governor of Gitega

Monsieur Joachim NURWAKERA

Gouverneur de la Province de Gitega

Hôtel de ville

Gitega, Burundi

Minister of Human Rights
Monsieur Issa NGENDAKUMANA
Ministre des droits de l'homme et
des réfugiés
Ministère des droits de l'homme
Bujumbura, Burundi

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 29 July 1994.