

PUBLIC

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19 December 2002

Further Information on UA 333/02 (AFR 16/019/2002, 11 November 2002) Torture or ill-treatment/fear of torture or ill-treatment

BURUNDI **Léonidas Ntakaye (m), Secretary General, *Parti pour le redressement national* (PARENA), Party for National Recovery**
Zénon Nimbona (m), Spokesman for PARENA
Christophe Hicintuka (m), Executive Secretary for PARENA
Hilaire Ntahomvukiye (m), university professor
Nestor Nimubona (m), university student

New names: **Jules Gatonga (m)**
Bernard Rutegaka (m), employee at the *Banque de la République du Burundi*, PARENA member

Released: **Benoît Ndorimana (m), businessman**
Elvis Kazungu (m), university student
Thierry Ndayishimeye (m), PARENA member
Alexis Ndayishimeye (m), university student
Innocent Nsabimana, (m), PARENA member

Amnesty International remains concerned for the safety and well-being of the seven men named above. They are being held on suspicion of involvement in an alleged plot to destabilize Burundi's Transitional Government and to assassinate President Pierre Buyoya and Jean Minani, President of the Transitional National Assembly. Nestor Nimubona is suspected of taking part in violent student protests on 4 November, apparently aimed at bringing Bujumbura to a standstill. The seven men named above who are still in detention were arrested on or around 1 November. None of the men have been charged or are thought to have had access to lawyers.

Nestor Nimubona, Léonidas Ntakaye, Bernard Rutegaka and Jules Gatonga are all held at the *Documentation nationale*, National Intelligence Agency, which reports directly to the Presidency. On 18 December, following protests by Burundian human rights groups and the relatives of the four men, the *Documentation nationale* director (*administrateur général*) granted authorization for the families to meet the detainees. Previously, family members had only been allowed to bring food for their relatives but not to meet them.

Christophe Hicintuka is currently held at the *Police de Sécurité Publique* (PSP), Public Security Police which reports to the Ministry of Interior and National Security. Amnesty International has documented scores of cases of ill-treatment and torture at both the *Documentation nationale* and the PSP. Hilaire Ntahomvukiye and Zénon Nimbona are both currently reportedly receiving medical treatment at Bujumbura's military hospital. Christophe Hicintuka was also briefly hospitalised on 20 November after intervention by human rights groups who visited him at the PSP. He was reportedly suffering from malaria.

Benoit Ndorimana was released without charge on 16 November. Elvis Kazungu, Thierry Ndayishimeye, Innocent Nsabimana and Alexis Ndayishimeye were all also released without charge on 29 November. Elvis Kazungu who was badly ill-treated by gendarmes from the *Bataillon d'Intervention*, Intervention Battalion, following his arrest late at night on 1 November, is continuing to receive medical treatment for his injuries. He was badly beaten and cannot walk without crutches. He was also beaten on the head and face and one of his eyes damaged, for which he is also receiving medical treatment.

Jean-Baptiste Bagaza, former president of Burundi, who is also accused of involvement in the alleged plot, remains under house arrest in Bujumbura.

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

- expressing concern for the safety of the seven men detained at the National Intelligence Agency and the Public Security Police (please give their names);
- urging the authorities to ensure that the men are protected from torture or ill-treatment in detention;
- calling for them to receive immediate and continued access to their families, lawyers, medical care and human rights and humanitarian organizations;
- urging for the release of any detainee who is not to be charged promptly with a recognizably criminal offence for which there is supporting evidence;
- calling for an investigation into allegations that Elvis Kazungu was ill-treated at the time of his arrest, and for the perpetrators to be promptly to justice.

APPEALS TO: Please note, it may be difficult to get through to these numbers but please keep trying.

Head of State

Son Excellence

Major Pierre BUYOYA

Président de la République

Présidence de la République

BP 1870 Bujumbura, Burundi

Telegrams: Président, Bujumbura, Burundi

Faxes: + 257 22 74 90

Salutation: Monsieur le Président de la République / Dear President

Minister of National Defence

Général-Major Vincent Niyungeko

Ministre de la Défense Nationale

Ministère de la Défense Nationale

Bujumbura, Burundi

Telegrams: Ministre Défense, Bujumbura, Burundi

Faxes: + 257 21 61 09

Salutation: Monsieur le Ministre / Dear Minister

Minister of Justice

Monsieur Fulgence Dwima BAKANA

Ministre de la Justice et Garde des Sceaux

Ministère de la Justice

BP 1880 Bujumbura, Burundi

Telegrams: Ministre Justice, Bujumbura, Burundi

Faxes: + 257 21 86 10

Salutation: Monsieur le Ministre / Dear Minister

Minister for Human Rights, Institutional Reform and Relations with the National Assembly

Monsieur Alphonse BARANCIRA,

Ministre des relations avec l'Assemblée nationale, des réformes institutionnelles et des droits de la Personne humaine,

Ministère des relations avec l'Assemblée nationale, des réformes institutionnelles et des droits de la Personne humaine

Bujumbura, Burundi

Telegrams: Ministre Droits Personne Humaine, Bujumbura, Burundi

Fax: + 257 21 75 49

Salutation: Monsieur le Ministre / Dear Minister

COPIES TO:

State Public Prosecutor

Monsieur Gérard NGENDABANKA
Procureur Général de la République
Bujumbura, Burundi

Telegrams: Procureur general, Bujumbura, Burundi

Fax: + 257 24 15 03

Salutation: Monsieur le Procureur général de la République / Dear State Public Prosecutor

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 30 January 2003.