

PUBLIC

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Further information on UA 257/98 (AFR 16/27/98, 25 September 1998) - Legal concern / Death penalty

BURUNDI Jean Minani, peasant farmer

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On 28 October 1998 Jean Minani was acquitted of all charges relating to the murder of Lieutenant Colonel Lucien Sakubu.

On 25 September, Amnesty International expressed concern that Jean Minani might be convicted solely on the basis of a statement extracted under torture, in which he confessed to the murder of Lieutenant Colonel Sakubu. The statement, which Jean Minani subsequently retracted, appeared to be the only evidence linking him to the crime.

Statements allegedly extracted under torture or duress have routinely been accepted in Burundi courts without investigation. However, at the hearing on 28 October, the court accepted the defence's argument that statements made under torture or duress cannot be accepted as evidence. The prosecution's witness also retracted her 1995 statement, which had incriminated Jean Minani. She claimed she had been threatened and forced to make the statement against him.

Representatives of Amnesty International had met and interviewed Jean Minani in detention at the *Brigade spéciale de recherche* (BSR), Special Investigation Unit, in Bujumbura in March 1995, and had seen injuries resulting from his torture. Photographs taken by Amnesty International were submitted as evidence during his trial.

**Many thanks to all those who sent appeals on behalf of Jean Minani. No further action is requested. However, you may write to the Burundi authorities, in French or your own language, welcoming the fact that a statement extracted under torture was not admitted in court and the subsequent acquittal of Jean Minani, and calling for those responsible for the torture of Jean Minani to be moved from positions of authority and to be brought to justice in accordance with international standards for fair trial.**

**APPEALS TO: (Please check whether postal services in your country are functioning to Burundi before sending letters.)**

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**Salutation : Monsieur le Procureur Général**

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**Salutation : Monsieur le Ministre**

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Maître Léonard GACUKO

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**Telegrams: President Cour d'appel, Bujumbura, Burundi**

**Salutation: Monsieur le président**