

EXTERNAL

AI Index: AFR 20/16/96

UA 298/96 Torture / Fear of torture / Medical concern 20 December 1996

CHADNestor MBAÏLO
Vincent MBAÏNAISSEM, farmer
Grégoire BOLTOUNGAR
Fleuri NEBADJINGUM
Emmanuel MAÏADJIM
Blaise MBAÏDOUAL
Polinaire MBAODJI
Raymond MBAÏLASSEM

Fears for the health and safety of the detainees named above have been heightened by reports, just received, that they have been ill-treated and that some have been severely tortured. Amnesty International is concerned that they may be being denied medical care and that they remain at risk of torture and ill-treatment.

The eight men were arrested in Logone occidentale, southern Chad, in August and September 1996, by members of the security forces on suspicion of belonging to an armed group. It is not clear whether they have been charged with any offence.

Nestor Mbaïlo was arrested on 16 August and was initially held in an unofficial detention centre; during this period he was severely tortured. At the time of his arrest he was injured on the right thigh by a bayonet. He was subsequently chained and beaten. On the day after his arrest he was submerged in the River Logone. He was transferred to the gendarmerie station in Moundou on 20 August, and on 7 September to Moundou prison. He has been held in chains since his arrest and is reported to have been denied medical attention. His father, Joachim Guerm, was arrested on 10 September when he went to look for him. Joachim Guerm was held until 2 October when he was released without charge.

Fleuri Nebadjigum was subjected to a form of torture where two metal sticks are attached to both sides of the head with elastic bands. The metal sticks are then hit causing vibrations and reverberations in the head, which has been described by other victims as being like an electric shock. His father is also reported to have been beaten, although not arrested.

Blaise Mbaïdoual was arrested at the same time as Fleuri Nebadjigum. He was beaten and subjected to *arbatachar*, a form of torture where the victim's arms and legs are tied behind the back, causing extreme pain, open wounds and sometimes gangrene.

Three other men who were arrested around the same time were released without charge in December 1996.

BACKGROUND INFORMATION

Torture and ill-treatment of prisoners is widespread in Chad. While all detainees, whether common-law or political, are at risk of ill-treatment, political detainees, particularly those suspected of links with armed groups, are at risk of severe torture. The main purpose of torture and ill-treatment appears to be to extract confessions or statements incriminating others although it is also used as a tactic of intimidation against the civilian population. There are various recurrent forms of torture, particularly *arbatachar*.

Amnesty International has also received credible testimonies describe how detainees have been tied to the back of vehicles and dragged along the ground for hundreds of metres. Others have been tied, *arbatachar* style, forced into plastic sacks and submerged in rivers or have had chilli put in their nostrils, eyes and mouth. Others are forced to drink large quantities of water and beaten.

There have been a number of deaths in detention as a result of torture. Additionally, prison conditions in Chad are generally harsh, amounting to cruel, inhuman or degrading treatment and in many cases pose a threat to health or to life. They are characterised by inadequate or non-existent sanitation, poor ventilation and inadequate food.

President Déby has faced ongoing but sporadic armed insurgency in the south, east and north regions of the country since he took power in 1990. While all parties to the conflict have committed human rights abuses against the civilian population, the main perpetrators have been government forces, in particular, members of the *Force d'intervention rapide* (FIR), Rapid Intervention Force and the Gendarmerie. Members of the security forces taking part in counter-insurgency operations have committed scores of human rights violations against the civilian population. Also in this context real and suspected armed group members have been the victim of human rights violations such as arbitrary arrest, detention without charge or trial, extrajudicial execution and torture.

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

- urging that immediate steps be taken to guarantee the safety and physical integrity of the detainees named above following reports that they have been subjected to ill-treatment and torture;
- seeking assurances they will be allowed immediate access to medical care and legal counsel;
- urging that the reports of ill-treatment and torture, be investigated, and if found to be true, those responsible removed from positions of authority and brought to justice in accordance with international standards of fairness;
- seeking clarification of the legal status of the detainees, and whether they have been charged with any specific offences;
- urging that they be released if they are not to be charged with recognizably criminal offences.

APPEALS TO:

President Idriss Déby
Président de la République
Présidence de la République
BP 74, N'DJAMENA, Chad

Faxes: + 235 51 45 01/51 46 53 (Please note: the 51 will change to 52 in the near future)

Telegrams: President Déby, N'Djaména, Chad

Salutation: Monsieur le Président / Dear President

Monsieur Ahmat Hassaballah Soubiane
Préfet de Moundou
Moundou, Logone occidentale, Chad

Telegrams: Prefet de Moundou, Logone occidenal, Chad

Salutation: Monsieur le Préfet / Dear Prefect

Monsieur Youssouf Togoimi

Ministre des Forces armées
Ministère des Forces armées
N'DJAMENA, Chad

Telegrams: Ministre des Forces armées, N'Djaména, Chad
Salutation : Monsieur le Ministre / Dear Minister

Monsieur Ahmat Nimir
Ministre de la sécurité publique
Ministère de l'Intérieur
N'DJAMENA, République du Tchad

Faxes : + 235 52 58 85

Telegrams : Ministre, Securite Publique, N'Djamena, Chad
Salutation: Monsieur le Ministre / Dear Minister

COPIES TO:

Lieutenant Colonel DAOUD Soumaïne Khalil, Directeur Général de la Gendarmerie,
BP 425, N'DJAMENA, Chad

Maître Paul Wadana, Procureur de la République, Palais de Justice, Moundou,
Logone occidentale, Chad

Le Rédacteur en chef, N'Djaména-Hebdo, BP 760, N'DJAMENA, Chad

and to diplomatic representatives of CHAD accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat,
or your section office, if sending appeals after 8 February 1997.