

EXTERNAL (for general distribution)

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Further information on UA 384/91 (AFR 47/15/91, 11 November 1991) - Legal and Ill-treatment Concerns

RWANDA: Jean-Marie Vianney Mutokambali
 Alexis Bizimana
 Ernest Ntagara
 David Kabera
 Bushimire (please note corrected name)
 Kayitankore
 Ntagengwa

 Turgirimukiza (please note corrected name)

and new names: Mulisa
 Gisagara
 Mushimire

In January 1992 the Rwandese Minister of Foreign Affairs sent to Amnesty International a report of a commission of inquiry set up by, and composed of officials from the Rwandese Ministry of the Interior and Communal Development. The report concerned, among other human rights issues, the arrest of the 11 people mentioned above. These 11 were arrested between 20 and 22 October 1991 in Nyamata, Kanzenze commune (district), Bugesera Sous-préfecture (administrative sub-region) in Kigali préfecture (administrative region) on the orders of local government officials. The report confirmed that they are still held at Kanzenze district headquarters.

Concerning these arrests, the report said that the 11 were arrested in connection with the recruitment of youths in Bugesera to join the rebel group known as the Front patriotique rwandais (FPR), Rwandese Patriotic Front, which has been fighting a guerilla war against government forces since October 1990. The report claimed that the detainees' cases are being handled by the Procuracy at Nyamata. It did not mention whether they had been charged with specific offences and whether or when they would be brought to trial. It said that the detainees had not been beaten and that they freely confessed that they had intended to join the ranks of the FPR. It continued to say that Gisagara and Mushimire had made defamatory remarks about President Juvénal Habyarimana, without specifying what those remarks were.

In a related development the administrator (Bourgmestre) of Kanzenze commune imposed fines on Harelimana, Musoni and Mutambuka solely because they had been found in the company of people not normally resident in the area suspected of wanting to join the FPR. This was evidently a violation of both their right to freedom of association and their right to have their cases heard by an independent judicial authority.

FURTHER RECOMMENDED ACTION: Telegrams/telexes/faxes/express and airmail letters in

FRENCH, if possible:

- welcoming the decision by the officials of the Ministry of Interior and Communal Development to carry out an investigation into the arrest of the 11 people (naming some or all of them) mentioned above and asking if the report has been made public;

- asking if they are still held and, if so, whether they have been charged with specific offences;

- asking the authorities to give details of the defamatory remarks made by Gisagara and Mushimire and expressing concern that if the remarks do not advocate the use of violence then the two persons may be prisoners of conscience who should be released without delay;

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- seeking assurances that the 11 detainees can challenge the reasons for their detention in a court of law which should also order an independent investigation into the claim by the inquiry that they were not subjected to ill-treatment;

- urging the authorities to release all 11 immediately unless they have been charged with recognizably criminal offences and are to be promptly brought to trial.

APPEALS TO:

1) Prime Minister and Minister of Justice:

Monsieur Sylvestre NZANZIMANA
Premier Ministre et Ministre de la Justice
Ministère de la Justice
BP 160, Kigali, République rwandaise

**Monsieur le Premier Ministre /
Dear Prime Minister**

Telegrams: Ministre Justice, Kigali, Rwanda
Telexes: 22502
Faxes: + 250 74583

2) Minister of Defence and Security:

Le Colonel Augustin NDINDILYIMAN
Ministre à la Présidence pour
la Défense et la Sécurité
BP 15, Kigali, République rwandaise

Monsieur le Ministre / Dear Minister

Telegrams: Ministre Defense et Securite, Kigali, Rwanda
Telexes: 22517
Faxes: + 250 74583

3) Minister of the Interior:

Monsieur Faustin MUNYANZESA
Ministre de l'Intérieur et
du développement communal
Ministère de l'Intérieur
BP 446, Kigali, République rwandaise

Monsieur le Ministre / Dear Minister

Telegrams: Ministre Munyazesa, Kigali, Rwanda
Telexes: 22502
Faxes: + 250 82073

COPIES TO AT LEAST TWO OF THE FOLLOWING:

Minister of Foreign Affairs:

Monsieur le Docteur Casimir BIZIMUNGU
Ministre des Affaires étrangères et de la coopération
Ministère des Affaires étrangères
BP 179, Kigali, République Rwandaise

Faxes: +250 72902 or +250 72904

Secretary General of the National security service:

Monsieur Donat HAKIZIMANA

Secrétaire général

Service central de renseignements (SCR)

BP 125, Kigali, République rwandaise

and the following newspapers:

- Monsieur le Rédacteur-en-Chef, Kinyamateka, BP 761, Kigali, République rwandaise
- Monsieur le Rédacteur-en-Chef, La Relève, Office rwandaise d'information, BP 83, Kigali, République rwandaise
- Monsieur le Rédacteur-en-Chef, Isibo, Bureau central, BP 2258, Kigali, République rwandaise
- Monsieur le Rédacteur-en-Chef, Le Tribun du Peuple, BP 2314, Kigali, République rwandaise

and to diplomatic representatives of Rwanda in your country

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 11 March 1992.