

To: Medical professionals  
From: Medical office / Africa Program  
Date: 31 March 1998

### **MEDICAL LETTER WRITING ACTION**

**Philomène Mukabarali  
RWANDA**

#### **Keywords**

Theme: Ill-health/ medical care

#### **Summary**

Please see the attached information about the imprisonment of Philomène Mukabarali who is aged 55 and has advanced breast cancer. She was arrested in December 1997 and has been detained since that date without trial. Her husband is also imprisoned and has been held without trial since 1994. Mrs Mukabarali was the subject of Urgent Actions in December 1997 and January 1998. Further information on her state of health and present situation has now been received

#### **Recommended Actions**

Letters are requested from medical professionals to the addresses below:

- raising Philomène Mukabarali's case and urging her prompt release from prison so she can seek the medical attention she requires which she cannot receive while in prison
- underlining the gravity of her situation and referring to reports from a specialist which support the need for her release
- asking whether she has received medical attention since her arrest
  - asking the reasons for her imprisonment and noting that, apart from the humanitarian need to provide specialist attention, she should not be imprisoned if she is not charged with a recognizably criminal offence.

#### **Addresses**

Général Major Paul KAGAME  
Vice-Président de la République  
et Ministre de la Défense  
BP 23, Kigali, Rwanda  
Faxes: +250.72431 or 76969

Faustin NTEZILYAYO  
Ministre de la Justice  
Ministère de la Justice  
BP 160, Kigali, Rwanda  
Faxes +250.86509

Dr Vincent Biruta  
Ministre de la Santé  
Ministère de la Santé  
BP 84, Kigali, Rwanda

Madame Aloysie INYUMBA  
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PUBLIC

AI Index: AFR 47/09/98

Distr: PG/SC

Date: 31 March 1998

**Philomène MUKABARALI  
RWANDA**

Amnesty International is appealing to the authorities in Rwanda for the release of Philomène Mukabarali who was arrested in December 1997 at a time when she was under the care of an oncologist in Belgium. She is currently detained at Kigali Central Prison. Mrs Mukabarali had been diagnosed in 1995 with carcinoma of the breast. Initially she was denied access to her medication in prison, but is now able to receive it and has supplies to last until May.

Philomène Mukabarali was arrested at her home on 19 December 1997 by a group of around ten soldiers who forced their way into her house in the commercial district of Kigali. She had returned to Rwanda from Belgium in November 1997 where she had been undergoing radiotherapy and hormonal therapy at a private clinic. Eight others who were in the house were arrested at the same time - a friend who works at the Ministry of Education, a driver, a domestic worker, three workmen and two other visitors. These people have all since been released.

Mrs Mukabarali was first held at a detention centre known as the "*criminologie*" and was transferred to Kigali Central Prison on 8 January 1998, an indication that the authorities did not intend to release her in the near future. She was then charged with endangering the security of the state. It is believed that this charge relates to leaflets expressing support for Rwanda's past monarchy which are reported to have been found at her house during arrest. Philomène Mukabarali is married to Sylvestre Kamali, a former diplomat and former president of the Gisenyi branch of the *Mouvement démocratique républicain*, Republican Democratic Movement, the main opposition party in Rwanda. He is aged 62 and has been imprisoned for over three years without trial following his arrest in 1994. He was among the first people to be arrested in July 1994 when the Rwandese Patriotic Front formed the new government and has since been detained on accusations of participation in the genocide in 1994. Philomène Mukabarali lost many relatives during the killings and several members of the family have been subjected to attacks and threats under both the previous and current governments.

While many of those detained in Rwanda are probably guilty of participation in the genocide in 1994, it is widely believed that others are innocent. Amnesty International has documented a pattern of arbitrary arrests since July 1994. Many individuals are arrested on the basis of unsubstantiated accusations of "participation in genocide", without reference to any specific crime. The accusation of "genocide" has often been used to imprison individuals for political or other motives, for example in the context of property disputes or to silence government critics. Relatives of prominent political figures have also been frequently harassed and many arrested.

Mrs Mukabarali is from the Tutsi ethnic group and her husband is Hutu. She ran a private catering and tourism training college for around 400 pupils and is a member of an organization known as *Abatangana* ('Those who do not hate each other'). *Abatangana* organizes cultural activities, including traditional songs and dances, with the aim of promoting reconciliation. Some of the organization's material and activities refer to the history of Rwanda prior to 1959 when a monarchy ruled the country. Those who openly express support for the restoration of the monarchy are reported to be viewed as a possible political threat by some members of the current government.

Conditions in Kigali Central Prison are very poor as in other prisons and detention centres in Rwanda. The prison is overcrowded, has few facilities, is unhygienic and food is sometimes in short supply. In late February 1998, it held 7,601 prisoners, 618 of them women, while it was built to house 2,000. Mrs Mukabarali was to have undergone medical review every three months in Belgium before her arrest. A medical report provided to the family by her oncologist notes that regular medication and a good diet are essential and states the following: "Strict hygiene is essential. She must improve her psychological and physical resistance. One fears that her imprisonment will cause a rapid deterioration in her health. It is imperative that she is released from prison and treated in a home environment". (*Une hygiène stricte est impérative. Elle doit augmenter sa résistance psychique et physique. On peut craindre que son emprisonnement sera la cause d'une détérioration rapide de sa santé. Il est absolument nécessaire qu'elle sorte de prison et qu'elle puisse être traitée à domicile.*) Initially the Minister of Health had reportedly refused Mrs Mukabarali a special diet; it is not clear whether this is still the case. Doctors and nurses do visit the prison, but are able to provide only basic care and medicines to the detainees.

According to a further report from her oncologist, Mrs Mukabarali's cancer had spread to involve the lymph nodes when she originally came for consultation. A lump of 4x3x7cm was surgically removed in 1995 and three lymph nodes were found to be positive. Following surgery she underwent radiotherapy which involved 23 visits between July and September 1997. She commenced hormonal therapy in September 1997 taking Nolvadex (tamoxifen) - an anti-oestrogen drug - once daily (40mg).

Mrs Mukabarali left Belgium to return to Rwanda in November 1997 as her husband was still imprisoned and threats against the family continued. She had sufficient drugs for a 4 month period when she left Belgium and had been due to return within three to four months for diagnostic and therapeutic re-assessment.

A relative of the Mukabarali-Kamali family was ill-treated by soldiers at Kigali Prison on 17 December 1997 and was reportedly beaten again on 3 January 1998 as he tried to deliver food to Sylvestre Kamali. He was reportedly detained overnight and released on 4 January 1998. Another acquaintance who tried to leave food for Mr Kamali in December was reportedly told by a soldier at the prison that Sylvestre Kamali was no longer among the prisoners entitled to receive food from visitors. The soldier then reportedly slapped him and ordered him to take the food away.

Amnesty International is calling for Mrs Mukabarali to be released from prison in order to seek medical attention and is asking the Rwandese authorities to account for the reasons for her imprisonment.