

EXTERNAL (for general distribution)

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Fear of torture

26 August 1993

ZAIRE: 20 people including:

Tabura Kabuga

Ndayambaje

Musabimana

Kasuka

Nzabomimana

Muhozi

Ndambara

Kacuku wa Ngeyo

Kabunga

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Amnesty International is concerned for the safety of the above named people, and possibly of as many as 10 others, who were arrested by members of the security forces on or around 13 August 1993 in Goma, the capital of Eastern Zaire's North-Kivu region.

They were reportedly transferred soon after their arrest to Kinshasa. The authorities have not revealed their exact place of detention. There are fears that the detainees may be subjected to severe ill-treatment or may even "disappear" in custody. Conditions in most Zairian prisons are very harsh and detainees are often deprived of food and water, subjected to torture or other forms of cruel, inhuman and degrading treatment while being held in cramped and unsanitary cells.

Those arrested are people of ethnic Rwandese origin, Hutu and Tutsi, locally collectively known as Banyarwanda. The reasons for the arrests are unclear: some of those arrested have reportedly been accused by local Zairean authorities of gun-running though there are also reports that the men were arrested for protesting against recent killings of Banyarwanda in North-Kivu region. According to press reports, heavy weapons were seized on 9 August 1993 in vehicles belonging to Banyarwanda. The weapons were allegedly destined for neighbouring Rwanda where civil war had been continuing since October 1990, until a peace agreement between the warring parties was signed on 4 August 1993. Regional officials have reportedly called for the expulsion of Banyarwanda and accused the regional governor of being slow in taking action against the Banyarwanda. The governor has said he is waiting for the result of a commission of inquiry into the incident before taking further action.

#### BACKGROUND INFORMATION

The arrests took place in the wake of mass killings of Banyarwanda by members of Hunde and Nyanga ethnic groups in North-Kivu region. The killings began in Walikale and Masisi districts in March 1993. In June 1993 independent sources estimated that more than 3,000 people, mostly Banyarwanda, had been killed in intercommunal violence in North-Kivu region. To date, as many as 7,000 people may have been killed. About 200,000 people have been displaced, most of them fleeing into the bush, health centres or churches.

Government and security officials are known to have instigated or condoned the killings. Sources from North-Kivu claimed that some members of the security forces in civilian clothes were involved in the violence against the Banyarwanda. Some of the soldiers sent to the area to quell the violence were reportedly involved in raping

women and looting. In mid-July 1993 President Mobutu sent about 140 members of the Division spéciale présidentielle (DSP) to the region, ostensibly to quell the violence, but the impact of their arrival is not known.

There are reported to be about two million Banyarwanda in the region; many entered Zaire as refugees during ethnic disturbances in Rwanda which began in 1959. Others were brought to Zaire between the 1930s and 1950s by Belgian colonialists as migrant labourers. In neighbouring Rwanda a civil war between a Tutsi-dominated rebel group and the Hutu-led government began in October 1990. Before a peace agreement was signed by the government and the rebels on 4 August 1993 the war had caused thousands, mostly Tutsi, to flee into exile and hundreds

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of thousands of Hutu to be displaced. In recent years Banyarwanda have protested at being treated as foreigners in Zaire or at having limited or no civil and political rights.

**RECOMMENDED ACTION: Please send telegrams/telexes/express and airmail letters either in French, English or in your own language:**

- expressing concern at the arrest of about 20 people (give some names) on or around 13 August 1993 in Goma; asking that the reasons for the arrests be made public, for a list of the detainees and that their place of detention to be made public;

- expressing fears for their safety and seeking assurances that none of the detainees are being subjected to torture or other forms of cruel, inhuman or degrading treatment;

- asking that unless they are to be promptly charged with a recognizably criminal offence and brought to trial in conformity with international standards of fairness, they be released immediately and unconditionally;

- urging that they be given immediate access to legal counsel, relatives and any necessary medical attention.

**APPEALS TO:**

1) President:

Son Excellence Monsieur Maréchal MOBUTU  
Sese Seko  
Président de la République  
Kinshasa-Ngaliema  
République du Zaïre

**Telegrams: Président Maréchal Mobutu,  
Kinshasa, Zaïre**

**Telexes: 21368**

**Salutation: Monsieur le Chef  
d'Etat-Major /  
Dear Grand Admiral**

**Salutation: Monsieur le Président /  
Dear President**

2) Chief of Staff of the Armed forces:

Monsieur le Grand amiral ELUKI Monga  
Chef d'Etat-Major Général des Forces  
armées zaïroises (FAZ)  
Ministère de la Défense nationale  
Kinshasa-Ngaliema  
République du Zaïre

**Telegrams: Chef d'Etat-Major Eluki,  
Kinshasa, Zaïre**

3) Governor of North-Kivu Region:

Monsieur Moto Mupenda  
Région du Nord-Kivu  
Hôtel de ville  
Goma

Région du Nord-Kivu  
République du Zaïre

**Telegrams: Gouverneur du Nord-Kivu,  
Goma, Zaïre**

**Salutation: Monsieur le Gouverneur /  
Dear Governor**

4) Commander of the Presidential Guard:

Monsieur le Général de Brigade NZIMBI  
Ngbale

Commandant de la Division spéciale  
présidentielle (DSP)

Présidence de la République  
Kinshasa-Ngaliema

République du Zaïre

**Telegrams: Commandant Nzimbi de la DSP,  
Kinshasa, Zaïre**

**Salutation: Monsieur le Commandant /  
Dear Commander**

**COPIES OF YOUR APPEALS TO:**

1) Human Rights organization:

Ligue zaïroise des droits de l'homme  
20 rue Draily  
6000 Charleroi, Belgium

2) Head of the national security service:

Monsieur TUTU Ambago  
Administrateur général du Service  
national d'intelligence et de  
protection

BP 3060, Kinshasa-Gombe  
République du Zaïre

and the following newspapers:

3) Le Potential

2 Avenue Msi-Manimba  
BP 11338

Kinshasa 1  
Zaïre

4) Elima

BP 10017  
Kinshasa-Limete  
Zaïre

and to diplomatic representatives of Zaïre accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 7 October 1993.