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UA 288/98 Fear of torture or ill-treatment 6 November 1998

BURUNDI Désiré and up to 19 other men

Amnesty International is concerned that up to 20 men who were arrested on or around 31 October 1998 could be at risk of torture and ill-treatment in detention.

A man known to sources in Bujumbura as Désiré is currently detained along with four other men at the *Documentation nationale*, national intelligence service, Bujumbura. Up to 15 others are being held at the gendarmerie headquarters (*brigade*) in Cibitoke, Cibitoke province, north-western Burundi.

All are believed to be members of a new Tutsi armed opposition group, reportedly called the *Front national pour la libération du Burundi* (FNLB), National Front for the Liberation of Burundi. The FNLB is close to the opposition party *Parti pour le redressement national* (PARENA), National Recovery Party, whose leader, former president Jean Baptiste Bagaza, is currently in exile in Uganda.

The men were reportedly arrested following an unsuccessful attack on a military post in Cibitoke province by a group of armed insurgents. Between 15 and 20 of them were subsequently arrested. The exact number of arrests has not yet been confirmed. All the detainees are reportedly accused of offences relating to threatening state security and participation in armed opposition groups.

Torture and ill-treatment are routine in Burundi, particularly during the early stages of detention in police custody. Scores of detainees have been tortured during detention at the *Documentation nationale*, which is under the Presidency's direct command. Alleged members of armed opposition groups have been particularly vulnerable to torture during questioning. Human rights groups have tried to visit the detainees in the *Documentation nationale* but have not yet gained access to them.

BACKGROUND INFORMATION

Before his arrest, Désiré stayed at the house of Maître Pacelli Ndikumana, a lawyer, during a visit to Bujumbura. Pacelli Ndikumana was arrested on 2 November 1998 and accused of threatening state security. He has reportedly been questioned about alleged links with the FNLB, which he denies. He is currently held at Mpimba Central Prison, where he is able to receive visits.

Pacelli Ndikumana is currently acting as defence lawyer for a number of people accused of threatening state security and participation in an alleged plot to assassinate Burundi's current president, Pierre Buyoya. Many of the defendants were reportedly severely tortured. The defendants include senior PARENA officials, members of *Solidarité jeunesse pour la défense des droits des minorités* (SOJEDEM), Youth Solidarity for the Defence of Minorities, a radical Tutsi political group, and supporters of former President Jean Baptiste Bagaza. The next hearing in the trial, which is taking place before a military court, is scheduled for 13 November.

RECOMMENDED ACTION: Please check whether postal services in your country are functioning to Burundi. Please send telegrams/telexes/faxes and, if possible, express/airmail letters in French or in your own language:

- expressing concern that up to 20 men, believed to be FNBL members, who currently detained in police custody in Cibitoke (*la brigade de Cibitoke*) and the *Documentation nationale*, are in danger of being tortured or ill-treated;
- seeking assurances that immediate steps will be taken to ensure that their physical integrity will be protected;
- calling for all accusations against the detainees to be thoroughly and impartially investigated and, if substantiated, that they be promptly tried in accordance with international standards for fair trial;
- calling on the authorities to allow the detainees immediate and continued access to their families, legal counsel, medical care and representatives of humanitarian and human rights organizations;
- reminding the government of Burundi of its commitment to the Universal Declaration of Human Rights, in particular Article 5: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment".

APPEALS TO: (Please note that fax tones can be difficult to obtain):

President

Major Pierre Buyoya, Président de la République, Présidence de la République, Bujumbura, Burundi

Fax: 257 22 74 90

Telex: 5036PRESIBU

Telegrams: Major Buyoya, Bujumbura, Burundi

Salutation: Monsieur le Président / Dear President

Minister of Justice, Monsieur Terence SINUNGURUZA, Ministre de la Justice et Garde des sceaux, Ministère de la Justice, Bujumbura, Burundi

Fax: 257 21 86 10

Telegram: Ministre Justice, Bujumbura, Burundi

Salutation : Monsieur le Ministre / Dear Minister

Head of the National Intelligence Unit

Monsieur Martin NKWIRIKIYE, Administrateur Général de la Documentation nationale, Documentation nationale, Bujumbura, Burundi

Salutation: Dear Sir

Telegram: Monsieur NKWIRIKIYE, Documentation nationale, Bujumbura, Burundi

Police Chief, Cibitoke, Commandant de la Brigade de Cibitoke, Cibitoke, Cibitoke Province, Burundi

Salutation: Monsieur le Commandant

Telegram: Commandant Brigade, Cibitoke, Burundi

COPIES TO:

Minister for Internal Affairs and Public Security

Col. Ascension TWAGIRAMUNGU, Ministre de l'Intérieur et de la Sécurité Publique, Ministère de l'Intérieur, Bujumbura, Burundi **Fax: 257 22 19 82**

Minister for Human Rights, Institutional Reform and Relations with the National Assembly

Eugène NINDORERA, Ministre des droits de la Personne humaine, des réformes institutionnelles, et des relations avec l'Assemblée nationale, Bujumbura, Burundi, Fax: + 257 21 38 47

and to diplomatic representatives of Burundi accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 17 December 1998.

"No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment"

Article 5, Universal Declaration of Human Rights

Visit the Amnesty International UDHR campaign website on <http://www.amnesty.excite.com>