

EXTERNAL (for general distribution)

AI Index: AFR 16/02/92

Distr: UA/SC

UA 06/92 Legal/Ill-treatment concern

6 January 1992

BURUNDI: Jean-Berchmans Baragunzwa, a director of Gihanga School of Masonry
Charles Mugiraneza, a technical college teacher in Bubanza

and 20 others held at the Brigade spéciale de recherche (BSR), Special Investigation Brigade, in Bujumbura.

The two people named above and at least 20 other detainees arrested in late November and early December 1991 are reported to have been subjected to severe beatings and other forms of cruel, inhuman or degrading treatment in several different detention centres. They were arrested in connection with a violent attack, which began on 23 November 1991, by an armed group on military and other installations in the capital, Bujumbura, and the provinces of Bubanza and Cibitoke.

Jean-Berchmans Baragunzwa is reported to have been arrested on 12 December 1991 at Gihanga in Bubanza province. He is reportedly still held at a police station in Bubanza town. He is reported to have been hand-cuffed so tightly that his arms became acutely sore, making it impossible to feed himself. Charles Mugiraneza is also reported to have been arrested on 12 December. He was reportedly subjected to torture under interrogation by members of the security forces at Bubanza police station in Bubanza. He is reported to have sustained injuries including a wound on one foot.

Twenty suspected members of the clandestine opposition group known as the Parti pour la libération du peuple Hutu (PALIPEHUTU), Party for the Liberation of the Hutu People, were reported in late December 1991 to be held at the headquarters of the Gendarmerie's Brigade spéciale de recherche (BRS), Special Investigation Brigade. They were reportedly being kept in a cell measuring about five metres by four metres. They were kept permanently in handcuffs and showed signs of torture, with fractured bones and open wounds. They apparently did not have access to medical care.

Amnesty International is concerned that the people mentioned above have been subjected to severe ill-treatment and torture while in custody. They appear not to have been charged with any offence and may be held solely on the basis of unsubstantiated allegations that they support the rebels who attacked Burundi in November 1991. The organization is further concerned that the authorities have not taken any action to bring those responsible for the ill-treatment to justice or to ensure that the detainees have access to adequate medical care.

BACKGROUND INFORMATION:

Amnesty International has received numerous reports of serious human rights violations carried out by members of the Burundi security forces in the aftermath of violent attacks which started on 23 November 1991 by armed government opponents on military and other installations in the capital, Bujumbura, and in the northwestern provinces of Bubanza and

Cibitoke. The reports concern arbitrary arrests, torture and other forms of ill-treatment, extrajudicial executions and "disappearances". Many of the abuses appear to have been carried out as reprisals or on the basis of no evidence that the victims had been involved in armed opposition.

These human rights violations, especially the extrajudicial executions, resemble those committed on several occasions in the past, particularly in 1965, 1969, 1972 and, most recently, in 1988. Following thousands of killings by the army in 1988, the government refused to take action to bring soldiers responsible for human rights violations to justice, although at a political level steps were taken to bring about reconciliation between Hutu and Tutsi.

page 2 of UA 06/92

RECOMMENDED ACTION: Telegrams/telexes/express and airmail letters in FRENCH, if possible:

- expressing concern at reports that the persons mentioned above (naming the two) have been subjected to severe beatings and even torture by members of the security forces;
- expressing concern that almost all of them are reported to have been kept permanently in hand-cuffs, a violation of the United Nations Standard Minimum Rules for the Treatment of Prisoners's limits (contained in Article 33) on the use of instruments of restraint;
- inquiring whether the authorities have investigated these reports and, if they have not, urging them to set up an independent and impartial investigation into allegations torture and other forms of cruel, inhuman or degrading treatment and to bring those found to be responsible to justice and compensate the victims;
- asking for assurances that they are no longer being ill-treated and that they are being allowed to receive adequate medical care;
- urging the authorities to ensure that the detainees are not held in cramped conditions and that handcuffs are immediately removed from their hands;
- requesting the authorities to issue clear public instructions to all members of the security forces that torture and the beating of prisoners are violations of human rights and criminal offences, and that those found responsible for such abuses will be brought to justice;
- urging the authorities to ensure that all those arrested solely because of their ethnic origin, social standing or uncorroborated denunciations are released without delay and that any others, against whom criminal charges are to be brought, are allowed legal counsel and are referred to the procuracy with a view to bringing them promptly to trial.

APPEALS TO:

1. President:

Son Excellence Major Pierre Buyoya
Président de la République
Présidence de la République BP 1870,
Bujumbura, République du Burundi

Telegrams: President Buyoya, Bujumbura, Burundi

**Telexes: 5039 presibu bdi or
5049 mnd bdi**

Salutation: Monsieur le Président / Dear President

2. Prime Minister:

Monsieur Adrien Sibomana
Premier Ministre et Ministre de la Planification
Présidence de la République BP 1870
Bujumbura, République du Burundi
Telegrams: Premier Ministre Sibomana, Bujumbura, Burundi
Telexes: 5039 presibu bdi

Salutation: Monsieur le Premier Ministre / Dear Prime Minister

page 3 of UA 06/92

3. Minister of Justice:

Monsieur Sébastien Ntahuga
Ministre de la Justice
Ministère de la Justice BP 1880
Bujumbura, République du Burundi
Telegrams: Ministre Ntahuga, Bujumbura, Burundi
Telexes: via Ministry of Foreign Affairs: 5065 minirext, attn Ministre Ntahuga

Salutation: Ministre Ntahuga / Dear Minister

4. Minister of Health:

Dr Norbert Ngendabanyikwa
Ministre de la Santé publique
Ministère de la Santé publique
Bujumbura, République du Burundi
Telegrams: Ministre Ngendabanyikwa, Bujumbura, Burundi

Salutation: Ministre Ngendabanyikwa / Dear Minister

5. Commander of Bujumbura's Police Force:

Monsieur le Commandant de la Police urbaine de Bujumbura et Inspecteur des Postes de
Police
Ministère de l'Intérieur
BP 1910, Bujumbura
République du Burundi
Telegrams: Commandant de la Police urbaine de Bujumbura, Bujumbura, Burundi

Salutation: Monsieur le Commandant / Dear Commander

COPIES TO:

1. Minister of the Interior:

Monsieur Libère Bararunyeretse
Ministre de l'Intérieur et du Développement des collectivités locales
Ministère de l'Intérieur, BP 1910
Bujumbura, République du Burundi

2. Governor of Bubanza:

Monsieur Balthazar Kirubusa
Gouverneur de la Province de Bubanza
Hôtel de ville, Bubanza
République du Burundi

3. General Administrator of National Security:

Monsieur Laurent Niyonkuru
Administrateur Général de la Sûreté nationale
Ministère de la Défense nationale
Bujumbura, République du Burundi

4. Director of Criminal Investigation Police

Monsieur le Directeur de la Police judiciaire des parquets
Palais de Justice
BP 82 Bujumbura
République du Burundi

5. President of Human Rights Organization:

Monsieur Eugène Nindorera
Président
Ligue burundaise des droits de l'homme
BP 177, Bujumbura
République du Burundi

6. Newspaper Editor:

Monsieur le Rédacteur-en-Chef
Le Renouveau
BP 2870, Bujumbura,
République du Burundi

and to diplomatic representatives of Burundi in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 17 February 1992.