

PUBLIC

AI Index: AFR 16/05/00

UA 38/00 Death in detention / Torture and ill-treatment 15 February 2000

BURUNDI Scores of detainees including:
Lévi RUKONDO, School director
Nestor NIKOBAGOMBA
Canésius BARAKAMFITIYE, Adviser, Ministry of Foreign relations
Eliazard BANDYAMBONA
André BIGIRIMANA
André BAZIRINYAKAMWE, Employee, Ministry of Communal Development
Pascal NYABENDA, farmer
Etienne BAYAMPUNDE, farmer

Diomède Buyoya, domestic worker (dead)

Amnesty International is concerned for the safety of scores of people, including those named above, who are held at the *Brigade spéciale de Recherche* (BSR), Special Investigation Unit, in the capital Bujumbura.

Amnesty International has frequently raised concern for the safety of detainees at the BSR, a gendarmerie unit responsible to the Ministry of Defence. It is particularly concerned following the death at the BSR of Diomède Buyoya on 13 February 2000. He had been taken there by a soldier, whose wife employed Diomède Buyoya, the day before, after the soldier's wife accused Diomède Buyoya of insulting her. Witnesses who saw his body in a mortuary in the city said that his torso showed signs of torture and that his neck particularly was bruised and swollen.

All those named above, except for Diomède Buyoya and Etienne Bayampunde, are reportedly accused of having links with armed opposition groups active in the area. The basis of the accusations is not known. The reason for Etienne Bayampunde's detention is not known. People accused of links with armed opposition groups are particularly vulnerable to torture and at least two of those named above are reported to have been tortured.

Lévi Rukondo, who was arrested on 30 November 1999 and is apparently accused of having given money to a deserter from an armed opposition group, is reported to have been severely beaten in military custody in a military barracks, Camp Buyenzi in Bujumbura. The basis for the allegation is not known and he has not been formally charged. After his arrest, he was reportedly detained in several places. As his whereabouts were unknown for some time, this gave rise to fears that he had "disappeared". Canésius Barakamfitye is also reported to have scars which may be the result of torture.

Scores of other people are reportedly being detained in military barracks around Bujumbura, on the basis of similar accusations.

BACKGROUND INFORMATION

Reports of torture and "disappearances" increased at the end of 1999 when scores of people were arrested. Detainees are often moved from one place of detention to another, including from military to civilian detention, without documentation about where they may be held. Torture and ill-treatment of detainees, particularly those in police and military custody, is routine and usually takes place in the initial days and weeks of detention. Statements extracted through torture or intimidation have been accepted as evidence in court. In some cases it may be the only evidence against the defendant.

RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in French or your own language (Please check whether postal services to Burundi are operating from your country):

- expressing grave concern for the safety of scores of people in military detention in Bujumbura, particularly the BSR, after reports of systematic torture and ill-treatment;

- expressing concern at the death of Diomède Buyoya at the BSR on 13 February 2000 and the reported torture of Lévi Rukondo and Canésius Barakamfitiye;
- demanding a full and independent investigation into the death of Diomède Buyoya and into reports of torture at the BSR and for those responsible to be brought to justice;
- calling for immediate steps to be taken to protect detainees held at the BSR, mentioning those named above, and asking that they be granted access to their families, medical care, and humanitarian and human rights organizations;
- calling for the accusations against detainees at the BSR to be promptly investigated and asking for their release if they are not to be charged on the basis of substantiated evidence;
- calling for proper registration of all detainees in military and civilian custody.

APPEALS TO: (It may be difficult to get faxes through. Please keep trying.)

State Public Prosecutor

Monsieur Gérard NGENDABANKA

Procureur Général de la République

Bujumbura, Burundi

Telegrams: Procureur General, Bujumbura, Burundi

Faxes: + 257 24 15 03

Salutation: Monsieur le Procureur Général de la République / Dear State Public Prosecutor

Minister of Defence

Colonel Cyrille NDAYIRUKIYE

Ministre de la Défense Nationale

Ministère de la Défense Nationale

Bujumbura, Burundi

Telegrams: Ministre Défense, Bujumbura, Burundi

Faxes: + 257 22 39 59 / 22 71 05

Salutation: Monsieur le Ministre / Dear Minister

Minister of Justice

Monsieur Téreance SINUNGURUZA

Ministre de la Justice et Garde des sceaux

Ministère de la Justice

BP 1880 Bujumbura, Burundi

Telegrams: Ministre Justice, Bujumbura, Burundi

Faxes: + 257 22 21 48

Salutation: Monsieur le Ministre / Dear Minister

COPIES TO:

Monsieur Eugène NINDORERA

Ministre des Droits de la Personne humaine, des Réformes institutionnelles et des Relations avec l'Assemblée nationale, Ministère des Droits de la Personne humaine, des Réformes institutionnelles et des Relations avec l'Assemblée nationale, Bujumbura, Burundi Faxes: + 257 21 75 49

Monsieur Sévérin NTAHOMVUKIYE

Ministre des Relations extérieures et de la Coopération, Ministère des Relations extérieures, Bujumbura, Burundi, Faxes: + 257 22 63 13

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 28 March 2000.