

PUBLIC

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18 January 2001

Further information on UA 06/01 (AFR 16/004/2001, 12 January 2001) and follow-up (AFR 16/005/20001, 15 January 2001) - Fear of torture / incommunicado detention

BURUNDI Bernard Barayegegeranije, advisor to Daniel Nsanzurwimo
Barnabé Barayegegeranije, his brother
Simon Nani, low-level government official (*Chef de colline*)
Tite Mpawnimana, farmer
Ndajige, farmer (previously spelled Ndagi)
Rémégie Ntuyahaga (previously spelled Rémy Ntuyahaga)
Seraphine Nduwimana or "Mama Sonia" (f), trader
"Mama Richard" Niyikundana, trader

Released: Daniel Nsanzurwimo, local government official (*Chef de zone*)
Berchmans, farmer

New name: Nathanael Bisesere, bicycle repairer

Four of the detainees, including Daniel Nsanzurwimo and Berchmans, held incommunicado in connection with an attack on a civilian aircraft were released on 17 January.

The other detainees remain in police custody at three different locations in Bujumbura: Bernard Barayegegeranije and Nathanael Bisesere at the *Police Spéciale de Roulage* (PSP), Special Haulage Police; Barnabé Barayegegeranije, Tite Mpawnimana and "Mama Richard" Niyikundana at the *Police de Sécurité publique* (PSP), Public Security Police; and Simon Nani, Rémégie Ntuyahaga, and Seraphine Nduwimana at the *Police judiciaire des parquets* (PJP), Judicial Police Force. Amnesty International is concerned that the detainees remain at risk of torture or cruel, inhuman or degrading treatment. They have been refused access to their families. Human rights groups, who are following the cases, have not been allowed to see them in private.

The PJP *Commissaire Général*, Inspector General, who is presiding a commission established by the State Attorney General to investigate the attack, has said that the detainees are not being ill-treated. However, the investigating commission initially decreed that families and friends of those detained cannot bring food to their relatives to supplement inadequate or non-existent rations. As a result, the detainees have been deprived of food. This measure is reportedly still in force.

A number of people, including those named above, were arrested after a SABENA aircraft was hit by gunfire as it approached Bujumbura airport on 4 December 2000. The government of Burundi has attributed the attack to an armed opposition group, the *Forces nationales de libération* (FNL). The detainees are reportedly accused of collaborating with the FNL and failing to warn the authorities that an attack was planned, although the basis for this accusation is unknown. Among those initially detained was Pancras, a low-level government official (*Chef de secteur*) from Kinyinya, who was released on 17 January, and Nathanael Bisesere. Nathanael Bisesere was initially thought to have "disappeared" following his detention. His relatives were told conflicting stories about his whereabouts by various people in authority before it eventually became clear that he had in fact been taken to the PSR police station.

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

- calling for guarantees that all those detained will be protected from torture or cruel, inhuman or degrading treatment;
- calling for the detainees to be granted immediate access to humanitarian and human rights organizations, lawyers and members of their families;
- calling for the basis of their arrest to be made public, and for the detainees to be released if they are not to be charged with a recognizably criminal offence for which there is substantiating evidence.

APPEALS TO:

Please note that it can be difficult to get through to Burundian fax numbers. You may be told by the operator that they are temporarily out of order. Please be patient and keep trying

Minister of Internal Affairs and Public Security
Col. Ascension TWAGIRAMUNGU
Ministre de l'Intérieur et de la Sécurité Publique
Ministère de l'Intérieur
Bujumbura, Burundi
Telegrams: Ministre Interieur, Bujumbura, Burundi
Fax: + 257 22 19 82
Salutation: Monsieur le Ministre / Dear Minister

Chief of Defence Staff
Général Major Vincent NIYUNGEKO
Chef de l'Etat-major général des Forces armées
Etat-major général des Forces armées
Ministère de la Défense nationale
BP 1870 Bujumbura, Burundi
Telegrams: Chef Etat Major, Forces armées, Bujumbura, Burundi
Fax: + 257 22 39 59 / 21 75 05
Saluation: Monsieur le Chef de l'Etat-major/Dear Chief of Defence Staff

Procureur Général de la République
Monsieur Gérard NGENDABANKA
Procureur Général de la République
Bujumbura
Burundi
Telegrams: Procureur general, Bujumbura, Burundi
Fax: + 257 24 15 03
Salutation: Monsieur le Procureur général de la République / Dear State Public Prosecutor

Inspector General of the Judicial Police Force
Arcade Niyongabo
Commissaire Général de la Police judiciaire des parquets
c/o Ministry of Justice
Bujumbura
Burundi
Telegrams: Commissaire general, PJP, Bujumbura
Fax: + 257 24 15 03

Salutation: Monsieur le Commissaire Général / Dear Inspector General

COPIES TO:

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, Ministère des droits de la Personne humaine, des réformes institutionnelles, et des relations avec l'Assemblée nationale, Bujumbura, Burundi

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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 1 March 2001.