

PUBLIC

AI Index: AFR 16/007/2005

16 June 2005

UA 167/05 Fear of torture or ill-treatment/Prisoner of conscience

BURUNDI Etienne Ndikuriyo (m), journalist

---

Journalist Etienne Ndikuriyo was arrested on 14 June, after he published an article saying the president suffered from depression. He is held at the *Documentation nationale* (the national intelligence agency) in the capital, Bujumbura, where he is at risk of torture or ill-treatment. He appears to be a prisoner of conscience, arrested solely for his legitimate work as a journalist.

Etienne Ndikuriyo is the director of the internet news agency Zoom Net, and also works with an independent radio station, Bonesha FM. On 9 June he published an article on Zoom Net saying that President Domitien Ndayizeye had been "depressed" since his party, the *Front pour la Démocratie au Burundi* (FRODEBU), Front for Democracy in Burundi, was defeated in local elections earlier this month.

On 12 June he received a note asking him to go to the *Documentation nationale* "for his own good" ("*dans son propre intérêt*"). He was arrested when he presented himself at the agency two days later, and since then he has been held incommunicado. The *Documentation nationale*, which is under the control of the president, has no legal power to detain suspects. However, it does so frequently, and holds detainees incommunicado.

Etienne Ndikuriyo is now at risk of being moved to Mpimba central prison in Bujumbura, outside of any legal process. Ill-treatment of detainees is often reported at Mpimba. He is the first journalist arrested for a long time in Burundi.

#### BACKGROUND INFORMATION

Civil war broke out in Burundi in 1993 after elements from the Tutsi-dominated army assassinated the country's first democratically elected president, leader of FRODEBU, who was a Hutu.

A transitional government was set up in November 2001 after Tutsi and Hutu political parties signed a power-sharing accord. All the various armed opposition groups operating in the country had earlier signed a ceasefire agreement, except for one, the *Forces de Libération Nationale* (FLN), National Liberation Forces.

Parliamentary elections are to be held on 4 July, as part of the final phase of a peace process meant to return democracy to the country.

Local elections on 3 June were won by a former armed political group, the *Conseil National pour la Défense de la Démocratie - Forces pour la Défense de la Démocratie* (CNDD-FDD), National Council for the Defence of Democracy – Forces for the Defence of Democracy. According to the independent commission monitoring the election, the CNDD-FDD victory was legitimate. However, there have been allegations of electoral fraud.

#### RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in French, English or your own language:

- calling on the authorities to release journalist Etienne Ndikuriyo immediately and unconditionally, as he appears to be a prisoner of conscience, arrested solely for carrying out his legitimate exercise of the right to freedom of expression;

- calling for the authorities to guarantee that he will not be tortured or ill-treated while he is in custody, and to ensure that he is given immediate access to his family, any medical treatment he may require, lawyers and humanitarian organizations;
- urging the authorities to guarantee press freedom during the parliamentary election campaign.

**APPEALS TO: (Please note that it can be difficult to get through to these fax numbers, and the operator may tell you that they are temporarily out of order. Please be patient and keep trying)**

Head of State

Son Excellence

Domitien Ndayizeye

Président de la République

Présidence de la République

BP 1870 Bujumbura, Burundi

**Fax: + 257 21 26 70**

**Salutation: Monsieur le Président de la République / Dear President Ndayizeye**

Minister of Internal Affairs

Jean Marie Ngendahayo

Ministre de l'Intérieur

Ministère de l'Intérieur

Bujumbura, Burundi

**Fax: + 257 21 78 18**

**Salutation: Monsieur le Ministre / Dear Minister**

Minister of National Defence

General Major Vincent Niyungeko

Ministre de la Défense Nationale

Ministère de la Défense Nationale

BUJUMBURA, Burundi

**Fax: + 257 24 26 36**

**Salutation: Monsieur le Ministre / Dear Minister**

Procureur Général de la République

Monsieur Gérard NGENDABANKA

Procureur Général de la République

Bujumbura

Burundi

**Fax: + 257 24 15 03**

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

**COPIES 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 July 2005.