

PUBLIC

AI Index: AFR 62/27/00

UA 321/00 Torture / Death in custody

19 October 2000

**DEMOCRATIC REPUBLIC OF CONGO (DRC) All detainees in ANR custody
Killed: Kikuni Masudi**

A man has died at a security service detention centre in Lubumbashi in the south-eastern part of the Democratic Republic of Congo (DRC), after reportedly being tortured for several days. Amnesty International is appalled by the death, and is concerned that other detainees risk a similar fate, particularly if no action is taken to bring the torturers to justice.

Kikuni Masudi died shortly before midnight on 13 October. He had been arrested on 7 October by security service agents from the *Agence nationale de renseignements* (ANR), National Intelligence Agency. He was taken to an ANR detention centre where he was reportedly whipped, covered in palm oil and made to sit on a hot brazier. His feet were reportedly crushed by hammer blows. It seems the torture continued throughout his detention until he died.

No autopsy is known to have been ordered and Amnesty International has not yet seen an official death certificate giving the cause of death. However, it appears almost certain that Kikuni Masudi died as a direct result of the torture he suffered.

It appears that the sole reason for his arrest was that the ANR thought he belonged to the Tutsi ethnic group (in fact, he did not). Tutsi are frequently subjected to harassment and other human rights violations by the DRC authorities because they are believed to support the Tutsi-dominated Rwandese government and Congolese armed opposition groups currently waging war against the DRC government in northern and eastern parts of the country.

Kikuni Masudi was a former member of the *Groupe spéciale de sécurité présidentielle* (GSSP), Special Presidential Security Group, a security service which reports directly to President Kabila.

BACKGROUND INFORMATION

Amnesty International has documented numerous cases of torture in the DRC, both in government-controlled areas and areas controlled by the governments of Burundi, Rwanda and Uganda, together with Congolese armed opposition groups. Time and again, either no action at all is taken against suspected torturers or a sham investigation is undertaken which seeks to obscure the facts and dismiss allegations of human rights violations rather than to bring perpetrators to justice.

Granting torturers impunity in this way ensures that they will be free to torture again and that others will follow their example. Only by ensuring that suspected torturers are brought to justice will it be possible to prevent torture in the future.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in French or English or your own language:

- expressing concern for the safety of all detainees held by the ANR, and seeking assurances that they will not be tortured or ill-treated;
- expressing concern that Kikuni Masudi has died in custody, apparently as a direct result of torture, and demanding an immediate investigation into his death, including an autopsy, with the results made public;
- demanding compensation for the family of Kikuni Masudi if it is found that his death was the result of torture;
- seeking assurances that anyone suspected of torture will be promptly suspended from positions in which they may be able to order or perpetrate torture, and that they will be brought to justice before a court which meets international standards of fairness;
- urging the authorities to publicly condemn torture in all circumstances and state their commitment to bringing all suspected torturers to justice.

APPEALS TO:

President

Président Laurent-Désiré KABILA

Président de la République, Présidence de la République

Kinshasa-Ngaliema, Democratic Republic of Congo

Telegrams: President, Kinshasa, DR Congo

e-mails: UPP@ic.cd

Fax: + 243 880 2120 (it may be very difficult to get through to this number)

Salutation: Monsieur le Président de la République / Dear Président

Minister of Justice

Monsieur Mwenze KONGOLO

Ministre de la justice

Ministère de la justice

BP 3137 Kinshasa-Gombe, Democratic Republic of Congo

Telegrams:Ministre Justice, Kinshasa, DR Congo

Salutation:Monsieur le Ministre

COPIES TO:

Minister of Human Rights

Monsieur Léonard SHE OKITUNDU

Ministre des Droits humains

Ministère des Droits humains

Kinshasa-Gombe, Democratic Republic of Congo

e-mails:mininfordc@ic.cd

Salutation: Monsieur le Ministre

and to diplomatic representatives of the Democratic Republic of Congo accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 30 November 2000.