

PUBLIC

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Torture/Fear of summary execution/fear of "disappearance"

24 November 2000

DEMOCRATIC REPUBLIC  
OF CONGO (DRC)/ UGANDA

Jonas Kabuyaya, RCD-ML official  
Mbula, RCD-ML official

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The two men named above, who are members of a Ugandan-backed armed opposition group in the DRC, have been arrested by a rival faction of the group. They are held in conditions amounting to cruel, inhuman and degrading treatment, and have reportedly been severely beaten. They are believed to be at risk of summary execution or "disappearance".

Both men work for the anti-corruption unit of the *Rassemblement Congolais pour la Démocratie-Mouvement de Libération* (RCD-ML), Congolese Rally for Democracy - Liberation Movement. The RCD-ML, supported by the Ugandan government, is fighting to overthrow the DRC government of President Laurent-Désiré Kabila.

The RCD-ML, led by Professor Wamba dia Wamba, has been racked by infighting for several months as two of Professor Wamba's former deputies have sought to overthrow him. Fighters loyal to these men detained Jonas Kabuyaya and Mbula on 3 November 2000, apparently accusing them of being close to Professor Wamba and collaborating with an armed group, the *Mayi-mayi*, to prevent his former deputy leaders from taking over.

They are now in custody near the town of Bunia in northeastern DRC, where the RCD-ML has its headquarters. Jonas Kabuyaya is held in a narrow pit dug in the ground, used as an unofficial detention centre, in the village of Kunda. Mbula is held in a cramped and poorly ventilated freight container next to Bunia airport.

#### **BACKGROUND INFORMATION**

For three weeks Bunia has seen fierce fighting between forces loyal to Professor Wamba and those loyal to his former prime minister and deputy prime minister, Mbusa Nyamwisisi and Tibasima Ateenyi. The Ugandan government has not yet intervened decisively to end the fighting between these two factions of a group that it controls, though it is reportedly attempting to set up a meeting between the two sides in the Ugandan capital, Kampala.

The RCD-ML is itself one of two factions of the RCD, which split in May 1999. One is allied to Uganda and one, known as RCD-Goma, is backed by Rwanda. The *Mayi-mayi* is a Congolese armed group opposed to the RCD and their Ugandan and Rwandese allies.

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

- appealing to the RCD-ML forces and Ugandan authorities to guarantee the safety of Jonas Kabuyaya and Mbula while they are in custody, and to ensure that they are moved to detention places where their lives are not in danger;
- urging that they are immediately given any medical treatment they may require, and access to their relatives and lawyers;

- asking what charges they face, and seeking assurances that any legal proceedings will conform to international standards for fair trial;
- expressing dismay at the apparent impunity enjoyed by torturers in areas controlled by the RCD-ML and its allies, the Ugandan armed forces, and urging that political and military leaders take immediate steps to prevent torture.

**APPEALS TO:**

Mbusa Nyamwisi  
RCD-ML  
Bunia, Democratic Republic of Congo  
**Faxes: + 256 412 51510**  
**Salutation: Dear Mr Mbusa Nyamwisi**

Tibasima Ateenyi  
RCD-ML  
Bunia, Democratic Republic of Congo  
**Faxes: + 256 412 30310**  
**Salutation: Dear Mr Tibasima Ateenyi**

President of the Republic and Minister of Defence

Mr Yoweri K MUSEVENI  
Office of the President  
Parliament Buildings  
PO Box 7168  
Kampala, Uganda  
**Telegrams: President Museveni, Kampala, Uganda**  
**Faxes: + 256 41 235462**  
**E-mails: museveni@starcom.co.ug**  
**Salutation: Dear President**

Minister of State for Defence

Mr Stephen KAVUMA  
Ministry of Defence, PO Box 7069  
Kampala, Uganda  
**Telegrams: Minister of State, Kampala, Uganda**  
**Faxes: + 256 41 245911**  
**Salutation: Dear Minister**

**COPIES TO:**

Margaret Sekaggya, Chairperson  
Uganda Human Rights Commission (government body)  
PO Box 4929, Plot 20-24 Buganda Road,  
Kampala, Uganda

Brigadier James Kazini  
Army Chief of Staff  
Armed Forces Headquarters  
PO Box 3798  
Kampala, Uganda

and to diplomatic representatives of Uganda accredited to your country.

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**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 5 January 2001.