

Cameroon: Franco-African Summit must take prompt action to end torture and ill-treatment

On the occasion of the Franco-African heads of States' Summit in Yaoundé (17-19 January 2001), Amnesty International calls on participating political leaders to seize the opportunity to make a joint public commitment to end torture and ill-treatment in custody.

"Strong action taken by the political leaders attending the summit is needed to send a clear message to the perpetrators that torture will not be tolerated and that those responsible will be brought to justice" Amnesty International said today.

The torture of detainees by government agents persists with impunity in the majority of countries represented at the summit. The following cases from France, Burundi, Kenya, Cameroon, and Guinea illustrate that these human rights violations are occurring in France as well as in the African countries.

France: On 28 July 1999 in France was found by the European Court of Human Rights to have violated international standards prohibiting torture as well as those guaranteeing fair trial within a reasonable time. Ahmed Selmouni, a national both of Morocco and the Netherlands was arrested by police in November 1991 and subject to "repeated and sustained assaults over a number of days in questioning" including being beaten with a baseball bat and truncheons, being urinated on, and threatened with a syringe and a blow-torch. More than seven years passed between the acts of violence against Ahmed Selmouni and the first trial in February 1999 of the police officers responsible. In spite of convictions all five officers remained in or resumed service, pending appeal before the Court of Cassation. The prosecutor in this case had reportedly called for an amnesty should the officers be convicted.

Burundi: On 13 February 2000 Diomède Buyoya was killed in the cells of the *Brigade spéciale de recherche* (BSR), the Gendarmerie Special Investigation Unit, in Burundi's capital Bujumbura. Buyoya reportedly insulted the wife of a BSR officer working in his household. This officer beat him to death. After initially being arrested, all charges were, however, dropped against him, and the officer returned to work a month later.

Kenya: Six prisoners, Peter Loyara Lomukunyi, Peter Kolini, John Nyoro Njuguna, Julius Mungania, Peter Ngurushanaon, and James Irungu Ndugo, all on death row in King'ong'o prison, Nyeri Central Province, died during an attempt to escape in September 2000. Prison officers alleged they had died as a result of falling from an eight metre high perimeter fence. However, medical evidence obtained suggests that they were beaten to death. An inquest is currently being undertaken. To date no prison officers have been suspended from duty pending investigations.

Cameroon: In his report dated 11 November 1999 the United Nations Special Rapporteur on torture, Sir Nigel Rodley, described the practice of torture in Cameroon as "widespread and systematic". After undergoing beatings before and during his arrest Guy Simon Ngakam, a student's leader, was released at the end of January 2000 in a precarious state of health.

Cases of torture and ill-treatment in police and gendarmerie cells throughout the country continue to be reported.

Guinea: In December 1998 a woman was arrested while taking part in a demonstration calling for the release of Alpha Condé, President of the political opposition *Rassemblement du peuple de Guinée* (RPG), Guinean People's Rally. With many others she was beaten, flogged and raped, "until I lost all sense of where I was", she said. She was later released without charge. No steps have been taken to investigate the allegations of torture, including rape, and no one has been brought to justice for these crimes. In one court case, a 17-year old woman defendant made allegations of rape in detention. The president of the court told her to "turn a new page" and prevented her from speaking again, while the prosecutor said that he could "not accept the Guinean army being discredited."

Amnesty International is calling for the signature, ratification and above all, consistent application of the relevant international conventions aimed at preventing torture and ill-treatment in custody. The organization also calls for all states to take note of, and implement the recommendations aimed at preventing torture made by the Human Rights Committee and the Special Rapporteur on torture.

Background

The United Nations Committee against Torture which regularly reviews states' implementation of their obligations under the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment has recommended specific provisions for the prevention of torture. In November 2000, when scrutinizing for example Cameroon's record, it included in its recommendations provisions for the inadmissibility of evidence obtained through torture, for prompt and impartial inquiries into allegations of human rights violations, maintenance and public accessibility of a registry of detained persons, and mechanisms for the fullest possible compensation and rehabilitation of the victims of torture.

In spite of progress towards wider ratification of the Convention against Torture, very few African states have fully implemented the Convention or have explicitly recognized the competence of the United Nations Committee against Torture to consider inter-state or individual complaints by making a declaration under the respective Articles 21 and 22 of the Convention.

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