

EXTERNAL (for general distribution)

AI Index: AFR 16/04/91
Distr: UA/SC

UA 415/91 Torture/Legal concerns

27 November 1991

BURUNDI: Libère Barankitse, trader
Liboire Bucumi, employee of Burundi Central Bank
Emmanuel Ciiza, construction technician
Antoine Habonimana, employee of Burundi Central Bank
Samuel Magenge, employee of Prince Regent Hospital
Côme Minani, employee at Bujumbura airport
William Munyembabazi, Director of PSTP Development Project
Charles Muringa, Musaga zone leader
Vincent Ndayiheburu, security guard
Severin Nsengimana, employee of Ministry of Health
Fidèle Ntezahorirwa, employee of Ministry of Interior
Philippe Nzobonariba, employee of Martens Enterprise
Augustin Nzojibwami, secondary school teacher

The 13 persons named above are among several dozen members of the majority Hutu ethnic group arrested on 25 and 26 November 1991 following an attack by armed men on several military and other installations between 23 and 26 November 1991 in the capital, Bujumbura. Those arrested are reportedly accused of having links with the attackers who are said by the government to be rebels attempting to seize power. The Burundi authorities are reported to have said that the attackers are members of an opposition group known as the Parti pour la libération du peuple Hutu (PALIPEHUTU), Hutu People's Liberation People. A PALIPEHUTU leader in exile has denied PALIPEHUTU involvement in the attacks. Those arrested are reported to be held at Mura military barracks and some Gendarmerie detention centres in Bujumbura. Those singled out for arrest appear to be well-known members of the Hutu community. They are not known to have been charged with any specific offence.

There have been claims that some of those detained were arrested solely on the basis of denunciations, unsubstantiated by any other evidence, made by their neighbours accusing them of possessing firearms. Some of the denunciations are said to be based on personal envy and hatred. Many of those arrested were reportedly subjected to severe beatings at the time of their arrest and others were beaten again while in custody. In some cases some suspects were injured with bayonets.

Amnesty International is concerned that several dozen people have been arrested in Bujumbura, many of them apparently following uncorroborated denunciations made by neighbours. The organization is also concerned at reports that many of those arrested have been severely beaten and injured with bayonets and other weapons. It is further concerned that they may be held for long periods without charge or trial and without having the opportunity to challenge the legal basis for their detention.

BACKGROUND INFORMATION

About 100 Hutu have been arrested in Burundi since July 1991 in connection with alleged attempts by PALIPEHUTU to seek political change by violent means. Some of those arrested have acknowledged that they support PALIPEHUTU but deny that they support violence. PALIPEHUTU was formed in the early 1980s by members of the majority Hutu

ethnic group living in exile, to campaign against Burundi's domination by members of the minority Tutsi ethnic group. It is unclear whether PALIPEHUTU has been involved in the recent violence. In August 1990 a group of armed men attacked Mabanda barracks in the southern province of Makamba. A number of government soldiers and attackers were killed in the attack and four of the attackers are still held without trial.

Some of those arrested in recent months (especially those arrested in September and October) were Burundi refugees who had fled to neighbouring Tanzania following intercommunal disturbances or mass killings, notably in 1965, 1969, 1972 and 1988 and who had recently returned to Burundi. At those times thousands of Hutu were executed extrajudicially by members of the security forces which are dominated by the Tutsi.

Page 2 of UA 415/91

Amnesty International has received reports that many of those arrested in recent months have been subjected to beatings and even torture, both at the time of their arrest and while in custody. Some victims of torture are reported to have had their genitals pierced with sharp objects. Earlier in November 1991 the Burundi authorities announced that they were still holding nearly 60 people arrested in recent months and said they were soon to be brought to trial. However, no dates have been announced for the trials and it seems that only a few of them have been charged with specific political offences.

RECOMMENDED ACTION: Telegrams/telexes/express and airmail letters in FRENCH if possible:

- expressing concern at reports that the persons mentioned above (naming some) were arrested solely on the basis of denunciations made by their neighbours and that there appears to be no material evidence of their involvement in the violence which started on 23 November 1991 in Bujumbura;
- inquiring whether they are still being held and if so, where they are held and which authority is responsible for their detention, what the legal basis for their detention is and seeking assurances that they will not be kept in custody without being given an opportunity to challenge the legal grounds for their detention before a court judge;
- expressing concern at reports that some of those arrested were subjected to severe beatings and even torture by members of the security forces;
- inquiring whether the authorities have investigated these reports and, if they have not, urging them to set up an independent and impartial investigation into allegations of torture and other forms of cruel, inhuman or degrading treatment and to bring those found to be responsible to justice;
- requesting the authorities to issue clear public instructions to all members of the security forces that torture and the beating of prisoners are violations of human rights and criminal offences, and that those found responsible for such abuses will be brought to justice;
- urging the authorities to ensure that all those arrested solely because of their ethnic origin, social standing or uncorroborated denunciations are released without delay and that any others, against whom criminal charges are to be brought, are allowed legal counsel and are referred to the procuracy with a view to bringing them promptly to trial.

APPEALS TO:

1. President:
Son Excellence

Monsieur le Président

Major Pierre Buyoya
Président de la République
Présidence de la République
BP 1870,
Bujumbura, République du Burundi
Telegrams: President Buyoya, Bujumbura, Burundi
Telexes: 5039 presibu bdi or 5049 mnd bdi

Dear President

2. Prime Minister:

Monsieur Adrien Sibomana

Monsieur le Premier Ministre

Premier Ministre et Ministre de la Planification
Présidence de la République
BP 1870

Dear Prime Minister

Bujumbura, République du Burundi

Telegrams: Premier Ministre Sibomana, Bujumbura, Burundi

Telexes: 5039 presibu bdi

3. Minister of Justice:

Monsieur Sébastien Ntahuga

Ministre Ntahuga

Ministre de la Justice

Dear Minister

Ministère de la Justice

BP 1880

Bujumbura, République du Burundi

Telegrams: Ministre Ntahuga, Bujumbura, Burundi

Telexes: via Ministry of Foreign Affairs: 5065 minirext, attn Ministre Ntahuga

Page 3 of UA 415/91

COPIES TO:

Minister of the Interior:

Monsieur Libère Bararunyeretse

Ministre de l'Intérieur et du Développement des collectivités locales

Ministère de l'Intérieur

BP 1910

Bujumbura, République du Burundi

Minister of Foreign Affairs:

Monsieur Cyprien Mbonimpa

Ministre des Relations extérieures et de la Coopération

Ministère des Relations extérieures

BP 1840

Bujumbura, République du Burundi

General Administrator of National Security:

Monsieur Laurent Niyonkuru

Administrateur Général de la Sûreté nationale

Ministère de la Défense nationale

Bujumbura, République du Burundi

Newspaper Editor:

Monsieur le Rédacteur-en-Chef

Le Renouveau

BP 2870, Bujumbura,

République du Burundi

President of Human Rights Organization:

Monsieur Eugène Nindorera

Président

Ligue burundaise des droits de l'homme

BP 177

Bujumbura

République du Burundi

and to diplomatic representatives of Burundi in your country

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 8 January 1992.