

EXTERNAL

AI Index: AFR 63/12/97

6 November 1997

Further information on EXTRA 150/97 (AFR 63/11/97, 4 November 1997) - Fear of arbitrary arrest / Fear of Torture and new concern: Torture

ZAMBIA Dean Mung'omba, President, Zambia Democratic Congress

and new names: Captain Stephen Lungu
 Captain Jack Chiti
 Major Bilex Mutale
 Major Bellington Mukoma
 Captain Musonda
 Major Kanga
 and 27 others

Detainee Dean Mung'omba confirmed to his lawyer on 6 November 1997 that he had been tortured by police interrogators since his arrest on 31 October, and was denied food and water until his court appearance on 4 November. He also described how Zambian Army Captain Stephen Lungu, who led the coup attempt on 28 October, had been tortured so badly that Mung'omba and the other detainees being held in the same cell thought he was dead. Eventually, Stephen Lungu regained consciousness, according to Mung'omba.

When he appeared in the Zambian High Court on 4 November, Mung'omba had cuts and bruises on his legs, arms and hands. His lower eyelids showed bruising, and the backs of his hands bore marks of cigarette burns. Mung'omba described to his lawyer how he had been suspended from a metal bar by his handcuffed hands and rope-tied legs, then beaten by more than six police officers at a time. He said that there were at least three incidents of beatings in this manner during the past seven days of detention. This technique is commonly used for torture by police, and is called "the swing". He also described being tortured by electric shocks applied to his metal handcuffs. After being tortured, Mung'omba was questioned for up to 18 hours continuously about his alleged involvement in the attempted *coup d'etat*.

On 5 November, High Court Judge Timothy Kabaleta granted an appeal by Dean Mung'omba for medical treatment. He was also moved to Lusaka Central Prison, where he will be kept in detention until a further hearing on 12 November on his challenge of the legality of his detention. Police served Mung'omba with a 28-day detention order on 4 November under the State of Emergency legislation, which was approved by Zambia's parliament on the same day and extended for three months. The state of emergency declaration gives the police sweeping powers to detain anyone they believe might have been involved in plotting the coup.

Dean Mung'omba described three separate torture rooms in the Central Police Headquarters in Lusaka, where he estimated up to 33 other detainees (listed above) were also tortured. By the time Mung'omba was moved to Lusaka Central Prison on 4 November, there were only 18 other detainees left. The whereabouts of the others are unknown. There are persistent rumours reported in the press that at least nine detainees have died from torture during interrogations.

The military officers detained in connection with the attempted *coup d'etat* apparently do not have legal representation at this point. No charges have been publicly announced in their cases, nor have they appeared in court. Many of the military detainees have also been denied food and water since their arrest last week.

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

- seeking urgent guarantees that the physical security of all detainees in custody will be assured and that immediate practical steps will be taken to prevent further ill-treatment or torture;
- requesting that the reported torture of Dean Mung'omba and the 33 other detainees be investigated and, if found to be true, those responsible for causing their torture to be immediately removed from positions of responsibility for the detainees and prosecuted for their crime;
- seeking clarification of the reasons for the arrest and continued detention of the detainees, calling for their cases to be properly investigated and for the detainees to be released if they are not to be promptly charged with recognizably criminal offences;
- calling on the authorities to allow the detainees immediate access to their families, legal counsel, medical care and representatives of human rights and humanitarian organizations.

APPEALS TO:

His Excellency President Frederick Chiluba
 State House
 Independence avenue
 PO Box 30208
 Lusaka, Zambia
Faxes: + 260 1 221 939
Telegrams: President Chiluba, Lusaka, Zambia
E-mail:state@zamnet.zm
Salutation: Dear President

The Hon. Chitalu Sampa
 Minister of Home Affairs
 Ministry of Home Affairs
 PO Box 50997
 Lusaka, Zambia
Faxes: +260 1 253875 or 254669
Telegrams: Home Affairs Minister, Lusaka, Zambia
Salutation: Dear Minister

Francis Ndhlovu
 Inspector General of the Police
 Zambia Police Headquarters
 Lusaka Zambia
Faxes: +260 1 253543
Telegrams: Police Inspector General, Lusaka, Zambia
Salutation: Dear Inspector General

COPIES TO:

The Post,

Private Bag E/352
Lusaka, Zambia

and to diplomatic representatives of Zambia accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 6 December 1997.