

PUBLIC
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"Disappearance"

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BURUNDI

Merthus Bazompora (m)
Oswald Ntunzwenimana (m), student
Emmanuel Mbanye (m), domestic employee

Amnesty International is gravely concerned for the safety of the three men named above who "disappeared" shortly after their arrest. Neither the men's relatives nor human rights groups, including *the Association burundaise pour la Protection des droits humains et des personnes détenues* (APRODH), Burundian Association for the Protection of Human Rights and Detainees, have been able to establish their current whereabouts.

Merthus Bazompora and Oswald Ntunzwenimana were arrested on 4 October by members of the gendarmerie on suspicion of links with an armed political group, the *Front national de libération* (PALIPEHUTU-FNL), National Liberation Front which is based around the capital Bujumbura. Oswald Ntunzwenimana has not been seen since. Merthus Bazompora was traced after several days to the *1er batallion d'intervention* paramilitary barracks in Buyenzi, Bujumbura. The barracks commander confirmed he was detained there and allowed relatives who were looking for him, to see him. However, on 16 October, when the family returned with food for Merthus Bazompora they were told he had been transferred to the headquarters of another Bujumbura paramilitary unit, the *groupement d'intervention*. Since then, it has not been possible to confirm his whereabouts and there are fears that he has "disappeared".

On 19 July, Emmanuel Mbanye was arrested on suspicion of belonging to the FNL after failing to produce an identity card when he was stopped by soldiers, in Kamesa, southern Bujumbura as he was visiting a friend with his wife. He has not been seen since, although his wife was told five days later by a member of the security forces that he was detained at the *Camp Muha* barracks in Bujumbura. However, when barracks were contacted they claimed he had been released. His wife has not heard from him and he remains "disappeared".

BACKGROUND INFORMATION

Most "disappearances" in Bujumbura occur shortly after people have been arrested, often by the armed forces or paramilitary gendarmerie, both of which operate with virtual total impunity and often outside the framework of the law. "Disappeared" suspects sometimes reappear, days, weeks or months later. Tracing them is hampered by deliberate obstruction from the part of those detaining them who may repeatedly transfer them from one barracks to another, denying access to human rights and humanitarian groups and denying or otherwise giving incorrect information on a detainee's whereabouts and well-being. In other cases, the "disappeared" are extrajudicially executed.

Furthermore, torture and ill-treatment are routine in the early stages of detention in Burundi. The problem is particularly acute in military detention, particularly as detainees are often held incommunicado in illegal places of detention and access to families and humanitarian and human rights organizations denied. People suspected of links with armed opposition groups are particularly vulnerable and are systematically subjected to beatings, tied in excruciating positions, deprived of food and threatened with death. Several detainees are known to have "disappeared" after their arrest in 2002. All are reported to have been detained on suspicion of links with armed political groups. Several other suspects have died in detention following torture.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in French or your own language:

- urging the authorities to make public the whereabouts of Emmanuel Mbanye who “disappeared” in July following his arrest and who is believed to have been detained at Camp Muha, and of Merthus Bazompora and Oswald Ntunzwenimana who “disappeared” following their arrest on 4 October in Bujumbura;
- stating that Merthus Bazompora was last seen at Camp Buyenzi, and is believed to have been transferred to the *groupement d'intervention*, but has not been seen since;
- calling for the three men to be protected from torture and ill-treatment and to be allowed immediate access to their families and human rights and humanitarian organizations;
- urging the authorities to release the men if they are not to be charged with a recognizable criminal offence for which there is substantiating evidence;
- calling for them to be held in a publicly recognized official detention centre if their detention is to continue.

APPEALS TO: (Please note it may be difficult to get through to these numbers but please keep trying.)

Head of State

Son Excellence

Major Pierre Buyoya

Président de la République

Présidence de la République

BP 1870 Bujumbura, Burundi

Telegrams: Président, Bujumbura, Burundi

Faxes: + 257 22 74 90

Salutation: Monsieur le Président de la République / Dear President

Minister of National Defence

Général-Major Vincent Niyungeko

Ministre de la Défense Nationale

Ministère de la Défense Nationale

Bujumbura, Burundi

Telegrams: Ministre Défense, Bujumbura, Burundi

Faxes: + 257 24 37 24

Salutation: Monsieur le Ministre / Dear Minister

Minister of Justice

Monsieur Fulgence Dwima Bakana

Ministre de la Justice et Garde des Sceaux

Ministère de la Justice

BP 1880 Bujumbura, Burundi

Telegrams: Ministre Justice, Bujumbura, Burundi

Faxes: + 257 21 86 10

Salutation: Monsieur le Ministre / Dear Minister

COPIES TO:

Minister for Human Rights, Institutional Reform and Relations with the National Assembly

Monsieur Alphonse Barancira,

Ministre des relations avec l'Assemblée nationale, des réformes institutionnelles et des droits de la Personne humaine,

Ministère des relations avec l'Assemblée nationale, des réformes institutionnelles et des droits de la Personne humaine

Bujumbura, Burundi

Telegrams: Ministre Droits Personne Humaine, Bujumbura, Burundi

Fax: + 257 21 75 49

State Public Prosecutor

Monsieur Gérard Ngendabanka

Procureur Général de la République

Bujumbura, Burundi

Telegrams: Procureur general, Bujumbura, Burundi

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and to diplomatic representatives of Burundi accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 3 February 2003.