



Covering events from January - December 2000

BURUNDI

Republic of Burundi

Head of state and government: Pierre Buyoya

Capital: Bujumbura

Population: 6.6 million

Official languages: Kirundi, French

Death penalty: retentionist



Civil war continued throughout 2000, despite the signing of a peace agreement in August. Hundreds of unarmed civilians were killed by government armed forces and armed opposition groups. Scores of others were arrested and tortured. Several people "disappeared" while in custody. Hundreds of thousands of people remained forcibly displaced around the capital, mostly in appalling conditions, until August. Thousands of people remained in detention without trial, some since 1993. At least 99 death sentences were passed and two soldiers were executed.

Background

From late 1999 the level of violence and human rights abuses escalated sharply. Both government forces and armed opposition groups continued to derive support from their allies in the regional conflict in the Democratic Republic of the Congo (DRC). In August, following intense international pressure, an Agreement for Peace and Reconciliation in Burundi was signed in Arusha, Tanzania. As the date for the signature of the agreement approached, violence intensified throughout Burundi. By the end of 2000, the agreement had not yet been implemented and two major armed opposition groups had yet to join it.

Possible reform of the Tutsi-dominated army generated political tension. Some Tutsi-dominated political organizations insisted that an army reformed on ethnic lines could not protect them from the threat of genocide, and they sought to undermine the peace process. *PA Amasekanya*, a Tutsi "self-defence" movement, and other groups with similar political views, incited violent disturbances in Bujumbura around the signature of the agreement. Members of *PA Amasekanya* were also reported to have been behind an ambush in May near Gatumba, Rural Bujumbura, in which at least three members of the opposition

political party *Front pour la Démocratie au Burundi* (FRODEBU), Front for Democracy in Burundi, all Hutu, were killed.

Hundreds of civilians killed

The armed forces and armed opposition groups continued to show complete disregard for human life, acting with little or no accountability. On numerous occasions, the armed opposition killed unarmed civilians in reprisal for alleged collaboration with the government or for failing to support them. Scores of civilians were killed in ambushes. Humanitarian workers were also attacked.

One armed opposition group, the *Forces nationales de libération* (FNL), National Liberation Forces, concentrated on attacking Bujumbura and consolidating positions around the city. A second group, the *Conseil National pour la Défense de la Démocratie-Forces pour la Défense de la Démocratie* (CNDD-FDD), National Council for the Defence of Democracy-Forces for the Defence of Democracy, increased its activity in the central, eastern and southern border provinces, subjecting the local population to a campaign of terror and intimidation through killing, rape, kidnapping and theft.

- On 1 October, members of an armed opposition group, presumed to be the FNL, attacked the Cibitoke and Mutakura districts of Bujumbura. Eleven people were killed, mostly Hutu, including one woman and her four sons. The victims were singled out in what appeared to be reprisal killings for supposed collaboration with the government or because they had refused to give money during the attack.

Hundreds of civilians, many of them elderly, women or children, were killed by government armed forces.

- Between 25 and 28 June, at least 44 unarmed civilians were extrajudicially executed by soldiers in Itaba commune, Gitega province, in reprisal for military losses following clashes with the armed opposition. Most were killed with bayonets. Much of the local population had already fled the area; it appears that those who remained were considered to be members of the armed opposition and killed.

'Disappearances'

Detainees, particularly those in military custody, continued to be vulnerable to "disappearance". A number of new cases were reported.

- One man, Bigirimana, "disappeared" following his arrest at Kavumu regroupment camp, Rural Bujumbura, by soldiers on 7 May. He was accused of throwing stones during a disturbance at the camp after an army search operation degenerated into a looting spree by soldiers. Bigirimana was taken to a nearby military position, where he was reportedly seriously beaten. Soldiers later denied that he had ever been held. Several people who tried to stop the soldiers looting were arrested and charged with collaboration with armed opposition groups. At least four others were reportedly beaten to death.

Torture/ill-treatment

Torture remained a serious problem particularly in the early stages of detention, and several people died as a result.

- Diomède Buyoya, a domestic worker, died in February at the *Brigade spéciale de recherche* (BSR), a gendarmerie special investigation detention centre, in Bujumbura. He was detained by a BSR investigating officer who allegedly tortured him to death after he had insulted the officer's wife. The officer was arrested and detained in Mpimba Central Prison, Bujumbura. However, one month later all charges against the officer were dropped on the instructions of the Military Prosecutor's Department and the officer returned to work in a different unit. No further investigation took place.

Refugees and internally displaced

Approximately 70,000 Burundians fled to Tanzania. Mines laid on the border by the Burundian armed forces prevented others from crossing the border. By the end of 2000, around 330,000 people were internally displaced within Burundi. Another 500,000, most of whom had been forcibly displaced in late 1999, had left camps but were still vulnerable to hunger and disease.

Forcible 'regroupment'

In September 1999, following repeated attacks on Bujumbura by the armed opposition, the government forced more than 290,000 mainly Hutu civilians to leave their homes in Rural Bujumbura province and enter "regroupment" camps. Conditions in the camps were appalling.

Following international condemnation of the regroupment policy, in early June the government announced that all "regroupment" camps would be closed by the end of July. In the following days, three camps close to Bujumbura were cleared by the security forces within a matter of hours. Approximately 40,000 people were ordered abruptly to return to homes which in many cases had been destroyed by the warring factions. No provision was made for the basic needs of the returning population. By September, all camps had been officially closed.

Refoulement from Burundi

In February, Janvier Rugema, Innocent Byabagamba and François Rukeba were arrested and forcibly returned from Burundi to Rwanda, where they were at risk of torture and unfair trial. They had fled Rwanda because they were suspected of having helped the former speaker of the Rwandese National Assembly to flee the country.

Political trials

Trials related to the political violence and massacres of Tutsi which followed the 1993 assassination of President Melchior Ndadaye continued. The subsequent reprisal killings of Hutu have not been investigated. Several thousand people remained in detention awaiting trial, some since 1993. The fairness of trials continued to be undermined by inadequate time for the preparation of defence arguments, constant deferrals and the denial of the right to a full appeal.

In August, after more than three years' detention, the verdict was announced in a trial of political opponents linked to the *Parti pour le redressement national* (PARENA), National Recovery Party, and *Solidarité jeunesse pour la défense des droits des minorités* (SOJEDEM), Youth Solidarity for the Defence of Minority

Rights. The defendants had been accused of involvement in a plot to assassinate President Buyoya. Many were tortured. Six defendants received sentences of 10 years' imprisonment and two were acquitted. Another detainee who had been charged with a lesser offence had already been released. Just weeks after the verdict, all but one of the convicted prisoners, Emmanuel Manzi, a Rwandese national, were conditionally released.

The verdict in another trial of 25 people linked to PARENA and SOJEDEM was announced in January. The majority of defendants received sentences of between 10 and 15 years' imprisonment after being convicted of plotting to threaten state security by forming an armed group to overthrow the government. During the trial, a witness, Onésphore Mdayitwayeko, alleged that the case had been fabricated by the *Documentation nationale*, National Intelligence Agency, which is directly responsible to the Presidency, and that he had been offered money to make incriminating allegations. An attempt to arrest him the day before he appeared in court was foiled. However, he was arrested immediately after testifying in court and held at the *Documentation nationale*, which has no legal power to hold detainees, for one month before being unconditionally released.

In November 1999, a grenade exploded in Bujumbura's main market, killing at least two people and injuring many more. The attack was attributed to the FNL and in the weeks that followed scores of people were arrested by the armed forces and gendarmerie. The majority were eventually released, but it was feared that a number may have died in detention or "disappeared". At least three of those arrested and tortured during this period were on trial at the end of the year, accused of collaboration with the FNL. Testimony extracted under torture formed part of the prosecution's case.

Children

Children have been particularly vulnerable to the economic and social consequences of the war in Burundi. Hundreds of children reportedly died of malnutrition and preventable diseases in the "regroupment" camps. Both government and opposition armed forces recruited children as combatants. Over 100 children, some of them accused of collaboration with armed opposition groups, were in detention during 2000, and were at risk of sexual abuse from other inmates. Some children have been held for years without trial, including Antoine Hatungimana, who was arrested in 1998 when he was approximately 12 and accused of collaboration with armed opposition groups.

Death penalty

During 2000, at least 97 people were sentenced to death by civilian courts, mostly on charges related to political violence and killings in 1993. Two soldiers were sentenced to death by military court and executed. More than 350 people have been sentenced to death since 1996, many after unfair trials and years in detention. Nine people have been executed since 1997. Military jurisdictions continued to show blatant disregard for the rule of law.

- Napoléon Manirakiza, an army deserter, and Sergeant René Rukemanganizi were executed by firing squad on 19 October, just hours after being sentenced to death by Gitega military court. Both had been convicted of murders committed earlier in the month. They were denied legal representation and were not allowed to appeal against their sentence.

In July 2000, the decision was finally taken to close the isolation cells of Mpimba central prison. Until then, all prisoners under sentence of death in Mpimba were held in three tiny cells in appalling conditions, under a punitive regime.

Intergovernmental organizations

The Representative of the UN Secretary-General for Internally Displaced Persons visited Burundi in February. The UN Special Rapporteur on Burundi also visited the country from 27 June to 7 July. In her subsequent interim report she condemned violations of the right to life by state forces and armed opposition groups, and the frequent use of torture. The Special Rapporteur was also highly critical of the policy of "regroupment". She drew attention to violations of children's rights, in particular those of girls.

The UN Committee on the Rights of the Child considered the initial report of Burundi in September. Although it noted efforts to bring domestic legislation into line with the UN Children's Convention, it expressed strong concern at abuses of children's rights particularly in relation to the conflict, through killings, "regroupment", torture and use by both government and opposition forces of child soldiers.

In May, Burundi ratified the African Charter on the Rights and Welfare of the Child.

In November, the African Commission on Human and Peoples' Rights passed a resolution calling for compliance with and the immediate implementation of the Arusha Peace Agreement.

AI country reports and visits

Reports

- Burundi: Protecting human rights - an intrinsic part of the search for peace (AI Index: [AFR 16/001/2000](#))
- Great Lakes Region: Refugees denied protection (AI Index: [AFR 02/002/2000](#))
- Burundi: Conditions in "regroupment" camps - an update (AI Index: [AFR 16/013/2000](#))

Visits

An AI delegate visited Burundi in February to collaborate with two human rights groups, the *Association burundaise pour la défense des droits des prisonniers*, Burundian Association for the Defence of Prisoners Rights, and the *Ligue ITEKA*, Burundian Human Rights League, in the production of a video promoting their work - *Burundi: Caught in the crossfire*. In February and March AI delegates visited Arusha, Tanzania, to lobby delegates and others involved in the peace process on human rights protection and promotion in this context. AI delegates visited Burundi in August primarily for research purposes.