

AMNESTY INTERNATIONAL PRESS RELEASE

AI Index: AFR 16/009/2003 (Public)
News Service No: 170
15 July 2003

Burundi: War on civilians demands urgent action

Amnesty International strongly condemns the serious human rights abuses that are being committed by government and armed opposition forces in on-going fighting in and around Bujumbura, Burundi's capital following an attack launched by PALIPEHUTU-FNL (Rwasa), one of Burundi's two main armed political groups, on 6 July 2003.

"Amnesty International is also concerned that unless immediate preventive action is taken, as on many previous occasions, indiscriminate reprisals by government armed forces against the Hutu population suspected of actively supporting or colluding with the FNL, are likely," said Irene Khan, Secretary General.

The military tactics of PALIPEHUTU-FNL (commonly known as FNL) in many cases constitute war crimes and serious human rights abuses in themselves. They include forcing women and children to carry loot and assist in the evacuation of wounded; the use of child soldiers; and the abduction of civilians, including children.

The FNL has been shelling Bujumbura intermittently for one week. While ostensibly aiming for military targets, dozens of shells have so far hit civilian objects including the central market, bars, pharmacies and a bank, where at least two civilians were killed, and Mpimba central prison where around 10 detainees were wounded. It is not clear if any military targets were affected. The FNL has also shelled residential districts in the capital.

Amnesty International, whose delegates were in Bujumbura last week, has also received credible reports of human rights violations, including extrajudicial executions by government forces, in several of the southern districts. The violations include the reported execution of 10 labourers in Kinindo district on 7 July by government forces. The men were reportedly made to lie on the ground and shot at point blank range. Combatants of the armed political group PALIPEHUTU-FNL (Rwasa) are also reported to have killed unarmed civilians and abducted scores of others, including children. Some looting has also been attributed to soldiers.

According to official figures, over 200 people, including combatants, have been killed in Bujumbura since 6 July 2003. While initially both the FNL and government armed forces allowed civilians to leave districts where fighting was taking place, many were trapped for several days. Apart from using artillery and small arms, government forces have also used helicopters to bomb areas where FNL combatants are suspected to be. The numbers of civilians killed during the government bombardment and other fighting is not known. Over 30,000 civilians are displaced in the area around the capital and in urgent

need of assistance.

Some of the areas attacked in Bujumbura are home to officers of the Burundian army. One person who witnessed officers' families fleeing on foot to Bujumbura told the Amnesty International delegation "The price for this will be terrible". This fear is supported by considerable historical precedent. Much of the Tutsi population has been armed by the government as part of a so-called self-defence policy; a policy which has the potential of unleashing violence and human rights abuses, particularly in a war situation.

Scores of people are known to be detained on suspicion of involvement in the attacks. One, Emmanuel Niyongabo, who was arrested at a site for the displaced at the *Musée vivante* on 11 July, has since been detained and held handcuffed to an iron gate, at the *Police de Sécurité Politique* (PSP), Public Security Police in the women's cell. He is unable to sit. Ezechiel Ncitiyinisalaba was reportedly tortured in Kamenge military barracks before being transferred to the PSP.

Furthermore, the government has cracked down on freedom of expression, banning the media from broadcasting or commenting on remarks made by politicians that do not support its own statements.

The human rights situation elsewhere in the country remains serious with abuses attributed to all parties to the conflict. Three workers with international humanitarian organizations in Makamba province, southern Burundi have been held hostage since their abduction on 9 and 10 July by armed men who also burnt the vehicle of one of the organizations. The identities of the abductors are not known. International organizations have suspended most activities in the province.

"The Government of Burundi and all parties to the conflict must take immediate steps to prevent further human rights abuses including the killings of unarmed civilians, torture and hostage-taking," Amnesty International urged.

It is also calling for regional and other governments, as well as the wider international community to:

- make clear to the Burundian authorities their responsibility to ensure that their forces act in strict accordance with international humanitarian law, including those measures aimed at protecting the civilian population;
- use their influence to encourage all other parties to the conflict to abide by international humanitarian law and particularly to end indiscriminate shelling; unlawful killings of civilians, attacks on humanitarian and human rights organizations or other impediments to their work;
- provide adequate financial resources and political support to humanitarian organizations and others as they cope with the immediate and long-term humanitarian crisis in Burundi;
- engage with renewed urgency in attempts to find a durable solution to the crisis in Burundi in which human rights are protected, and to sustain this engagement once the immediate crisis is resolved.

Amnesty International further requests the United Nations Security Council to impose with immediate effect an arms embargo on the Burundi Government and all armed political groups involved in the conflict.

"This is a war on civilians. Governments and private companies should be clear that all parties to the conflict regularly use their weapons to kill or maim the civilian population," said Irene Khan, Secretary General of Amnesty International.

Background

A flawed and faltering peace process led to the signing of the Agreement for Peace and Reconciliation in Burundi (Peace Agreement) in August 2000. Not least in its weaknesses was the exclusion of the two main active armed political groups, the CNDD-FDD and PALIPEHUTU-FNL. In mid-2002, cease-fire agreements

were signed between the government of Burundi and minor non active opposition forces followed by a cease fire agreement with the CNDD-FDD (Nkurunziza) in December. However conflict and resultant human rights abuses have dramatically increased countrywide. Negotiations on outstanding issues are blocked, although the reasons for the blockage are disputed.

On 6 July 2003, the FNL, which is yet to enter into negotiations, attacked and occupied southern districts of Bujumbura. Since then, fighting has raged within the capital. Several districts have been shelled by the FNL and government helicopters have also bombed areas in and around the capital. Although the capital is apparently calmer today, and the FNL may have been forced back out of the city, the situation remains critical. The main active armed political group, the CNDD-FDD (Nkurunziza), has denied being directly involved in the onslaught on the capital although in a public statement on 9 July it threatened to join the attack if the government continued shelling districts within and around the capital. The CNDD-FDD (Nkurunziza) remains active elsewhere, and continues to be responsible for killings of civilians, looting, rape and hostage taking.

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