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# **amnesty international**

## **BURUNDI**

### **Armed groups kill without mercy**

12 June 1996

SUMMARY

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The death toll in Burundi continues to rise. Armed political groups are killing defenceless men, women and children without mercy and without fear of punishment. The lives and human rights of Burundi's people are being disregarded in a ferocious struggle for power. This report details human rights abuses by armed groups since October 1995. It describes the development of armed groups in Burundi and calls on all those with influence to act to stop the bloodshed.

Armed groups, largely organized along ethnic lines, have grown in size and firepower in the latest phase of Burundi's long history of political violence. They have killed tens of thousands of people from both the majority Hutu and minority Tutsi communities since October 1993, when soldiers attempted to overthrow Burundi's first elected government.

Armed Hutu groups have attacked unarmed Tutsi civilians and Hutu opponents as well as government forces and Tutsi armed groups. Armed Tutsi groups, sometimes operating in open collaboration with members of the Tutsi-dominated security forces, have assaulted unarmed Hutu, civilians as well as Hutu combatants. Groups from both sides have committed murder, rape and torture. Most of the victims are ordinary people who were just in the wrong place at the wrong time.

Prominent citizens have been assassinated in an apparently systematic attempt to eliminate those with leadership potential. Foreign nationals working for aid organizations or reporting developments in the country have also been attacked. Many have been killed, and humanitarian organizations have been forced to scale down or suspend operations, depriving Burundi's most vulnerable citizens of vitally needed assistance.

Government officials and Tutsi leaders accuse Hutu groups of being supported by exiled former Rwandese soldiers and militia members responsible for genocide in Rwanda in 1994. Tutsi group members have apparently received training abroad, and have been strengthened by deserters from the current Rwandese army.

Several hundred thousand people have been forced by the violence to leave their homes. Many Tutsi have sought the protection of the security forces in towns; many Hutu have fled to the countryside and to neighbouring countries.

The civil war is spreading. In March 1996 for the first time there was fighting between government troops and armed opposition groups in southern provinces: previously conflict had been confined to the north and around the capital Bujumbura.

Amnesty International is publishing this report to bring the killings by armed groups in Burundi to the attention of the international community and to appeal to armed group leaders to condemn and prevent them. The government and security forces of Burundi should lead by example. They should ensure that their forces and supporters do not commit human rights abuses and they should bring those responsible to justice. Negotiations to bring about a political settlement should be founded on human rights safeguards, ensuring that the right of both Hutu and Tutsi are fully guaranteed.

KEYWORDS: EXTRAJUDICIAL EXECUTION / MASS KILLING / IMPUNITY / COMMUNAL VIOLENCE / ARMED CIVILIANS / NON-GOVERNMENTAL ENTITIES / INDISCRIMINATE KILLINGS / HARASSMENT / FORCED EVACUATION / SEXUAL ASSAULT / MILITARY / ARMED CONFLICT / DEATH PENALTY / TRIALS / LOCAL GOVERNMENT REPRESENTATIVES / POLITICIANS / JOURNALISTS / DOCTORS / NURSES / REFUGEE WORKERS / RELIEF WORKERS / FOREIGN NATIONALS / RELIGIOUS OFFICIALS - CATHOLIC / RELIGIOUS WORKERS / DOMESTIC WORKERS / ARTISANS / DRIVERS / TRANSLATORS / WITNESSES / DISPLACED PEOPLE 1 WOMEN / MILITARY AS VICTIMS / ICRC / UNHCR /

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# BURUNDI

## Armed groups kill without mercy

### 1. Introduction

Armed political groups in Burundi are slaughtering unarmed men, women and children. The precise number of victims is impossible to estimate, but tens of thousands of defenceless people have been deliberately and arbitrarily killed by armed groups in the past two and a half years. Armed groups have also raped and tortured captives and destroyed and looted houses and property. Of a population of under six million, several hundred thousand people are currently uprooted from their homes and living as displaced people. More than two hundred thousand more have fled to neighbouring countries.

#### 1.1 Recent political violence

Burundi has been racked by political violence since October 1993. The current conflict was sparked by a military coup attempt and the subsequent assassination of Burundi's first Hutu president, Melchior Ndadaye on 21 October 1993. The coup attempt was swiftly followed by mass killings of Tutsi civilians by supporters of President Ndadaye's *Front pour la démocratie au Burundi* (FRODEBU), Front for Democracy in Burundi. Members of the armed forces and Tutsi armed groups carried out reprisal killings of mainly unarmed Hutu civilians. Hutu armed groups on the one side and Tutsi groups and the armed forces on the other killed an estimated 50,000 or more people between October and December 1993. More than 50,000 more are believed to have been killed since then. Although government forces are known to be responsible for most of the killings, armed groups have also massacred a large proportion of the more than 100,000 victims. Tutsi survivors fled to towns and other centres where they sought the protection of the armed forces. They are known as "displaced" population. Hutu civilians fled to the countryside or remained there, away from the security forces, and are known as "dispersed" population.

The civil war entered a new phase in March 1996 when armed groups extended their attacks to the southern provinces of Bururi, Makamba and Rutana. For most of the last two years, attacks by Hutu-dominated armed groups have been largely restricted to northern Burundi and around the capital, Bujumbura, Burundi government and military sources reported in April that hundreds of Tutsi and Hutu civilians had been killed by armed groups since the new offensive began in southern Burundi. Nearly 500 of these were reportedly killed during the first two weeks of April. Most reports from government sources could not be independently confirmed. However, *Médecins sans frontières* (MSF), Doctors Without Borders, reported that on 3 April armed men, apparently members of Hutu armed groups, attacked Makamba hospital and killed a local anaesthetist, pillaged a pharmacy and burned ambulances. An estimated 55,000 to 100,000 people were reportedly displaced, although it remained unclear how many of these came from the two provinces. The authorities did not acknowledge human rights violations committed by government forces. Between 28 April and 10 May, about 16,000 people fled from Burundi's Cibitoke and Bubanza provinces to

Zaire, following clashes between Hutu armed groups and government forces in the province. About 40 people were reported to be fleeing daily to Tanzania during the same period.

There was heavy fighting in mid-April between government troops and armed groups in the province of Bururi. Bururi is reputed to be politically and militarily sensitive because Burundi's three former military presidents, as well as many military officers, come from there. During the fighting between government troops and armed groups, many government soldiers were killed. Government sources said among those killed on 14 April was Lieutenant-Colonel François Fyiritano, commander of the Third Commando Battalion in Gitega. Other sources in Burundi claimed that the commander was killed by some soldiers under his command because he tried to prevent them from killing unarmed civilians.

## **1.2 The pattern of abuses**

Hutu-dominated armed groups have carried out numerous human rights abuses against unarmed civilians, mostly Tutsi. Hutu armed groups are collectively referred to in Burundi as *bandes armées* (armed gangs) or *assaillants* (assailants). The main Hutu-dominated armed group, the *Conseil national pour la défense de la démocratie* (CNDD), National Council for the Defence of Democracy, has largely denied that its combatants have been involved in widespread abuses. A CNDD leader told Amnesty International that the CNDD has punished members of its armed wing, the *Forces pour la défense de la démocratie* (FDD), Forces for the Defence of Democracy, who have committed crimes. He did not specify the number of those punished, the nature of their crimes or the kind of punishment meted out to them. These groups are reportedly receiving assistance in the form of arms and fighters from former Rwandese government soldiers and militia members, many of whom were responsible for genocide and other crimes in Rwanda in 1994. The CNDD has denied any links with former Rwandese government forces and militia. Burundi military officials have often accused Hutu armed groups of containing former Rwandese militia members identified because they spoke Kinyarwanda, the Rwandese national language. These armed groups are also said to have bought arms from Zairian military officials who seized them from fleeing former Rwandese government troops. The Burundi authorities have accused the Zairian authorities of supporting Hutu armed groups, particularly the CNDD. In April 1996, Burundi closed its border with Zaire. The Ugandan press reported in early 1996 that a former Burundi diplomat had been accused by the Ugandan authorities of recruiting Ugandan soldiers of Burundi origin to the CNDD. The Ugandan authorities are not known to have made any public comment on these reports,

Tutsi armed groups have collaborated with government soldiers in killings in towns and other areas controlled by government forces. There have also been reports that Tutsi youths have received training in countries such as Rwanda, Tanzania and Uganda. Up to 400 soldiers of the Rwandese national army, the Rwandese Patriotic Army (RPA), reportedly left

Rwanda in recent months in order to join Tutsi groups in Burundi. *Agence France presse* (AFP), a French news agency, reported in mid-April that Rwandese Vice-President Paul Kagame said that he had warned the Burundi authorities during 1995 of RPA deserters in Burundi. He reportedly said that many of the deserters had left to escape punishment in Rwanda after committing crimes there. In early April 1996, Amnesty International received reports that about 50 of these soldiers had been returned to Rwanda, but that the rest remained in Burundi and had joined Tutsi militia.

Burundi has a long history of political violence. Before October 1993, most killings were carried out by government forces and the majority of victims were Hutu civilians. Each round of major killings, particularly in 1965, 1969, 1972, 1988 and 1991, resulted in thousands of civilian deaths. It has been estimated that at least 80,000 people were killed in 1972 alone, some estimates have suggested that several hundred thousand civilians were killed. Almost invariably, killings began when armed Hutu groups attempted to reverse the domination of state institutions by the minority Tutsi population by attacking government forces and unarmed Tutsi civilians. When government forces counter-attacked, the armed groups and many men of fighting age fled, leaving behind them unarmed Hutu civilians, fully exposed to massive reprisal killings by government forces and armed Tutsi groups.

Government forces have also killed Hutu civilians in areas where armed groups were not active. For example, in mid-November 1995 government forces killed as many as 500 unarmed civilians in the Kanyosha district (*commune*) of Rural Bujumbura province.

Government troops have used bayonets, rather than guns, to kill their victims, including children. The killers must therefore have been able to identify their victims and to know that many of them posed no threat to the security forces. Following such killings, Hutu armed groups have carried out reprisal killings of Tutsi civilians and have also targeted Hutu opponents. This has perpetuated a seemingly endless cycle of reprisals and counter-reprisals. In a report to the United Nations (UN) Commission of Human Rights in March 1996, the UN Special Rapporteur for Burundi described these killings as "\*genocide by attrition".

Since the start of 1994, armed groups have become larger and have more powerful weapons which they use to carry out serious human rights abuses. Amnesty International is publishing this report to bring these abuses to the attention of the international community and to appeal to armed group leaders to condemn and prevent them. Burundi government and security authorities must lead by example. They should ensure that their forces and supporters do not commit human rights abuses and they should bring those responsible to justice. Given recent suggestions that there may be negotiations to bring the civil war to an end, Amnesty International urges the Burundi authorities and armed group leaders to ensure that human rights safeguards are central to any negotiations in order to bring an end to the long cycle of human rights abuses,

## **2. The development of armed groups in Burundi**

The origin, composition and role of armed groups in Burundi are very complex. In order to help the reader understand the underlying causes for the human rights abuses committed by the groups, we provide information in this chapter on why and how Hutu and Tutsi armed groups were formed.

Armed groups have generally been organized along ethnic lines among the majority Hutu and minority Tutsi communities. Hutu and Tutsi, who represent up to 84 per cent and about 15 percent of the population respectively, have accused each other of using members of the Twa ethnic group to carry out attacks. The Tutsi-dominated armed forces have also been accused of using Twa to attack Hutu civilians. Human rights abuses perpetrated against Twa are rarely reported, apparently because the Twa, who represent about one per cent of the population, are regarded by Hutu and Tutsi as insignificant in the political conflict.

The *Jeunesse nationaliste Rwagasore* QNR), Rwagasore Nationalist Youth, a youth wing of the former ruling *Union pour le progrès national* (UPRONA), Union for National Progress party, was the first organized political group to be involved in widespread killings overtly sanctioned by national political leaders in Burundi. The JNR, named after Burundi's first Prime Minister, Prince Louis Rwagasore, was later renamed *Jeunesse révolutionnaire Rwagasore* QRR), Rwagasore Revolutionary Youth. The Tutsi-dominated youth wing was made up of secondary and university students, school leavers and unemployed youths. It claimed to represent Burundi nationalism. The JNR and JRR played a significant role in January 1962 when Hutu trade unionists were hunted down and in massacres of Hutu in 1972. The Tutsi-dominated youth wing was, however, set up as a civilian unarmed group to defend the government and Tutsi.

Before the current civil war began in 1993, there were two main Hutu armed groups. These were the *Parti de libération du peuple hutu* (PALIPEHUTU), Party for the Liberation of the Hutu People, and the *Front de libération nationale* (FROLINA), Front for National Liberation. There were no publicly known Tutsi armed groups. This appears to be mainly because the Tutsi community was not in conflict with the government and expected government forces to protect it. However, during intercommunal violence or when there were attacks by PALIPEHUTU or FROLINA, JRR youth wingers took part in military counter-insurgency operations and reprisal attacks on Hutu. The victims of armed JRR gangs were virtually always Hutu. Hutu armed groups attacked members of the security forces, government officials and Tutsi and Hutu civilians who did not support them.

The origins of the current civil war can be traced back to 1988. Intercommunal violence in August 1988 in northern Burundi triggered a process aimed at ending one-party rule and Tutsi political domination under three successive military governments. The government estimated that 5,000 people were killed, implying that most of them were Tutsi.

killed by armed members of PALIPEHUTU. Government opponents claimed that government forces killed as many as 20,000 civilians, most of them Hutu. The government led by Major Pierre Buyoya, who came to power in a military coup in September 1987, rejected calls for an independent inquiry to establish responsibility for the killings and the identities and numbers of the victims. However, after the massacres, President Pierre Buyoya appointed a Hutu Prime Minister and more Hutu were given ministerial posts. In September 1988 President Buyoya appointed a 24-person commission, comprising 12 members from each community, to study the question of national unity. In September 1991 a government constitutional commission recommended the introduction of a multi-party political system, with parties obliged to recruit members from more than one ethnic group, and the inclusion of human rights protection in a future constitution.

Although opposition parties were allowed to exist, following the promulgation of a new Constitution in March 1992, PALIPEHUTU was explicitly excluded on the grounds that it was a violent monoethnic party. For several months FRODEBU was refused official recognition partly because its manifesto stated that it would exclude from its membership people responsible for human rights abuses. UPRONA leaders also accused it of being a front for PALIPEHUTU, although it included Tutsi members.

Elections were scheduled for June 1993. PALIPEHUTU campaigned clandestinely against the elections, claiming that no political change was possible for as long as the army remained Tutsi-dominated. PALIPEHUTU is believed to have been responsible for armed attacks on Bujumbura and Bubanza provinces in November 1991 and April 1992 in an effort to disrupt the elections. At least 1,000 civilians were killed in the violence, mostly by government forces. FRODEBU was officially recognized in mid-1992.

Before the elections in June 1993, many observers thought that UPRONA and its presidential candidate, Pierre Buyoya, had enough support and resources to win. The predictions were grossly inaccurate and FRODEBU and its leader, Melchior Ndadaye won with a landslide majority. The FRODEBU victory sparked off immediate protests by UPRONA supporters who claimed that it had been an "ethnic", implying "Hutu", victory. On 3 July 1993 a coup attempt against President Pierre Buyoya was foiled and a number of military officers were detained. The coup attempt was intended to pre-empt the coming to power of Melchior Ndadaye who eventually took office on 10 July 1993.

Although President Ndadaye appointed a number of Tutsi and opposition politicians, including the Prime Minister, to ministerial posts, his opponents continued to protest against the FRODEBU-led government. Some opponents called for its overthrow. Political tensions were exacerbated by the appointment of FRODEBU supporters to key government positions. The armed forces, which had exercised unbridled political power since the first military coup in 1965, were hostile to the new government and apparently objected to reform proposals. These proposals included, for example, introduction of regional balance



in recruitment to the Tutsi-dominated National Gendarmerie and restricting the Tutsi-dominated army to the maintenance of external security.

The repatriation of Hutu refugees, which had began at the start of the 1990s under President Buyoya, escalated after the elections. Many Hutu refugees returned, particularly those who had fled in 1972, Tensions surged when returned refugees sought to repossess their homes and land, which were usually occupied by prominent Tutsi. The crime rate, which had become a serious problem in previous years, increased markedly. FRODEBU blamed rising crime on the security forces and UPRONA supporters, while UPRONA blamed it on FRODEBU which they said lacked the ability to govern. On 21 October 1993 government soldiers mounted a coup attempt and killed President Ndadaye as well as the Hutu President of the National Assembly and his Tutsi deputy, and several other top government officials. Initial military statements said that the coup had the support of all the armed forces. After worldwide condemnation of the coup and the suspension of foreign aid, military leaders claimed that only a small group of soldiers had carried out the coup attempt. This claim was difficult to believe when there had been no evidence of any sections of the armed forces taking measures to prevent the coup. Military leaders announced the return of power to the elected government.

In the aftermath of the coup attempt, leaders and allies of UPRONA organized themselves to resist the return of power to FRODEBU control. From early 1994, youths, virtually all of them Tutsi, were encouraged to demonstrate, to set up roadblocks to prevent public activity and to paralyse the government, especially in Bujumbura. Tutsi youths formed armed groups, with the knowledge and even assistance of the armed forces. Many government supporters, particularly Hutu, were killed during such action. To counter this violence and what they considered as the inability of the FRODEBU-led government to protect its members and supporters, armed Hutu groups sprang up in and around Bujumbura.

Gangs of young unemployed and delinquent youths such as the Santiagos of Buyenzi suburb in Bujumbura, formed the nucleus of armed political groups which came into being after October 1993. Such gangs existed in both the Hutu and Tutsi communities.

"The first Tutsi militia groups<sup>1</sup>, known as *Sans échec* (Without Failure), were formed in the Ngagara suburb of Bujumbura. They were born out of an association between local Tutsi youths and Rwandese Tutsi refugees who subsequently joined the Rwandese rebel group, the Rwandese Patriotic Front (RPF). Some Tutsi youths from Burundi are reported to have received military training in countries such as Uganda and Tanzania. Tutsi youths became UPRONA vigilantes during the 1993 electoral campaigns in Burundi. The first

<sup>1</sup> Tutsi armed groups are referred to as militia because of their close association with government forces. Although this association is not official, the militia groups often carry out attacks on Hutu with the connivance and assistance of government forces.

leader of the *Sans échec* is alleged to have been Patrice Murenzi, a Rwandese national who eventually returned to Rwanda. It has been reported that he has been replaced by Willy Madirisha.

In the violence which followed the coup attempt and the assassination of President Ndadaye in October 1993, a new Tutsi armed group known as *Sans défaite* (Without Defeat) was formed. One of its leaders is said to be Jean-Pierre Nyamoya. Other groups such as the *Sans capote* (Without Condoms) reportedly rape women before killing them. Tutsi armed groups are organized and financed by Tutsi political leaders, businessmen, and serving and retired members of the security forces. Apart from a few mentioned below, most political leaders deny association with the armed groups. However, many of the political leaders who are accused of supporting these armed groups often say the Tutsi armed groups exist and act to protect Tutsi civilians.

The *Front de la Jeunesse Patriotique* (FJP), Front of the Patriotic Youth, is reportedly the youth wing of the *Parti pour le redressement national* (PARENA), National Recovery Party, of former President Jean-Baptiste Bagaza. The FJP is reportedly led by Maxime Tuhabonye. The *Association des anciens militaires* (ASSAM), Association of Veteran Soldiers, a legally recognized association, has been accused of involvement in assassinations of prominent members or allies of FRODEBU. Tutsi leaders have formed other groups which are thought to be fronts for underground armed groups. These include SOJEDEM which is led by Déogratias Niyonzima, a Roman Catholic Dominican brother who was excluded from the religious order in 1995 because of his SOJEDEM activities. Another group is the *Association des forces pour le salut national* (AFOSANA), Association of Forces for National Salvation. Members of these groups and others have been recruited privately by prominent Tutsi for their protection or for attacking their opponents. Their victims include unarmed civilians.

New Hutu armed groups have also emerged since October 1993, partly in response to attacks by government soldiers, often accompanied by Tutsi armed gangs. Hutu armed groups appear to have support from among Hutu political leaders and government officials, some of whom have subsequently left Burundi to join some of the armed groups. For example, many of the Hutu and Tutsi leaders of the CNDD were former government and FRODEBU officials. Tutsi leaders and members of the security forces often accuse Hutu leaders who protest against human rights violations by government forces of supporting Hutu armed groups. In most cases there is no proof of such support.

Government soldiers, often with Tutsi armed groups, attacked pockets of Hutu resistance in Bujumbura. From late 1994 onwards they carried out counter-insurgency operations known as "disarmament" operations, using automatic weapons, grenades and rockets. Houses were looted and set ablaze. Hundreds of Hutu civilians were killed and thousands forced to flee Hutu-dominated suburbs such as Kamenge and Kinama. Hutu

civilians were killed or forced out of Tutsi-dominated suburbs such as Nyakabiga and Ngagara. Hutu also carried out numerous attacks against soldiers and killed or forced Tutsi civilians out of Hutu-dominated suburbs such as Kamenge. By the start of 1995 Hutu and Tutsi who previously lived together had been forced to live in mutually hostile suburbs. This phenomenon has been repeated in many other parts of the country, giving rise to fears of entrenched interethnic hostility which will be difficult to counteract even when the two communities are able to obtain guarantees that political and security leaders have ended violent conflict.

After October 1993, small armed Hutu groups were formed in Bujumbura to fight Tutsi armed groups and government forces. One such group was formed by basketball fans known as the Chicago Bulls in Bwiza suburb. Another group known as the *Machinistes* was created in Kamenge suburb during "disarmament" operations in March 1994.

By the start of 1994 displaced Tutsi and dispersed Hutu living in mutually hostile areas were carrying out attacks on each other. Displaced Tutsi carried out raids on Hutu with the support or knowledge of the armed forces. Increasingly, dispersed Hutu armed themselves and joined existing armed groups, particularly the armed wing of PALIPEHUTU known as the *Front national de libération* (FLN), National Liberation Front. The FLN, which was formed several years ago, compared to the PALIPEHUTU which was formed at the start of the 1980s, is led by Kabura Khossan. FROLINA, a splinter group of the PALIPEHUTU, is led by Joseph Karumba who lives in exile in Tanzania.

In early 1995 the former Minister of the Interior, Leonard Nyangoma, formed the CNDD, a FRODEBU splinter group. The CNDD's armed wing -- known as *Forces pour la défense de la démocratie* (FDD), Forces for the Defence of Democracy -- has since been waging open war against government forces. The ranks of the FDD, which appears to be the biggest single group, have been swollen by FRODEBU supporters and others who have been forced by government forces and Tutsi armed groups to flee from their homes and institutions such as the University of Burundi. CNDD leaders include Tutsi politicians such as the former President of the National Assembly, Christian Sendegeya. CNDD says that it is fighting for the restoration of democracy and against the power-sharing agreement, known as the Convention of Government, between FRODEBU and its opponents signed in September 1994.

### **3. Abuses by armed groups**

This report highlights human rights abuses most of which have occurred since October 1995. Abuses by armed groups committed before October 1995 have been covered in previous Amnesty International reports.<sup>2</sup>

It is often difficult to tell which group has committed a specific killing or other human rights abuse. In many cases, the identity of the attackers can be inferred from the identity of their victims, although this is not conclusive. Attacks carried out with or near government soldiers are generally believed to be the work of Tutsi armed groups. Those against Tutsi civilians and government forces are assumed to be carried out by Hutu armed groups, although the existence of several Hutu or Hutu-dominated armed groups makes it difficult to hold any particular one responsible. Armed groups very rarely claim responsibility for attacks on civilians. For example, two nurses were killed and 20 patients injured when a grenade was thrown inside Louis Rwagasore Hospital in Bujumbura on the night of 9 December 1995. A soldier injured in fighting a few days earlier was among the victims of the grenade attack. Although most of the victims were reportedly Tutsi, a local human rights group reported that the attackers were Tutsi. The confusion increases when government forces commit human rights violations at about the same time as attacks by armed groups in the same area.

One example of a killing where the identity of the perpetrators remains unclear is the death of Father Sylvestre Hakizimana at Mutaho, Ngozi province, on the morning of 1 March 1996. He was ambushed by an armed group on his way to celebrate mass at Rwisabi Roman Catholic parish where he had replaced another priest, Father André Havyarimana, who had been killed in July 1995. Insecurity in the area had forced Father Sylvestre Hakizimana to live at Gitega Major Seminary.

#### **3.1 Abuses by Tutsi armed groups**

Tutsi armed groups claim that they act to defend Tutsi civilians against Hutu attacks. However, many of the attacks are unprovoked and most of their victims are unarmed and defenceless people, including women and children. Often the groups loot and destroy homes of people who have fled. For example, on 7 June 1995 an armed Tutsi gang accompanied

<sup>2</sup> Reports published by Amnesty International since the start of 1995 include, *Burundi: Struggle for Survival: Immediate action vital to stop killings* (AI Index: AFR 16/07/95), *Burundi: Targeting students, teachers and clerics in the fight for supremacy* (AI Index: AFR 16/14/95), *Rwanda and Burundi: A call for action by the international community* (AI Index: AFR 02/24/95) and *Rwanda and Burundi: The Return home: rumours and realities* (AI Index: AFR 02/01/96).

by members of the security forces in uniform attacked a woman and her children in her house in Bujumbura's Cibitoke suburb. People outside the house who heard screams inside concluded that the woman was being raped. Soon after, gang members pulled her out of the house and stabbed her repeatedly with knives. They locked her children in the house and set it on fire. The men in uniform stood by while all this happened. It is unclear whether the woman or any of her children survived.

On 5 October 1995 a Tutsi armed group stopped a bus at a road block it had erected at Ruvumera market in Buyenzi, a suburb of Bujumbura. Felix Kwizera, a tailor who had fled from Kamenge suburb in June 1995 during military operations, was ordered out of the bus by three youths who knew him. He was taken to a house on the Fifth Avenue where he was stabbed to death in the throat and the ribs. His niece who had been on the same bus informed other relatives about his murder, but they failed to recover his body. They were reportedly told that the body had been taken to Bwiza suburb in a vehicle belonging to a local government official.

On 26 October 1995 an armed group attacked a bus at Gitaramuka in Ngozi province. Three days later, government soldiers and armed Tutsi civilians carried out reprisal attacks in Muyinga, Ngozi and Kirundo provinces. The governor of Ngozi reported that soldiers and Tutsi civilians had deliberately and arbitrarily targeted and killed at least 250 Hutu civilians in Tangara district. In the area around Musenyi Roman Catholic parish alone, 140 people were killed on Kaniga hill, five on Kinamira hill, 52 on Miramba hill and 59 on Munini hill. The governor was himself assassinated on 21 December 1995, apparently because he had publicized the killings.

At least four people were killed and more than 20 wounded when a Tutsi armed group attacked Buyenzi suburb with heavy gunfire and grenades on the night of 1 to 2 November 1995. Two of those killed were children whose father, Saidi, had been killed with other members of his family in 1993. A grenade which was lobbed into a camp where displaced Hutu lived killed two people and wounded at least 20. All the victims in the two incidents were unarmed civilians.

There were further killings that month. On 5 November 1995 Tutsi gangs killed at least 14 unarmed Hutu civilians, including a child, around Mubanga health centre in Mubanga district, Ngozi province. The attackers, who were reported to be in the company of men in uniform believed to be government soldiers, also looted property.

On 6 December 1995 a Tutsi armed group attacked a government-owned bus in Bujumbura's Cibitoke suburb, killing at least seven people and injuring 20. The bus was carrying Hutu civilians who were returning home after spending months hiding in the hills around Bujumbura. They had fled there to escape attacks by government soldiers and Tutsi armed groups had been encouraged to return home by the government. On the same day,

another bus was reportedly hijacked by Tutsi youths -- its destination and the fate of its passengers remain unclarified.

On the night of 21 to 22 December 1995 a Roman Catholic catechist known as Pierre-Claver and his cook were attacked by a Tutsi group in the catechist's house in Ngagara, Bujumbura. The cook was fatally injured and Pierre-Claver was threatened with death when he tried to take the cook to hospital. He believed that he was targeted because he had witnessed the assassination of Father Michel Sinankwa in August 1995. Pierre-Claver apparently identified the assassins and informed the security forces who took no action. Fearing for his life, Pierre-Claver fled to a neighbouring country.

### **3.2 Abuses by Hutu armed groups**

In the past, Hutu armed groups have been most active in and around Bujumbura and provinces in the north. As well as attacking and killing government soldiers, the groups have attacked and killed Tutsi civilians, mostly in camps for the displaced which are often guarded by government troops. They have also assaulted Hutu opponents. Attacks have usually been followed by reprisal killings by government soldiers and Tutsi armed groups of Hutu civilians accused of supporting the armed groups.

A group believed to be Hutu attacked Bubanza Arts and Crafts Technical School on 2 December 1995, killing six students. In a nearby camp for displaced Tutsi, the group killed at least five people and injured about 30. The same group is believed to have attacked a camp for displaced Tutsi in Gihanga, killing at least 10 people. On 15 December 1995 government-owned Radio Burundi reported that armed Hutu gangs had killed 30 Tutsi and burned 40 houses in Mukike district, Rural Bujumbura province. All those attacked were unarmed civilians targeted on the basis of their ethnic identity.

Hutu armed groups killed at least 17 people in Bubanza and Kirundo provinces between the end of November and the start of December 1995. Seven unarmed Tutsi civilians were reportedly killed and two vehicles destroyed during an attack on Murore Roman Catholic parish in Kirundo province. Six more people were killed in Busoni district and six others were killed at Gihanga in Bubanza province.

Travelling by road in Burundi has become increasingly dangerous. Armed groups regularly shoot at vehicles, sometimes killing the occupants and passengers are frequently robbed. For example, on 21 December 1995 an armed group thought to comprise Hutu mounted roadblocks and robbed passengers on the roads to Rumonge and Bugarama in southern Burundi. The passengers were then ordered to walk back to Bujumbura. On 4 January 1996 about 100 armed men stopped 10 vehicles near Bugarama, Muramvya province, and robbed passengers of all their property, including the clothes they were

wearing. A similar attack in which a driver was wounded took place on 13 January 1996 at Mabayi, Cibitoke province.

Sixteen civilians were killed on 23 February when armed Hutu attacked Buganda in Cibitoke province. Thirty more civilians were killed and two soldiers wounded on 26 February when a Hutu gang using automatic weapons attacked a camp for the displaced and a military post. On 26 February, the armed Hutu-dominated group, CNDD, announced that it had disabled a power plant and killed 32 government soldiers in three attacks. It was unclear whether CNDD combatants had carried out the attacks which resulted in the death of civilians in Cibitoke province. It was unclear whether any of the civilians killed were armed. On 27 February 1996 the Burundi army reported that Hutu rebels had killed 46 people in camps for the displaced in Cibitoke province. However, reports of abuses by government or military sources are rarely reliable. Amnesty International has received reports from credible sources that government forces or their allied Tutsi militia commit human rights abuses and blame them on Hutu armed groups.

Radio Burundi reported that on 11 and 12 April 1996 Hutu armed groups had killed more than 50 civilians, most of them Tutsi, at Gitanga in Rutana province and at Buraza in Gitega province. Government media report on human rights abuses by Hutu armed groups but usually either fail to report human rights abuses by government forces and Tutsi armed groups or minimise them.

On the night of 3 May 1996 an armed group which some in Bujumbura said comprised members of the CNDD killed four patients and a guard during an attack on Roi *Khaled* Hospital in Bujumbura. It was reported that the attack took place during a power cut caused by a sabotage on electricity supply to Bujumbura. The CNDD denied it carried out the killings. The armed group looted drugs and other medical supplies from the hospital.

### **3.3 Attacks on foreign organizations**

Foreign nationals, most of them working for aid organizations, have been targeted for attack since October 1993, resulting in loss of life and destruction of property. The attackers, mostly members of Tutsi armed groups, have whipped up hostility against their targets with inflammatory articles in newspapers owned by political leaders. They have attacked with stones, firearms and grenades and have robbed and destroyed property. Foreign humanitarian organizations have generally been attacked by armed groups which accused them of supporting their opponents because they distributed food and medical aid. In some cases foreign nationals have been attacked because they were believed to have criticized human rights abuses.

Such attacks have not only resulted in loss of life and injury to staff of these organizations, but have also deprived the people of Burundi of vital humanitarian assistance.

Most of the organizations have had to suspend or scale down their activities from time to time. Many vulnerable civilians, particularly the sick, children and the elderly, have faced even greater problems in gaining access to safe drinking water, food and medical supplies. Armed groups have seized such supplies. There have been numerous out-breaks of cholera and other diseases among the displaced and dispersed population.

One of the organizations worst affected is the International Committee of the Red Cross (ICRC). For example, a 22-year-old Burundi employee of the ICRC, Emmanuel Nsengiyumva, was killed on 6 November 1995 when an ICRC convoy was attacked with automatic weapons and a grenade on the road to Cibitoke. A number of other ICRC staff were wounded. Nine days earlier, an ICRC tanker truck ran over a landmine at Gihanga. It is unclear whether there were any casualties as a result of the explosion. The tanker was transporting water to a camp for displaced people.

There was a spate of attacks on staff and premises of foreign organizations in December 1995. They began on 12 December when a wounded soldier speaking on the government-owned Radio Burundi accused the ICRC of colluding with an armed gang to kill his two unarmed companions. He was referring to an earlier incident in which armed men had stopped an ICRC vehicle and killed two of the occupants. Within hours of the radio broadcast there were grenade attacks on the compounds of the ICRC, Oxfam and several other organizations in Gitega. The ICRC suspended activities throughout the country, while other organizations either scaled down or suspended their activities too. The ICRC demanded that the government clarify and rectify the soldier's allegations. However, it is unclear whether the authorities had responded when the ICRC resumed its activities in January 1996. In mid-April, a grenade was hurled at the ICRC compound in Gitega and wounded one of the organization's staff. The ICRC evacuated all its staff in the town to Bujumbura. The World Food Program (WFP) also evacuated its staff in the town as a protective measure.

On 19 December 1995 two foreign workers of *Action internationale contre la faim* (AICF), International Action Against Hunger, were wounded when a grenade was thrown into their residence in Gitega. AICF temporarily withdrew its staff from the province. The attack followed a spate of threats against AWF workers and theft of their property.

Two days later, a grenade was hurled at the residence of the World Food Program (WFP) in Ngozi. Tutsi armed groups threatened to continue attacks unless all WFP international staff left the province. An employee of the United Nations High Commissioner for Refugees (UNHCR) was wounded in a grenade attack on the night of 21 December. Between 21 and 24 December, virtually all employees of foreign organizations in Ngozi and Kirundo provinces were evacuated to Bujumbura. The organizations appear to have been targeted because they gave relief assistance to Rwandese refugees in northern Burundi. Burundi government forces and Tutsi armed groups have repeatedly accused Rwandese



Hutu refugees of supporting Burundi armed Hutu groups. In what appeared to be an overt threat to the security of Rwandese refugees, a top Burundi military official reportedly visited several refugee camps in northern Burundi and threatened that the refugees would be moved further into the interior of Burundi if they did not return to Rwanda. Many of the refugees had failed to return to Rwanda fearing human rights violations, including extrajudicial executions, torture and other forms of ill-treatment, arbitrary arrests and unlawful detention without trial, by the Rwandese authorities.

Journalists too have been targeted by armed groups, apparently for their work in revealing information about human rights abuses. For example, South African Vincent Francis, head of the Johannesburg office of World Television News, died from his wounds in April 1995 after he was shot in an ambush in northwestern Burundi. His Burundi driver and interpreter were also killed in the ambush. Other foreign journalists have received anonymous telephone threats and warned to leave the country or be killed. In some cases, it has been thought that such threats have been instigated or condoned by the security forces. For example, Jean Hélène, a French correspondent, received numerous such threats before he was arrested by the National Gendarmerie in January 1996. He was accused of entering Burundi under a false identity. He was subsequently ordered out of the country without charge.

### **3.4 Assassinations of prominent individuals**

Dozens of prominent citizens of Burundi, particularly supporters or leaders of FRODEBU, have been assassinated since 1993. The assassinations are apparently intended to eliminate and intimidate educated or wealthy people who might play a leadership role. Many of the victims have been political leaders, top government officials or church leaders. Most of the perpetrators of the assassinations are members of Tutsi armed groups, in some cases apparently colluding with members of the security forces. In a statement in April 1996, the Burundi armed forces accused FRODEBU leaders of being a fifth column of the CNDD. Assassinations of prominent individuals are as old as the conflict in Burundi. Tutsi Prime Minister Louis Rwagasore was assassinated in October 1961. He was a Tutsi leader of the then Hutu-dominated former ruling *Union pour le progrès national* (UPRONA), Union for National Progress party. Hutu influence in UPRONA waned from that time.

More than a dozen prominent citizens have been assassinated since November 1995. Many were Hutu politicians or government officials. Some of the victims had been named in local newspapers as enemies of the Tutsi population,

Many of the victims were from Kayanza province. For example, Philippe Kanzinya, commercial director of the *Office national de télécommunication*, National Telecommunications Office, was shot dead on 24 November 1995 by an armed man in front of his office. Juvénal Manirambona, a member of the National Assembly from Kayanza,

was killed on 9 December. The government had appointed him Director General of the Institut national de sécurité sociale (INSS), National Social Security Institute. On 16 December 1995, Innocent Ndikumana, a Tutsi FRODEBU official and member of the National Assembly from Kayanza province, was found dead in the boot of his car. Athanase Ndayisaba an advisor to the Governor of Kayanza and a Hutu member of UPRONA, was killed on 28 December 1995. He had been director of Kayanza Secondary School, whose two other former directors had also been killed. At least two other prominent people from Kayanza - Malachie Surwavubu, a former governor of Kayanza, and Léonard Nkurikiye, a former advisor to the governor -were assassinated in August 1995.

Some of those assassinated appear to have been targeted because they exposed human rights abuses by armed groups or government forces. For example, in October 1995 Bède Nzobonimpa, then governor of Ngozi province, revealed that about 250 Hutu civilians had been killed by government forces in Ngozi's Tangara district. He was killed by unidentified gunmen on 21 December 1995. After his death the government appointed a soldier as governor of Ngozi province.

#### **4. Government response to human rights abuses by armed groups**

The Burundi Government's failure to condemn and prevent human rights violations by its own forces has reduced its moral authority and its ability to prevent human rights abuses by armed groups. Members of the security forces have regularly participated in or condoned human rights abuses by Tutsi armed groups.

Hutu civilians detained on suspicion of supporting armed groups have usually been held without charge or trial. In late February 1996, an undetermined number of Hutu civilians charged with offences related to massacres since October 1993 were brought to trial before civilian courts. At least two of them were sentenced to death. The defendants had no access to legal counsel and it appears that they were given no opportunity to prepare their defence. Some members of Hutu armed groups have been arrested during combat and detained. However, many of those captured are reportedly extrajudicially executed.

Few measures have been taken by the government to prevent abuses by Tutsi armed groups, and those few have been largely inadequate. In an apparent effort to end the violence by Tutsi armed groups, the Ministry of Justice created "mixed commissions", with representatives of the different police forces and the judiciary to investigate crimes committed in Bujumbura. These have so far achieved little. When one "mixed commission" ordered the arrest of six Tutsi youths, Tutsi militias brought Bujumbura to a standstill from 22 to 24 May 1995 by preventing people from going to work or to the market. There were reports that top Tutsi government and judicial officials met armed group leaders to assure

them that those arrested would be released soon. Amnesty International has received reports that virtually all those arrested on the orders of the "mixed commissions" were subsequently released.

In the rare cases where leaders of Tutsi armed groups have been arrested, they have usually been held for short periods and released without charge or trial. For example, Mathias Hitimana, leader of the *Parti de réconciliation du peuple (PRP)*, People's Reconciliation Party, who is said to have links with Tutsi armed groups, was held for several days in mid-December 1995 after he threatened displaced Hutu in Bujumbura. He was released without charge or trial. Tutsi political leaders, trade unionists and journalists who supported a general strike to force the resignation of President Sylvestre Ntibantunganya were arrested in mid-January 1996. Those arrested, including Déogratias Niyonzima, leader of *Solidarité jeunesse pour la défense des droits des minorités (SOJEDEM)*, Youth Solidarity for the Defence of Minorities, are reported to have links with Tutsi armed groups. They were freed in February without trial.

There have been worrying signs that government officials have been encouraging the formation of armed groups among the Tutsi community. In April 1996 the Prime Minister and other top government officials reportedly called for the formation of self-defence units. The Mayor of Bujumbura called on youths to "neutralize" strangers. The Council of Ministers also called for action against anyone suspected of belonging to an armed group fighting against government forces. These calls were a response to clashes between government forces and Hutu-dominated armed groups in southwestern Burundi in March 1996 which had led to several hundred deaths of civilians and the displacement of tens of thousands. Amnesty International is concerned that these calls on civilians to take up arms and attack anyone they suspect of supporting armed opposition groups will lead to further human rights abuses, particularly arbitrary killings.

In early 1994 government troops carried out a series of killings of unarmed Hutu civilians in and around Bujumbura, in what appeared to be a deliberate strategy to drive Hutu out of the capital. FRODEBU leaders protested against the attacks. In subsequent months, particularly in early 1995, the security forces carried out military operations in Bujumbura, ostensibly to disarm armed Hutu, during which hundreds of defenceless civilians, particularly women, children and the elderly were killed. The government apparently approved these operations and took no action to prevent the violations which occurred during them.

In February 1995, the government issued an international warrant for the arrest of CNDD leaders. However, President Ntibantunganya indicated at the start of 1996 that peace talks with Hutu armed groups would be acceptable to the government if the armed groups renounced violence. Peace talks have also been supported by FRODEBU officials. However, other members of the Burundi Government are less conciliatory. In April 1996

Prime Minister Antoine Nduwayo and UPRONA officials said they would not accept any peace talks with Hutu-dominated armed groups.

## **5. Conclusion**

The increase in politically motivated killings by armed groups in Burundi demands urgent measures to stop the cycle of violence. These measures have to be taken by the Burundi Government, by political and armed group leaders in Burundi and by the international community. People do not believe that the government can either protect them from attack or bring those responsible among its own forces to justice. The climate of impunity encourages further abuses.

Human rights abuses in Burundi are politically motivated, with political leaders exploiting ethnic origins. Members of the Hutu ethnic group have for many years been prevented from fully exercising their civil and political rights. Most state institutions, including the security forces, the judiciary and education are dominated by Tutsi. Many Tutsi resist change because they fear that they will be subjected to reprisals by Hutu. These fears will not be removed unless the killings stop and reconciliation begins. Dialogue aimed at establishing a permanent political settlement and the creation of conditions conducive to national reconciliation is indispensable. Any political dialogue and settlement must be underpinned by human rights safeguards, ensuring that the rights of both Hutu and Tutsi are fully guaranteed.

One of the biggest obstacles to the protection of human rights is the lack of impartiality of the Burundi security forces, Burundi's security forces have since independence been directly involved in Burundi politics on the side of UPRONA. Indeed all three military leaders of Burundi since 1966 presided over a one-party state under UPRONA. Since the coup attempt in October 1991, members of the UPRONA and its allied Tutsi-dominated political parties in the Burundi Government have either denied that government forces have committed human rights violations, or justified them as inevitable to protect Tutsi from Hutu extremists. Similar support has been extended to Tutsi militias. Fearing for their lives, members of FRODEBU and its allied Hutu-dominated political parties in the government have largely failed to publicly denounce human rights violations by government forces. Some of those who criticized human rights violations by government forces have either been killed or forced to leave the country.

Amnesty International is concerned that an already critical human rights situation may be moving into a new and more dangerous phase. The organization is calling upon all parties to the conflict and all those beyond Burundi's borders who care about the human rights of people in Burundi to take concerted action to help stop the killings and other human rights abuses. Killings continue as political leaders in Burundi fail to agree on whether peace talks should take place between political parties which are members of the

government and Hutu-dominated armed groups. UPRONA and its allies rejected any such talks during a meeting convened in April 1996 by former Tanzanian President Julius Nyerere in the northern Tanzanian town of Mwanza.

## **6. Recommendations to end human rights abuses by armed groups**

Everyone has a responsibility to end human rights abuses. This is especially true for those who are in positions of responsibility, such as political leaders, heads of the security forces, the judiciary and leaders of armed groups. Amnesty International is making the following recommendations which it believes will help prevent further human rights abuses and create an environment for an end to politically motivated killings and other human rights abuses.

Divisions in the government have impaired its ability to prevent human rights violations by its forces or even by armed groups, particularly the Tutsi ones which cooperate with members of the security forces. Government unity against human rights abuses and for equal protection under the law is a pre-requisite for ending the cycle of violence and impunity in Burundi.

### **6.1 As a first step, the Government should**

- speak and act together to prevent human rights violations by any individual or group, including government forces, regardless of political or ethnic affiliations;
- refrain from inciting or condoning killings and other human rights abuses by civilians;
- refrain from inciting or condoning human rights violations by government forces, and denounce any such violations when they occur;
- take all possible measures to ensure that members of the security forces do not commit extrajudicial executions or condone human rights abuses by others and take action within the law to prevent such abuses;
- publicly call on government forces to ensure adequate protection from human rights abuses for those especially at risk, particularly the physically weak, women, children and displaced or dispersed people;
- publicly denounce human rights abuses and make a commitment to end impunity in Burundi by bringing those responsible for abuses to justice in fair trials, without using the death penalty, when the rule of law is established;

- urge government forces to ensure that in dealing with killings by armed groups, they adhere to international humanitarian law for the protection of prisoners and governing the duties of law enforcement officials;
- urge government forces to ensure effective protection for refugees, the displaced or dispersed, women and children and to ensure all measures are taken to avoid civilian casualties by adhering to minimum standards of humanitarian law relating to protection of civilians in situations of conflict;
- publicly call on government forces to ensure that national and international organizations working in the field of human rights protection are able to carry out their work without fear of attack or other impediments. In particular, the Government should take effective measures to protect those providing relief assistance;
- take all possible steps to bring about negotiations towards a just political settlement based on human rights protection, including a commitment to adhere to basic human rights law standards, a commitment to addressing human rights issues, such as ending impunity for abuses, underlying the conflict; commitment to institutional reform aimed at creating a solid human rights framework.

## **6.2 When a political settlement is attained or stability is re-established in Burundi, the Government should**

- ensure that government forces adhere to a strict chain of command and superiors are held accountable for abuses by those under their command;
- work for the impartiality of the security forces and the judiciary to enable them to institute independent investigations into human rights abuses;
- take and support measures which will ensure that all citizens of Burundi have equal access to the law to obtain redress for human rights violations and to ensure that suspects obtain prompt and fair trials;
- ensure that all allegations of collusion between government forces and armed groups are rigorously investigated, and that irregular paramilitary forces, such as civil defence units, are disbanded.

## **6.3 Armed group leaders should.**

- prevent members of armed groups from carrying out attacks on unarmed civilians;

- make it clear to members of armed groups that attacks on unarmed civilians will not be tolerated;
- investigate and denounce human rights abuses committed by their own or other armed groups using Common Article 3 of the Geneva Conventions as a minimum standard and inform the international community of steps taken to prevent a recurrence of such abuses: such steps should accord with relevant provisions of humanitarian law;
- prevent perpetrators of human rights abuses from taking part in activities in which they may commit further abuses.

#### **6.4 Burundi political leaders should**

- publicly denounce human rights abuses, regardless of the ethnic or political affiliation of either perpetrators or victims, and call on their supporters not to carry out or advocate such abuses;
- demand that the government authorities investigate all reports of human rights abuses and ensure that those responsible are brought to trial in accordance with international standards of fairness, without recourse to the death penalty, regardless of the political or ethnic affiliation of the perpetrators or victims;
- cooperate with and encourage other politicians and parties to the current conflict to seek the assistance of the international community to find a just and lasting settlement based on respect for human rights for all.

#### **6.5 Foreign governments and inter-governmental organizations should:**

- assist the Burundi Government in integrating human rights safeguards in the search for long-term and comprehensive solutions to the civil war in Burundi;
- adopt a coordinated overall strategy for preventing further human rights abuses in Burundi, including supporting human rights initiatives by the United Nations (UN)<sup>3</sup> and other intergovernmental and non-governmental organizations.,

<sup>3</sup> Amnesty International has made recommendations on UN action, including in a report entitled, *Rwanda and Burundi: A call for action by the international community* (AI Index: AFR 02/24/95), published in September 1995.

- monitor military, security and police transfers to armed groups in Burundi and the security forces, particularly by countries identified in this report, to ensure that they do not contribute to further human rights abuses, and use their influence to stop any supplies which are used to commit human rights abuses.