

EXTERNAL

AI Index: AFR 02/11/97

3 February 1997

**Further information on EXTRA 03/97 (AFR 02/04/97, 14 January 1997) -
Refoulement/Extrajudicial executions/Fear of refoulement/Fear for safety**

BURUNDI/TANZANIABurundi refugees in Tanzania

Following a recent mission to Tanzania, Amnesty International has obtained further information regarding the case of the 126 Burundi refugees who were forcibly returned to Burundi on 10 January 1997. Of the 126, 122 were extrajudicially executed. The other four are missing. The precise circumstances that led to their expulsion from Tanzania have still not been clarified. Amnesty International was informed by the Tanzanian authorities that the matter is being investigated. The organization is continuing its investigations into the incident.

Sources in Tanzania indicated that approximately 31 other Burundi refugees had been "rounded up" along with the group of 126. These 31 refugees were not returned to Burundi and are reported to be in custody in Tanzania, possibly in Ngara or Benaco. It is not yet clear whether or not they have been charged. The Tanzanian authorities claim that the 31 refugees, along with the 126 who were returned to Burundi, were involved in factional fighting in or around the Kitali Hills refugee camp.

Amnesty International still fears for the safety of Burundi refugees in Tanzania and other states in the Great Lakes region. If returned to Burundi, they are at serious risk of arbitrary arrest, torture, "disappearance" and extrajudicial execution.

Amnesty International has raised its concerns about risks faced by Burundi returnees to their country in a number of recent documents. For further information see EXTRA 179/96 (AFR 16/33/96, 14 November 1996), EXTRA 172/96, AFR 16/30/96, 7 November, and follow-up AFR 16/36/96, 28 November 1996) and EXTRA 03/97 (AFR 02/04/97, 14 January 1997).

FURTHER RECOMMENDED ACTION: Please send telegrams or faxes in French or in your own language to the Burundi authorities (currently no mail to Burundi):

- expressing again deep concerns at the extrajudicial execution of 122 Burundi returnees from Tanzania on 10 January and the disappearance of four others who were returned to Burundi with them;
- calling for an immediate, impartial and independent investigation into the circumstances of the extrajudicial executions and for those responsible to be brought to justice in accordance with international standards of fairness;
- calling on the authorities to take immediate measures to protect returnees from human rights violations, including extrajudicial execution, "disappearance", arbitrary arrest and torture.

APPEALS TO:

President

Major Pierre Buyoya

Président de la République

Fax: 257 22 7490

Telegrams: Major Buyoya, Bujumbura, Burundi

Salutation: Monsieur le Président/Dear President

Minister for Reintegration and Resettlement
of the Displaced and Returnees

Madame Anne BARIYUNTURA

Ministre à la Réinsertion et à la Réinstallation
des Déplacés et des Rapatriés

Fax: 257 21 2629

Telegrams: Ministre a la Reinsertion

Bujumbura, Burundi

Salutation: Madame le Ministre/Dear Minister

Minister of Justice

Gervais Rubashamiheto

Ministre de la Justice et Garde des sceaux

Fax: 257 22 21 48

Telegrams: Ministre Rubashamiheto

Bujumbura, Burundi

Salutation: Monsieur le Ministre/Dear Minister

Please send telegrams/telexes/faxes/express or airmail letters in English or your own language to the Tanzanian authorities, including some or all of the following points:

- expressing concern at the forcible repatriation of the 126 Burundi refugees from Tanzania and urging the Tanzanian authorities to make public the findings of their investigations into the matter;
- stating that Amnesty International considers all returnees to be at serious risk of human rights violations, including extrajudicial execution and "disappearance" and reminding the authorities of their international obligation not to forcibly return refugees who are clearly at risk of human rights violations in their own country, referring to the principle of *non-refoulement* set out in the 1951 Convention Relating to the Status of Refugees and the Organization of African Unity 1969 Refugee Convention;
- calling on the authorities either to charge the 31 presently in custody with recognizable criminal offences and bring them to justice in Tanzania in accordance with international standards of fairness, or release them.

APPEALS TO:

His Excellency Ndugu Benjamin William MKAPA

Office of the President

State House

PO Box 9120

Dar es Salaam, Tanzania

Fax: + 255 51 469 13

Telegrams: President, Dar es Salaam, Tanzania

Salutation: Dear President of the United Republic

Edgar MAOKOLA Majogo

Office of the Ministry of Defence

PO Box 9544

Dar es Salaam, Tanzania

Telegrams: Defence Minister, Dar es Salaam, Tanzania

Salutation: Dear Minister

The Hon. Ndudgu Ali Amer MOHAMMED

Minister of Home Affairs

PO Box 9000

Dar es Salaam, Tanzania

Telegrams: Home Affairs Minister, Dar es Salaam, Tanzania

Telex: 41231

Salutation: Dear Minister

COPIES TO: diplomatic representatives of Burundi/Tanzania accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, is sending appeals after 3 March 1997.