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Burundi: Children in detention - forgotten human rights victims

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Amnesty International today in Bujumbura, published a new report, *Poverty, isolation and ill-treatment. Juvenile Justice in Burundi*, which highlights the multiple abuses children are suffering at the hands of the law.

Children have been particularly affected by the armed conflict and related human rights and humanitarian crises in Burundi. Their most basic civil, political, economic, social and cultural rights have been routinely and massively violated by government security forces, as well as by armed political groups.

"We underestimate neither the scale and complexity of the tragedy in Burundi nor the difficulties in restoring respect for human rights. However, we continue to believe that despite the ongoing conflict, the significant opportunities for institutional reform offered by the transitional period can -- and must -- be exploited to shape the future of human rights in country," said Amnesty International's Secretary General, Irene Khan, during her first visit to Burundi.

"Children are a vulnerable minority in prison. Many of those in detention are all the more vulnerable to abuses because they are impoverished and poorly educated. However, relatively straightforward steps could be taken to improve their situation in detention. We hope that our report will contribute to ongoing efforts to address violations of children's rights and also help gain international support for such initiatives. Children in detention are part of the human rights crisis in Burundi and should not be forgotten."

Burundi's prison population is predominantly male and adult and, relatively speaking, the number of children in detention in Burundi is quite small. Out of a prison population of approximately 9,000, some 160 are under the age of 18, of which most are boys. Child detainees are however spared none of the abuses inflicted on adult detainees. They are arrested in violation of arrest and detention procedures, some are tortured, some detained for long periods of time without trial often in conditions amounting to cruel, inhuman and degrading treatment. The majority are detained with adults and are vulnerable to sexual abuse and exploitation. Few benefit from the assistance of a lawyer.

In March 2002, Amnesty International delegates visited six of Burundi's 11 prisons, as part of its

research into the plight of child detainees in the country. The report published today includes the findings of that visit as well as illustrative cases, such as that of Mossi Rukondo, who was arrested in November 1999 at the age of 14 in Bubanza province, on suspicion of links with an armed political group. He is still awaiting trial three years later. Joseph Masabire, then aged 15, was arrested, in southern Burundi in May 2000 by soldiers on suspicion of belonging to an armed political group after failing to produce any identification. He was reportedly beaten on his legs and the back of his head and neck, and stabbed on his right arm while in the custody of the gendarmerie.

In virtually all countries, the poor and the marginalised are particularly vulnerable to violations of their rights. Burundi is no exception. The vast majority of children interviewed in prison by Amnesty International came from poor families and were uneducated. They are particularly vulnerable not only because of their age, status and poverty but also because many are isolated from their families and have no one to defend them.

The report includes a series of detailed recommendations on preventing further abuses of children's rights, particularly in the context of the administration of justice. In particular, Amnesty International is calling on the government to:

end the practice of incommunicado detention for children;

issue clear and public instructions to all security and law enforcement officers that torture or ill-treatment of detainees is not permitted in any circumstances;

prioritise monitoring of juvenile arrests to ensure that children are remanded in custody for questioning in a minimum of cases, and to ensure that when children are remanded in custody, arrest and detention procedures are observed. Juvenile detainees should be given access to relatives, legal counsel and medical assistance;

prioritise examination of the case files of children, particularly those detained for excessively long periods without charge or trial, and provisionally release those against whom there is little supporting evidence, or who are detained for minor offences; and

ensure that child detainees are not detained with adults.

Background

An Agreement for Peace and Reconciliation in Burundi was signed in August 2000, and the Transitional Government of Burundi inaugurated in November 2001. These developments took place without the participation or support of Burundi's two most active armed political groups and armed conflict has since escalated, with a corresponding increase in human rights abuses.

Amnesty International has gathered information on hundreds of cases in which children, even babies, have been shot, bayoneted or beaten to death with impunity by members of the armed forces. Over 15 children were extrajudicially executed in Rural Bujumbura and Bubanza provinces between January and April 2002. Scores of new extrajudicial executions, including those of several children, have taken place since.

The killings are not restricted to government troops. The two main armed opposition groups, PALIPEHUTU - FNL and the CNDD - FDD, have also been responsible for the killings of children caught in ambushes. Scores of children have also been killed in other attacks targeting civilians.

Approximately 200,000 children live in camps for the displaced inside Burundi. Conditions in these camps are generally harsh and, in some cases, appalling.

A further 180,000 children live in the border refugee camps in Tanzania. They suffer from poor diet,

lack of access to education and healthcare, and are vulnerable to recruitment by armed political groups.

The Transitional Government is further violating children's rights by failing to implement measures to end the use of child soldiers. Although exact figures are not available thousands of children are believed to have been recruited by all parties to the conflict, many from refugee camps in Tanzania by PALIPEHUTU - FNL and the CNDD - FDD. Some children act as fully-fledged soldiers, others are used as look-outs and informants, or for menial duties.

The right to education and healthcare for many children is an illusion, with access to already limited facilities aggravated by extreme poverty and insecurity. Large numbers of children have been left as heads of households by the violence. An increasing number of children are living on the streets.

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