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Burundi: Protection of civilians should be top of regional heads of state agenda

As a regional Heads of State meeting focusing on the armed conflict in Burundi begins in Dar es Salaam today, Amnesty International is calling on the Heads of State to condemn in the strongest terms the escalation of unlawful killings of civilians in Burundi and to demand that the Transitional Government of Burundi and armed political groups take immediate measures to improve the accountability of their armed forces.

On 9 September 2002, at least 174 unarmed civilians were extrajudicially executed by members of the Burundian Army in Itaba commune, Gitega province. The killings, which remained hidden for over a week, provoked strong international and national condemnation.

The massacre is not an isolated incident, as some senior military and political leaders have claimed. The deliberate killing of unarmed civilians by the Burundian army in reprisal for the activities of armed political groups, which also routinely attack the civilian population, is a distressingly regular feature of the conflict.

Since the beginning of this year, these extrajudicial executions have escalated alarmingly: hundreds of extrajudicial executions have been carried out this year alone. Sadly the majority of such cases remain uncondemned and uninvestigated. Killings have increased following a recent public statement by the Army Spokesperson justifying the killings of civilians in conflict zones. Despite the massacre at Itaba, this statement has not been publicly retracted.

During a high level mission to Burundi from 21 to 26 September 2002, Amnesty International's Secretary General, Irene Khan, raised these killings, as well as hundreds of others, with the highest authorities. She was assured that those responsible for the killing in Itaba would be identified and brought to justice before military courts.

The organization welcomes the arrests in early October of two Burundian army officers from the 4th Battalion (Ngozi) on suspicion of involvement in the Itaba massacre. The challenge for the Transitional Government, and the international community, is to ensure that they are brought to justice in accordance with international standards for fair trial, as in the past, military courts have consistently been unwilling to investigate allegations of human rights violations by members of the armed forces and to bring to justice those responsible. On the rare occasions when members of the armed forces have been arrested for human rights violations, when international or national attention has drifted, the majority have been released uncharged or have received light sentences which appear derisory given the scale of

atrocities for which they have been convicted. In October 2000, two soldiers convicted of a high profile murder case were sentenced to death and executed in violation of their right to appeal.

Amnesty International is also concerned that in the absence of a prompt and fully independent inquiry, the truth of the Itaba massacre and the identities of others who took part in, ordered or condoned the killings will not be fully revealed.

Amnesty International is calling on the Regional Heads of State Meeting to exert its influence on the Transitional Government of Burundi to:

take immediate action to end the escalating pattern of extrajudicial executions of unarmed civilians by members of its armed forces;

institute prompt, independent and impartial investigations into all unlawful killings of civilians; to make the findings public; to bring to justice those suspected of involvement at all levels, in accordance with international standards for fair trial and without recourse to the death penalty;

protect fully all witnesses against any threat or reprisals; and, pending completion of investigations, to suspend military commanders of units responsible for human rights violations;

issue public instructions to military units that unarmed civilians are not legitimate targets.

Amnesty International also urges the Regional Heads of State to remind Burundian armed political groups of their obligations under international humanitarian law and to halt forthwith the unlawful killings of unarmed civilians and soldiers who are *hors de combat* by their forces.

Background

The Secretary General of Amnesty International visited Burundi from 22 to 26 September 2002 to discuss with the Transitional Government grave violations of human rights, including massive killings of civilians, torture and prolonged detention without trial.

During the mission, Amnesty International's delegation collected information indicating that at least 174 civilians, including many women and children, were deliberately killed in Itaba commune, Gitega province, by the Burundian armed forces on 9 September, as well as information on other unlawful killings by government and armed opposition forces.

In a report published in June 2002, Amnesty International catalogued a systematic and escalating pattern of extrajudicial killings by government troops in reprisal for the activities of armed political groups, and called for immediate action by political and military leaders to protect civilian life. Hundreds more have taken place since. The report also documented scores of unlawful killings of unarmed civilians, captured soldiers and government officials by armed political groups in the same period and called on their leaders to ensure that their combatants respect international humanitarian law.

Public Document

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