BURUNDI Appeal to protect civilians

Introduction

Amnesty International is appealing to the military leaders of the government security forces in Burundi and of all the Burundian armed opposition groups to urgently meet in a neutral environment to discuss ways of protecting the lives of civilians not taking part in the conflict.

This appeal is issued in the face of the continued deliberate disregard for human rights, particularly the right to life by all parties to the armed conflict in Burundi. Just over the last month, more than 300,000 people have been forcibly displaced by members of the government armed forces, and scores of unarmed civilians have been killed by members of the government armed forces, by armed opposition groups and by militia. Humanitarian workers have again been the victims of unlawful killings. There has been an increase in cases of "disappearance" and of torture. In view of the spiralling violence, Amnesty International is conscious of the potential for the current crisis to further deteriorate, with catastrophic implications for human rights.

This appeal is not only to those directly involved in the conflict, but to the international community to assist in providing greater protection for civilians and in sending a strong message to military leaders on all sides that they can and will be held accountable for human rights abuses they or their combatants perpetrate. Additionally, Amnesty International wishes to draw the attention of the international community to the deteriorating situation in Burundi and to call for action now to prevent further human rights abuses.

Background

Throughout the conflict in Burundi, the civilian population has been deliberately subjected to serious human rights abuses. Since 1993, over 150,000 civilians are reported to have been killed in political violence. Armed opposition groups have carried out deliberate attacks on unarmed civilians. Attacks by armed opposition groups on military targets have lead almost invariably to reprisal killings of unarmed civilians by members of the government security forces, who have also carried other extrajudicial executions. Hundreds of civilians have been killed or maimed by anti-personnel landmines, or been the victims of torture including rape. Over one million people are now reported to be displaced as a result of the conflict. National and international humanitarian workers have been the deliberate target of human rights abuses in the conflict by both government security forces and armed opposition groups. During 1999, the human rights situation in Burundi has deteriorated: hundreds more unarmed civilians have been killed; thousands more are at risk.

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Immediate action is needed to end the unlawful killing of people taking no active part in the hostilities in Burundi, and to protect those working for the respect of human rights or the provision of aid in the conflict. The question is what can be done and how?

Common Article 3 of the Geneva Conventions sets out a number of principles, aimed at protecting people who take no active part in hostilities in internal conflicts. These principles are considered so fundamental that they transcend the political or other considerations which gave rise to the conflict. Amnesty International is calling on the leaders to remember the aim of the Geneva Conventions - to safeguard some level of humanity in conflict - and with this in mind, to meet to discuss their implementation.

Amnesty International's recommendations

Military leaders should publicly commit themselves to refrain from attacking civilians and other people taking no active part in the conflict. As a measure of this commitment, they should agree on ways in which abuses may be monitored and provide information on measures taken against members of their forces who fail to adhere to these principles. They should also agree on ways to ensure that employees of humanitarian and human rights organizations are not threatened, arrested or killed, and can freely carry out their work.

While the success of such an initiative depends largely on the good faith of the combatants on all sides, the support of the international community is crucial. It should provide political and financial support to such a dialogue, encourage leaders to attend, facilitate meetings, ensuring that the uppermost concern is neutrality and human rights protection. It should also establish its own role in increased monitoring of abuses by the different parties and in holding them accountable.

Amnesty International believes that it is appropriate for these discussions to take place outside the framework of the multi-party talks aiming to find a political solution to the conflict in Arusha, Tanzania. In particular, the Arusha talks are highly protracted and it is essential that the protection of unarmed civilians is urgently agreed and assured.

However, the discussion of protecting unarmed civilians cannot and should not be totally separated from the ongoing negotiations towards peace. Amnesty International is also calling for those involved in the negotiations to ensure that any cease-fire agreement contains sufficient provision for the protection of human rights, something which has been notably lacking in recent agreements, such as in Sierra Leone and the Democratic Republic of Congo (DRC). If and when an accord is reached, there must be provision for monitoring and remedying human rights violations during the transitional period, and whatever mechanism is established must be adequate and well-resourced. Amnesty International is also calling for national and international human rights groups to be involved and consulted on ways of protecting and promoting human rights in the drafting of any cease-fire agreement.

The international community can also support human rights protection by carefully monitoring, advising on and supporting legal reforms which will strengthen institutions such as the judiciary in Burundi, and by supporting the work on independent human rights organizations in Burundi, as well as the work of the Office of the UN High Commissioner for Human Rights in Burundi.

As well as actively supporting these initiatives, human rights experts such as the UN Special Rapporteur on Summary, extrajudicial and arbitrary executions, and the Representative of the UN Secretary General on Internally Displaced Persons should urgently visit Burundi. The experts should coordinate findings, including with the UN Special Rapporteur on the human rights situation in Burundi, who was visiting the country in October 1999. Amnesty International urges the Organisation of African Unity (OAU) through its Conflict Resolution Mechanism and the African Commission on Human and Peoples' Rights to support this call and to be more actively involved in human rights protection in Burundi.

Amnesty International is an independent and impartial organization which takes no view on the legitimacy of any armed conflict. The recommendations contained in this appeal are made purely in the interests of greater respect for human rights.