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PUBLIC STATEMENT

Burundi: Illegal execution in military camp

Amnesty International is shocked and concerned at reports of the execution of Corporal Bonaventure Ndikumana this morning in Mabanda military camp, southern Burundi.

The human rights organization is concerned that this execution took place outside the due process of Burundian law and international standards for fair trials, and considers it to be an extrajudicial execution. The organization fears that unless the government of Burundi publicly and strongly condemns the incident and those responsible are held accountable, further illegal executions may occur.

Corporal Ndikumana was reportedly executed the day after being sentenced to death by Bujumbura military court on 28 July after his conviction on 21 July of the murder of a military officer in Mabanda military camp. It is unclear why Corporal Ndikumana was tried by Bujumbura military court and not the military court in Mabanda.

Under Burundian law, Corporal Ndikumana had the right to appeal to the Military Court of Appeal, and then to the Cassation Chamber of the Supreme Court. He also had the right to appeal for clemency to the head of state. All these rights were denied him. Corporal Ndikumana's lawyer had apparently submitted an appeal yesterday against the conviction and sentence to the Military Court of Appeal.

Amnesty International is appealing for immediate steps to be taken to protect the rights of all those under sentence of death.

The human rights organization is also concerned about unfair trials by military courts in Burundi. Few judges have received adequate legal training and their knowledge of applicable legal procedures is often flawed. In addition, judges are subject to military discipline and are not independent of their military superiors. These concerns will be explored in more detail in an Amnesty International report to be published in August 1999.

Background

The execution of Corporal Ndikumana is the first known official execution to have taken place in Burundi since July 1997 when six civilians were executed after grossly unfair trials. Over 260 people are currently under sentence of death in Burundi. The majority were sentenced after unfair trials by civilian courts. Two other soldiers, tried by military courts, are currently under sentence of death.

Amnesty International is unconditionally opposed to the death penalty in all circumstances, because it is a state-sanctioned violation of the right to life and the right not to be subjected to cruel, inhuman or degrading punishment. The violation is of special concern when people are sentenced to death after unfair trials.

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