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**Conditions in "regroupment" (forced relocation) camps
BURUNDI**

Summary

In September 1999 the Burundian government forcibly displaced more than 290,000 mainly Hutu civilians from their homes in Rural Bujumbura province, forcing them into various "regroupment" camps. Squalid conditions in the camps have led to the deaths of possibly hundreds of people. Numerous serious abuses of human rights have taken place in or around the camps, which are controlled by the Burundian military. Elsewhere in the country, hundreds of thousands of people are internally displaced or have been forcibly moved, largely because of the ongoing internal conflict.

In February 2000, following growing international condemnation of the regroupment policy, the government announced it would progressively close the camps in Rural Bujumbura. The closure program was slow to start but took on momentum in early June -- apparently following strong pressure from former South African president, Nelson Mandela, who is the Facilitator of the Burundi peace negotiations -- when the government further announced that all regroupment camps would be closed by the end of July. In the following days three camps were cleared by the Burundian security forces within a matter of hours, their inhabitants ordered abruptly to return to homes which in many cases have been destroyed or are uninhabitable.

In addition to its concerns in those camps which remain in existence, Amnesty International is gravely concerned that the operation to close the camps is resulting in further violations of the human rights of the camps' populations. No provision is being made for the basic needs of the returning population and no protection is being given to the most vulnerable of the camps' inhabitants. Although many people wish to leave the camps, conditions in areas to which the regrouped population is being returned are unsafe: armed opposition groups are still active in the province and fighting is continuing. Poorly planned and managed, the closure of the camps is being conducted by the Burundian military with complete disregard for the humanitarian needs of the camps' inhabitants. As such, the closure of the camps represents a second cycle of forced displacement of a population already demoralised and weakened by the months spent in the camps.

Amnesty International calls on the government of Burundi to fulfil its responsibilities under international humanitarian law and put specific safeguards in place which will ensure the basic welfare of the regrouped population before, during and after the closure of the camps. The organization also calls on the government to ensure that the human rights and humanitarian needs of the populations in those camps which remain open are fully respected and provided for, and to investigate human rights abuses which are alleged to have taken place in the camps. Amnesty International furthermore calls on armed opposition groups to respect international humanitarian law and not to commit human rights abuses in the camps, not to attack the camps and to ensure that the safety of inhabitants is a paramount consideration.

Background

See also Medical Letter Writing Action, BURUNDI: Conditions in "regroupment" (forced relocation) camps, AI Index: AFR 16/36/99, 22 December 1999.

From September 1999 the Tutsi-dominated armed forces and government of Burundi forcibly displaced up to 80% of the population living in the province of Rural Bujumbura -- which encircles the capital, Bujumbura -- from their homes, forcing most into 53 "regroupment" camps throughout the province. Those affected by the regroupment operation were overwhelmingly Hutu, the largest ethnic group in Burundi. In many cases people were told to leave their homes immediately and were unable to bring possessions with them. By the end of 1999 the regrouped population numbered more than 350,000¹ in Rural Bujumbura province alone. Elsewhere in the country, hundreds of thousands of people are internally displaced or have been forcibly moved, largely because of the ongoing internal conflict.

The camps in Rural Bujumbura were created following an intensification of attacks by armed opposition groups on the capital. The government claimed that the camps were "protection sites" and that the regroupment policy was a security measure to protect civilians from attacks by the mainly Hutu armed opposition groups. However the true rationale behind the regroupment policy seems to have been to exercise greater military control over a suspect population and to create a military zone -- effectively a "free-fire" zone -- where everyone outside the camps could be considered a member of the armed opposition, and as such a military target.

The forced relocation of civilians is expressly prohibited under international law "unless the security of the civilians involved or imperative military reasons so demand" (Protocol II to the Geneva Conventions, Article 17). In cases where a population is relocated in either of these two exceptional circumstances, all possible measures must be taken to provide the relocated population with "satisfactory conditions of shelter, hygiene, health, safety and nutrition" (Protocol II to the Geneva Conventions, Article 17). Any forcible relocation should not single out one ethnic group. Forced displacement of a civilian population as a punitive measure or to obtain a more effective control of an ethnic group is prohibited. Human rights violations such as unlawful killings and ill-treatment are prohibited at all times and in all circumstances².

¹ This is not the first time that Burundian authorities have resorted to the tactic of regroupment. Regroupment camps were first established by a former government in February 1996. Hundreds of civilians were killed in the process. By the end of that year up to 500,000 Hutu were reported to have been forcibly relocated to the camps. These camps were in the process of being phased out when the current government reintroduced them in September 1999.

² Forcible relocation violates a number of international human rights treaties which Burundi has ratified, including the International Covenant on Civil and Political Rights. Article 4 of the ICCPR allows for forced displacement only in time of public emergency which threatens the life of the nation. The principle is that there must be an exceptional threat and that a state of emergency must be declared. The Burundian government has not declared a state of emergency. Fundamental human rights principles should still be adhered to even in cases of national emergency. The killings which have occurred during regroupment and cases of ill-treatment and rape violate Articles 6 and 7 of the ICCPR. Under the African Charter, which Burundi ratified in August 1989, the authorities are obliged to protect the rights enshrined in that treaty including the right to life, the prohibition of torture, cruel, inhuman or degrading treatment and the right to freedom of movement and residence within the borders of a state. Forced displacement of a civilian population to obtain a more effective control of an ethnic group is prohibited by Article 17 of 1977 Protocol II of the Geneva Conventions.

From the outset conditions inside the camps constituted a humanitarian disaster. The populations of many camps had no or only restricted access to their fields and to adequate supplies of clean water. In the first week of the regroupment operation in September 1999 at least 30 people, mostly women and children, are reported to have died primarily as a result of dehydration. As a result of malnutrition, dehydration, overcrowding, poor sanitation and inadequate medical care, diseases such as cholera and dysentery took hold. There is no accurate record of the numbers of dead but it is likely that hundreds of lives have been lost in the camps from the combined effect of disease and the squalid living conditions³.

Although international humanitarian aid was eventually made available to some camps, others remained inaccessible to aid agencies because of their remote location or because local security conditions made the delivery of aid supplies impossible. Other organizations were initially prevented or unacceptably delayed from providing aid to some camps. Some received "warnings" that it would be safer not to work in Rural Bujumbura. Furthermore, the evacuation of many international staff and reduction in the operations of many agencies, particularly following the killing of two staff from the UN World Food Programme and UN Children's Fund (UNICEF) in October 1999, diminished still further the possibilities for both national and international organizations to provide assistance. By June 2000 a number of camps remain unvisited by international or national humanitarian or human rights workers: conditions in these camps can only be guessed at but are almost certainly far worse than in the accessed sites.

The appalling humanitarian situation has been compounded by serious and large-scale human rights abuses inside and in the vicinity of the camps. Both the security forces controlling the camps and armed opposition groups have been responsible for unlawful killings of unarmed civilians and acts of ill-treatment and torture, including rape. The limited access of independent witnesses to the camps heightens fears that human rights violations are going on unrecorded.

Moreover, according to some sources, some armed opposition groups are recruiting out of the camps and/or receiving other (not necessarily voluntary) support from the camps. Allegations that the camps have been infiltrated by the armed opposition have been made on numerous occasions by members of the Burundian armed forces.

Latest developments

In early February 2000 the government announced that it would begin progressively to close the regroupment camps, where local security conditions allowed, beginning with those closest to the capital, Bujumbura. Although the government claimed that this change of policy followed an easing in the overall security situation in Rural Bujumbura province, the move was almost certainly prompted by mounting international criticism of the regroupment policy and the growing significance of the issue to the peace negotiations being held in Arusha, Tanzania. The new Facilitator to the peace talks, former South African president Nelson Mandela, has himself fiercely condemned the camps: his intervention and appeals have been a key factor in the decision to close the camps. Burundi's armed opposition groups also subsequently indicated that closure of the camps was a precondition of their entry into peace negotiations.

³ *Basic records kept by the civilian population in a number of regroupment camps gave an indicative figure of 5 deaths a day per camp, giving an overall death rate of 265 per day in all 53 camps. It is not possible at present for Amnesty International to confirm this figure, but it seems reasonable to assume that mortality rates are high.*

By the end of May 2000 only six out of 20 regroupment sites the government had promised to close in phases I and II of its closure program had in fact been closed, with a further four partially dismantled. (The authorities claimed that 23 sites had been closed during phase I of the operation, but it transpired that the majority of the sites were camps for the displaced rather than the forcibly regrouped⁴.) On 7 June 2000 the Burundi government further announced that all regroupment camps would be closed by the end of July. In the following days, three further regroupment camps were closed and it seems likely that more closures will now follow⁵. This latest announcement and the abrupt closure of the three camps may have been prompted by the visit of Nelson Mandela to Burundi from 12 to 14 June 2000.

The human rights situation throughout Burundi remains critical. Although negotiations to end the internal conflict are progressing and may result in a settlement later this year, the violence has escalated as all parties to the conflict attempt to influence the peace process in this, its most critical phase and to maximise their political power in a post-settlement Burundi.

Camp closures lead to further human rights violations

Amnesty International has repeatedly called for an end to the policy of forced relocation and welcomes the government's stated intention to close all regroupment camps. However, the poor management of the closure program -- particularly the hurried and disorganized nature of the most recent camp closures -- has led to further violations of the human rights of the camps' populations.

The camp closures are being conducted by the Burundian military with complete disregard for the humanitarian needs of the camps' inhabitants. Little or no attempt is being made by the military and governmental authorities to consult with camp populations, relevant humanitarian and human rights organizations, or to coordinate the closures with them. In Amnesty International's view, the closures -- made without provision for the basic needs of the camps' inhabitants or for their right to return voluntarily, in safety and with dignity to their former homes -- represent a second cycle of forced displacement of a population which has already been demoralized and weakened by the months already spent in the camps.

Under international humanitarian and human rights law -- expressed in the 1998 UN Guiding Principles on Internal Displacement, which is itself a restatement of principles contained in other instruments -- national authorities have a responsibility to ensure that "that proper accommodation is provided to the

⁴ *The total number of internally displaced persons (IDPs) in Burundi is estimated at around 800,000. The internally displaced divide into three categories: those who fled to camps controlled by the armed forces, known as "déplacé", the displaced population; those who fled their homes to hide in the country side, through fear of the government forces or armed opposition, or both, known as "dispersé", the dispersed population; and those forcibly displaced by the government to a given area, "regroupé", the regrouped population. This "regroupment" is not spontaneous as is the movement of refugees and other IDPs, but is controlled by the government and armed forces. Of these categories, at the current time, the dispersed and the regrouped (as well as refugees who have fled Burundi altogether), are primarily from the Hutu ethnic group, while the displaced are primarily from the Tutsi ethnic group.*

⁵ *Regroupment camps closed as of 12 June: Ruyaga, Buhanga, Kavumu, Ruziba, Maramvya (Mutimbuzi commune), Gatumba, Kinonko, Gitaza, Magara. Partially closed: Kigezi, Muberure, Maramvya (Mutambu commune), Mageyo.*

displaced... [and] that such displacements are effected in satisfactory conditions of safety, nutrition, health and hygiene..." (UN Guiding Principles on Internal Displacement, Principle 7(2)). The authorities have "the primary duty and responsibility to establish conditions, as well as provide the means, which allow internally displaced persons to return voluntarily, in safety and with dignity, to their homes or places of habitual residence, or to resettle voluntarily in another part of the country" (Principle 28(1)). In this regard, the authorities should "grant and facilitate for international humanitarian organizations and other appropriate actors...rapid and unimpeded access to internally displaced persons to assist in their return or resettlement and reintegration" (Principle 29(2)) and "special efforts should be made to ensure the full participation of internally displaced persons in the planning and management of their return or resettlement and reintegration" (Principle 28(2)).

More specifically, the authorities have a responsibility to ensure that all sick displaced persons receive prompt and adequate medical care (Principle 19(1)); that the property of displaced persons shall be protected from destruction, appropriation or pillage (Principle 21(2)); and that certain categories of displaced persons, such as children -- especially unaccompanied children -- expectant mothers, the elderly and disabled, shall be entitled to protection and assistance that takes their special needs into account (Principle 4(2)).

On all of these counts, Amnesty International believes that the Burundian Government is failing the regrouped population of Rural Bujumbura.

In most cases, camp populations have been given a matter of days or even hours to leave the camps. In clearing the camps, no attempt appears to have been made to consult with the displaced population or to provide meaningful information on the closure process, or to verify that individuals were willing to leave voluntarily. No effort seems to have been made to ensure that adequate food or water was available to those leaving the camps or that vulnerable groups such as children, the elderly or the sick were protected and cared for. In Kavumu camp, Kanyosha commune, closed after the 7 June announcement, people were reportedly given two days to leave. At Ruyaga camp, Kanyosha commune, closed around the same time, up to 36,000 people were reported to have been cleared from the site in less than 24 hours. Local observers have expressed surprise at the speed with which camps are being cleared, and have reported that the closures are being carried out in a tense and angry atmosphere.

Given the dire conditions they have endured, most inhabitants are understandably anxious to leave the camps. However, the government is making no attempt to ensure that the returning displaced have access to "proper accommodation...[and] satisfactory conditions of safety, nutrition, health and hygiene". Many are being forced to return to homes which were badly damaged or destroyed at the time of their forced regroupment, and to fields and agricultural land which have fallen into neglect. In particular, the roofing on many houses was looted -- in some cases reportedly by soldiers -- during or after the forced regroupment of September 1999. Many camp residents are now reported to be taking plastic sheeting with them from the camps to serve as makeshift roofs.

Moreover, not all camp inhabitants are able to return to their former homes, in some cases because their homes were destroyed or so badly damaged that they are thoroughly uninhabitable, or in other cases because the authorities have reportedly refused permission, without explanation, to some to return to their former areas of residence. Other families have apparently been ordered to take in these homeless people, although the host families may themselves be in no position to help. Conditions in many of the areas to which the camps' inhabitants are returning are also clearly unsafe: armed conflict around the capital has escalated in recent weeks

For some or all of these reasons, some of those who were forced to vacate the camps have since reportedly returned to the sites.

Continuing human rights violations in the camps

Amnesty International continues to receive regular reports of human rights violations in the regroupment camps. In spite of past documentation of serious violations in the camps (see list of

previous Amnesty International publications, below) and stern international criticism of the camps, it appears that the Burundian authorities have taken no measures to protect the camps' populations from human rights abuses.

The camps are under the control of the military, who maintain a presence in each camp. There have nevertheless been reports that armed opposition groups have infiltrated a number of camps, using them for recruitment and thereby compromising still further the safety of the camps' civilian inhabitants.

Amnesty International is concerned that such reports could result in camps becoming considered as military targets.

Fears of infiltration and the reported presence nearby of a large number of members of the armed opposition led to a search operation by government soldiers and gendarmes at Kavumu regroupment camp (since closed) on 7 May 2000. According to reports, the search operation quickly degenerated into a looting spree which the governor of Rural Bujumbura province, who was present in the camp, was unable to stop. The camp's inhabitants attempted to stop the theft of their belongings, some by throwing stones. At least four people, **Jean Berahino** (aged around 80), **Cyrille Siniwenumwe**, **Immaculée Banzendore** and **Anastasie Ntiruzomperako**, are reported to have died as a result of injuries they sustained after being beaten by soldiers and gendarmes during the incident. Another man, **Bigirimana**, "disappeared" and is feared dead after he was taken from the camp to a nearby military position, where he was allegedly severely beaten. Several other camp residents were taken into police custody in Bujumbura and reportedly tortured or ill-treated there. Two men amongst this group, **Gaspard Ndabigeze** and **Innocent Ndayizeye**, were later transferred to central prison, accused of collaboration with armed opposition groups; the others were subsequently released. Although the authorities promised to investigate the incident, no such investigation, nor any attempt to identify and bring to account any of the security forces responsible, is known to have taken place.

Throughout April and May 2000, reports were received of violations by military personnel at Nyambuye regroupment camp, Isale commune, including beatings, intimidation and the rape of a 10-year-old girl. After the girl's family submitted a complaint, the commander of the local military post reportedly went to see the father to ask for pardon and for the complaint to be withdrawn. In a further incident, the camp inhabitants -- who had complained that they were not allowed to tend to their fields outside the camp -- were reportedly forced by the local military commander to go to their fields and destroy their crops. This camp is still open.

Conditions in the camps remain appalling. They are overcrowded, with poor hygiene and little or no infrastructure. Some camps have no water, and the nearest clean water may be kilometres away. The death rate remains high and as little or no medical care is available, and people who were already ill were also forced to move, many more deaths are likely. Freedom of movement is severely restricted. The camps may be several hours from fields making access to crops very difficult. Some sites are very isolated, accessible only on foot, making access and the provision of humanitarian assistance very difficult. In many of the camps there is no shelter and people are exposed to rain. Some of the camps are at quite high altitude and temperatures are cold at night. In some camps, where there was sanitation infrastructure nearby, including clean water, the regrouped population was denied access.

Amnesty International's appeal

Amnesty International appeals to the government of Burundi to ensure that further closures of regroupment camps are managed in such a way that respects the rights of the inhabitants to return voluntarily, in safety and with dignity to their former homes. The government, in consultation and coordination with the camps' inhabitants and appropriate humanitarian organizations, should ensure that adequate humanitarian assistance is given to those wishing to leave the camps, and that vulnerable groups are protected.

Amnesty International continues to express serious concern at the terrible living conditions faced by those still held in regroupment camps. The organization urges the immediate implementation of

measures to control disease and illness in the camps, to ensure that appropriate shelter and adequate supplies of food, water and medicines are made available to the inhabitants.

Amnesty International calls on the government to ensure that all those living in the camps do not have restrictions placed on their freedom of movement, are treated humanely and with respect, and protected from human rights violations such as arbitrary arrest, "disappearance", ill-treatment or torture and extrajudicial execution. The authorities should make it clear to the security forces that rape and sexual abuse constitute forms of torture which violate international human rights standards, as well as international humanitarian law, and that they will not be tolerated. The organizations calls on the authorities to conduct thorough and impartial investigations into all human rights violations which are reported to have occurred inside or near regroupment camps, and bring the perpetrators to justice.

Amnesty International also calls on armed opposition groups to abide at all times by international humanitarian law, to refrain from attacking the camps or undertaking activities which may place the safety of camps' inhabitants at risk.

Previous Amnesty International publications and actions on regroupment

News release, *Burundi: Civilians dying around the capital while hundreds of thousands are forcibly moved* (AI Index: AFR 16/21/99, 30 September 1999).

News release, *Burundi: On the threshold of disaster* (AI Index: AFR 16/29/99, 11 November 1999).

Medical Letter Writing Action, *BURUNDI: Conditions in "regroupment" (forced relocation) camps*, AI Index: AFR 16/36/99, 22 December 1999.

Urgent Action 114/00 (AI Index: AFR 16/08/00, 10 May 2000) and updates of 16 May and 30 May: ill-treatment, "disappearance" and unlawful killings in Kavumu regroupment camp.

On 30 December 1999 Amnesty International wrote to the Facilitator of the Burundi peace negotiations, former South African President Nelson Mandela, expressing concern at the deteriorating human rights and humanitarian situation in the regroupment camps, and asking him to intercede with the Burundian authorities to bring about an end to the policy of forced relocation.

In March 2000 an Amnesty International representative filmed conditions in Ruziba regroupment camp (since closed). Parts of the footage, which revealed some of the plight of inhabitants in one of the better-run regroupment sites, has since been featured in Amnesty International's Annual Report 2000 video news release.