

**BURUNDI Corporal Bonaventure Ndikumana
Over 260 people under sentence of death in Burundi**

Following the execution in Mabanda military camp of Corporal Bonaventure Ndikumana on 29 July 1999, Amnesty International is gravely concerned that hundreds of prisoners may now also face imminent execution and that other soldiers could be summarily executed after unfair trials.

Corporal Ndikumana was convicted and sentenced to death on 28 July by Bujumbura military court after being found guilty of the murder of an officer in Mabanda military camp on 21 July.

Although his lawyer, the head of the Burundian Bar, had reportedly submitted an appeal to the Military Court of Appeal immediately after the trial, Corporal Ndikumana was reportedly summarily executed in Mabanda military camp at 10.30am on 29 July. It is unclear why he was tried by a military court in Bujumbura and not Mabanda.

Under Burundian law Corporal Bonaventure Ndikumana had the right of appeal, first to the Military Court of Appeal and then to the Cassation chamber of the Supreme Court and the head of state for clemency. None of these procedures were respected.

BACKGROUND INFORMATION

More than 260 prisoners are under sentence of death in Burundi. The majority were convicted after unfair trials by civilian courts. Three were tried by military courts.

Amnesty International opposes the death penalty in all countries and 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. This is of particular concern when people may be sentenced to death after unfair trials.

Amnesty International considers Corporal Bonaventure Ndikumana to have been extrajudicially executed.

RECOMMENDED ACTION: Please send telegrams/faxes/letters in French or your own language (please check with your post office whether post is going to Burundi):

- expressing concern at the extrajudicial execution of Corporal Bonaventure Ndikumana on 29 July 1999, just one day after he was convicted of murder by a military court;
- expressing concern that he was denied his right to appeal against the sentence;
- calling for an investigation into why legal procedures were not followed, and for those responsible for ordering the execution to be held accountable;
- urging the authorities not to carry out any further executions;
- appealing to the authorities to ensure that all trials in Burundi conform to international standards of fairness as required by the international human rights treaties to which Burundi is party, including providing a full right to appeal in capital cases;
- calling for President Buyoya to grant clemency in all capital cases which come before him.

APPEALS TO: (Please note that it can be difficult to get faxes through to Burundi. You may be told by the operator that the line is not working or the number is wrong. Please keep trying).

President

Major Pierre Buyoya

Président de la République

Présidence de la République

BP 1870, Bujumbura, Burundi

Telegrams:Major Buyoya, Bujumbura, Burundi

Faxes:+ 257 22 7490

Salutation:Monsieur le Président / Dear President

Minister of Defence

Lieutenant-Col. Alfred NKURUNZIZA

Ministre de la Défense Nationale

Ministère de la Défense Nationale

BP 1870 Bujumbura

Burundi

Telegrams:Ministre Défense, Bujumbura, Burundi

Faxes:+ 257 22 39 59 / 21 75 05

Salutation:Monsieur le Ministre / Dear Minister

Commander, 5th Military Region

Commandant

Camp militaire de Mabanda

Mabanda

Telegrams:Commandant Cinquième Région Militaire, Mabanda, Burundi

Salutation:Monsieur le Commandant / Dear Commander

Minister of Justice

Monsieur Terence SINUNGURUZA

Ministre de la Justice et Garde des sceaux

Ministère de la Justice

BP 1880, Bujumbura, Burundi

Telegrams:Ministre Justice, Bujumbura, Burundi

Faxes:+ 257 21 86 10

Salutation:Monsieur le Ministre / Dear Minister

Military Prosecutor

Colonel BATUNGWAYAYO

Auditeur Militaire

Ministère de la Défense

Bujumbura, Burundi

Telegrams:Auditeur Militaire, Bujumbura, Burundi

Faxes:+ 22 39 59 / 21 75 05

Salutation:Monsieur l'Auditeur Militaire/Dear Military Prosecutor

COPIES TO:

Minister for Human Rights, Institutional Reform and Relations with the National Assembly

Eugène NINDORERA, Ministre des droits de la Personne humaine, des réformes institutionnelles, et des relations avec l'Assemblée nationale, Ministère des droits de la Personne humaine, des réformes institutionnelles, et des relations avec l'Assemblée nationale, Bujumbura, Burundi

Faxes:+ 257 21 75 49

and to diplomatic representatives of BURUNDI accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 9 September 1999.