

# AMNESTY INTERNATIONAL

## Public Statement

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### **Burundi: security considerations should not prejudice human rights**

For several weeks now, the Burundi security forces and *Documentation Nationale* (national intelligence agency) have been engaged in operations to make their borders with the Democratic Republic of Congo secure and combat the military actions of the *Forces Nationales de Libération* (FNL), National Liberation Forces. In this period, they have arrested and arbitrarily detained Burundi and Congolese nationals. According to reports received by Amnesty International, some of these people have been victims of cruel, inhuman and degrading treatment during their detention.

Although the Burundi authorities have a duty to ensure the security of the population and reduce political violence, Amnesty International believes that such operations: "cannot justify the arbitrary use of their prerogatives to maintain order. The human rights violations recorded in recent days are all the more worrying in that they occurred only weeks after the *Conseil National pour la Défense de la Démocratie – Forces de Défense de la Démocratie* (CNDD-FDD), National Council for the Defence of Democracy – Forces for the Defence of Democracy, was elected to government and welcomed by the international community."

During the week beginning 3 October, *Documentation Nationale* arrested at least two local civil servants and dozens of other people, in Kinama commune, for allegedly being members of the FNL. In violation of the Burundi code of penal procedure, the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples' Rights, most of these individuals were detained for several days without access to a lawyer or their families, and not even brought before a magistrate. According to reports in the national media and circulated by human rights associations, several of them were beaten and injured during their detention by state agents, which is tantamount to cruel, inhuman and degrading treatment. More than 30 people are currently detained at *Documentation Nationale* and internal security police stations.

Burundi nationals were not the only ones to have their civil and political rights violated in recent weeks. On 24 September, a Congolese refugee from the Banyamulenge community was arrested in the town centre of Bujumbura by the intelligence services. Detained arbitrarily for more than three weeks on their premises, he was released a few days ago, without being told the legal basis for his arrest. The intelligence services allegedly acted after having been approached by officials of the Democratic Republic of Congo, present in Burundi. According to reports received by Amnesty International, on 21 October, the security forces allegedly questioned more than 100 people, including several dozen Congolese, in

Cibitoke commune, on the border with the Democratic Republic of Congo. The authorities justified this measure by claiming they were reacting to a crime wave.

Amnesty is concerned that members of the intelligence services and security forces, some of whom used to be part of the former armed movements, CNDD-FDD, may violate, sometimes without realising it, international treaties on human rights, to which Burundi is a signatory. Amnesty asks that all detainees be treated humanely, that international standards be respected, that allegations of cruel, inhuman and degrading treatment be investigated immediately and impartially by an independent commission, and that the alleged authors of these violations be brought to justice. Amnesty also asks for the immediate release of Burundi and Congolese nationals, unless they are guilty of having committed a crime recognised in law, and that they are given a fair trial if the authorities have evidence of their crime.

### **Background information**

On 19 August, Pierre Nkurunziza, leader of the former armed opposition group, CNDD-FDD, was elected to the presidency of the Republic after his party won communal, legislative and Senate elections. Although this electoral victory consolidated the end to hostilities in most of Burundi territory, human rights violations and abuses continue in the provinces of Rural Bujumbura and Bubanza, the main areas of FNL operations.

The FNL, an armed opposition group, is still refusing to sign a ceasefire agreement with the Burundi government. Some members of the FNL also seem to want to extend their action to other provinces in the country, as has occurred in Ngozi, when new recruitment has been reported. This situation still leaves many Burundians in immediate danger of physical violence.