

28 July 1997

Further information on EXTRA 15/97 (AFR 02/12/97, 5 February 1997) and follow-up, AFR 02/15/97, 27 February 1997) - Fear of refoulement / fear of safety

RWANDA/BURUNDIThousands of Burundi refugees in Rwanda

Amnesty International is concerned that up to 2,000 Burundi refugees in Kigeme camp, Gikongoro *préfecture*, southern Rwanda may be at risk of imminent *refoulement*. The *sous-préfet*, sub-prefect of Gikongoro prefecture is reported to have said on 24 July 1997 that the local authorities, who are first checking to make sure that there are no Rwandese in the camp, were trying to "persuade" the refugees that it was safe to return home. In addition to those in Gikongoro prefecture, there are still several thousand Burundi refugees in the prefectures of Cyangugu and Butare, who are also at risk of *refoulement*.

Amnesty International is concerned that while some Burundi refugees in Rwanda may indeed wish to return home, many others who do not want to return to Burundi may be coerced to leave, or may be forced back, despite the fact that they face the risk of grave human rights violations including torture, "disappearance" and extrajudicial execution on their return. The Rwandese authorities have made it clear on several occasions that they wish all Burundi refugees to leave. In early January 1997, the Rwandese government reportedly announced that all Burundi refugees had to leave Rwanda by 15 January; the deadline was subsequently extended. However, the position of the Burundi refugees has remained uncertain ever since. In late February around up to 1,900 Burundi refugees returned to Burundi from Cyangugu prefecture. The exact circumstances and reasons for their return are not clear, but it is feared they may have returned under duress.

Additionally, although, the United Nations High Commissioner for Refugees (UNHCR) currently maintains that it is not safe for Burundi refugees to return home and that it will not assist in efforts to return them in any circumstances, reports indicate that it is reviewing the security situation in Ngozi, Kirundi and Muyinga provinces to assess whether the security situation has improved. The UNHCR is also reported to be discussing the possibility of assisting in returning refugees who voluntarily indicate their desire to return to Burundi. However, it is not clear what procedures would be implemented to ensure that any returns would be truly voluntary, what objective information on the situation in Burundi would be provided to the refugees, and what role the UNHCR would be able to play in verifying the voluntary nature of any returns. While some refugees may make an individual choice to return to their country despite a lack of human rights protection there, Amnesty International believes repatriation should not be encouraged to a refugee community until and unless it has been independently found that there has been an effective and durable change in the human rights situation in the country of origin. This is clearly not the case in Burundi.

BACKGROUND

The human rights situation in Burundi remains catastrophic. Massive human rights abuses continue on an almost daily basis in most parts of the country, including extrajudicial executions by the security forces and deliberate and arbitrary killings by armed opposition groups. In a number of provinces where there has been armed conflict, including Ngozi and Muyinga, large numbers of people from the Hutu population have been forcibly relocated into "regroupment" camps. Hundreds of people were killed in the process. Conditions in the camps are appalling and camps themselves are vulnerable to attack. Given the well documented pattern of human rights violations against the Hutu population carried out by the Burundi security forces sometimes in reprisal for attacks by Hutu armed groups, Amnesty International is also concerned that regroupment camps could be the subject of attacks by members of the security forces, in which large scale human rights violations could

occur. Additionally, hundreds of refugees who have been forcibly returned to Burundi from Zaire, Tanzania and Rwanda have been extrajudicially executed on, or shortly after, their return.

Amnesty International believes that no one should be forced to return to Burundi at the current time and that no area of the country should be considered safe.

Please note: no post is getting through to Burundi

FURTHER RECOMMENDED ACTION: Please send telegrams/faxes in English, French or in your own language:

To the Rwandese authorities:

- appealing to them not to forcibly return refugees to Burundi;
- stressing that refugees forcibly returned to Burundi are likely to face serious human rights violations there such as torture, "disappearance" and extrajudicial execution;
- appealing to them not to exert pressure on the refugees to return while the situation in Burundi remains unsafe;
- reminding them of their international obligations under the 1951 United Nations Convention Relating to the Status of Refugees to protect refugees and not to return them to a country where they will be at risk.

To the Burundi authorities:

- urging them to take immediate steps to improve the human rights situation in Burundi to enable refugees to return voluntarily and safely;
- appealing to them to set up mechanisms for monitoring the safe return and resettling of returnees;
- expressing concern that no investigation has been carried out into the extrajudicial executions of hundreds of returnees.

APPEALS TO:

Minister of the Interior, of local development and social reintegration

M.Cheikh Abdul Karim HARELIMANA

Ministre de l'Intérieur, du Développement communal et de la réintégration sociale

BP 446 KIGALI

Rwanda

Telegrams: Ministre de l'Intérieur, Kigali, Rwanda

Fax: 250 85 714

Salutation: Monsieur le Ministre/Dear Ministre

Minister of the family, the advancement of women and social affairs

Madame Aloysie INYUMBA

Ministre de la Famille, de la Promotion féminine et des Affaires sociales

BP 1413 KIGALI

Rwanda

Telegrams: Ministre de la Famille, Kigali, Rwanda

Fax: 250 77 543

Salutation: Madame le Ministre / Dear Minister

Burundi Minister for Reintegration and Resettlement of the Displaced and Returnees

Monsieur Pascal NKURUNZIZA

Ministre à la Réinsertion et à la Réinstallation des Déplacés et des Rapatriés

Telegrams: Ministre à la Réinsertion, Bujumbura, Burundi

Fax: 257 21 82 01

Salutation: Monsieur le Ministre / Dear Minister

COPIES TO:

Burundi Minister of Interior

Mon. Epitace BAYAGANAKANDI

Ministre de l'Intérieur et de la Sécurité Publique

c/o The office of the President

Fax: +257 22 74 90

and to diplomatic representatives of Rwanda and Burundi accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 25 August 1997.