

## BURUNDI ASSESSMENT

April 2002

### Country Information and Policy Unit

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### 1. SCOPE OF DOCUMENT

**1.1** This assessment has been produced by the Country Information & Policy Unit, Immigration & Nationality Directorate, Home Office, from information obtained from a variety of sources.

**1.2** The assessment has been prepared for background purposes for those involved in the asylum determination process. The information it contains is not exhaustive, nor is it intended to catalogue all human rights violations. It concentrates on the issues most commonly raised in asylum claims made in the United Kingdom.

**1.3** The assessment is sourced throughout. It is intended to be used by caseworkers as a signpost to the source material, which has been made available to them. The vast majority of the source material is readily available in the public domain.

**1.4** It is intended to revise the assessment on a 6-monthly basis while the country remains within the top 35 producing countries in the United Kingdom.

**1.5** An electronic copy of the assessment has been made available to the following organisations:

Amnesty International UK

Immigration Advisory Service

Immigration Appellate Authority

Immigration Law Practitioners' Association

Joint Council for the Welfare of Immigrants

JUSTICE

Medical Foundation for the Care of Victims of Torture

Refugee Council

Refugee Legal Centre

UN High Commissioner for Refugees

## **2. GEOGRAPHY**

**2.1** The Republic of Burundi is a land-locked country lying on the eastern shore of Lake Tanganyika, in central Africa, just south of the Equator. **[1a]** It covers an area of only 27,834 square kilometres. **[1b]** It is bordered by Rwanda to the north, Tanzania to the south and east, and the Democratic Republic of the Congo (formerly Zaire) to the west. The capital is Bujumbura. The population of Burundi is composed of three ethnic groups, the Hutu (85%), the Tutsi (14%) and the Twa (1-%). **[1a][33]** In mid-1999 it was officially estimated at 6,483,000. **[1b]** The official languages are French and Kirundi, while Swahili is also used in addition to French, in commercial circles. **[1a]** Swahili is spoken as widely spoken in Bujumbura and is a first language in certain Muslim neighbourhoods whilst Congo Swahili is spoken in Congolese neighbourhoods. **[31]**

**2.2** Burundi is one of the poorest countries in the world and its economic performance is heavily dependent on world prices for its cash crops. The principal exports in 1997 were coffee, tea, hides and skins. Burundi has experienced an acute economic decline since 1993 as a result of severe political upheaval and the population displacement. Burundi is therefore dependent on foreign assistance. **[1a][1b]** For further information on geography refer to the Europa Yearbook (source **[1a]**).

## **ECONOMY**

**2.3** In terms of average income, Burundi is one of the poorest countries in the world. Prior to the outbreak of the civil war in 1993 30 percent of the population were reported to be living in conditions of extreme poverty; by 1996 this figure had reportedly risen to 60 percent. Its economic performance is heavily dependent upon the international price of coffee. Tea is the second largest export earner. **[1b]** In 2001 the Burundian Government were reportedly grappling with the effects of a 40 percent reduction in the output of coffee. **[30a]**

## **3. HISTORY**

### **Summary of events since independence**

**3.1** Burundi gained its independence from Belgium on 1 July 1962. Much of the country's history since then has been characterised by tensions between Burundi's two main ethnic groups, the Tutsi (traditionally the dominant tribe, despite representing a minority of the overall population) and the Hutu. There have been a number of occasions where these tensions have resulted in violence and inter-ethnic massacres. Since independence Burundi has also seen a number of coups and many more attempted coups. **[1b]**

**3.2** Following an unsuccessful attempt by the Hutu to overthrow the Tutsi-dominated Government in October 1965, virtually the entire Hutu political elite was executed along with thousands of rural based supporters. In April 1972 following an abortive coup attempt massacres of an unprecedented magnitude and brutality were carried out. An estimated 100,000 - 200,000 were killed and a further 200,000 fled the country. All Hutu elements were eliminated from the armed forces. The aforementioned developments effectively eliminated any significant participation by the Hutu in Burundi's political life until the late 1980's. **[1b]**

**3.3** In August 1988 tribal tensions erupted into violence in the north of the country. Groups of Hutu, claiming Tutsi provocation, slaughtered hundreds of Tutsi in the towns of Ntega and Marangara. The Tutsi dominated army was dispatched to the region and the week that followed large-scale tribal massacres, similar to those of 1972, occurred. **[1b]**

**3.4** In October 1988 President Major Pierre Buyoya, who had seized power from his close associate Colonel Jean-Baptiste Bagaza in an army led coup in September 1987, announced changes to the council of ministers. This included the appointment of a Hutu, Adrien Sibomana, as Prime Minister. Significantly the council comprised of an equal number of Hutu and Tutsi representatives. The same month a commission for national unity was established to investigate the massacres and make recommendations for national reconciliation. **[1b]**

**3.5** On 9 March 1992 90% of voters accepted proposals for constitutional reform at a referendum. The new constitution was promulgated four days later and in June 1993 presidential and legislative elections took place. These were won by Melchior Ndadaye of the predominantly Hutu party Front pour la démocratie au Burundi (FRODEBU) who had received the support of three other parties with a mainly Hutu base. FRODEBU also won 65 of the 81 seats in the national assembly. The Union pour le progrès national (UPRONA) took the remaining 16 seats. **[1b]**

## Outbreak of Civil War

**3.6** The Ndadaye Government immediately commenced bringing its supporters into the civil service and drafting plans for extensive reform of the army. On 23 October 1993 more than 100 army paratroopers occupied the presidential palace and killed Ndadaye. However, international condemnation of the coup and the ferocity of the renewed inter-ethnic massacres that resulted in the death of between 25,000 and 50,000 Burundians, undermined support for the insurgents from within the armed forces. On 27 October 1993 the FRODEBU Government had resumed control of the country. **[1b]** However, it was the killing of democratically elected President Ndadaye that effectively marked the outbreak of civil war in the Burundi. **[29]**

**3.7** On 6 April 1994 Ndadaye's successor to the presidency, Cyprien Ntaryamira, was killed when the plane he was travelling in with Rwandan President Habyarimana crashed after being hit in a rocket attack when coming in to land at Kigali airport. In accordance with the Constitution FRODEBU leader Sylvestre Ntibantunganya was named as interim president. During the first half of 1994 ethnic tension increased as well armed extremist factions within both Hutu and Tutsi communities attempted to establish territorial strongholds within the country. The security conditions prevented a new president being elected by universal suffrage. As a result the new president was elected by a 'Convention of Government' in 30 September 1994. Under the same provision a four-year transitional government was established with 45% of cabinet posts going to the opposition parties. **[1b]**

**3.8** Exacerbated by the proximity and scale of violence in neighbouring Rwanda ethnic tensions persisted during the second half of 1994 and the situation worsened during 1995. By early 1996 reports of atrocities perpetrated against both Hutu and Tutsi civilians by the armed forces and Tutsi and Hutu militias were commonplace. **[1b]**

## Coup of 25 July 1996

**3.9** Violence continued to escalate during 1996 and the political tension intensified until, on 25 July 1996 the Burundian armed forces led a successful bloodless coup. This saw former President Buyoya reinstated as the interim President of a new transitional republic. **[1b]**

**3.10** Immediately upon assuming power, the regime dissolved the National Assembly and banned political parties. The 1992 Constitution and 1994 Convention of Government were suspended. About 3 weeks later, Buyoya announced the restoration of the opposition dominated National Assembly and political parties with certain restrictions. **[2b]**

## Peace Talks

**3.11** In March 1998 the Government initiated negotiations with the national assembly. **[1b]** On 4 June 1998, the National Assembly and the Government entered into a partnership agreement. The National Assembly adopted a Transitional Constitutional Act and a Transitional Political Platform. The act changed the structure of government by eliminating the post of Prime Minister, creating two vice

presidents, removing the National Assembly Speaker from the line of presidential succession, and enlarging the National Assembly. The act placed no time limits on the President's or the National Assembly's term of office. **[2b]**

**3.12** On 12 June 1998, a new Government was announced in which the First Vice President and 10 of the 22 cabinet ministers were members of FRODEBU. The Cabinet included 12 Hutu, including the Minister of External Relations. Pro-government ethnic Tutsi members held the key Ministries of Defence, Interior, Justice, and Finance. **[2a]**

**3.13** Between 15 and 21 June 1998 the Government attended all party talks in Arusha under the chairmanship of former Tanzanian President, Julius Nyerere. A total of three rounds of talks took place in Arusha during the 1998. **[1b]** At Nyerere's instigation, to speed up negotiations, the 18 delegations attending the peace talks in Arusha, Tanzania, (the government, national assembly, 13 political parties and three armed opposition groups) merged into three groupings. One grouping known as the G3 comprised government and pro-government delegations, while the G8 consisted of PARENA and smaller Tutsi-dominated opposition parties. The third grouping was called G7 and comprised of FRODEBU, allied Hutu-dominated parties and Hutu-dominated armed opposition groups. In August 2000, the pro-government wing of UPRONA and another Tutsi dominated party that came into the negotiations in February 2000 joined pro-Tutsi group, which thus became known as G10. With the shift of UPRONA the government group was reduced to two groups and became the G2. For details of the individual parties that participated in the talks and groupings they were each affiliated to **see Annex B. [5b]**

**3.14** Negotiations continued during 1999 with the main negotiating parties reporting good progress, however the talks were suspended in October following Nyerere's death. In December 1999 at a Regional heads of state meeting in Arusha former South African President, Nelson Mandela was unanimously selected as the new Burundi mediator. As talks continued during 2000 further progress was made, however, Mandela was unsuccessful in his attempts to bring about the active participation of the two Hutu rebel movements, the Conseil national pour la defense de la democratie - Forces pour la defense de la democratie (CNDD-FDD) and the Forces nationales de liberation (FNL). **[1b]**

**3.15** The peace agreement was due to be signed in mid-July 2000, but was changed to 28 August by Nelson Mandela, as a number of issues remained unresolved. **[7b]** The Burundi Government said there must be a cease-fire before any deal could be signed. They also said they wanted current president Buyoya to preside over the transitional period set to last for 30 months. **[12b][21a]** Most pro Hutu organisations backed Domitien Ndayizeye for the presidency during the transitional period though the Conseil national pour la defense de la democratie (CNDD) were reported to favour Buyoya. **[16d]** The majority of political parties were opposed to Buyoya leading the transition period, which will conclude with the election of a new president. However, it was agreed that the transitional president would not be eligible to stand in the presidential poll scheduled to follow the transitional period. **[12b][19a]**

**3.16** President Buyoya, Hutu parties and six of the Ten Tutsi parties signed the agreement on 28 August 2000. A cease-fire failed to get included in the agreement. **[20a]** The three Tutsi parties that did not sign all acknowledged that if they did not change their position they would not have any say in the choice of the government. **[1b][8b]** The CNDD-FDD and FNL also rejected the agreement. **[6a]**

**3.17** Since the signing, fighting between the government army and Hutu rebels has continued. **[7d]** The CNDD-FDD demanded the dismantling of camps and the release of around 11,000 political prisoners.

Camps in rural Bujumbura would appear to have been dismantled with the exception of around 10,000 people afraid to return to their homes for security reasons. **[4c]** The three remaining Tutsi parties listed seven reservations, the first of which was that the agreement itself does not mean an end to the peace process for Burundi because they wanted negotiations to continue. Having reportedly received the commitments they sort, the three signed the peace agreement on 19 September 2000, paving the way for implementation of the agreement reached on 28 August 2000. **[1b][22a]** The regional leaders present at the signing ceremony demanded that the rebels observe a cease-fire within 30 days, nevertheless the violence continued. **[1b]**

**3.18** Following the signing of the accord the South African Deputy President took over an increasing amount of Burundi mediation work from Mandela, who had previously announced that with the agreement signed he considered his role to be largely over. On 27 November the Implementation Monitoring Committee (IMC) was officially established; its mandate was to supervise the implementation of the Arusha agreement. **[1b]**

**3.19** At the Arusha summit in February 2001 regional heads of state proposed alternating the presidency over a transitional period of three years. The recommendation was for a Tutsi president and a Hutu vice president for the first 18 months and vice versa for the second 18 months. FRODEBU stated that it had not approved of the power-sharing arrangement and saw it as entrenching ethnicity in an already divided country but all parties present eventually accepted the proposal. **[1b][4e]** A number of parties present agreed to submit Colonel Epitace Bayaganakandi and FRODEBU's Domitien Ndayizeye as candidates for the transitional leadership. However, the Burundian Government and subsequently, the regional Heads of state rejected this proposal. **[1b]** The National Council for the Defence of Democracy (CNDD), a pro-Hutu rebel group, said that whilst it backed the Arusha accord it would not join the transitional government unless a negotiated cease-fire agreement was concluded. **[18b][19b]**

**3.20** On 4 April 2001 President Buyoya announced that his government had decided to implement the Inter-Burundi peace agreement signed in Arusha in August 2000. This would involve the drafting of a new constitution, new legislation on political parties and a general amnesty on crimes committed prior to the signing of the Arusha agreement. **[4g]**

### **Failed Coup attempts of 18 April 2001 and 22 July 2001**

**3.21** On 18 April 2001 there were reports of a failed coup attempt by a group of around 30 junior army officers, calling themselves the Patriotic Youth Front. The group, who had not been heard of before, seized the state radio station. The station was surrounded by forces loyal to the government, who decided to wait until the rebels gave themselves up rather than storm the building. **[7e]** A group of about 40 soldiers and 2 civilians, with links to the Parti pour le redressement national (PARENA) party, were arrested following the coup attempt. Amnesty expressed concern at the risk of ill treatment of these people. **[16h]** On 27 April it was reported that 20 members of the PARENA party were arrested after visiting their colleagues in detention. PARENA refused to condemn the coup attempt, pointing out that President Buyoya himself first took power in a coup. **[7f]**

**3.22** On the night of 22 July 2001 rebel members of the armed forces staged an abortive coup attempt reportedly kidnapping a senior presidential aid. **[1b]** A group of mutineers, allegedly military cadets were reported to be involved. The mutineers tried to storm the Mpimba Central Prison to free the soldiers

being held for the failed coup attempt on 18 April 2001. After failing to do so they took 30 or so vehicles and headed towards Kayanza province with a number of hostages. In the early evening of 23 July 2001 it was reported that all hostages had been freed and the mutineers had surrendered to the military authority in Ngozi. Two soldiers were killed in the mutiny. **[17b]** The officers who led the mutiny were placed in Ngozi prison. **[17c]** At the end of August 2001 over 320 soldiers were discharged from the army in Ngozi for their involvement in the April and July 2001 coup attempts. **[7g][17e]**

## **Developments prior to term of the Transitional Government**

**3.23** In July 2001 it was announced that President Buyoya would remain as president for the first 18 months of the country's transition. Domitien Ndayizeye of the main opposition pro-Hutu FRODEBU party, would be the vice-president. Nelson Mandela announced that Buyoya would have to abide by a list of conditions, which include the implementation of the Arusha peace agreement, the release of all political prisoners and offering full protection to all political leaders, especially those returning from exile. **[4k]** In August 2001 President Buyoya confirmed that he would give way to a new head of state at the end of his 18-month phase. **[17d]** The same month it was reported that the IMC would be repatriated from its base in Arusha to Bujumbura two weeks before the instillation of the Transitional Government on 1 November 2002. **[15a]** In September 2001 Ndayizeye said the establishment of a lasting cease-fire remained the main concern for the transitional period. **[16n]**

**3.24** At the end of August 2001 Burundi's judicial commission proposed a bill granting temporary immunity to those who had committed politically motivated crimes. The bill was inspired by the Arusha accord and aims at dealing with crimes committed before the accord was signed on 28 August 2000. It must also be able to temporarily protect those politicians who may decide to return before the transitional government is set up on 1 November 2001. The commission believes that 'temporary immunity' should be granted for a period of two years, after which there must be a re-trial, an amnesty, in all cases, should have been avoided. **[16k]**

**3.25** In September 2001 it was reported that a special army unit to protect exiled politicians, returning to Burundi under the Arusha peace process, would not be ready in time for the commencement of the transitional period, which is due to begin on 1 November 2001. President Buyoya said that the transitional government could still begin functioning despite this special unit not being in place. Buyoya said that people returning to the country in preparation for the transition period would still be safe. **[16o][16p]**

**3.26** In October 2001 South Africa agreed to provide troops for a protection force demanded by opposition politicians before they would join the transitional government. The international community provided funding for this force. It is proposed that the South African troops be joined by others from Senegal, Nigeria and Ghana and eventually be replaced by a Burundian force to be composed half of Hutu and half of Tutsi. **[6a]** The South Africans reportedly arrived in the country on 19 October 2001. **[30a]** The same month reports emerged of a change of leadership within the CNDD-FDD where Pierre Nkurunziza overthrew Jean-Bosco Ndayikengurukiye; those close to the G7 welcomed this development and expressed the view that this may lead to a cease-fire being signed by CNDD-FDD (**See Annex B**). **[18i]**

## The Transitional Government

**3.27** On 1 November 2001 Buyoya was sworn in as president, and Domitien Ndayizeye, the secretary general of FRODEBU, was sworn in as vice president of the Transitional Government. **[2b]** This development represented the implementation of a key provision of the Arusha Accord of August 2000. However, the CNDD-FDD and FNL stepped up attacks just before the new government took over. **[6a]**

**3.28** In the latter part of 2001 several opposition figures who had been party to the Arusha negotiations began returning to the country. **[8f][18j]** On 6 November 2001 it was reported that 4 of the 19 signatories to the Peace and Reconciliation agreement had not returned home, as they feared for their security (**see paragraph 5.62 and Annex B**) **[11a]**

**3.29** The CNDD-FDD and the transitional government met on Friday 22 February 2002 and agreed on a general framework of negotiations intended to lead, as soon as possible, to a definite agreement on a cease-fire and the restoration of democracy in Burundi. In a statement, CNDD-FDD said the two delegations had agreed to meet again "shortly" to study ways of establishing a favourable environment for negotiations, including the implementation of a suspension of hostilities. A rival faction led by former Commander-in Chief Ndayikengurukiye did not attend. The other armed rebel group, FNL, declined an invitation to attend, saying it had received the invitation too late - three days before the meeting - so it lacked sufficient time to prepare for it. **[16t]**

**3.30** On 11 March 2002 the OAU stated that the FNL expressed its readiness to participate in dialogue under the auspices of international mediators, in the ongoing search for a long lasting solution to the conflict. Representatives of the FNL had been in Addis Ababa, Ethiopia where they held in depth discussions with OAU representatives. **[16w]** However, the date of this announcement coincided with an outbreak of fighting between the army and FNL rebels in Bujumbura-Rural province and led to the displacement of 10,000 who fled the hills surrounding Bujumbura. An army spokesman claimed the battle was not that serious and people fled because they had heard gunfire. However, FNL claimed that they were not fighting the government soldiers but the soldiers were aiming at places where people were living. **[16x]**

**3.31** In late April 2002 representatives from both of the CNDD-FDD and the FNL were in South Africa for separate talks. The FDD met with both international mediators and a delegation of the Burundian Government though the faction leader, Nkurunziza, warned in advance that his organisation was not ready for a cease-fire. Meanwhile, rival CNDD-FDD faction representatives led by Ndayikengurukiye spent 10 days in South Africa for talks with the same delegations. The FNL had been in the country for a separate purpose, this being a meeting with the UN Security Council. An FNL representative reportedly said that they would not meet a Government delegation, as they (the Government) do not represent anyone. **[14a]**

**3.32** In April 2002 the IMC noted that "significant strides had been made despite a few difficulties". The significant strides were reported to include the general functioning of the Transitional National Government established on 1 November 2001 which was described as an "operational and working institution". Difficulties were said to relate to the ongoing delays in the establishment of a special protection unit to replace the South African forces (**see paragraph 3.26**), reform of the military and the lack of a cease-fire agreement. **[16aa]**

**3.33** For more detailed information regarding history prior to 2000 please refer to the Europa Yearbook (source **[1a]**).

## **4. STATE STRUCTURES**

### [Part I](#)

### [Part II](#)

## **4. STATE STRUCTURES**

### **The Constitution**

**4.1** Under the Constitution of March 1992, executive power was vested in the President, who was directly elected, by universal suffrage, for a five-year term, renewable only once. A Convention of Government was set up in September 1994 among the major political parties. This was however suspended along with the Constitution following the military coup on 25 July 1996. On 6 June 1998 a Transitional Constitution was promulgated, this combined elements of both the 1992 constitution and the 1996 decree-law that Buyoya adopted following the coup in July of that year. **[1a][1b]** The act changed the structure of government by eliminating the post of Prime Minister, creating two vice presidents, removing the National Assembly Speaker from the line of presidential succession, and enlarging the National Assembly. The act placed no time limits on the President's or the National Assembly's term of office. **[2b]**

**4.2** The Transitional Constitutional Act provides equal status and protection for all citizens, without distinction based on sex, origin, ethnicity (**see paragraph 5.55**), religion, or opinion. The act also prohibits torture and other cruel, inhuman, or degrading treatment or punishment (**see paragraph 5.6**). **[2b]**

**4.3** The Transitional Constitutional Act also gives the President the authority to declare a state of emergency by decree after consulting with the National Assembly Speaker, the Constitutional Court and the National Security Council; this has not been convened since 1996. **[2b]**

**4.4** The National Assembly passed a dual citizenship law on 3 May 2000 allowing Burundian citizens to hold a second nationality. Prior to the adoption of this new law, those that had fled the country and become citizens of their countries of asylum had lost their Burundian citizenship. **[16a]**

### **Political System**

**4.5** Until November 2001 Burundi was ruled by an authoritarian military regime led by self-proclaimed interim President Pierre Buyoya, who was brought to power in a bloodless coup by the largely ethnic Tutsi armed forces in 1996 and who abrogated the Constitution. In 1998 the Buyoya regime reached a political agreement with the opposition-dominated National Assembly, which adopted a Transitional Constitutional Act and a transitional political platform. The agreement brought the predominantly ethnic Hutu opposition party, FRODEBU, into the Cabinet. **[2b]** Prior to this Buyoya had held power in conjunction with a political power structure dominated by members of the Tutsi ethnic group. **[2a]**

**4.6** In July 2001 President Buyoya signed an agreement to begin the three-year transitional period on 1 November 2001. On this date Buyoya was sworn in as president and Domitien Ndayizeye, secretary general of FRODEBU was sworn in as vice president. Under the agreement they will both serve for 18 months after which the G-7, an alliance of predominately Hutu parties will select a president and the G-10, an alliance of predominately Tutsi parties will select a vice president. Political parties operate under significant restraints. **[2b]**

**4.7** Under the 1992 Constitution, deposed President Ntibantunganya would have remained in office until 1998. The last elections to fill the Assembly took place in June 1993. The Transitional Constitutional Act stipulates that the National Assembly shall consist of 121 parliamentarians; those elected in 1993 who sat in the previous National Assembly, plus 40 new members. The new members comprise of 28 members of civil society appointed by the President and one representative each (selected by their respective parties) from all 12 officially recognised political parties not previously represented. Not all of those elected in 1993 are alive or in the country, and the vacant seats were filled by substitutes from the same political party as the original parliamentarian. Tutsi supporters of the Government filled 22 of the 40 new seats. **[2b]**

**4.8** Citizens do not have the right to change their government. However, the peace agreement signed in August 2000 instructs the country's next transitional government to hold local, national and presidential elections within a 3-year period and to oversee elections for a newly formed Senate; this agreement had not been implemented by the end of 2001. The Transitional Political Platform also endorses in general terms the restoration of democracy as well as the correction of the ethnic imbalance within the army and the judicial system. **[2b]** In an interview in April 2002 Ndayizeye, who under the Arusha peace agreement is due to become President on 1 May 2003 stated that the Government wanted to implement the planned reforms and prepare for elections. Regarding these he said that local elections are due in May 2003 and presidential elections in November 1994. **[16z]**

**4.9** For the purposes of local government, Burundi is comprised of 15 provinces, each of which are divided into districts and further subdivided into communes. **[1a]**

## **Judiciary**

**4.10** The Transitional Constitutional Act provides for an independent judiciary; however, in practice the judiciary is dominated by ethnic Tutsi and is not considered independent. Reform of the judicial system is a priority of the peace accord, which has not yet been implemented. According to the US State Department Report covering 2001 an international human rights organisation estimates that ethnic Hutu accounted for only 10 percent of the country's lawyers and 5 percent of judges, although they constitute an estimated 85 percent of the population. This discrepancy is due in part to unequal access to education. Most citizens assume that the courts promote the interests of the dominant Tutsi minority. Members of the Hutu majority believe that the judicial system is biased against them. **[2b]**

**4.11** During 2001 the Chief Prosecutor, who is a Hutu, led a government campaign to recruit Hutu attorneys living abroad to return to Burundi and work as magistrates. Seven attorneys returned during 2001. **[2b]**

**4.12** The judicial system is divided into civil and criminal courts with the Supreme Court at the apex. The armed forces have a separate judicial system, and there is a labour court. Citizens generally did not have regular access to civilian and military court proceedings. Defendants in theory are presumed innocent and have the right to appeal, although in practice some lawyers said the possibility of appeal was limited for defendants accused of the most serious crimes. In practice few defendants have legal representation. The civil court system functions, but the lack of a well-trained and adequately funded judiciary constrains expeditious proceedings. Many citizens have lost confidence in the system's ability to provide even basic protection. The majority of persons arrested on criminal charges since October 1993 remain in pre-trial custody. **[2b]**

**4.13** The disruption of the political process and the general insecurity has severely impeded the judicial process. In 2001 the ICRC estimated that 70% of the prison population were in pre-trial detention. **[2b]**

**4.14** The Transitional Political Platform calls for the creation of an international tribunal to try crimes of genocide; however, as of the end of 2001 no such tribunal had been created. **[2b]**

## **Military service**

**4.15** Shortly after taking power the new government signed the optional protocol to the Convention on the Rights of the Child, this establishes that 18 is the minimum age for forced recruitment, conscription, or participation in armed conflict. This confirmed an order of the outgoing government that children under 18 should not be recruited into the army. **[6a]** However, in spite of this observers believe that there are some children below the age of 18 in the military. There were credible reports that during 2001 the Guardians of the Peace recruited children to provide a quasi-police presence in public places such as markets; some of these children reportedly were sent to the front lines. Rebel groups also recruit children as soldiers. **[2b]**

**4.16** In early 2000 the government acknowledged in a report the use of underage citizens, no more than 15 years old, called *doria*, which translates as "ear agent" in Kirundi. According to the report the children initially undertake what amounts to household chores but are later fully integrated into the military environment. The report stated that the minimum age of recruitment was fixed between 16 and 25 years, but given the dire need for troops to fight rebel insurgents, this remained only in theory. Estimates of the number of children recruited by the armed forces between 1995 and 2000 ranges between 2,000 and 14,000. It is reported that up to 1,000 children between the ages of 14 and 17 are currently serving in the regular armed forces. **[12a]**

**4.17** The UN Special Rapporteur on Burundi said the government endeavoured to enrol large numbers of young men and women, about to complete their higher studies, in a mandatory civic service scheme. It was seen as a positive step as it reduced the hold of extremist groups over young people. However, the civic service was said to bear significant similarities with a military rather than a civilian camp. In addition to regular armed forces Tutsi armed groups made up of youths aged 12 to 25 were reportedly formed, with the governments blessing, with the aim of defending the Tutsi minority. According to the army the Hutu groups are increasingly being made up of child soldiers, including boys and girls under the age of 15 years. They are reportedly recruited at random from vulnerable groups such as unaccompanied minors, orphans and street children. **[12a]**

**4.18** A regional grant from the Belgian government enabled the United Nations Children's Fund (UNICEF) to launch a child-soldier demobilisation and reintegration project in Burundi early in 2002. The grant also enabled the agency to hire a consultant to assess the situation, develop a plan of action and initiate the demobilisation and reintegration of child soldiers. **[16u]**

**4.19** According to Amnesty International military service for Tutsi youth, including students was introduced in August 1996. Prior to this there was no official conscription in Burundi. **[27]**

## **Armed Forces**

**4.20** The security forces are controlled by the Tutsi minority and consist of the army and the Gendarmerie under the Ministry of Defence, the judicial police under the Ministry of Justice, and the intelligence service under the presidency. Members of the security forces continued to commit numerous serious human rights abuses (**see paragraph 5.6**). **[2b]** According to figures dating from 2000 there are a total of 45,000 men active in the armed forces. This includes an estimated 40,000 in the army and 200 in the air force. **[32]**

**4.21** On 13 June 2000 Nelson Mandela said that under the proposed peace agreement the new arrangement for the Burundian army would be that each of the two main ethnic groups (Hutu and Tutsi) would provide 48 percent of the army. This then allowed for people from the Twa group to be a part of the national army. **[4b]**

**4.22** In May 1999 the judgement in the trial of the 1993 assassination of President Melchior Ndadaye was announced. The Supreme Court sentenced five members of the army to death and 23 others to prison. Another 38 were acquitted. No high-ranking army officers were convicted, although charges were originally brought against many past and present senior army members. The new Attorney General, who is a Hutu, announced that the case would be reopened. New trials were set for January 2001 however no trials began during the year. **[2b]**

## **Self defence programmes**

**4.23** Unable to suppress the activity of the largely Hutu rebel movements FNL and CNDD-FDD, the government launched a "civilian self-defence programme" in early 1997. Though described by the Ministry of Interior as a voluntary and spontaneous initiative of the local people to defend themselves. However, many communities compelled local residents to engage in nightly patrols, ordinarily with soldiers but sometimes alone. In some areas of the country it was reported that all Hutu adult males were required to participate but Tutsi were often excused. Reports based upon witness testimonies also stated that the authorities would punish those who refused to participate. These punishments could include beatings, fines, short-term imprisonment or even an accusation of supporting the rebels, a charge that could result in a long prison sentence or even summary execution. It was also stated that those who participated regularly but missed one night of patrols or fell asleep on duty could be beaten or fined. **[6b]**

**4.24** Threatened by rebel advances in Cibitoke province military authorities decided to take the "self-defence" programme a step further by organising armed groups under Hutu military control. Participants in these groups were a combination of former rebels and local residents who had performed well in the patrols; most were aged between 15 and 30 and were known as "the young men" (*les jeunes* or in the Kirundi version of French, *abajunes*). They reportedly received about a month of training from

Burundian army officers and patrolled the Kibira forest working closely with soldiers; they were permitted to use firearms when on duty. When rebel activity decreased in the area "the young men" were credited with having contributed substantially to this success. The military authorities subsequently established similar groups in neighbouring Kayanza province. [6b]

**4.25** Following an increase in violence in many Bujumbura neighbourhoods in early 2000 there have, since mid 2000, also been initiatives for self-defence programmes in urban areas. The first of these was in the northern zone of Kinama, an area inhabited by relatively poor Hutu workers, where 100 young men were recruited by local officials and trained by the soldiers or national police. The residents of Kinama were asked to contribute the equivalent of US\$ 0.60 per month to pay participants a salary although this represented a considerable financial burden to the poor. There were conflicting reports as to whether this initiative had any real impact on crime; there was however no improvement in the apprehension of assailants. [6b]

### "Guardians of the Peace"

**4.26** With the advance of the CNDD-FDD into southern Burundi in 1997, military authorities began to organise armed paramilitary groups in three communes of Bururi province. They subsequently expanded this programme to a number of communes in Kayogoro, Makamba and Rutana provinces. Also initially known as *abajunes* these groups were renamed "Guardians of the Peace" began to play a major role in fighting the rebels. When rebel activity diminished in some areas of Burundi in 1999 some guardians were permitted to end their service. However, when the FNL attacked in force near Bujumbura in September 2000 hundreds of Guardians of the Peace were brought from the south of the country to reinforce regular troops. [6b][33]

**4.27** In response to a more serious attack on the capital in February 2001 the Burundian authorities began to expand the Guardians of the Peace programme in March and April 2001. They organised training programmes virtually throughout the whole country. Experienced guardians from the south were used to mobilise young people and the existing programme in Bujumbura-rural was expanded. The government published no figures for the number of guardians in Burundi but according to information gathered by Human Rights Watch in its report "To protect the people" dated December 2001 as many as 30,000 could have received military training. This report further suggests that there are up to 5,000 guardians in Bururi province, 1,000 in Makamba and hundreds in each of the other provinces where groups were organised during mid-2001. [6b] During 2001 the US Department of State reported that the "Guardians of the Peace" were active in Bujumbura Rural, Ruyigi, Rutana, and Bururi provinces. [2b]

**4.28** The Guardians are generally unpaid and in most cases continue to live at home with their families. The guardians are not issued with a uniform or identifying insignia though some receive cast off military clothing or parts of uniform taken from slain rebels. [6b]

### "Self defence in solidarity"

**4.29** During 2001 the Government has also created units, to serve in Bujumbura and its suburbs. [2b] Under a programme called "self defence in solidarity" (auto-défense solidaire) training commenced in April and on 16 June 1,000 graduated. Press reports at the time suggested that "self-defence" would henceforth be a permanent part of national defence and would be extended to the rest of the country. Whereas the rural based "Guardians of the Peace" are mostly comprised of Hutu their urban civil patrol

counterparts may be either Hutu or Tutsi depending upon the neighbourhood that they serve. **[6b]** The civilian authorities do not maintain effective control of the security forces. **[2b]**

### **Weapons training for civilians**

**4.30** During 2000 military officials revived a programme of weapons training for Tutsi civilians which had been offered sporadically since 1997. Hutu, who have learnt of such sessions have, according to testimonies given to Human Rights Watch, been turned away. Once trained, some individuals join soldiers in patrolling their neighbourhoods or patrolled on their own initiative, sometimes under the leadership of a former or retired soldier who himself lived in the neighbourhood. **[6b]**

**4.31** During 2001 the Government are reported to have provided weapons to both Hutu and Tutsi civilians in Bujumbura to be used in self-defence. In some cases, the weapons were provided to individual civilians, in others they were placed in central locations in communities to be accessed in an emergency. There were no reports that the dissemination of weapons in Bujumbura resulted in abuses. **[2b]**

### **Internal Security**

**4.32** Since 1993 the country has suffered from a civil war that has caused thousands of civilian deaths and mass internal displacement. Media and NGO reports indicate that more than 200,000 persons, mostly civilians, have been killed in ethnic violence since October 1993; however, the source of this figure is unclear. One international NGO estimated the number to be between 100,000 and 120,000. **[2b]** Another source puts the number of dead at over 250,000. **[19c]**

Both of the two major rebel groups, the CNDD-FDD and the FNL groups were active during 2000. The FNL concentrated on attacking the capital, Bujumbura, and consolidating its positions around the city. Meanwhile the CNDD-FDD increased its activity in the central, eastern and southern border provinces, subjecting the local population to a campaign of terror through killing, rape, kidnapping and theft. During 2000 many people were killed in ambushes. **[5a]**

**4.33** Hundreds of people took to the streets of Bujumbura on 18 August 2000 in protest against the government and its failure to bring greater security to the war torn country. **[7c]** On 19 August a Government statement banned the disturbance of public order and said it would hold perpetrators responsible for any damage or destruction. The same statement observed that the government guaranteed security for its citizens. **[9c]** Since the signing of the Arusha peace agreement on 28 August 2000 Amnesty International report that violence has escalated leaving hundreds of civilians dead. **[5b]**

**4.34** On 24 and 25 February 2001, FNL rebels attacked Kinama, a northern suburb of Bujumbura. During the following 2 weeks of fighting, both government and rebel forces allowed civilians to escape; nonetheless, many civilians were trapped and killed. During the fighting, Hutu rebels shelled adjacent Tutsi neighbourhoods, killing and injuring several civilians. The rebels allowed civilians to return to their homes to remove belongings; however, there were credible reports that government soldiers summarily executed civilians who attempted to return, accusing them of being collaborators. A local NGO reported that more than 200 bodies were found after the fighting ended. The UN estimated that as many as 300 civilians may have been killed or injured. **[2b][6a]**

**4.35** On 6 November 2001 rebels from the CNDD-FDD abducted 4 teachers and approximately 50 students in grades 4 to 6 from Kirambi primary school in Ruyigi province to serve as soldiers. On 9 November 2001 CNDD-FDD rebels abducted approximately 250 students from Musema high school in Kayanza province and set fire to the school, which was destroyed. The rebels forced the students to transport goods stolen from nearby homes and shops and beat those who faltered en route. Most of the students reportedly were later released; however, the rebels still held some students at the end of 2001. **[2b][6a]**

**4.36** There were a number of urban bombings during 2001. In August 2001 several persons were killed and injured in a grenade attack in the market of Kinama; a grenade also was thrown in a restaurant in Bujumbura. No suspects were identified by year's end. The Chief Prosecutor stated that the Government would create special ad hoc committees composed of police officers and magistrates to investigate each incident; however, no action had been taken to establish such committees by the end of 2001. No suspects were identified by year's end for several hand grenade attacks carried out during 2000. **[2b]**

**4.37** In April 2001 President Buyoya launched a national security task force to develop internal security mechanisms and announced a three-year plan to build houses and other basic infrastructure for 1.2 million Burundians affected by the war. However, the Burundian media remained sceptical about whether the Government would fulfil these promises. **[30a]**

**4.38** Hutu rebels have killed both Hutu and Tutsi civilians although sometimes they deliberately targeted Tutsi. There are no definitive statistics available on how many civilians have been killed by Hutu rebels. The Government stated that rebels were responsible for the majority of civilian casualties. Throughout 2001 rebels attacked numerous buses and minibuses, killing many of the passengers; such attacks occurred throughout the country. Rebels also ambushed and killed several members of the clergy during the year. In December 2001 FNL forces raided civilian homes in Bujumbura, killing four persons and confiscating medicines, computers, and a motorcycle. **[2b]**

### **Border security and relations with neighbouring countries**

**4.39** The war in Burundi is intertwined with conflicts in neighbouring DRC and Rwanda. For several years Burundian rebels, particularly those of the CNDD-FDD, have launched attacks from bases within DRC. The DRC government reportedly supported the rebels in return for assistance in their fight against a rebel movement backed by Rwanda. However, during 2001 thousands of rebel combatants came home, hastened by signs that the DRC government were moving towards ending their own war along with hundreds of Rwandans who had previously been based in the DRC and fighting against the Rwandan government. According to a Human Rights Watch report covering 2001 the reason for the Rwandans coming into Burundi could be to assist their Burundian comrades or possibly to prepare for an assault against Rwanda. Nevertheless, the Rwandan Patriotic Army (the official army of the Rwandan government) had, in late 2001, began fighting both the Burundian and Rwandan rebel groups within Burundi. Also during 2001 Burundian rebels in Tanzania frequently crossed the border to raid communities inside Burundi. This resulted in increased tensions between Burundi and Tanzania though military authorities in both countries attempted to calm the situation during the latter half of the year. **[6a]**

### **Legal Rights/Detention**

**4.40** Despite the new criminal code that prohibits arbitrary arrest and detention, security forces arbitrarily arrested and detained persons in 2000. Limits on the length of pre-trial detention were not respected.

**[2b]** In its report covering 2001 the Burundian human rights NGO, *Ligue Iteka* (the Burundian League for Human Rights), claimed that people have been detained for up to six months, when laws have set a limit of one or two weeks. **[16v]** Presiding magistrates are authorised to issue arrest warrants. Police and gendarmes can make arrests without a warrant, but are required to submit a written report to a magistrate within 48 hours. The law requires that suspects appear in court within 7 days. A magistrate can order the release of a suspect or confirm charges and continue detention, initially for 15 days, then subsequently for periods of 30 days, as necessary, to prepare the case for trial. **[2b]** Under Burundian law it is illegal to detain a minor under 13 years of age whilst under -18s should bear diminished responsibility for crimes committed but with no special courts to enforce this, the reality is often different.

**4.41** The Transitional Constitutional Act provides for the right to privacy, but the authorities reportedly do not respect the law requiring search warrants. The security forces are widely believed to monitor telephone calls regularly. **[2b]**

**4.42** The criminal code provides for suspects' rights to a lawyer before official charges are filed and during pre-trial investigations, however, not all aspects of the code were respected, particularly the section that requires detainees to be charged and appear in court within seven days of their arrest. However, the UN reported some improvements in this area during 2001. **[2b]**

**4.43** The law requires arrest warrants. The police are required to follow the same procedures as magistrates, although the police have detained suspects for extended periods without announcing charges, certifying the cases, or forwarding them to the Ministry of Justice as required. There were numerous instances of arbitrary arrest in 2000. During 2001 both the UN and human rights organisations reported that incommunicado detention exists, although law prohibits it. Bail was permitted in some cases during 2001. **[2b]**

**4.44** In August 1999 the State Prosecutor's Office released 169 people held in preventive detention for more than two years. Most were accused of minor offences, whilst others had incomplete files. The rate of preventive detention remained high in prisons. The authorities prepared a new penal code, which states that no preventive detention should exceed one year. The code was due to have become effective from 1 January 2000. **[8a]**

## **Death Penalty**

**4.45** Amnesty International reported that during 2000 civilian courts sentenced at least 97 people to death. Most were sentenced on charges relating to political violence and killings in 1993. More than 350 people have been sentenced to death since 1996, many after unfair trials and years spent in detention. **[5a]** In May 2001 criminal courts sentenced 20 people to death for manslaughter. **[4j]**

**4.46** Nobody sentenced to death was executed during 2001. Two soldiers were executed in October 2000, these were the first executions to have been carried out since July 1999 **[2b]** In total nine people have been executed since 1997. **[5a]**

**4.47** Regarding the execution of the soldiers Amnesty International also reported that Military jurisdictions continued to show blatant disregard for the rule of law. Napoléon Manirakiza, an army deserter, and

Sergeant René Rukemanganizi were executed by firing squad on 19 October 2000 just hours after being sentenced to death by Gitega military court. Both had been convicted of murders committed earlier in the month. They were denied legal representation and were not allowed to appeal against their sentence.

**[5a]**

## Prisons

**4.48** Conditions in state-run prisons remained life threatening but improved during 2001 due largely to the efforts of the International Committee of the Red Cross (ICRC) to improve sanitation, hygiene, medical care, food and water. **[2b][16y]** During 2001 the Government raised the daily dried food allowance from 10.5 ounces of beans to 12.25 ounces of beans a day in addition to 12.25 ounces of manioc; however, prisoners still relied on family members to provide an adequate diet. According to government officials, prisoners suffered from digestive illnesses, dysentery, and malaria. Severe overcrowding persisted. According to the Government, 9,013 inmates were housed in facilities built to accommodate a maximum of 3,650 persons during the year. **[2b]** In its report covering 2001 *Ligue Iteka* commented that prison conditions remained "very bad" due to overcrowding, deplorable hygienic conditions, poor dietary practices, and a general lack of medicine and health care. **[16v]**

**4.49** The death rate in the prisons containing 80 percent of all inmates dropped from 2.3 deaths per 10,000 per day in 1999 to 0.4 deaths per 10,000 in 2000. The death rate remained the same during the 2001. Women are detained separately from men; however, juveniles were incarcerated with adults throughout the prison system. Political prisoners often were not held separately from convicted prisoners. Pre-trial detainees generally were held in detention camps; however, some also were incarcerated with convicted prisoners. **[2b]**

**4.50** In July 2000, the decision was taken to close the isolation cells of Mpimba central prison. Until then, Amnesty International reported that all prisoners under sentence of death in Mpimba were held in three tiny cells in appalling conditions, under a punitive regime. **[5a]**

**4.51** In 2001 statistics published by UNICEF documented 199 children in Burundi's prisons. This was almost double the figure recorded by Amnesty International in 2000. Of the 199 children in detention 49 had been born in prison whilst the remaining 150 had been incarcerated. The majority (93%) were boys, most (85%) were also aged 15 - 17 (**See paragraph 5.53**). UNICEF report that the children are frequently detained with the adults leaving them at increased risk of physical or sexual abuse. An employee of UNICEF does however report that the authorities have become more open to the idea of considering clemency for minors and that where possible, such as at Mpimba prison, they have been separated from adults. **[16y]**

**4.52** International and local human rights monitors were permitted to visit most prisons and speak with inmates during 2001; however, they were denied access in some cases. During 2001 the ICRC reached a formal agreement with the Ministry of Interior regarding access to prisoners and detained persons, including persons detained for "reasons relating to the conflict." Similar agreements between the ICRC and the Ministries of Justice and Defence already were previously in place. The Ministries co-operate with the ICRC. **[2b]**

## Medical Services

**4.53** *Ligue Iteka* commented in its report covering 2001 that access to public health care remained a problem during 2001, this was due to a lack of physicians and the means to pay them. Malaria and malnutrition are among the most commonly untreated ailments. The civil war has also damaged public infrastructure including health centres. **[16v]**

## HIV/AIDS

**4.54** In May 2001 Burundi reached an agreement with four pharmaceutical companies to obtain anti-retroviral drugs at a cost of 90 per cent less than in the United States. The companies agreed to provide the long term supplies of the life-prolonging drugs. The agreements were signed as part of a partnership with five UN agencies (World Bank, UNFPA, WHO, UNICEF and UNAIDS). Under the agreements the country would be able to supply a wide range of AIDS drugs at a cost of 700 US dollars per patient per year. Before this price reduction under the new agreement a person living with HIV/AIDS had to pay 12 million Burundi francs (12,000 dollars) each year for the triple-therapy. The agreement reduces the cost to 1.3 million Burundian francs for special drugs and 700,000 Burundian francs for generic anti-retroviral drugs. The Burundian government has pledged to grant tax exemption on all medicines including anti-retroviral drugs. Official figures quoted in the report covering this initiative indicate that at least 360,000 people are living with HIV in Burundi, broken down by gender this represents 11 percent of the female population and 20 percent of the male. **[4i]**

## People with disabilities

**4.55** The Government has not enacted legislation or otherwise mandated access to buildings or government services for persons with disabilities. There are few job opportunities for the physically disabled in Burundi, where most jobs involve significant manual labour. Discrimination against persons with disabilities is a problem. **[2b]**

**4.56** The results of an UNICEF study into the number, category and conditions of handicapped children in Burundi were released in early 2002. It is intended that data obtained will allow UNICEF and partners to better target programmes for the prevention of child handicaps and the treatment and social integration of handicapped.

The study revealed that there are 10,577 physically and mentally handicapped children in Burundi, and classified these children into the categories of speech impediment, physical trauma related to the war, mental illness, physical handicap, blindness and deafness. **[16u]**

## Educational system

**4.57** According to the Europa yearbook education is provided free of charge; however, the US Department of State report published in March 2002 states that the government provides education at a nominal cost through to grade six. Europa also states that education is compulsory whilst the US Department of State says it is not. **[2b]** Kirundi is the language of instruction in primary schools, while French is used in secondary schools. Primary education is officially compulsory and starts at the age of 7. Secondary education begins at the age of 13 and lasts for up to seven years. There is one university, in Bujumbura. **[1b]**

**4.58** More than one quarter of the primary schools have been destroyed in the war, and many teachers have been killed. Rebels abducted numerous children and teachers during the 2001 and destroyed schools. Teacher training has been interrupted, and it is difficult to find qualified teachers to work in the provinces most affected by fighting. **[2b]** According to International Alert, an international NGO, inequitable distribution of educational resources favours those children in southern and central areas of the country. **[2b][13a]** Approximately one-third of primary school-aged children attended school in 1999; less than 9 percent of children aged 13 to 19 years attended school. School attendance rates were lower for girls than for boys. Girls comprised only 44 percent of primary school students and 30 percent of secondary school students. Female illiteracy is a problem. **[2b]** Liege Iteka also commented in their report covering 2001 that the right to education is largely unrealised, particularly for girls. **[16v]**

**4.59** The population of both staff and students at the University of Burundi remains primarily ethnic Tutsi. Tensions have flared occasionally between Hutu and Tutsi students on campus, where politically and ethnically motivated killings occurred in 1995 and 1996. Following the April 2001 and July 2001 coup attempts, some Hutu students left the university when armed Tutsi students appeared on campus. The Government conducted an investigation, but no weapons were found. **[2b]**

**4.60** In December 2000 six students were injured at the University of Burundi, in Bujumbura, after security forces used teargas to disperse a demonstration. Students were protesting against the timetable for examinations of the 1999-2000 academic year. **[4d]**

**4.61** In April 2001 it was reported that the academic year, which normally starts in January, had not yet begun at the University of Burundi, due to the ongoing war in the country. There were an inadequate number of teachers as most are thought to have left the country to seek better conditions elsewhere. In addition, students had staged several protests over the living conditions in deteriorating dormitories. None of the graduates from senior high schools have been enrolled at the university over the last three years due to compulsory military service. **[4f]**

**4.62** On 18 September 2001 at least 300 students staged a sit-in at the University of Burundi in protest at the lack of English language teachers. **[24c]**

## **5. HUMAN RIGHTS**

### **5A. HUMAN RIGHTS ISSUES**

[Part I](#)

[Part II](#)

## **5. HUMAN RIGHTS**

### **5A. HUMAN RIGHTS ISSUES**

**Overview**

**5.1** In its annual report covering 2001 the Burundian human rights NGO Ligue Iteka stated that the country "remained profoundly affected by massive violations of human rights". In particular the report commented on the poor situation regarding "the right to life, due principally to the continued civil war." The Iteka report also lamented that the installation of a transitional national government in November 2001 had not improved the situation. "A large percentage of the population remains sceptical of an improvement in the security situation in the absence of a cease-fire agreement, which remains the major challenge of the Burundi peace process," said Iteka. **[16v]**

**5.2** The UN Special Rapporteur on human rights in Burundi, Mrs Bocoum, concluded a visit to the country on 15 July 2001. Mrs Bocoum stated that the issues of security and poverty were of great concern. Mrs Bocoum also noticed that there had been no improvements in terms of respect of human rights since her previous visit in January 2001. **[9f]**

**5.3** In August 2001 Amnesty International issued an appeal to the Government, opposition leaders including those of armed groups active in the country, Burundian civil society and the international community, all of which it identified as having key roles as the country moved towards the transitional period. **[5c][16l]** In this Amnesty commented that in the main the Peace Agreement provided a legal framework that could provide better respect for human rights. However, it observed that its negotiation and signature had generated "a spiral of political tension and an upsurge in political violence." **[5c]** In a previous report from entitled "Between Hope and Fear" that was published in March 2001 Amnesty document many incidents of human rights abuses that have occurred since the Arusha peace agreement was signed in August 2000. **[5b]**

**5.4** The transitional Government, which took power on 1 November 2001, inherited a civil war in which both governmental and rebel forces were killing, raping, and otherwise injuring civilians and destroying their property. However, civilian casualties during 2001 were less than during the previous seven years of warfare. In part this was due to the fact that there were fewer large-scale massacres during 2001. **[6a]**

**5.5** Despite President Buyoya's stated commitment to end abuses by the military, numerous abuses were committed and perpetrators were not punished. Impunity for those who commit serious human rights violations, and the continuing lack of accountability for those who committed past abuses, remained key factors in the country's continuing instability. **[2b]**

## **Torture**

**5.6** The Transitional Constitution Act prohibits torture and other cruel, inhuman or degrading treatment or punishment; however, members of the security forces continued to torture and otherwise abuse persons during 2001. **[2b]** Iteka also stated in their report covering 2001 that torture remained widespread, despite laws against it. **[16v]**

**5.7** In October 2001 the Burundian Association for the Defence of the Rights of Prisoners (ABDP), a local NGO, conducted a survey on the use of torture. The survey covered Mpimba prison in Bujumbura and in the provincial prisons and detention centres in Rumonge, Gitega, Rutana, Muramvya, Ruyigi, Bubanza, Bururi, and Ngozi provinces. The ABDP estimated that prison officials and security forces used beatings with batons and pipes, tying victims with ropes, electrocution, burning, bayonets, and needles to torture up to 45 percent of the prison population. **[2b]** Amnesty International report that despite the change of government it continues to receive reports of torture at an alarming rate. The human rights organisation

state that ill-treatment in the custody of the security forces continue to devastate the lives of hundreds of Burundian people. **[5d]**

## **Extrajudicial killings**

**5.8** During 2001 security forces continued to commit numerous extrajudicial killings with impunity. The armed forces killed armed rebels and unarmed civilians, including women, children, and the elderly. Rebel attacks on the military often were followed by army reprisals against civilians suspected of cooperating with the insurgents. **[2b]**

**5.9** In October 1999 a soldier was convicted of killing Gabriel Gisabwamana, a Hutu member of the national assembly who had been shot dead in December 1999 for refusing to accompany soldiers to a military checkpoint. The soldier was sentenced to 18 months imprisonment and fined the equivalent of one US dollar. As he had already spent 18 months in custody he was immediately released. In February 1999 a military court of appeal found one officer and three soldiers guilty of killing at least 54 people, in December 1996, the majority civilian women and children. Those convicted were sentenced to prison terms of between one and two years. It is however rare for a soldier accused of involvement in human rights violations to be arrested and even more unusual that they are tried. In a press release in February 2002 Amnesty International comment that "the few trials which have taken place confirm the impunity of the security forces through the levity of the sentencing and demonstrate the contempt of the security forces for the lives of civilians." **[5d]**

**5.10** During 2001 there were no investigation or action taken against the members of the security forces responsible for killings that had occurred in 1999. The incidents in question were the October killings of 6 civilians by a government soldier at the Ruyaga regroupment site; the July killings by government soldiers of 30 civilians in Kanyosha; and the May killings by government forces of 11 Hutu civilians. There were also no developments in a January 1999 case in which 178 civilians were killed either by rebels or because they were caught in a crossfire between rebels and the army. **[2b]**

## **Disappearances**

**5.11** Human rights groups reported that abductions and disappearances occurred during the year. There were credible reports that abductions increased during 2001; however, no credible overall figures were available. **[2b]**

## **Abuses by rebel groups**

**5.12** Hutu rebels also continued to commit numerous serious abuses against civilians, including killings, rapes, theft, forced labour, and the abduction of children to serve as soldiers in the ongoing conflict between rebel and government forces. Rebels reportedly kill civilians for suspected collaboration with the regime and for their refusal to pay "taxes" to rebels'. **[2b]**

**5.13** Rebels were responsible for many of the disappearances that occurred during and also the kidnap and rape of women. On 9 November 2001, CNDD-FDD rebels abducted approximately 250 students from Musema high school in Kayanza province and set fire to the school, which was destroyed. The rebels forced the students to transport goods stolen from nearby homes and shops and beat those who faltered en route. Most of the students reportedly were released later in the year; however, the rebels still

held some students at the end of 2001. **[2b]**

## Freedom of Speech and the media

**5.14** The Transitional Constitutional Act does not impose restrictions on the media, although the Government restricts freedom of speech and of the press. A press law, in force since 1987, requires that newspaper articles undergo review by a government censor 4 days before publication. The Government controls the media and harasses and detains journalists. Journalists practice self-censorship. **[2b]** In April 2001 it was reported that journalists were increasingly demanding that the press laws be revised. **[4h]**

**5.15** The regime owns the only regularly published newspaper and the major radio and television stations. The government-owned *Le Renouveau* is published 3 times a week. The sole opposition newspaper, *La Lumiere*, ceased publication in March 2001 (**see paragraph 5.21**). Political tracts circulated, and two private faxed new sheets, *Azania* and *Net Press*, were published almost daily and represented mainly Tutsi political viewpoints; however *Net Press* ceased publishing for a period of time from December 2001 (**see paragraph 5.23**). **[2b]** A new newspaper, *Al Fatwa International*, was launched in April 2001. It is a quarterly newspaper with Muslim tendencies. **[17a]**

**5.16** The government-owned radio broadcasts in Kirundi, French, and Swahili and offers limited English programming. The private radio station, *Umwizero*, is financed by international donors and broadcasts in French and Kirundi. Listeners also can receive the British Broadcasting Corporation, Voice of America, and Radio France Internationale. The BBC began broadcasting from within the country following an agreement in March 2000 with the National Communication Council. Citizens were allowed to work as local reporters for foreign news organisations and filed reports regularly. **[2b]** On 29 January 2001 Radio *Umwizero* changed its name to Radio Sans Frontiers (RSF) *Bonesha FM*. **[23a]** The National Communication Council (CNC) asked for the change of name and frequencies in December 2000 stating that neither belonged to the association responsible for running the radio station. **[18a]**

**5.17** In March 2001 a new radio station called African Public Radio (*Radio Publique Africaine*) was launched. It has both Hutu and Tutsi staff members working side by side. In the few months it has been broadcasting the station has secured the highest audience rating ahead of the state radio and private stations. **[25a]** In September 2001 it was said that there are seven radio stations in Burundi, six of which are privately owned. **[4I]** Due to widespread poverty and limited literacy, radio remained the most important medium of public information. **[2b]**

**5.18** The Government restricted freedom of speech during the year; the Government arrested several persons for allegedly making false statements. On 1 May 2001 the Government prevented the president of the Confederation of Burundi Unions (COSYBU) from giving the traditional Labour Day address (**see paragraph 5.36**). On June 13 2001 a local administrator and army commander interrogated an expatriate NGO employee and many members of local associations from Kamenge and Kinama. This occurred after they had sent reports to diplomatic missions and human rights organisations about human rights violations perpetrated by security forces during the February and March 2001 conflict in Kinama and Kamenge. The administrator and commander told them that they did not have the right to discuss human rights abuses in the northern suburbs because the country was at war. **[2b]**

**5.19** No laws or regulations limit academic freedom, and no action was taken against persons at the University of Burundi for what they published or said. **[2b]**

## Journalists

**5.20** Security forces and the regime reportedly harassed and detained journalists. In September 1999 the Defence Minister publicly compared some journalists to rebels and indicated that they should be treated as such. When journalists protested what they described as a death threat, the Minister explained that he meant only to criticise unprofessional journalists. **[2a][3a][3b][9a]**

**5.21** On 10 March 2001 police barred three journalists from attending an opposition press conference at the international airport. The three, who reportedly held press credentials, were stopped by police nine miles from the airport where a presidential candidate for a coalition of ethnic Tutsi parties was returning to the country; one of the three was physically attacked during the incident. On 12 March 2001 a journalist working for the independent Bonesha FM radio station was detained for 48 hours then charged with violation Burundian Press Law. His editor in chief was also detained; this incident followed the broadcasting earlier in the month of an interview with the spokesman of the rebel group, FNL, at the time the group occupied an area on the outskirts of the capital. Following protests from several local and international NGOs the two were released after paying fines of approximately US\$ 100; the charges were dropped. **[3c][16f][30a]** Also in March Burundi's opposition newspaper, La Lumiere, ceased publication after publishing a list of the names and provinces of origin of all military officers. The owner of the FRODEBU newspaper, Pancrace Cimpaye, received threats from unknown persons, and as a result decided to cease publishing and chose to go into exile. **[2b]**

**5.22** On 19 October 2001 the director of the private Radio Publique Africaine (RPA) was reportedly detained for one day and beaten at the offices of the Special Investigations Bureau in the capital. The authorities had taken offence at an interview he had conducted with South African military peacekeepers whose arrival in the country the same day was supposed to have been kept quiet. **[30a]**

**5.23** In December 2001 government authorities halted the operations of the faxed news sheet Net Press and detained its editor for 1 week pending investigation of allegations of insulting the President and spreading harmful information. Charges against the editor were dropped when his family paid a fine without his knowledge and against his wishes. **[2b]** The Minister of Communications on 14 January 2002 again ordered the suspension of Net Press on the grounds that the news agency had not been observing Burundi's media law. The suspension effectively denied right of the private news agency to publish or post news on its web site. A statement explaining the decision read "For some time now, we have noted that Net Press editors and management have not been respecting the media law of March 1997, which stipulates that the media should avoid publishing information that is subversive, defamatory, abusive, false or even lies that are published with the sole aim of disturbing the prevailing situation in the country". However, the suspension was lifted on 23 February 2002. **[16s]**

## Freedom of religion

**5.24** The Transitional Constitutional Act provides for freedom of religion, and the Government respects

this right in practice. **[2b]** In their practice of religion, citizens generally tolerate other religions. Disputes between religious groups are rare, apart from minor disagreements over competition for followers. Since September 2000 Catholic Bishops drew up a joint message calling for dialog and compromise to end conflict, and the message was read in Catholic churches throughout the country. **[2c]**

**5.25** The Government requires religious groups to register with the Ministry of Internal Affairs so that it can keep track of their leadership and activities. The Government also requires that religious groups have a headquarters in the country. **[2b]**

## Religious Groups

**5.26** According to figures contained in Europa publications more than 65% of the population are Christians, the majority (an estimated 61%) being Roman Catholics. Anglicans number around 60,000, Protestants around 200,000, of which 160,000 are Pentecostals. Fewer than 40% adhere to traditional beliefs, which include the worship of God 'Imana' and about 1% of Muslims. The Bahá'í Faith is also active in Burundi. **[1b]** Whilst concurring with some of these figures, the US Department of State report on International Religious Freedom issued in October 2001 also contained some significant differences. Unofficial estimates based upon information from local religious officials suggest that an estimated 60% of the population in Burundi are Roman Catholics. There are also believed to be approximately 10% of Muslims, mostly living in urban areas. The report states that the rest of the population either belong to other churches, follow indigenous religions or have no affiliation. **[2c]**

**5.27** Activities of the Independent Evangelical Mission (IEM) were suspended throughout Burundi on 12 December 2000. The authorities stated that they had observed violations of the law and public order by the IEM and its members. **[9d]**

**5.28** In April the Government arrested the leader of an indigenous religious group and closed down his church after the leader's claims to divinity led to repeated clashes with a rival leader's adherents; the leader subsequently was released. The Government claimed to be motivated by concern for public order rather than religious bias. **[2b]**

## Freedom of Assembly and Association

**5.29** The Government restricts freedom of assembly; although the Transitional Constitutional Act permits political demonstrations, the Government does not permit them in practice. During 2001 the Government banned several meetings by mainly Tutsi groups critical of government policy and the peace process. **[2b]**

**5.30** PARENA intended to stage a protest march on 1 September 2001 but security forces surrounded party offices and the homes of the main party cadres early that morning and prevented the march from taking place. **[16m][18d]**

**5.31** On 15 September 2001 police were reported to have stopped a protest march planned by the pro-Tutsi PARENA Party. Police arrested around twenty people. **[18f]**

**5.32** On 12 September 2001, Diomedes Rutamucero, leader of a pro-Tutsi anti-genocide movement, (PA-

Amasekanya or Self-Defence Power Amasekanya) was arrested for organising an illegal demonstration. He was released on 19 September. His detention had met with disapproval from genocide survivors across Bujumbura. **[18e]**

## **Employment Rights**

**5.33** The law prohibits the performance of forced or compulsory labour by adults or children. Soldiers guarding internally displaced persons sites often required inhabitants to cook, fetch water, chop wood, and other chores without compensation. The rebels also require persons to perform regular night watches. **[2b]**

**5.34** The Labour Code states that children cannot be employed by "an enterprise" even as apprentices, although it also states that they may undertake occasional work that does not damage their health or interfere with their schooling. In practice children under the age of 16 in rural areas undertake heavy manual labour in the daytime during the school year. The World Bank reported that approximately 48% of children between the ages of 10 and 14 years worked in 1999. Children are prohibited legally from working at night, although many do so in the informal sector. Most of the population lives by subsistence agriculture, and children are obliged by custom and economic necessity to participate in subsistence agriculture, family-based enterprises, and the informal sector. The law prohibits forced and bonded labour by children; however, during 2001 there were reports that it does occur. **[2b]**

## **Trade unions and the right to strike**

**5.35** The Labour Code provides workers with a restricted right to strike. The restrictions on the right to strike and to lock out include: All other peaceful means of resolution must be exhausted prior to the strike action; negotiations must continue during the action, mediated by a mutually agreed upon party or by the Government; and 6 days' notice must be given. The Ministry of Labour determines if strike criteria have been met. The law prohibits retribution against workers participating in a legal strike. Unlike in the previous year, there were no arrests of union leaders or members during 2001. The Tutsi dominate the unions and also the formal sector of the economy. **[2b]**

**5.36** COSYBU president Pierre-Claver Hajavandi and his brother Raphael Horumpende, who were arrested in 2000 and accused respectively of organising a general strike and involvement in a grenade attack, were released during the 2001. However, on May 1, the Government prevented Hajavandi from giving the traditional Labour Day address, and the Government held elections for a new president of COSYBU. Hajavandi was re-elected; however, the Government declared the elections illegal and prevented him from representing COSYBU at the International Labour Organisation (ILO) annual conference. The Transitional Government, which was inaugurated in November 2001, recognised Hajavandi as COSYBU president. **[2b]**

**5.37** ILO has cited the Government for several violations of ILO Convention 87 on freedom of association. The Committee of Experts has expressed specific concern about the denial of trade union rights for public servants and juveniles, the election of trade union leaders, and the rights of unions to organise, administer activities, and defend the interests of their members. Unions are able to affiliate with international organisations. **[2b]**

## People Trafficking

**5.38** The law does not prohibit trafficking in persons. There were no reports of trafficking in persons, to, from, within, or, through the country during 2001. **[2b]**

## Freedom of Movement

**5.39** The Transitional Constitutional Act provides for the freedom of movement although the Government restricted this right in practice. In 2000 the Government discontinued its forced regroupment policy that had required approximately 330,000 Hutu from Bujumbura Rural province to live in government-controlled camps; there were no reports of forced regroupment during 2001 (see paragraph 5.69). **[2b]**

**5.40** Travel within the country was possible but could be hazardous in areas of rebel activity, particularly in parts of Bujumbura Rural, Bururi, Rutana, Ruyigi, and Makamba provinces. **[2b]** *Ligue Iteka* commented in its annual report covering 2001 that freedom of movement remains "seriously compromised" as a result of the insecurity within the country. The report notes that humanitarian assistance has suffered, as certain areas of the country have been inaccessible. **[16v]**

**5.41** A curfew was imposed on the capital Bujumbura, in August 1999. It was extended by two hours in September 1999, following a series of rebel attacks around the city. **[7a]** It started at 2200 and continued until 0500 in the morning. **[4a]** On 23 December 1999 the curfew was eased, to start at midnight. **[7a]** Two weeks of heavy fighting between the Burundi army and the rebel Forces Nationales pour la Liberation (FNL), took place in February 2001. **[16g]** On 4 March 2001 the curfew was again re-adjusted in the capital so as to commence at 2000 and run through to 0600; this was as a precaution against further rebel attacks. **[9e][16e]** Further fighting between the FNL and the army and police, was reported throughout September 2001. **[18h][24b]** At the end of 2001 the US Department of State reported that the curfew times for Bujumbura was between 11.00pm and 5.00 am. **[2b]**

**5.42** During 2001 the majority of citizens could travel legally in and out of the country. **[2b]** On 20 September 1999, Burundi and Rwanda agreed to adopt a free visa policy to facilitate the free movement of people between the two countries. Apart from the ordinary transit visa, Rwandan or Burundian nationals could get a free 30-day single entry visa in the embassies of the two countries, or on border posts. This period could be extended at the immigration offices within the respective countries. The visa requirement would no longer be considered necessary if the security situation were to improve in the regions. **[10a]**

**5.43** Unlike in 1999 the US Department of State was not aware of any incidents where the authorities restricted foreign travel for political reasons in 2000 and there have been no reports of any such incidents occurring in 2001. **[2a][2b]** The Government has not used forced exile as a means of political control. However, in its report covering events during 2001 the US Department of State noted that many persons remained in voluntary exile in Belgium, Kenya, Tanzania, DRC and elsewhere. A number of officials from the government of deposed president Sylvestre Ntibantunganya, who fled the country in 1996, have not yet returned. **[2b]** Following the July 2001 agreement to start the Transitional Government there have been reports of a number of opposition politicians returning to Burundi (see paragraph 5.62). **[2b][8f][18j]**

## 5B HUMAN RIGHTS - SPECIFIC GROUPS

### Women

**5.44** No legal restrictions hinder the participation of women in elections or politics, although women are underrepresented in government and politics. Of the 26 cabinet seats, women fill three. **[2b]**

**5.45** Domestic violence against women is pervasive; however, inadequate data make it impossible to quantify. Wives who suffer with physical abuse have the right to charge their husbands but they rarely do so. Police normally do not intervene in domestic disputes, and the media rarely report incidents of violence against women. The law does not prohibit specifically domestic violence; however, persons accused of domestic violence can be tried under assault provisions of the law. No known court cases have dealt with the abuse of women. The Government rarely investigates such cases, and prosecutions are rarer still. According to Ligue Iteka, many Burundian women are beaten by their husbands, forced out of their homes, denied basic food necessities, and denied freedom of movement. **[2b]**

**5.46** Members of the security forces raped numerous women during the 2001. According to the US Department of State there were credible reports that soldiers raped women almost nightly in the months following the fighting between security forces and rebels in February and March 2001. In April 2001 in Kinama, three soldiers and a civilian raped an 80-year-old woman. In July 2001 also in Kinama, two soldiers raped a 12-year-old girl during a robbery. On July 9, a group of civilians killed a soldier who had threatened to rape a woman. No action reportedly was taken against the civilians responsible by year's end. **[2b]**

**5.47** Prostitution is a problem. According to the Women's Commission for Refugee Women and Children, the ongoing conflict has forced many women into prostitution to feed their children. Increased prostitution has contributed to the growing incidence of HIV/AIDS. **[2b]**

**5.48** Women face legal and societal discrimination. In particular discriminatory inheritance laws and credit practices continued during 2001. By law women must receive the same pay as men for the same work, but in practice they do not. Women are far less likely to hold mid-level or high-level positions. In rural areas, women traditionally perform arduous farm work and marry and have children at an early age. **[2b]** In its annual report covering 2001 Ligue Iteka also referred to violations of women's rights in respect land ownership and protection following divorcee. **[16v]**

**5.49** Women have fewer opportunities for education than men do. Only 22 percent of women are literate compared to 46 percent of men. According to the Women's Commission for Refugee Women and Children, school attendance rates for girls are well below school attendance rates for boys and only 25 percent of university students were women. **[2b]**

**5.50** Several local groups' work in support of women's rights, including Burundi and Women United for Development and the Collective of Women's Organisations. **[2b]**

## **Children**

**5.51** The law provides for children's health and welfare, but the Government cannot adequately satisfy the needs of children and, in particular, of the large population of children orphaned by the violence since 1993 and by HIV/AIDS. Many of the victims in the civil war are children, and many children have lost family members and witnessed violence. **[2b]** According to estimates from the international NGO, Coalition to Stop the Use of Child Soldiers, there are some 14,000 Burundi child soldiers. **[16u]**

**5.52** The ongoing conflict and increasing prevalence of HIV/AIDS has increased the number of orphans, which has resulted in an increase in the number of street children. Teenage prostitution is also a problem. In 2000 the Government began a campaign to reduce underage prostitution. **[2b]** In March 2000 police arrested teenage girls from a club and detained them for several days; 20 were fined for prostitution. **[2a]**

**5.53** According to an statistics from UNICEF published in April 2002 regarding the 150 children incarcerated in Burundi's prison's crimes that they were accused of included theft or extortion (62%), murder or manslaughter (almost 11%) and rape (10%). Just under 5% were charged with participation in armed groups and a similar number with plotting a massacre. The majority (85%) were between 15 and 17 when first arrested whilst a further 11% were aged 13 - 14. A total of 97% of the children were from Burundi with the remainder from the DRC. **[16y]**

### **Ethnic Groups**

**5.54** The Tutsi, particularly southern Tutsi, historically have held power in Burundi and they dominate educated society and control the security forces. The principal national problem continued to be ethnic conflict between the majority Hutu and the minority Tutsi as well as the regional inequities between southern Bururi Province and most of the rest of the country. Burundi's civil conflict stems from almost four decades of violence and systematic discrimination, which compounds the fears by both Hutu and Tutsi of genocide and exclusion. The Tutsi claim to have been the targets of genocide carried out in 1993 by Hutu angered over the assassination of democratically elected Hutu president Ndadaye. In 1996 a coup deposed president Ntibantunganya, a central Hutu, and replaced him with Major Pierre Buyoya, a southern Tutsi. **[2b]**

**5.55** The Government failed to implement effectively the provisions of the Transitional Constitutional Act covering equal status and protection for all citizens. The Tutsi-dominated government and army reportedly discriminate against Hutu, affecting every facet of society, but most strikingly higher education and certain branches of the Government such as the armed services and the judicial system. Northern and eastern Tutsi also have a more difficult time acceding to positions of power. The Vice President and 15 of the 26 cabinet ministers are members of the G-7 Hutu-based political parties. However, the President and the Tutsi-dominated army retained their dominance in decision making and do not share power equally with Hutu members of the government. **[2b]**

**5.56** Incidents of ethnically motivated property destruction and killing occurred throughout the country in 2001. **[2b]** However, the one positive development during 2001 was the emergence of a new radio station, the RPA, which was particularly influential in advocating ethnic reconciliation and employed both Hutu and Tutsi staff. RPA struck a national chord quickly becoming Burundi's most listened to radio station. **[30]**

**5.57** Research conducted over five years by Tony Jackson, a policy advisor with International Alert, suggested that the geographical factor is even more important than ethnic identity. He reported finding that two thirds of the education effort went into the southern third of the country. He points out that education in Burundi is not a hermetically sealed system where if you are a Hutu you can not come in. He explained that everyone from a particular area can go to the same school so, a southern Hutu would receive a better education in the same way as a southern Tutsi would. He noted that some of the main opposition leaders, including one rebel leader, are all from the same southern area as Buyoya and the former presidents from the south. **[13a]**

**5.58** The research also suggested that Burundians were in general agreement that the army needs to be changed if long-term peace is to be achieved. He explained that a combination of its ethnic and geographical makeup leads people to believe that it is not independent. Regarding the justice system the research revealed that this is also considered one sided though probably more along geographical lines than ethnic. In an interview explaining his findings Jackson explained that most lawyers are Tutsi from the south. He commented that people's view is that Burundi needs a broader band of people representing the whole nation. He commented that this does not mean existing lawyers are doing a bad job; they are just seen as on one side and therefore justice is perceived as being on one side. **[13a]**

**5.59** The Twa (Pygmies), who are believed to be the country's earliest human inhabitants, now make up only about 1 percent of the population, and generally remain economically, socially, and politically marginalized. Most Twa live in isolation, without formal education, and without access to government services, including health care. **[2b]**

**5.60** The percentage of minorities in government or politics does not correspond to their percentage of the population; however, there are no laws that restrict the participation of minorities in the political process. Approximately 1 percent of the population is Twa (Pygmies), but there are no Twa in the Cabinet. One Twa is an appointed member of the National Assembly, and three are members of the Senate. **[2b]**

#### **Homosexuals**

**5.61** According to the Amnesty International publication "Breaking the Silence", 1997, homosexuality is not punishable as such under Burundian law; however it is punishable as an "immoral act". **[28]**

#### **Political Activists**

**5.62** Political parties operate under significant constraints and during 2001 the government arrested members of political parties. The Transitional Constitutional Act permits political parties to operate; however, the Government places restrictions on groups critical of its policies. **[2b]** Developments regarding the implementation of the Arusha peace agreement and the establishment of the Transitional Government during the latter part of 2001 resulted in a number of political figures who had been living in exile returning to Burundi and taking up various positions within the Transitional Government. **[8f][18j]** However, following the inauguration of the new Government some leaders also remained outside Burundi citing fears for their security **[11a][11b][15b]**

**5.63** The Government holds political prisoners. According to the US Department of State an international organisation estimated that up to 2,000 of all convicted inmates were being held for political crimes; however, no reliable figures are available. Charges against defendants convicted for non-political crimes are sometimes politically motivated. The 2000 peace agreement, which has not been implemented fully, calls for the creation, within 30 days of the installation of the transitional government, of a commission to investigate and make recommendations on the existence and release of any political prisoners. In December 2001 a commission of international legal experts arrived in Burundi to examine the judicial system and to identify political prisoners. **[2b]**

#### **Human Rights Activists**

**5.64** Domestic human rights groups received varying degrees of co-operation from government ministries during 2001. The local human rights group, Ligue Iteka, continued to operate and publish a newsletter. Human Rights Watch maintained an office in the country. The UN Special Rapporteur for Human Rights visited twice during the year. The office of the UNHCR maintained a three-person observer team, down from nine observers in 1999. The observer reductions resulted from security restrictions following an October 1999 attack on a UN humanitarian mission. **[2b]**

**5.65** Insecurity in rural areas was cited by the Government as a reason for denying access to some areas of the country to human rights observers as well as journalists and international relief workers. Army elements in the field frequently denied access to human rights observers when the army was accused of human rights violations. Observers were unable to investigate reports of killings due to these restrictions. **[2b]**

## **5C. HUMAN RIGHTS - OTHER ISSUES**

### **Internally Displaced Persons (IDP's)**

**5.66** According to the UN there were more than 353,000 IDP's living in 212 sites at the end of 2001; this represents approximately 5 percent of the total population. Many were Tutsi who have fled to other parts of the country since 1993 because of ethnic violence and never returned home. Soldiers did not restrict the movement of residents of IDP camps. Soldiers guarding these camps provided a measure of protection to camp inhabitants; however, they have previously committed human rights abuses against them on occasion. There was however no reports of abuses committed against IDP's during the 2001. Camp inhabitants often were required to perform labour for the soldiers without compensation. **[2b]**

**5.67** Approximately 200,000 IDP's lived outside displacement sites during 2001, either staying with friends, families or on their own. Some persons who remained outside the sites reportedly were killed both by Hutu rebels, allegedly for collaborating with authorities, and by the armed forces on suspicion of collaborating with the rebels. Approximately 100,000 persons fled their homes during the year. Some IDP's lived beyond the reach of aid programmes. **[2b]**

### **Regroupment camps**

**5.68** In September 1999, following repeated attacks on Bujumbura by the armed opposition, the government forced more than 290,000 mainly Hutu civilians to leave their homes in rural Bujumbura province and enter "regroupment" camps. Conditions in the camp were reported to be appalling and the relocated population at times lacked access to food, safe drinking water, shelter, basic sanitation and health care. **[2a][5a]**

**5.69** Following international condemnation of the regroupment policy the government of Burundi announced in early June 2000 that all camps would be closed by the end of July 2000. In the following days three camps close to Bujumbura were cleared by the security forces within a matter of hours. Approximately 40,000 were ordered abruptly to return to their homes; however, in many cases the warring factions had destroyed these. No provision was made for the basic needs of the returning population. **[5a]**

**5.70** On 1 August 2000 it was announced in the press that the closure of the regroupment camps in Bujumbura rural had concluded. Thirty-six camps in total were closed. However, approximately 12,000

people decided not to return to their homes because of the prevailing insecurity. **[9b]** At the end of September 2000 it was officially confirmed that all camps had been closed. **[5a]** There were no fresh reports of forced regroupment during 2001 **[2b]**

### **Refugees outside Burundi**

**5.71** The UN High Commissioner for Refugees (UNHCR) reported that as of the end of September 2000, about 10,000 Burundian refugees had returned during the year from Rwanda, Tanzania, the Democratic Republic of Congo (DRC), and other countries. **[2a]** During the same period, an estimated 47,528 persons fled Burundi to Tanzania. According to the US Department of State report covering 2001 the UN estimate that approximately 560,000 Burundian refugees, most of them Hutu, remained in Tanzania. **[2b]** However, according to official figures dating from August 2001 the number of Burundians in Tanzania as refugees is around 350,000; the same source suggests that this figure represents 95% of exiled Burundians. **[8e]** More than 23,000 refugees, most of them Hutu, are in Angola, Cameroon, the DRC, Kenya, Malawi, Rwanda, Tanzania, and Zambia. About 200,000 of Burundian refugees fled the country as early as 1972 and many others fled following the assassination of former president Ndadaye in October 1993. **[2b]**

**5.72** In August 2000 Burundi government, UNHCR and NGOs held tentative discussions regarding a planned infrastructure mechanism, in preparation for a possible return of refugees to the country subject to stability within the country. **[16c]** In January 2001 Burundi, Tanzania and the UNHCR agreed to sign a tripartite agreement on the voluntary repatriation of Burundian refugees in Tanzania; this was signed on 8 May 2001. **[8c][26a]**

**5.73** In August 2001 Burundi, Tanzania and UNHCR delegates met to discuss the repatriation of Burundi refugees based in Tanzania. **[16i]** The Minister for Refugee Repatriation said he expected Burundi to soon receive around 250,000 refugees who left the country in 1972 and around 300,000 others who left 1993. **[8e]** However, refugees who had left camps in Tanzania to return to eastern Burundi in August 2001 reported incidents of harassment and interference by the Tanzanian police. **[8d]**

**5.74** In March 2002 the UNHCR commenced an exercise that facilitated the voluntary repatriation of refugees based in the camps of western Tanzania. As of 24 April 2002 it was reported that more than 50,000 had registered for repatriation and more than 2,500 had been returned. The Governments of the Burundi and Tanzania stated that it was their objective to repatriate all voluntary returnees within six months. **[19c]**

### **Persons seeking asylum in Burundi**

**5.75** The Government of Burundi has granted first asylum in recent years. There were no reports of the forced return of persons to a country where they feared persecution during 2001. **[2b]** However, it was reported in February 2000 that the forced return of three Rwandan nationals who risked torture and unfair trial had occurred. **[5a]**

## **ANNEX A**

## CHRONOLOGY OF EVENTS

**1899** - Burundi (formerly Urundi) became part of German East Africa.

**1916** - Belgian forces from the Congo (now Democratic Republic of Congo) occupied the Territory.

**1958** - Union pour le progrès national (UPRONA) formed by Ganwa Prince Louis Rwagasore.

**1961** - Elections in **September** were won by the Union pour le progrès national (UPRONA). As leader of UPRONA, Prince Rwagasore became Prime Minister later that month, but was assassinated after only two weeks in office. His brother-in-law, Andre Muhira, succeeded him.

**1962** - Internal self-government was granted in **January** and full independence on **1 July**, when the two Trust Territories became separate states, as Burundi and Rwanda.

**1966** - In **July** the Mwami was deposed, after a reign of more than 50 years, by his son Charles, and the Constitution was suspended. In **November** Charles was himself deposed by his Prime Minister, Capt. (late Lt-Gen.) Michel Micombero, who declared Burundi a republic.

### 1969 - 1971

Several plots were made against the Government in 1969 and 1971.

### 1972 - 1973

In 1972 an abortive coup occurred, during which Ntare V was killed. Hutu activists were held responsible and the Tutsi conducted a series of large-scale massacres of the Hutu. The final death toll estimated around 100,000. Large numbers of the Hutu fled to neighbouring countries. Michel Micombero restructured the executive, which in 1973 resulted in an appointed seven-member Presidential Bureau, with Micombero as President and Prime Minister.

**1974** - In **July** the Government introduced a new republican Constitution which vested sovereignty in UPRONA, the sole legal political party. Micombero was elected Sec-Gen of the party and re-elected for a seven-year presidential term.

**1976** - On **1 November** an army coup deposed Micombero, who died in exile in July 1983. The leader of the coup, Lt-Col Jean-Baptiste Bagaza, was appointed President by the Supreme Revolutionary Council (composed of army officers), and a new Council of Ministers was formed.

### 1978 - 1980

In **October 1978** Bagaza abolished the post of Prime Minister. The first national congress of UPRONA was held in **December 1979** and a party Central Committee, headed by Bagaza, was elected to take over the functions of the Supreme Revolutionary Council in **January 1980**.

**1981** - A new Constitution was adopted by national referendum in **November** and provided for the establishment of a national assembly, to be elected by universal adult suffrage.

## **1982 - 1984**

The first legislative elections were held in **October 1982**. Bagaza, having been re-elected President of UPRONA (at the party's second national congress in **July 1984**), was the sole candidate and elected President of Burundi, by direct suffrage in **August**, winning 99.63% of the votes cast.

**1987** - On **3 September** a military coup led by Maj. Pierre Buyoya, deposed Bagaza and accused him of corruption. A Military Committee for National Salvation (CMSN) was immediately formed to administer the country, pending the appointment of a new President. The Constitution was suspended and the National Assembly was dissolved. On **2 October** Buyoya was sworn in as President of the Third Republic. His Council of Ministers included mostly civilians, retaining no minister from the previous regime.

## **1988 - 1989**

In **August 1988**, Hutu, claiming provocation, slaughtered hundreds of Tutsi in the towns of Ntega and Marangara. The Tutsi-dominated army was dispatched to the region and large-scale tribal massacres occurred. In **October** Buyoya announced changes to the Council of Ministers, the majority of which were Hutu. He appointed a Hutu, Adrien Sibomana, to the newly restored post of Prime Minister. A Committee for National Unity (comprising equal numbers of Hutu and Tutsi) was established to investigate the massacres. Buyoya announced plans to combat all forms of discrimination against the Hutu and regulations to ensure equal opportunities in education, employment and the armed forces. Despite these efforts political tension remained at a high level in 1989.

**1990** - Buyoya announced plans to introduce a democratic constitution under a one-party government in place of military rule. In **December** at a national congress of UPRONA, the CSMN was abolished, its functions transferred to an 80-member Central Committee. Buyoya was Chairman, with a Hutu, Nicolas Mayugi as Sec-Gen.

**1991** - In **February** a referendum was conducted, which overwhelmingly approved the draft charter on national unity. A ministerial shuffle saw Hutu appointed to 12 of the 23 government portfolios. In **March** a commission was established to prepare a report on the democratisation of national institutions and political structures, in preparation for the drafting of a new constitution. The commission's report was presented in **September**.

**1992** - The commission's proposals received the support of more than 90% of the voters in a referendum held on **9 March**. The new constitution was promulgated on **13 March**. There was an extensive ministerial reshuffle in **April**, 15 of the 25 portfolios appointments were Hutu. Buyoya approved legislation creating new political parties in accordance with the provisions of the new constitution. In **October** Buyoya created the National Electoral Preparatory Commission (NEPC), a 33-member body comprising representatives of the eight recognised political parties, together with administrative, judicial, religious and military officials. The NEPC convened for the first time in **November**. By **December** Buyoya had appointed a new 12-member technical commission, charged with drafting an electoral code

and a communal law.

**1993** - In **February** Buyoya announced presidential and legislative elections would be held in **June**, with elections for local government officials to be held in **November**. On **1 June** the Presidential Poll was won by Melchior Ndadaye of the FRODEBU with the support of the Rassemblement du peuple Burundian (RPB), the Parti du peuple and the Parti liberal, with 64.8% of the votes cast. Buyoya received 32.4% of the vote as the UPRONA candidate, with support from the Rassemblement pour la democratie et le developpment economique et social (RADDES) and the Parti social democrate. On **29 June** legislative elections for 81 seats in the national assembly were held. FRODEBU received 71% of the votes and 65 seats and UPRONA received 21.4% and the remaining 16 seats. None of the other four contesting parties secured the 5% minimum of votes needed for representation in the legislature. On **10 July** Ndadaye, Burundi's first Hutu Head of State, assumed the presidency. The new Prime Minister, Sylvie Kinigi, was one of seven newly appointed Tutsi ministers. On **21 October** Ndadaye and several prominent Hutu politicians and officials were detained and subsequently killed by insurgents, who proclaimed Francois Ngeze (UPRONA) as head of a National Committee for Public Salvation (CPSN). A state of emergency was declared by the armed forces, with national borders and the capitals airport being closed. The coup received unanimous international condemnation and there was renewed tribal violence, which undermined the support for the insurgents from within the armed forces and precipitated the collapse of the CPSN, which disbanded on **25 October**. Kinigi announced the ending of the curfew. On **28 October** the government reassumed control of the country. Ngeze and 10 coup leaders were arrested. In **December** a 27-member commission of judicial inquiry was created to investigate the insurgency. Also in *December* Sylvestre Ntibantunganya (who succeeded Ndadaye as leader of FRODEBU) was elected Speaker of the National Assembly.

**1994** - In **January** FRODEBU deputies in the National Assembly approved a draft amendment to the constitution allowing a President of the Republic to be elected to the National Assembly, in the event of the Constitutional Court's recognition of a presidential vacancy. UPRONA deputies boycotted the vote and challenged the validity of the amendment. Cyprien Ntaryamira was elected president and assumed the post in **February**. Anatole Kanyenkiko, a Tutsi, was elected Prime Minister. Ethnic tension was renewed. On **6 April** Ntaryamira was killed when the plane in which he was travelling, along with the President of Rwanda, who was widely acknowledged to be the target of an attack, crashed over Kigali airport. Sylvestre Ntibantunganya was made interim president. On **30 September** Ntibantunganya was elected to the presidency and formally inaugurated on **1 October**. Kanyenkiko was reappointed as Prime Minister. In **December** UPRONA announced its intention to withdraw from the Government following the election of Jean Minani as Speaker of the National Assembly. UPRONA accused Minani of inciting Hutu attacks against Tutsi in the aftermath of the October 1993 coup attempt. Ethnic tension persisted in the second half of 1994.

**1995** - A political crisis was averted in **January** when Minani assumed the role of FRODEBU party leader as part of a compromise. UPRONA declared its willingness to rejoin the government. On **22 February**, Antoine Nduwayo was appointed Prime Minister by a presidential decree. Political stability was undermined in early *March* following the murder of a Hutu Minister, Ernest Kabushemeye. An escalation in the scale and frequency of incidents of violence during 1995 prompted renewed concern that the security crisis would precipitate a large-scale campaign of ethnic massacres similar to that in Rwanda during 1994. In **May** humanitarian organisations suspended their activities in Burundi for one week in an attempt to draw international attention to the deteriorating security situation in the country. In **June** an Amnesty International report stated that national security forces had collaborated with extremist Tutsi

factions in the murder of thousands of Hutu since 1993.

**1996** - By early 1996 reports of atrocities perpetrated against both Hutu and Tutsi civilians by rogue elements of the Tutsi-led armed forces, including militias known as the *Sans échec*, and by extremist Hutu rebel groups, had become commonplace in rural areas. In **February** the UN Special Rapporteur on Human Rights concluded that no improvement had been made in the protection of human rights since mid-1995 and that a state of near civil war existed in many areas of the country. In **April** despite Ntibantunganya undertaking to establish a human rights commission and a comprehensive reform of the security forces, violence continued to escalate. In early **June** the International Committee of the Red Cross (ICRC) suspended all activities in the country following the murder of three of its workers. On **25 July**, in a bloodless military coup, the armed forces were extensively deployed in the capital. The National Assembly was suspended, as was all political activity. A nation-wide curfew was imposed and the national borders and Bujumbura airport were closed. Former president Buyoya was declared the interim president of a transitional republic. Pascal-Firmin Ndimira, a Hutu member of UPRONA, was appointed as Prime Minister at the end of **July**. In early **August** a new 23-member, multi-ethnic Cabinet was announced. Also announced was an expanded transitional national assembly, which would be inaugurated in September for a three-year period. Buyoya was formally inaugurated as president on **27 September**. In early **October** the National Assembly was formally reopened, but the majority of FRODEBU legislators boycotted the event. A report issued by the UN High Commissioner for Refugees (UNHCR) in **December** estimated that 1,100 individuals, predominantly Hutu refugees, had been killed by the armed forces in **October and November** alone. Also in **December**, Amnesty International alleged that the army had massacred as many as 500 Hutu civilians earlier in the month. The Burundian government denied the reports.

**1997** - In **January** the UNHCR reported that the army had, over a period of seven weeks, massacred more than 100,000 (mainly Hutu) civilians in 'regroupment' camps. Although the authorities asserted that the 'regroupment' programme was voluntary, and that members of all ethnic groups were seeking the protection of the camps, it was widely believed that Hutu civilians were being coerced into camps by the armed forces. According to government figures around 200,000 civilians had been regrouped into about 50 camps, while non-governmental organisations variously estimated the number affected at around 350,000 - 500,000. In late **May** the UNHCR appealed to bordering countries to cease repatriating Burundian refugees because of renewed massacres, notably in regroupment centres. Also in **May** 79 military officers accused of involvement in the October 1993 coup attempt were put on trial. An Amnesty International report in **July** appealed to the Buyoya regime to end the regroupment policy. It was estimated that as many as 250,000 people, mainly civilians, had died since the outbreak of hostilities in 1993. At the end of July it was reported that six people, convicted of acts of genocide in 1993, had been executed. Between **July and August** the Burundian courts issued 30 death sentences in relation to such crimes. In **December** the government suspended FRODEBU from political activities for six months, but reversed the decision later that same day. Civil unrest continued in late 1997.

**1998** - On **1 January** more than 1,000 Hutu rebels attacked Bujumbura airport, which resulted in at least 250 deaths. On **28 January** Minister of Defence Firmin Sinzoyiheba was killed in a helicopter crash. On **18 February** the second stage of Burundian peace talks was held. In **June** the government and the National Assembly signed a political accord and a new Transitional Constitution was promulgated on **6 June** replacing the law enacted by Buyoya after he took power in July 1996. In accordance with the Transitional Constitution Buyoya was inaugurated as president on **11 June**, with the new National

Assembly inaugurated on **18 July**. Peace talks opened in Arusha on **15 June** following by further talks in **July and October**.

**1999** - Fighting continued throughout 1999. Starting in **September 1999**, almost 350,000 people were reported to have been forcibly resettled into around 60 regroupment camps. Further rounds of peace talks are held. In **December** former South African President, Nelson Mandela, was named as the new mediator in the Burundi peace talks, following the death of Julius Nyerere in **October**. Mandela's appointment was welcomed by the Burundian Government and main opposition parties.

**2000** - Peace talks continued in **February and March 2000**. In **February** two committees set up to decide on how to deal with genocide suspects in Burundi were still unable to decide on the way forward. In **March** 2000 President Buyoya agreed to gradually dismantle the controversial resettlement camps. On **28 March** the authorities in Burundi said they had closed 23 of the estimated 60 camps. On **3 May** the National Assembly passed a dual citizenship law allowing Burundian citizens to hold a second nationality. In **July** the closure of thirty-six regroupment camps concluded in Bujumbura-Rural. In **August** peace talks continued and a peace agreement was signed on **28 August**. Following the signing, violence between Hutu rebels and the army continued. All regroupment sites were closed by **August**. In **October** two soldiers were executed for murder without having had legal representation during their trial or a chance to appeal their convictions. These were the first executions carried out since July 1999.

**2001** - On **29 January** Radio Umwizero changed its name to Radio Sans Frontiers (RSF) Bonesha FM. In **February** two weeks of heavy fighting took place between the Burundi army and the rebel Forces nationales pour la liberation (FNL). On **4 March** a curfew (2000 to 0600) was imposed in Bujumbura. Also in **March** a new radio station called African Public Radio was launched. In **April** a new newspaper called Al Fatwa, was launched. Also in **April** it was reported that the school year due to begin in January had still not begun due to the ongoing war in the country. On **18 April** there were reports of a failed coup attempt by junior army officers. In **May** Burundi reached an agreement with pharmaceutical companies to help reduce the cost of anti-retroviral drugs to HIV/AIDS sufferers in the country. In **July** the National Resistance Movement party was created. On **23 July** mutineers tried to release those held in prison following the April coup attempt. Also in **July** it was announced that President Buyoya would remain as president for the first 18 months of the country's transition. At the end of **August** over 320 soldiers were discharged from the army following both the April and July incidents. The Parliamentary Monarchist Party was created in **August**. Also in **August** a new constitution for the three-year transitional period was concluded. In **October** South Africa agreed to provide troops for a protection force demanded by opposition politicians before they would join the transitional government. Meanwhile the rebel CNDD-FDD faction was reported split. Meanwhile, the IMC moved from its former base in Arusha in advance of the instillation of the Transitional Government on **1 November**, the inauguration of which proceeded as per the agreed timetable with Buyoya sworn in as president and Ndayizeye as vice-president. During the latter part of 2001 several political figures who were living in exile returning to Burundi.

**2002** - In **February** the CNDD-FDD agreed a framework for negotiations designed to lead to a cease-fire. In **March** reports also suggested that FNL were ready to enter into dialogue. **April** saw delegations from the two CNDD-FDD factions and the FNL travel to South Africa for various separate talks.

## **ANNEX B**

### **Political and Organisations and Rebel Groups**

#### **Political parties within Burundi**

Political parties are required to demonstrate firm commitment to national unity and impartiality with regard to ethnic or regional origin, gender and religion, in order to receive legal recognition. The principal political associations participating in the peace negotiations comprised a grouping of 10 Tutsi parties, G10 (formally known as G8) and seven Hutu organisations (G7). **[1b]** Where known the details of the group each party was affiliated to during the talks is included in the information below. **[5b]**

#### **Alliance burundaise-africaine pour le salut (ABASA)**

Formed in 1993

Leader: Serge Mukamarakiza (Bujumbura faction) Térence Nsanze (external faction)

English translation: Burundo-African Alliance for Salvation

ABASA were a member of the G10 grouping of parties.

The party reportedly involved in the violent *villes mortes* - violent general strikes and paralysis of city life - that characterised life in Bujumbura between 1994 and 1996. **[1b][5b]**

#### **Alliance nationale pour les droits et le développement économique (ANADDE)**

Formed in 1992

Leader: Patrice Nsababaganwa

English translation: National alliance for Law and Economic Development

ANADDE was a member of the G10 grouping of parties and is one of three political parties that declined to sign the peace agreement on 28 August 2000 but did so the following month.

The party was linked to the *villes mortes*. **[1b][5b][8b]**

#### **AV-Intware**

Formed in 1993

Leader: André Nkundikije

English translation: Alliance of the Brave or The Valiant

AV-Intware was a member of the G10 grouping of parties.

The party has a small following, according to amnesty International they were not formed until 1996.  
**[1b][5b]**

### **Forum démocratique (FODE)**

Formed in November 1999

Leader: Deogratias Baburifato **[1b]**

### **Front pour la démocratie au Burundi (FRODEBU)**

Officially recognised in 1992, split in June 1999

Chairman: Jean Minani; Secretary-General: Domitien Ndayizeye (both external wing)

Leader of the internal wing is Augustin Nzojibwami - See also text below regarding split.

English translation - Front for Democracy in Burundi

FRODEBU were a member of the G7 grouping of organisations and, as the majority party in the National Assembly controlling a 65 of the 121 seats were also represented in the Government delegation.

Though formed in the mid-1980s FRODEBU were not officially recognised until mid-1992. The parties manifesto includes a commitment to abolish the death penalty. Many of its founder members including former presidents Melchior Ndadaye and Sylvestre Ntibantunganya were also founder members of the Burundian human rights organisation, *Ligue Iteka*. FRODEBU officially rejects recourse to violence.

**[1b][5b]**

However, as recorded in a report by Amnesty International dating from March 2001 the party has been frequently accused of links with armed opposition groups including PALIPEHUTU and subsequently the CNDD and its armed wing. Hundreds of supporters and officials of FRODEBU have been arrested and detained on the basis of such accusations. FRODEBU also used PALIPEHUTU networks to mobilise support for the 1993 FRODEBU election campaign. **[5b]**

Amnesty further reported in March 2001 that thousands of FRODEBU supporters were in detention, mainly on suspicion of participation in the massacres of Tutsi civilians in October 1993 or on suspicion of links with the armed opposition. Several senior FRODEBU representatives including some in government have been the subject of legal proceedings or accusations of participating in or inciting violence. Since 1993 the security forces or militias have reportedly killed 24 FRODEBU members of parliament. Others have fled into exile, many then joining ranks with the CNDD. **[5b]**

Divisions within the party have become obvious since Buyoya returned to power in 1996. The extent of

the crisis was revealed in March 1999 when the then Secretary-General, Augustin Nzojibwami expelled senior members of the party from the executive committee for alleged ethnicism and ill discipline. In retaliation, Jean Minani expelled Nzojibwami although he refused to recognise this. In June 1999 two factions emerged: the external Minani wing and internal Nzojibwami wing, which appears to be closer to the government. Senior party members including former president, Sylvestre Ntibantunganya, Léonce Ngendakumana and Domitien Ndayizeye rallied to the Minani cause. [1b][5b] In January 2002 Minani defeated Nzojibwami by 115 votes to 53 to take the post of Speaker in Burundi's Transitional National Assembly. [16r]

### **Inkinzo y'Ijambo Ry'abarundi (MSP - Inkinzo)**

Formed in 1993

President: Dr Alphonse Rugambarara

English translation: Guarantor (or Shield) of Freedom of Speech in Burundi

Inkinzo were member of the G10 group of parties.

A small Tutsi-dominated party MSP-INKINZO was critical of the Governments policy of regroupment on human rights and humanitarian grounds. MSP-INKINZO was also reported to have been heavily involved in the *villes mortes*. [1b][5b][17f]

### **Murundi rema wisubize icubahiro (MRC)**

Formed in July 2001

Leader: Colonel Epitace Bayaganakandi

English translation: Resistance Movement for the Rehabilitation of the Citizen

The party was created by a group of six pro-Tutsi political parties known as the G6. The parties all supported the candidacy of Bayaganakandi for presidency of the transitional period. Bayaganakandi was unanimously elected to lead the new party and formally signed in front of around 300 members and sympathisers of the movement. Bayaganakandi stated that the party was political in nature but peaceful. He also said the aim of the party is to gather together those who are demanding change in the country and effectively fight against extermination, genocide and the agreement signed in Arusha on 23 July 2001. [16j][17f][24a]

### **Parliamentary Monarchist Party (PMP)**

Formed in 2001

There are seven founder members who, in August 2001 applied for official permission to hold public meetings and establish the leadership organs of the new party. [18c]

## **Parti indépendant des travailleurs (PIT)**

Formed in 1993

Leader: Etienne Nyahoza

English Translation: Independent Labour Party

PIT were a member of the G10 grouping of parties and is one of three political parties that declined to sign the peace agreement on 28 August 2000 but did so the following month. **[1b][5b][8b]**

## **Parti Liberal (PL)**

Formed in 1992

Leader: Joseph Ntidendereza (internal wing) Gaëtan Nikobamyé (external wing)

English translation: Liberal Party

PL was a member of the G7 grouping of organisations.

According to information dating from March 2001 the party is split. Nikobamyé, a lawyer and businessman had fled the country because his business activities "apparently placed him in danger". **[1b][5b]** However, Nikobamyé returned to the country in 2001 and now holds the position of Minister of Country Planning, Environment and Tourism in the Transitional National Assembly. **[16q][18j]**

## **Parti du peuple (PP)**

Formed in 1992

Leader: Shadrak Niyonkuru (external) Séverin Ndikumugongo (internal)

English translation: People's party

PP was a member of the G7 grouping of organisations.

Allied to FRODEBU and also in favour the abolition of the death penalty. According to information dating from March 2001 the party is split, Niyonkuru who had fled the country following the 1996 coup leads one faction, Séverin Ndikumugongo who is based in Bujumbura leads the other. **[1b][5b]** Niyonkuru has now returned to Burundi and in January 2002 won the second deputy speaker's seat in the Transitional National Assembly. **[8f]**

## **Parti de réconciliation du peuple (PRP)**

Formed in 1992

Leader: Mathias Hitimana

English translation: **People's Reconciliation Party**

PRP were a member of the G10 grouping of parties.

Formerly the *Parti royaliste parlementaire* (same acronym) translated as the Parliamentary Monarchist Party. The PRP leader had been living in exile in Belgium but is now Minister of Energy and Mines in the Transitional National Assembly. [1b][5b][16q]

**Parti pour le redressement national (PARENA)**

Formed in May 1994

Leader: Jean-Baptiste Bagaza

English translation: Party for National Recovery

PARENA were a member of the G10 grouping of parties.

Formed following the return of former president Jean-Baptiste Bagaza from exile. Since its creation it has reportedly been linked to armed movements or militias within Burundi which have incited violence against FRODEBU members and Hutu civilians in general. In January 2000, nearly four years after their arrest several senior members of PARENA were convicted of plotting to assassinate President Buyoya. They were released in August 2000. [1b][5b]

On 19 September 2001 it was reported that there were problems prevailing within the pro-Tutsi National Recovery Party (PARENA). Party chairman, Bagaza decided from Kampala, Uganda to dismiss secretary general Remy Nkengurutse. PARENA vice-chairman Cyrille Barancira chose to resign in sympathy with his sacked colleague. The rest of the party's leadership was reported to be relieved the two men had left the party. The party's official line is to keep away from all the transitional institutions emanating from Arusha and Pretoria. [18g] Since signing the Arusha Accord in August 2000 in PARENA boycotted the subsequent negotiations on implementation. However, in January 2002 it was reported that Bagaza was planning to return from exile to negotiate his party's participation in the transitional institutions. [15b]

**Parti social démocrate (PSD)**

Formed in 1993

Leader: Godefroid Hakizimana

English translation: Social Democratic Party

PSD were a member of the G10 grouping of parties.

Members of the PSD are suspected of involvement in the *villes mortes*. Despite sometimes taking different positions from UPRONA, the party is generally perceived to be an UPRONA satellite.

[1b][5b][8b]

### **Rassemblement pour le démocratie et le développement économique et social (RADDES)**

Formed in 1992

Chairman: Joseph Nzenzimana

English translation: Rally for Democracy and Economic and Social Development

RADDES were present at the start of the peace negotiations but refused to sign a document on participation. It subsequently made a series of highly critical declarations accusing the late Nyerere of bias in his management of the talks. When RADDES joined the negotiations in February 2000 it became a member of the G8 subsequently re-named the G10 grouping of parties after UPRONA joined later in the year. RADDES are one of three political parties that declined to sign the peace agreement on 28 August 2000 but did so the following month.

The party was openly involved in the *villes mortes* and associated violence during the 1994-1996 period.

[1b][5b][8b]

### **Rassemblement du peuple Burundian (RPB)**

Formed in 1992

Leader: Balthazar Bigirimana

English translation: Rally of the Burundian People

RPB were a member of the G7 grouping of organisations.

The current leader of this FRODEBU-allied party, Bigirimana, has spent a period of time living in exile in Paris though now holds the post of Minister of Public Works and Equipment in the Transitional National Assembly. He had fled Burundi in late 1996 shortly after the arrests of close party associates. He had been actively pushing for investigations into the death of Ernest Kabushemeye, former Minister for Mines and Energy, who was gunned down in Bujumbura in March 1995 and the "disappearance" of Etienne Mvuyekure after his arrest by members of the armed forces in November 1997. The party is led in Bujumbura by Philippe Nzobonariba. [1b][5b][16q]

### **Solidarité pour la défense des minorités (SORJEDEM)**

English translation: Youth Solidarity for the Defence of Minorities

**Déogratias Niyonzima** was formally the leader of SOJEDEM that is no longer believed to exist. It is understood that the party served as a front for Tutsi militias in Bujumbura from 1994 onwards and was actively involved in the *villes mortes*. Niyonzima, who fled Burundi in 1997 after being briefly detained on suspicion of threatening state security and as of March 2001, was reported to be living in Kampala, Uganda. He was a member of the PRP delegation during the peace talks. [5b] Niyonzima returned to the country on 3 December 2001. [18j]

## **Union pour le progrès national (UPRONA)**

Formed in 1957, legally recognised 1960

Chair: Charles Mukasi - however, in October 1999 moderate members of the central committee who opposed Mukasi's rejection of the Arusha talks elected Dr Luc Rukingama as a rival chair.

English translation: Union for National Progress

UPRONA became a member of the G10 grouping of parties after its pro government wing joined what had been previously know as G8.

Following the 1961 elections the numerous small parties that had been defeated merged with UPRONA, which became the sole legal party in 1966. Party activities were suspended following the coup of September 1987, but resumed again in 1989. The party currently occupies 16 seats in the National Assembly, aside from FRODEBU they were the only other party to win seats in the elections of June 1993. Nevertheless, their 1993 polls represented a heavy defeat and unwilling to cede power, UPRONA were closely associated with violence by *Sans échec* (without failure) and other Tutsi militia during the period between 1993 and 1996. The Mukasi faction of the party are vehemently opposed to the peace negotiations whilst Rukingama represents the pro-government wing of the party. According to Europa the formation of the party was in 1958. [1b][5b]

## **Political alliances**

Two political alliances comprising of a combination of both Hutu and Tutsi parties were formed during the second half of 1999.

### **Alliance nationale pour le changement (ANAC)**

Formed in December 1999

ANAC were formed in response to the creation of CNPR (see below) and primarily consist of the external wing of FRODEBU and PARENA. [1b]

### **Convergence nationale pour la paix et la réconciliation (CNPR)**

Formed in October 1999

This alliance brings together UPRONA, the internal wing of FRODEBU and most of the minor Tutsi parties that had previously been in G10 (previously known as G8). **[1b]** The CNPR was perceived as a mouthpiece of the government and largely took the same positions as the Government during the negotiations in Arusha. **[5b]**

### **Externally based political parties**

The exclusion of political organisations advocating 'tribalism, divisionalism or violence' and the requirement that party leaderships be equally representative of Hutu and Tutsi ethnic groups have been opposed by some externally-based opposition parties. These include: -

#### **Conseil national pour la defense de la democratie (CNDD)**

Formed in 1994

Leader: Léonard Nyangoma

English translation: National Council for the Defence of Democracy

The CNDD were a member of the G7 group of parties during the peace talks.

The CNDD was formed in Bukavu, DRC, following the assassination in 1993 of President Ndadaye and the subsequent flight into exile of many FRODEBU and FRODEBU-allied politicians. The main stated aims at this time were to fight for the restoration of democracy and to end the Convention of Government power-sharing arrangement signed in September 1994. **[1b][5b][29]**

The Hutu-dominated CNDD retains many FRODEBU principles but advocated from its formation the use of its armed wing, the *Forces pour la Défense de la Démocratie* (FDD), Forces for the Defence of Democracy. The FDD initially carried out joint operations with PALIPEHUTU and FROLINA (see below) but such co-operation came to an end in 1995 over disagreements of strategy and the inclusion of Tutsi in the ranks of the CNDD. **[5b]**

The political wing of the CNDD comprises largely of Hutu intellectuals from the Southern Bururi area though many of the group's fighters were from other parts of the country. **[29]** In early 1998, the CNDD and FDD publicly split, with the commander-in-chief of the FDD, Jean-Bosco Ndayikengurukiye, breaking away to form a new faction, the CNDD-FDD, after claiming that Nyangoma was remote from the armed struggle. Several members of the political executive were also temporarily expelled. The CNDD retained its armed wing the FDD, although this was substantially diminished by the split. The FDD are thought to operate mainly in southern Burundi. Amnesty International report that FDD have been responsible for serious human rights abuses including the deliberate and arbitrary killings of unarmed civilians. There is an intense rivalry between the CNDD and the breakaway group and Nyangoma has threatened on several occasions to pull out of negotiations if the CNDD-FDD were permitted to attend. Following the

inauguration of the new Transitional Government on 1 November 2001 Nyangoma remained in exile. [5b][11a]

### **Front pour la libération nationale (FROLINA)**

Leader: Joseph Karumba

English translation: Front for National Liberation

FROLINA were a member of the G7 grouping of organisations.

A small breakaway faction of PALIPEHUTU and also believed to date from the 1970's. Karumba left Burundi after the 1972 massacres of Hutu and is based in Dar es Salaam, Tanzania. The group's armed forces are known as the *Forces armées populaires* (FAP), Popular Armed Forces. The group is mainly based in Tanzania but is largely inactive militarily. Since signature of the peace agreement, however, Amnesty International does refer to reports of small FAP units attempting to establish bases in southern Burundi. [5b][29]

In November 2001 Karumba stated it was still too soon for him to return from exile. He blamed the delay in his return upon the fact that a special protection unit for exiled leaders was yet to be formed. In February 2002 it was reported that the Immigration department in Tanzania had ordered the immediate involuntary repatriation of Karumba along with an official of PALIPEHUTU. Both men wrote to the authorities in Tanzania requesting more time. [11a][11b]

### **Parti de liberation du peuple Hutu (PALIPEHUTU)**

Formed in 1980 - based in Tanzania

Leader: Etienne Karatasi

English translation: Party for the Liberation of the Hutu People

PALIPEHUTU were a member of the G7 group of organisations.

Formed clandestinely in 1980 - earlier according to some sources - by Rémy Gahutu to fight against Tutsi domination and seek to advance the interests of the Hutu ethnic group. PALIPEHUTU are the longest established Hutu rebel group in Burundi. The group originates from the central Muramvya area of Burundi regularly states its complete independence from the CNDD who have many members from the south of the country. [1b][5b][29]

As stated in an Amnesty International Report, Between Hope and Fear PALIPEHUTU incited the civilian Hutu population to violence in 1988 in the north of the country in Ntega and Marangara, and several hundred Tutsi were killed. Members of the Tutsi-dominated armed forces killed 20,000 Hutu civilians in retaliation. PALIPEHUTU are also believed to have been responsible for armed attacks on Bujumbura and Bubanza provinces in November 1991 and April 1992 in an effort to disrupt the forthcoming 1993 elections. PALIPEHUTU campaigned clandestinely against the 1993 elections, claiming that no political change was possible for as long as the army remained Tutsi-dominated. The party was not officially

recognised in 1992 due to its mono-ethnic stance. **[5b]**

The CNDD split with its armed wing in 1998 and rivalry between PALIPEHUTU and the breakaway PALIPEHUTU-FNL is intense. PALIPEHUTU has no control over the PALIPEHUTU-FNL (more commonly referred to as FNL). PALIPEHUTU retains a small fighting force of its own; this is also called the *Forces nationales de libération* (FNL) - in this report any reference to this group will be referred to as "the armed group of the PALIPEHUTU. Karatasi, the current PALIPEHUTU president, lives in exile in Denmark. **[1b][5b]**

## Armed rebel groups

The following are the two major armed opposition groups active in Burundi. Neither group had any active participation in the Arusha negotiations and neither were signatories to the peace agreement. **[1a][5b]**

### Conseil national pour la defense de la democratie - Forces pour la defense de la democratie (CNDD-FDD)

Formed in 1998

Commander-in-Chief: Pierre Nkurunziza

English translation: National Council for the Defence of Democracy - Forces for the Defence of Democracy.

The group may be referred to as FDD but throughout this report they are referred to as CNDD-FDD.

This armed group is a breakaway-armed faction of the CNDD representing a force of some 30,000 that rebelled against the CNDD political leadership in 1998. The fact that the CNDD political leadership were from the southern Bururi area of the country whilst its fighters came from other areas of the country is believed to be a factor behind the split. However, the leader of the breakaway, Jean Bosco Ndyikengurukiye, is from Bururi, There is an intense rivalry between the two groups. **[1b][5b][29]**

For several years the CNDD-FDD had its main base eastern DRC, however during 2001 thousands of rebel combatants came home, hastened by signs that the DRC government were moving towards ending their own war. Even prior to 2001 the group had bases within Burundi, CNDD-FDD also incursions have been launched from Tanzania. The group has actively recruited out of Burundian refugee camps in Tanzania and includes many child soldiers in its ranks. Although primarily an armed opposition group the CNDD-FDD also have a limited number of political advisors within its ranks. CNDD-FDD is largely active in southern Burundi where it has committed wide spread human rights abuses. **[2b][5a][6b]**

In October 2001 Pierre Nkurunziza, formally a captain within the organisation, overthrew from his position of Commander in Chief. **[18i]** The new leadership has since engaged in dialogue with the authorities and international mediators regarding a possible cease-fire agreement. Ndyikengurukiye however continues to lead a faction. **[16t][14a]**

## **Forces nationales de libération (FNL)**

Leader: Agathon Rwasa

An armed dissident wing of PALIPEHUTU and based in southern Rwanda the PALIEPHUTU-FNL is most commonly referred to as the FNL (as is the case throughout this report). Until February 2001 Kossan Kabura led the FNL but together with other senior officials of the group he was removed from his functions and Rwasa, a senior FNL commander, was nominated as president and chief of staff. The FNL maintain bases within Burundi as well as the DRC. They have actively recruited from refugee camps in Tanzania. [1b][5b]

The FNL have been particularly active around Bujumbura. They have committed serious human rights abuses including the deliberate and arbitrary killings of unarmed civilians and prisoners of war, mutilation and torture. FNL are consistently reported to have links with armed opposition groups in Rwanda including the ex-FAR and *Interahamwe*. [2b][5b]

## **Front for Democracy and the Nation in Burundi - FRODEBU-Mparaniragihugu**

Formed in June 2000

Formed in 2000

Leader: Christian Sendegeya

The former vice president of the CNDD-FDD deserted the movement to set up his own group. According to a press statement at the time supporters of the new group felt that they could not opt for peace and reconciliation, and at the same time support war. The statement gave this as the reason why they had withdrawn from the coalition of the armed movement. [16b]

## **ANNEX C**

### **PROMINENT PEOPLE**

**Buyoya, Pierre:** Current President of Burundi. First took power in a coup in September 1987, deposing President Jean Baptiste Bagaza, whom he accused of corruption. In response to international pressure led the country to its first democratic elections in 1993. Buyoya returned to power in July 1996 in a bloodless coup supported by the armed forces. Following extensive peace talks 1 November 2001 Buyoya was sworn in as President for the first 18 months of the new transitional Government's three-year term. [1b][5b]

**Bagaza, Jean-Baptiste:** From Bururi Province, served as president of Burundi from 1976 to 1987. After

the 1987 coup he went into exile in Libya returning in 1994. Now leader of PARENA was, together with other party members, initially accused of involvement in the alleged plot and placed under house arrest. Charges against him were dropped in the run up to the start of the Arusha negotiations and he returned to exile. In late January 2002 he was reported to be living in Kampala, Uganda but planning to return to Burundi to negotiate his parties participation in the transitional institutions. In August 2000 Bagaza put his name forward as a candidate for the transitional presidency without success. [1b][5b][16d][18g][15b]

**Hitimana, Mathias:** The leader of the PRP and a businessman who lives in exile in Brussels. Hitimana is alleged to have been behind the financing and arming of the *Sans échec* militia. [5b]

**Mukasi, Charles:** From Ngozi Province in northern Burundi, served as Chair of the UPRONA until October 1999 when he was replaced by a pro-government figure. He has refused to accept his dismissal, claims to be party president and to be the victim of harassment by the president and security forces. Mukasi has also been accused of undermining the 1994 Convention of Government power-sharing arrangement and of orchestrating some of the spiralling violence that enabled Pierre Buyoya to return to power in 1996. [5b]

**Minani, Jean:** Leader of the external wing of FRODEBU, had been living in exile - as of March 2001 he was based in Dar es Salaam, Tanzania. He is accused of inciting violence in October 1993 after calling on Radio Rwanda for people to "resist" the coup. However, following the peace process [5b] However, Minani has now returned to Burundi and in January 2002 was elected Speaker of Burundi's Transitional National Assembly. [16r]

**Ndadaye, Melchior:** Burundi's first democratically elected President winning 64.8% of the votes in the poll on 1 June 1993. Stood as a candidate of FRODEBU but gained the support of the PP, PL and RBP. Killed during an attempted coup on 21 October 1993. Ndadaye was also a founder member of *Ligue Iteka*. [1b][5b]

**Ndayikengurukiye, Jean-Bosco:** Former CNDD-FDD Commander in Chief who led a breakaway from the CNDD in 1998. He is the brother of Nzojibwami, leader of the internal grouping of FRODEBU and a nephew of Léonard Nyangoma, president of the CNDD. Prior to joining the FDD, Ndayikengurukiye was undergoing officer training with the Burundian armed forces. [1b][5b] He was overthrown from his position in October 2001 by a team favouring negotiations for peace. However, subsequent reports from February 2002 suggest that Ndayikengurukiye maintains control of his own faction. [16t][18i]

**Ndayizeye, Domitien:** Current Vice President of Burundi and Secretary General of the external wing of FRODEBU; has also had legal proceedings brought against him on charges of threatening state security or involvement in the 1993 massacres. In August 2000 Ndayizeye received the backing of the G7 group for the presidency during the three-year transitional period of Government. In the event a compromise was reached over the presidency and on 1 November 2001 Ndayizeye was sworn in as Vice-President for 18 months after which he will serve as President for the remainder of the period. [2b][5b][16d]

**Ntaryamira, Cyprien:** Formally the Agriculture Minister in the FRODEBU government Ntaryamira was elected to replace Ndadaye by the National Assembly in early 1994 taking up office on 5 February 1994. Killed together with the President of Rwanda on 6 April 1994 after the Rwandan presidents plane was hit in a rocket attack and crashed in Kigali, Rwanda. Ntaryamira was a founder member of *Ligue Iteka*. [1b]

**Ntibantunganya Sylvestre:** Succeeded Ntaryamira as interim President in accordance with the constitution. After fresh presidential elections were discounted Nibantunganya was elected as President at a 'Convention of Government' on 30 September 1994. Buyoya deposed him on 25 July 1996 in a bloodless coup. **[1b]**

**Nyangoma, Léonard:** Served as Minister of Interior under president Ndadaye; currently holds the CNDD presidency. Nyangoma, along with other senior members of the CNDD, was charged *in absentia* with responsibility for a series of mine explosions in Bujumbura in 1997. **[5b]**

**Nzajibwami, Augustin:** leader of both the pro-government "internal" wing of FRODEBU and the National Assembly delegation during the talks Arusha. From Bururi Province, he is also a key figure in the CNPR. Nzajibwami was formerly an outspoken defender of human rights within FRODEBU and has been detained on several occasions, including in 1997, for his criticism of the regroupment policy. **[5b]**

**Rugambarara, Dr Alphonse:** A founder member of *Ligue Iteka* and leader of MSP-INKINZO. **[5b]**

## ANNEX D

### REFERENCES TO SOURCE MATERIAL

#### **[1] Europa Yearbook Publications**

(a) Europa World Year Book, Volume I - 2001

(b) Africa: South of the Sahara - 2002

#### **[2] US Department of State Country Report on Human Rights Practices in Burundi**

(a) Issued 23 February 2001 - covering 2000

(b) Issued 4 March 2002 - covering 2001 **International Religious Freedom**

(c) Issued 26 October 2001

#### **[3] Reuters News Service**

(a) 09/09/99 (b) 10/09/99 (c) 15/03/01

#### **[4] Pan African News Agency (PANA)**

(a) 01/09/99 (e) 05/03/01 (i) 25/05/01

(b) 13/06/00 (f) 05/04/01 (j) 13/06/01

(c) 20/09/00 (g) 05/04/01 (k) 12/07/01

(d) 19/12/00 (h) 05/04/01 (l) 19/09/01

#### **[5] Amnesty International**

(a) Annual Report 2001 - covering 2000 *Burundi Section only*.

(b) Burundi: Between hope and fear *published* 22 March 2001. *Press release and pages 60-68 of full report only*.

(c) Burundi: Preparing for peace - one year on *published* August 2001 *Public appeal - in full*.

(d) Press Release - 4 February 2002

#### **[6] Human Rights Watch**

(a) World Report 2002 - covering 2001 *Burundi Section only*.

(c) Burundi: To protect the people *published* December 2001. *Report in full*.

#### **[7] BBC World Service**

(a) 23/12/99 (d) 20/09/00 (g) 27/08/01

(b) 16/07/00 (e) 20/04/01

(c) 18/08/00 (f) 27/04/01

#### **[8] ABP News Agency, Bujumbura**

(a) 18/08/99 (c) 05/12/00 (e) 30/08/01

(b) 31/08/00 (d) 17/08/01 (f) 11/01/02

#### **[9] Radio Burundi, Bujumbura**

(a) 11/09/99 (c) 19/08/00 (e) 05/03/01

(b) 01/08/00 (d) 16/12/00 (f) 14/07/01

#### **[10] Rwandan News Agency (RNA), Kigali**

(a) 21/09/99

**[11] BBC World Monitoring Service - The Guardian, Tanzania**

(a) 06/11/01 (b) 22/02/02

**[12] All Africa News Agency (AANA),**

(a) 11/02/00 (b) 08/08/00

**[13] Alert Net**

(a) 15/04/02

**[14] Agence France-Presse (AFP)**

(a) 28/02/02

**[15] Foundation Hirondelle, Lausanne, Switzerland**

(a) 21/08/01 (b) 28/02/02

**[16] Integrated Regional Information Network (IRIN), Nairobi**

(a) 26/05/00 (h) 27/04/01 (o) 17/09/01 (v) 01/03/02

(b) 27/06/01 (i) 18/06/01 (p) 20/09/01 (w) 11/03/02

(c) 11/08/00 (j) 30/07/01 (q) 01/11/01 (x) 18/03/02

(d) 16/08/00 (k) 29/08/01 (r) 10/01/02 (y) 17/04/02

(e) 09/03/01 (l) 30/08/01 (s) 25/02/02 (z) 18/04/02

(f) 14/03/01 (m) 05/09/01 (t) 26/02/02 (aa) 30/04/02

(g) 16/03/01 (n) 06/09/01 (u) 28/02/02

**[17] Azania News Agency, Bujumbura**

(a) 17/04/01 (c) 31/07/01 (e) 28/08/01

(b) 23/07/01 (d) 01/08/01 (f) 28/08/01

**[18] Net Press News Agency, Bujumbura**

(a) 18/01/01 (d) 30/08/01 (g) 19/09/01 (j) 03/12/01

(b) 01/08/01 (e) 19/09/01 (h) 23/09/01

(c) 03/08/01 (f) 16/09/01 (i) 16/10/01

**[19] Xinhua News Agency, China**

(a) 08/08/00 (b) 07/03/01 (c) 24/04/02

**[20] Associated Press**

(a) 19/09/00

**[21] Post Express, Lagos, Nigeria**

(a) 30/07/00

**[22] Internews**

(a) 20/09/00

**[23] Radio Umwizero, Bujumbura**

(a) 31/01/01

**[24] Radio Bonesha, Bujumbura**

(a) 25/08/01 (b) 05/09/01 (c) 18/09/01

**[25] Radio France International, Paris**

(a) 21/08/01

**[26] The East African (Nairobi)**

(a) 28/05/01

**[27] War Resisters International - Refusing to Bear Arms**

Published 1998

**[28] The International Lesbian and Gay Association (ILGA)**

World Legal survey

[www.ilga.org/Information/legal\\_survey/africa/burundi.htm](http://www.ilga.org/Information/legal_survey/africa/burundi.htm)

*Information obtained from the ILGA web site was last updated on 23/04/99*

**[29] Federation of American Scientists - Military Analysis Network**

Burundi Civil War

[www.fas.org/man/dod-101/ops/war/burundi.htm](http://www.fas.org/man/dod-101/ops/war/burundi.htm)

*Information obtained from this web site was last updated December 1999*

**[30] Committee to Protect Journalists (CPJ)**

(a) Attacks on the Press report covering 2001

**[31] Ethnologue: Languages of the World**

Report for Burundi, from 14<sup>th</sup> Edition published 2002

Obtained from [www.ethnologue.com/show\\_country.asp?name=Burundi](http://www.ethnologue.com/show_country.asp?name=Burundi)

**[32] The Military balance, 2000/2001 IISS**

Information obtained from the Alert Net country profile for Burundi posted on the Internet at [www.reliefweb.int/w/rwb.nsf](http://www.reliefweb.int/w/rwb.nsf)

**[33] United Nations, Department of Public Information, Cartographic Section.** The map referred to can be found on the UN Cartographic Sections web-site at [www.un.org/Depts/Cartographic/english/index.htm](http://www.un.org/Depts/Cartographic/english/index.htm). The map is in the General Maps section.