

The Special Rapporteur (SR) stated that violations of the right to life are continuing to occur on a large scale in Burundi, marked by: extensive massacres, mainly of Hutus, by the Burundian army; bloody clashes between members of the army and rebel groups in different regions of the country, leaving many civilians dead; reprisals against civilians by the army or rebel groups; and operations in the provinces of Muramvya, Gitega, Kayanza, Bubanza, Kurutzi and rural Bujumbura, involving the roundup of Hutu civilians, forcing them to leave their hills and live in camps.

Reports are cited indicating that the first executions carried out in Burundi since 1982 occurred, involving the hanging of six men in the grounds of the prison in Bujumbura and, further, that the executions took place after a trial which reportedly fell short of international guarantees of due process. At least 150 persons sentenced to death were awaiting execution in Burundi prisons.

With regard to refugees, the report refers to the expulsion by Tanzania of 48 Burundian refugees, who, upon returning to Burundi, were arrested and taken to the military camp in Muyinga, where they were reportedly tortured and killed; in January 1997, 122 Burundian refugees sent back to Burundi by the Tanzanian authorities were allegedly killed by Burundian soldiers upon reentering the country, at the Kobero border post.

The SR stated that no reply has been received from the government regarding the allegations transmitted. The SR expressed concern at the persistent violations of the right to life, of which women, children, and the elderly are the main victims, and regret that death sentences are continuing to be handed down following judicial proceedings that do not meet international guarantees of due process and which therefore constitute another form of the violation of the right to life.

#### **Torture, Special Rapporteur on:**

(E/CN.4/1998/38, para. 37; E/CN.4/1998/38/Add.1, paras.40-43)

Urgent appeals were sent to the government related to: a minister of the Union of Baptist Churches of Burundi, who was allegedly arrested on the charge of having provided medical care to members of armed Hutu groups and tortured at the Special Investigations Brigade (BSR) in Bujumbura; a group of persons — including army officers, members of the Party for National Recovery (PARENA) and a former member of the Rwandan Patriotic Front — who were arrested on suspicion of having participated in a series of mine explosions at Bujumbura, as well as a plot to assassinate the President, and initially detained in the National Intelligence Documentation Service at Bujumbura and then transferred to other places of detention outside the capital; and, a group of 11 persons who had allegedly been arrested in various towns in connection with a series of mine explosions at Bujumbura, noting that one person was reported to have died after being tortured and denied medical care.

## **GENERAL ASSEMBLY**

### **Special Rapporteur of the Commission on Human Rights**

The Special Rapporteur's (SR) interim report to the 1998 General Assembly (A/53/490) contains information on, *inter alia*: recent developments in the Burundi crisis; the evolution of the conflict since the establishment of the Partenariat interne pour la paix; the current human rights situation; security incidents, the situation of internally displaced persons, regrouped populations and refugees; pre-trial detention and conditions of detention; and the living conditions of women and children. The Appendices to the report provide a breakdown of affected persons by province and detention statistics as of 27 August 1998. The report covers the period from 1 May to 15 September 1998 and is based, in part, on the SR's visit to Burundi from 21 August to 4 September 1998.

The section of the report concerned with major political developments notes, *inter alia*: approval in June 1998 by the National Assembly of a transitional document merging the 1993 constitution and a series of the decrees that were issued after the coup d'état that brought President Buyoya to power in July 1996; the beginning of new power-sharing arrangements with the appointment of two vice-presidents and a new cabinet with a more balanced representation of the two main communities in the country; and the creation of committees made up of government and political parties to deal with the nature of the conflict, democracy and good governance, peace and security, development and reconstruction, and the implementation of future peace agreements.

The main findings of the SR included, *inter alia*: security incidents involving rebels in the province of Kayanza, allegedly causing the displacement of about 30,000 people, but a general recovery of economic life in the province; return of the majority of displaced persons to Cibitoke and reconstruction efforts, including the rebuilding of homes and land being cultivated again; the arrival of refugees from DR Congo following fighting in the DRC in August 1998; and the strengthening of the offices of the UNHCR in Ngozi and Gitega, to facilitate work that includes carrying out investigations into human rights violations, visits to detention centres and prisons and activities concerning the monitoring and promotion of human rights.

Aspects of the current human rights situation noted in the report include: serious violations during attacks against the civilian population and killings in the course of military operations or rebel attacks or following clashes between the army and rebels in the western provinces; the pillaging and destruction of medical facilities during such attacks; displacement as a result of the violence perpetrated by, *inter alia*, rebels reportedly belonging to the Forces nationales de libération (FNL), the armed wing of the Parti pour la libération du peuple hutu (PALIPEHUTU); and retaliation by elements of the armed forces vis-à-vis families whose relatives are