

second provides a list of the most significant allegations made concerning violations of the right to life and to physical integrity.

The observations on developments in the crisis note that: the situation in Burundi and its influence on the human rights situation were closely linked to the resurgence of rebel movements in eastern DR Congo (then Zaire) and to the return of Burundi and Rwandan refugees to their countries of origin; despite all the statements made by the *de facto* government of its intention to work towards negotiations between all the parties to the conflict in Burundi, its actual political decisions seemed to be war-oriented; during the last quarter of 1996 and in January and February 1997, there was a revival of military operations by the army; the weakening of the rebel forces formerly based in DR Congo enabled the Burundi army to secure its control over a major portion of Burundian territory and to assert that the security situation was considerably improved; the improvement in the country's security situation was more the result of the hurdles faced by the rebel forces in the field than of greater success by the army in its clashes with the rebels; and, while maintaining a war mentality in the vain hope of crushing the rebels in the field, the *de facto* authorities are systematically resettling rural populations using an outdated strategy of forced "villagization". The SR expressed vigorous disapproval and condemnation of the forced resettlement of rural populations as a manifest violation of the relevant provisions of the ICCPR, as well as of other international human rights instruments to which Burundi is a party. The report also stated that the practice led to a marked deterioration of respect for human rights, if not an extremely serious aggravation of violations of the human rights of both the populations resettled under military threat and those who refused to obey and were immediately suspected of supporting the rebels. There was the additional risk that they would become targets in clashes between the army and the rebels and be slaughtered or massacred.

Referring to the marked improvement in freedom of movement and freedom to travel in a number of provinces, the report points out that freedom to move about in reasonable safety was ultimately acquired at the expense of the enjoyment of human rights by the vast majority of the rural population, as seen in the fact that: the women and men who were forcibly resettled in camps, frequently far from their homes, were only able to visit their fields for a short part of the day and under military supervision; because of insecurity or the long distances to travel, children were unable to attend school; there were no proper sanitary facilities; and there was a rising level of malnutrition in several regions and the risk of epidemics.

The section dealing with violations of the right to life and physical integrity is intended to underscore the SR's deep concern over the endless cycle of clashes and violence attributable to either the Burundi army or the rebel forces.

The report cites a number of incidents that were attributed to the army characterized by, *inter alia*: attacks by soldiers accompanied by civilians; the burning down of houses; murder of civilians during military operations to disarm people;

murders during military operations to overcome attackers who had previously taken some families hostage; massacres of civilians during military operations to hunt down rebels; massacres carried out by soldiers, sometimes with the participation of civilians, followed by summary burial of the victims in mass graves; arrest by the army of significant numbers of people on suspicion of collusion with the rebels, removal to a military base and subsequent mass execution; and murders during reprisal attacks by the army against rebels.

The section of the report dealing with acts of violence attributed to the rebel forces characterizes the acts as including, *inter alia*: deaths during rebel attacks on communes and in commercial districts; deaths and theft of considerable sums of money during attacks; ambush of military vehicles; attacks on public transport; burning down of houses and slaughter of cattle during rebel incursions; damage to hospitals and health centres and looting of pharmacies; rebel incursions into, for example, a tea plant and take-overs of military posts; murder of displaced persons, the killing of livestock, looting of property belonging to displaced persons and the burning down of houses; and, attacks on displaced persons living in camps.

Resolution of the Commission on Human Rights

The 1997 session of the Commission adopted a resolution by consensus on the situation in Burundi (1997/77).

The main elements in the text: expressed concern about the coup of July 1996; recognized the role women can play in the reconciliation process and urged the government to ensure equal participation by women in society and to improve their living conditions; encouraged countries that imposed sanctions to continue to evaluate the effects of them on the situation; condemned the massacres of civilians, extrajudicial, summary and arbitrary executions, disappearances, arbitrary arrests, and restrictions on movement committed by all parties; urged all parties to end the cycle of violence and indiscriminate violence against refugees, women, children and the elderly; expressed concern at the involuntary resettlement of rural populations in camps; characterized the change in government as unconstitutional; condemned the murder of three ICRC workers; called on the government to ensure that established legal standards and international human rights standards are fully respected; requested the government to do everything possible to eradicate impunity; called for the prosecution of those responsible for human rights violations and violations of international humanitarian law; expressed abhorrence for radio stations broadcasting racial or ethnic hate messages/programming; called on the government to continue cooperation with the UN Human Rights Field Operation and provide access throughout country; requested states not to allow their territory to be used as bases for incursions or attacks against another state; condemned the illegal sale and distribution of weapons and materiel; invited international financial support for projects for the reconstruction of Burundi; welcomed the technical assistance programme agreed to by the government and High Commissioner for Human Rights; extended the mandate of the Special Rapporteur for another year and requested that he provide an interim report to the 1997 session of the General Assembly and a final report to the 1998 session of the Commission.