

church and state; the creation of the National Security Council; the ratification of a number of international human rights instruments; approval by the government of independent associations for the protection of human rights; recognition of a multi-party political system; and the establishment of the Centre for the Promotion of Human Rights. Information on the general legal framework for the protection of human rights is mainly confined to a listing of the competent authorities and various courts and tribunals through which remedies for violations may be sought. Administrative mechanisms related to human rights are noted as including the Economic and Social Council, the National Security Council, the National Children's and Young People's Council and the Refugee Return and Reintegration Commission. The rights set out in the various international human rights instruments to which Burundi is a state party are protected by the Constitution and their provisions may be invoked before the courts or administrative authorities.

Economic, Social and Cultural Rights

Acceded: 9 May 1990.

Burundi's initial report was due 30 June 1992; the second periodic report was due 30 June 1997.

Civil and Political Rights

Acceded: 9 May 1990.

Burundi's second periodic report was due 8 August 1996.

Racial Discrimination

Signed: 1 February 1967; ratified: 27 October 1977.

Burundi's 11th periodic report was due 26 November 1998.

Discrimination against Women

Signed: 17 July 1980; ratified: 8 January 1992.

Burundi's initial report was due 2 February 1993; the second periodic report was due 7 February 1997.

Torture

Acceded: 18 February 1993.

Burundi's initial and second periodic reports were due 19 March 1994 and 1998 respectively.

Rights of the Child

Signed: 8 May 1990; ratified: 19 October 1990.

Burundi's initial report (CRC/C/3/Add.58) has been submitted and is scheduled for consideration at the Committee's January 2001 session; the second periodic report was due 17 November 1997.

COMMISSION ON HUMAN RIGHTS

Report of the Special Rapporteur

The mandate of the Special Rapporteur (SR) was established at the 1995 session of the Commission. The SR's report to the 1997 Commission described Burundi as a "democracy in neutral gear" as a result of the radicalization of the positions held by extremist groups following

the July 1996 coup and the increased militarization of society. The SR for 1998 was Mr. Paulo Sérgio Pinheiro.

The SR's main report for the 1998 Commission (E/CN.4/1998/72) was prepared following a visit to Burundi from 7 to 20 December 1997 and contains information on, *inter alia*: the situation in the field and the emergence of safe areas, the return of affected persons, serious violations of human rights by agents of the state, violence attributed to rebel groups, the absence of conditions conducive to a return to peace, tensions arising from divisive topics, measures to combat impunity, and initiatives aimed at the promotion of human rights.

The description of conditions at the time of the SR's visit notes, *inter alia*: difficult conditions in the camps for displaced persons; difficulties related to treatment in hospitals of war-wounded, victims of antipersonnel land mines, and those suffering from malaria, scabies or acute malnutrition; a general improvement in security, with the main roads cleared of mines; and, the effort made by the civilian and military authorities to involve the population more closely in the rebuilding of decent housing, especially for displaced persons, and in the night-time patrolling of residential areas and regroupment sites. The report notes, however, information related to civilians being substituted for agents of the state for the performance of tasks of a military nature; continued security problems, including harassment by rebels of people living in areas they cross through; and a marked degree of suffering among the rural population arising from malnutrition, epidemics, shortages of medicines, fuel price rises, shortages of fertilizer and seeds, livestock losses, and disruption of distribution channels.

The report refers to information and testimony from various sources, indicating that serious violations of human rights and international humanitarian law were still being committed by members of the army and law enforcement agencies, including massacres, disappearances, arbitrary arrests, and detention. The violations were reported to be particularly frequent in the provinces of Cibitoke, Bubanza, Bujumbura Rural, Bururi, and Makamba, where the situation remained unsettled. Conditions in the prisons are described as including overcrowding, in part because of the increasing number of arrests and the commensurate risk of the arrests being arbitrary, no electricity, inadequate ventilation of cells, inadequate medical care, and an increase in the number of cases of malaria, typhus, bacillary dysentery, and cholera.

The narrative on the violence attributed to rebel groups notes that the provinces of Cibitoke, Bubanza, Bujumbura Rural, Bururi, and Makamba remained pockets of conflict and that rebels often require people in the areas through which they pass to pay taxes to them and/or extort money from populations in other ways; steal livestock and seize crops; take vengeance on the local people when they are insufficiently cooperative; force civilians to follow them about the country, carrying their arms and equipment; kidnap young men and enrol them by force in