

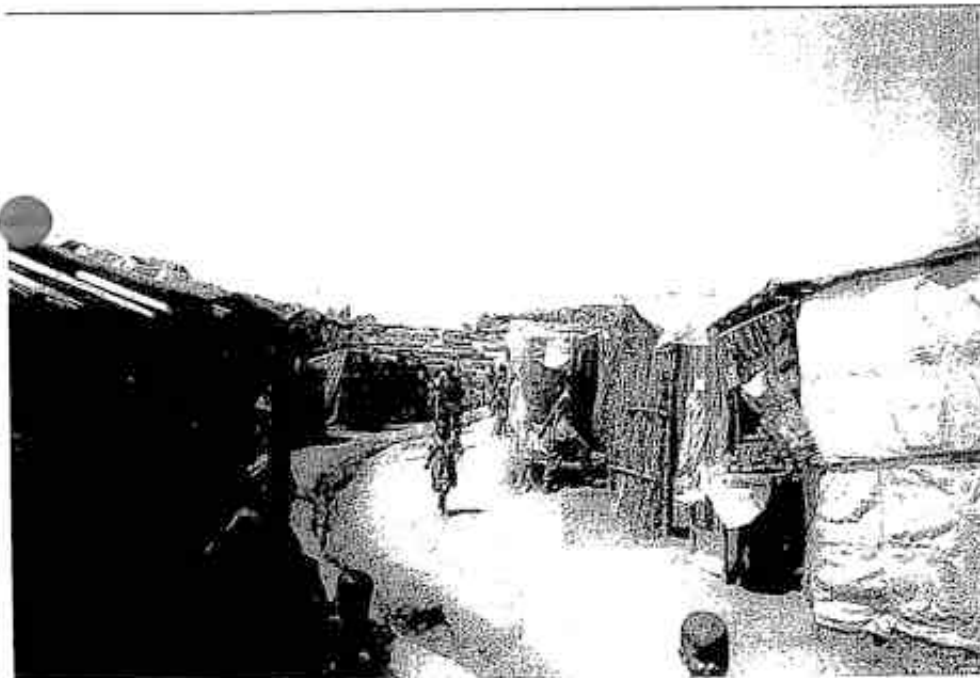
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350 Fifth Ave 34th Floor
New York, N.Y. 10118-3299
<http://www.hrw.org>

Antal oilag Aktr. 19

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Kavumu Camp ©2000 Human Rights Watch

Before regroupment, there were no rebels on our hills. Now there are rebels operating there. So was regroupment such a good idea? I am a widow. My house is destroyed. Where do I go back to?

Testimony to Human Rights
Watch
March 15, 2000

EMPTYING THE HILLS Regroupment in Burundi

1630 Connecticut Ave, N.W., Suite 500
Washington, DC 20009
TEL (202) 612-4321
FAX (202) 612-4333
E-mail: hrwdc@hrw.org

33 Islington High Street
London N1 9LH UK
TEL (44171) 713-1995
FAX (44171) 713-1800
E-mail: hrwatchuk@gn.apc.org

15 Rue Van Campenhout
1000 Brussels, Belgium
TEL (322) 732-2009
FAX (322) 732-0471
E-mail: hrwatcheu@skynet.be

BURUNDI

EMPTYING THE HILLS

Regroupment in Burundi

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I. SUMMARY

The Tutsi-dominated government of Burundi, combating rebellions among the Hutu majority, began forcing civilians in the area around the capital into so-called "protection sites" or "regroupment camps" beginning in late September 1999. Burundian authorities claimed the measure was intended to protect the civilians, most of them Hutu, from attack by the rebel National Liberation Forces (Forces Nationales pour la Libération, FNL) who were becoming increasingly well-entrenched in the area. In fact, they meant to deprive the FNL of support from local people who helped them, sometimes willingly, sometimes under duress. By removing civilian support, the authorities hoped to isolate the FNL and thus reduce its increasingly frequent attacks on the capital. They hoped also to quiet Tutsi extremists who accused them of weakness in confronting the rebel threat.

Soldiers used force and threat of force to make civilians move to the sites, where no preparations had been made for their arrival. In failing to provide for the basic needs of those displaced—shelter, food, water and sanitation—the Burundian government violated the norms and principles of international humanitarian law. From the start, camp residents have lived in inhumane conditions, subject to arbitrary restrictions, demands of forced labor, and punishment by soldiers. As one camp resident commented, "We live in misery so that people in the capital can live in security."¹

After the beginning of regroupment, rebels reduced their attacks on Bujumbura although they continued attacking soldiers and sometimes civilians in the countryside. In the early months of 2000, both rebels and the army increased military activity parallel with new efforts to settle the war by negotiation. Soldiers became increasingly concerned about rebel activity within the camps. They selected suspected rebels from among camp residents and beat them to obtain information and to force them to join the government side. In several cases, soldiers beat the suspects to death.

Soldiers also raped and sexually harassed women who live in the camps. They recruited children to spy for them in the camps, to help them loot property, and to serve as lookouts, scouts, and porters when they are on patrol.

By the end of 1999, authorities had obliged some 80 percent of the population of the province of Bujumbura-rural—some 350,000 people—to live in fifty-three camps.² Although regroupment helped reduce attacks on the capital city, rebels remained firmly established in rural areas. They simply shifted from one place to another when attacked by the army, which had insufficient troops available to control the whole region at the same time. Rebels continued to live off the crops of local people and even to inhabit the houses of those forced to live in the camps.

The international community severely criticized the policy of regroupment. In January 2000, the Burundian government promised to begin closing the camps but it made little progress in doing so until early June. At that time, rebel leaders made closing the camps a precondition for peace negotiations and former South African President Nelson Mandela, facilitator for the negotiations, condemned the regroupment sites as "concentration camps." Under this pressure, President Pierre Buyoya agreed that everyone in the camps would be allowed to return home by the end of July.

At the time of writing, about two-thirds of those forcibly displaced from their homes in September 1999 still lived in misery in the camps. This report documents the human rights abuses inflicted on them as well as on those who have been able to return home. It shows the importance of closing the camps promptly and completely and of holding perpetrators accountable for abuses they have committed.

¹ Human Rights Watch interview, Bujumbura, December 12, 1999.

² Ligue Burundaise des Droits de l'Homme Iteka, *Le Burundi à la croisée des chemins, Rapport Annuel Sur Les Droits de l'Homme, 1999* (Bujumbura, April 2000), p. 53.

This work presents information drawn from twenty of the fifty-three camps. It is based on visits to the camps as well as interviews with camp residents, representatives of local and international nongovernmental organizations familiar with conditions in the camps, and military and civilian officials of the Burundian government.

II. RECOMMENDATIONS

To the Government and Armed Forces of Burundi:

- Permit all camp residents who wish to return home to do so immediately. Provide adequate facilities for those who feel they must remain in the camps for their own safety, in accord with the Guiding Principles on Internal Displacement.
- Establish no more regroupment camps in any part of Burundi.
- Immediately direct all members of the Burundian Armed Forces to end the practices of summary execution, rape, and torture, including tightly tying and beating detainees and prisoners (*imvuto*), as well as the practice of forcing civilians to work for them.
- Investigate allegations of summary executions, rape, beatings, torture, and other abuses by the armed forces, and punish those responsible for such abuses in accordance with internationally accepted procedures. These investigations should include the cases of Nicodème Sibomana and Jean-Marie Bigirimana as well as the behavior of troops at Kavumu camp on May 7.
- Respect international humanitarian law, prohibiting the targeting of civilians and civilian objects in military operations, indiscriminate attacks, looting and unnecessary destruction of civilian property.
- End recruitment and use of persons under the age of eighteen as members of the armed forces or as helpers (*doriya*) of soldiers. Provide appropriate facilities for the rehabilitation and education of such children, including any from opposition forces who might come into the hands of government authorities.
- Direct administrative authorities to prepare inventories of property confiscated or pillaged from camp residents and seek to restore these goods or to provide some form of just reparation for them.
- Facilitate access by human rights monitors, whether from the United Nations field office or from local or international human rights associations to the province of Bujumbura-rural.

To the FNL and other rebel groups:

- Immediately instruct all combatants under your authority to respect international humanitarian law, prohibiting indiscriminate attacks on civilians, rape, and destruction or looting of civilian property.
- End recruitment and use of persons under the age of eighteen as members of your forces or as helpers (*doriya*) of combatants.
- Investigate alleged violations of international humanitarian law by your combatants and insist upon accountability for such violations.

To the United Nations High Commissioner for Human Rights:

- Ensure that the United Nations Human Rights Field Office monitor the closing of the camps, including those previously considered inaccessible, in order to ascertain the actual return of people to their homes. If necessary, such monitoring could be done by helicopter.

To the UNICEF:

- Direct protection officers in Burundi to investigate immediately the situation of children used as soldiers and to assist in preparing plans for their rehabilitation and education.

To the Facilitator Nelson Mandela and the International Community:

- Monitor the implementation of the announced decision to close the regroupment camps to ensure that all civilians who wish to go home are allowed to do so.
- Continue to provide aid and assistance to returnees from regroupment and IDP camps.
- Provide necessary resources to the United Nations Human Rights Field Office and seek to ensure that it function effectively in monitoring the closure of the camps and other abuses of human rights.

III. BACKGROUND

In the struggle for power in Burundi, the numerous contenders have aligned themselves in shifting groupings according to various interests—regional, economic, personal—and, most importantly, ethnic. Most Burundians define themselves as Hutu, by far the largest part of the population, or as Tutsi, a minority of some 10 to 15 percent who have ordinarily exercised political, military and economic power disproportionate to their numbers.³ The current government is headed by Major Pierre Buyoya, a Tutsi officer who took power in a military coup in 1996. Although it includes some Hutu, it is dominated by Tutsi, as are the Burundian armed forces. Buyoya headed the government once before following an earlier coup, but ceded power to a democratically elected Hutu president, Melchior Ndadaye, in 1993. Ndadaye governed for only a few months before being murdered by Tutsi army officers, who also killed other leaders of his political party, the Front for Democracy in Burundi (Front pour la Démocratie au Burundi, FRODEBU). Hutu, in many cases organized by officials or political leaders, then slaughtered thousands of Tutsi civilians. Tutsi soldiers and police subsequently massacred thousands of Hutu, in some cases in communities where there had been no previous killings of Tutsi.⁴

From the time of the Ndadaye murder to the time when Buyoya took power in 1996, the two most important political parties, FRODEBU and the National Union for Progress (Union Nationale pour le Progrès, UPRONA), along with smaller partners attempted to govern in an uneasy coalition. They sometimes yielded to pressure from Tutsi extremist parties whose militia carried out "dead city" operations in which they forced businesses and offices to close and brought life in Bujumbura to a standstill. On the other side, increasingly militant Hutu took up arms in rebel

³ Other ethnic groups include the Twa, descendants of a hunting and gathering population, and Ganwa, descendants of previous kings of Burundi.

⁴ See Human Rights Watch, International Federation of Human Rights, Ligue des Droits de la Personne dans la Région des Grands Lacs, Organisation Mondiale Contre la Torture, Centre National pour la Coopération au Développement, Nationaal Centrum Voor Ontwikkelingssamenwerking, Novib, *Rapport Final de la Commission Internationale d'Enquête sur les Violations des Droits de l'Homme au Burundi depuis le 21 octobre 1993*, July 5, 1994.

movements, three of which currently pose the major threat to the government. The FNL, important more for its military capacity than for the numbers of its adherents, is strongest around the capital; the Forces for the Defence of Democracy (Forces pour la Défense de la Démocratie, FDD), the largest of the rebel movements, challenges the government primarily in the south and east; the less important National Liberation Front (Front pour la Libération Nationale, FROLINA) operates largely in the east. Several of the political parties and armed opposition movements have split, including FRODEBU and FDD, further complicating negotiations for ending the war.

After Buyoya took power, his coup was sharply criticized by most international actors and governments of neighboring states imposed a boycott on Burundi. In 1998 Buyoya agreed to share power with the National Assembly and began negotiations for a peace settlement with opposing parties and some of the armed opposition groups. The negotiations dragged on for a year and a half with little progress but at the start of 2000 they showed fresh promise after Nelson Mandela assumed the role of facilitator. He insisted the negotiators confront the real issues, political control during the transition period, the ethnic composition of the army, and the need for justice for past abuses. He also invited into the process the two most important armed groups, previously absent from the talks. As Mandela pushed for a prompt conclusion to the negotiations, military activity increased in the east and in the south as well as around the capital as both the army and the armed groups sought to secure the strongest possible base for negotiations.

IV. "REGROUPING" THE POPULATION AROUND BUJUMBURA

The Policy Decision

The province of Bujumbura-rural, which surrounds the city of Bujumbura on three sides, is composed of rugged, mountainous terrain well-suited to guerrilla warfare. In late 1997 and 1998 FNL combatants moved into the region from areas further north, winning some support from a population made up largely of poor Hutu cultivators. Where local people did not willingly help the FNL combatants, the rebels took food and other goods from them by force. They sometimes forced local people to accompany them to carry pillaged goods and even to spend some months working for them. Some of them raped women, although the FNL code supposedly prohibits sex as well as smoking and drinking. In a number of ambushes, rebels attacked vehicles and killed civilians. When rebels and soldiers engaged in combat, civilians were sometimes caught in the crossfire or were later attacked by soldiers in apparent reprisal for rebel attacks in the area.⁵

In July and August 1999, the rebels launched increasingly frequent and damaging raids in and around Bujumbura, killing dozens of civilians as well as some soldiers. The army retaliated with attacks that killed more than one hundred civilians as well as combatants and the government tightened an existing curfew. These measures failed to satisfy Tutsi extremists in Bujumbura who demanded more drastic action to protect the city and to repress the rebellion.⁶

With rumors circulating of a possible coup and of violence being organized by extremists, the government decided to impose a policy of regroupment on most of Bujumbura-rural, particularly on areas inhabited largely by Hutu and near the city. In attempting to justify the decision, Buyoya later said he had had to make "a difficult choice between two evils." He continued

violence was threatening Bujumbura, residents of Bujumbura-rural were seriously threatened by the rebellion, the capital was threatened by large-scale massacres, so we had to take the bull by the horns and take appropriate measures to stabilize the situation.⁷

⁵ Human Rights Watch interviews. Mubone, March 6; Maramvya, February 10; Bujumbura, March 15, 16, and 20, April 25 and 26, 2000.

⁶ Ligue Burundaise des Droits de l'Homme, Itaka, *Le Burundi à la croisée des chemins, Rapport Annuel sur les Droits de l'Homme*, April, 2000, pp. 9-10.

⁷ United Nations Integrated Regional Information Network (IRIN) report number 901, April 11, 2000.

Some highly placed officials as well as knowledgeable foreign observers believe that the decision was motivated as much by political pressure from extremists as by military considerations.⁸

In 1996, the government had begun using regroupment elsewhere in the country to try to prevent the spread of the rebellions and to cut the rebels off from support by local populations.⁹ In several regions, the policy helped reduce rebel attacks on both military and civilian targets, but only at the cost of imposing enormous suffering on the people required to live in the camps. After insurgent activity diminished in most areas and faced with international criticism, the government had dispersed most of the camps by late 1998. In mid-1999, it had revived the regroupment policy in parts of southeastern Burundi before deciding to extend it to the area of the capital in September.

Forced Displacement

In one community after another in late September and early October 1999, soldiers forced people to leave their homes with little or no notice. They arrived in the rural areas where most people live in homes scattered across the hills and simply fired in the air before ordering the frightened people to gather at designated sites. Often they forced them to leave without allowing them time to gather belongings or even food to take with them.

In some cases, soldiers shot and killed those who did not follow their orders quickly or completely enough. One man stated that his older brother was killed at Buhonga because he refused to go to the camp site.¹⁰ Another man forced to go to Buhonga camp related that he, his wife, and seven children were driven from their home by soldiers at around 2 p.m. on the afternoon of September 21. He said that three women had been killed by soldiers firing their guns "carelessly" that day.¹¹

A man from Kamutwe camp stated:

The morning of regroupment, the soldiers came and shot into the air. This scared many people and they all fled their houses to go where it was safe. Soldiers herded everyone towards Buhonga and then only after towards other camps at Mboza, Kamutwe, Raro, and Nyamaboko.

He added that two of his cousins who hid rather than leave their home were found by soldiers and shot.¹²

A resident from Muberure camp said:

The day of regroupment there was a panic. There had been no meetings to prepare people for this. Very early in the morning, the soldiers shot in the air. They had a system planned for getting people out of their houses and driving them to the site. The people fled from one group of soldiers to the next until they were herded into one corridor which was the only path they could follow. The soldiers ordered people to go towards the site. They said, "If you don't go, you will be considered accomplices [of the rebels]."

This witness said that soldiers shot and killed four people that day.¹³ Another witness from Muberure stated that soldiers shot six people whom they found in a Pentecostal church. Still another man from Muberure declared that he

⁸ Human Rights Watch interviews, Bujumbura, December 12 and 16, 1999.

⁹ For earlier cases of regroupment in Burundi, see *Proxy Targets Civilians in the War in Burundi*, Human Rights Watch, 1998. Available on the web at www.hrw.org.

¹⁰ Human Rights Watch interview, Bujumbura, January 18, 2000.

¹¹ Human Rights Watch interview, Bujumbura, January 18, 2000.

¹² Human Rights Watch interview, Bujumbura, February 22, 2000.

¹³ Human Rights Watch interview, Bujumbura, February 24, 2000.

saw thirteen of his neighbors shot by soldiers on the day of regroupment, including a fifteen-year-old girl and a ten-year-old boy.¹⁴

Two witnesses from Nyamaboko camp said they had seen soldiers shoot civilians during the regroupment process. One was a woman who said she had seen her uncle, a brother-in-law, and a neighbor killed by soldiers. She and her children had then fled with just the clothes on their backs.¹⁵

A resident of Nyambuye camp stated that he and his neighbors had been taken completely unawares by the government decision to force them to move. They learned of the new policy when soldiers came into the community and started firing their guns in the air. He declared that four men from his community were killed by soldiers that day, including one who was married to his sister.¹⁶ A woman from the same camp said that four men, one a thirty-year-old father of two children, were shot on the Sunday morning when the round-ups began. A second woman declared that her husband had been killed by soldiers that day because he had refused to leave his home.¹⁷ Another man from Nyambuye was at mass when soldiers surrounded the church and informed members of the congregation that they could not return home and were now to live in an adjacent regroupment site.¹⁸ Two women from Nyambuye recounted fleeing at the sound of gunfire. One said that the local administrator told the people who assembled at the designated site that anyone left at home would be considered a rebel and killed.¹⁹

A resident of Ruyaga camp said that six people were killed in his community on the day of regroupment. Soldiers had begun firing at about 6 a.m. and people fled towards Ruyaga "because it was a place with a bit of security. They shot from two different points, driving people into this one safe area." He reported too that the local administrator had said that "those who stay at home will be treated as rebels."²⁰

In Kabezi commune, south of Bujumbura, government soldiers went around the commune on September 26, informing people that the next day those who lived south of the Mugere river were to report to the communal office in Kabezi while those who lived north of this river were to assemble at the military position at Ruziba. The next day, early in the morning, soldiers began firing rounds into the air and towards the hills, frightening people out of their homes and forcing them to flee in the direction of the communal office. As thousands of people began to gather, local officials instructed people to move onto a neighboring hill and to begin building shelters. Four witnesses from Kabezi together named twelve persons who were injured or killed by gunfire that day, including at least two women and two children. They believed that the victims had been killed by stray bullets rather than deliberately targeted.²¹

People who were moved to Mubone and Maramvya camps also were notified in advance that they would have to leave their homes. In contrast to other cases, they made the move with no problems and without being exposed to gunfire. They were allowed to gather needed supplies before leaving for the camp.²²

¹⁴ Human Rights Watch interview, Bujumbura, February 24, 2000.

¹⁵ Human Rights Watch interviews, Bujumbura, March 1, 2000.

¹⁶ Human Rights Watch interview, Bujumbura, March 3, 2000.

¹⁷ Human Rights Watch interviews, Bujumbura, March 7, 2000.

¹⁸ Human Rights Watch interview, Bujumbura, March 3, 2000.

¹⁹ Human Rights Watch interviews, Bujumbura, March 15 and 20, 2000.

²⁰ Human Rights Watch interview, Bujumbura, February 22, 2000.

²¹ Human Rights Watch interview, Bujumbura, March 12 and 16, 2000.

²² Human Rights Watch interview, Mubone, March 6, 2000.

Making Camp

Most camp residents agreed with the judgment of one witness who said that "the first few days in camp were the worst."²³ They were directed to sites, many of them on barren hilltops, far from any source of water. They were ordered to build shelters out of whatever branches and leaves they could find. Authorities provided no food, no water, and no building materials for them and said nothing about how long they would be required to live there. One mother of seven children, the youngest two years old, reported that when she arrived at the site, there was nothing there but fields and soldiers with guns.²⁴ People slept in the open air until they were able to finish constructing their shelters. High winds and rain during the first week slowed the process, sometimes blowing over the shaky structures that had just been finished.

The local officials themselves were apparently undecided about where all of the people would finally be located.²⁵ Soldiers sent one woman to Nyambuye where she began to build her shelter, as instructed. But the next day, soldiers directed her and others from her hill to return to Nyakibande, their place of origin, and to set up a camp there next to the church. Five days later, soldiers came again and ordered the people to dismantle the shelters they had built and to return to Nyambuye and once again start building there. When people refused, the soldiers fired in the air, which sent them fleeing back to Nyambuye. Since authorities had provided no food, water or building materials, this woman was weak from hunger and exhaustion by the time she returned to Nyambuye.²⁶

Once assembled, people were not allowed to return home to fetch food or other supplies for periods ranging up to two weeks.²⁷ During this period, soldiers were making sweeps through the newly vacated areas in an effort to locate rebels who might be in hiding there. Because no food was provided, many residents took the risk of leaving the camps at night to try to get supplies from home for their families.

V. LIFE IN THE CAMPS

Kabezi camp, about eighteen miles south of Bujumbura, was the largest camp in Bujumbura-rural, with a population of nearly 40,000 people.²⁸ Located on a small hill with no trees or other cover, the camp was baked by the sun during the dry season and swept by storms in the rainy season. For more than nine months, people have lived in makeshift dwellings made from banana leaves, eucalyptus branches, and other locally foraged materials. The fortunate received plastic sheeting from international humanitarian agencies which they used to cover the not very solid roofs. The dwellings, most of them about six by nine feet, were packed together, with narrow passages between the rows. Refuse littered the paths and small rivulets carried waste water and other garbage down the hillside. Each dwelling sheltered up to ten members of a family, all living together in a single, undivided space. Public latrines were hastily dug soon after the camp was established. By May 2000, many were filled to overflowing and no new ones had been dug.

According to residents of the camp, their lives had been very different when they were still in their own homes, free to come and go as they wished. Although there has been military activity in Bujumbura-rural for several years, families had been able to continue growing crops or doing other work to provide for themselves. Many raised chickens, rabbits, goats, or pigs to supplement their diet or to earn a little income. Most lived in small but solid three or four room

²³ Human Rights Watch interview, Bujumbura, January 18, 2000.

²⁴ Human Rights Watch interview, Bujumbura, March 7, 2000.

²⁵ Human Rights Watch interview, Bujumbura, January 18, 2000.

²⁶ Human Rights Watch interview, Bujumbura, March 20, 2000.

²⁷ Human Rights Watch interviews, Bujumbura, February 24 and March 7, 2000.

²⁸ Population figures received from the U.N. Office for the Coordination of Humanitarian Affairs (OCHA) on February 11, 2000.

houses, constructed with clay bricks and with sheet metal roofing. Families enjoyed a sense of privacy living in homes surrounded by fields and dispersed over the hillsides, a stark contrast to the indignities of the crowded, filthy camps.

After the first weeks, camp residents were ordinarily permitted to go back to their homes and fields for a few hours once or twice a week. They continued trying to cultivate their fields, but the time at home was too brief to provide for adequate agricultural production. People who were located in camps near roads were the most fortunate because they soon began receiving food to supplement their own produce, as well as clean water and medical help, from international humanitarian agencies. But whenever there was combat in the region, the road was closed and the delivery of these life-sustaining supplies was interrupted. Authorities suspended deliveries of aid for other reasons as well. At Kavumu camp, where thousands depended on food supplied by an international organization, local officials were slow in completing the requisite paperwork in January and early February 2000, so provincial authorities refused to permit deliveries. Residents, who had received their last supplies at the end of December 1999, were in desperate need by the time food was provided again in mid-February 2000.²⁹

Residents of seventeen camps located far from roads received little or no international assistance. Nyambuye camp, located high on a hilltop overlooking Bujumbura, is about a one hour climb on foot from the nearest road. Residents had to carry any food delivered at the road up the hill themselves. They also had to fetch water from the nearest water source, also one hour distant on foot. One widow trying to provide for her four children at Nyambuye concluded, "If you were to go there, you would not believe what you would see. There is a lot of sickness, hunger, and desperation among camp residents."³⁰ A mother of seven indicated her sick two-year-old and said that all the children of his age at Nyambuye were sick with some illness or another. This thirty-five-year-old farmer bemoaned the lack of medical help for her children and her inability to feed her family properly.³¹

As the weeks stretch into months in the camps, increasing numbers of people—particularly children, the elderly and young mothers—show signs of malnutrition. Medical workers report many more children with the reddish hair, swollen faces, and bloated stomachs that indicate severe malnutrition. With poor nutrition and the unsanitary, crowded conditions of camp life, contagious diseases are widespread, including various intestinal and respiratory diseases. Several outbreaks of cholera have been contained, but the risk of an epidemic is always present.

As the primary care-givers responsible for the welfare of their children, some women have apparently suffered severe emotional and mental stress from watching them suffer. One medical worker with an international humanitarian agency assisting the malnourished in Bujumbura-rural has observed symptoms of severe depression in the women whom she treats or whose children she treats. These women appear to have given up caring about their own health or that of their children and sit for hours staring vacantly off into the distance.³²

Reliable statistics on malnutrition, illness, and mortality in the camps are limited, but one experienced medical worker estimated that malnutrition and disease among the people of Bujumbura-rural have increased five fold since the beginning of regroupment in September. A study of mortality in regroupment camps elsewhere in the country concluded that twice as many people died from disease and war-related deaths in the camps as would have died had they stayed in their own homes. When one international agency attempted to keep track of mortality by counting recent graves at a camp near Bujumbura, government authorities refused to allow them to continue the work.³³

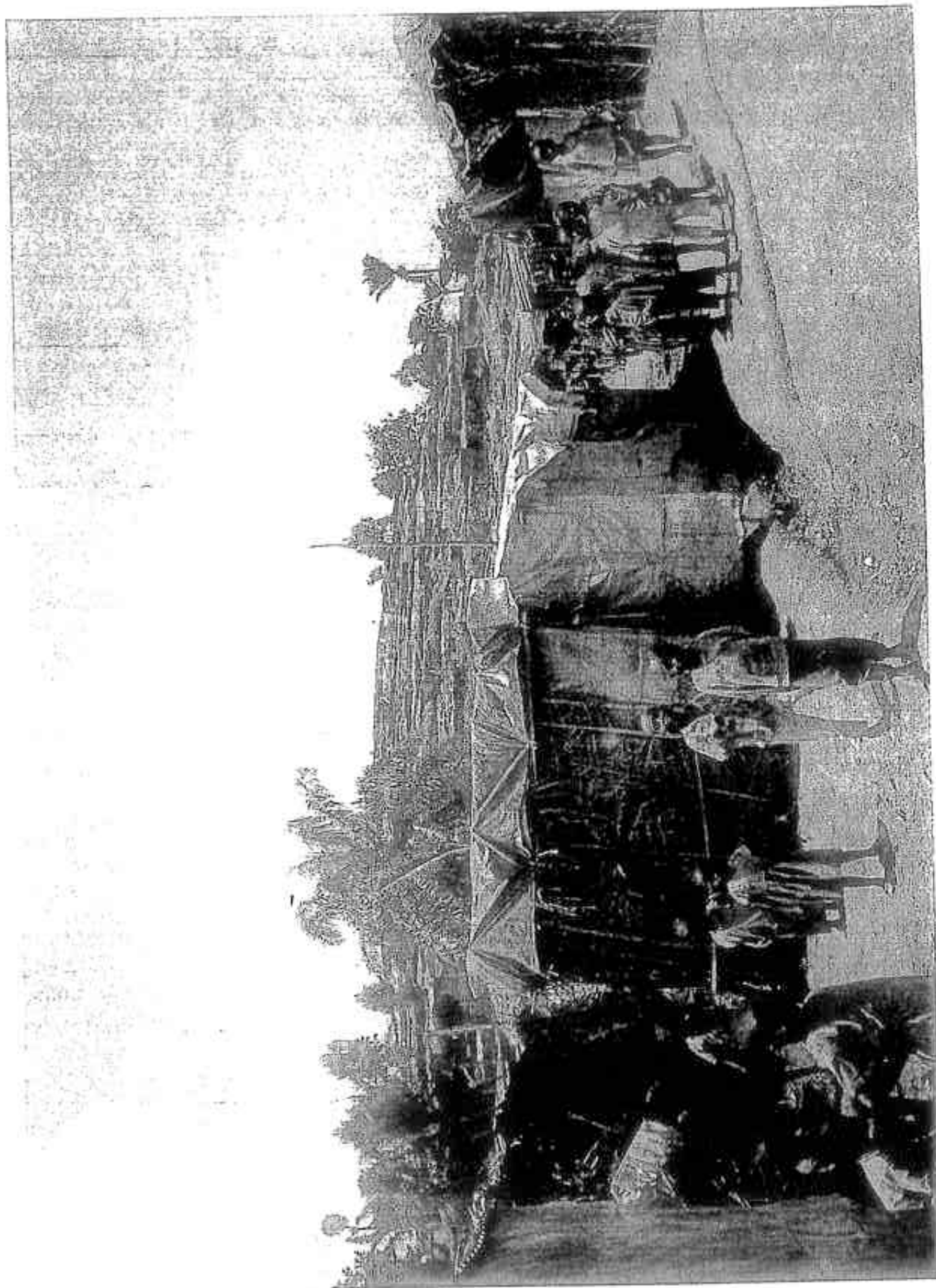
²⁹ Human Rights Watch field notes, Kavumu camp, February 12, 2000.

³⁰ Human Rights Watch interview, Bujumbura, March 7, 2000.

³¹ Human Rights Watch interview, Bujumbura, March 7, 2000.

³² Human Rights Watch, Bujumbura field notes, January 14, 2000.

³³ Human Rights Watch interviews, Bujumbura, January 7 and June 3, 2000.



Kavuma Camp ©2000 Human Rights Watch

Freedom of movement

The soldiers who supervise security in the camps control the movements of residents into and out of the sites just as they determine the comings and goings of humanitarian workers who provide supplies or services. Residents who chafe at such restrictions liken their enforced residence at the camps to being in prison.³⁴

Some people who live in camps near Bujumbura work in the city and are ordinarily permitted to go down the hills to their jobs. But the vast majority are cultivators who need to keep working their fields in order to sustain themselves. It is they who suffer most from military regulations set up to control the movement of people on the hills. They are allowed to work only on those hills designated on a rotating schedule, usually only once or twice a week. They are ordinarily required to go to and from the hill along paths indicated by the soldiers and are permitted to be absent only for a limited number of hours per day. When time for walking to and from the fields is subtracted, there is little time left to do the necessary work. One woman said that she is not allowed to leave the camp before 9 a.m. and must be back by 4 p.m. She needs two hours to reach her land and another two hours to return. This leaves her only three hours to cultivate, too little to produce the food she needs to feed her family. Her four children are suffering from malnutrition and related diseases, a direct consequence she believes of the restrictions on access to her fields. Another woman, a widow with small children, cannot cultivate enough to feed them well; to leave more for them, she limits herself to one meal a day consisting usually of a piece of cassava and a few bananas.³⁵

In most camps, the *abashingantahe*,³⁶ or representatives of the people, approach military officers in the morning and ask permission for cultivators to leave the camp for their fields. If there has been combat in the area, soldiers ordinarily refuse permission or delay the departure of cultivators. They may also refuse permission simply because camp residents have failed to deliver desired services, as described below.³⁷

Camp residents who returned late from their fields or from working in the city faced rebukes, humiliation, and often blows administered by soldiers with large sticks. The great majority of witnesses interviewed for this report complained of the humiliation and physical abuse meted out to women and men by soldiers who were sometimes much younger than themselves.³⁸

Sometimes soldiers have required residents to pay for the right to leave the site. In one of the most egregious cases reported to Human Rights Watch, a mother was refused permission to leave the camp to take a child with a badly burned hand to a hospital in the city. It took the woman several days to find the necessary money to bribe the soldier into allowing her to leave. By the time she got the child to the doctor, the little girl's hand was so badly infected that the doctor believed it would have to be amputated.³⁹

"Insecurity"

Before the camps were established, civilians in Bujumbura-rural often risked death, injury, and loss of property as a consequence of the ongoing military conflict. As one witness remarked, "Before we were like hostages between the rebels and the soldiers."⁴⁰ Relatively few were caught in actual exchanges of fire between FNL and the Burundian forces because civilians fled or hid quickly at the first sound of gunfire. Some civilians were killed by rebels in ambushes of vehicles or because they refused to part with food or other goods demanded. But more were slain by

³⁴ Human Rights Watch interviews, Maramvya, February 10; Bujumbura, March 3 and 13, 2000.

³⁵ Human Rights Watch interviews, Bujumbura, March 3, 16, and 20, 2000.

³⁶ *Abashingantahe* is the Kirundi term for a group of respected men in the community. They often act as mediators in domestic or property disputes and serve as local representatives for the people in dealing with the authorities.

³⁷ Human Rights Watch interviews, Bujumbura, March 1 and 15, June 2, 2000.

³⁸ Human Rights Watch interviews, January 18, February 24, March 1, 7, 13, and 17, 2000.

³⁹ Human Rights Watch interviews, Bujumbura, January 7, May 20, June 5, 2000.

⁴⁰ Human Rights Watch interviews, Bujumbura, February 22, 2000.

soldiers who shot civilians because they took them to be rebels or suspected them of helping rebels. Women stated that they risked rape, whether by rebels or by soldiers, particularly while going to fetch water or firewood. According to witnesses, rebels often came at night to ask for food or sometimes to take goats or other small animals while soldiers pillaged and burned their houses, often supposedly in punishment for their presumed support of rebels.

Most camp residents who had faced loss from such instances of "insecurity," as they generally called it, said that they welcomed the relative "security" of the camps, meaning not having to run for their lives at the approach of soldiers and not having to hand over their hard-won produce to rebels. But residents of at least seven of the camps appear to have been exposed to greater danger from gunfire as a result of enforced residence in camps located near military posts. In the nine months from October 1999 to June 2000, rebels attacked posts near the camps of Nyambuye, Kabezi, Kibuye, Kinyankonge, Maramvya, Mubone, and Mukonko. In several cases, they attacked a post more than once and sometimes they launched the attack from within the camp. The soldiers returned fire, on occasion firing directly into the camp. Civilians could not flee the camp during these exchanges of fire and could hardly count on protection being provided by the flimsy walls or roofs of their temporary shelters. In all but two of these cases, civilians were killed or wounded in the exchange of fire or by volleys fired at the camp by soldiers once the rebels had fled.⁴¹

On Thursday November 11, for example, FNL combatants launched an attack on the military post near Nyambuye camp. They arrived around 3:00 a.m., singing religious songs about being the "ingabo za mwami" or "army of the King" or "ingabo za Yesu," "army of Jesus." One woman peered out of her shelter to see armed men in uniform firing at the post from within the camp and from a neighboring hill. The attack finished just after dawn, leaving one grandmother and a child wounded by stray bullets.⁴²

FNL combatants attacked a military post from inside Mukonko camp in December, also striking in the early hours of the morning. A witness, who saw a rebel firing from just next to her house, said that these combatants also sang songs about being "really from Jesus."⁴³

In early February, the FNL launched an early morning attack on the post near Kavumu camp, drawing return fire that killed one eight-year-old child and wounded an adolescent girl in the camp. Some ten days later, on February 18, FNL combatants attacked a nearby military post from within the camp at Kabezi. Soldiers fired back. Two civilians were killed, apparently one shot by each side. A civilian at the communal office building where the soldiers were stationed, was also killed by rebel fire.⁴⁴

In a recent case, the FNL attacked a post near the camp of Kinyankonge early in the morning of May 15. In the exchange of fire with the soldiers, two civilians were killed. Eleven others were seriously enough wounded to require medical attention at a hospital in the capital. Among them was Leonie Nzeyimana who had been sleeping with her five children in their shelter of leaves and branches when she was hit in the leg by a bullet. Her four-year-old daughter Nadine was shot in the arm. A thirteen-year-old girl in another shelter was shot in the back.⁴⁵

Even in camps where no such exchanges of fire took place and residents were less vulnerable to direct attack than they might have been at home, any increase in security was offset by increased risks of malnutrition and disease, particularly severe and often fatal for the elderly and young children.

⁴¹ Human Rights Watch interviews, Maramvya, February 10, 2000; Kavumu, February 14, 2000; Mubone, March 6, 2000; Bujumbura, February 22, March 3, 7, 10, 12, 15, 16 and 20, 2000.

⁴² Human Rights Watch interviews, Bujumbura, March 3, 7, 15, and 20, 2000.

⁴³ Human Rights Watch interview, Bujumbura, March 10, 2000.

⁴⁴ Human Rights Watch, Burundi Briefing Paper, "Neglecting Justice in Making Peace," March, 2000, pp. 3-4.

⁴⁵ Human Rights Watch interviews, Prince Regent Charles Hospital, Bujumbura, May 16, 2000.

After being relocated, many people reported receiving no more night-time visits from rebels asking for—or demanding—support, but residents of nearly half the camps investigated said that FNL combatants had continued to call on them for “contributions,” even within camps situated adjacent to military posts and supposedly protected by soldiers.⁴⁶ Two witnesses commented that the soldiers do not ordinarily patrol in the camps after dark. One said, “The soldiers are afraid to come here at night. They fear the rebels, so they only come during the day.”⁴⁷

VI. MILITARY ABUSES

Reprisals on Civilians for Rebel Attacks

When camp residents lived in their own homes, soldiers sometimes attacked them in reprisal for FNL activity in the area, assuming they had provided lodging, food, information, or other support for the combatants. In a number of cases, witnesses complained that after they had fled nearby combat, they returned to find that soldiers had burned their homes.⁴⁸ When local people moved to the camps, soldiers generally desisted from reprisal attacks; this was one of the reasons why residents found life more “secure” in the camps. But in several instances, soldiers still punished civilians for their supposed support for the FNL.

After FNL combatants attacked soldiers near Nyambuye camp in December 1999, soldiers came to the camp the next day and ordered residents to vacate the camp and gather at the nearby administrative zone office. There they beat men, women, and children, accusing them of having lodged the rebels. One woman said that the soldiers “kept demanding to know where are the rebels, where do they come from. They said, ‘They [the rebels] are your children.’ They hit many people, trying to get information, even old women and children too.”⁴⁹ According to another woman, soldiers beat young men especially harshly. She saw them beat one man, who seemed to be about twenty-five years old, so violently that he died on the spot. “After some time,” she said, “he just stopped moving.”⁵⁰ Several others had their arms broken and remain disabled by their injuries six months later.⁵¹

At about 9:00 a.m. on Thursday, March 9, 2000, the FNL led a small attack on the military post at Cinkona, adjacent to Kavumu camp. The fighting was sporadic and ended around 11:00 a.m. when the FNL combatants fled into the hills. Later that afternoon, soldiers rounded up camp residents who were cultivating on the surrounding hills. They accused them of supporting the rebels and took them to the Cinkona post. There they beat several persons, including one thirty-three-year-old man whom they hit with fists, sticks, and a belt. He sustained injuries on his head and legs and required stitches to close one head wound.⁵²

On Sunday April 9, FNL combatants attacked soldiers who were accompanying civilians from Nyambuye camp to market. At a place called Remba, they ambushed the twelve soldiers, reportedly killing ten of them, including a captain. Three persons, purportedly civilians from Nyambuye, took shelter in abandoned houses during the exchange of fire. When military reinforcements arrived from Mutanga North, they supposedly found the three and killed them. According to one witness, the soldiers then refused to allow people from the camp to bury the dead for a week.⁵³

⁴⁶ Human Rights Watch interviews, Kavumu, December 16, 1999; Kabezi, April 25; Mubone, March 6; Bujumbura, February 24, March 8, 10, 12, April 24, May 9 and 18, 2000.

⁴⁷ Human Rights Watch interview, Bujumbura, March 12, 2000.

⁴⁸ Human Rights Watch interviews, Bujumbura, February 24; Mukonko, March 10.

⁴⁹ Human Rights Watch interview, Bujumbura, March 20, 2000.

⁵⁰ Human Rights Watch interview, Bujumbura, March 7, 2000.

⁵¹ Human Rights Watch interviews, Bujumbura, March 3, 7, and 20, 2000.

⁵² Human Rights Watch interview, Bujumbura, March 17, 2000.

⁵³ Human Rights Watch interviews, Bujumbura, April 24, 2000.

After the attack on May 15 near Kinyankonge mentioned above, soldiers ordered all civilians out of the camp while they searched it for rebels. Soldiers beat several camp residents with sticks. One man, wounded on the top of his head and below his eye, required treatment at a hospital in the city.⁵⁴

Killings and Beatings of Suspected Rebels and Supporters of Rebels

From the beginning of the regroupment, military authorities have made clear that anyone found outside designated camps in questionable circumstances will be treated as a rebel. In early May, soldiers shot and killed four persons whom they discovered outside Nyambuye camp site.⁵⁵

On March 17, a frail forty-year-old mother of six was authorised to go tend to her fields several miles from the Kabezi camp. She was cultivating in the company of a small group of men and women at around 11:00 a.m. when some ten soldiers surprised them by running directly at them. Throwing down her hoe, the woman fled in fear with bullets flying all around her. She was shot in the foot from a distance of about twenty yards. The soldiers came to question her only after having shot her. They then asked why she had fled. She told them just that she had been afraid. It is difficult to believe that soldiers could have taken her for a combatant at such close range.⁵⁶

On Saturday, May 6, there was a skirmish in the morning between FNL rebels and soldiers near the Ruyaga camp. Later that afternoon soldiers under the command of a lieutenant found two young men, Albert Simbakwira (also known as Bucumi) and Audifax Nduwayezu, from Ruyaga camp between that camp and the nearby camp at Kavumu. Although the two showed their identity cards and claimed to have authorization to be outside the camp, the soldiers took them back to the military post at Cinkona, beating them on the way.

A witness who was at the post provided the following account of the subsequent treatment of the two. He said soldiers gave the two men hoes and told them to dig graves the right size for their own bodies. Soldiers then tied Audifax up, the witness said, and suspended him on a rope between two poles. They beat him with large sticks on the back and head while ordering him to confess to being a rebel. He refused to do so.

The witness said that soldiers then tied Albert's arms and legs together behind his back and suspended him from a rope and beat him to make him confess to being a rebel. After some time, Albert stated that he had been a corporal with the FDD. One of the soldiers shot his gun into the air in celebration at the confession. According to the witness, Albert told the soldiers that he had some Kalaschnikov guns stored at his home in the camp. When asked to identify other rebels, Albert said that most who had fought with him were now dead, but later he told the soldiers that Audifax was also part of the rebellion and that he had three grenades at the camp. Audifax was then beaten again but still maintained his innocence. The two spent the night tied up at the post.

At about 2 p.m. the next day, a Sunday, soldiers brought Albert to Ruyaga camp, dressed in military fatigues. Witnesses who saw him there stated that he looked clearly like he had been beaten. Two people remarked that burn marks were visible on his arms. One speculated that the marks had been made by hot oil, but it is possible that they were severe rope burns from the way he had been tied up and suspended in the air while being beaten. Soldiers searched his shelter for guns but found none. They took him back to the military post and his current whereabouts are unknown.

Audifax was released on Sunday afternoon. Two weeks later the marks on his arms where he had been tied up were still clearly visible.⁵⁷

⁵⁴ Human Rights Watch interview, Bujumbura, May 16, 2000.

⁵⁵ Human Rights Watch interviews, Bujumbura, June 2 and 5, 2000.

⁵⁶ Human Rights Watch interview, March 25, 2000.

⁵⁷ Human Rights Watch interviews, Bujumbura and Bujumbura-rural, May 11, 12, 13, 16, 18, and 19, 2000.

Soldiers have also severely beaten and killed suspected rebels taken from inside the camps. On Sunday, May 14, Nicodeme Sibomana, thirty-four, finished work as usual at a small eating place inside Ruyaga camp and left for home at about 6:00 p.m. He never reached his destination, a small, banana-leaf shelter located ten minutes walk away. According to witnesses, his elderly mother, for whom he was the sole source of support, went to look for him and was told by others in the area that soldiers from the nearby post had taken him away. When Nicodeme still had not returned on Monday, she asked for information at the military post and was told to come back the next day. Just after daybreak Tuesday morning, she and a younger woman set out once more for the military post. About one hundred yards short of the post, they found Nicodeme dying by the side of the dirt road. His body was bruised and swollen in many places, his mouth was full of sand mixed with blood, and blood was coming also from his ears and nose. Nicodeme was carried to the local clinic, a few dozen yards from where he lay, and the medical assistant in charge was summoned. She could do nothing for him and he died almost immediately after her arrival.

According to a neighbor who was present, one of the soldiers from the post came by as the family was washing the body and preparing it for burial. He said he was sorry for Nicodeme's death. The family refused to bury Nicodeme until the communal administrator, who lived at the camp, brought the case to the local military commander. The administrator supposedly asked some of the soldiers why they had beaten the man to death and they replied that they had thought he was a rebel.⁵⁸

The family asked the communal administrator to provide a coffin since it was the soldiers who had killed their relative. The administrator instead provided a blanket. A judicial officer (*officier de la police judiciaire*) of Bujumbura-rural, Antoine Nduwayezu, came to hold a hearing on Nicodeme's death and his family buried him.⁵⁹

In mid-April soldiers arrested three young fishermen accused of being rebels and took them to the post at Kiyange. There they were reportedly beaten before being taken to an intelligence agency known as the Special Research Bureau (*Bureau Special de Recherche*, BSR) and to the military camp at Kamenge, known as the camp d'intervention. According to witnesses, two were beaten to death and their bodies discarded at a garbage dump, where they were found on April 26. The third was released in late April, so badly beaten that some weeks later he still found it difficult to walk.⁶⁰

In a number of other cases, soldiers have beaten suspected rebels severely enough to leave them disabled for months, if not permanently. One man, taken by soldiers at the end of January when he was returning from work to Nyambuye camp, was badly beaten on the back and legs. Four months later, he still had trouble walking.⁶¹

Soldiers in several different posts tied victims up tightly—using a form of tying called *invuto*—and suspended them in the air before beating them. One man from the camp at Nyambuye was subjected to this abuse on February 9, supposedly under the direction of Capt. Michel Ngarambe, also known as "Commandant Gisanganya," and was beaten on his legs, back and hands. The marks of deep rope burns on his arms as well as signs that two of his fingers had been broken were clearly visible four months later.⁶²

The Search of Kavumu Camp

Combatants of the FNL came into the camps to recruit and mobilize adherents as well as to collect contributions. Military authorities, concerned that the rebels were increasing their support within the camps, decided in early May

⁵⁸ Human Rights Watch interview, Bujumbura, May 24, 2000.

⁵⁹ Human Rights Watch interviews, Bujumbura and Bujumbura-rural, May 19 and 24, 2000.

⁶⁰ Human Rights Watch interview, May 20, 2000.

⁶¹ Human Rights Watch interview, Bujumbura, June 2, 2000.

⁶² Human Rights Watch interviews, Bujumbura, June 2 and June 5, 2000.

to search Kavumu camp, where they anticipated finding some ten rebels as well as weapons. As Col. Samuel Gahiro, explained to Human Rights Watch researchers,

We had information that the rebels were coming from the hills to Kavumu camp where they would get healed [if injured] and would get food and money. People living within the camp itself told us this. They said even that there were arms in the camp.⁶³

The operation was large and well-organized. On Saturday night May 6, soldiers from Cinkona and other posts surrounded the camp to keep anyone from leaving. Early the next morning, Sunday May 7, civilian and military authorities from the level of the provincial governor and the regional military commander on down came to supervise the search. They arrived in several jeeps, accompanied by 180 national policemen (*gendarmes*), some ten former rebels dressed in military uniform, and other young hangers-on called *doriya* (see below), some of whom arrived in pickup trucks. According to Colonel Gahiro, only the national policemen entered the camp; soldiers merely maintained a secure outer perimeter.

Authorities directed all camp residents to assemble either on a high plateau overlooking the camp or in an open space lower down the hill next to a small market. The national policemen, accompanied by the *doriya* and *abashingantahe*, began searching the shelters, supposedly looking for arms as well as for anyone who had not responded to the call to assemble. One woman who was preparing to bury her recently-deceased husband had stayed with his body. When the soldiers or policemen discovered her still in her shelter, they beat her with sticks and ordered her to go to the assembly point. In another case, a thirty-year-old man had stayed at home to care for a brother who was too ill to be moved. Two soldiers entered the shelter while two national policemen waited outside. The soldiers asked the man what he was doing and where he had hidden the arms. He replied that he had no weapons and that he was taking care of his sick brother. They began to hit him with their sticks and he fled outside. There the national policemen told him he should take his brother and go to the assembly point, but the soldiers inside told him instead just to go immediately so he left his brother behind and went to the gathering. When he returned later in the morning, he found the shelter ransacked and his brother dead on the floor, whether from natural causes or from mistreatment by the soldiers was unclear.

As the national policemen began moving through the camp, authorities were directing residents on the upper plateau to line up, in separate lines for men and women, to present their identity papers to the authorities. Several residents recount that they recognized the former rebels who accompanied the soldiers and realized that they intended to point out others supposed to be supporting the rebellion. Residents were also convinced that the military going through the site were looting their property.

Some people broke away from the group on the plateau and began running down among the shelters. People shouted that the military had come to pillage their goods and some began throwing rocks at them. According to camp residents, they acted to stop the pillaging; according to Colonel Gahiro, they acted to prevent the identification and arrest of rebels who were in the crowd.

The soldiers or national policemen arrested six young men and one young woman, supposedly for throwing stones at them. At least one of the seven was also identified as a rebel by one of the former rebels participating in the operation. The seven were transported into the city where at least several of them were beaten in the course of being interrogated. Five were subsequently released, one after his parents paid a substantial fine.

Seeing the potential for serious disorder and perhaps injury and loss of life, authorities abruptly halted the operation and ordered the military and police to leave the site, which they did shortly before noon. According to Colonel Gahiro,

⁶³ Human Rights Watch interview, Bujumbura, May 18, 2000.

they did not arrest any rebels nor did they find any weapons in the camp. He also maintains that the soldiers and police did not engage in pillage, although he conceded that the former rebels with them might have stolen some things.

Camp residents say that the policemen and soldiers and their young followers stole radios, clothing, goats, beer, and other property. Administrative officials have confirmed this information.⁶⁴ Several said that the looted property was taken away in the pickup trucks.

A witness not connected with the camp saw many of the soldiers or police come down the hill on foot and stop at the university just across from the road leading up to the camp. According to him, they were in boisterous spirits, not suggesting a failed operation, but rather one which had brought them at least a certain amount of beer which they had apparently already consumed.

Residents of Kavumu rapidly publicized the events and drew international attention to the case, which had taken place only several miles from downtown Bujumbura. On Tuesday, May 9, the governor and other military and civilian officials came to the camp to talk with the abashingantahe and the people about the complaints of pillage. They reportedly asked for an inventory of missing property to be done and promised an investigation.⁶⁵

The Case of Jean-Marie Bigirimana

A twenty-five-year-old man, Jean-Marie Bigirimana, was arrested at Kavumu on May 7, supposedly because he had thrown stones at one of the colonels commanding the operation. Rather than being taken with the seven other young people mentioned above, he was brought straight to the Cinkona military post. A person who was there that morning confirmed that Bigirimana arrived there. He stated also that soldiers tied Bigirimana up, whipped him, and struck him in the chest with a sharp instrument. The injuries caused considerable bleeding. According to this witness, a colonel and a communal administrator were also at the post later in the day and saw Bigirimana, wounded and in a blood-soaked shirt, but did nothing about his situation.

Bigirimana's parents asked administrative officials for information about his whereabouts, but received no answer. On May 19, the first day after the incident when residents of Kavumu were permitted to leave the camp to go cultivate their fields, several found a headless, eviscerated body suspended between two trees near the Cinkona post. It was believed to be the body of Bigirimana.⁶⁶

Rape and Sexual Abuses of Women

Residents of camps in the communes of Mutimbuzi, Isale, Kanyosha, Mutambu, and Kabezi reported cases of rape and sexual abuse of women by soldiers since the establishment of the camps. In a number of cases, soldiers have raped women, often after having encountered them in a secluded place outside the camp or after having brought them to the military post on some pretext. In many other cases, soldiers have used their authority to pressure women to engage in sexual acts against their will, sometimes in return for implied or explicit promises of protection or small payments.⁶⁷

On April 18 four soldiers raped and brutally abused three young women, aged twenty-five, nineteen, and sixteen, who had come from the Nyambuye camp to get water at the place called Gasanga. They found the young women at the watering place at about 6:30 p.m., just when it was beginning to get dark, and forced them to go a short distance away where they began raping them. Other camp residents who saw the crime taking place went to alert one of the abashingantahe, who came with others to rescue the victims. But because the water source was so far from the camp, the rescuers arrived only after the women had already been abused for more than an hour. Two of the women were able

⁶⁴ Human Rights Watch interview, Bujumbura, May 12; Bujumbura-rural, June 14, 2000. 2000.

⁶⁵ Human Rights Watch interviews, Bujumbura May 8, 10, 12, 13, 16, 18, and 20, 2000; Kavumu, May 18, 2000.

⁶⁶ Human Rights Watch interviews, Kavumu, May 18; Ruyaga, May 19; Bujumbura, May 16, 18, and 20.

⁶⁷ Human Rights Watch interviews, Maramvya, February 10; Bujumbura, February 22 and 24, March 1, 12, and 13; May 20, 2000.

to walk back to Nyambuye with the support of others, but one was so badly injured that she had to be transported by stretcher. She was then taken to the Prince Regent Charles Hospital, where she remained under treatment for eleven days. The crime had been so public and the woman's injuries so grave that her family dared to complain to the local administrator at Isale commune and to "Commandant Gisanganya" Ngarambe at the Gitezi military post, the commanding officer of the soldiers in question, who themselves were at the neighboring post of Shesheka hill. The commandant supposedly answered that it had been so dark at the time of the rape that the victims could not have seen the assailants clearly and were mistaken in thinking they had been soldiers; the rapists, he is reported to have said, had been rebels. The soldiers suspected of having committed the crime have apparently since been transferred to another post.⁶⁸

In other cases reported by the women at Nyambuye, a fifteen-year-old girl was raped by a soldier alongside the path as she came home from selling cassava at the market of Gahabwa. In this case, the family mobilized other camp residents for support, and went to complain to the commander of the post. He apparently did nothing to punish the suspected rapist, who was transferred to another post not long after.⁶⁹ Another woman from Nyambuye camp, this one twenty-two years old, was attacked by a soldier when she went to get water. But others nearby came running and the soldier himself fled.⁷⁰ Women at Nyambuye became so concerned about the abuses of girls and young women by the soldiers at the nearby post that they decided to send young men or older women (who are generally respected for their age) when soldiers required the delivery of water or other services there (see below).⁷¹

One family in a camp for the displaced⁷² has been victimized three times in the last six months, twice by armed men in uniform who forced their way into their home and robbed them. On the third occasion, on a Saturday night in mid-May, four men—three of them in uniform—forced their way into the home, where parents were sleeping with their eight children. They demanded money but, dissatisfied with the amount, two of them then raped two daughters of the family, one thirteen years of age, the other fourteen. Then they brutalized the girls, one by kicking her in the genitals, the other by sticking a wooden paddle in her vagina. The father of the family ran from the house seeking help. One of the men in uniform shot him in the back, killing him immediately. Relatives of the victims state that soldiers committed these crimes but have brought no formal complaint against them. Asked why not, one family member replied, "Complain? To whom?" In previous cases of crimes that they knew of, victims received no help from either local civilian or military officials, who always took the position that the crimes had been committed by rebels. The attack took place in a zone where there are many military posts and aroused sufficient commotion that others resident in the area heard the sounds clearly. Yet no soldiers came to the rescue of the family during the attack nor did any civilian or military officials come later to inquire into the circumstances of the crime.⁷³

In another case that took place in mid-January of this year, soldiers sent several girls from Nyamaboko camp, one of them seventeen years old, to buy beer for them in Buhonga. On the way home, the seventeen-year-old was stopped at the base of Gisovu hill by a soldier. The others continued on their way, leaving her alone with the soldier. He told her to put down the beer and to take off her clothes. When she refused, he raped her at knife-point. She has complained to no one and is just relieved that the soldier in question has since been transferred elsewhere. She lives in fear that she has contracted AIDS from the rape.⁷⁴

⁶⁸ Human Rights Watch interviews, Bujumbura, June 2 and 5, 2000.

⁶⁹ Human Rights Watch interview, Bujumbura, March 20, 2000.

⁷⁰ Human Rights Watch, Bujumbura, March 7, 2000.

⁷¹ Human Rights Watch interview, Bujumbura, March 20, 2000.

⁷² See below for distinction between camp for the displaced and regroupment camps.

⁷³ Human Rights Watch interview, Bujumbura, May 20, 2000.

⁷⁴ Human Rights Watch interview, Bujumbura, March 13, 2000.

Another woman of Nyamaboko camp, aged twenty-seven and the mother of two children, suffered an attempted rape by two soldiers who pushed their way into the place where she lived in October 1999. When they tried to force her to engage in sex with them, she screamed, attracting the attention of neighbors who intervened and drove them away. Although she was not physically harmed, the incident has caused problems between her and her husband who now fears she may have been infected with the HIV virus and will no longer live with her.⁷⁵

Fear of soldiers is so great that sometimes people refuse to intervene even if it is clear that a rape is taking place. Three young women, two aged twenty and one aged eighteen, were attacked by soldiers when they went to deliver water at Nyamaboko camp. A resident of the camp reported that those who heard their screams and cries for help did not dare go to their rescue.⁷⁶ In another case, a young woman from Nyambuye camp was bringing water to the military post with a group of others. When they arrived, a soldier demanded sex from one of them, a teenager. She refused him and he began to hit her with a stick. The others dared not defend their friend and took flight.⁷⁷

Residents of Muberure camp said they knew of two cases of rape, one of a woman who was bringing water to the post, another of a woman who was caught returning from her fields in the afternoon. One witness from Muberure stressed that soldiers often raped after they had been drinking, an observation made also by women from the Kabezi camp who deplored particularly the behavior of a group known as the mobile squad (*groupe mobile*). These soldiers, identifiable by their red berets, abused camp residents after they returned from several weeks fighting in the interior. In the first weeks after regroupment, a military post was located within the camp at Kabezi. Soldiers from this post were said to have raped young girls on several occasions, usually by bringing them back to the post.⁷⁸

Many witnesses stressed that girls and women also often engage in sex with soldiers against their will but without being subjected to the actual use of physical force. They include women who are too afraid to resist demands from a soldier; those who hope to win help or protection—perhaps from other soldiers—in return for sex; and those who provide sexual services in return for small gifts or payment. One woman, herself a widow trying to raise four children, explained that some women heading households may be particularly vulnerable to such demands because of the need to protect and feed their children.⁷⁹

Forced Labor

In the period immediately after the “regroupment,” soldiers forced groups of men to accompany them as they searched for rebels in the vicinity of the newly established camps. More recently, they required groups of men to join them on patrols looking for rebels, to go with them to clear underbrush (an operation meant to deny cover to rebels), or to help them in moving goods and equipment from one post to another. Men from Nyamaboko, Kiyenzi, Muberure, Kabezi, Mubone, and Nyambuye all reported having been required to accompany soldiers for work outside the camp. In these operations, the military generally made the civilians walk in front of them so as to shield them from any ambush by the rebels. Camp residents were required to do this work only occasionally but they particularly disliked it because it exposed them to serious risk.⁸⁰ As one witness commented:

Soldiers surprise people when they need men for the patrols. They come and grab strong men, whoever is around, and make them go out on patrol. Some go and do not come back. People do not want to do this work.⁸¹

⁷⁵ Human Rights Watch interview, Bujumbura, March 13, 2000.

⁷⁶ Human Rights Watch interview, Bujumbura, March 1, 2000.

⁷⁷ Human Rights Watch interview, Bujumbura, March 7, 2000.

⁷⁸ Human Rights Watch interviews, Bujumbura, February 24 and March 12, 2000.

⁷⁹ Human Rights Watch interview, Bujumbura, March 1 and 7, 2000.

⁸⁰ Human Rights Watch interview, Mubone, March 6; Bujumbura, February 22 and 24, March 13, and June 2, 2000.

⁸¹ Human Rights Watch interview, Bujumbura, February 24, 2000.

Groups of civilians accompanying soldiers to cut brush and clear banana fields were fired on by rebels in two incidents at Chewe and Kinyovu. During one work party in mid-May, a soldier was killed by rebel fire, although the civilians escaped serious injury.⁸²

Soldiers generally require camp residents to provide them with firewood and, if there is no water at the post—as is sometimes the case—with water for drinking and bathing. Many men said that they had to find and provide firewood to soldiers once or twice a week. In some cases, households had to supply one person to fetch water every day. At Nyambuye, the water source was one hour by foot down a steep hill from the site and the work was usually done by women. Two frequently burdened with this task complained about how much time it took. They said that soldiers would not let cultivators leave for their fields until their daily quota of water had been provided.⁸³

Those who refused to work or who were deemed to have done insufficient work were beaten or were refused permission to go their fields the next time they wished to do so.⁸⁴ As one witness who provided firewood to the soldiers at Muberure once a week stated, "People get wood and water for the military. They are asked and those who refuse are hit, so no one refuses."⁸⁵ One man who refused was struck so hard with a stick that his arm was broken.⁸⁶

Threats and punishment notwithstanding, people did occasionally refuse to do the work demanded by the soldiers. In one case in Nyambuye in May, the local representative of the people was beaten on the legs and back because he could not get the necessary number of workers to fetch water.⁸⁷ In mid-May, the people of Nyabibondo camp also refused to work for the soldiers and threw stones at them. They wrote to the minister responsible for Bujumbura-rural, informing him that soldiers at the Mbare post:

force us to carry their food, rice, to the military post and then to cut wood and bring them water. Those who cannot or do not do so are beaten. They make us carry cases of beer that they then sell [for a profit]. . . . If you dare to say a word against them, they imprison you and you have to pay 5,000 [U.S.\$4] francs to get out and even if you pay it, you do not always get out.⁸⁸

The soldiers came into the camp and beat a number of people after which the residents agreed to resume the work, provided the soldiers stopped the beatings.⁸⁹

Camp residents were occasionally asked to help soldiers with other work, such as helping to build a structure at a military post or helping to transport beer that the soldiers would then sell to others. Those with cash available sometimes bought themselves free of such requirements, usually for 1,000 Burundian francs, a sum which would pay the school fees for the year for a child at primary school.⁹⁰

In one exceptional case, women of the Kavumu camp were required to cultivate fields for the benefit of soldiers at the Cinkona post. One woman, aged about fifty, told Human Rights Watch researchers that she worked most

⁸² Human Rights Watch interviews, Bujumbura, June 2, 2000.

⁸³ Human Rights Watch interviews, Bujumbura, March 7, 2000.

⁸⁴ Human Rights Watch interviews, Bujumbura, February 22 and 24, March 15 and 20, May 16, June 2 and 5, 2000.

⁸⁵ Human Rights Watch interview, Bujumbura, February 24, 2000.

⁸⁶ Human Rights Watch interview, Bujumbura, March 3, 2000.

⁸⁷ Human Rights Watch interview, Bujumbura, June 2, 2000.

⁸⁸ Letter from residents of Nyabibondo camp to Monsieur le Ministre encadreur de la province de Bujumbura-rural, May 15, 2000.

⁸⁹ Human Rights Watch interview, Bujumbura, May 16, 2000.

⁹⁰ Human Rights Watch interviews, Bujumbura, March 3 and 12, 2000.

Thursdays in a group of about forty women who cultivated corn, cassava, and beans for the soldiers. She said that women from each of the thirteen sectors of the camp took turns working in the fields.⁹¹

In a meeting with Human Rights Watch researchers, the minister of defense acknowledged that civilians were providing services to soldiers at military posts near the camps, but he described this as a matter of practice, with variations between camps, rather than as a policy. He said that in some situations the civilians had volunteered to provide the services to show their appreciation for the protection afforded by the soldiers, but he admitted that this was not the case in most camps. He recognized that requiring these services represented an abuse that should be stopped.⁹²

Looting of Civilian Property

When the government forced people to leave home for the camp sites, most took little if any of their property with them. Just as the process was beginning, governmental authorities visited Kabezi camp on September 29 and promised the people that when they were allowed to return home they would find their houses in the same condition as when they left them.

But within days looters had stripped many houses of their sheet metal roofs and of the most valuable items inside. The people of Kabezi camp were allowed to go home to fetch food and other supplies after one week in the camp. They found that the promise of security for their belongings had already been violated and that the roofs and other property had been taken from their houses. While looting happened quickly in some areas, in others it took place only months later. Residents of Maramvya and Muberure reported that their roofs were stolen along with other property only in January, 2000. In some cases, soldiers also burned or otherwise destroyed houses so that they would not be used for shelter by FNL combatants.⁹³

As these areas had been emptied of people, there were few witnesses to the thefts, but camp residents accuse soldiers and their helpers of the pillage. They say that only the military could carry out such widespread pillaging of the countryside: they are the only ones with virtually uninterrupted access both to the area and to markets in the city, as well as the only ones with numerous vehicles available to transport the booty.⁹⁴

People living in camps in Kanyosha, Mutimbuzi, Isale, and Kabezi communes said they saw soldiers driving vehicles towards the city that were filled with goods from the countryside. As one witness from Kabezi said, "We have seen trucks go by full of sheet metal, furniture, filled with stolen goods. . . pots and pans, mattresses, tables, and chairs."⁹⁵ According to camp residents, the metal roofing is often used to build stables for cattle of the rich and the household goods are sold on the black market in Bujumbura.⁹⁶

In one exceptional case, residents of Kiyenzi-Kamutwe camp stated that they could actually see soldiers pillaging the homes on nearby hills. One witness explained that Kamutwe hill is higher than the surrounding hills, with an excellent view of the countryside, and that people had nothing to do except watch their houses being pillaged by the military.⁹⁷

⁹¹ Human Rights Watch interview, Bujumbura, February 14, 2000.

⁹² Human Rights Watch interview, Bujumbura, May 18, 2000.

⁹³ Human Rights Watch interviews, Maramvya, February 10; Bujumbura, February 24 and March 12, 2000.

⁹⁴ Human Rights Watch interview, Kabezi, January 20, 2000; Bujumbura, March 7 and 12, 2000.

⁹⁵ Human Rights Watch interview, Bujumbura, March 12, 2000.

⁹⁶ Human Rights Watch interview, Bujumbura, January 18, 2000.

⁹⁷ Human Rights Watch interview, Bujumbura, February 22, 2000.

Representatives of international humanitarian organizations working in Bujumbura-rural have also reported the widespread looting in the province to Human Rights Watch researchers. Researchers from the Burundian human rights organization Iteka have also documented looting by soldiers in this region.⁹⁸

Camp residents stated that some civilians, particularly the doriya—young helpers of the soldiers—aided the soldiers with the looting. One witness explained that these helpers were allowed to leave the camp in the evenings to remove sheet metal roofs and to collect the goods of value from inside the houses. They then bring the goods to designated places on the sides of the dirt roads to be picked up by soldiers the next day. His own house was pillaged with the door smashed in, his radio stolen, pots destroyed, and two mattresses gone.⁹⁹ Some victims lost not just household goods but implements for farming or for their trades. One carpenter complained that his tools had been stolen as well as the finished furniture awaiting delivery to customers.¹⁰⁰

Several men of Nyambuye camp reported that soldiers know which residents work at salaried jobs in town and so will be bringing home their pay at the end of the month. They “request” a share of the payment as the men return to the camp. Others complained that soldiers sometimes simply appropriated objects or articles of clothing that they liked.¹⁰¹

VII. CHILDREN AND THE DORIYA

Children suffered perhaps more than adults from the policy of regroupment. Families short on food because they were unable to fully exploit their fields often fed children last and least. Health clinics operating in and around Bujumbura were filled to capacity with severely malnourished children who were particularly vulnerable to disease. Although schools in Bujumbura-rural continued to operate and children were allowed to leave the camps to attend them, many families could no longer afford school fees. For a child in primary school, the fees per semester are 500 Burundian francs, about \$.40, and for a child in secondary school, they are 5,000 Burundian francs, or about \$4.25. In addition, the family must supply a uniform and school supplies. As one mother from Kibuye camp explained, she used to be able to work in the fields of richer farmers in a neighboring commune in order to earn the money needed to send her children to school. With the restrictions on movement imposed by regroupment, she had no way to seek work in other areas.¹⁰² Other poor families had in the past been able to sell some of their produce to raise the necessary cash, but with limited access to their fields, they could not raise enough food even to meet their own needs, far less have any left to sell.¹⁰³

With no school or other organized activities to distract them and with hunger ever present, young boys—especially orphans—hung around food distribution centers trying to pick up something to eat. They risked beatings by soldiers and others charged with food distribution as they struggled to gather any food spilled on the ground. Crouching under trucks in ankle deep mud, the desperate children picked up peas and kernels of corn that had fallen out of torn bags. Others dodged the long sticks that authorities whipped through the air in their direction as they darted in and out of the areas where the fifty kilogram bags of food had been divided, hoping to gather any extra fallen in the grass. Instead

⁹⁸ Human Rights Watch interview, Kabezi, January 20, 2000; Ligue Burundaise des Droits de l'Homme Iteka, *Bulletin d'Information*, October-December 1999, p. 9.

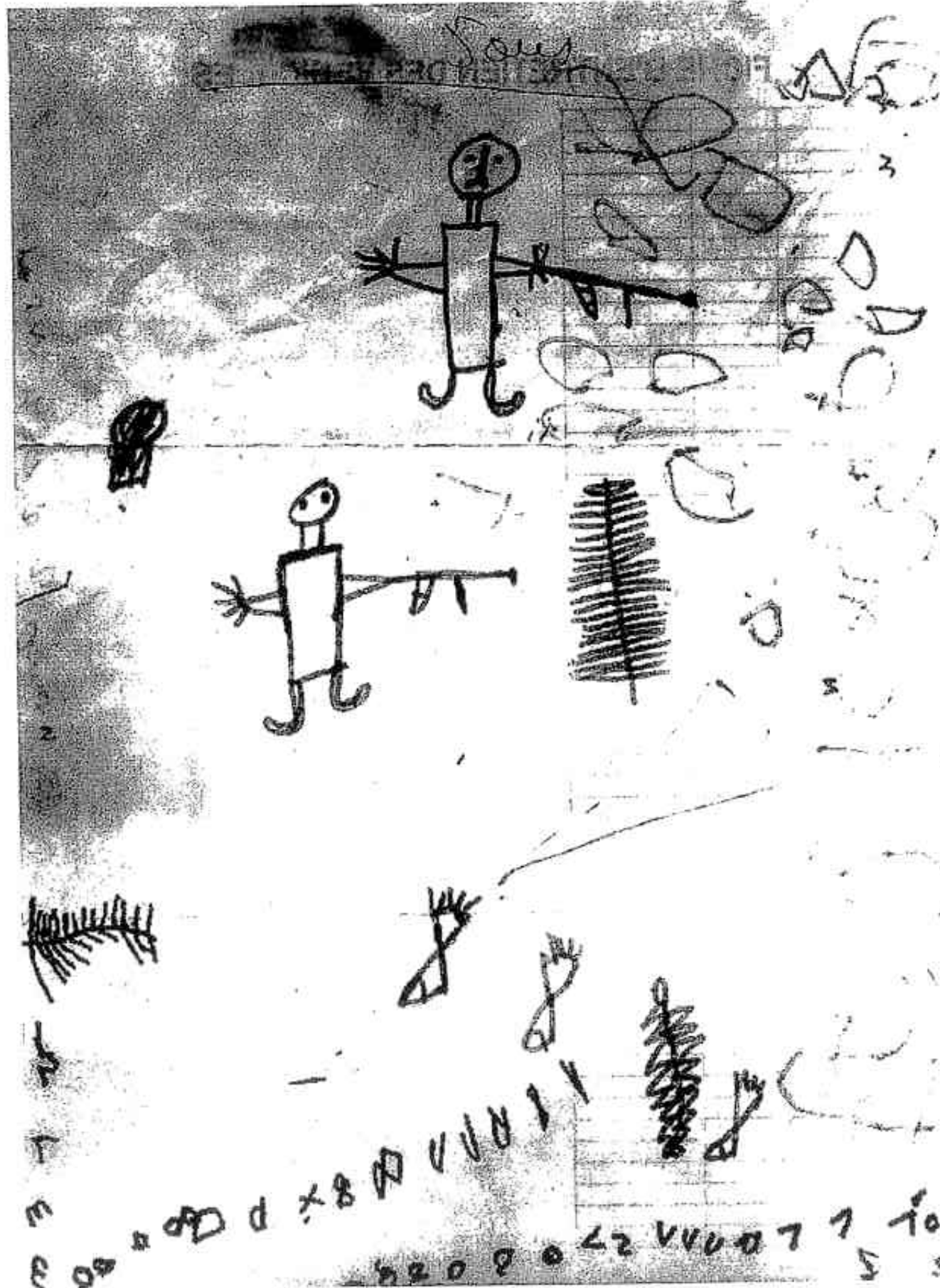
⁹⁹ Human Rights Watch interview, Bujumbura, February 22, 2000.

¹⁰⁰ Human Rights Watch interview, Kavumu, February 12, 2000.

¹⁰¹ Human Rights Watch interview, Bujumbura, March 3, 7 and 20, 2000.

¹⁰² Human Rights Watch interviews, Bujumbura, March 15 and 20, 2000.

¹⁰³ Human Rights Watch interview, Bujumbura, March 12, 2000.



Drawing of Soldiers by a five-year-old boy living in a regroupment camp.

of learning more constructive lessons at school, these children learned lessons of abuse and brutality as they fought to keep themselves alive.¹⁰⁴

Older children worked for the soldiers, particularly if there were no adults available to provide the services required from their household. Boys supplied firewood and transported supplies and girls brought water from springs or rivers to meet the soldiers' daily needs. In some cases, boys were required to leave the camp with soldiers, often to transport goods to another post. On Friday, March 3, for example, soldiers required some thirty boys, aged ten to fifteen, to transport goods from Kabezi camp to the military post at Sabwire hill, about eight miles distant. Loaded with food, water, and medicines, they set off in the direction of Sabwire with soldiers following behind them. When they reached a football field at Mpankuhe hill, not quite two miles away, a group of rebels began shooting at them from behind a small kiosk and from a distant hill. Three boys were wounded, one of them a fourteen-year-old who required medical attention for a gunshot wound in the leg. The soldiers knew well that the area around Mpankuhe and Masama hills harbored many rebels who had ambushed soldiers there in the past. Some camp residents believe this explains why they put civilian—in this case civilian children—in the lead when passing that region.¹⁰⁵

Some children, called *doriya*,¹⁰⁶ work directly for soldiers and spend most of their time in their company. Most have no families or have found that their families cannot support them. They often wear cast-off shirts or pants from soldiers, enjoying the borrowed prestige of even a partial military uniform. In January, a Human Rights Watch researcher observed six young boys dressed partly in uniform following soldiers around and hanging around the post. The boys themselves stated that they were happy to be working with the soldiers. One twelve-year-old said that the soldiers feed them well. Another, aged fourteen, said that he liked guns.¹⁰⁷

Residents of several camps, including Muberure, Kabezi, Kavumu, Ruyaga, Nyamaboko and Nyambuye, said that *doriya* spy in the camps for the soldiers, help them loot property, and serve as lookouts, scouts, and porters when the soldiers are on patrol.¹⁰⁸ In addition to receiving food and clothing from the soldiers, the children sometimes receive a small part of the loot as recompense for their help in pillaging the property of others. One man from Muberure discovered that part of the metal sheeting roof of his home had been stolen in January and most things of value from inside the house along with it. He later found one of his shirts, stolen at that time, being worn by a *doriya* from his camp and took it away from him.¹⁰⁹

With the majority of the population of Burundi under the age of twenty, any hope of a peace in the near future obviously depends in part on what children and young people are learning now. Raised in a culture of guns and violence, witnessing daily instances of brutality, these young victims will become the fighters of tomorrow.

VIII. AUTHORITIES: THOSE WHO HARM AND THOSE WHO HELP

Most of the residents interviewed for this report related one or more cases of abuses perpetrated by members of the Burundian military forces, but many also indicated that not all military behaved abusively. Witnesses from Kabezi camp who particularly criticized the members of the army mobile squad for abuses noted that they had no problems with national policemen. Residents at Mubone also reported abuses by the mobile squad in October but added that

¹⁰⁴ Human Rights Watch field notes, visits to various food distributions centers, December 1999-June 2000.

¹⁰⁵ Human Rights Watch interviews, Bujumbura, March 12 and Kabezi, March 14, 2000.

¹⁰⁶ The word *doriya*, meaning lookout or spy, apparently comes from the Swahili phrase *kufanya doriya*, to go on patrol. It may also be used for young men who help soldiers.

¹⁰⁷ Human Rights Watch interview, Kabezi commune, January 21, 2000.

¹⁰⁸ Human Rights Watch interviews, Bujumbura, February 22 and 24, March 1, 12, and May 13, 2000.

¹⁰⁹ Human Rights Watch interview, Bujumbura, February 24, 2000.

soldiers from the nearby post disapproved of their behavior. One man from the Nyambuye camp said homes in his area had been looted by soldiers from Kanyosha, not by soldiers posted at the camp. Others recounted that soldiers with whom they had good relationships freed them from arbitrary detention or ended beatings to which they were being subjected. Still others related how some soldiers helped them resist exactions by others. Several remarked that some soldiers misbehaved only after they had been drinking and that others were simply young and undisciplined.¹¹⁰

"Commandant Gisanganya" Ngarambe was one high-ranking officer cited as abusive by a number of witnesses. One related having been tied in the *invuto* position and having been beaten both by this officer and by his bodyguards.¹¹¹ Another said that "Commandant Gisanganya" was known for being particularly harsh and abusive even before regroupment began, so that some people from Kwigere hill chose to go to Nyambuye camp instead of to Muberure where "Commandant Gisanganya" was in charge. But in January, the commandant was transferred to Nyambuye, putting him in charge of the very people who had hoped to avoid him.¹¹²

In some cases administrative officials cooperate with the soldiers in their exactions or at least do nothing to stop them. In one case, an administrative official tried to extort produce from three families, who refused to comply with his demands. According to witnesses familiar with the case, the official then accused young men from these families of being rebels; they were immediately arrested and subjected to severe ill-treatment. Two were later found dead.¹¹³

In other cases, administrative officials have tried to limit abuses of soldiers. Witnesses said that the zone chief (*chef de zone*), for example, tried to stop the pillaging at Kavumu camp on May 7.¹¹⁴ When women from Nyambuye camp were raped, the administrator of Isale commune supposedly brought the crime to the attention of "Commandant Gisanganya."¹¹⁵

IX. ABUSES BY REBELS

By executing attacks on military posts near the camps and sometimes from within their confines, as described above, the FNL increased the likelihood that civilians would suffer from battle-related injuries or death. Their combatants have also fired on mixed groups of civilians and soldiers, as in the attacks at Mpankuhe football field on March 3 that wounded three children, and in the attack at Remba on April 9, also described above. FNL combatants have ambushed vehicles on the main roads leading to Bujumbura, sometimes only robbing passengers and not injuring them, as in the attack on a bus at Kamesa Hill on April 25, but in other cases killing and injuring civilians, as in the ambush of a bus and a car near Mageyo, where at least fifteen persons were slain—three children among them—and twelve wounded.¹¹⁶

Rebels also helped themselves to food and other goods found in vacant homes after the countryside had been emptied of its usual population. Many camp residents said that when they went back to work in their fields, they often found that others—presumably the rebels—had been living in their houses and eating their crops.¹¹⁷

¹¹⁰ Human Rights Watch interviews, Mugone, March 6; Bujumbura, January 18, March 3, 7, 12 and 20, 2000.

¹¹¹ Human Rights Watch interview, Bujumbura, June 5, 2000.

¹¹² Human Rights Watch interviews, Bujumbura, April 24.

¹¹³ Human Rights Watch interview, Bujumbura, May 20, 2000.

¹¹⁴ Human Rights Watch interview, Bujumbura, May 13, 2000.

¹¹⁵ Human Rights Watch interview, Bujumbura, June 2, 2000.

¹¹⁶ Human Rights Watch interviews, Bujumbura, April 25 and 26, 2000.

¹¹⁷ Human Rights Watch interviews, Maramvya, February 10, Mubone, March 6, Bujumbura, January 18, February 24, March 1, 10, 12, 15, 16, 20, and May 16, 2000.

In addition, FNL combatants came into the camps to ask or demand money and other "contributions" from residents. Generally they did so without injuring them, but on April 23, Easter Sunday, FNL combatants arrived at Ruziba camp and asked or forced residents to hand over rice, beans, goats, chickens, and clothes, especially jeans. When a fifty-year-old man tried to stop them from taking his property and cried out to attract the attention of others, they killed him. One witness said that the combatant who shot him had been drunk.¹¹⁸

Said to be well-disciplined—especially in comparison with the FDD combatants who used to fight in this region—FNL combatants are supposedly forbidden to drink alcohol, gamble, possess any symbols of traditional religion, or have sexual relations with women. They sing Christian hymns when going into battle and they say they fight in the name of God.

Some combatants violate these rules. A rebel commander is said to have raped a woman who had been kidnapped in the region of Rukoko, northwest of the city of Bujumbura. He kept her as his "wife" against her will for some time and she became pregnant.¹¹⁹ According to a resident of Nyamaboko camp, a young woman named Melanie was executed by a FNL commander because she had reportedly been having sexual relations with one of his men.¹²⁰

The FNL, like the regular army, recruit and use doriya, children who serve as soldiers and helpers. One resident of Kibuye camp related having seen doriya, wearing a military shirt or pants, some carrying weapons, crossing the hills with FNL combatants.¹²¹ Human Rights Watch researchers interviewed two doriya, one who joined the FNL at the age of sixteen, the other at the age of fifteen. Both began as cooks and general helpers, but the older progressed to being a regular soldier within a year of his joining the group.¹²²

According to residents of a number of camps, FNL combatants circulate freely in the camp sites. Some said they saw men whom they knew to be rebels in camp during the day, dressed in civilian clothes. According to them, the rebels put on uniforms only when they were going to engage in combat. One witness reported that when rebels planned an attack near or from within a camp, they advised the civilian population to take cover. Several witnesses said that FNL combatants came to the camps at night to visit families or friends and to seek new supporters. The rebels reportedly told people that they want only "to protect your houses and fields from the soldiers that want to destroy them." They also distributed pamphlets explaining their cause to residents in camps in Isale and Kabezi communes. In Kabezi camp, they felt sufficiently secure to hold a public meeting at night on April 24 to instruct people how to react to government proposals for closing the camps. They directed them to refuse to return home in small numbers and to leave camp only if everyone was authorized to go at the same time.¹²³

A substantial number of camp residents seemed to know a lot about the numbers, location, and movements of the FNL combatants. Inhabitants of Nyamubuye, Kibuye and Muberure camps in Isale commune, for example, all stated that the FNL are operating widely in the area and are known to occupy the hills of Singamano, Kirombwe and Nyamukanga on the border between Isale and Kanyosha communes.¹²⁴

Even while relating instances of confiscation of goods or outright theft by FNL combatants, some residents added that the rebels took only what they needed to sustain themselves, seeming to justify or mitigate these abuses.¹²⁵

¹¹⁸ Human Rights Watch interview, Bujumbura, May 9, 2000.

¹¹⁹ Human Rights Watch interview, Bujumbura, June 30, 2000.

¹²⁰ Human Rights Watch interview, Bujumbura, March 13, 2000.

¹²¹ Human Rights Watch interview, Bujumbura, March 16, 2000.

¹²² Human Rights Watch interviews, Bujumbura, February 15 and 16, 2000.

¹²³ Human Rights Watch interviews, Kabezi, April 25; Bujumbura, February 22, March 12 and 16, 2000.

¹²⁴ Human Rights Watch interviews, Bujumbura, February 24, March 3 and 20, 2000.

¹²⁵ Human Rights Watch interview, Bujumbura, February 22 and 24, March 12 and 13, 2000.

X. DISMANTLING THE CAMPS

On January 19, 2000, the government of Burundi seemed to bow to international censure of the regroupment policy and announced to the United Nations Security Council that it would begin dismantling ten camps in the immediate future. Just as the initial decision to forcibly displace civilians appears to have been motivated by political pressure, so too was the decision to allow them to return home, the difference being that the first was domestic and the second external. In neither case were the Burundian authorities acting primarily in the interest of the local population.

The Burundian government failed to keep the January promise, apparently because important forces within the government still saw a value in keeping people in the camps. Instead it engaged in a show of dismantling the camps.

On February 25, the governor of Bujumbura-rural identified eleven camps—so-called “protection sites”—that had been or would be dismantled in Phase I of the program. This list included not just regroupment camps for persons forcibly displaced after September 1999 but also camps housing internally displaced persons (IDPs) who had fled their homes at various times since the beginning of the crisis in 1993. Most of these internally displaced people—both Hutu and Tutsi—came to the camps voluntarily and remained there not under duress but because they had no other place to go. Although they lived in difficult conditions, they were not generally subject to the level of misery of those who were forced into regroupment camps.

The distinction between the two kinds of camps was not always clear because some previously existing IDP camps also sheltered people forced to move as a result of the 1999 regroupment. In its announcement concerning Phase I, the government appears to have exploited this source of confusion by not distinguishing between the two kinds of camps. In fact, only two of the eleven were actually regroupment camps and were completely closed: Maramvya camp in Mutimbuzi commune (pop. 4000), created on October 23, 1999 and dismantled during the week of February 7, and Kinonko camp in Mutambu commune (pop. 1,500), established in November 1999 and disbanded the first week of March. A third regroupment camp, that at Muberure, was partially dismantled at this time.¹²⁶

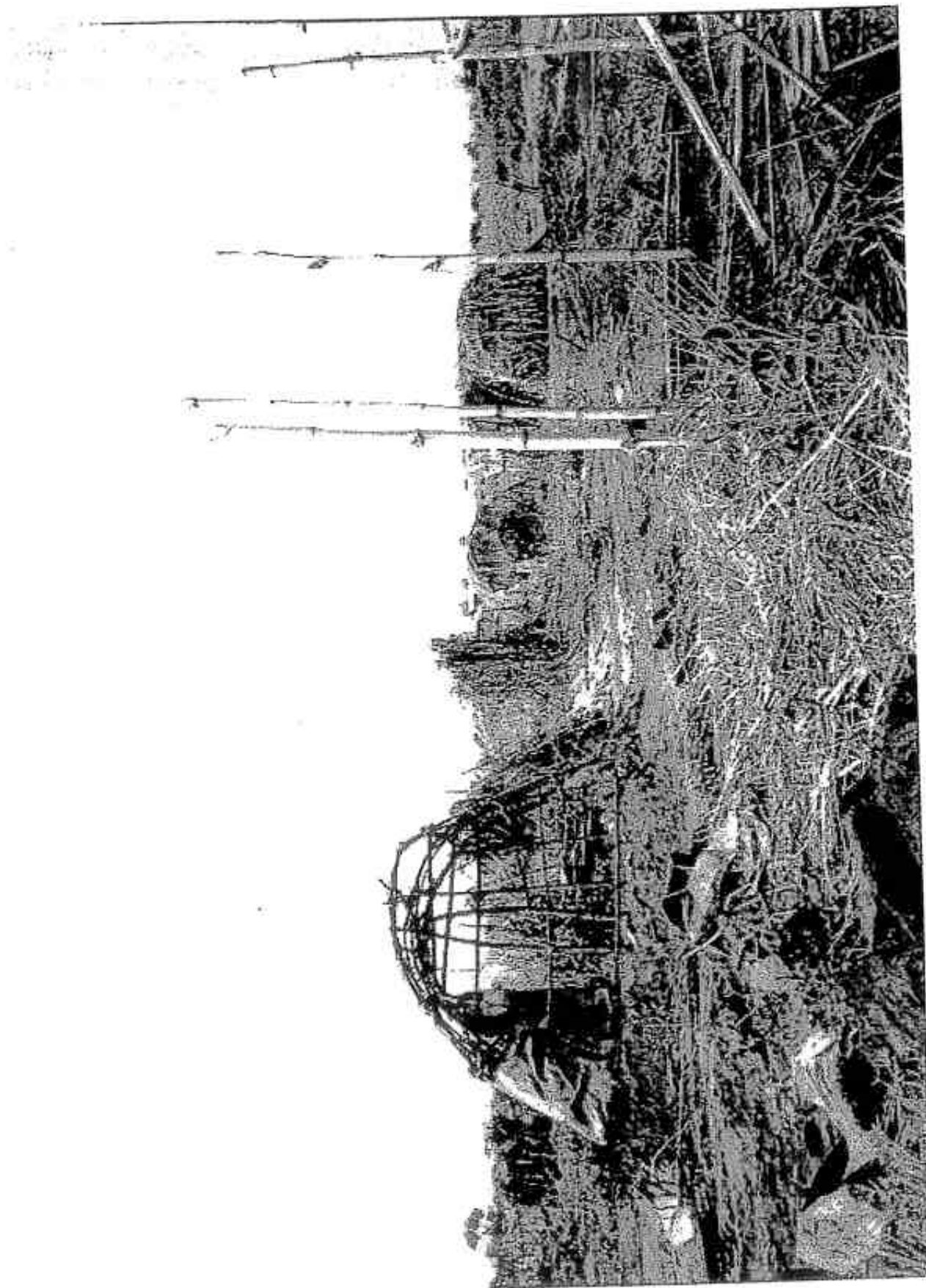
One of the “protection sites” on the list of eleven was Gatumba in Mutimbuzi commune, which sheltered displaced Hutu who fled Bujumbura during the fighting in 1995 and 1996. A small site of fewer than 500 residents, it contained poor urban residents who preferred to stay at Gatumba because they had no homes elsewhere. Many had been small traders or artisans who had rented rooms in homes that were now destroyed. Deprived of their source of income by disruptions in the economy caused by the war, they had no money to pay lodgings elsewhere. Authorities insisted, nonetheless, that they vacate the site by March 3 and transported them to the quarters of Kamenge, Kinama, and Buterere in Bujumbura city. There they installed them in vacant, badly damaged houses. Should the owners of these houses return, the displaced will be forced to move once again.¹²⁷

Matara in Mukike commune is another IDP camp that was to be closed in Phase I. Its residents are mostly displaced Tutsi who fled fighting in the hills of Bujumbura-rural. Like the residents of Gatumba, they prefer to stay in the camp. In this case, authorities allowed them to remain, apparently because continuing combat made their home region insecure.¹²⁸

¹²⁶ Letter from the Governor of Bujumbura-rural to the Minister of the Interior, dated February 25, 2000.

¹²⁷ Human Rights Watch interviews, Gatumba, February 15 and March 3; Kinama, April 14, 2000.

¹²⁸ Human Rights Watch interview, Matara, March 2, 2000.



Maramya Camp dismantled ©2000 Human Rights Watch

(A)

The governor of Bujumbura-rural described plans for Phase II of dismantling the camps in a letter to the minister of the interior on March 15, 2000. They proved to be as misleading as those for Phase I. Nine sites were named, including some described in this report as having the worst conditions, such as Kabezi and Kavumu.¹²⁹ But plans were to completely disband only one of the nine. Three were to continue functioning with at least part of the regrouped population and five—with a combined population of some 100,000—were to be merely decongested by moving part of the population into new camps to be established. The inadequacies in the plan soon became irrelevant because in early April, the government suspended Phase II saying that the security situation was too poor to permit its implementation.¹³⁰ In fact, at about the time when Phase II was announced, Burundian authorities regrouped some 6,200 people at a new camp at Muchungwe without any announcement. It was only some weeks later that the existence of the new camp became known.¹³¹

By early April, three months after the original undertaking to close the camps, only some 18,000 people, about 5 percent of the total of 352,000 in the camps, had been permitted to return home. Of twenty-three sites identified at that point to be closed, only nine were regroupment camps. The occupants of the fourteen IDP sites on the list, some 16,900 people, did not, in fact, want to leave the sites.¹³²

The Burundian government was finally forced to make real progress on closing the camps after rebel leaders made this a precondition for joining the peace negotiations and Nelson Mandela, as facilitator of the talks, took up the issue, calling the camps "concentration camps." On June 7, 2000, Mandela announced that Buyoya had agreed that all people in the regroupment camps would be free to return home by July 31. Spurred by the prospect of a mid-June visit by Mandela, the government moved rapidly to close seven camps with a population of some 111,700 people, nearly 40 percent of those regrouped in the province.¹³³

The same day that the promised closing was announced, military and civilian officials went to several camps to tell residents that they were free to go home immediately. During such a morning visit at Muyaga camp, military officers, the governor of Bujumbura-rural, the administrator of the commune and the zone chief said that the camp should be completely vacated by Friday. Residents saw this as a promise, not a threat, and began packing up their belongings immediately. Some left Wednesday afternoon, others the next morning. Similarly people from Buhonga headed home beginning on June 7, as soon as they were authorised to leave. Military officers came to Nyambuye camp on June 10 to say that residents should leave immediately. After general applause, residents hurriedly gathered their belongings and left the camp. Several took pride in the speed of their departure and administrative officials expressed surprise over it as well.¹³⁴

A number of camp residents who rejoiced at the chance to go home believed the decision was spurred by Mandela's visit rather than by a concern for their welfare. Several commented that they wished that Mandela would come more often, seeing that he brought such beneficial changes, while others expressed the fear that they might even be sent back to the camps once Mandela had left.¹³⁵

¹²⁹ Letter from the Governor of Bujumbura-rural to the Minister of the Interior, dated March 15, 2000.

¹³⁰ IRIN Roundup number 14, 1-7 April, 2000.

¹³¹ Human Rights Watch interviews, Bujumbura May 15 and May 16, 2000.

¹³² IRIN Report 902, April 12, 2000.

¹³³ United Nations Office for the Coordination of Humanitarian Affairs, "Bujumbura Rural, 3eme phase de demantelement (du 08 au 10 juin 2000)."

¹³⁴ Human Rights Watch interviews, Bujumbura and Bujumbura-rural, June 12 and 13, 2000.

¹³⁵ Human Rights Watch interviews, Bujumbura-rural, June 15 and 28, 2000.

Some residents of Ruyaga camp originally from Kamasa hill did not go home directly but rather went to stay with family or friends on other hills, as did others from Buhonga camp. They said they preferred to return home only when neighbors from adjacent hills had also been permitted to leave from other camps.¹³⁶

Two of the camps where rebel activity has been most important, Kavumu and Kabezi, were not completely dismantled even though they were among those named for closing on June 7. On the morning of June 8, authorities announced that everyone at Kavumu camp should go home, but in the early afternoon military and civilian officials declared that the residents of seven of the thirteen hills represented at Kavumu could not go home due to continuing insecurity on their hills. Authorities urged people from those hills to seek lodging with family or friends nearby and many did so. But others, particularly more vulnerable people like women and children, stayed on in the camp. On June 9, representatives of residents from the seven hills asked the administrator of the commune when they would be able to go home. He had no answer for them but assured them that those who wished to do so could remain in the site. Within a week, however, the camp was empty. People from most hills were back in their own homes and about 900 families were residing with family and friends.¹³⁷

Administrative officials permitted about half the residents of Kabezi camp to return home between June 7 and June 9, but told those who lived at Masama, Gitenga, Mwaza and Kiremba that conditions were too insecure on those hills to permit their return. Although most who returned home experienced no problems, some residents of Kabezi hill were frightened by combat in their vicinity and asked authorisation from the zone chief to return to the camp. He refused and they stayed at home.¹³⁸

At the end of June, about 100,000 persons had returned home from the camps, somewhat less than one third of the total number of persons forcibly displaced from their homes since September 1999.¹³⁹ Statistics on the number displaced may be incomplete. The camp at Muchungwe, established in April, is not generally included in the list of "protection sites," nor is a camp in central Mugere (population 3,200) which has been in existence since September 1999.¹⁴⁰

Little is known about the camps in the southern part of Bujumbura-rural because they are located far from roads and in areas where there is often combat. Any closing of these camps, as well as conditions of life for those still resident there, have not been monitored.

XI. CURRENT CONDITIONS

Although happy to be home once again, those who had suffered regroupment still face large problems in trying to reestablish their lives. Most farmers have cultivated too little to feed their families until the next harvest. Virtually none of them have any livestock. International humanitarian agencies, aware of the food shortage, continue to distribute supplies in the countryside. In several regions, such as Buhonga and Nyabibondo, residents have easy access to water at local streams. But in areas south of Muyaga and Kavumu, the water system has been destroyed and people who used to depend on it must go some distance on foot to get water at Mutanga or elsewhere. Efforts are being made to repair

¹³⁶ Human Rights Watch interviews, Buhonga, June 13 and Kavumu, June 14, 2000.

¹³⁷ Human Rights Watch interviews, Kavumu, June 13 and 14, 2000 Bujumbura, June 22, 2000.

¹³⁸ Human Rights Watch interview, Kabezi, June 17, 2000.

¹³⁹ Human Rights Watch interviews, Bujumbura, June 12 and 13; Sorezo, June 12; Buhonga, June 13; Kavumu, June 14; Kwigere, June 15, Mutambu, June 16; and Kabezi, June 17, 2000.

¹⁴⁰ Human Rights Watch interview, Mutambu, June 16, 2000.

the system. In other regions, international agencies are delivering water. Agencies that previously provided medical services continue to do so.¹⁴¹

In some areas, about one fifth of the homes are missing all or part of their roofs and one half showed evidence of looting, such as having doors smashed or windows broken. In many, all usable furniture, household goods, and food supplies have been pillaged. One man who lives on Kwigere hill has a small house that measures five by seven meters and that requires thirty-five pieces of metal sheeting for a roof. Each piece, bought new, costs about 5,000 Burundian francs, making the cost of a complete new roof 175,000 Burundian francs or about \$214, which would represent more than eight months salary for him.¹⁴² As another man commented,

Before there was so much insecurity, so regroupment should have been a good idea. But because conditions in the camp were so bad, in reality, it was not a good idea. Now my house has no roof and my home is ruined. What am I to do?¹⁴³

Those who have returned home continue to suffer from the war. Even more than the concerns of daily life, many former camp residents worry about the possibility that military activity will increase and that they will be forced to go back to the camps. Several who expressed concern about combat in their region made clear that they fear the Burundian military, not the rebels. One said, "The rebels pass at night and everyone on the hill knows this. We are not afraid of their passing, only of the soldiers during the day."¹⁴⁴

About 150 families of Sorezo hill experienced the apparently arbitrary exercise of military authority immediately after they returned from Muyaga camp. They had been in their homes for only a few hours on June 8 when soldiers came and without explanation ordered them to leave the area. Some of those affected believe that the soldiers wanted the area vacated because it lies close to the residence of President Buyoya, but they have been unable to obtain either an official explanation or any help in relocating. Representatives of the group went to the governor of Bujumbura-rural who sent them to the mayor of the city of Bujumbura. The mayor said that he could not help them because the decision had been made by the military. In the meantime, they are living with friends and neighbors in nearby areas.¹⁴⁵

Boys and men are still being required to transport goods for soldiers as they move around the province. On June 14, about thirty soldiers entered homes in the Mutanga North section of Bujumbura city and required some twenty Hutu young men and boys, aged ten to twenty-five years old, to carry loads of food and other supplies on a two-hour journey to Nyambuye military post. The soldiers threatened to beat them with sticks if they did not comply with the order. The Hutu were allowed to leave the post for the return journey only just before dusk. They hurried back, afraid that they might be taken as rebels by other soldiers and shot before arriving at the city.

A Human Rights Watch researcher also observed boys as young as twelve years old, serving as doriya and carrying supplies for soldiers near Mutambu commune in mid-June.¹⁴⁶

¹⁴¹ Human Rights Watch interviews, Bujumbura-rural, June 12, 13, and 15, 2000; OCHA briefing notes, June 28, 2000.

¹⁴² Human Rights Watch interview, Kwigere, June 15, 2000.

¹⁴³ Human Rights Watch interview, Maramvya, February 10, 2000.

¹⁴⁴ Human Rights Watch interview, Bujumbura-rural, June 15, 2000.

¹⁴⁵ Human Rights Watch interview, Bujumbura, June 12, 2000.

¹⁴⁶ Human Rights Watch interview, Bujumbura, June 15, 2000; field observation, Mutambu commune, June 16, 2000.

XII. THE INTERNATIONAL RESPONSE

More than any other single international force, the moral condemnation of Nelson Mandela has moved the Burundian government towards closing the camps, as discussed above. His effectiveness stemmed in part from his being held in such high esteem and in part from his willingness to challenge the prevailing wisdom that Buyoya and the precarious stability that he seemed to represent should not be questioned too vigorously.

From the start, few outside observers believed that regroupment would be an effective solution to the military threat posed by the FNL to the capital. Most believed that Buyoya was acting in order to protect himself from Tutsi extremists, including perhaps other military officers, who might attempt to remove him if he did not take some dramatic action to halt rebel incursions into the city.¹⁴⁷ In public and in private, various foreign governments criticized the creation of the camps, deplored the inhumane conditions, and advised that the camps be disbanded. On December 17, for example, the U.S. State Department issued a release calling on the Burundi government to end the camps which were "breeding long-term resentment" against the Burundian authorities as well as spreading disease and leading to increased deaths.¹⁴⁸ But none was willing to go as far as Mandela for fear of undermining Buyoya's position.

In attempting to justify the camps, Buyoya dismissed this international criticism and referred to the behavior of the international community at the time of the Rwandan genocide. He reportedly said:

If you do not manage the security situation, chaos will come and you will disappear as the international community sits back and watches. The same international community will later come and blame us for the massive killings and genocide, so we had to take up our responsibilities.¹⁴⁹

Donor nations were, of course, ill-placed to threaten aid cuts to spur any change in policy. Following the imposition of the embargo in 1996, most donors ended development aid to the Burundian government and hence could not make closing the camps a condition of further assistance.¹⁵⁰ In 1998, however, France and Belgium again promised development aid for such sectors as health and education and in April 2000, the World Bank granted a credit of \$35 million to stabilize the economy and restore social services. On a visit to Burundi in April, Belgian Foreign Minister Louis Michel said that it was hard for Europeans to accept the regroupment policy, but rather than push for closing the camps, he stressed the need for better humanitarian access to improve conditions for those confined there.¹⁵¹

Foreign diplomats did intervene effectively on one occasion, after looting by troops was reported at Kavumu camp on May 7. Following their protests, the minister of defense asked an inter-ministerial commission to investigate reports of military misconduct.¹⁵²

The U.N. Security Council repeatedly expressed concern about regroupment and asked that those affected be allowed to return home. Once the Burundian government had sent home a significant number of people in early June, the Security Council welcomed the closure of some camps and expressed the expectation that the government would complete the process.¹⁵³ Leading spokespeople for the United Nations all condemned the inhumane conditions of regroupment. In January, Secretary-General Kofi Annan criticized the policy and warned of a potential "humanitarian

¹⁴⁷ Human Rights Watch interview, Bujumbura, December 14, 1999.

¹⁴⁸ IRIN number 825, December 17, 1999.

¹⁴⁹ IRIN number 901, April 11, 2000.

¹⁵⁰ Some U.S. \$42 million was delivered in humanitarian assistance in 1999. IRIN number 871, February 29, 2000.

¹⁵¹ IRIN numbers 902, April 12 and 910, April 26, 2000.

¹⁵² IRIN number 921, May 11, 2000.

¹⁵³ President of the Security Council, Oral Statement to the Press, Friday December 3, 1999; IRIN number 956, June 29, 2000.

catastrophe" in the camps. His Special Representative for Displaced Persons expressed concern about conditions in the camps and UNICEF Director Carol Bellamy urged that they be closed rapidly.¹⁵⁴ The Special Rapporteur for Burundi of the U.N. Human Rights Commission, Marie-Therese Keita-Bocoum, recommended that the government deal immediately with the issue of forced displacement of the population.¹⁵⁵

Mary Robinson, U.N. High Commissioner for Human Rights declared that regroupment "violates the civil and political, as well as the economic, social and cultural rights of the affected population."¹⁵⁶ The Office of the U.N. High Commissioner inside the country, however, played no role in investigating or in publicizing the inhumane conditions under which residents lived. Throughout most of this period, U.N. staff were limited by security restrictions imposed following the murder of U.N. personnel in October 1999. Field officers could, nonetheless, have documented abuses by interviewing camp residents who came into the city and publicized them so as to increase pressure on the Burundian government to halt these abuses.

XIII. VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW BY THE GOVERNMENT AND MEMBERS OF THE BURUNDIAN ARMED FORCES

Civilians—persons taking no active part in hostilities—are protected by common article 3 of the Geneva Conventions which, together with customary law, governs the conduct of forces involved in an internal armed conflict. All parties to such a conflict, like the one in Burundi, are bound by the provisions of this article.

In addition, the government of Burundi has acceded to the 1977 Additional Protocol II of the Geneva Conventions which further details protections for civilians caught in an internal armed conflict. These rules are applicable to insurgent forces as well as to the government of Burundi and its armed forces.

The customary law principle of civilian immunity and the complementary principle requiring warring parties to distinguish civilians from combatants at all times was recognized by the U.N. General Assembly by its Resolution 2444, adopted by unanimous vote on December 19, 1968. Among other principles, this resolution affirms the prohibition against attacking civilian populations and requires all parties to hostilities to spare civilian populations as much as possible.

The Forced Displacement of Civilians

In terms of the number of persons affected, the Burundian government violated international humanitarian law most seriously by forcibly displacing some 350,000 persons from their homes and keeping them in camps where they suffered from miserable conditions of life, some of them for ten months. Article 17 (1) of Protocol II prohibits such deliberate displacement of civilians except for their own security or for imperative military reasons.¹⁵⁷

Combat in Bujumbura-rural had increased in the months preceding the decision for regroupment, but the Hutu population suffered increased risk to their security more from the Burundian armed forces than from the insurgents.

¹⁵⁴ IRIN numbers 843, January 20 and 866, February 22, 2000.

¹⁵⁵ IRIN number 893, March 30, 2000.

¹⁵⁶ IRIN number 842, January 19, 2000.

¹⁵⁷ Additional Protocol II to the Geneva Conventions Relating to the Protection of Victims of Non-International Conflicts, acceded to by Burundi on June 10, 1993, specifies in Article 17 (1):

The displacement of the civilian population shall not be ordered for reasons related to the conflict unless the security of the civilians involved or imperative military reasons so demand. Should such displacements have to be carried out, all possible measures shall be taken in order that the civilian population may be received under satisfactory conditions of shelter, hygiene, health, safety and nutrition.

This risk of harm was not great enough to require confining residents in camps and could have been minimized by insisting that members of the Burundian armed forces abstain from attacks on the civilian population. Enforced residence in the camps exposed the displaced people to a number of other abuses by members of the Burundian armed forces as well as to a greater likelihood of death by disease and malnutrition than they would have suffered had they remained at home. In this way, regroupment actually reduced the security of camp residents.

In determining whether regroupment was justified by "imperative military reasons," the most authoritative source to interpreting the Protocol is its Commentary which states:

Clearly, imperative military reasons cannot be justified by political motives. For example, it would be prohibited to move a population in order to exercise more effective control over a dissident ethnic group.¹⁵⁸

The Hutu of Bujumbura-rural constituted a social base for the FNL and Burundian authorities did indeed displace them with the aim of exercising closer control over them, a political reason specifically excluded by the Commentary. Some of the residents of this province had provided food and shelter to FNL combatants—willingly or unwillingly—and so had supported their military activity. But this assistance was not so crucial to their combat as to qualify interrupting it as an "imperative" military reason.

Article 17 also provides that all possible measures be taken to ensure that displaced persons be provided with "satisfactory conditions of shelter, hygiene, health, safety and nutrition" at places to which they are moved. As is clear from the information presented above, Burundian authorities took no measures to assure satisfactory conditions, even for those persons displaced long after the initial decision for regroupment was made.

Other Violations of International Humanitarian Law

Soldiers and national policemen and others acting at their direction, like doriya, who have killed, raped, or tortured civilians or treated them in a humiliating and degrading way, as detailed above, have violated the provisions of article 3 and of article 4 of Protocol II and they have failed to observe the principles recognized by the U.N. General Assembly Resolution 2444. Members of the Burundian armed forces who indiscriminately fired their weapons when herding civilians into regroupment camps and who shot directly into the camps as they did at Kavumu and Kabezi, have also violated these provisions of international law, as they have the prohibition of attacks on civilians.

Article 4 of Protocol II prohibits collective punishments. Members of the Burundian armed forces who beat and otherwise abused camp residents at Nyambuye, Kavumu, and Kinyankonge after their posts were attacked by insurgents violated this provision of international humanitarian law.

Article 4 (3) (e) of Protocol II and the Convention on the Rights of the Child, to which Burundi is a state party, grant special protection to children in times of war. By killing children, exposing them to indiscriminate fire, beating them, requiring them to provide labor, and recruiting them as auxiliaries, members of the Burundian armed forces have violated the rights of children specified in this Protocol and Convention.

Customary and conventional law prohibits directing the movement of civilians in order to attempt to shield legitimate military objectives from attack or to favor military operations. Burundian soldiers and national policemen who sent men and boys ahead of their patrols or convoys, as at Mpankuhe football field where three children were shot by rebels, violated these provisions of international law.

Soldiers, national policemen, and doriya who have pillaged the property of civilians, as they apparently did in many areas of Bujumbura-rural and at Kavumu camp on May 7, have violated customary and conventional international law.

¹⁵⁸ International Committee of the Red Cross, *Commentary on the Additional Protocols of 1977* (Geneva: International Committee of the Red Cross, 1987), p. 1472.

Some of the above-mentioned violations may have been carried out by members of the Burundian armed forces on their own initiative and without any direct orders from their superiors. But these abuses were sufficiently widespread and frequent that commanding officers of the armed forces and senior leaders knew or should have known that they were they were taking place. By failing to halt these violations among men under their command and by only exceptionally bringing perpetrators to justice, commanding officers of the Burundi armed forces tolerated and became complicit in crimes against international humanitarian law. In some instances commanding officers may have ordered violations of international humanitarian law, as is alleged of "Commandant Gisanganya" Ngarambe.

XIV. FAILURE BY THE BURUNDIAN GOVERNMENT AND MEMBERS OF ITS ARMED FORCES TO OBSERVE THE GUIDING PRINCIPLES ON INTERNAL DISPLACEMENT

The Guiding Principles on Internal Displacement, adopted in September 1998 by the U.N. General Assembly, reflect humanitarian law detailed above as well as human rights law, and provide a consolidated set of international standards governing the treatment of the internally displaced (IDPs). Although not a binding instrument, the Guiding Principles are based on international laws that do bind states and insurgent groups, and they have acquired authority and standing in the international community. Having violated international humanitarian law on a number of counts, the Burundian government necessarily also contravened the Guiding Principles concerning those same issues.

By forcibly displacing the population, the government of Burundi contravened principle 6, which echoes article 17 discussed above. By giving people little or no advance notice of their forcible removal, by failing to provide any explanation of the necessity of the move, by failing to obtain the consent of those moved, and by failing to provide satisfactory conditions for their installation in the camps, the government contravened principle 7. Authorities carried out the displacement in total disregard of the rights to security and dignity of those affected, a violation of principle 8, and imposed the move on people who were largely farmers, those with a special dependency on their lands, thus disregarding principle 9.

Principle 10 specifies the protection of displaced persons against loss of life by murder, summary or arbitrary executions, and enforced disappearances which might result in death. It specifically prohibits direct or indiscriminate attacks, use of displaced persons as shields from attack, and attacks on camps. Members of the Burundian armed forces contravened principle 10 in the crimes and attacks described above.

Members of the Burundian armed forces contravened principle 11 by raping, torturing, and committing other outrages on the physical, mental and moral integrity of displaced persons.

Members of the Burundian armed forces contravened principle 11 by requiring forced labor from children and principle 12 by recruiting, requiring or permitting displaced children to take part in hostilities.

Principle 14 specifies that displaced persons have the right to move freely in and out of camps. This principle was ignored by Burundian authorities, whether military or civilian, who restricted the movement of civilians for their own purposes.

According to principle 18, authorities are obliged to provide displaced persons with food, water, shelter, clothing and medical services or to ensure their access to these necessities. Burundian authorities generally permitted humanitarian agencies to deliver these necessary services, but in some cases, such as that of Kavumu in the first weeks of 2000, local authorities contravened this principle. The interruption of such services also contravened principle 25 which requires granting free passage to personnel of humanitarian agencies.

Principle 21 prohibits pillage of the property of displaced persons and further requires the protection of property left behind at the time of their displacement. Members of the Burundian armed forces contravened this principle and

looted and pillaged the goods of displaced persons. In addition, Burundian authorities failed to protect their property against theft by their own soldiers and national policemen or by insurgents.

Principle 22 provides that displaced persons shall be able to seek employment and participate in economic activities. By the restrictions on their movements, many camp residents were prevented from cultivating the food necessary for their own subsistence or for sale. Others were kept from seeking employment, particularly those who would have otherwise cultivated the fields of others or who engaged in itinerant commerce.

Principle 28 requires authorities to establish conditions and to provide the means for displaced persons to return voluntarily, "in safety and with dignity" to their homes or to resettle voluntarily elsewhere. The government of Burundi seems to have sent the people home with as little concern for their welfare as it showed in displacing them at the start.

According to principle 29, authorities have the responsibility of helping displaced persons to recover their pillaged property. In the case of the May 7 raid on Kavumu camp, authorities have supposedly begun creating a list of looted goods with the aim of restoring as much as possible to camp residents, but they have not otherwise indicated any readiness to aid in the recovery of pillaged property or to provide just reparation for it.

XV. VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW BY THE FNL AND ITS COMBATANTS

Combatants of the FNL who have killed, raped, or otherwise injured civilians, as they did in killing passengers in the vehicles ambushed at Mageyo, have violated the provision of common article 3 and of article 4 of Protocol II and they have failed to adhere to the principles enunciated in Resolution 2444.

By killing children, exposing them to indiscriminate fire, beating them, requiring them to provide labor, and recruiting them as auxiliaries, FNL combatants have violated the rights of children specified in article 4 (3) (e) of Protocol II.

Customary and conventional international law prohibits using the presence of civilians to shield areas from military operations or to favor or impede such operations. FNL combatants who used regroupment camps to launch attacks on military posts, such as at Kabezi and at Kinyankonge, violated these provisions of international law.

FNL combatants who have looted the crops and other property of civilians or forced "contributions" from them, as at Ruziba on April 23, have violated customary and conventional international law which prohibits such pillage.

FNL combatants may have committed some of these abuses on their own initiative and without any direct orders from their superiors. But senior leaders of the FNL knew or should have known that such widespread and frequent violations of international humanitarian law were being committed by men under their direct command. These responsible authorities have at the least failed to enforce provisions of international humanitarian law among men under their direct command. By failing to halt these violations among their subordinates, FNL leaders tolerated and became complicit in crimes against international humanitarian law. In some instances they may have ordered men under their command to commit these violations.

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350 Fifth Avenue 34th Floor
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