**The Republic of Burundi’s Compliance with the International Covenant on Civil and Political Rights Suggested List of Issues to Report**

**Submitted by**

**Maat For Peace, Development, and Human Rights**

Maat For Peace, Development, and Human Rights is a nonpartisan and nonprofit civil society organization. Established in 2005, Maat seeks to use the human rights approach, mechanisms and tools; to promote the values ​​and practices of social peace, development, democracy and good governance. It also works through international and regional mechanisms and bodies in the framework of networks and alliances to advocate and mobilize support for the promotion of peace and sustainable development practices and policies, and mobilizing against all forms of violence, conflict and injustice.

**Executive Summary**

1. The acute political crisis in the Republic of Burundi began in April 2015, when despite the constitutional two term limit, President Pierre Nkurunziza announced intentions to seek a third term in the June 2015 elections. This triggered street protests, an attempted coup in May 2015, armed opposition attacks, assassinations and brutal government reprisals.
2. Following this, the State Party continued to violently repress all internal opposition, with alleged disappearances of opponents, torture and the use of ethnically charged rhetoric. This resulted in the death of more than 1,200 Burundians and forced 400000 to flee the country. It has also been alleged that members of the ruling party’s youth league, Imbonerakure, in collaboration with State security forces including the Burundian National Defense Forces (BNDF) and the Burundian National Intelligence Service (SNR) committed numerous attacks on civilians including arbitrary arrests, abductions, torture, killings, forced disappearances, abductions, and rape.
3. The 2020 presidential, legislative and local elections ushered in a new era under President Évariste Ndayishimiye and ended the fifteen-year presidency of Pierre Nkurunziza. However, despite a new government, the human rights situation in Burundi remains significantly high, with grave violations still rampant.

Following the afore mentioned issues Maat details incidents of gross violations of human rights, especially those which occurred in the period preceding the elections of May 2020.

1. ***Article 7: The State Party has failed to provide protection against the Use of Torture and Inhumane treatment***
2. In April 2016, the UN High Commissioner for Human Rights Zeid Ra’ad Al Hussein expressed concerns about the use of torture in Burundi citing over 345 new cases and 595 persons as victims of torture since April 2015, in police stations located in two Bujumbura neighborhoods of Citiboke and Musaga, and at the Mutakura military camp.
3. In 2018, the government was running secret detention houses to silence the opposition. There was blood flowing from the drain of a house in the capital.
4. A man reported to be a guard of the Burundian intelligence chief Alexis Ndayikengurukiye, known as Nkoroka claimed to have been at the aforementioned house where blood was seen flowing when Nkoroka ordered three detainees to be beheaded.
5. ***Article 9: The State Party has failed to protect the Right to Life Liberty and Security of Persons.***
6. *Enforced disappearances and extrajudicial executions*
7. Many members of the Congrès national pour la liberté CNL, the ruling party’s main opposition were reportedly arrested beaten and, in some cases, killed by the Imbonerakure in the months leading to the May 2020 elections. In October 2019, Évariste Nyabenda was attacked and beaten to death when he tried to stop the Imbonerakure from harassing his fellow CNL members at his bar. On December 12, 2019, a local CNL representative, Désiré Ntahondabasigiye was shot and killed through the window of his house. It was reported that some members of the Imbonerakure threatened to kill other members of his family if they continued to follow-up on the case.
8. In May 2020, shortly before the elections, the Imbonerakure reportedly abducted another CNL member Richard Havyarimana in the Mwaro province. Several days later, he was found dead with deep gashes on his head.[[1]](#footnote-1) On July 22, 2016, Jean Bigirimana went missing in Bujumbura, shortly after receiving a call from an intelligence source. Four years later, efforts to trace him have proved futile.

*II. Arbitrary Dentition*

1. In May 2020, it was reported that over 600 members of the CNL including party observers; had been in different parts of the country in the weeks leading up to the election.[[2]](#footnote-2) Similarly, many civil society activists and journalists remain in detention and others continue to face intimidation and trials on exaggerated charges. For example, Human rights defender Germain Rukuki was sentenced to 32 years in jail on spurious charges of participating in an insurrectionist movement and breaching of state security.
2. ***Article 19: The State Party has failed to uphold the rights to the Freedom of Expression and Association***
3. In October 2019, four journalists of Iwacu media group were arrested while covering clashes between Burundian security forces and gunmen near the border with neighboring Democratic Republic of Congo (DRC).
4. The journalists namely: reporter Agnès Ndirubusa, broadcast reporter Christine Kamikazi, English service reporter Egide Harerimana, photojournalist Térence Mpozenzi, and their driver, Adolphe Masabarikizawere, were arrested while interviewing people who witnessed the gunfire in the town of Musigati. They were taken to the provincial police station in Bubanza.
5. On January 30, 2020, the four were convicted in a court in Bubanza and sentenced to two years and six months in prison. It was reported on June 5, 2020, that their appeal was rejected.
6. Furthermore, in recent years many sources of news and information available to Burundians have been greatly eroded. During the May 2015 unrest, there were attacks on five broadcasting stations. Three of these stations namely Bonesha FM, Radio Publique Africaine, and Renaissance Radio and Television have been unable to resume operations in Burundi. Furthermore, since 2018, the British Broadcasting Corporation and the Voice of America have been banned from operating within the country.

**Suggested Questions to the State Party**

Following the current state of human rights in the Republic of Burundi, Maat suggests the following questions to the State Party:

1. What actions are the State Party taking to reform and educate state security officials and the members of the ruling party’s youth league, Imbonerakure, on their duties as well as the importance in the upholding of basic human rights? Please provide details on this.
2. What effort is the State Party making to criminalize the use of torture and how are State Security forces and the Imbonerakure held accountable for human rights violations?
3. What laws, policies and procedures are in place to ensure that arrested citizens are not subject to discrimination, torture, or ill-treatment based on their political beliefs?
4. What steps have the State Party taken to investigate the allegations of extrajudicial executions and enforced disappearances? Please provide reports of such investigation.
5. How does the State Party guarantee that legitimate activities of the media and journalists are not inhibited by arbitrary, unjustified, or politically motivated lawsuits?

1. Ibid. [↑](#footnote-ref-1)
2. <https://www.iwacu-burundi.org/englishnews/over-420-cnl-party-members-detained-in-electoral-period/> [↑](#footnote-ref-2)