



SOS - TORTURE / BURUNDI

"Celui qui sauve une vie sauve l'humanité toute entière"

Annual report on the situation of human rights in Burundi in 2019



In the run-up to the elections : political tensions and violence

March 2020

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1. Socio-political context

About four years after the outbreak of the current crisis in Burundi, despite some variations in intensity, the patterns and trends of human rights violations are invariably the same : massive and systematic. The alleged perpetrators of these violations are almost exclusively state agents, relayed or supported by members of the imbonerakure militia.

This extremely worrying human rights situation in Burundi has been documented in detail, including in the report of the International Commission of Inquiry on Burundi. According to the report, “serious human rights violations continue to be committed in Burundi, in a general climate of impunity. Some of these violations constitute crimes under international law. Members of the youth league of the ruling party, the Imbonerakure, are the main authors. Agents of the National Intelligence Service (SNR) and the police as well as local administrative officials were also frequently identified as perpetrators of these violations¹».

This commission also alerted that “serious crimes of the past are the object of selective manipulations of memory, separate commemorations of bloody events through messages; hate speech. The recent reopening of the case of the assassination of President Melchior Ndadaye on 21 October 1993, while concealing the massacres that followed, is a perfect illustration of this.

The government has also enacted numerous measures to limit the exercise of fundamental freedoms, in particular those of opinion, expression, association and the press. The aim seems to be to avoid the presence or action of any independent witness in Burundi.

In this context, the government of Burundi has decided to close the United Nations Office for Human Rights. This measure entered into force on 28 February 2019, marking the end of cooperation with UN Human Rights bodies. The argument is that the country has made sufficient progress in establishing its own human rights mechanisms, so that the existence of the Office is no longer justified.

In this logic of blocking public space, the Burundian government, through the National Communication Council (CNC), extended the sanctions against two international radios broadcasting in kirundi, The Voice of America (VOA) and the British Broadcasting Corporation (BBC) at the end of the first quarter 2019². The first was suspended until further notice, and for the second, the operating order was withdrawn³.

The desire for opacity on the facts taking place in Burundi was again manifested through the arrest and detention of four journalists of the newspaper IWACU, with their driver, while they had gone to cover an armed incursion of the elements of the red-TABARA movement, the 22 October 2019, in the province of Bubanza. A few days later, the driver was released, but the journalists were arbitrarily detained on unfounded charges.

¹ <https://undocs.org/fr/A/HRC/42/49>

² <http://www.rfi.fr/afrique/20190330-burundi-medias-bbc-voa-nouveau-sanctionnees-bankumukunzi-rsf>

³ <https://www.youtube.com/watch?v=wIqvQQ8H7CE>

Freedom of association has not been spared. Thus, one of the few free organizations that was still active in Burundi, the Association "Parole et Action pour le Réveil Des Consciences et des mentalités" (PARCEM), was suspended for an indefinite period.

Harassment of civil society has also manifested itself in unfounded prosecutions and convictions of a few human rights defenders who have remained in the country. The best illustration of this is the sentencing of human rights defender Germain Rukuki on 17 July 2019 to a heavy sentence of 32 years. Being a member of a civil society organization has therefore become a serious crime, punishable by heavy prison sentences.

Foreign NGOs were not spared. The government's control over their activities, financial and Human Resources, has been strengthened. After they were called upon to respect the ethnic and gender balance provided for in the Arusha Agreement, the Council of ministers decided to set up a local staff recruitment committee for foreign NGOs in Burundi⁴. These measures were imposed at a time when the Arusha Agreement provides for balances only in state institutions (government, parliament and defence and security Forces) where they would no longer be respected.

The approval of the new party, the National Liberation Council (CNL), led by Agathon Rwaso, on 14 February 2019, after more than five months of a winding procedure, had been interpreted by many observers as an opening sign.

But the facts quickly proved the opposite because the CNL has been systematically obstructed by the government and the executive and the ruling party in the functioning of this party. The government first banned the inauguration of its national office in Bujumbura, and then its activists were systematically chased throughout the country. In November 2019, the CNL spokesman denounced the destruction of more than 50 permanences of his party and "grotesque montages of physical and verbal violence, arrests of innocent people considered a kind of "Manhunt" (sic!) of which CNL members were victims⁵.

These persecutions are well in line with the threatening statement of the police commissioner in Muyinga province, who at a public meeting promised death to anyone holding a meeting at home. In these words : "I would like to say to the one who holds a night clandestine meeting at home that if we are warned (...), he will be drawing misfortune on his whole family ". With "(explosive) devices "at our disposal it" will be enough to throw two of them into this house ". "If you want to disrupt security, I will finish you on the spot, and if you are with your wife and children, you go together⁶ ». Despite the turmoil caused by this statement, the commissioner remained in office. This is a sign of the support of his hierarchy and the impunity that prevails in Burundi.

⁴ <https://afrique.lalibre.be/36277/burundi-le-gouvernement-veut-recruter-lui-meme-les-employes-des-ong/>

⁵ <https://www.urumurnews.com/2019/11/10/le-parti-cnl-denonce-la-recrudescence-du-harcelement-de-ses-militants/>

⁶ Déclarations de Jérôme Ntibogora, commissaire provincial de Muyinga, lors d'une réunion dirigée par le gouverneur de la province de Muyinga le 27 mars 2019, <https://www.burundidaily.net/single-post/2019/04/23/Le-Commissaire-de-police-J%C3%A9rome-Ntibogora-casse-l%E2%80%99omerta-du-r%C3%A9gime-burundais-les-opposants-seront-d%C3%A9cim%C3%A9s-sans-sommaton>

The year 2019 was profoundly marked by the approach of the 2020 elections, and an increasingly drastic locking of democratic space. The announcement of the elections has awakened the somewhat blunted attention of a part of the international community that has recalled the need to watch over Burundi after the sabotage of the negotiating process by the power.

During a meeting of the UN Security Council in June, UN Assistant Secretary-General for peacebuilding Oscar Fernandez-Taranco noted that the human rights situation in Burundi remains "worrying in view of the many violations of fundamental civil and political freedoms denounced by political actors, some media and civil society organizations in Burundi."⁷ ». As for the Commissioner for peace and security of the African Union, he expressed the wish for "the resumption of dialogue in Burundi as soon as possible to allow reconciliation in this country", necessary for the establishment of conditions "favorable to the organization of free and transparent elections, taking place in a peaceful and peaceful climate" and that the climate was becoming more and more delicate⁸ ».

Faced with the persistent blockage of inclusive dialogue on the part of the Burundian government, the Special Envoy of the UN Secretary-General, Michel Kafando, threw in the towel, the 30 October 2019. He said that with regard to inclusive dialogue "unfortunately, things had not moved". It expressed concern "at a rise in political intolerance and violations of civil and political freedoms in the country"⁵. This resignation fulfilled the wishes of the Burundian authorities to reject external observers, expressed by the president of the Senate in these terms: "**we do not need Belgians, French or Americans**", "**it is not a match that they would come to attend**"⁹ ».

As a parade to inclusive dialogue, the government has preferred to engage in selective talks with some members of the National Council for compliance with the Arusha Agreement for peace and Reconciliation in Burundi, the 2005 constitution and the rule of law (CNARED), a former platform of the opposition in exile, which are in favor of it. Some of them chose to reenter while others did not have the guarantees claimed, rejected by the Hawks of the ruling party¹⁰.

In order to avoid any independent publication, even journalists active in Burundi were enjoined " **not to publish or disseminate through any channel, including the internet, the provisional or final results of an election other than those officially announced by the CENI or its dismemberings**"¹¹ ».

In terms of security, the country was marked by two major episodes in the last quarter. First, an armed incursion on 22 October 2019 in the Musigati commune of Bubanza province, claimed by the RED TABARA movement, which resulted in clashes between this armed group and elements of the defense and security forces supported by imbonerakure following which

⁷ Ibidem.

⁸ Propos de Smaïl Chergui, au Conseil de Sécurité des Nations Unies, le 14 juin 2019.

⁹ <http://www.infosplusgabon.com/index.php?view=article&catid=37:international&id=22191:2020-01-10-14-18-51&tmpl=component&layout=default&page=>, citant la Radio Télévision Nationale du Burundi.

¹⁰ <https://www.iwacu-burundi.org/le-secretaire-executif-du-cnared-rentre-dexil/>

¹¹ <https://www.iwacu-burundi.org/code-de-conduite-des-journalistes-en-periode-electorale-un-hic/>

the armed elements entrenched themselves in the Kibira forest. The outcome of these clashes remains controversial.

Then, on November 17, 2019, a second attack targeted an army position on Marura Hill in Cibitoke province. According to the information officer of the Burundian army "the attacked position is on Mount Twinyoni located near the border with Rwanda ". He also said that this "armed group of rifles (was) from Rwanda "where he" folded after the forfeit¹²». According to some sources, this strong position of about 112 men was almost annihilated, the last available balance sheet reported 38 dead including the major who commanded the position and several dozen men missing since then. Burundi through its spokesman and later the president of the Republic, Pierre Nkurunziza, accused Rwanda of perpetrating this attack against Burundi¹³. This attack has escalated the ongoing tension between the two countries since 2015. Rwanda rejected these accusations and denied its involvement in the attack.

In economic and social terms, the population has continued to live in extreme poverty. Since the beginning of the year, more than 3 million people have been affected by a real malaria outbreak, representing more than 25% of the population. This is a 50% increase compared to the same period of 2018, affecting the entire Burundian territory. The Burundian government has refrained from declaring a state of epidemic as hundreds of people have been swept away by this disease¹⁴ and that many voices invited him there.

The continued scarcity of foreign exchange and the unbridled fall of the Burundian currency are the basis of incessant shortages of commodities, especially medicines and fuel.

Despite this rampant impoverishment, forced "collections" continued, from the entire population and in particular from teachers for the 2020 elections. These collections are made outside the control of the administration and sometimes under strong threats by provincial authorities in charge of Education.

The year was also marked by the looting of houses, located in Bujumbura, belonging to political opponents and high-ranking officers in exile. These acts of vandalism and illegal occupation by police officers followed the government's announcement to allow the dispossession of property owners accused of violating state security.

The overall record of reported human rights violations amounts to 197 cases of killings, that is, more than one person killed in two days, 383 cases of arbitrary arrest, corresponding to at least one person arbitrarily arrested per day, and 60 cases of torture, showing that torture has again become a common practice in Burundi (see chart below).

¹² <https://www.burundidaily.net/single-post/2019/11/19/Une-position-militaire-burundaise-d%C3%A9cim%C3%A9e-pr%C3%A8s-de-la-fronti%C3%A8re-rwandaise>

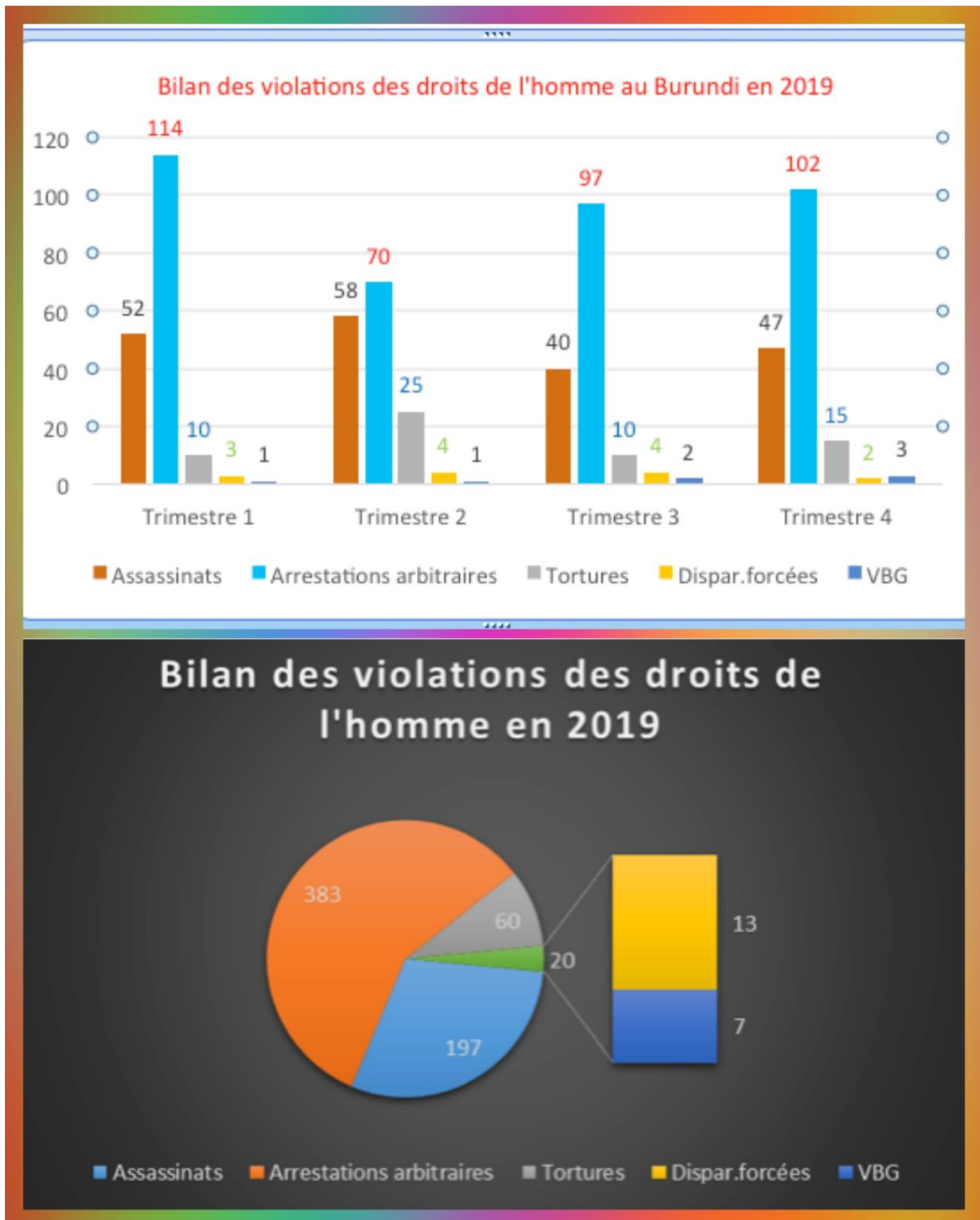
¹³ <http://www.rfi.fr/afrique/20191207-burundi-rwanda-pierre-nkurunziza-attaque-armee>

¹⁴ <http://www.rfi.fr/afrique/20190625-burundi-frappe-epidemie-paludisme>, publié le 26 juin 2019.

Outside Burundi, many Burundian refugees in Tanzania are experiencing a worrying situation. They remained under constant threat of forced return to Burundi by the Tanzanian authorities in collusion with the government of Burundi. To this end, they have been subjected to a variety of pressures, some more subtle than others, including the deprivation of certain services (markets, telephone connection, etc.), but also arbitrary arrests in or around the camps, detentions and enforced disappearances of some refugees. There are also persistent allegations of infiltration of imbonerakure militiamen and SNR agents into the camps. This situation has been documented by several organizations¹⁵.

¹⁵ <https://www.hrw.org/fr/news/2019/12/12/tanzanie-les-refugies-burundais-subissent-des-pressions-pour-quitter-le-pays>

Graph of human rights violations during the quarters of the year.



2. Violations of the right to life

Over the four quarters, violations of the right to life have almost the same characteristics. As in the past, one or more bodies together were discovered mostly in rivers all over the country, with a high frequency in the Rusizi River. These bodies are also dumped in wastelands, in brushwood or in forests, especially Kibira. The instructions of the administration remain invariable, it is necessary to hastily bury the bodies without waiting for their identification, which makes it difficult, if not impossible, for the subsequent identification of the victims and any subsequent investigation. Sometimes the bodies found are tied up showing that it is an execution that in the current context may have political motivations. They are also voluntarily thrown into places where the chances of being recognized are slim, highlighting the willingness of the executioners not only to remain unpunished but above all to make the victims disappear without a trace and without the knowledge of their relatives. This scenario is emblematic of the situation of impunity that characterizes the country.

In other crimes against life, which are quite numerous, the victims are known, but the perpetrators of the crimes are not identified. Since the police rarely communicate, it is difficult to know whether investigations have actually been opened or not. In other, rather rare cases, victims are well known, murdered in their living environment, and the police successfully identify and arrest the alleged perpetrators. These cases are encouraging examples that need to be multiplied in order to reduce the level of impunity in Burundi.

During the year, some violations of the right to life were attributed to police officers. In a case where a bicycle taxi driver was shot almost at close range¹⁶, the perpetrator of the crime was covered by his hierarchy, which justified the act as involuntary, claiming that the police officer was in a position of self-defence. In another case, in Gatumba a policeman killed four people in a bar following an altercation with these people¹⁷. He was arrested and tried in flagrancy.

In this register, there is also the alleged execution of two men while they had been filmed, alive, at the hands of police officers¹⁸. The police spokesman justified this act, speaking of “self-defence”¹⁹, and that it was an operation to dismantle a network of bandits that was rampant in the region. The hierarchy therefore covered this extrajudicial execution.

Several cases have been reported in which officers of the National Intelligence Service are alleged to have organized enforced disappearances of persons, some of whom were first tortured before their disappearance.

Many violations of the right to life are attributed to elements of the imbonerakure militia, almost always politically motivated. The power granted to them allows them to commit abuses without limits.

¹⁶ <https://www.iwacu-burundi.org/rohero-un-taxi-velo-abattu-par-un-policier/>

¹⁷ <https://www.iwacu-burundi.org/gatumba-un-policier-tue-quatre-personnes-dont-un-college-et-blesse-quatre-civils/>

¹⁸ Cfr. rapport n°187 de sos-torture/burundi publié le 13 juillet 2019, https://sostortureburundi.org/wp-content/uploads/2019/11/SOS-Torture-Burundi_Rapport_trimestre-3_2019.pdf

¹⁹ <https://mbilague.info/burundi-zones-dombre-autour-de-la-mort-de-deux-opposants/>

An emblematic case of political violence is illustrated by an attack that took place in a bar in Bujumbura, in the Rohero district. It was carried out with grenades and firearms, presumably with pre-designated targets. Three people were killed on the spot, and others were seriously injured²⁰. The assailants acted and left without being harassed by the police, and so far the police have not communicated anything about the searches started to find these criminals.

Although exceptional in its level of violence, this attack has in common many other acts of violence committed in Burundi, the use of Grenada becoming recurrent, and throughout the country, showing if need be the high level of proliferation of small arms in the country.

In terms of security, the year was marked by two armed attacks in the last quarter. First, there was the armed incursion on 22 October 2019, in the musigati commune of Bubanza province, claimed by the RED TABARA movement. The outcome of these clashes remains controversial on both sides. Then, on November 17, 2019, a second attack targeted an army position on Marura Hill in Cibitoke province. The latest available death toll is 38, including the major who commanded the position and several dozen men missing since then.

The different categories of violations of the right to life are presented below.

²⁰ <https://www.sosmediasburundi.org/2019/11/02/3-morts-et-plusieurs-blesses-dans-une-attaque-dhommes-armes-au-centre-ville-de-bujumbura/>

2.1. *Bodies discovered, thrown into streams or wasteland and hastily buried: a constant*



Body of a young woman discovered in the Nyabagere River, Buterere area, ntahangwa commune (north of the city of Bujumbura) on March 24, 2019²¹

Most of the listed victims remained anonymous, faceless, and nameless. The phenomenon of lifeless bodies found in forests, wastelands or rivers has become very common in Burundi. Bodies are often found tied up, beheaded or tied to trees. When dealing with several victims, they are also sometimes attached to each other. The other feature of these murders is that the bodies are abandoned in places located far from the places of residence of the victims. A strategy of the executioners not to be discovered, and to make the victims disappear incognito. They are facilitated in this by hastily given burial orders systematically by administrative officials, after the discovery of the bodies. In a few cases, the bodies are found decaying.

Here are some illustrative examples.

On January 17, 2019, in Kayanza commune of Kayanza province, a lifeless body of a young man was found. According to witnesses, the victim was tied up and then slaughtered. The body could not be identified by local residents or Kayanza police officers. The hypothesis put forward is that the execution was committed elsewhere, and the body transported away from the victim's residence so that it would not be identified, the executioners having disposed of the body there so that it would not be identified. The local administration ordered the immediate burial of the victim, without allowing extensive investigations.

On June 16, 2019, in different communes of Bubanza province, especially on butanuka Hill, Mpanda commune and Nyenkarange Hill, Rugazi commune, then on June 18, 2019, on Kanazi Hill, Musigati commune, three (3) bodies were found hanging there. Only the last victim could be identified. It's about Francois Baransura.

²¹ <http://sostortureburundi.over-blog.com/2019/03/rapport-n-172-de-sos-torture/burundi-publie-le-30-mars-2019.html>

The similarity in these deaths occurring almost simultaneously in three (3) different communes of the same province raises questions. To date, the police have not explained the circumstances in which these three people died.

On November 2, 2019, five bodies were discovered on the banks of the Rusizi River on the transversal 10 of Rusiga Hill, Rugombo commune, Cibitoke province. According to witnesses, each of the bodies was tied up. The bodies were buried without any prior investigation to identify the victims, the circumstances of their murder and their executioners.

Unidentified individuals murdered a young woman whose body was discovered in the Nyabagere River, Buterere area, ntahangwa commune (north of Bujumbura City) on March 24, 2019. The Buterere police did not arrest any suspects.

SOS-TORTURE Burundi notes a recurrent and deliberate failure by the administration and justice to identify and prosecute the perpetrators of victims killed in unknown circumstances.

This is a clear violation of the provisions of article 109 of Act No. 01/09 of 11 May 2018 amending the code of Criminal Procedure.

The article provides that " in the event of the discovery of a corpse, whether or not it is a violent death, but if the cause is unknown or suspicious, the judicial Police officer who is notified shall, if possible, inform the public prosecutor, before going to the scene and making the first findings.

The judicial Police officer must go to the scene and make the findings when it was impossible for him to contact the Public Prosecutor. The report of the finding must be communicated to the latter without delay.

The Public Prosecutor shall, if he considers it necessary, visit the place and shall be assisted by any doctor, expert or technician capable of assessing the nature, cause and circumstances of the death. However, he may delegate for the same purposes a judicial Police officer of his choice.

Where the circumstances of the death have remained unknown, whether or not the offence has been committed, the Public Prosecutor must initiate an investigation into the causes of death. »

This passivity to crime by authorized law enforcement agencies is an aggravating factor of impunity, which is understood as "the failure to investigate, prosecute and try natural and legal persons responsible for serious violations of human rights and international humanitarian law. »²²

²² <https://www.amnesty.be/camp/justice-internationale/les-principes-de-bruxelles/article/i-definitions-et-principes-fondamentaux>

2.2. Violations of the right to life against well-targeted persons with impunity

Unlike the previous cases, this category of victims is made up of well-identified persons, and in view of the methods used to kill, there is reason to assume that the alleged perpetrators are persons close to them. In some cases, political motives may be at the root of these crimes. This was observed when the victims were subjected to insistent but vain requests to join the ruling party.

In all the cases listed here, the police could not or did nothing to identify the circumstances of the crimes and the perpetrators. Yet in a few cases, leads to identify the executioners were obvious, such as a case of popular justice where all the alleged perpetrators could be circumscribed, or in another case, where the victim was killed after being arrested by individuals who had been identified by witnesses. And none of them was prosecuted for this forfeit.

Here are some examples to illustrate this phenomenon.

On January 15, 2019, in Socarti Quarter of the Kinama zone, ntahangwa commune in the city of Bujumbura, the body of Mr. Arsène Ndabihawenimana was discovered lying in a gutter. The victim was director of the electricity department at Bujumbura international Airport. The testimonies claimed that the victim was strangled. The police have not identified any suspects until today.

On 14 April 2019, on Nkaramanye Hill, Kayogoro commune, Makamba province, a man named Wazo Bunyoni, and two women named Ndayizeye and Basirisa were killed and beheaded with machetes while sharing a drink at Ms. Ndayizeye's home.

So far, Kayogoro police have not identified any suspects. However, according to local residents, only members of the imbonerakure militia can travel in the evenings and at night on the hills. Some of them are suspected of committing this triple murder.

On 20 November 2019, on Bugera Hill, Ndava commune, Mwaro province, Mr. Marius Bukuru was killed with machetes. According to witnesses, the victim was caught during an attempt to steal cows and the people around him took justice by beating him several times with machetes to the point of death.

The police have not arrested any suspects to date while the people involved are within an identifiable perimeter, suggesting a lack of Will on the part of the police to shed light on this murder and prosecute the culprits.

2.3. A few rare cases of murder followed by prosecution of the alleged perpetrators: why is this exceptional?

Rare are the situations when the alleged perpetrators of crimes are identified and arrested. These are usually ordinary crimes, where there is no political interference.

In just under ten per cent of the murders, the police were able to identify the alleged perpetrators. These are therefore rare cases where it is difficult to determine the factors that led to successful investigations. What is certain is that when it comes to crimes Sponsored by persons with a certain authority, investigations never take place or succeed. On the other hand, when the victim is a person close to the government, it can stimulate the conduct of investigations, even if it is not certain that the biases characterizing it allow the identification of real perpetrators.

Exceptionally in the last quarter, the police managed to arrest suspected perpetrators of some crimes after investigations. As in three cases, the persons arrested were influential members of the ruling party (CNDD-FDD) or its militia, in which case they had not been protected. Here are some examples.

On 19 January 2019, on Kinzanza Hill, in Gitanga commune, Rutana province, Mr. Ildephonse Nduwimana (45 years old) was murdered and his body discovered, beheaded and one of the arms amputated. The police in Gitanga announced the arrest of a man named Sinaniranye, without confirming that they had sufficient evidence of guilt about the murder of Mr. Nduwimana.

On 24 March 2019, on Sigu Hill, Busoni commune, Kirundo province, a member of the imbonerakure militia assassinated Mr. Aimable Ndayizeye. Witnesses report that the alleged perpetrator, named Toyi ordered the victim to close his bistro. The two men started arguing and militiaman Toyi pulled out his knife and stabbed Mr. Ndayizeye in the heart.

The victim died right away. The Busoni police announced the arrest of the alleged murderer.

On October 4, 2019, in the Kinanira IV District, Muha commune, Bujumbura City Hall, the body of Mr. Jean Marie Vianney Rugerinyange was discovered buried in the garden of his residence, five days after the announcement of his disappearance. According to his relatives, the disappearance of the victim, who was an official of the Ministry of sports and Culture, was reported on 29 September 2019.

State television footage showed Red Cross agents digging up the body, which was packed in a blue plastic tarpaulin. The private press had been denied access to the area where the victim was buried, raising suspicions about the police's willingness to hide certain facts.

The discovery of the body was announced by the police, who did not say anything about the circumstances of the disappearance and murder of Mr. Rugerinyange. She limited herself to announcing the arrest of the victim's servant as the main suspect. However, it was the latter who had alerted the family about the disappearance of his boss.

2.4. Violations of the right to life attributed to law enforcement officials



The horrific images of an extrajudicial execution on Buramata Hill in Mutimbuzi commune of Bubanza province on 11 July 2019²³

During the year, about fourteen cases of extrajudicial executions were attributed to law enforcement officers. During the first quarter, two murders took place, one in the heart of Bujumbura, when a police officer shot a bicycle taxi driver. Mitigating circumstances were put forward by his hierarchy to exonerate him. In the other, a policeman killed at the same time, four people during a brawl in a bistro. He was arrested and tried in flagrancy.

During the second quarter four cases of violations of the right to life were attributed to law enforcement officers. In one case, it is clearly an execution of a person for political reasons. In another, with some similarities to the previous one, uniformed officers, in a company vehicle, executed a person in the city of Bujumbura and threw the corpse on the street. Eyewitnesses testified that they were likely law enforcement officers. In another case, a Burundian soldier was killed at close range because he had refused to give priority to a vehicle with the Bubanza public prosecutor on board. He was killed with impunity.

During the third quarter, seven violations of the right to life attributed to law enforcement officials were reported. The aggravating factor is that in three of the cases, these people were in the hands of law enforcement officials, alive and were killed, executed by bullets or after being tortured.

On February 5, 2019, on Muyinga avenue, in the Rohero area, of the mukaza commune in Bujumbura City Hall, a police officer shot dead a young man, practicing as a bike taxi driver. He was ambushed by police officers in civilian clothes who wanted to forcibly take the bikes of the carriers. The latter defended themselves, and witnesses report seeing another group of police officers in police uniform, approaching and one of them shot at the victim.

²³ <http://sostortureburundi.over-blog.com/2019/07/rapport-n-187-de-sos-torture/burundi-publie-le-13-juillet-2019.html>

Subsequently, police spokesman Pierre Nkurikiye claimed that the bicycle driver was accidentally shot by a policeman, defending himself against a group who wanted to rip off his rifle. However, the police spokesman did not announce the arrest of the perpetrator. Police officers also arrested three (3) bicycle transporters among the victim's comrades accusing them of throwing stones at the police officers after the killing of their comrade.

On 2 March 2019, in a bistro in the Gatumba area, Mutimbuzi commune, Bujumbura province, a police officer shot dead four (4) people. According to witnesses, agent Leopold Nizigiyimana, dressed in civilian clothes, first fought with clients as well as a woman identified as a prostitute. He then returned to the Gatumba police station to put on his uniform and take his service weapon.

Said agent shot in the crowd of customers present in cold blood. The Gatumba police announced the arrest of the offending police officer, and a flagrancy trial was held by the Bujumbura High Court on Monday, 04 March. The alleged perpetrator was convicted and sentenced to life imprisonment.

On 11 July 2019, on Buramata Hill, Mpanda commune, Bubanza province, police officers executed Renovat Bizimana and Ndayisenga. According to testimonies, confirmed by images, the two victims had been apprehended by the said agents with a rifle in their possession. They were suspected of being part of an organized gang of armed bandits who carried out several attacks in Mpanda commune. The two men were filmed and photographed at the time of their arrest, carrying the seized rifle with them.

The execution of the arrested persons took place when they no longer posed any danger, as they were in the hands of the police officers and their arms tied in the back. The rifle presented as belonging to the two men was also removed from its magazine. Witnesses reported that the two men arrested were executed a few hours after questioning.

The order to execute them was reportedly issued by the Bubanza police commissioner named Prosper Manirampa. The police have not taken any action to arrest the perpetrators of these extrajudicial executions to date. An extrajudicial execution in the middle of the day in front of the crowd tolerated by the police and judicial authorities.

Later, the police spokesman justified the execution by speaking of "self-defense" arguing that the victims, led by police officers to show their weapons caches, had dug up a rifle with which they wanted to shoot the policemen who accompanied them.

2.5. Killings by imbonerakure militia elements: unlimited abuses with impunity



A dead and wounded CNL members during an ambush by Imbonerakure militiamen on the night of August 18, 2019 in Muyinga province

Five recorded assassinations are attributed to elements of the imbonerakure militia, almost all of which occurred during the night. In most cases, these crimes go unpunished and are fairly frequently aided and abetted by police officers. Moreover, these murders are almost all politically motivated. The most emblematic case is that of an ambush by militiamen to CNL members returning from a meeting in Muyinga province. The attack resulted in death and serious injuries. Here are some illustrative examples.

On July 18, 2019, on Kaburantwa Hill, Buganda commune, Cibitoke province, members of the imbonerakure militia are alleged to have murdered Pierre Nsanzerugeze in the night. According to witnesses, the victim was tortured after being tied up by militiamen. Subsequently, Mr. Nsanzerugeze was evacuated in agony to a health centre but did not survive the abuse. A senior member of the imbonerakure militia, who was alleged to have inflicted fatal blows, was imprisoned and then released after only three days. This highlights the usual complicity of the police and the prosecution to ensure impunity for these militiamen.

On 31 July 2019, on Rugamba Hill, in Muhanga commune, Kayanza province, Mr. Gaspard Bunyange was assassinated during the night. According to witnesses, the victim was arrested on her way home and tortured to death by her attackers.

The incident occurred when the victim had received several death threats from members of the imbonerakure militia who accused him of recruiting for the UPRONA party, which was considered to be composed mostly of members of the tutsi ethnic group. The police did not arrest any suspects although the relatives suspected a local leader of the imbonerakure militia, to be one of the executioners.

On 18 August 2019, during the night, alleged members of the imbonerakure militia assassinated Gregory Nsanzimana in an ambush in the Rugari area, Muyinga commune and

province. Grégoire Nsanzimana was part of a group of about 250 CNL activists who were returning from an official opening ceremony of their party's provincial permanence. They returned on foot to giteranyi commune in the same province. On their way, members of the Imbonerakure militia, armed with machetes, ambushed them. Mr Nsanzimana was killed in the attack and eight (8) other CNL activists were seriously injured.

The reported facts clearly show the premeditated nature of this attack. Activists of the main opposition party returning home in large numbers, and expected by many armed imbonerakure militiamen. Police announced the arrest of three suspects who were mastered by CNL members during the attack.

2.6. Persistent grenade attacks: reckoning and political activism

Grenade attacks have become regular and frequent. They are usually aimed at households or public places where many people are gathered. According to the targets, the grenade attacks were motivated by personal scores or political motives. During the first quarter, imbonerakure militiamen were targeted by this type of attack as well as a police station in Mpanda commune, Bubanza province.

On January 19, 2019, in the Mutakura district, Cibitoke area, in the ntahangwa commune of the city of Bujumbura, a grenade was thrown into a household, in the evening. Witnesses reported that one person died immediately, and two (2) others were injured, including a police officer and a mother.

The police have not identified any suspects to date. However, witnesses reported that several people, mostly young people, were arrested the day after the attack, after a search of the entire neighborhood.

On 27 January 2019, in the Buterere I district, in the Buterere area, of the ntahangwa commune north of the city of Bujumbura, a grenade attack was carried out against a bar, targeting customers. Eight (8) people were injured by grenade shrapnel, including four (4) children. The bistro under attack belongs to Mr. Aegis Nduwayo, identified by witnesses as a very active member of the imbonerakure militia of the ruling CNDD-FDD party. He was seriously injured during the attack. The police have not identified any suspects to date.

On March 6, 2019, on the hill Ngarama, in Mpinga Kayove commune, Rutana province, a grenade attack was carried out against the home of the nicknamed Nterena. According to witnesses, the victim lost three fingers as a result of the attack. To date, the police have not identified or apprehended any suspects.

2.7. A targeted attack in the center of the city of Bujumbura: a modus operandi attributed to death squads of power

On 1 November 2019, at 9 p.m., on Muyinga avenue in the Rohero area, in the mukaza commune of Bujumbura City Hall, unidentified armed individuals attacked customers of a bar called "Chez Gilbert" located on said avenue. According to witnesses, three people were immediately killed at close range and five were seriously injured.

According to the testimonies received, the attackers used grenades and automatic assault weapons to commit their crime, before fleeing, after throwing a grenade to cover their escape. The attackers did not steal anything, it seems obvious that their goal was to kill well-identified people who a guide among them designated them, according to eyewitnesses²⁴. The victims are Joseph Hicuburundi aka Mugamba, Melchisédech Ntaraka, an employee of the Bank of the Republic of Burundi (BRB) and Juvenal. The other two were relatively successful businessmen, all Tutsis.

The modus operandi, the prior identification of the murdered and their ethnicity have aroused suspicions converging towards action by death squads of power, their motives remaining difficult to pin down. The police arrived the next day around 9 am and announced the opening of an investigation.

2.8. Allegations of enforced disappearances followed by summary executions: SNR agents at work

A total of thirteen (13) cases of enforced disappearances were reported in 2019. In three of the cases, enforced disappearances were clearly attributable to SNR agents, who had operated in full view of the victims & apos; relatives. In the other cases, it is rather a modus operandi now attributed to SNR agents who commit these abductions followed by disappearances attributable to them.

Information received at SOS-Torture at the beginning of April 2019, reported that on March 28, 2019, the named Claude Nahimana, was abducted from his home, located on the hill Rukoba, in commune and province Gitega by armed individuals and police attire, during the night. According to his wife, these kidnappers, dressed in police clothes, broke down the door, handcuffed the victim before taking him to an unknown destination.

It could be an enforced disappearance since the victim's wife and her relatives reported having crisscrossed all the dungeons of the city of Gitega, without finding any trace of the victim.

On 23 June 2019, the head of the Cibitoke province National Intelligence Service arrested Jean-Marie Ngendakumana, in the centre of Rugombo commune. According to witnesses, Mr. Ngendakumana responded to a call from a youth of the imbonerakure militia asking him to

²⁴ <https://www.sosmediasburundi.org/2019/11/02/3-morts-et-plusieurs-blesses-dans-une-attaque-dhommes-armes-au-centre-ville-de-bujumbura/>

accompany him. Along the way, a vehicle of the head of the SNR in Cibitoke province, registration D3981A, arrived at their height with SNR officers who immediately boarded Jean-Marie Ngendakumana. Since that day, Mr. Ngendakumana remains nowhere to be found, as relatives searched for him in the dungeons unsuccessfully.

This is an alleged enforced disappearance attributed to agents of the National Intelligence service in collaboration with a member of the imbonerakure militia of the ruling CNDD-FDD party.

On December 22, 2019, on Ndora Hill, in Bukinanyana commune, Cibitoke province, agents of the National Intelligence service (SNR) abducted two men who could not be identified by witnesses present. The operation was led by the Cibitoke provincial NSS leader. Since the abduction, the SNR has kept the victims in a secret place where the two men were allegedly subjected to torture.

According to several police sources, the two men were executed by SNR agents after three days of torture. The bodies of the two victims were reportedly packed in a weighted bag of large stones, then thrown into the Rusizi River on the side of Rusiga Hill, in Rugombo commune, Cibitoke province.

3. Violations of the right to liberty and physical security

Arbitrary and illegal arrest has become a constant of power in Burundi. It is one of the tools of the terror of power to put in place all those who are considered political opponents and dissuade all those who would be tempted by the political opposition. Police officers, members of the imbonerakure militia and members of the National Intelligence Service are responsible for this work. Sometimes each group acts alone or hand in hand with others.

The most targeted persons were those considered to be members or supporters of the National Liberation Congress (formerly FNL branch) led by Agathon Rwasa. Those of other political parties are also targeted, but to a lesser extent. The other category most often targeted by these arbitrary and illegal arrests IS members of the former armed Forces of Burundi (ex-FAB).

Illegal arrests by members of the imbonerakure militia are frequently accompanied by inhuman and degrading treatment. Some of the victims find themselves in critical condition, and are sometimes even detained without care, and all this with complete impunity. Throughout the year, the involvement of militia elements decreased somewhat as they became more terrorized by physically attacking, almost exclusively, members of the CNL. They inflict all kinds of tortures on them, humiliate, beat and torture them. In a few cases, the abuse involved hospitalization, severe disability or death. There are dozens of victims.

The approach of the elections has a negative impact on the enjoyment of fundamental freedoms. Control over the latter has increased and affects the freedoms of association, peaceful assembly, expression and the press. The right to property has been undermined by the illegal seizure of power over property belonging to persons arbitrarily accused of violating state security prior to their trial, even though it is known a priori that the Burundian judicial system has become an instrument of power. The arbitrary arrest and detention of four Iwacu journalists falls within this framework. It illustrates the fact that the Burundian government wants to continue its abuses without witnesses.

Thus, xenophobic persecutions have been observed. They affected people of Rwandan origin, arrested simply because of their origin, while they had been living in Burundi for decades, with no stories. The main accusation being to be in intelligence with Rwanda.

Here are some illustrations of these violations.

3.1. Alleged police officers involved in cases of torture broadcast on social media: with impunity

On 20 February 2019, on Mugara Hill in Rumonge municipality and province, police officers tortured and arrested Eron Vyemero, aged between 65 and 70, on charges of witchcraft. Police officers filmed and broadcast the video of the torture session on social media, and claimed with witnesses that the victim had confessed to "practicing witchcraft".

None of the perpetrators of this torture has been arrested to date. There are serious concerns that the victim's "confessions" were extracted through torture and inhuman and degrading cruel treatment. Paradoxically, the Rumonge High Court sentenced Mr. Vyemero and his wife to 20 years in prison for "superstitious practices" that caused the death of some people in Mugara, during a trial said to be in flagrancy on 22 February 2019.

Also in February, a video featuring a man being tortured by police officers filming him made the rounds of social networks. The victim was identified by Iwacu journalists as Modeste Irankunda, a married man and father of 3 children²⁵.

Through the video, we see that the victim is tied up, his left arm in the back, attached to his genitals. The exchanges heard in the video make it clear that the victim was tortured to confess his infidelity on the phone to his wife, asking her to pay a ransom intended for police officers to release him. The torturers also claimed that they are from the judicial police and that they were going to decapitate him and send the head to his wife.

Despite the fact that the video went around social media, the police did not prosecute these alleged torturers.

²⁵ Voir <http://www.iwacu-burundi.org/papa-parfait-identifie>, paru le 3 février 2019.

3.2. Inhuman and degrading treatment attributed to imbonerakure militia elements



People violently tied up and abducted by Imbonerakure militiamen led by their local leader named Sindayigaya on Rubira Hill, Mpanda commune, Bubanza province on 24 July 2019

During the period under review, dozens of cases of inhuman and degrading treatment by imbonerakure militiamen were reported. The victims are almost exclusively members of the National Congress for freedom (CNL), attacked alone or in groups. It is those who try to defend themselves who are arrested, while their attackers are left free, which encourages them to continue their crimes with impunity. Sometimes attacks are accompanied by ethnic insults when the victims are Tutsis. This has been observed in several parts of the country, particularly in Jimbi of Kibago commune, Makamba province, Ntega in Kirundo province and elsewhere. They dare more and more and do not even hesitate to attack judges or law enforcement officers. The reasons for the attack vary, sometimes some victims are accused of leaving the CNDD-FDD party or refusing to join it, but overall it is the membership of the CNL that causes the wrath of the militiamen. In their actions, the active or passive complicity of the police is acquired.

Aggression does not spare the elderly and women. This terror spreads throughout Burundi, but unevenly. Some provinces (Makamba, Kirundo, etc.), depending on the zeal of the administration, have experienced more abuse. In many cases, police officers are present during attacks by militia elements or are supervised or encouraged by administrative officials. All complaints lodged with the police to denounce the acts of the militiamen have gone unheeded.

The main motive of the imbonerakure violence is political: to prevent the opposition from mobilizing and organizing, from holding meetings, which are nevertheless authorized. The omnipresence and omnipotence of militiamen predispose them to intervene in varying circumstances, including in bistro quarrels, or to defeat the execution of a judicial decision.

Here are some illustrations of these packages.

On 11 February 2019, in the Nyamugari District of the municipality and province of Gitega, suspected members of the imbonerakure militia attacked Arsène after breaking through the door of his home with the help of clubs. One of the attackers, named IoT Munezero, was injured by the victim who was trying to defend himself. However, the police arrested the victim, leaving free the militiamen who had attacked him at his home.

On 3 May 2019, on Nyentakara Hill, Kayogoro commune, Makamba province, members of the imbonerakure militia tortured Salomon Bizindavyi. Witnesses reported that the victim was in a bar and quarreled with the owner of the bistro. The latter called the members of the imbonerakure militia who in turn tortured Mr. Bizindavyi. The violence of the torture left the victim with physical abuse and she had difficulty standing up because her body and genitals had been tied up during the torture and cruel, inhuman and degrading treatment. The police did not arrest any suspects, although the victim had identified the militia leader on Bigina Hill and the leader of Nyentakara Hill.

On July 24, 2019, members of the imbonerakure militia abducted two (2) men from Rubira Hill, Mpanda commune, Bubanza province (western part of the country). Witnesses report that the two were violently tied up by militiamen led by their local leader named Sindayigaya. The police did not open any investigation to identify the victims as well as arrest the perpetrators of the forfeit.²⁶

On 25 November 2019, on Mudahandwa Hill, in Bururi commune and province, members of the imbonerakure militia detained and beat up judges and a court clerk in order to prevent them from executing a judgement against one of their comrades, a member of the ruling CNDD-FDD party.

Police intervened and arrested the sub-Hill Leader Mudahandwa, who was among the attackers. But the other members of the imbonerakure militia were not worried.

²⁶ <http://sostortureburundi.over-blog.com/2019/07/rapport-n-189-de-sos-torture/burundi-publie-le-27-juillet-2019.html>

3.3. Arbitrary arrests attributed to national police officers: politically motivated

As in previous periods, police officers have been the mainstay of repression and have carved out the lion's share of arrests. These mainly targeted members of the political opposition, the vast majority of whom are alleged members or sympathizers of the CNL. Other members of opposition political parties were arrested, including FRODEBU, MSD and UPRONA, UPD-Zigamibanga. To a lesser extent.

The main reason for arrest, when served, is the holding of unauthorized meetings. Very often these people, are mostly local officials of the CNL, who are arrested alone or in groups while sometimes they are sharing a drink together in a drink shop, open to the public. All pretexts are good to justify abuse.

Another highlight was the arrest of underage students in the provinces of Kirundo, Gitega and Bururi on the grounds that they had scribbled the photo of President Pierre Nkurunziza in a school textbook. The arrest for this type of misconduct has become recurrent, while the school rules alone could be applied.

Other cases of arrest attest to the level of arbitrariness in Burundi. Like the case of this woman, arrested because her husband was suspected of joining rebel groups, a teacher who is forced to give a course, which he says he does not have the skills, a pastor whose sermon is considered too critical of power. Activists of the ruling party are not spared when they venture to question the party line. For example, a CNDD-FDD activist, Elias Sinzinkayo, in the Mugina commune of Cibitoke province, paid the price because he denounced the repression by members of his party against opposition activists. He was arrested for violating "the internal security of the state"»²⁷.

In several cases, police officers acted with the assistance of militiamen either in the arrest or in the designation of persons to be arrested.

Here are some illustrative examples of these various arbitrary arrests.

On January 4, 2019, in Murwi commune, Cibitoke province, police officers arrested Jean Kamwenubusa, Jean Paul Nizigama, Hazimana, Nsanzurwimo and Claude Bizimana according to witnesses, the order to arrest them was given by the communal administrator of Murwi, accusing them of "disobedience". According to information received, the six men arrested are all activists of the opposition coalition Amizero y Abarundi.

A few persons close to the arrested persons reported that the Murwi communal administrator demanded the payment of a bribe of fifty thousand (50,000) Burundian francs per individual in exchange for their release.

On 2 April 2019, in Makebuko commune, Gitega province, police officers arrested Benjamin Nduwayo and Shadrak Iteriteka in their classroom at Rutovu basic school. The order to arrest them allegedly emanated from the director of the establishment Alexis Ndikumana. The two

²⁷ Cfr. Rapport SOS Torture n°173, publié le 6 avril 2019.

(2) Grade 7 students were accused of scribbling President Pierre Nkurunziza's photo in textbooks.

It should be noted that the two (2) children were heavily incriminated for simple acts falling under the school regulations, in the event that this was proved. The arrest of these two (2) young students follows that of three (3) other girls arrested on 12 March 2019 in their class in Kirundo for the same reasons, released by decision of the minister of Justice on 25 March 2019, and unfortunately expelled from their school on 3 April 2019. The two young students arrested in Makebukoko have been held in police cells in violation of the law and the procedure because the allegations they are victims of are simple disciplinary errors (Falsification of textbooks), sanctioned by the school regulations.

On 13 November 2019, in Nyamurenza commune, Ngozi province, police officers arrested at least thirty - one (31) persons deemed to be CNL party activists. Of those arrested, 13 were detained in the Marangara commune police cell in the same province. These are Emmanuel Ntirandekura, Zidane Ishimwe, Vincent Ndayisaba, Élias Sibomana, Innocent Ciza, Daniel Rwaswa, Fabien Miburo, David Rwaswa, Gabriel Minani, Emmanuel Rwaswa, Emmanuel Karenzo, Étienne Kabura and Geneviève Niyimpaye. The other members of the CNL party arrested were detained in the urban centre in Ngozi (10), 5 in Nyamurenza commune (5) and 3 in Gashikanwa commune. During the arrest operations, witnesses reported that the communal administrator of Nyamurenza as well as the head of the imbonerakure militia of the ruling CNDD-FDD party in Ngozi commune was personally involved.

All these arbitrary arrests were based on the political affiliation of the victims, a sign of the intolerance displayed by members of the ruling party towards people considered to be members of the political opposition.

3.4. *Arrests by imbonerakure militia elements: omnipresent and omnipotent*

ilitia of the ruling party, Imbonerakure, alone, or in collaboration with police or SNR agents, was very active during the first half of the year in the hunt for political opponents and in the illegal arrest of persons considered members or sympathizers of the political opposition. The most targeted are supposed members of the CNL.

Throughout the country, elements of the imbonerakure militia have been active in order to reduce any divergent political expression of the ruling party's ideas and instructions. Their crimes almost always go unpunished. They are covered by administrative and law enforcement officials, which contributes more and more to strengthening the power increasingly devolved to the imbonerakure militiamen. For example, they grant each other the right to impose curfews and illegally arrest those who pass by.

Here are some illustrations.

On January 30, 2019, on Buhayira Hill, in Murwi commune, Cibitoke province, members of the imbonerakure militia arrested Jonathan Ndikumwenayo, Alain Sindimwo and Jacques Ndayizeye, all active members of the Amizero y'abarundi opposition coalition. These militiamen accused them of preparing to join rebel groups in the Democratic Republic of Congo (DRC).

According to information received, the reason for the persecution of these three (3) young men is that they refused to join the ruling CNDD-FDD party. The arrest was carried out with the complicity of the head of the Cibitoke National Intelligence Service, coming from Miburo, who subsequently took the three (3) members of the opposition, without informing their families of their place of detention. They were reportedly last seen sitting in the back of the SNR official's van b047a GB.

On 10 July 2019, on Gasenyi Hill, Nyarusange commune, Gitega province, members of the imbonerakure militia in complicity with police officers arrested Vincent Ndikuriyo, Émile Nkurunziza, Philippe Hatungimana, Antoine Mbesherubusa, Elson Nishimwe, Emmanuel Niyongabo and Jean Marie Irakoze. All these men were known to be members of the opposition CNL party accused of "violating the 20-hour curfew" imposed by these militiamen.

The illegality of the arrest is on a double level. On the one hand, these militia elements are not qualified to carry out an arrest, and on the other hand they have arrogated to themselves the power to impose a curfew illegally because no law in force mentioned it. These measures are taken by imbonerakure militiamen to allow them to circulate and commit abuses without further witnesses.

On 14 August 2019, in Bisoro quarter and commune of Mwaro province, members of the imbonerakure militia arrested Lionel Minani, Jean Bosco Nduwimana, Déogratias Ndayisaba and Didace Ndikuriyo, all four of whom were members of the CNL opposition party. They were in the process of rehabilitating the premises of the local permanence of their party at the time of their arrest. These arrests are among many others that have gone unpunished.

According to information received, Messrs. Lionel Minani and Jean Bosco Nduwimana were released on 18 August 2019. Their comrades remained in detention.

3.5. *Arbitrary arrests by SNR agents*

The arbitrary arrests attributed to the agents of the National Intelligence Service also targeted people considered to be members of the political opposition including CNL, RANAC²⁸. The arrests also targeted people of Rwandan origin or accused of being in intelligence with the Rwandan government or Burundian armed groups supported by Rwanda. However, interventions by SNR officers in ordinary arbitrary arrests have become scarce, with the bulk being carried out by police officers and to lesser extent imbonerakure militiamen. Nevertheless, when arrests are carried out by SNR agents, they carry risks of enforced disappearances and torture.

On March 8, 2019, on Rubuye sub-Hill, sector Mparambo I, Rugombo commune, Cibitoke province, the head of the Cibitoke province National Intelligence Service abducted Manassé Nduwimana from his home. In the course of this action, this official was supported by members of the imbonerakure militia who came to help him to embark Mr. Nduwimana. The latter was an active and mobilizing member of the CNL party led by the MP

After this arbitrary arrest, the SNR refused to inform the victim's relatives of the place of detention. According to witnesses, Mr. Nduwimana repeatedly resisted requests to join the ruling CNDD-FDD party, which explains the threats and intimidation to which he was subjected.

On 28 August 2019, on Nyamitanga Hill, Buganda commune, Cibitoke province, agents of the National Intelligence Service arrested three people: Thaddée Nzeyimana, Eddy Nzoyisaba and Fabien Sinzumusi. According to witnesses, the operation was led by the head of the Cibitoke RNS appointed from Miburo. The three men were tied up and boarded in the back of a van registered H4879A from Bujumbura city, which resumed the same direction after the abduction.

According to the information gathered, the relatives of the arrested persons were not notified of the place of imprisonment. So there are well-founded fears for the safety of these three men. Their relatives reported that the three were suspected of supplying food to rebels based in the Democratic Republic of the Congo.

On 25 December 2019, in Magarama quart of the municipality and city of Gitega, agents of the National Intelligence Service arrested Guillaume Kwizera, aged 31. According to witnesses, Mr. Kwizera was arrested on his way home after Christmas Mass. The young man is reportedly accused of supplying armed groups in Rwanda.

²⁸Rassemblement National pour le Changement.

This is an arbitrary arrest, without warrant or evidence of the charges against the victim. Mr. Kwizera is also known for being a member of the National Rally for development (RANAC), a supposed political opposition party.

3.6. Persecution of persons of Rwandan origin in Burundi

The continuing tension between Burundi and Rwanda has resulted in the regular persecution, arrest, disappearance or murder of persons coming from or going to Rwanda. The attack on Marura, in the commune of Mabayi, on 17 November 2019, which the Burundian government attributed to Rwandan troops contributed to the renewed tensions between the two countries and to increasing the level of suspicion towards people of Rwandan origin or simply from Rwanda. Three cases are presented here.

On 27 October 2019, in the centre of the city and province of Gitega, agents of the National Intelligence Service arrested Jean Seburakeye, 61 years old. According to witnesses, this person was arrested without a warrant while on his way to work. Mr. Seburakeye has been living in Burundi since the age of 2. He studied and founded his family in Burundi.

He was accused of spying for Rwanda and holding a Burundian identity card. According to her relatives, the victim was briefly detained at the SNR office in Gitega before being taken to the Gitega police cell. His Rwandan origins are clearly at the origin of these hassles.

According to information received, Mr. Seburakeye was released two weeks after his arrest. On 25 December 2019, police officers made another attempt to arrest him. In order to escape these persecutions, Mr. Seburakeye was forced to flee his home and the province of Gitega, as well as his family.

On November 4, 2019, on Muzye Hill, Giharo commune, Rutana province, police officers arrested Olivier Nduwayezu, 20 years old. Witnesses reported that this young man, of Rwandan origin, was violently tied up before being taken on board.

The police of Giharo did not inform the person concerned of the reasons for his arrest.

On November 6, 2019, on mparambo hills I and II, in Rugombo commune, Cibitoke province, police and military officers raided several households. At least eighty (80) people were arrested during this operation including 10 people of Rwandan origin but living in Rugombo for twenty years.

3.7. Fundamental freedoms at risk

3.7.1. Persistent Violations of freedom of Assembly

On 3 March 2019, the head of the Gitaba zone, commune and province Makamba banned the holding of a meeting of members of the Front for Democracy in Burundi (FRODEBU). Witnesses reported that he tore off the party's flags and signs. In the same province, the

leader of Birima Hill, in Mabanda commune, committed the same acts against FRODEBU militants who came to meet. Yet FRODEBU representatives had informed the authorized authorities of the holding of these meetings, the time and place in accordance with the law. According to witnesses on site, local government officials were accompanied by members of the imbonerakure militia during these operations. No explanation for the refusal of the meeting was provided.

3.7.2. The suspension of PARCEM: the last free association that was still active in Burundi

The Burundian authorities have taken the decision to suspend the Association Parole et Action pour le Réveil Des Consciences et l'évolution des Mentalités (PARCEM), by an order dated 3 June 2019, but made public on 17 June 2019. PARCEM is one of the few civil society organisations that was able to resume its activities after a first suspension in 2015. It has specialized over the years in producing reports on the governance and economic and financial situation of Burundi.

In this order, the Burundian government accuses PARCEM of "tarnishing the image of the country" through its reports. In all likelihood, it was PARCEM's publications on the country's economic and financial realities that caused the suspension. This is a way to silence any critical inclination.

3.7.3. The case of human rights defender Germain Rukuki under advisement for the second time

On 31 May 2019, the case of human rights defender Germain Rukuki was put on hold for the second time. Mr. Rukuki's appeal file had been before the Ntahangwa Court of Appeal since 2018. This appellate court had already taken the case under advisement at the end of a public hearing that the court had organized while roaming at Ngozi prison, November 26, 2018. Since that time, the Ntahangwa Court of Appeal has never handed down the verdict. This clearly resembles delaying tactics to drag the proceedings: the court announced to the defence that Mr. Rukuki's case had disappeared. It was only in April 2019 that the file was "found".

The case of human rights defender Germain Rukuki was deliberated for the second time after the replacement of some judges. As a reminder, after his arrest on 15 July 2017, Mr. Rukuki was unjustly sentenced to 32 years in prison, after confirmation on appeal on 17 July 2019. He was accused of "participation in an insurrectional movement, attack on the internal security of the State, attack on the authority of the state, rebellion²⁹ ». Being a member of a civil society organization has become a serious crime.

3.7.4. Violations of freedom of expression: sentenced for demanding respect for their rights

On August 9, 2019, two (2) members of the opposition CNL party in Karusi province were sentenced to prison terms. They are Nathan Barampa, CNL Party representative in Karusi

²⁹ <http://www.rfi.fr/afrique/20190724-burundi-condamnation-confirmer-appel-germain-rukuki>

province and Philbert Ndhokubwayo, CNL party executive in Karusi province. The two men were sentenced to 5 years and 10 years of penal servitude respectively for "terrorist acts".

Their arrests and prosecutions are likely a result of messages they sent to officials in Karusi province, including the governor, calling for an end to the intimidation and persecution of CNL party members. For these activists, the mere fact of demanding the safety and protection of the authority has been described as terrorist acts and has led to their conviction. This reflects the level of persecution of members of the opposition and particularly of the CNL party in the country.

3.7.5. Violations of freedom of the press: witnesses prohibited

On 22 October 2019, in Musigati commune, Bubanza province, police officers arrested Iwacu Agnes Ndirubusa, Christine Kamikazi, Aegis Harerimana, Théence Mpozenzi and their driver Adolphe Masabarakiza. They were on their way to the field to gather information on the clashes reported earlier between fighters who later claimed responsibility for the RED TABARA movement and elements of the army and police. The journalists' equipment and phones were confiscated. According to eyewitnesses, journalist Christine Kamikazi was slapped by one of the police officers.

After three nights at the police station, the Bubanza prosecutor's office ordered the transfer of these journalists and their drivers to Bubanza prison on charges of complicity in violating the internal security of the state. On 21 November 2019, the Ntahangwa Court of Appeal in Bujumbura City Hall decided to keep the four journalists in prison and release their driver. On 30 December 2019, after just over two months of unjustified detention, the four journalists were brought before the court. The prosecutor demanded 15 years' imprisonment and 20 years' deprivation of civil rights against them. Iwacu journalists' lawyers and many defenders of human rights and press freedom have unsuccessfully demanded an outright acquittal³⁰.

Investigations could continue journalists being free, because having an address and a well-known employer. If they were not released, the willingness to harden the gagging of the press is only obvious³¹.

3.8. Violations of the right to property

Several consistent reports received by Sos-Torture / Burundi have reported the looting of several houses of opponents and former high-ranking members of the defence forces in the city of Bujumbura. According to many witnesses, the looting was carried out by officers of the police and the National Intelligence Service. These acts of vandalism were ordered in December 2018, beginning with the rampage of the houses belonging to Colonel Gerard Cishahayo, former Director General of the air and Border police, whose house is located in

³⁰ <http://www.rfi.fr/afrique/20191230-burundi-quinze-ans-prison-requis-journalistes-iwacu>

³¹ <https://www.iwacu-burundi.org/lassociation-burundaise-des-radiodiffuseurs-plaide-pour-la-liberation-des-4-journalistes-du-journal-iwacu-et-leur-chauffeur/>

Kinindo and then the former minister of Defense Pontien Gacyumbwenge. The same operation was extended to the Houses of General Godefroid Niyombare, former head of the SNR and Mr. Onesime Nduwimana, former spokesman of the CNDD-FDD.

On January 2, 2019, it was the turn of the houses belonging to General Philbert Habarugira and Lieutenant Colonel Edouard Nshimirimana to be looted. All are located in the Kinanira district, Muha commune, in the town hall of Bujumbura.

These looting followed premonitory statements by the minister of justice who announced on 13 December 2018 the intention of the authorities to loot and resell houses "where weapons were seized" since the beginning of the 2015 crisis. Sos-Torture Burundi had noted the risk that these illegal acts could target the property of people living in exile and considered as opposites to the government (see Sos-Torture Burundi Report No.157: https://sostortureburundi.org/wpcontent/uploads/2018/12/SOS_Torture_Burundi_number_157.docx). Acts of looting and illegal occupation by the police confirmed these fears.

4. Forced Contributions and extortion: multiple and untimely

Throughout the country, citizens were forced to pay contributions for various reasons: referendum, elections in 2020, construction of stadiums, reception and purchase of gifts to the president of the Republic, etc. a few cases are presented here.

4.1. In Makebuko: gifts and elections

The communal administrator of Makebuko, Gitega province, demanded contributions from the population to provide food and a cow to President Pierre Nkurunziza. These forced collections were intended to welcome President Pierre Nkurunziza to the celebration of the Feast of unity on February 5, 2019. They were to be collected between January 31 and February 3, 2019.

A note from the communal administrator of Makebuko required each official to contribute 1000 francs, and farmers to give 500 francs each. These forced contributions were in addition to other amounts required of the population for the 2020 elections or other activities. These contributions have contributed to further impoverishing the population, which has no choice, however, at the risk of reprisals in the event of refusal.

4.2. In Rumonge: teachers ordered to pay

In the capital of Rumonge province, the governor of the province began collecting construction materials from the population. Teachers were the first to be targeted. Two teachers had to buy a bag of cement, at a rate of 12,500 francs each. Bicycle carriers were required to contribute four (4) to purchase a bag of cement and motorcycle carriers were required to contribute two (2).

In addition, according to several testimonies, teachers from this province were asked to contribute for the 2020 elections up to 2000 francs each. This amount was in addition to another "contribution" of 5000 francs, levied at source by the government, on the salaries of all teachers, officially for the 2020 elections.

This second imposition, without any legal basis, was directly demanded by provincial education officials, who threatened potential recalcitrant with passing.

5. Administration of justice and prisons: dysfunctions and overcrowding

The proven dependence of the judicial system on the executive and the ruling CNDD-FDD party can be observed on a daily basis in its functioning through numerous facts where its political partiality is evident towards persons considered as members of the political opposition, the interference of militiamen in its functioning or cases of serious dysfunctions where the public prosecutor's Office refuses, for example, to execute a judicial decision. Some cases reported during the year are presented here.

5.1. Administration and dysfunction of justice

5.1.1. Illegal detention of 5 young people from the MSD

The Rumonge public prosecutor's office has kept five (5) young men arrested on 10 January 2019 and never charged in prolonged and illegal detention. These are Emmanuel Niyonganji, Mélance Irambona, Pascal Ahishakiye, Renovat Ninteretse and Jean Bosco Niyomwungere. Since their arrest, the Rumonge prosecutor's office has provided no evidence or witnesses to support the charges against these young men. They were accused of erasing the writings on a monument of the ruling CNDD FDD party in Burambi commune³².

The five (5) young men were finally released on 13 February 2019 following a dismissal following pressure from families.

5.1.2. Unlawful detention of a person after torture and refusal to execute a court decision

The Rumonge prosecutor's office illegally detained Eric Ntunzwenimana in Rumonge police cell, despite a decision of the High Court to release him. This man had been arrested on 20 February 2019 with four (4) other people, for "superstitious practices ". One of those arrested that day, Eron Vyemero, was tortured by police officers who filmed and broadcast the torture session.

The decision to release Mr. Ntunzwenimana was taken on 22 February 2019 following a trial in flagrancy. Since then, the Rumonge prosecutor's office has refused to execute the judges ' decision.

³² **cf** rapport Sos-Torture Burundi N° 162 : http://sostortureburundi.org/wpcontent/uploads/2019/01/SOS_Torture_Burundi_numero_162.docx.

5.1.3. Detainees not tried for more than 3 years in the case of the assassination of Adolphe Nshimirimana

Sos-Torture / Burundi has been informed of the prolonged pre-trial detention of detainees arrested in 2015 in connection with The Assassination of General Adolphe Nshimirimana, the former head of the National Intelligence Service, who was assassinated on 2 August 2015 in Bujumbura. The detainees appeared on 27 December 2016 before the Ntahangwa High Court in Gitega, where they are being held.

Since that date, the files of these detainees have never been brought before a judge who can rule on the merits. This is an indication of the political nature of these detentions. The suspects are all from the former Burundian Armed Forces (Ex-FAB). It is known that several of their comrades-in-arms have been subjected to arbitrary detention, torture, enforced disappearances and summary executions since the beginning of the crisis.

The victims of this prolonged pre-trial detention are soldiers Patrick Nsengiyumva, Cadeau Bigirumugisha, Jean Claude Muhimpundu, Ernest Nyabenda and Alexis Sebahene ; as well as police officers Mathias Miburo and Philbert Niyonkuru.

5.1.4. Opposition members subjected to prolonged detention

Sos-Torture / Burundi has learned of the continued detention of Joseph Muhanyi and Serges Ntahondi, arrested on 11 April 2019, on Nyamagana Hill, in Bugendana commune, Gitega province. These two (2) men are members of the CNL opposition party. They had first been beaten by imbonerakure militiamen led by area chief Mugeru, and then taken by the same militiamen to the police cells³³.

When the information reached SOS-Torture, they had just spent more than twenty (20) days in detention in a police cell, which constitutes a violation of the periods of police custody provided for by criminal law (cfr. Article 34 of the Code of Criminal Procedure). They were charged with holding an illegal meeting and collecting dues for their party, which is not an offence under the law. As is often the case, their imbonerakure attackers were not worried.

5.1.5. Prolonged detention of Gatabazi: CNL member on unproven charges

Another similar case is the continued detention of Jean Baptiste Gatabazi, arrested since 20 March 2019, by police officers in Nyanza Lac commune, Makamba province. Mr. Gatabazi is a member of the opposition CNL party. According to his relatives, he was accused of raping an 18-year-old girl.

³³ Cfr. rapport N°174 de Sos-Torture Burundi : http://sostortureburundi.org/wp-content/uploads/2019/04/SOS_Torture_Burundi_numero_174.docx).

The alleged victim, however, denied the existence of the rape, nor did the medical examination reveal any rape. Mr. Gatabazi's relatives feared manipulation to keep him in detention for political reasons.

5.1.6. Illegal detention by Makamba prosecution service

The Makamba prosecution unlawfully detained two members of the opposition CNL party for prolonged periods. They are Emmanuel Nyandwi, representative of the CNL party on Rusovu Hill, kayogoro commune, and Gad Nduwayo, a member of this party. The two men were illegally arrested by members of the imbonerakure militia led by Salim Bayisenge, head of the imbonerakure militia of Shaka Hill, Kayogoro commune, on 15 August 2019. Their relatives reported that Mr. Nyandwi and Mr. Nduwayo were accused of holding an illegal meeting. The two men were beaten before being taken by militiamen to Kayogoro police cell.

Subsequently, the Kayogoro police transferred the two persons to the Makamba prosecutor's cell on 18 August 2019. The prosecutor's office did not follow up on this case despite the fact that the legal time limits for pretrial detention were exceeded.

5.1.7. Obstruction of a judicial decision by imbonerakure militiamen

Members of the imbonerakure militia obstructed legal action to release two persons illegally and arbitrarily detained in a police cell in Mabanda commune, Makamba province, on 23 August 2019. Witnesses reported that the Deputy Prosecutor of Makamba had decided to release Mr. Julius Augustin, a Tanzanian national, and Mr. Honoré Ndayiragije, who had been illegally arrested by militia members of the ruling CNDD FDD party. The arrest took place on August 20, 2019, by militiamen named Antoine Ninganza and Ndikumana.

The execution of the decision to release the representative of the public prosecutor's office and the Mabanda police officers was blocked following the opposition of the imbonerakure militia. This is interference by the imbonerakure militia in the functioning of judicial and police bodies. During the illegal arrest of the two men, Mabanda police officers had colluded with militia members by agreeing to detain Messrs. Augustin and Ndayiragije.

The Makamba deputy prosecutor was also complicit with members of the imbonerakure militia for yielding to obstruction. The two men remained in illegal and arbitrary detention following the action of imbonerakure militiamen.

5.1.8. Unjust harsh sentences pronounced against members of UPD-Zigamibanga party

On 11 August 2019, twelve (12) members of the opposition party UPD-Zigamibanga were sentenced to very heavy sentences. They had been arrested at a liquor store located in the Muzenga area, in Bururi commune and province. The order to arrest them was given by the governor of Bururi Frederic Niyonzima who accused them of holding an unauthorized meeting³⁴.

The Bururi Court of Appeal sentenced ZARBABEL Kantungeko (lawyer), Tharcisse Nduwimana (Bururi magistrate at the time of arrest) and François Habonimana to 30 years 'imprisonment for" attempting to overthrow institutions ". The same court sentenced the rest of the co-accused to 20 years in prison : Jean Claude Ndayisenga (magistrate in office in Bururi at the time of arrest), Léonidas Ndikuriyo, Dieudonné Mizero, Laurent Nduwimana, François Ciza, Éraste Niyokwizigira, Émile Nkuzimana, Richard Buhungu and Adelin Nzambimana.

The UPD party was disbanded by the Burundian authorities because of its involvement in the protests against the 3rd term of President Pierre Nkurunziza in 2015. One of the leaders of this party, Zedi Feruzi, was shot dead in 2015 in Bujumbura by agents believed to be from the police unit for the protection of institutions (API). Other UPD leaders were forced into exile.

5.2. Prison Administration and prison conditions

5.2.1. Isolation of a critically sick inmate

Colonel Adrien Kadende, who has been in detention since 2015, has continued to be subjected to very poor prison conditions. This former army officer was also the victim of an assassination attempt on 3 August 2017 when a police officer shot him in Rumonge prison where he was detained³⁵. After his transfer to Bujumbura, mpimba prison authorities have always denied him permission to seek medical treatment in order to remove a bullet lodged in his hips ³⁶. Instead of being treated, Colonel Kadende was placed in prolonged isolation and subjected to torture, which worsened his health condition over the months.

This is inhuman, cruel and degrading treatment of this former officer. According to information from his relatives, Colonel Kadende was later hospitalized while his body showed several injuries and tumors due to inhuman conditions of detention.

³⁴ **Voir rapport Sos-Torture Burundi n.192** : <http://sostortureburundi.over-blog.com/2019/08/rapport-n-192-de-sos-torture/burundi-publie-le-17-aout-2019.html>.

³⁵Pour plus de détails voir **rapport Sos-Torture Burundi N°86** : <http://sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-nume%CC%81ro-86-en-Fr-1.pdf>

³⁶ **Voir rapport N°87** : <http://sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-nume%CC%81ro-87-en-Fr.pdf>

5.2.2. Prison overcrowding still worrying in Burundi

According to information from the Burundian prison authorities, overcrowding persists in Burundian prisons. On 11 July 2019, the Prison Service counted 10 .832 inmates for a capacity of 4 .194 detainees at the national level, just over 2.5 times the capacity.

These figures are alarming from the point of view of the conditions of detention of prisoners. The same authorities also confirmed that nearly 50 per cent of these detainees are still in pretrial detention, for a total of 5,380 accused.

This rate being an average, it is higher in some prisons. In Gitega, for example, the total number of detainees was 1,048, with a capacity of 400. So the rate is 2, 62 times higher. The surplus detainees were forced to sleep under the stars for lack of cells.

In Muramvya Central prison, as of 6 February 2019, the prison had 913 inmates for a capacity of 100 prisoners. The occupancy rate was therefore enormous and was 9.13 times higher than the capacity.

Overcrowding in prisons leads to extremely difficult conditions for prisoners. This affects the daily ration of prisoners: each prisoner receives 350 grams of beans and 350 grams of flour per day. This overcrowding therefore goes hand in hand with sub-human conditions for prisoners.

This situation is not only unique to prisons but is also found in many police cells. For example, as of 14 June 2019, several sources reported alarming overcrowding in the police cell of Rumonge police station where Fifty (50) detainees were crammed into the same cell too narrow, without the possibility of sleeping and with all the risks of contagious diseases linked to poor hygiene conditions.

Among those detained were a very large number of members of the opposition CNL party, who have been the victims of cascading arrests since the party's approval. According to relatives of these detainees, the main reason for this overcrowding is the slow preparation of files by the judicial police. According to the information obtained, the police were unable to provide evidence of the charges against the defendants, and thus establish the charges against these Burundian citizens, members of the political opposition.

It is important to point out that these figures relate only to the prison situation, and do not take into account the large number of detainees held in the various police and national intelligence units. The latter constitute another category of arbitrary detainees who are also most often victims of prolonged illegal detention with a high risk of enforced disappearance.

Conclusion

The human rights situation in 2019 is marked by a remarkable resurgence of the prelude election fever of tensions ahead of the 2020 elections.

While the approval of the CNL at the beginning of the year had suggested a political opening, in view of the 2020 elections, the power and its repressive instruments put all the zeal to suppress, terrorize and reduce as much as possible the space of action of the political opposition. The hopes for a free, transparent and peaceful election are therefore diminished. This situation goes hand in hand with the blocking by the Burundian government of all inclusive negotiations, with a view to political relaxation, in order to set up free and transparent elections in 2020. In this regard, several voices, including within the United Nations Security Council and the African Union, have raised concerns about the freedom and transparency of free and transparent elections in the event that the government continues to refuse to participate in negotiations that truly allow for political détente, involving open and fair competition for all political actors.

Many organizations have sounded the alarm, especially the International Commission of inquiry, the conference of Catholic bishops and various international human rights organizations, warning that Burundi is at risk of falling into violence that could lead to massive violations of human rights, including mass crimes and crimes against humanity.

All these warnings were in vain, the Burundian power hid in its silence, responding by a pirouette to these solicitations, negotiating with some members of the CNARED, who decided to return to participate in the elections, in order to give the 2020 elections a pluralistic Polish.

The approach of the elections goes hand in hand with untimely demands for forced contributions. The population is constantly solicited sometimes to welcome the head of State and buy him gifts, often one or more heads of livestock, sometimes it is for the construction of a stadium but it is frequently for elections. Opaque, some categories, such as teachers, were forced to pay at least twice.

In the absence of independent media, after the suspension of the only independent radio stations that broadcast on the country (BBC, VOA), the situation is therefore at risk and deserves to be carefully monitored as the country moves forward with great strides towards elections.

In the absence of an alert and risk mitigation mechanism at the national level, the vigilance of the international community is called upon to prevent or intervene, as appropriate. The will to prevent any witness from following the electoral process and to postpone the facts independently is evident in the head of power. The code for journalists during elections is the most successful manifestation of this. Also, the arbitrary arrest and imprisonment of journalists from the IWACU press group is another clear sign of the will of the government to act without witnesses.

In these conditions of lack of transparency, the 2020 elections will not be free or transparent and their results, instead of helping to lift Burundi out of the crisis, will only crystallize tensions with many risks of political violence. Preventing this is an emergency.

Recommandation

To the government of Burundi:

1. Release without conditions and without delay IWACU journalists Agnes Ndirubusa, Christine Kamikazi, Egide Harerimana and Terence Mpozenzi ;
2. Put in place the necessary political measures for the organisation of peaceful, pluralist, free and transparent elections enabling the country to emerge from the crisis ;
3. Take all necessary measures to immediately stop the persecution of CNL activists and other political parties ;
4. Open up democratic space by guaranteeing political parties, civil society and the media the exercise of the rights and freedoms guaranteed by national, regional and international instruments ;
5. Immediately and unconditionally release human rights defenders Germain Rukuki and Nestor Nibitanga, unjustly sentenced ;
6. Immediately and without preconditions end the recent selective prosecution of the alleged assassins of president Melchior Ndadaye by sparing the alleged perpetrators of the serious crimes and other massive human rights violations that followed this sad event and prepare the related comprehensive framework as called for by the Arusha Agreement, in order to end impunity for the crimes of the past, without exception and in ;
7. Cooperate fully with national, regional and international human rights mechanisms in the implementation of Human Rights Council resolutions and collaborate with the International Criminal Court (ICC).

To the East African Community:

1. Scrupulously respect the relevant conventions to ensure the protection of refugees in different countries and strictly abide by the principle of voluntary return and put an end to the various and subtle pressures exerted on refugees to this effect especially by the Tanzanian government ;
2. Learn from the failures of the inter-Burundian dialogue as a sponsor of the Arusha Peace Agreement and engage other multilateral partners for an effective inclusive dialogue among all Burundian actors to consolidate the gains of the basic principles of the Arusha peace and reconciliation agreement signed in 2000 and the 2005 constitution of Burundi. ;
3. Take coercive measures, including the use of an embargo, to ensure that the Burundian government accepts inclusive negotiations without preconditions, as Pierre Nkurunziza's stubbornness poses a threat to peace not only in Burundi but also in the region, and poses risks to the stability of the East African).

To the international community:

1. To take the necessary economic, political and diplomatic measures to bring the government of Burundi into compliance with its international commitments and to commit itself in a concrete and verifiable manner to the return of the rule of law and the Arusha Agreement ;
 2. Support the work of the International Criminal Court to complete the investigations started on Burundi with a view to prosecuting without delay the perpetrators of serious crimes committed since the outbreak of the crisis in Burundi in 2015 ;
 3. Take appropriate measures to urge the Burundian authorities to cooperate fully with United Nations mechanisms and the ICC ;
 4. Closely monitor the human rights situation in Burundi, taking into account risk factors developed by the International Commission of inquiry to prevent mass violations of Human Rights.
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