



SOS - TORTURE / BURUNDI

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

## Quarterly report on the situation of human rights in Burundi from 1 July to 30 September 2018



**Forced contributions for 2020 elections: Opacity and brutality**

*Imbonerakure militiamen at work*

October 2018

1. ***Socio-political context: a showdown for the 2020 elections ....*** Error! Bookmark not defined.
2. ***Violations of the right to life and to physical integritye .....*** Error! Bookmark not defined.
  - 2.1. **Grenade attacks: a persistent trend .....** Error! Bookmark not defined.
  - 2.2. **Sexual violence and rape followed by assassinations.....** Error! Bookmark not defined.
  - 2.3. **Assassinations attributed to members of the imbonerakure militiamen: unlimited abuses covered with total impunity .....** Error! Bookmark not defined.
  - 2.4. **Bodies thrown into streams or vacant lots: unidentified victims and executioners .....** Error! Bookmark not defined.
  - 2.5. **Assassinations where the alleged perpetrators have been identified and arrested .....** Error! Bookmark not defined.
  - 2.6. **Targeted victims and often unidentified perpetrators: the trivialization of impunity .....** Error! Bookmark not defined.
  - 2.7. **Enforced disappearances attributed to SNR agents: alleged political and security motives**  
Error! Bookmark not defined.
  - 2.8. **Torture of a student by SNR agents: an ordinary tool of repression?** Error! Bookmark not defined.
  - 2.9. **Recurrence of armed attacks in the north-west of Bujumbura: precarious security .....** Error! Bookmark not defined.
3. ***Violations of the right to liberty and physical security .....*** **14**
  - 3.1. **Inhuman and Degrading Treatments Attributed to Imbonerakure Militiamen: Acts in the line and above the Law .....** Error! Bookmark not defined.
  - 3.2. **Arbitrary arrests by police agents: mobilized for repression .....** Error! Bookmark not defined.
  - 3.3. **Zealous police agents in the stifling of freedoms: outside the law ...** Error! Bookmark not defined.
  - 3.4. **Journalists on report arrested and abused by police agents .....** Error! Bookmark not defined.
  - 3.4. **Illegal arrests by elements of imbonerakure militiamen: reducing political opposition at all costs .....** Error! Bookmark not defined.
  - 3.5. **Arbitrary arrests, attributable to SNR agents: brutality and opacity.** Error! Bookmark not defined.
  - 3.6. **Obstacles to freedom of movement attributable to imbonerakure militiamen: racketeering and persecutions .....** Error! Bookmark not defined.
4. ***Administration of justice: when applying the law becomes an exception*** Error! Bookmark not defined.
  - 4.1. **Nestor Nibitanga: a human rights activist unjustly condemned ...** Error! Bookmark not defined.
  - 4.2. **A magistrate victim of abusive and arbitrary detention: victim of a fight with a member of imbonerakure militiamen .....** Error! Bookmark not defined.

**4.3. Conditions of detention: a death and precariousness of some cells**Error! Bookmark not defined.

4.3.1. Death of Mathieu Kaboko in Nyanza-Lac police cell..... **Error! Bookmark not defined.**

4.3.2. Inhumane conditions of imprisonment in Makamba's prison ..... **Error! Bookmark not defined.**

**Conclusion ..... 23**

**Recommandations ..... 24**

**To the Government of Burundi: .....24**

**To the East African Community : .....24**

**To the International Community : .....25**

## 1. Socio-political context : a showdown for the 2020 elections

On the political front, the third quarter was marked by the promulgation of a new constitution, submitted to referendum of May 17, 2018, and promulgated by the President of the Republic on June 7, 2018. This promulgation marked the period that followed for two reasons. The President seized this opportunity to make an announcement that was interpreted differently. The entry into force of a new constitution will devote a constitutional double-headedness, with selective application of one or the other at the whim of the President's interests.

The announcement of the President of the Republic has had a strong diplomatic and media impact. He said, *"As far as I am concerned, I am solemnly committed and I am preparing myself, with all my heart, with all my intelligence and with all my strength, to support the new head of state that the Burundians are going to elect in 2020. I also pledge to continue serving my country until the end of my life<sup>1</sup> ».*

For some, it is a commitment not to present himself. This has been greatly appreciated by those who believe that it is a factor that can help to solve the Burundian crisis. Based on the experience of the past, others remained skeptical, likening this announcement to a ploy used to buy time and calm internal tensions within his party and satisfy the outside. According to Professor André Guichaoua *"This decision of the President, recently elevated to the rank of" eternal Supreme Guide "of his party, is it final? "And added" it is too early to say the consequences of this announcement because we do not exactly know the motivations and constraints that led to this result. The question depends on the apparatus of the CNDD-FDD,*

---

<sup>1</sup> [http://french.china.org.cn/foreign/txt/2018-06/07/content\\_51782438.htm](http://french.china.org.cn/foreign/txt/2018-06/07/content_51782438.htm)

*which is above all concerned with its own collective reproduction and especially its ability to maintain its hold on populations and resources»<sup>2</sup>.*

The other aspect that has dominated the political sphere of Burundi is the simultaneous application of two constitutions, the old and the new, according to the goodwill and interests of the President, as already observed. According to Professor J. Nimubona *"It is quite curious to see that a new Constitution codifies the subjects of an earlier period. While it governs the functioning of institutions and defines the practical modalities of access to powers, the extent and the limits of these powers, we see that there is a superposition of logic between the old Constitution and the new Constitution and this creates doubts, suspicions and intentions of the actors»<sup>3</sup>.*

The promulgation of the new constitution has reduced the fever that preceded the referendum for a short time, which immediately gave way to a forcing for the organization of the elections of 2020. Indeed, the power is putting everything in place to ensure that the 2020 elections can take place in a sort of closed-out atmosphere, without consensus among national political actors. In this regard, a non-consensual roadmap has been signed in hurry up in Kayanza<sup>4</sup> and an independent national electoral commission was proposed by the government and approved by the National Assembly and the Senate, in the absence of opposition members of the coalition Amizero y'Abarundi. This new CENI, in line with Burundi's new Constitution of May 2018, saw its members going from five to seven<sup>5</sup>.

The other aspect concerning the elections is financial. Aware of the difficulties of external funding for a process contested by many partners, the power relies on the financing of elections by the Burundian population, like the constitutional referendum. That's why everyone has to put their hands pockets, from officials to the poorest people. Some 2,150,000 households, 461,091 pupils and 485,000 students of voting age are required to participate in the self-financing of the next general elections of 2020 for amounts between 1,000 and 2,000 Burundian francs (between 0.5 and 1 US dollar) per semester, from July 2018 to December 31, 2019<sup>6</sup>. While for civil servants, the withdrawal of forced contributions is done at the source, for the common citizen, imbonerakure militiamen are responsible for checking the payment, by setting barriers on the roads, requiring passers-by to present a receipt, or then pay on the spot, at the risk of retaliation, or racketeering.

---

<sup>2</sup> Deutsche Welle, quoted by [http://www.arib.info/index.php?option=com\\_content&task=view&id=18351](http://www.arib.info/index.php?option=com_content&task=view&id=18351)

<sup>3</sup> Burundi: There is a superposition of logic between the old and the new Constitution [http://french.china.org.cn/foreign/txt/2018-06/10/content\\_51901241.htm](http://french.china.org.cn/foreign/txt/2018-06/10/content_51901241.htm)

<sup>4</sup> IWACU Newspaper: Is Kayanza's Mass said ? <http://www.iwacu-burundi.org/la-messe-de-kayanza-est-elle-dite>

<sup>5</sup> <https://www.voaafrrique.com/a/le-parlement-approuve-une-nouvelle-commission-%c3%a9lectorale-au-burundi/4549264.html>

<sup>6</sup> [http://www.arib.info/index.php?option=com\\_content&task=view&id=18466](http://www.arib.info/index.php?option=com_content&task=view&id=18466)

Meanwhile, inter-Burundian negotiations have broken down. The Burundian government, which until now has been the main obstacle to truly inclusive negotiations, has announced that it wants to participate in the 5th round and "thinks it will be the last"<sup>7</sup> ». In view of the invitations already issued, the main agenda is to bring the protagonists to agree on the roadmap for the elections of 2020. However, in the face of these procrastination, other actors of violence could be disrupting, in fact during the quarter under review, armed groups carried out two attacks, one in Gihanga, an ambush that allegedly cost lives of three soldiers, and another at Gatumba border crossing, which is very violent whose victims are not known<sup>8</sup>. The official speech talks about total security.

On the economic front, the political crisis continues to drastically affect the economy. There is a regression in all sectors, related to several factors including the shortage of foreign currencies which leads to a shortage of basic necessities, aggravated by a continuous devaluation of the Burundian currency. All this significantly affects the purchasing power of Burundians. Not to mention the pressure exerted by the forced contributions that further weaken the poorest households, whose proportion continues to increase. Because with the socio-economic crisis, all the structural vulnerabilities of the Burundian population are accentuated<sup>9</sup>.

In terms of human rights and fight against impunity, the International Commission of Inquiry on Human Rights has stated that "*at the end of its investigations, it is able to conclude the persistence of serious human rights violations - some of which constitute crimes against humanity in 2017 and 2018*"<sup>10</sup> ». This report was judged "shameful and false" by the Burundi President of the National Assembly, and its authors were described as "mercenaries in the pay of the imperialist powers" by the Minister of Interior and Patriotic Training<sup>11</sup>.

With regard to human rights, the situation remains marked by serious violations, of which the main alleged perpetrators are members of the defense and security forces, and elements of imbonerakure militiamen who are acquiring more and more power, and commit abuses with impunity. This unlimited power allows them to kill, torture, arrest, impose fines and control people and territory as they feel fit, day and night, with the complicity and cooperation of administrative and security personnel.

---

<sup>7</sup> Speech of Burundi Minister for Foreign Affairs Ezekiel Nibigira, <https://afrique.lalibre.be/23618/burundi-bujumbura-veut-participer-a-une-nouvelle-session-du-dialogue-interburundais/https://afrique.lalibre.be/23618/burundi-bujumbura-veut-participer-a-une-nouvelle-session-du-dialogue-interburundais/>

<sup>8</sup> These attacks occurred respectively on August 7 and September 15, 2018.

<sup>9</sup> International Crisis Group, Supporting the Burundian population in the face of economic crisis, Africa Report N ° 264, 31 August 2018.

<sup>10</sup> [https://www.ohchr.org/Documents/HRBodies/HRCouncil/ColBurundi/ReportHRC39/A\\_HRC\\_39\\_63\\_FR.pdf](https://www.ohchr.org/Documents/HRBodies/HRCouncil/ColBurundi/ReportHRC39/A_HRC_39_63_FR.pdf)

<sup>11</sup> <http://www.infosplusgabon.com/index.php?view=article&catid=37:international&id=15863:un-rapport-onusien-sur-les-droits-humains-suscite-des-critiques-acerbes-au-parlement-burundais&format=pdf>

The repression by elements of the police, SNR, and imbonerakure militiamen is aimed primarily at members of the political opposition, on top by FNL militants, the branch led by Agathon Rwasa, and other persons considered to be members of the opposition. Ex-FAB soldiers, active or retired, also continue to have a preferred target. In the clear will of the government to lock the areas of freedom, human rights defenders in general and journalists in particular, are constantly in the line of fire.

The overall toll of human rights violations for the quarter is 49 persons killed, an average of just over 15 persons per month, 13 wounded including grenade attacks, 10 assassination attempts, 172 persons arbitrarily arrested, 40 cases of torture and 5 cases of rape, including one child aged 3 years and 4 months. Five cases of alleged enforced disappearances have been reported.

## 1. Violations of the right to life and to physical integrity

*In all, 49 persons were killed during the period under review. Their deaths occurred under different circumstances. Some people lost their lives during targeted grenade attacks, which became recurrent throughout the country. Other victims were murdered under unclear conditions, their bodies found in vacant lots or in streams far from their place of residence, making their identification difficult or impossible. Administrative officials apparently have the same instructions, to proceed with the burial of the bodies in a hurry. These facts confirm impunity and make it very difficult to find facts and responsibilities. Decapitation of the victims has become frequent.*

*What seems so common in Burundi are crimes committed against well-known or identified victims, but where the police do nothing or are unable to do their job to establish the facts and responsibilities and thus do justice to the victims and their relatives. These are the cases that fall into the banality of impunity in Burundi, where the police and the justice system are totally unable to fulfill their mission. However, in some circumstances, which have become rare, the police manage to open investigations and arrest suspected perpetrators, both in ordinary killings and in cases of rape, some of which are pursued for murder.*

*One serious fact that is gaining momentum is the involvement of imbonerakure in assassinations, very often resulting from inhuman and degrading treatment, with complete impunity. More importantly, it is the protection that militiamen guarantee to criminals, who are close to them, whatever the motives of their crimes, to remove them from justice.*

### 1.1. Grenade attacks : a persistent trend

*Grenade attacks have become recurrent. The targets are sometimes public places, and political motivations can be assumed. During the period under review, six grenade attacks were perpetrated against only households and left a total of four dead and 16 wounded. The mapping of these attacks shows that they took place all over the country (Rutana, Ruyigi, Kirundo, Ngozi, Rumonge, Cibitoke), suggesting that the possession of this type of weapons by civilians is widespread. Very often, as with many other crimes, the perpetrators of these attacks are not identified. All these attacks, some illustrations of which are given, were all perpetrated at nightfall.*

On 9 July 2018, on Nyaminazi hill, Kinyinya commune, Ruyigi province, unidentified individuals attacked with grenades the home of Jean Bizimana. According to witnesses, one of the children in the household was killed, and nine (9) other occupants of the house were injured, including the deceased's parents. The Police have not yet identified any suspects.

On 13 August 2018, on Munzenze hill, Kirundo commune and province, a grenade was thrown at the home of Mr. Ndagijimana (55 years), who was immediately killed. Witnesses reported that two (2) grenades were thrown inside the victim's home. Kirundo police announced the arrest of a suspect without giving evidence of his involvement in the assassination of Mr. Ndagijimana who was the victim of a second attack.

On September 24, 2018, on Rushimabarimyi Hill, Mugina Commune, Cibitoke Province, a grenade was thrown at the home of the family of Joseph Shongongo (60 years). A girl named Julienne Igiraneza, aged one and half years, was immediately killed. The grenade seriously injured three other persons from the same family Joseph Shongongo (60 years), his wife Hangurimana Florida (45 years) and their daughter Véronique Nigarura (8 years). To date, police have not yet identified any suspects.

## 1.2. Sexual violence and rape followed by assassinations

*Rape has become common in Burundi. It has no limit, even in terms of age, since very young children are victims, but also elderly people, committed by one person or several aggressors. More and more, rapes are committed and are followed by killings of the victim, these crimes remain unpunished.*

On 23 July 2018, on Mbizi Hill, Kibago Commune, Makamba Province, a 6 years girl was sexually assaulted. Relatives of the victim reported that the alleged perpetrator of the rape is a servant who was arrested by Makamba police on the order of the Public Prosecutor's Office.

On 30 July 2018, in Bubanza commune, during evening, unidentified individuals sexually assaulted K.K (24 years). The victim reported being arrested by five men on her return from



Bubanza Hospital, who raped her in turn. The young woman was evacuated to the hospital for emergency care. The victim was unable to identify any of his attackers, and the police have not arrested any suspects to date. According to several local sources, all the hills of Bubanza are patrolled during the night by imbonerakure militiamen who are suspicious.

On 6 August 2018, at Camumandu Hill, Rutegama Commune, Muramvya Province, Janvier Ntakarutimana's body (40 years) was found in a banana plantation. According to witnesses present, the victim was raped before being slaughtered.

On August 22, 2018, on Kiziba Hill, Musigati Commune, Bubanza Province, unidentified individuals sexually assaulted G. The victim reported being raped by two (2) men. She was evacuated for emergency care. Police have not identified a suspect so far.

### 1.3. 1.3. Assassinations attributed to members of the imbonerakure militiamen : unlimited abuses covered with total impunity

*During the period under review, seven murders are alleged to have been committed by imbonerakure militiamen, or they have covered this type of crime perpetrated by persons under their protection. All seven murders were perpetrated in two provinces, Makamba and Ruyigi.*

On June 27, 2018, on Dunga Hill, Kayogoro commune, Makamba province, members of Imbonerakure militiamen of fCNDD-FDD ruling party violently attacked and tortured Mr. Nzokira. According to his relatives, the victim succumbed to his injuries five days later, on July 2, 2018, at the hospital.

However, despite the fact that the attackers were well identified by the victim, the police did not open any investigation or arrest the alleged perpetrators of Mr. Nzokira's assassination. The two alleged perpetrators are two members of imbonerakure militia, including the leader of this militia on Dunga Hill.

On July 22, 2018, on Rugata hill, Butaganzwa commune, Ruyigi province, Nestor Ntirampeba murdered and decapitated Fabiola Niyonzima and his 8 years son at their home. According to relatives, the alleged perpetrator of the crime is the biological father of the boy, who had just lost a lawsuit against the victim, Ms. Niyonzima, the court having ordered him to grant him a piece of land to her to raise their son.

Butaganzwa police have not conducted any arrest to date. The explanation given by relatives of the victims is that the alleged criminal was protected by members of imbonerakure militiamen, himself a member of the ruling party.



On 23 August 2018, on Gasanda Hill, in Ruyigi commune and province, suspected members of the imbonerakure militia murdered Regis Niyungeko. According to relatives of the victim, she and her friend were intercepted by a group of militiamen, who then violently beat them with iron bars. The victim's friend was able to escape with wounds to the arms, but imbonerakure militiamen killed Regis Niyungeko, whose body was found by residents of Gasanda hill on September 3, 2018, in decomposition.

Subsequently, Mr. Niyungeko's family went to the police several times to ask that the victim be returned after learning that he had been ill-treated. False reports were also given to the family, suggesting that Niyungeko had fled to Tanzania after the caning. According to close witnesses, the deceased's friend received death threats from Gasanda quarter chief, ordering him not to testify about what had happened. The police have not conducted any search to find the victim, nor to arrest the perpetrators of this crime. It should also be noted the complicity of the chief of Gasanda quarter, instead of denouncing the criminals, rather prevented justice, by intimidating and threatening an eyewitness, himself a victim

#### 1.4. Bodies thrown into streams or vacant lots: unidentified victims and executioners

*As has become common since the outbreak of the crisis, bodies, often stripped, tied up or beheaded are found in vacant lots or in rivers. Sometimes, the state of decomposition of the bodies does not allow their identification and when possible, the victims are found in areas where they were not known in their lifetime, suggesting the will of the perpetrators of these crimes, to hide their crime. Administrative authorities usually order the burial of bodies in a hurry, without waiting for their identification, opening the way to the impunity of the perpetrators of these packages. Few victims are recognized. Their alleged killers are almost never identified.*

On 16 July 2018, in a bush near Imprimerie Avenue, Nyakabiga zone of Mukaza Commune, the body of Gelase Nzeyimana was found, with wounds on the head. The victim was identified as being from Gitanga hill, Gisagara commune, Cankuzo province. To date, the police have not identified any suspects.

On 1 August 2018, at the edge of Lake Tanganyika in Busambi locality, Gatete zone , Rumonge commune and province, fishermen discovered a decomposing body. According to the information received, the police could not identify the victim. In such circumstances, there is reason to fear that this person was the victim of extrajudicial execution and his body thrown into the lake to hide the crime.

On September 3rd, 2018, on Nunga sub-hill, Nganji hill, Ruyigi commune and province, a body was discovered in decomposition. The decapitated head of the victim had been placed near the body by his executioners.

After this discovery, an officer of the judicial police came to verify the facts and ordered the burial of the victim, before his identification. The crime zone, like most rural hills, is controlled at night by members of imbonerakure militiamen who conduct patrols. To date, the victim is still not identified, nor the perpetrators of its execution.

On 16 September 2018, in Quarter 9, Ngagara Zone, Ntahangwa commune of Bujumbura Town Hall, a body packed in a bag was found in a gutter. In the circumstances, many witnesses claimed that the crime was committed elsewhere and that the body was later moved by his executioners. To date, the police have neither identified the victim nor determined the circumstances of his murder.

#### 1.5. Assassinations where the alleged perpetrators have been identified and arrested

*The identification and arrest of alleged perpetrators has become rare in Burundi. When this happens, it is necessary to highlight it. Case studies show that the perpetrators of crimes are prosecuted at least when these crimes have no political motive or that their perpetrators, like members of the imbonerakure militia or political cadres, do not benefit from protection of political and security officials. The crimes listed here are mostly related to family conflicts. In this type of non-politically sensitive case, the police made efforts to identify and arrest the alleged perpetrators, as happened in the 12 cases reported.*

On July 25, 2018, on the Rugoma Hill, Bukirasazi commune, Gitega province, Mr. Dieudonné Niyonizeye, aged 26, was assassinated. According to witnesses, the victim died after being beaten several times. Bukirasazi police arrested the victim's parents as the main suspects.

On 11 August 2018, on the Rubindi Hill, in Nyanza Lac Commune, Makamba Province, Mr. Leonidas Ndayizeye was murdered at his home. Witnesses reported that the victim was slaughtered before being moved and burned.

The next day, Nyanza Lac police arrested the victim's brother and his wife as the main suspects, after they were caught with a bloody sheet allegedly used to transport the body of the victim. Other relatives of the victim were worried about the slow processing of the file, the main suspects remained in custody, beyond the deadlines, before being presented before the judge.

On August 5, 2018, on Mudubugu Hill, Gihanga Commune, Bubanza Province, a soldier shot and killed Dieudonné Nduwimana. According to witnesses present, the victim and two (2) other

persons had quarreled with the soldier. The latter then went to retrieve his service weapon from his barracks, to shoot Mr. Nduwimana and seriously wound his two (2) other companions.

Subsequently, the police arrested the alleged perpetrator, who was judged, and condemned to life imprisonment by the court.

On August 15, 2018, in a valley of Kayongozi zone, Bweru commune, Ruyigi province, Mr. Batakanwa, aged 65 Ruyigi, was found murdered. According to testimonies on the spot, the victim was slaughtered and decapitated with the help of a knife.

The police announced the arrest of a suspect. According to the information received, Mr. Batakanwa had already been threatened with death and forced to flee Nkanda hill where he resided following these threats. Accusations of witchcraft practices against Mr. Batakanwa allegedly resulted in threats that led him to hide for his safety. Despite these threats, no protective measures have been taken by the authorities to put this person out of danger.

#### 1.6. Targeted victims and often unidentified perpetrators : the trivialization of impunity

*In Burundi, perpetrators of targeted killings often remain in complete impunity. Sometimes the police do not even open investigations and when they do, these investigations never succeed. Some examples.*

On June 29, 2018, on Gakobe hill, Rutana commune and province, unidentified individuals murdered Donatien Ntamashimikiro. The latter was the deputy representative of the ruling party CNDD-FDD in Rutana province, also chairman of the National Commission of Lands and Other Goods in Rutana. According to his relatives, the victim was beaten and then strangled. According to the information received, the victim had been treated two (2) days before his murder for probable poisoning. Rutana's police have not identified any suspects to date.

On July 8, 2018, on Nyagaseke Hill, Mabayi commune, Cibitoke province, Mr. Melchior Bayiremye (70 years) was murdered with machetes. The Police have not identified any suspects to date.

On September 11, 2018, on Mparambo Hill I, Rugombo Commune, Cibitoke Province, Adidja Uwimana and her seven (7) month baby were murdered and their bodies found later. According to the testimonies collected, the two victims were strangled, and the lady had been undressed by her tormentors. While the two people were murdered in Mrs. Uwimana's restaurant where the young mother had gone to prepare meals, the police have not identified any suspects to date.

## 1.7. Enforced disappearances attributed to SNR agents : alleged political and security motives

*The SNR is suspected of being responsible for numerous enforced disappearances since the outbreak of the crisis in April 2015. These disappearances are often targeting people believed to pose a threat to the regime in place. But SNR agents sometimes engaged in settling accounts for influential people. Their involvement in the disappearance of people is variable over time. During this quarter, a policeman, soldiers or members of opposition political parties were reported among alleged disappeared persons.*

On July 15, 2018, Michel Nduwayo disappeared while he was detained in the office of the head of the intelligence service in Kirundo province. Mr. Nduwayo was arrested the same day by police agents for alleged involvement in assassinations.

Subsequently, Kirundo's intelligence officer was summoned by his superiors to Bujumbura, where he was arrested. However, Mr. Nduwayo has not been found yet, and there is reason to fear his physical integrity.

On September 17, 2018, in the city of Bujumbura, individuals identified as agents of the national intelligence service, kidnapped Jean Claude Habiyakare, nicknamed Kibaju in the evening. The latter is an active soldier of the Burundian army assigned to the office of the General Staff. He was abducted while returning to Ngagara camp, where he resided.

Since his disappearance, relatives of the victim have visited all known places of detention in the city of Bujumbura without seeing any trace of Mr. Habiyakare. In these circumstances, referring to similar cases, there is reason to fear an enforced disappearance, with a risk of execution of the victim.

On 18 September 2018, Mr. Théophile Nibitanga was abducted in Cibitoke province, where he was assigned as Burundian police brigadier at Ruhwa post, Rwanda border. He had just been posted to this post from Mabanda commune where he was previously working.

Mr. Nibitanga was a former member of Burundian Armed Forces before the reform of the defense and security forces, who joined the national police. There are many suspicions about National Intelligence Service agents as the perpetrators of this enforced disappearance. The relatives of the victim received calls explaining that the Non Commission Officer was detained in the cell of the judicial police, but after verification, this turned out to be false. In this case too, given the circumstances, there is reason to fear an enforced disappearance and the risk of extrajudicial execution.

On August 21, 2018, in the town of Ngozi, unidentified individuals abducted Marius Ndayikengurutse, whose relatives have reported missing since then. He was allegedly abducted by National Intelligence Service agents. He was a teacher at St. Dorothy High School in Rukago, Gahombo Commune, Kayanza Province.

According to information received, Mr. Ndayikengurutse was an active militant of MSD opposition party in his native Tangara commune, Ngozi province. Since that day, this person's relatives have not heard from him. An enforced disappearance is to be feared.

#### 1.8. Torture of a student by agents of the SNR : an ordinary tool of repression ?

On July 12, 2018, a student named Léonard Niyonkuru was tortured while in police custody in SNR cells until he was transferred to Mpimba Central Prison in Bujumbura City. According to relatives, the victim was very weak with signs of torture when he arrived at the prison.

According to the information gathered, after the torture, Mr. Niyonkuru's state of health was precarious. The SNR agents also hid the victim's place of detention, which his relatives searched in vain in all the prisons for nearly two weeks. Niyonkuru accused of insulting institutions and collaborating with Rwandan intelligence.

#### 1.9. Recurrence of armed attacks in the north-west of Bujumbura : precarious security

*Some municipalities in Bubanza and Cibitoke provinces are subject to recurrent attacks, albeit low intensity, but which carry lives. The attackers retreat to nearby forests, including Rukoko Nature Reserve, or cross the border to the Democratic Republic of Congo.*

On 22 July 2018, an armed group attacked Buringa zone, Bubanza commune and province. According to witnesses, the armed group exchanged fire with soldiers on duty in this attacked locality. One soldier was wounded during these clashes.

The attack was claimed by FNL movement led by Aloys Nzabampeba (Humura Burundi Magazine of the R.P.A. on July 23, 2018).

On August 5, 2018, in Gihanga Commune, Bubanza Province, unidentified armed individuals shot and killed three (3) soldiers on RN5 road connecting Bujumbura town to Cibitoke province via Bubanza. According to the testimonies collected, the victims were on board a military pick-up and were ambushed by the attackers. The perpetrators of the attack seriously injured five (5) other soldiers.

This attack has not yet been claimed. The police or army has not shed light on this incident to date. However, on 7 August 2018 in Gihanga, four (4) persons were arrested after a search of police agents in households near the ambush site. The police did not release any link with the armed group that made the attack.

### 3. Violations of the right to liberty and physical security

*The violations of the right to liberty and physical security, which were recorded during the period under review, are mainly attributed to the police agents and the SNR as well as elements of imbonerakure militiamen. Police agents and members of the imbonerakure militiamen are equal in these abuses, of which 85% are attributable to them, followed by far by agents of the SNR. As it appears in many reports, the imbonerakure militiamen engaged in all kinds of abuse, in particular arresting and subjecting their victims to inhuman and degrading treatment, disabling, and sometimes even lethal. With impunity. Sometimes these people who have been seriously injured are taken to police stations, where agents agree to detain them, thereby legitimizing the illegal acts of these imbonerakures. Sometimes these abuses are committed by militiamen in the presence of police agents or the SNR who cover them.*

*Overall, the arrests attributed to police agents and SNR as well as militiamen are politically motivated. The majority of those targeted are members of FNL, the branch headed by Agathon Rwaswa, and this trend is undeniable. Members from other parties have also been targeted but fewer. Another persecuted group is the former ex-FAB soldiers, whose elements are arrested for various reasons across the country.*

*During the period under review, the enjoyment of almost all freedoms was flouted, with the arrest of members of churches, in prayer, journalists, in their work mission, or members of associations, in meetings yet authorized work. Freedom of movement has been undermined by imbonerakure militiamen who have erected barriers in at least three provinces: Bubanza, Kirundo and Makamba.*

#### 3.1. Inhuman and Degrading Treatments Attributed to Imbonerakure Militiamen : Acts out and above the Law

*About 15 cases have been reported where militiamen are alleged to have inflicted inhuman and degrading treatment on their victims, regardless of gender and region. Sometimes these attacks are committed without the intention of making the arrest or before it. In almost all cases, militiamen aggression had political motives, as the targets were members of the political opposition, especially those belonging to the FNL led by Agathon Rwaswa. Some examples are given by way of illustration.*

On 19 July 2018, on Kivoga hill, Kiremba commune, Ngozi province, members of imbonerakure militiamen beat violently Japhet Riyezimana, Déo Nsengimana and Josiane Bararunyeretse. According to their relatives, all the victims are members of the FNL party, headed by Agathon Rwaswa. The first victim was accused by the militiamen of having voted for the "no" in the constitutional referendum of May 2018. The other two victims were beaten by these militiamen because they inquired about the reasons for the ill-treatment inflicted on their friend. All these alleged perpetrators enjoy total impunity so far.

On 29 July 2018, on Bweru hill, Bweru commune, Ruyigi province, members of imbonerakure militiamen violently attacked Félicien Hakizimana, Louis Ntibarukinga and Jean Pierre Ntibarukinga. The victims were returning from a ceremony opening a local headquarters of the v party, close to power, led by Jacques Bigirimana. The three victims were injured after being beaten by clubs. They were accused by their attackers of having left the ruling CNDD-FDD party.

The victims of this attack lodged a complaint with the judicial police, without further action. Yet all the alleged perpetrators had been identified by the victims and eyewitnesses. It is therefore, as in many similar cases, a violation of procedures, and an eloquent and irrefutable evidence of protection of militiamen by administrative and law enforcement officials.

On August 31, 2018, on Kiyange hill, Kibago commune, Makamba province, members of imbonerakure militiamen beat Mr. Augustin Ndamukunda, arrested on the orders of Mr. Sept Minani, a Kinyange hill official. According to witnesses present, this lawyer was doing a field visit as part of the defense of his client in conflict with the same hill chief.

This aggression was commissioned by an administrative officer to a person who was doing his job, peacefully and legally. The police of Makamba has not arrested the author of the blows to date.

On September 7, 2018, on Gitaro Hill, Kiremba commune, Ngozi province, a group of imbonerakure militiamen violently attacked Bosco Rwandanga, his brother Evariste Manirakiza, Claver Miburo, Marie Rose Uwizeyimana, and other friends who were with them after surrounding them.

The wounds resulting from this violent attack required the hospitalization of the battered persons. They are accused of being members of FNL, belonging to MP Agathon Rwaswa. Two of the victims are also local hill elected officials whom the militiamen and the population knew by the way: they are Mr. Manirakiza and Mrs. Uwizeyimana. According to the information received, all alleged attackers have been identified and would be known to be imbonerakure militiamen on Gitaro Hill. The police have not arrested any of the alleged perpetrators to date, thus becoming accomplices of these bad acts.



### 3.2. Arbitrary arrests attributed to the police agents : mobilized for repression

*Almost twenty arbitrary arrests are attributed to police agents who have been particularly active, almost as much as the imbonerakure militiamen, in the repression of anyone considered to be political opponents, or who may constitute an obstacle to the ruling power. The arrests have targeted individuals or groups of people, possibly going beyond the ten, at the same time. Quantitatively, the people who were the most targeted are members of the FNL, the branch headed by Agathon Rwaswa, then young people, mostly students, and then retired soldiers, former Burundian armed forces. This last group is repeatedly targeted by the forces of repression of power. Collaboration between police officers and elements of the imbonerakure militia has become very common. The two frequently lend themselves to several types of law enforcement situations to arrest or detain captives illegally arrested by imbonerakure.*

On July 2, 2018, in the walls of Mutanga campus of the University of Burundi, Rohero zone, Mukaza commune, police agents arrested Eric Manirakiza, Mathieu Itangishaka and Jean Paul Kaburiyimbere, all students. The operation was led by the campus security officer, accompanied by student members of imbonerakure militiamen, accusing the three (3) students of detaining weapons.

Subsequently, the police did not disclose the location of these three students, the charges, and the evidence of the charges against them.

On July 18, 2018, on Sigu Hill, Busoni Commune, Kirundo Province, police agents arrested Abdallah Nzovugankize, Juma Macumi, and Abibu Simbayobewe. According to their relatives, these three men are active members of the FNL opposition party, the local branch, led by Agathon Rwaswa. According to the information received, these persons were apprehended after being abused by a group of local imbonerakure militiamen, who accused them of calling for a "no" vote in the constitutional referendum of 17 May 2018.

These members of FNL were arrested violently when they had not opposed any resistance, remain arbitrarily and illegally detained. Their assault, made in the eyes of the police and some witnesses, went unpunished, while four of the attackers were well identified.

On 26 July 2018, on Bugorora hill, Bwambarangwe commune, Kirundo province, police agents arbitrarily arrested Aboubakar Ahishakiye, Majidi, Juma, Niyonkuru and Déo Rucahobatinya, all of them activists of the opposition FNL party branch headed by Agathon Rwaswa. During the operation, imbonerakure militiamen accompanied police agents to help them identify the targeted individuals. All these people were accused of recruiting and training rebels. On 31 July, on Ceru Hill, Kirundo commune and province, a sixth person was arrested for the same reason. This is Alban Asman, also a member of FNL.

According to information received, one of the detainees, Mr. Aboubakar Ahishakiye, was allegedly tortured by the head of intelligence service of Kirundo province, and was kept in solitary confinement, with no possibility of visitation. The Kirundo prosecutor's office has not charged any of the six persons arrested so far, and the Bwambarangwe police have not confirmed any charges against them.

On 9 August 2018, in Gihanga Commune, Bubanza Province, police agents arrested four (4) persons from the same family. They are Mr. Mbazumutima, his wife Odile, their daughter Leila and their son Bertrand. These people were arrested after a search at their home, resulting in no seizure.

Mr. Mbazumutima and his son Bertrand were transferred to the national intelligence service in Bujumbura ; Ms. Odile and her daughter Leila remained detained at Gihanga Police Station. It should be noted that Mr. Mbazumutima is a retired soldier from the former Burundian Armed Forces, belonging to a group of the most targeted in the progress repression since April 2015.

On September 27, 2018, in Matongo Commune, Kayanza Province, the police arrested Alexis Hacimana and Elie Nsabimana, both recognized as opposition party activists. Mr. Hacimana, a teacher at Matongo High School, is a member of the Movement for Solidarity and Democracy (MSD) while Mr. Nsabimana is a member of the Front for Democracy in Burundi (FRODEBU). The latter is also a teacher. At Ryakabamba Primary School. The Matongo police did not communicate the reasons for the arrests. And in this case, the assumption is that these people are prosecuted based to their belongings.

### 3.3. Zealous police agents in the stifling of freedoms : outside the law

*Three examples where police agents have been successful in the arbitrary arrest of persons, hindering the pursuit of their activity, conducted in accordance with the law. The questioned freedoms here are those of peaceful assembly, worship and the press, despite official statements that freedoms are well guaranteed in the country.*

On August 17, 2018, at a hotel in the center of Mabanda Commune, Makamba Province, police agents arrested sixteen (16) persons. According to the information gathered, the arrest was the result of a search in the hotel. Those arrested were all Christians, members of the Coalition of Churches for the Harvest, in a mission of evangelization in Mabanda for a week. The police gave no explanation as to the reasons for the arrests. The arrested persons had in their possession a letter attesting their mission of evangelization, which the local authorities had also received.

On the same day, in the same province, at the Makamba Provincial Center, police agents arrested about 20 persons, all young people from different political parties, participating in a seminar organized by Burundi Leadership Training Program. (BLTP).

The organizers were also arrested, while they had in their possession an order of mission legally signed by the Ministry of the Interior. The police gave no reason for these arrests. The order to arrest the participants to this seminar was given by the governor of Makamba, Mr. Gad Niyukuri. The latter has been quoted repeatedly in several cases of arrests of political opponents.

#### 3.4. Journalists on report arrested and abused by police agents

On August 27, 2018, in quarter10, Ngagara zone, Ntahangwa commune, Bujumbura town hall, police agents arrested, kidnapped and beaten journalists Alain Majesté Barenga, Bella Gloria Akimana and Alain Niyomucamanza of Radio Culture on report.

Despite the violence of the beatings by these police agents, none of the perpetrators has been apprehended so far. The journalists owed their safety only to the intervention of the inhabitants of the locality. This serious attack on journalists is a new attack on freedom of expression and the press that proves that freedoms are extremely constrained in Burundi.

#### 3.4. Illegal arrests by elements of imbonerakure militiamen : intimidating and silencing political opposition at all costs

*Ubiquitous throughout the country, the power granted to the elements of imbonerakure militiamen continues to grow with what it implies as abuse : kill, torture, arrest, put barriers and control traffic, impose contributions or fines, etc. Quite above local institutions and the law. During the period under review, about 21 illegal arrests are attributable to imbonerakure, involving one to several persons, the most targeted of which are members of the FNL, the branch headed by Agathon Rwaswa. In this, complicity with the police has become ordinary. Here are some examples of abuses.*

On July 7, 2018, on Rusengo hill, Gashikanwa commune, Ngozi province, members of imbonerakure militiamen arrested Pierre Ndinduruvugo, a hill elected belonging to FNL opposition party, wing led by Agathon Rwaswa. He was accused by militiamen of insults against them.

Despite the illegality of the arrest, police agents agreed to detain Mr. Ndinduruvugo without a warrant and without a legal reason for arrest.

On 28 July 2018, on Nkondo sub-hill, Nyabitsinda hill and commune, Ruyigi province, members of imbonerakure militiamen arrested Léa Kabura and Goreth Ndikumana. The two women were accused by these militiamen of raising awareness to not contribute for the 2020 elections. Both victims are known to be members of FNL opposition party, the branch headed by Agathon Rwasa.

It should be noted that local officials and police agents are accomplices in detaining the two women. Ms. Kabura was incarcerated with her two infants, which is another violation of the law and especially the child rights laws. According to sources on the spot, Ms. Ndikumana was released on 31 July 2018, after the payment of 2,000 francs, as a contribution to the 2020 elections.

On 22 August 2018, on Rusenda hill, Bukinanyana commune, Cibitoke province, elements of imbonerakure militiamen arrested Gabriel Ndikumana, Jean Paul Mpanzwenayo, Phaniel Ndayongeje and Nsanzurwimo, accusing them of collecting food for rebels.

Subsequently, these militiamen took the four men to the police station, where police agents from Bukinanyana detained them without any warrant and without any evidence of the allegations against them. According to their relatives, the four men are all members of FNL opposition party, the wing led by Agathon Rwasa. They would have been victims of their refusal to join the party in power CNDD-FDD.

### 3.5. Arbitrary arrests, attributable to SNR agents : brutality and opacity

*Since the outbreak of the crisis, SNR has been the linchpin of the crackdown. It is believed to have tortured and killed dozens of, if not hundreds, of people. Over time, its involvement in the crisis has been of varying visibility. During the period under review, six arbitrary arrests were attributed to SNR agents. The common denominator of these arrests is to counter anything perceived as a threat to power. Their way of doing is often brutal, opac and illegal. Here are some examples.*

On July 11, 2018, on Cunyu Hill, Buganda Commune, Cibitoke Province, the head of National Intelligence Service in that province arrested Tharcisse Cigezeho and Fabrice Ndungutse. According to the information received, the two (2) young men were first beaten by the SNR representative in Cibitoke, with the help of members of imbonerakure militia. The two men were then tied up and embarked by SNR officer to the prison.

The two (2) young detainees were accused of making outrageous remarks to the state authorities. These accusations were brought against them by members of imbonerakure militiamen. According to their relatives, they are victims of being member of the opposition Amizero y'Abarundi coalition.

On August 3, 2018, in Village IV of Gihanga Commune, Bubanza Province, Bubanza's intelligence chief arrested Jean Pierre Ndayambaje (aka Kabeba) and Marimbu, 60 years. Both men were known to be activists of FNL opposition party, from the branch of Agathon Rwasa.

The head of SNR Bubanza did not communicate to their relatives the reasons for these arrests. He took them to the city of Bujumbura, without specifying where they would be detained. The fear is that both men are victims of their political affiliation.

On August 16, 2018, at the Gitega Immigration Police Office, National Intelligence agents arrested seven (7) persons. The latter were waiting to receive their so-called CEPGL travel documents, allowing them to travel within the Economic Community of the Great Lakes Countries (CEPGL), that is to say in DRC and Rwanda.

SNR agents provided no explanation as to why these arrests were made. According to verified information, all the young men arrested were residents of Butaganzwa commune, Ruyigi province.

On August 23, 2018, in the town of Makamba commune and province, agents of national intelligence service arrested ten (10) persons, all known to be members of the opposition party Union for Peace and Development (UPD-Zigamibanga). These people were accused of rebellion. On 24 August 2018, six (6) of these detainees were transferred to the SNR cells in Bujumbura.

It is important to remember that several leaders of the UPD party have lived in exile since the beginning of the crisis in 2015, including the president of this party. His predecessor, Zedi Feruzi, was murdered by armed men in Ngagara quarter of Bujumbura town hall as he was returning home on May 23, 2015. Then, one of the party officials, Leopold Habarugira, was abducted during the day on September 12, 2017, around 7:30 pm east of the capital Bujumbura by armed men while he was with his wife and in front of several witnesses. Persistent Suspicions Affect Members of the Defense Corps.

### 3.6. Obstacles to freedom of movement attributable to imbonerakure militiamen : racketeering and persecutions

*Elements of the imbonerakure militiamen are active in demanding and verifying forced contributions for 2020 elections. In this regard, barriers have been erected in several places in*

*three provinces of the country, Bubanza, Kirundo and Makamba. The coercion, disorder and threats of imbonerakure militiamen raise fears of racketeering, embezzlement, and increasing pressure on the population as the deadline for the elections approaches.*

On July 14, 2018, in Mugendo, Murungurira and Ntega zones of Ntega commune, Kirundo province, several witnesses reported that members of the imbonerakure militiamen erected several barriers to demanding forced contributions for 2020 elections in Burundi.

To do this, these imbonerakure militiamen required each person using various routes of these zones to show a receipt attesting that they had paid the required contribution of two thousand (2,000) francs ; or to pay on the spot in case of failure to present the receipt. Several witnesses referred to threats made by these militiamen to those who were stopped, indicating that they would no longer be able to access administrative services and health care if they did not pay these contributions.

On 29 July 2018, on all axes leading to the market in Bubanza commune and province, imbonerakure militiamen erected barriers, arrested all passersby and demanded that they present a payment receipt of 2,000 francs for the financing of 2020 elections.

On 27 July 2018, similar operations were carried out by imbonerakure militiamen on the roads leading to the central market of Makamba commune and province. No one was allowed to enter the market without submitting a contribution receipt for those elections.

This is a violation of the right of movement to the inhabitants. Households are facing increasing poverty, and market access is a way of selling some field products and also buying the necessary daily necessities. Those who did not contribute were turned back by these militiamen. The forced contributions required from the population participate in the frantic pauperization of the households, because these do not only concern the elections but also the construction of various administrative and sports buildings.

#### **4. Administration of justice : when to say the law becomes an exception**

*Furthermore, the dependency of justice has become evident. It is exploited by the authorities in the repression of people considered as members of the political opposition and civil society, in particular human rights defenders and journalists. During this period, Nestor Nibitanga has known the effects of this injustice by suffering an unjust sentence of 5 years in prison. Sometimes it happens that isolated magistrates, manage to pronounce the law.*

A victim of arbitrary arrest released by judges

On August 27, 2018, the Mukaza High Court in Bujumbura Town Hall ordered the release of Mr. Bernard Mpfubusa, a 70-year-old pensioner from the Bank of the Republic of Burundi. Mr. Mpubusa had appeared on 22 August 2018 in a very critical state of health following the refusal of the prison authorities to have him treated. He was arrested on 6 August 2018 in Buringa, Gihanga Commune, Bubanza Province, where he regularly went to supervise the breeding of his cattle. He was arbitrarily accused of undermining the internal security of the state and of participating in armed gangs.

The six (6) people arrested in Buringa with Mr. Mpfubusa remain in detention, although the judges have acknowledged that the prosecution file is empty. Mr Mpfubusa, suffering from several chronic diseases, was taken to the hospital on 23 August 2018 while in detention, but the director of Mpimba prison, Arthemon Nzitabakunze, made two attempts to remove him from hospital but had been bothered by the doctors' refusal to sign a hospital discharge ticket, even though he was in critical condition.

#### 4.1. [Nestor Nibitanga : a human rights activist unfairly condemned](#)

On August 13, 2018, Mukaza Intermediate Court in Bujumbura Town Hall, sentenced Mr. Nestor Nibitanga Mr. Nibitanga to five (5years) in prison. He is known to be a member of the Burundian Association for the Protection of Human Rights and Detained Persons (APRODH). He was arrested in Gitega on November 21, 2017, on charges of undermining state security. Nestor Nibitanga was accused of providing reports on human rights situation when the organization APRODH had been expunged by the Burundian government.

This sentence shows the persecution of human rights defenders who denounce the human rights violations that have been committed in Burundi since April 2015.

#### 4.2. [A magistrate victim of abusive and arbitrary detention: victim of a fight with a member of the militiamen imbonerakure](#)

On 23 August 2018, Bururi Court of Appeal decided to sentence Claver Ndikumasabo, a magistrate at Bururi Intermediate Court, to one month's imprisonment and a fine of 100 thousand Burundian francs. Mr. Ndikumasabo was arrested on 13 August 2018 following a quarrel with the representative of imbonerakure militiamen in Bururi province. Following this fight, the magistrate was arrested alone by police agents, before they determined the circumstances and responsibilities in this fight.



### 4.3. Conditions of detention : One dead and precariousness of some houses of detention

#### 4.3.1. The death of Mathieu Kaboko in Nyanza-Lac police cell

On 11 September 2018, aged 41 Mathieu Kaboko died while in police custody at the Nyanza Lake Communal Commissariat in Makamba Province. According to witnesses, the victim began to vomit blood and police agents who were on duty that night did not evacuate the patient to a hospital or health center for proper care. The local authorities did not request an autopsy to know the exact causes of this death.

#### 4.3.2. Inhumane conditions of imprisonment in Makamba's prosecution Prison

According to the information gathered, the Makamba Prosecutor's Office had 53 detainees, with a capacity of 20 detainees, as of 25 September 2018. According to the testimonies obtained, persons in pretrial detention are obliged to take turns day and night in this very small cell in order to sleep.

Such conditions of detention, with such overpopulation, constitute inhuman and degrading treatment, of which the persons held in this cell are victims, while some of them, would have greatly exceeded the statutory period of custody, of a maximum 14 days. The responsibility of Makamba Prosecutor's Office in this violation of the law is engaged.

## Conclusion

The third quarter of 2018 was marked by the entry into force of a new constitution voted in the forceps. Its implementation has consecrated a kind of constitutional double-headedness and a selective application of one or the other constitution according to the interests of the President. The declaration made by the President of the Republic on the occasion of the promulgation of the new constitution was intended as an announcement by the President, confirmed by his spokesman, not to run as a candidate in 2020. It raised a lot of controversy. While taking note, some want to believe while others are skeptical.

The authorities are working hard to organize the 2020 elections. In this respect, a new CENI has been set up and a road map has been adopted in a non-consensual way. Even after having declared its willingness to participate in the fifth round of negotiations, the government wants to impose that the protagonists only deal with the road map for the elections of 2020. Meanwhile, the mobilization of funds for the elections is done in the forceps, in using the imbonerakure militiamen to demand and control the payment of this forced imposition by any means.

Under the current circumstances, it is difficult to imagine that free and fair elections can take place in a climate of total impunity and terror, where elements of the security forces and imbonerakure militiamen have almost a right to life or death on every citizen. The locking of the spaces of freedom makes that the only opinion authorized to express itself is that of the power and its satellites, the discordant voices being banned and gagged. The two attacks by armed groups during the quarter could be a sign of the positioning of new actors of violence, which can only complicate the political game.

More than ever, this makes it necessary, the organization of truly inclusive negotiations, which would allow the protagonists to agree on the conditions of return of security for all, and full enjoyment of all freedoms. Without this, the country can only continue to sink in the crisis and probably in the violence with a magnitude difficult to predict.

## Recommandations

### To the Government of Burundi :

1. In accordance with the announcement made, to participate in the fifth round of inter-Burundian negotiations, without preconditions, and to negotiate with the other Burundian protagonists, invited in an inclusive way, on the conditions for the return of peace and security in the country, in view of the organization of the next elections.
2. Proceed without delay to the release of all political prisoners, including Germain Rukuki, Nestor Nibitanga and all other detainees, who have already been pardoned but remain unjustly in detention.
3. Cancel all arrest warrants issued against political opponents, civil society actors and journalists in exile and against any other person accused to have opposed Pierre Nkurunziza's third term.
4. Put an end to the human rights abuses committed by the police, the SNR and imbonerakure militiamen and their impunity and immediately stop all militiamen's paramilitary training and the distribution of weapons to these.
5. To cooperate fully with human rights mechanisms at the national, regional and international levels for the implementation of Human Rights Council resolutions and to collaborate with the International Criminal Court (ICC).

### To the East African Community :

1. Learn from the failures to organize the inter-Burundian dialogue as a sponsor of the Arusha Peace Agreement and inter-Burundian dialogue, and involve other multilateral

partners in an effective inclusive dialogue between all the protagonists to return to the basic principles of the Arusha Peace and Reconciliation Agreement signed in 2000 and 2005 constitution.

2. Take the appropriate measures, including the use of an embargo, for the Burundian authorities to accept an inclusive negotiation without preconditions, because the stubbornness of Pierre Nkurunziza poses a threat to peace not only in Burundi but also in the region, and involves risks to the stability of the East African Community (EAC).
3. Require all countries that have hosted Burundian refugees to comply with international conventions in this area with a view to the optimum protection of refugees on their soil, especially in Tanzania, where these refugees have ongoing threats to their security.

#### To the International Community:

1. Take the economic, political and diplomatic measures necessary to bring the Burundian government to its international commitments, and commit in a concrete and verifiable way to the return of the rule of law and to the agreement of Arusha.
  2. Support the work of the International Criminal Court to complete the investigations begun on Burundi with a view to pursuing 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. Implement the European Parliament resolution to stop any additional payments to Burundian troops and various contingents of Burundi engaged in United Nations and African Union peacekeeping missions.
-