

**Quarterly report on the human rights situation in Burundi from 1  
July to 30 September 2021**



Illustration Images: Extracting and disinfecting dead bodies from the Rusizi River

**Burundi: Resurgence of kidnappings and enforced disappearances**

October 2021

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## Socio-Political Background

The third quarter started with good news. The release of a human rights defender Germain Rukuki. He had been sentenced to 32 years in prison and had just spent four years of arbitrary detention behind bars<sup>1</sup>. Several national and international organisations had always denounced his unjust and politically motivated sentence. The same judicial system that had condemned him decided to release him, on the orders of the Executive, as it had done to condemn him. This gesture allowed the Burundian government to show the EU its willingness to respect human rights. But one swallow does not make a spring. Many other unjustly convicted prisoners continued to languish in Burundian jails, and numerous human rights violations continued.

This alarming situation has led several national and international human rights organisations as well as the International Commission of Inquiry to alert Burundi to continue "international monitoring of the human rights situation in Burundi"<sup>2</sup>.

On the political front, the context has been marked by confusing and contradictory speeches by the President of the Republic, some of which were marked by criticism of bad practices within the state and proclaimed intentions for change. However, these statements have so far not led to any concrete measures, and have remained a dead letter. This has raised doubts about the real will or capacity to deliver on the promises made.

Among the speeches that stood out was the one addressed to the magistrates. In it, the President mentioned the "cries" and "complaints" of the people deprived of their rights, whose suffering he echoed and who had decided to "cry" himself in front of these magistrates to gauge their empathy. In the same address, the President of the Republic again emphasised: *"Foreign investors no longer come to Burundi. You find strategies to steal their money. They have nowhere to complain. You join forces to embezzle their money"*<sup>3</sup>. He then promised to track down the perpetrators of human rights violations and to set up a commission to assess the judgments rendered. Since then, nothing has moved and many observers have been surprised by this attitude of observer adopted by the President, the supreme magistrate, as if he did not have in his hands the prerogatives to carry out the desired changes, as if his criticism were chimerical. As if his criticisms were illusory, the President affirmed, a little more than twenty days later, at the United Nations, that *"efforts have been made to make the independence and impartiality of the Judiciary a reality by*

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<sup>1</sup> He had been convicted of "rebellion", "undermining state security" and "participation in an insurrectional movement», <https://www.frontlinedefenders.org/fr/case/human-rights-defender-germain-rukuki-finally-released>

<sup>2</sup> HRW, <https://www.hrw.org/fr/news/2021/09/24/la-surveillance-internationale-de-la-situation-des-droits-humains-au-burundi-doit>

<sup>3</sup> <https://www.iwacu-burundi.org/quid-du-traitement%E2%80%89apres-un-bon-diagnostic/>, 30 août 2021.

*making the Superior Council of the Judiciary operational*<sup>4</sup>. And he went on to praise the judicial system, in particular the establishment of *“community justice mechanisms to enable all Burundians to have rapid and equal access to fair justice*<sup>5</sup>”.

Another emblematic subject of this waltz is freedom of expression and of the press. While the President had announced dialogue with several media outlets to resume their work on Burundi, and in the same speech to the United Nations he stated that *“the Government has focused on the protection of human rights, respect for democratic principles, freedom of opinion, expression and the press*<sup>6</sup>”, paradoxically, the facts prove the contrary: a few days earlier, on two occasions in less than two weeks, he had publicly and virulently attacked the journalist Esdras Ndikumana, labelling him *“an agent of poverty”* and *“the only one who continues to tarnish the image of Burundi”*<sup>7</sup>. He also attacked another Burundian journalist, Antoine Kaburahe, founder of the media Iwacu. These attacks followed the journalist's reports on the coronavirus situation in Burundi and the high number of victims resulting from opaque management, marked by the absence of firm and adequate measures by the Burundian authorities. Several organisations, including the Burundian Union of Journalists and Reporters Without Borders, condemned *“these serious and dangerous remarks, a sad reminder of the fragility of press freedom in Burundi*<sup>8</sup>”.

Concerning the coronavirus pandemic, despite the denial after the death of Pierre Nkurunziza, transparency has never really been in place and firm and constant measures to fight and prevent the disease have not been taken by the authorities. Instead, they have remained in denial, continuing to manage the pandemic in an opaque manner and even the statistical data, which according to several experts, are far below reality. This management has resulted in a high number of sick and dead. These victims could certainly have been saved if appropriate measures had been taken by the government, which until very recently refused to vaccinate. It was only at the end of July that the Burundian government, one of the very last to do so<sup>9</sup>, decided to receive doses of the vaccine through the international COVAX programme. However, he was keen to disclaim responsibility for any side effects. These will have to be borne entirely by the recipient.

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<sup>4</sup> <https://www.presidence.gov.bi/2021/09/23/discours-du-president-de-la-republique-du-burundi-se-evariste-ndayishimiye-lors-de-la-76eme-session-de-lassemblee-generale-des-nations-unies-a-new-york/>

<sup>5</sup> Ibidem.

<sup>6</sup> <https://www.presidence.gov.bi/2021/09/23/discours-du-president-de-la-republique-du-burundi-se-evariste-ndayishimiye-lors-de-la-76eme-session-de-lassemblee-generale-des-nations-unies-a-new-york/>

<sup>7</sup> The President had said: "Someone who spends his days and nights saying that hospitals are full of coronavirus cases, that people are dying en masse, is he not an agent of poverty?», <https://www.ouest-france.fr/monde/burundi/burundi-rsf-condamne-les-attaques-du-president-contre-un-journaliste-90f897fc-0bf7-11ec-a9d0-17d58ac484e5>

<sup>8</sup> Ibidem.

<sup>9</sup> <https://information.tv5monde.com/afrique/coronavirus-le-burundi-accepte-de-recevoir-des-vaccins-covax-mais-une-condition-418725>

On the security front, the country was marked by a mortar attack, with five shells falling on the runway of Bujumbura airport and its surroundings, without causing any damage. This attack<sup>10</sup>, claimed by the RED-TABARA movement, took place on the eve of the departure of President Evariste Ndayishimiye to the United States to attend the 76th General Assembly of the United Nations. The following day, three grenade attacks were launched almost simultaneously in two car parks in the city centre of Bujumbura and near a market in Jabe, in the Bwiza zone, at around 7 p.m., a time when buses are very busy. The death toll from these attacks was reported to be five (5) and around fifty (50) injured<sup>11</sup>. These actions were not claimed, but the Burundian government quickly accused the RED-TABARA movement and issued arrest warrants for some of its alleged leaders. To date, the investigations promised by the government have not made it possible to credibly identify the perpetrators of these recurrent attacks, which follow the same modus operandi.

During this quarter, international monitoring of the human rights situation in Burundi took a turn with the end of the mandate of the International Commission of Inquiry. Contrary to the assertions of the President of the Republic that "*Burundi has national mechanisms to defend, promote and protect human rights*"<sup>12</sup>, several human rights organisations alerted the UN Human Rights Council to the need to ensure international investigations. On this occasion, HRW published a report on the persistence of numerous allegations of killings, disappearances and torture. According to the organisation, new research conducted by HRW in the province of Cibitoke concluded that Burundian security forces and the National Intelligence Service (SNR), as well as members of the ruling party's youth league, the Imbonerakure, have allegedly killed, disappeared and tortured real or alleged political opponents and people suspected of having links with Burundian rebels in the neighbouring Democratic Republic of the Congo<sup>13</sup>. These observations corroborate those regularly published by SOS-TORTURE Burundi in its weekly reports. The province of Cibitoke has been identified as a real slaughterhouse, where the Rusizi River and its shores serve as a scene of action for the executioners to dispose of the bodies of the victims.

In its end of mandate report, the International Commission of Inquiry on Burundi also noted "the persistence of serious human rights violations, some of which could constitute crimes against humanity, as well as the closure of the democratic space and the persistent refusal of the Burundian authorities to engage in dialogue on human rights issues"<sup>14</sup>. Furthermore, "*these serious human rights violations continued to be committed by state agents or Imbonerakure with the acquiescence of the authorities, or even at their instigation. The rule*

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<sup>10</sup> <https://www.sosmediasburundi.org/2021/09/19/burundi-des-explosions-a-laeroport-de-bujumbura/>

<sup>11</sup> <https://www.reuters.com/world/africa/burundi-grenade-blasts-kill-five-health-worker-says-2021-09-21/>

<sup>12</sup> <https://www.presidence.gov.bi/2021/09/23/discours-du-president-de-la-republique-du-burundi-se-evariste-ndayishimiye-lors-de-la-76eme-session-de-lassemblee-generale-des-nations-unies-a-new-york/>

<sup>13</sup> <https://www.hrw.org/fr/news/2021/09/17/burundi-allegations-de-meurtres-de-disparitions-et-de-torture>

<sup>14</sup> <https://www.rfi.fr/fr/afrique/20210917-burundi-la-situation-des-droits-de-l-homme-demeure-tr%C3%A8s-pr%C3%A9occupante-pour-l-onu>

*of law continues to be progressively eroded and the risk factors for the deterioration of the human rights situation, although they have changed, remain present overall* <sup>15</sup>". In view of this worrying situation, the Human Rights Council decided to keep Burundi under surveillance by appointing a special rapporteur a little later.

Indeed, the observation of the human rights situation carried out on a daily basis by SOS-TORTURE Burundi shows that it remains very worrying. During the quarter under review, 60 violations of the right to life were reported, as well as 179 attacks on physical integrity, 90 arbitrary arrests and 24 abductions and enforced disappearances.

These various violations will be developed and illustrated with the help of a few emblematic examples.

## 1. Violations of the right to life globally unpunished

*During the period under review, the lives of two people were taken every three days throughout the quarter. One third of the victims were women. Of these violations of the right to life, 70% were committed with impunity, as the perpetrators were not identified, even when there were numerous clues indicating that they would be in the vicinity of the victim, for example following the increasing number of lynchings of people accused of witchcraft. This high percentage is an indicator of the impunity that has become a major trend in Burundi.*

*The analysis of the reported cases allows two main categories to be distinguished. First, there is the now recurrent phenomenon of people being killed and abandoned far from their places of residence, where they cannot be quickly identified. In several cases, the bodies were found tied up, decomposing and sometimes hanged with marks of blows on the body, especially on the face. As in previous periods, the province of Cibitoke is the preferred dumping ground for these executioners. It has become an open graveyard. The hasty burial of these bodies, on the orders of the administrative authorities, has become another characteristic of this phenomenon.*

*The second category of violations of the right to life consists of targeted assassinations whose perpetrators have not been identified, although there is much evidence to suggest that the perpetrators are people from the neighbourhood. This is certainly the case for the phenomenon, which has been mentioned and is becoming recurrent, of the assassination of targeted persons accused of witchcraft. Despite the presence of clues that can guide investigators, the perpetrators of this type of murder are rarely identified and prosecuted.*

*In some cases, people are killed with unprecedented barbarity. This is the case of the body of a woman found naked, decapitated, with her legs amputated. Or people killed together*

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<sup>15</sup> [https://reliefweb.int/sites/reliefweb.int/files/resources/A\\_HRC\\_48\\_68\\_F.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/A_HRC_48_68_F.pdf)



*whose bodies were found tied up or hanged, with numerous wounds on their bodies, which suggests that some people were killed after being tortured.*

### *1.1. Still many abandoned and unidentified bodies*

*The phenomenon of lifeless bodies found in waterways, gutters, fields, bushes, forests and public places has become recurrent. Victims are systematically abandoned far from their homes where they cannot be quickly identified, and as if it were a generalized instruction, the administration almost always gives the order to bury the bodies quickly. During the period under review, some twenty lifeless bodies were discovered, a quarter of which were women. Some of them were naked and several factors suggested that they had been raped before being assassinated. As for the men, in three cases, two bodies were found tied together, and in one case, five bodies were found tied together. As in previous periods, slightly more than half of the bodies were found in Cibitoke province. Several testimonies, particularly on the modus operandi, and the fact that despite the persistence of the phenomenon, no investigation has ever been carried out by the competent authorities, suggest that these crimes are the work of security agents, and more specifically the SNR.*

*Here are some examples of this phenomenon.*

On 4 July 2021, on Kaburantwa hill, in Buganda commune of Cibitoke province, fishermen on their way to the Rusizi River separating Burundi and DR Congo discovered two lifeless bodies that could not be identified.

According to the testimonies of these fishermen, the two men were tied up and hanged on a tree in a cassava field less than a hundred metres from the national road No. 5.

These witnesses estimated that the two victims appeared to have been killed the day before, given the large amount of blood still fresh under the tree from which they were hanging. The bodies had many injuries. These fishermen immediately alerted the military from a position not far from the Rusizi River.

On 20 July 2021, on Mayange hill, in Kayogoro commune of Makamba province, the lifeless body of an unidentified woman was found in a eucalyptus plantation.

According to local witnesses, the body of the naked victim had been decapitated and her legs amputated.

On 19 September 2021, on Makombe hill, in Bugarama commune of Rumonge province, the lifeless bodies of two men tied together were discovered on the shore of Lake Tanganyika. According to witnesses, the two bodies were in an advanced state of decomposition to the point that it was impossible to recognise them. The same sources said that the local administration ordered the burial of the bodies without any prior investigation.

On 24 September 2021, on Ruhembe hill, in Bukinanyana commune of Cibitoke province, five lifeless bodies of men were discovered.

According to witnesses to the gruesome discovery, the bodies were tied by a rope in two groups of two and three. The bodies were not identified and were buried on the spot in a mass grave on the orders of the Bukinanyana communal administrator without investigation.

### *1.2. Known victims, well-targeted, whose killers have not been identified*

*Normally, violations of the right to life whose victims are targeted but go unpunished because the alleged perpetrators are not identified are the most numerous. In this quarter, these assassinations represent almost half of all violations of the right to life. Because they are targeted, these assassinations are the result of clear preparation and premeditation.*

*Victims were most often attacked at or near their homes or while on their way home. Some victims died as a result of ambushes or grenade attacks. Firearms were frequently used, as well as bladed weapons, particularly machetes. Sometimes the attacks were carried out by groups of individuals. In one case, a political motive was mentioned. Here are some illustrative examples.*

On 4 July 2021, on Samwe hill, less than one kilometre from the Rugombo commune office in Cibitoke province, the lifeless body of Charles Nizigiyimana (59 years old), a resident of Rugombo peace village, was discovered.

According to local sources, the body of the victim was lying in an irrigation canal, in a pool of blood and with numerous wounds on his head. To this day, nothing has been done to identify the perpetrators and the circumstances of this murder.

On 23 July 2021, on the Kididiri hill, in Busoni commune of Kirundo province, a man known as Lazare Bukuru, aged around 60, was murdered by unidentified persons.

According to local sources, Mr. Lazare Bukuru, an activist of the National Council for the Defence of Democracy - Forces for the Defence of Democracy (CNDD-FDD), was ambushed by four men armed with machetes, daggers and truncheons, as he was returning home at around 7 p.m. According to these witnesses, this assassination was politically motivated, linked to the rift between two rival groups of the CNDD-FDD, on the one hand, on the side of the former deputy Jean-Baptiste Nzigamasabo alias Gihaha, and on the other hand, on the side of the national commissioner in charge of ideology within the CNDD-FDD, Colonel Athanase Manirambona, two men who had been staring at each other for some time.

On 31 July 2021, in the Bukirasazi quarter of Kinama zone, in the commune of Ntakangwa of Bujumbura town hall, a man named Serge Nyandwi was shot dead at his home by unidentified individuals. The victim was originally from the hill of Karinzi in the commune and province of Bubanza.



According to testimonies, two people came on a motorbike and talked for a few moments with the victim at the door of his house before shooting him twice at close range. He died immediately. The same sources affirmed that the murder of the victim was the result of a dispute over a plot of land, but no investigation has been launched to determine the circumstances and responsibilities of this murder.

On 13 September 2021, in Ngagara, at the junction of Buconyori and Kanyoni avenues, in Bujumbura town hall, Yves Nshimirimana, a native of Kigarama hill in the commune of Ndava of Mwaro province, an agent for the money transfer services of Lumicash, Ecocash, Bancobu eNoti and PesaFlash, was shot dead by unidentified criminals in a Toyota Hilux double-cabin pick-up van with tinted windows and no number plates. He succumbed to his injuries after being evacuated to one of Bujumbura's hospitals.

The modus operandi and the means used by the killers have become a signature of the agents of the National Intelligence Service (SNR). And as it happens in these cases, the responsibilities in this attack have not yet been established.

On 23 September 2021, at around 7 p.m., a grenade was launched at the home of Lieutenant-Colonel Aaron Ndayishimiye (commander of the 212th battalion), located at 14 Avenue in the Mirango II quarter of the Kamenge zone, in the urban commune of Ntahangwa of the Bujumbura municipality.

The explosion of this grenade took the lives of Ndayishimiye's wife and his domestic servant, who succumbed to their injuries a few hours later after being evacuated to a health facility in the economic capital. According to information received, one of the soldiers guarding Lieutenant-Colonel Aaron Ndayishimiye was also seriously injured during the grenade attack whose perpetrator has not been identified.

Paradoxically, a journalist from Bonesha FM, Aimé Richard Niyonkuru, who was investigating the grenade explosion, was arrested and ill-treated. He was slapped and kicked by soldiers in boots and rifle butts. He was then arbitrarily detained first at the Kamenge police station, then at the municipal police station, before being released after a brief interrogation.

### *1.3. Violations of the right to life whose alleged perpetrators have been arrested*

*Only a few violations of the right to life were investigated and the alleged perpetrators prosecuted. The percentage of prosecutions is far lower than in previous quarters, at around 6%. In all cases, however, it was the alleged perpetrators who turned themselves in to the police. Here are some examples.*

On 12 July 2021, on the hill and commune of Kiremba, in Ngozi province, Générose Cimpaye (65 years old) was murdered in her home. According to the neighbours' account, the victim was stabbed in several parts of her body by her husband, Ferdinand Marorerwa (70 years old), who then gave himself up to the police after the crime.

On 17 July 2021, on Kabande hill, in the commune and province of Kirundo, a woman known as Léoncie Kabihogo (38 years old) was killed by a bullet fired by a police officer.

According to witnesses, the policeman was “treating” her for a spleen disease called “igisyo” in the locality, which is believed to be cured by inserting the barrel of a gun into the mouth and pulling the trigger while the gun is unloaded. The policeman pulled the trigger but a bullet remained in the chamber of the gun, seriously injuring the victim who succumbed to her injuries at the hospital where she was rushed to.

The policeman was arrested and taken to the provincial police station in Kirundo for investigation.

On 5 September 2021, in Giteranyi commune of Muyinga province, a soldier named Pascal Niyomwungere, posted to the 312th battalion, shot and killed Isaac and seriously injured two other persons in the legs, Didace Nzibarega and Isaac Nkengurukiyimana, following a fight that broke out in a bistro located on the Munago hill in the same commune.

According to local sources, Pascal Niyomwungere, in civilian clothes, was sharing a glass of beer in the said bistro with local people when an argument started and degenerated into a fight during which the soldier was beaten by individuals with whom he was sharing beer. So, after the fight, the soldier rushed to his Munago post where he retrieved his rifle and returned to the bar and fired indiscriminately at all those present.

The injured were evacuated to Ngozi hospital for treatment, while the perpetrator was immediately arrested and detained in the Giteranyi camp jail.

#### *1.4. An increasing phenomenon of unpunished lynchings of suspected witches*

*Over the quarters, there are increasing reports of people being killed or lynched by neighbours on suspicion of witchcraft. However, in most cases, no investigation is carried out to identify the motives and perpetrators of these crimes, even though they are most likely to be confined to the victims' neighbourhood. Past experience shows that accusations of witchcraft can conceal other private or even political motives. Energetic action is needed to eradicate this phenomenon by trying to understand its ins and outs and by putting an end to the impunity of the perpetrators.*

*Three cases were reported. In one of the three, the alleged killer turned himself in to the police for fear of being lynched by the crowd of neighbours who were chasing him.*

On 19 July 2021, on Rugeregere hill, in Rugombo commune of Cibitoke province, a man known as Amiel Bikorimana, aged around 50, was murdered.

According to local sources, the victim was killed with machetes while on his way home. His body was discovered the same night around 8 p.m.

The same sources indicated that the victim was accused of witchcraft by her neighbours. Indeed, leaflets threatening death had been scattered on his native hill and that he had previously escaped assassination attempts on several occasions.

On 26 July 2021, on Runanira III hill, in the town centre of Kirundo province, a woman known as Déborah Habiyaemye (46 years old) was murdered with a machete.

According to witnesses on the scene, the perpetrator of the murder was a certain Jean-Marie Nkuzimana (47 years old) who had gone, armed with a machete, to her mother's house where the victim and her husband were also living, whom he began to insult and make death threats. When the victim's husband fled, the assassin rushed at his wife, whom he killed with several fierce blows of his machete. The motive for the crime was allegedly linked to suspicions of witchcraft.

The perpetrator then surrendered to the police while being pursued by the population who wanted to lynch him to take justice into their own hands. He is reportedly being held in the dungeon of the Kirundo prosecutor's office for investigation of his criminal case.

On 29 August 2021, on Butovyi hill, in Rutana commune and province, at nightfall, a septuagenarian known as Karegeya was burnt alive after being severely beaten by neighbours. According to witnesses, the victim was suspected of evil practices on his daughter who had fallen ill, according to the neighbours' beliefs, for refusing to share the money that had been collected as part of the social assistance during the mourning of his first wife.

To date, the alleged perpetrators of this crime have not yet been identified.

## 2. Violations of the right to physical integrity

*Overall, the vast majority of reported cases of physical attacks are attributable to Imbonerakure militiamen from the ruling CNDD-FDD party. Members of the CNL opposition are the main target of their attacks. But the Imbonerakure, strengthened by their impunity, attack people in various circumstances and for various reasons, illegally and abusively assuming law enforcement or police duties. Regardless of the severity of the abuse inflicted and the trauma caused to the victims, who in some cases are in a critical condition, the acts of these Imbonerakure have gone unpunished.*

*During the period under review, which was dominated by the abuses of the Imbonerakure militia, other physical harm was caused by targeted armed attacks.*

*The following are some examples of the development of these facts.*

## *2.1. Violations to the physical integrity attributed to the Imbonerakure against members of the CNL*

*While the election period has now been over for more than a year, elements of the Imbonerakure militia in various parts of the country continue to persecute members of the CNL. The latter have been attacked during patrols, in bars or have been ambushed. The victims are then arrested and subjected to ill-treatment, often with clubs. In several cases, the consequences were dramatic, with most of the victims having to be taken to health facilities for emergency treatment in a critical condition. In one case, even the hill leader who had run to the scene after a call for help was violently beaten.*

*In the commune of Kayogoro, a family of a CNL member was only saved by luck, their house was burnt down during the night and the head of the household, Isidore Ntahomvukiye, was seriously burnt. Several witnesses blamed this act on a campaign of hatred and intimidation against opponents organised last July and August by the deputy and former administrator of Kibago commune, Zachée Misago. During the meetings, he had called on CNDD-FDD (National Council for the Defence of Democracy-Forces for the Defence of Democracy) militants to mistreat CNL members, who were considered renegades.*

*Here are some examples of these acts.*

On 3 July 2021, on Ruvumpu hill, in Kirembe commune of Ngozi province, a group of Imbonerakure on patrol injured with clubs a CNL activist named Prosper Nahimana as he was returning home.

According to witnesses, Prosper Nahimana was attacked and beaten with clubs by a group of Imbonerakure who injured his back and head. No proceedings were initiated against the perpetrators of this attack.

On 18 July 2021, on Muyange hill, in Bugenyuzi commune of Karuzi province, Emmanuel Ndezwenimana, a member of the CNL party, was beaten and seriously injured by a group of five Imbonerakure.

Emmanuel Ndezwenimana was in a bar on Muyange hill and was attacked when he tried to advise a member of his family not to get involved in an argument with the Imbonerakure. The latter then took advantage of the situation to attack him, on the orders of the hill leader, Cyprien Hategekimana.

According to local sources, the victim was beaten until he lost consciousness and was evacuated to a health facility for emergency treatment where he was still at the time of receiving this information. The hill leader and the Imbonerakure were not worried and are still moving freely although the police in the locality have been informed of the case.

On 29 August 2021, at around 9 p.m., on Buganwa hill, in Gitobe commune of Kirundo province, Etienne Mushengezi and his wife Valerie Ndirahisha, all members of the CNL, were ambushed by two young Imbonerakure armed with machetes and clubs, Claver Misigaro and Siboniyo alias Rasta, who beat them and seriously injured them, accusing them of returning late at night and collaborating with criminals.

According to local sources, when the victims called for help, local residents intervened, including young Imbonerakure from the locality and Jean de Dieu Mpongo, the chief of the sub-hill where the incident was taking place, and asked the torturers to stop beating the couple, which they refused. Instead, the two enraged attackers started to attack everyone, injuring the chief of the sub-hill, another Imbonerakure named Yamuremye alias Mvanda as well as another CNL activist.

All five were evacuated to the Gitobe health centre for treatment, but their attackers were not worried.

## *2.2. Violations to the physical integrity by the Imbonerakure against citizens for various reasons: Abuse without limitation*

*These few examples illustrate how elements of the Imbonerakure militia intervene in all sectors feeling omnipotent, which leads to unlimited abuse. Only in one case, one of the leaders of the militia was questioned and detained, it is not known for how long.*

On 5 July 2021, in the evening, on Nyeshanga hill, in village 3 of Gihanga commune in Bubanza province, a group of Imbonerakure violently beat a young girl named Cécile Iradukunda (26 years old) with clubs as she was returning from work.

According to local sources, Cécile Iradukunda, a servant in a local bistro and a native of Buganda commune in Cibitoke province, was ambushed and beaten with clubs by a group of Imbonerakure on patrol led by the head of the CNDD-FDD (National Council for the Defence of Democracy - Forces for the Defence of Democracy) youth league in the commune of Gihanga, Déo Maboneza, who violently beat her with sticks and left her in a very critical condition.

The victim was evacuated to a health facility in the locality. Déo Maboneza was arrested the next day by the police and detained at the Gihanga police station.

On 6 September 2021, at around 9:45 p.m., Aristide Niyoyankunze, a resident of the hill and zone of Kinzanza, in Gitanga commune of Rutana province, was arrested and then severely beaten by two Imbonerakure named Pierre and Anicet, who accused him of having violated the curfew, which is not governed by any legal text in Burundian legislation in force. The perpetrators of this act of torture have never been worried.

On 13 September 2021, at the 13th transversal of the Maramvya zone, in Mutimbuzi commune of Bujumbura province, a man known as Aloys Nshimirimana alias Kadoyi was severely tortured by a group of Imbonerakure, who accused him, without proof, of consuming an alcoholic beverage which is prohibited.

According to witnesses, four (4) Imbonerakure on night patrol, namely David Karikunzira nicknamed Muntu (cell leader of Buhomba and leader of the CNDD-FDD party in the same locality), Emmanuel alias Maniga, a certain Bigirimana nicknamed Bakweta (leader of the Imbonerakure in the same Buhomba cell) and Albert alias Gisimba, one of the Imbonerakure ensuring the security of the President of the Republic, found Aloys Nshimirimana drinking banana wine called 'urwarwa' in a cup. They then violently beat him with red-hot concrete irons, especially on his buttocks, accusing him of consuming a prohibited drink called 'umudiringi'.

The same sources specified that since then the victim can neither sit nor walk and remains hospitalised in a health centre where he is receiving treatment.

On 22 September 2021, on Mubone hill, in Kabezi commune of Bujumbura province, a group of Imbonerakure led by a certain Donatien seriously wounded a man known as Adonis Misago while he was at home.

According to local sources, these Imbonerakure injured the victim with stab wounds to the ribs, head and arms. Following these blows, the victim was in a critical condition and was taken to a local health facility for treatment.

### *2.3. Physical assaults due to armed attacks*

*Some physical injuries were caused by armed attacks from groups that continue to operate episodically in the country. Some acts of violence, by their very nature, could be political in scope, while others are driven by personal motives. Here are some examples.*

On 30 July 2021, at around 8 p.m., at the level of the 8th transversal in Gihanga commune of Bubanza province, a driver of the Burundi Cement Company (BUCECO), Beatus Uwambazimana, was seriously wounded during an ambush by unidentified armed men on the RN5.

According to sources on the ground, some armed men shot at the truck he was driving, wounding him in the left arm and leg.

A military unit in position near the scene of the attack quickly intervened and the assailants retreated to the Rukoko reserve, while the victim was evacuated to a medical facility in Bujumbura.



During the night of 18 to 19 August 2021, at around 2 a.m., on the hills of Kanabubu and Ruvumvu in the commune and province of Bubanza, unidentified men armed with machetes and clubs broke into two households and seriously injured two men, Fabrice Ciza and Jean Bosco Ndayishimiye, as well as an elderly woman called Matrone. According to local sources, the three victims were evacuated to Bubanza hospital for medical treatment.

On 11 September 2021, at around 7 p.m., on Cogo hill, in Vyuya Zone of Mugamba commune, in Bururi province, four (4) people were seriously injured by bullets in an ambush by a group of armed men against a truck transporting charcoal.

According to witnesses, three people on board the truck and a motorbike taxi driver who was passing by at the time of the incident were seriously injured by bullets and evacuated to a nearby health facility for treatment. The truck was completely burnt out.

#### *2.4. Rape and gender-based violence*

*Two cases have been reported and are presented here.*

On 7 July 2021, a young girl, aged 16, reported having been raped by the doctor in charge of the Cabara health centre located in the Kirwena zone, in the commune and province of Rumonge.

The girl had gone to the health centre for treatment, but instead of treating her, the doctor, Gilbert Niyoyankundiye, allegedly took her to one of the rooms in the centre to rape her. As soon as she returned home, the girl revealed to her parents the suffering she had endured at the health centre.

According to the testimonies received, the doctor tried to convince the girl's parents to settle out of court by offering them the sum of 200,000 Burundian francs, but the parents rejected this offer and decided to file a complaint with the police.

The doctor was immediately prosecuted by the Public Prosecutor's Office, which accused him of raping a minor, stating that on 7 July 2021, the accused "*introduced his fingers into the genitalia of the patient with her consent. This was done without gloves. This is a rape*" according to the Public Prosecutor and he requested a sentence of 15 years against the doctor.

The accused rejected these charges, arguing that he only did his job in an emergency as there were no gloves and he took the precaution of disinfecting himself before doing so.

The High Court of Rumonge acquitted the doctor on 15 July 2021, but he was transferred the same day to the provincial prison at the request of the prosecution, which appealed.<sup>16</sup>

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<sup>16</sup> <https://www.sosmediasburundi.org/2021/07/16/rumonge-un-medecin-acquite-puis-transfere-a-la-prison-centrale/>

On 19 August 2021 around midnight, on Kanabubu hill, in the commune and province of Bubanza, unidentified men broke into a household and abducted a 20-year-old girl who was sleeping with her mother.

According to local sources, the girl was taken to an isolated place and these militiamen raped her one by one. These sources added that this crime was allegedly committed by Imbonerakure who carry out night patrols and rounds in the locality.

## *2.5. Allegations of abductions and enforced disappearances*

*Compared to the previous quarter, allegations of abductions and enforced disappearances have increased considerably and are of concern. They have increased from 4 to 24, and are generally attributable to SNR and military intelligence (G2) agents. Arbitrary arrests are always followed by secret detentions or enforced disappearances of the victims. The majority of those targeted are members of the CNL. Also a former member of the MSD and a retired ex-FAB, as well as two people who were employed in two hotels, one in Bujumbura, the other in Gitega. The arrests are generally carried out in the form of abductions, with the victim being taken by force or extracted from a group, sometimes raped and forcibly loaded into a vehicle, usually with tinted windows, and driven to an unknown destination.*

*These actions are carried out by law enforcement officers who do not have the legal standing to make arrests of people suspected of breaking the law. Indeed, the law on deprivation of liberty clearly determines the agents of the state with the power of arrest, in this case the judicial police officers, and provides for a number of rights and procedural guarantees to persons deprived of liberty that must be observed on pain of nullity of the entire procedure.*

*The following cases illustrate these abuses.*

On 9 July 2021, along the Bujumbura-Gatumba road, on the Chanic-Metalusa section, in Mutimbuzi commune of Bujumbura province, men in military uniforms abducted Elie Ngomirakiza, the leader of the CNL party, and drove him in a Hilux pick-up van with the registration number A031A to a destination that remains unknown. Witnesses testified that they recognised Lieutenant-Colonel Aaron Ndayishimiye (SS1793), commander of the 212th Battalion based in the Rukoko forest, near the Congolese border, as well as the chief of the Maramvya zone in Mutimbuzi commune, Gaston Singora, and an Imbonerakure man known as Aimé Nzohabonayo, alias Ruburi, who reportedly pointed out the victim to the abducting soldiers.

The same sources stated that members of Elie Ngomirakiza's biological family and party have no news of him despite the search for his whereabouts in known places of detention and the alerts sent to the administration, the police, the army and the Independent National Commission on Human Rights (CNIDH) immediately after the abduction.

On 24 July 2021, in the provincial capital of Bururi, a woman known as Monique Nkurunziza, a supervisor at Bururi High School, was abducted by an agent of the National Intelligence Service (SNR) from her home in the Gisuru quarter.

According to witnesses on the spot, the victim, widow of 1st Sergeant Major Alexis Hakizumukama, a nurse non-commissioned officer who was abducted and reported missing by the late Lieutenant-Colonel Darius Ikurakure, was taken on board the vehicle of the SNR officer in Bururi to an unknown destination. The motive for the abduction and the place of detention of the victim are not known.

During the night of 15 to 16 August 2021, at around 1 a.m., on the Rubuye sub-hill of the Mparambo I hill in the province of Cibitoke, a CNL party activist known as Aloys Ngendakumana (32 years old) was abducted by Nestor Hebureje, the head of the SNR in the communes of Rugombo and Mugina in the same province, and taken to a location that is unknown at present.

On 23 August 2021, in a locality called 'Kumasanganzira', at the junction of the roads to Kirundo, Ngozi and Muyinga, a man repatriated from Rwanda, known as Christophe Niyonzima, aged around 40 and a native of the commune of Bugabira in the province of Kirundo, was abducted from his vehicle by men in police uniform.

According to witnesses, Christophe Niyonzima had left the centre of Kirundo with clients in his Probox vehicle (registration number KA 2422), which was used as a taxi-car. When he arrived at the level of "Kumasangazira", men in police uniforms, identified as SNR agents, forcibly pulled him out of his vehicle and put him in a van with tinted windows to an unknown destination, while his vehicle was driven by another person among the kidnappers.

On 12 September 2021, in the Mutakura quarter, in the Cikitoke zone of the Ntakangwa commune, in the Bujumbura town hall, a retired soldier from the former Burundian Armed Forces (FAB) known as Méthode Manirambona was abducted by hooded men at the 6th Avenue in the home of a certain Désiré.

According to local sources, hooded soldiers in a military pick-up vehicle entered Désiré's home, took Méthode Manirambona by force and threw him into the vehicle for an unknown destination, after having confiscated his phones.

The same sources stated that Méthode Manirambona, a former retired non-commissioned officer, was abducted by soldiers who reportedly came from the Muzinda Génie camp located in the province of Bubanza and that he was being arbitrarily detained in one of the SNR's dungeons in Bujumbura town hall.

### 3. Violations of the right to liberty : arbitrary arrests and detentions

*The attack of Rutegama on the Bugarama-Gitega road during the night of 26 June 2021 was followed by a wave of arbitrary arrests of members of the CNL party and the Union for National Progress (UPRONA) party, carried out in the centre of Rutegama of Muramvya province.*

*Apart from this, the quarter was dominated by the arrest of numerous CNL members on various pretexts and in different provinces of the country. The most frequent charges brought against these CNL members are the organisation of clandestine meetings or the collection of unauthorised contributions. Sometimes, due to lack of evidence, these motives are modified to justify continued detention. This situation is indicative of a resurgence of political intolerance at a time when the election campaign is far away.*

*The commune of Mugamba was also the scene of numerous arbitrary arrests attributed to the police chief who was in charge of the commune, Moïse Arakaza, nicknamed Nyeganyega. The other category that is constantly targeted is the former ex-FAB, some of whom have been arbitrarily arrested.*

*These arrests were carried out concurrently by agents of the police, the SNR and elements of the Imbonerakure militia, who were in the lead. But most often, these three entities work hand in hand, the first two contributing to reinforcing the de facto authority recognised to the Imbonerakure which thus ensures their impunity. Two of the people arrested and arbitrarily detained had been released in the wake of the last presidential pardon, and this fact, combined with others like it, confirms that this category of people has remained in the sights of the forces of repression of the government.*

*It is important to recall that arbitrary arrest is a serious infringement of the right to freedom of all persons, which is made an offence by the Burundian penal code and constitutes a violation of several international human rights instruments that Burundi has ratified, including Article 9 of the International Covenant on Civil and Political Rights.*

#### 3.1. Arbitrary arrests and detentions attributable to police officers

*The commune of Mugamba was the main scene of arbitrary arrests and detentions attributed to the police, under the supervision of the communal commissioner, Moïse Arakaza, nicknamed Nyeganyega. These arrests even targeted women who were arbitrarily detained leaving young children at home with no one else to look after them. Several reports mentioned numerous abuses committed by this police commissioner, notably ransom payments, but also discriminatory practices targeting certain categories of the population, including ex-FAB and Tutsi. Many people from the commune of Mugamba regularly accused the police commissioner of persecuting them on the basis of false allegations of belonging to*

*rebel movements or of collaboration with them. Some of the arrests he supervised were carried out with violence.*

*The following are some examples of such abuses.*

On 19 July 2021, at around 3 a.m., on the hills of Mpoti, Mwumba and Nyaruvumu, in the Kibenzi zone of Mugamba commune, in Bururi province, three men and two women were arbitrarily arrested at their respective homes. These men were Alexis Motomoto, nicknamed Mukizwa, Désiré Nshimirimana, Pierre Tuyisenge, Evelyne Kamikazi and Dévotte Nkunuzuburundi, who were also subjected to physical violence by police officers during their arrest.

According to local sources, police officers led by the communal police commissioner in Mugamba, Moïse Arakaza, nicknamed Nyeganyega, broke into the households of these five people and apprehended them one by one, without presenting a warrant or giving explanations to their family members, after breaking down the doors of their houses. All five were taken to the police station in Muramba in two vehicles belonging to the Burundi Tea Board (OTB) in Tora.

Witnesses claimed that the two arrested women left their young children alone, especially Evelyne Kamikazi who is raising her children alone after her husband, who was an ex-FAB (Burundian Armed Forces) soldier, was exiled in 2015. According to the same sources, Nduwayo, the hill leader of Mpoti, was also arrested on Monday morning when he went to the police station in Muramba to inquire about the fate of those arrested the day before.

On 23 July 2021, Dismas Nzosaba, prefect of studies at the Mugamba communal high school, and an activist of the Movement for Solidarity and Democracy (MSD) party, was arrested by Moïse Arakaza, the communal police commissioner in Mugamba, who accused him without any proof of participation in armed bands. He was then taken to Bujumbura and detained at the National Intelligence Service in Bujumbura.

According to the information received, Dismas Nzosaba had also been arrested last June for the same offence. However, he was released after paying a heavy "fine" without a receipt.

On 2 August 2021, Ernest Mbazumutima and Népomucène Ndungutse, two leaders of the CNL party in Gitobe commune of Kirundo province, were detained, the first in the Kirundo judicial police cells and the second in an unknown location.

According to local sources, these two people were arrested following the escape of a returnee named Serge, who had recently returned from Rwanda and was accused without any proof, through a leaflet slipped under the door of the communal administrator's office, of illegal possession of firearms, including a Kalashnikov rifle and grenades. These two CNL leaders were accused of having facilitated Serge's escape. Their release was conditional on his arrest.

On 11 August 2021, eleven people were irregularly arrested on the Mugendo-Ndengo hill, in Mugamba commune of Bururi province.

According to witnesses present at the scene, these arrests were carried out following a series of unsuccessful searches that had begun at around 3 a. m. under the supervision of Commissioner Moïse Arakaza.

### *3.2. Arbitrary arrests and detentions attributed to SNR agents*

*The modus operandi of the SNR is well known. Sometimes SNR arrests have the appearance of kidnappings in which vehicles with tinted windows are used. They carry a high risk of disappearance because the arrested persons are then detained in unknown locations. During the period under review, the categories usually targeted by the SNR were arrested, namely a member of the CNL and two ex-FAB, and other arbitrary arrests were made for unknown reasons.*

*Here are some examples of these abuses.*

Since the night of Friday 16 July at around 9 p.m., a young girl named Nadine Kanyange, a native of Bikobe hill, Gitara zone, Mabanda commune, in Makamba province, was arrested without a warrant at her home located in Gahama centre, in the same commune, by the head of the National Intelligence Service (SNR) in Makamba province, Meroe Ntunzwenimana.

According to local sources, the victim was taken on board the SNR vehicle and spent the night in the detention centre of the Makamba provincial police station before being taken first to the home of that head of the SNR and then, the next day, she was taken to Bujumbura to the premises of the SNR headquarters located near Regina Mundi cathedral. It was from there that she was transferred to the central prison of Mpimba. She was accused of collaborating with armed groups.

On 9 August 2021, in the provincial town of Muramvya, Ernest Nzambima, a retired military officer, was abducted by men in police uniform in a Probox vehicle with tinted windows. The family said they did not know where their loved one was being held and feared for his safety.

On 10 August 2021, on the Musama hill, Kayonkwe commune, Mwaro province, Lazare Ndagijimana, Marc Manirakiza and Pierre Ndereyimana, all members of the CNL, were abducted by people in a van with tinted windows. Suspicion was directed at agents of the National Intelligence Service (SNR). After they were taken on board, the vehicle took the Mwaro-Gitega road and since then their relatives have not heard from them.

On 23 August 2021, on the Mbizi hill, in Kibago commune of Makamba province, Cyrille Hamenyimana, a retired military officer who had served in the former Burundian Armed Forces (FAB), was arbitrarily arrested at his home located in Kibago.



According to local sources, the head of the SNR in Makamba province, OPC1 Méroé Ntunzwenimana, and the Kigabo communal commissioner, at the lead of several police officers, proceeded to arrest Cyrille Hamenyimana without any explanation as to the reason for his arrest and took him to the dungeon of the police station in Makamba.

The same sources revealed that Cyrille Hamenyimana had gone to his native hill from Bujumbura where he resides for a family ceremony. His arrest is said to be linked to a plot to possess weapons hatched by the Imbonerakure of this locality.

### *3.3. Illegal arrests and detentions committed by the Imbonerakure militiamen*

*All the people arrested by Imbonerakure militiamen are members of the CNL. The persecution of the opposition is generally perpetrated by militiamen throughout the country with the collaboration of the administrative staff and agents of the police and the SNR. Indeed, those arrested are almost always taken to police stations where they are detained even when they have been tortured by the militia. Thus the police legitimise the abuses and authority of the militia. These few illustrations give an idea of the phenomenon.*

On 1 August 2021, at around 5 p.m., on Buyenzi hill, in Muhuta commune of Bujumbura province, Jean de Dieu Kabura, the youth leader of the CNL political party, and Jérémie, a communal councillor in the same party, were arbitrarily arrested by young Imbonerakure of the National Council for the Defence of Democracy-Forces for the Defence of Democracy (CNDD-FDD) party and detained in the dungeon of the Muhuta communal police station.

According to eyewitnesses, these Imbonerakure, who do not even have the legal capacity to deprive citizens of their liberty, accused these CNL activists of collecting contributions from their party members and handed them over to the police, who placed them in the dungeon of the same commune.

On 21 August 2021, on Rusi hill, in Shombo commune of Karusi province, three CNL party activists from the same family, Moïse Nzeyimana, Claudine Nahayo and Emelyne Ziragaba, were arbitrarily arrested at their home by a group of Imbonerakure armed with clubs and detained at the communal police cell in Shombo.

According to witnesses, young Imbonerakure from the ruling CNDD-FDD party burst into the homes of the three victims and arrested them with no grounds given for their arrest. The same sources presumed that the motives were political, as the three victims had refused to break the rental contract of their house, which serves as the CNL party's headquarters.

Between 28 and 31 August 2021, ten (10) activists of the opposition party CNL (National Congress for Liberty) were arbitrarily arrested at their homes located on Gaharo hill of Rusi zone, in Shombo commune of Karusi province, by a group of Imbonerakure who took them to the dungeon of the communal police station in Shombo where they were placed in illegal detention. The arrested persons are: Serges Ntirampeba, an elected official on the hill of

Gaharo, Gérard Nduwimana a teacher, Nestor Ndyabankana, Jean Claude Sindihebura, Placide Ndayizeye, Vianney Nkurunziza, Pélagie Rupiyanu, Victor Munobero, Oscar Sabushimike and François Nzoyisaba.

Sources on the ground revealed that these CNL activists had been falsely accused by the communal administration and the Imbonerakure of having held clandestine meetings and burnt down an afforestation located on the Gihinga mountain range.

## Conclusion

Statements by the country's highest authorities on the state of perfect security in the country and on well-protected human rights are in total contradiction with reality. The situation remains extremely worrying. It is marked by the persistence of political intolerance, as evidenced by the persecution of CNL members. Several serious and worrying abuses persist without the State doing what is necessary to drastically reduce or eradicate them, in accordance with the declarations of the Head of State and the international conventions to which the country is a party. The most worrying cases reported are the phenomenon of abandoned, unidentified bodies, of which the province of Cibitoke has become a sort of open-air mass grave, but also the abductions and enforced disappearances attributable to State agents, as well as the execution, very often with impunity, of people accused of witchcraft practices. All these facts plead in favour of a permanent monitoring of the human rights situation in Burundi.

## Recommandations

### *To the Government of Burundi:*

Taking into account the fact that the will increasingly expressed through the declarations of the highest authorities of Burundi to respect human rights and democratic principles, concrete acts of real openness and tangible changes are necessary to give credibility to the speech of the Head of State.

In this regard, the Burundian government should:

- Release all political prisoners and civil society activists illegally and arbitrarily detained;
- Remove all obstacles to the exercise and enjoyment of the rights and freedoms recognised by the country's constitution and the relevant conventions that Burundi has ratified, especially the freedoms of opinion, association, press, peaceful assembly, etc.;
- Guarantee the right to life and liberty to all those confronted with the many human rights violations whose perpetrators often go unpunished. In this context, protect by prosecuting the perpetrators of assassinations of people accused of witchcraft and put an end to the phenomenon of abandoned bodies and abductions and enforced disappearances;
- Take urgent and firm measures to dismantle all criminal networks and the Imbonerakure militia and initiate proceedings against those who are guilty of acts against the law ;
- Ensure the protection of those recently released following the presidential pardon and carry out rigorous investigations to determine the perpetrators of enforced disappearances and assassinations of some of them;

- Stop the persecution of Burundian refugees in neighbouring countries, especially in Tanzania;
- Cancel all politically motivated arrest warrants unjustly issued against human rights activists, journalists and other civil rights activists;
- Resume cooperation with international bodies, and allow the continuation of investigations into crimes committed since 2015, and the monitoring of the human rights situation in the country.

#### To the countries of the East African Community:

- Respect the rights of Burundian refugees on their territory in accordance with the relevant international conventions;
- Relaunch the initiatives of inclusive dialogue allowing the return of the rule of law and democracy in Burundi.

#### To the International Community:

- Base the political dialogue on concrete and verifiable commitments by the Burundian authorities to human rights and democracy. In particular, demand the release of all political prisoners and respect for civil and political rights (association, expression, etc.), based on a timetable and verification indicators;
  - Demand the suspension of acts that can lead to ethnic stigmatisation and discrimination, such as ethnic labelling on official documents, of employees and economic actors, in the public and private sectors; selective work of the TRC, etc.
  - Maintain support for the work of the International Criminal Court (ICC) on Burundi to continue investigations and prosecutions in order to end impunity in Burundi.
-