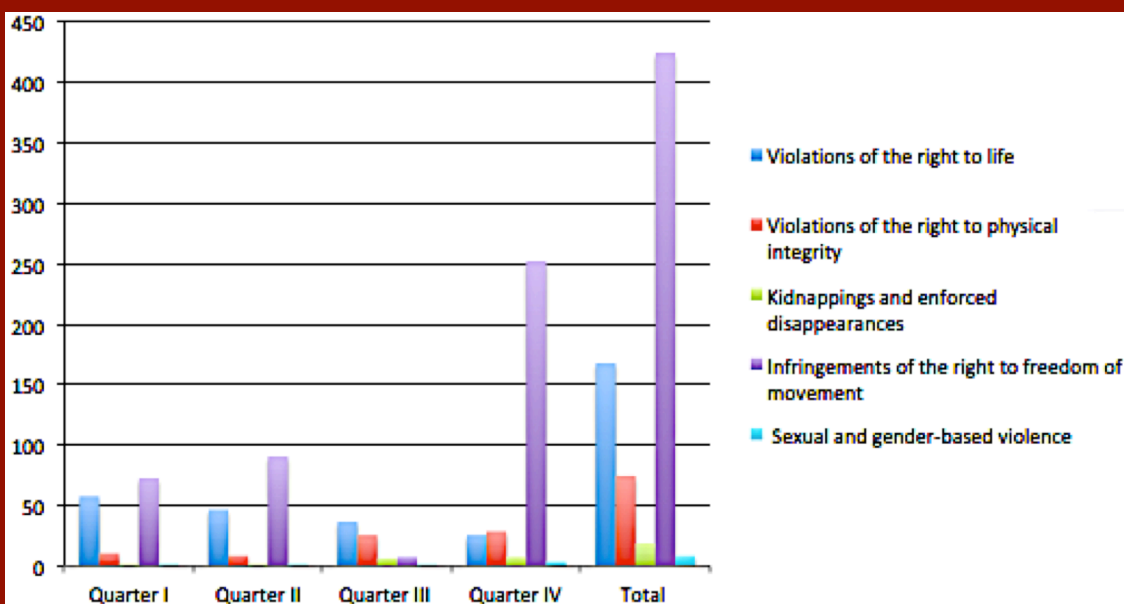


Annual report on the human rights situation
Edition 2023

BURUNDI

PROMOTING THE RULE OF LAW THROUGH INCLUSIVE DIALOGUE
AT NATIONAL, REGIONAL AND INTERNATIONAL LEVEL



Graph showing trends in human rights violations in 2023

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I. SOCIO-POLITICAL, ECONOMIC AND REGIONAL CONTEXT

In December 2023, the President of the Republic, Evariste Ndayishimiye, reaffirmed his government's commitment that "*the protection of human rights remains Burundi's battle horse*", while reassuring that the celebration of the 75th anniversary of the Universal Declaration of Human Rights on 10 December 2023 came "*at a time when Burundi is striving for the well-being of all, without discrimination of any kind*".¹

But the reality is that, on the one hand, previous human rights violations persisted during 2023 and, on the other, new internal and regional political developments took place with a negative impact on fundamental rights and freedoms.

Highlights of 2023 include continuing violations of political freedoms, an economy marked by growing shortages to the detriment of consumers, and an ambiguous attitude on the part of the Burundian authorities towards the DRC conflict and the Burundian rebel movement Red-Tabara.

A. Constant violations of civil liberties

The closure of democratic space remains a major obstacle to the free functioning of opposition political parties and independent civil society organisations, the majority of whose leaders have gone into exile since the crisis erupted in 2015.

In 2023, the situation deteriorated as the country moved towards the dual electoral process for 2025 (legislative, communal and hill elections) and 2027 (presidential elections). Indeed, since 2 June 2023, the Minister of the Interior, Martin Niteretse, has taken the decision to suspend the activities of the country's main remaining opposition party, CNL (National Congress for Freedom), led by Agathon Rwaswa, throughout the country, on the pretext of an internal crisis within the party.

This measure was used as an alibi by the political and administrative authorities to justify the politico-judicial harassment to which CNL activists were subjected under the pretext of holding allegedly illegal meetings in certain parts of the country.

Meanwhile, a new Independent National Electoral Commission (CENI), dominated by people close to the CNDD-FDD party², was passed by both houses of parliament on 6

¹ Bulletin de Justice, N° 65 du 30 décembre 2023, SPÉCIAL : **75ème ANNIVERSAIRE DE LA DÉCLARATION UNIVERSELLE DES DROITS DE L'HOMME : Un état des lieux toujours préoccupant au Burundi selon les Défenseurs des droits humains**, Link : https://sostortureburundi.org/wp-content/uploads/2023/12/Bulletin_Justice_65_12_23.pdf

² National Council for the Defence of Democracy-Forces for the Defence of Democracy.

December 2023. Some CNL party MPs and other political and civil society players were quick to question the team's neutrality and independence.³

De facto, the CNDD-FDD is positioning itself as the sole party, as other political opponents remain in exile and can no longer return for the electoral competition, due to the lack of inclusive and effective dialogue on the rehabilitation of the Arusha Agreement, which is the starting point of the crisis.

In terms of freedom of the press, the most emblematic case of obstruction of the right of expression was the unjust sentencing, on 2 May 2023, of journalist Floriane Irangabiye of *Radio Igicaniro*⁴, an online broadcaster, to 10 years' imprisonment by the Bujumbura Town Hall Court of Appeal in Bujumbura for "*undermining the integrity of the national territory*". The same sentence was handed down by the Mukaza High Court on 3 January 2023. This journalist was arbitrarily arrested on 30 August 2022 just after returning from Rwanda, where she had been living for several years.

Another case illustrating the closure of democratic space is the arrest of five human rights defenders working in partner organisations of the NGO "Avocats Sans Frontières" (ASF) on 14 February 2023 by agents of the National Intelligence Service (SNR) as four of them were preparing to fly from Bujumbura international airport to Kampala in Uganda for a meeting.⁵ Fortunately, they were released on 28 April 2023, after having appeared on 27 February before the Ntahangwa High Court in Mpimba central prison.

It was also in February 2023 that 23 civil society actors, including leaders of MUCO BURUNDI, a local NGO that fights HIV/AIDS and promotes youth entrepreneurship, were arbitrarily arrested in Gitega province while attending a seminar on "*youth entrepreneurship*". They were wrongly accused of promoting homosexuality.⁶

During a press conference on 29 December 2023, President Evariste Ndayishimiye made inflammatory remarks, inviting the public to stone homosexuals with stones, in violation of the law, since Article 590 of the Penal Code stipulates that homosexuality is *punishable by "penal servitude of between one and three years and a fine of between fifty thousand and one hundred thousand Burundian francs, or only one of these penalties"*.⁷

³ SOS-MÉDIAS BURUNDI, 7 December 2023, **Burundi: the country has a new electoral commission team**, Link: <https://www.sosmediasburundi.org/2023/12/07/burundi-le-pays-a-une-nouvelle-equipe-de-la-commission-electorale/>

⁴ <https://www.youtube.com/channel/UCecMZHnWcxXeIN8dB1UoEWw>

⁵ They are: Sonia Ndikumasabo (president of the "Association des Femmes Juristes du Burundi", AFJB), Audace Havyarimana (legal representative of the "Association pour la Paix et la Promotion des Droits de l'Homme", APDH), Sylvana Inamahoro (executive director of APDH) and Marie Emerusabe (general coordinator of AFJB). Another defender, Prosper Runyange, coordinator of the APDH land project, was later arrested in Ngozi province in the north of the country.

⁶ Report for the first quarter of 2023.

⁷ Law No. 1/27 of 29 December 2017 revising the Criminal Code] Link: https://assemblee.bi/IMG/pdf/N°27_of_29_December_2017.pdf

It is also to be deplored that the judiciary, which is empowered to put an end to the vicious circle of violations of fundamental rights and freedoms, shows a notorious lack of independence vis-à-vis the executive and the CNDD-FDD presidential party. In this regard, some magistrates denounce the interference of the Executive in the affairs of the Judiciary due to the fact that the officials appointed to the country's various jurisdictions are zealous militants of the ruling party.⁸

Meanwhile, the Burundian government continues to show a lack of political will to cooperate with certain international human rights protection mechanisms by stubbornly refusing to collaborate with the Special Rapporteur on the situation of human rights in Burundi.

Similarly, on 3 and 4 July 2023, the government delegation boycotted the session of the Human Rights Committee that was to assess the implementation of civil and political rights in Burundi. The pretext put forward was the presence of human rights defenders whom it described as "*criminals convicted in Burundi*", including Maître Armel Niyongere, president of the organisation "Action des Chrétiens pour l'Abolition de la Torture au Burundi" (ACAT-Burundi).⁹

B. An economy marked by growing shortages to the detriment of consumers

On the economic front, Burundi continued to face shortages of foreign currency and petroleum products, which had a negative impact on the population's living conditions. During oral questions in the Senate on the fuel shortage on 20 December 2023, Commerce Minister Chantal Nijimbere said: "*There is **not enough foreign currency. Otherwise, we could even build up strategic stocks. Stocks that could last for months. Or even a year.***"¹⁰

This situation is exacerbated by ever-rising inflation, with price dynamics characterised by unstable levels reaching double digits. Over the period 2016-2023/2024, Burundi's inflation rate was highly volatile, rising from 1.0% in 2018/2019 to 26.3% in June 2023. Inflation was higher for food products, at 13% in July 2019 and 24.6% in July 2022, and for energy, fuel and combustibles, at 10% and 9.5% over the same periods.¹¹

To mitigate the effects of this difficult situation, in April 2023 Burundi strengthened its cooperation with technical and financial partners by concluding an ad-referendum agreement with the International Monetary Fund (IMF) on a 40-month programme under the Extended Credit Facility (ECF) "*with a **view to supporting economic recovery after a***

⁸ IWACU, 27 September 2023, **Poor administration of justice: Shared responsibilities**

Link: <https://www.iwacu-burundi.org/mauvaise-administration-de-la-justice-des-responsabilitespartagees/>

⁹ Sos-Torture Burundi, 31 July 2023, **The Burundian government must put an end to its disregard for human rights**, Link https://sostortureburundi.org/wp-content/uploads/2023/07/Bulletin_Justice_N060_31-07-2023.pdf

¹⁰ 1.3.4.1.1 IWACU, 26/12/2023, **Pénurie de carburant : aveu d'impuissance...** <https://www.iwacu-burundi.org/penurie-de-carburant-aveu-dimpuissance/>

¹¹ Unicef, Burundi, Budget analysis, 2023-2024, https://www.unicef.org/burundi/media/4591/file/FRA_National%20Budget%20Brief%202023-24.pdf

series of shocks, restoring external viability and strengthening debt sustainability, while creating fiscal space to ensure accelerated and inclusive growth".¹²

C. Ambiguous attitude of the Burundian authorities towards the conflict in the DRC and the Burundian rebel movement Red-Tabara

On a regional level, the President of Burundi, Evariste Ndayishimiye, has completed his term as President of the East African Community (EAC), which he has held since July 2022, handing over to his counterpart from South Sudan, Salva Kiir, in November 2023.

Burundi's election to the presidency of this regional organisation was seen as an important step towards ending the country's isolation following the 2015 crisis, illustrated by the various regional meetings organised by Burundi.

Thus, on 4 February 2023, the 20th Extraordinary Summit of Heads of State of the East African Community (EAC) was held in Bujumbura under the chairmanship of the Burundian Head of State, the purpose of which was, among other things, to assess the security situation in the east of the DRC and the urgent deployment of a regional force to help contain and, if necessary, combat the negative forces.¹³

Burundi subsequently deployed its troops to North Kivu on 5 March 2023 as part of the East African Community (EAC).¹⁴ But the first Burundian troops had also been sent to South Kivu since 15 August 2022 to fight against the Burundian armed groups RED-Tabara and the National Liberation Front (FNL).¹⁵

However, in North Kivu, Burundi will soon come up against the challenge of positioning because of its ambiguous attitude to the deadly conflict between the Congolese Armed Forces (FARDC) and the M23 rebels. In addition to his role as mediator within the EAC forces, Burundian President Evariste Ndayishimiye signed a defence and security protocol agreement with the DRC in Kinshasa on 28 August 2023.¹⁶

As a result, the presence of Burundian forces in two contradictory peace missions in North Kivu, both within the framework of the EAC (*whose mission officially ended in*

¹² IMF, 10 April 2023, **IMF staff and Burundi reach an ad-referendum agreement on a 40-month Extended Credit Facility (ECF) programme** Link: <https://www.imf.org/fr/News/Articles/2023/04/10/pr23113-imf-reaches-staff-level-agreement-on-a-40-month-extended-credit-facility-with-burundi>

¹³ IWACU, 04/12/2023, **Burundi's Presidency of the EAC: End of isolation and beyond?** Link: <https://www.iwacu-burundi.org/presidence-burundaise-de-leac-fin-de-lisolement-et-apres/>

¹⁴ POLITICO, 7 MARCH 2023 North Kivu: Burundian troops deployed in Sake, Link: <https://www.politico.cd/encontinu/2023/03/07/nord-kivu-les-troupes-burundaises-deployees-a-sake.html/129579/>

¹⁵ Le Monde, 16 Août 2022, Des soldats burundais déployés dans l'est de la RDC pour traquer les groupes armés, Link: https://www.lemonde.fr/afrique/article/2022/08/16/des-soldats-burundais-deployes-dans-l-est-de-la-rdc-pour-traquer-les-groupes-armes_6138159_3212.html

¹⁶ RFI, 28 August 2023, **The DRC and Burundi sign a security cooperation agreement**, Link: <https://www.rfi.fr/fr/afrique/20230829-accord-s%C3%A9curitaire-entre-la-rdc-et-le-burundi>

December 2023), and alongside Congolese forces against the M23 rebellion, presumed to be supported by Rwanda according to Kinshasa, an accusation refuted by Kigali, sowed confusion about Burundi's true role in the search for peace in the DRC.

It was against this backdrop of tension between the DRC and Rwanda that a deadly armed attack, claimed by the Burundian rebel movement Red-Tabara, was perpetrated in the locality of Vugizo in the Gatumba zone, in the commune of Mutimbuzi very close to the border with DR Congo on 22 December 2023, resulting in the deaths of at least twenty-seven (27) people, including 20 civilians, 4 police officers and 3 soldiers.¹⁷

Following in the footsteps of his Congolese counterpart President Félix Tshisekedi, who accused Rwanda of supporting the M23, President Evariste Ndayishimiye accused Kigali of supporting the Burundian Red-Tabara rebels, stating that they **"are housed, supplied and financed by Rwanda"**, at a public conference held on Friday 29 December 2023 in the province of Cankuzo. The Rwandan government immediately **"categorically rejected Burundian accusations of supporting Burundian rebels based in the east of the Democratic Republic of Congo, DRC"**.¹⁸

In short, 2023 ended with a strengthening of political and military cooperation between Burundi and the Democratic Republic of Congo (DRC) on the one hand and, on the other, renewed diplomatic tension between Rwanda and Burundi, after several years of hope for a resumption of cooperation between the two countries since the political changeover in 2020. This new diplomatic crisis quickly materialised at the beginning of January 2024 with Burundi's decision to close its land borders with Rwanda, mainly to the detriment of many regular users of the road links between the two countries.

¹⁷ SOS-TORTURE BURUNDI, 24 December 2024, SOS-TORTURE BURUNDI REPORT No. 419 PUBLISHED ON 24 DECEMBER 2023 https://sostortureburundi.org/wp-content/uploads/2023/12/Rapport_hebdomadaire-no_419-.pdf

¹⁸ AA, 30.12.2023, Rwanda rejects Burundi's accusations about its alleged support for Burundian rebels Link: <https://www.aa.com.tr/fr/afrique/le-rwanda-rejette-les-accusations-du-burundi-sur-son-présumé-soutien-à-des-rebelles-burundais/3096172>

II. HUMAN RIGHTS DEVELOPMENTS IN 2023

As regards the evolution of the human rights situation during 2023, 424 cases of arbitrary arrest and detention represent the highest proportion, i.e. 61%, compared with the other violations, namely: 168 cases of violations of the right to life (24%), 75 cases of violations of the right to physical integrity (10%), 18 cases of abductions and enforced disappearances (2%) and 9 cases of gender-based sexual violence (1%).

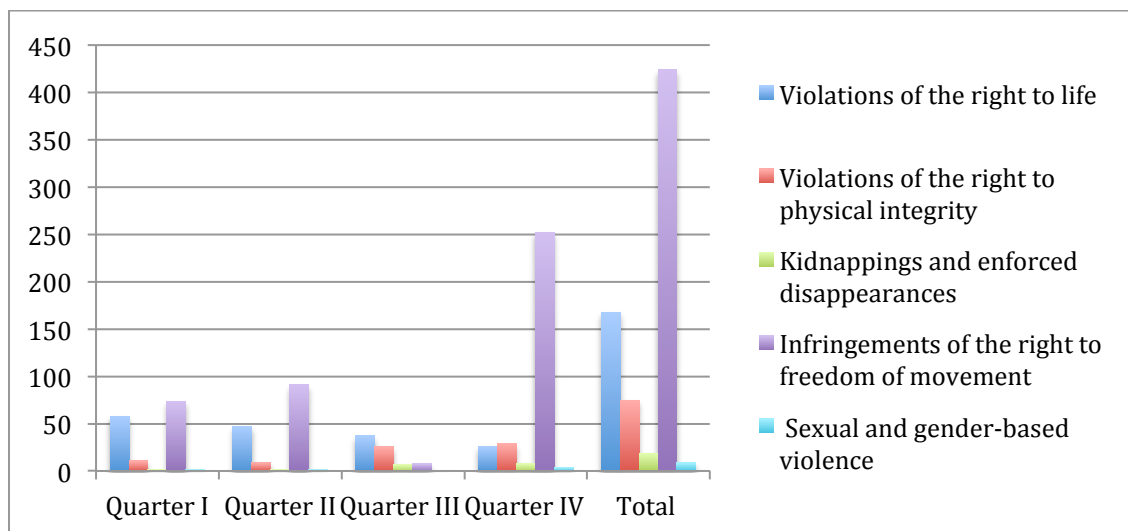
The number of people detained arbitrarily was increased in October 2023 by a large number of people detained on the premises of the former Special Investigation Office (BSR), where more than 360 people were being held without any records in inhumane conditions.

The main trends are as follows:

Trends in human rights violations in 2023

<i>Violations</i>	Quarter I	Quarter II	Quarter III	Quarter IV	Total
<i>Violations of the right to life</i>	58	47	37	26	168
<i>Violations of the right to physical integrity</i>	11	9	26	29	75
<i>Kidnappings and enforced disappearances</i>	2	2	7	8	19
Infringements of the right to freedom of movement	73	91	8	252	424
Sexual and gender-based violence	2	2	1	4	9

Graphical representation



The worrying human rights situation in Burundi remains one of the major factors preventing the voluntary repatriation of the large number of Burundian refugees still in the sub-region, the majority of whom fled the violence following the 2015 crisis.

As at 31 December 2023, the Office of the United Nations High Commissioner for Refugees (UNHCR) estimated the number of Burundian refugees at 255,715, distributed between Tanzania (111,847 people), i.e. 43%, Rwanda (48,346 people), i.e. 18.9%, the Democratic Republic of Congo (46,667 people), i.e. 18.2%, Uganda (40,136 people), i.e. 15.7%, and Kenya (8,719 people), i.e. 3.4%.

UNHCR points out that these numbers reflect the refugee population covered by the Burundi Regional Refugee Response Plan and include Burundian refugees who have fled since April 2015, as well as some 37,000 Burundian refugees who sought asylum in the region before April 2015. In addition to these numbers, there are around 16,000 Burundian refugees and asylum seekers in Kenya, 8,700 in Mozambique, 10,800 in Malawi, 9,900 in South Africa and 8,100 in Zambia, who are being assisted under the respective national programmes. In addition, 42,200 Burundian refugees, who have been living in Tanzania for decades, are no longer receiving assistance and are not included in these figures.¹⁹

¹⁹ UNHCR, 31 Dec 2023, ***Refugees from Burundi: Total Link:***
<https://data.unhcr.org/en/situations/burundi>

A. Violations of the right to life

During 2023, the provinces of Bujumbura, Cibitoke and Gitega recorded many more cases of violations of the right to life than others. These cases have continually manifested themselves through the lifeless bodies of people found in the wild, far from their homes or residences, in places where identification is difficult, if not impossible.

The province of Cibitoke (30 cases) in the west of the country was often the preferred place for executioners to abandon lifeless bodies in and around the Rusizi River.

In the province of Bujumbura (42 cases), the number of victims increased with the attack claimed by the Red-Tabara movement²⁰ on 22 December in the Gatumba zone on the border with the DRC, which resulted in more than twenty deaths and many injuries.

The province of Gitega was characterised by murders linked to settling of scores between individuals or allegations of witchcraft.

Finally, in addition to the murders perpetrated by unidentified perpetrators, other violations of the right to life were attributable to officers of the Burundi National Police (PNB), the Burundi National Defence Force (FDNB), the National Intelligence Service (SNR) and some imbonerakure militiamen.

²⁰ Resistance for the rule of law in Burundi.

1. Lifeless bodies found abandoned in the countryside

This phenomenon has been observed throughout the year. What is worrying is that the administrative and police authorities usually proceed to bury lifeless bodies found in the wild without carrying out investigations to identify the criminals.

This deplorable practice violates Article 109 of the Code of Criminal Procedure, which states that "in the event of the discovery of a corpse, whether or not it is a violent death, but if the cause is unknown or suspect, the Judicial Police Officer who is notified of the discovery shall, if possible, inform the Public Prosecutor before going to the scene and making initial observations. The Judicial Police Officer must go to the scene and make the findings if he/she is unable to contact the Public Prosecutor. The report must be sent to the Public Prosecutor without delay.

The Article also states that "the Public Prosecutor shall go to the scene, if he considers it necessary, and shall be assisted by any doctor, expert or technician capable of assessing the nature, cause and circumstances of the death. However, he may delegate a Judicial Police Officer of his choice for the same purpose. When the circumstances of the death remain unknown, whether or not an offence has been committed, the Public Prosecutor must open an investigation to establish the causes of death.

The following cases illustrate this reality:

- On 2 January 2023, the decomposing body of an unidentified man was discovered by farmers on their way to their fields on the 3th transversal hill of Gasenyi rural, in the commune of Buganda in the province of Cibitoke. According to witnesses to the macabre discovery, the victim's body had been decapitated by unidentified individuals. The body was buried the same day on the orders of the commune administrator, Pamphile Hakizimana, without any investigation into the identity of the victim or the perpetrators of the crime.
- On 16 January 2023, two lifeless bodies of unidentified men were discovered by cotton farmers on their way to their fields on the 8th transversal of the hill and zone of Cibitoke, in the commune of Rugombo in the same province of Cibitoke. According to witnesses to the gruesome discovery, the two bodies were tied together and buried on the spot on the same day by Imbonerakure from the CNDD-FDD party's youth league on the orders of the administrator of Rugombo commune, Gilbert Manirakiza.
- On 17 March 2023, the lifeless body of Jean Baraton Mizero, aged 34, was found in the Nyambeho valley on the Kirempera hill in the commune of Giheta in the province of Gitega. According to witnesses to the macabre discovery, the victim had been savagely stabbed and then slit by unidentified individuals on his way back to his home on the Kibogoye hill in the same commune.

- On 22 February 2023, the lifeless body of an unidentified girl in her early twenties was found in a eucalyptus grove on the Mugitega hill in the commune of Bugendana, in the province of Gitega. According to witnesses to the gruesome discovery, the victim had been raped by her torturers before her throat was savagely slit, as even her underwear was left next to the body.
- On Tuesday 18 April 2023, the decomposing body of an unidentified man was discovered on the Rubanga sub-hill of the Muzima hill, in the commune and province of Bururi (southern Burundi).
- On the morning of Tuesday 20 June 2023, the lifeless body of an unidentified young man was discovered in an aubergine field on 15th avenue in the Maramvya zone of the commune of Mutimbuzi, in the province of Bujumbura (western Burundi). According to witnesses to the gruesome discovery, the young man's throat had been slit by unidentified individuals in circumstances that have yet to be explained.
- On the morning of Thursday 31 August 2023, at least thirteen (13) lifeless bodies were found buried in a mass grave on the Kumugirigiri hill in the Maramvya zone, in the Mutimbuzi commune of Bujumbura province (western Burundi). According to local sources, the decomposing and decapitated bodies were found by stray dogs. They had been dropped off the night before, at around 10pm, by two white Toyota Hilux vehicles believed to belong to the National Intelligence Service(SNR), on their way from the province of Cibitoke, where the victims were reportedly killed.

The same sources stated that the local authorities, including Albert Nshimirimana (Maramvya zone chief), Prosper Kazungu (Mutimbuzi communal police commissioner) and Siméon Butoyi (Mutimbuzi commune administrator), arrived at the scene and instructed the police officers present at the site of the macabre discovery to keep an eye on the mass grave. The bodies were buried on Friday 1^{er} September 2023 under the orders of the local administration.

- On the afternoon of Sunday 20 August 2023, at around 5pm, shepherds discovered three lifeless bodies, including that of a woman, on the Rugomero sub-hill on the Rukana II hill, in the commune of Rugombo in the province of Cibitoke (north-west Burundi). According to witnesses to the grisly discovery, all three bodies, still fresh, had been decapitated with machetes. The Rugombo communal administrator, Gilbert Manirakiza, ordered the Imbonerakure to bury the bodies immediately at the place where they were found, without however deigning to wait for an investigation, which would have been the priority in such circumstances.
- On the morning of Monday 30 October 2023, the lifeless body of an unidentified man was found in a rice field in village 5 of the Buringa hill and zone, in the

commune of Gihanga in the province of Bubanza in western Burundi. Buringa, in the commune of Gihanga in the province of Bubanza (western Burundi).

According to witnesses to the gruesome discovery, the victim's body had been decapitated by unidentified individuals, who also stripped her of her shoes. The body of the victim was taken to the morgue of Bubanza hospital by the administrator of Gihanga commune, but no investigation has been launched to identify the victim or the perpetrators of this heinous crime.

- On the morning of Wednesday 18 October 2023, at around 9 am, two lifeless bodies of men hanging from a tree were discovered by farmers on their way to their fields in the Buzirasazi hill and zone, in the commune of Murwi in the province of Cibitoke (north-west Burundi).

According to the witnesses to the gruesome discovery, the two bodies had many gaping wounds, proving that the two men had been severely tortured before they died. Local sources said that the bodies of the victims were buried immediately after their discovery by Imbonerakure (youths from the ruling CNDD-FDD party) on the orders of the local administrator, without deigning to wait for an investigation to identify the perpetrators of this double crime.

- At around 5am on Saturday 18 November 2023, the lifeless body of an unidentified man was found in the river Ntakangwa, in the industrial district of Ngagara, in the commune of Ntakangwa, north of the economic capital Bujumbura (western Burundi). According to witnesses to the gruesome discovery, the body of the victim, dressed only in his underwear, was floating on the waters of the Ntakangwa River, not far from the COTEBU market. The same sources said that the body was fished out an hour later after police intervention and taken to the morgue of the Kamenge university hospital (commonly known as "Khaled King").
- On the morning of Saturday 2 December 2023, the lifeless body of an unidentified young man was found on the shores of Lake Tanganyika at the foot of the Kinyinya hill in the Rukaramu zone, in the Mutimbuzi commune of Bujumbura province (western Burundi). According to local sources, the victim's body showed signs of violence around the neck, indicating that she had been strangled to death by unidentified assailants. The victim's body was evacuated by the local population to the mortuary of the Baho hospital in Kajaga on the orders of the chief of the hill of Kinyinya I.

2. Victims of targeted killings identified in the vicinity

This phenomenon is also one of the main signs of the impunity that has taken root in Burundi's judicial system. Sometimes the police promise investigations that never get off the ground, or nothing is done to uncover the perpetrators of these crimes and their motives.

Naturally, in view of the many clues available that the police could exploit, if there were a firm resolve to put an end to impunity, there is reason to believe that the executioners are people in the wake of the victims and for whom, with a little meticulous investigation, it could be easy to determine the motives, and therefore the perpetrators. But this is not the case.

The following cases illustrate this phenomenon:

- On 10 February 2023, the two lifeless bodies of Joseph Ngendakumana and his wife Agnès were discovered not far from the river Mubarazi, in a small bush on the Masango hill in the commune of Mutaho, in the province of Gitega. According to witnesses to the gruesome discovery, the couple were brutally murdered with daggers by unidentified assailants on their way home from the border commune of Bugendana. The bodies were taken to the Mutaho hospital morgue pending burial. No judicial investigation has been opened to identify the perpetrators of this double crime and bring them to justice.
- On 28 February 2023, the lifeless body of a young girl known as Sophie Irakoze, aged 20, was discovered on the Rurambira hill in the commune of Vugizo, in the province of Makamba. According to local sources, the body of the victim, a pupil at the Gishiha High School on the same hill, was found in a field of tripsacum at the school. The same sources said that the pregnant girl had a head injury and had been missing since 23 February 2023.
- On 8 March 2023 at around 8.30 pm, a woman known as Jacqueline Ndarihoranye was killed by a grenade thrown by an unidentified person on the Nyabututsi rural hill in the commune and province of Gitega. According to local sources, the victim was preparing food in the kitchen when a grenade exploded, killing her instantly. The same sources revealed that Jacqueline Ndarihoranye had long been suspected of witchcraft by people around her, and that she had narrowly escaped a murder attempt six months before the attack, when unidentified individuals seriously injured her with machetes.
- On the night of Monday 3 April 2023 at around 9pm, Immaculée Mwaluke Muhemedi, a Congolese Baccalaureate II student at the African Hope University, was stabbed to death in the ribs by an unidentified man not far from her residence on the Gahahe hill in the Rubirizi zone, in the commune of Mutimbuzi in the

province of Bujumbura (western Burundi). The victim died on arrival at a health facility in the economic capital.

- On the afternoon of Thursday 6 April 2023, the lifeless body of a National Congress for Freedom (CNL) activist, Gilbert Ndacayisaba, was found, wrapped in a bag, in a eucalyptus grove on the Karungura hill in the commune of Mwumba, in the province of Ngozi (northern Burundi). According to witnesses to the gruesome discovery, Gilbert Ndacayisaba was murdered because of his political affiliation and had been threatened by Imbonerakure members of the youth league of the National Council for the Defence of Democracy-Forces for the Defence of Democracy (CNDD-FDD) to join their party.
- On the morning of Thursday 6 April 2023, at around 10am, the lifeless body of a woman known as Anitha Ndaharindiye, aged 32, was found in a eucalyptus grove, 200 metres from her home on the Mutara hill in the commune of Mutumba, in the province of Karusi (east-central Burundi). According to witnesses to the macabre discovery, the body of this mother of five children had been decapitated by as yet unidentified individuals. The motive for the crime remains unclear.
- On Tuesday 18 April 2023, the lifeless body of Egide Nkuriyingoma, a cook at Bururi high school, was found on the Nanira sub-hill on Nyavyamo hill, in the commune and province of Bururi. According to local sources, Egide Nkuriyingoma was killed and then decapitated with machetes by unidentified individuals.
- On the night of Saturday 14 October 2023, Protais Niyongabo was clubbed to death by unidentified individuals who ambushed him on the Sakinyonga hill in the Matana commune, in Bururi province (southern Burundi). According to local sources, Protais Niyongabo was with his wife at the time of the attack as they returned to their home on the Sakinyonga hill.
- On the morning of Wednesday 14 November 2023, the lifeless body of a man nicknamed Rubati was found at his home in the Mutanga-Nord district in the Ntakangwa commune of Bujumbura town hall (western Burundi). According to witnesses to the gruesome discovery, the victim's body had been stabbed by unidentified individuals.
- On the morning of Monday 20 November 2023, the lifeless body of a little girl known as Kelsey Iteriteka, aged 5, was discovered in a house under construction in the Nyarumanga district of the Butere zone, in the Ntakangwa commune of Bujumbura town hall (western Burundi). According to witnesses to the gruesome discovery, including Diane Izacahinyeretse, the victim's mother, Kelsey Iteriteka was raped by an unidentified man before being strangled to death.

- On 26 November 2023, the lifeless body of 15-year-old Inès Niyongere, a pupil in grade 8 at the Basic School (ECOFO) in Muramvya III, was discovered on the Kayogoro hillside in the commune and province of Muramvya (central Burundi).
- On the night of Tuesday 28 November 2023, at around 9.30pm, the local representative of the CNDD-FDD, Ernest Niyongabo, aged around thirty, was stabbed to death by unidentified individuals on the Bubanda hill in the commune of Rutegama, in the province of Muramvya (central Burundi).

According to local sources, Ernest Niyongabo was killed on his way back from a local bistro where he had spent the evening, and his body showed several wounds to the head. The same sources said that the motive and circumstances of the crime had not been determined.

- On the night of Friday 30 November 2023, at around 7pm, a woman known as Béatrice Butoyi, aged 65, was stabbed to death at her home on the Muhanga hill in the Rwuya zone, in the commune of Muhanga in the province of Kayanza (northern Burundi).

According to the victim's neighbours, who intervened after the crime was committed, Béatrice Butoyi's body was lying in a pool of blood in front of her home, with injuries to the shoulder blade. The same sources said that the perpetrators and motives for the murder had not been identified.

- The lifeless body of Bernard Nishirimbere, aged 27, was discovered on Thursday 30 November 2023 in a cedar grove on the Taba hill in the zone, commune and province of Bururi (southern Burundi). According to witnesses to the gruesome discovery, the victim's body was lying next to two crates of Primus beer he was carrying, and the circumstances of his death remain unclear. Those close to Bernard Nishirimbere said that he had gone to a mini beer depot in Taba to look for drinks to sell in retail outlets.
- On 2 December 2023, the lifeless body of a pupil in year 4 at Bugera ECOFO I, known as Aimable Irakoze, aged 13, was found by children looking for firewood in a eucalyptus grove on the Bugera hill, in the commune of Ndava in Mwaro province (central Burundi). According to witnesses to the macabre discovery, the decapitated body of the victim was covered in branches. According to the same sources, the young boy had been missing since 28 November 2023 when he went to collect firewood in the forest. The victim's body was buried the same day by his family without any investigation being launched to discover the perpetrators and circumstances of this despicable crime.
- At around 5am on Wednesday 13 December 2023, the lifeless body of a man named Zephaniah, aged 50, was discovered on the hill and in the Mudende zone, in the commune of Buyengero in the province of Rumonge (south-west Burundi).

According to local sources, the victim's body was found near his home, but showed no signs of violence.

- The lifeless body of Sylvère Ndayitwayeko, aged 66, was discovered on Friday 9 December 2023 at around 7pm in a cedar grove on the Mibira sub-hill of the Burarana hill, in the commune and province of Bururi (southern Burundi). According to local sources, Sylvère Ndayitwayeko, a resident of the neighbouring Mahonda hill, was strangled by unidentified assailants while having his hair done in a local hairdressing salon. The victim's body was taken to the Bururi hospital morgue pending burial.
- On the morning of Wednesday 20 December 2023, the lifeless body of Juvénal Ngabirano, aged around forty, was found in the Nkaka River between the commune of Mwumba and the commune and province of Ngozi (northern Burundi). According to witnesses to the gruesome discovery, the victim's body showed signs of violence on the neck, proving that the 40-year-old had been strangled to death by unidentified assailants.
- On the morning of Tuesday 26 December 2023, at around 6am, the lifeless body of a young man known as Eric Ndayishimiye, aged 23, was found in a gutter on the Mugweji sub-hill in the Birimba district, in the commune and province of Rumonge (south-western Burundi). Birimba, in the commune and province of Rumonge (south-west Burundi). According to local sources, the victim's body showed no signs of violence, and the perpetrators and circumstances of his death remain unclear. The same sources said that the victim was buried the same day by members of his family due to a lack of funds to pay for the mortuary.
- On the evening of Thursday 28 December 2023 at around 18 h 30 min, the lifeless body of a young man known as Elie Misigaro, aged 31, was discovered by local residents on the 7th transversal of the Karurama sub-hill on the Cibitoke hill, in the commune of Rugombo in the province of Cibitoke (north-west Burundi). Karurama sub-hill on the Cibitoke hill, in the commune of Rugombo in the province of Cibitoke (north-west Burundi). According to witnesses to the gruesome discovery, Elie Misigaro, known in the locality as a radio and television repairman, was clubbed to death by as yet unidentified individuals, who also took care to strip him of all his belongings.

According to local sources, the inhabitants of Karurama suspected the Imbonerakure of this locality of being behind the murder of Elie Misigaro, one of whom had spent the day with him sharing a glass of beer together. The victim's body was taken to the morgue at Cibitoke hospital pending burial.

3. Cases of murder where the perpetrators have been identified

These crimes are punished selectively. In cases of score-settling, the alleged culprits are generally arrested and prosecuted. But when the alleged perpetrators are police officers or their accomplices in the administration or among young imbonerakure, they often go unpunished.

The impunity enjoyed by state agents and their accomplices encourages them to perpetuate crime because they believe they can do whatever they like, as illustrated by the following cases:

- On 1st January 2023, a man known as Anicet Mugisha was beaten to death by an imbonerakure on the Ngarama hill in the Kayero zone, in the commune of Mpinga Kayove in the province of Rutana. According to local sources, the motive for the crime remains unclear.
- On 4 May 2023, Bernard Dusengimana, aged 43, died at the Bishisha health centre in the Gatare zone, in the Busoni commune of Kirundo province (northern Burundi), as a result of acts of torture inflicted on him in connection with accusations of mineral theft.

According to local sources, Bernard Dusengimana was severely beaten by members of the presidential party's Imbonerakure youth league, police officers and mine workers in the Murehe nature reserve in the Gatare zone. Medical sources have confirmed that he died as a result of the beatings a few hours after being evacuated to the Bishisha health centre.

- On the night of Friday 5 May 2023 at around 9pm, Etienne Ndariye, leader of the CNL (National Congress for Freedom) party on the Buruhukiro hill in the Rusengo zone, in the commune and province of Ruyigi (eastern Burundi), was brutally murdered with machetes.

According to local sources, Etienne Ndariye was murdered by two members of the youth league affiliated to the CNDD-FDD party because of his political affiliation, some 200 metres from his home on the same Buruhukiro hill, as he was returning from a local market.

SOS-Torture Burundi has learned that the two alleged criminals were arrested by the police the day after the crime, and that they were then taken to the dungeon of the provincial police station before being transferred to Ruyigi central prison, where they are being held.

- On the night of 19 to 20 May 2023, a young man known as Jean Claude Niyongabo succumbed to the blows and wounds inflicted on him by a group of Imbonerakure, members of the youth league affiliated to the ruling CNDD-FDD

party, on night patrol on the Shembe hill in the Muzye zone, in the commune of Giharo in the province of Rutana (south-east Burundi).

According to local sources, Jean Claude Niyongabo was returning from fishing in a river in the locality when he was ambushed by this criminal gang. The gang was led by a certain Diduda, head of the Imbonerakure in the Muzye zone, in the company of the Muzye zone chief, Désiré, and other Imbonerakure, including Dismas Niyonzima, alias Muduri, Clément, Julias, Anicet and Dominique, who violently beat him up because he refused to give them fish.

According to the same sources, thanks to the intervention of his father and neighbours, Jean Claude Niyongabo was evacuated to Gihofi district hospital in the commune of Bukemba in the same province of Rutana, where he unfortunately succumbed to his injuries a few moments later that same night.

- On the night of Sunday 14 May 2023, Léonidas Ngendanzi, a prisoner at Gitega central prison, succumbed to the blows and wounds inflicted on him inside the prison by other prisoners who were members of the security committee, including a certain Kinani, Bimenyimana and Jonas, under the orders of Japhet Hatibu, who was in charge of the prisoners, commonly known as "Captain General".

According to witnesses, Léonidas Ngendanzi, a native of Karusi province who has been held in Gitega central prison since 2018, was atrociously tortured to punish him for failing to observe hygiene measures simply because he had just urinated outside the toilet. After being severely beaten, he was taken to a correctional cell where he succumbed to his injuries a few hours later. The same sources revealed that those responsible for the murder of Léonidas Ngendanzi, instead of being arrested in order to be punished in accordance with the law, were transferred to other prisons on the decision of prison officials.

- In the early hours of Friday 25 August 2023, at around 3am, Mevin Shurweryimana, a detainee who had been acquitted on 21 August 2023 along with other co-defendants in a case of arbitrary detention known as "*homosexuality and incitement to debauchery at the Gitega High Court*" since February 2023, died in Gitega hospital after a complication of his hepatitis B illness following his refusal to be transferred to a specialised health facility.

According to local sources, on 9 August 2023 Mevin Shurweryimana received a medical order from his GP at Gitega hospital to be transferred to a specialist gastro-enterologist in Bujumbura, but he was categorically refused by Félicité Nishemezwe, the public prosecutor at the Gitega Court of Appeal, despite the deterioration in his state of health.

Even when Mevin Shurweryimana's acquittal was being implemented, and he should have been released immediately, the Attorney General refused to sign the release warrant. Shurweryimana, who should have been released immediately, the

Attorney General refused to sign the release warrant, an important document required by the prison service to allow a prisoner to leave prison.

However, in a singular irony of fate, or rather a cynicism unheard of in the annals of Burundian justice, Félicité Nishemezwe finally signed the warrant for his release, backdated the previous day, only after learning of the death of the 33-year-old man from Higiroyi hill in the commune and province of Gitega.

Nevertheless, she flatly refused to apply the law to release the other acquitted young people, arguing that they were not the only people who had been acquitted but who were still in prison and that she would release them at the appropriate time, even though she had received correspondence from the Director of Gitega Central Prison, Josiane Nishimwe, asking her to sign the release warrants for the acquitted prisoners.

- On the morning of 24 July 2023, Ezéchiel Ntahinduka, a young schoolboy aged 14, died in Kirundo hospital as a result of blows and wounds inflicted on him by a certain Jean Marie Nkurunziza, a member of the Imbonerakure youth league affiliated to the presidential party, the CNDD-FDD, on the Nyakibingo hill in the commune of Ntega, in the province of Kirundo (northern Burundi).

According to witnesses, the child was severely beaten on 15 July 2023 by his torturer after he was seen perched on the back of a lorry on the road. The same sources revealed that after the death of the young teenager, Jean Marie Nkurunziza went on the run and benefited from the complicity of an administrative officer at the base on Nyakibingo hill, who hid him in his home to help him escape possible prosecution.

- On the night of Sunday 2 July 2023, a man known as Salvator Ntihabose succumbed to the blows and wounds inflicted on him on 29 June 2023 by Imbonerakure on the hill of Gatete, in the commune and province of Rumonge (south-west Burundi).

According to police sources, Salvator Ntihabose was severely beaten by Imbonerakure on charges of stealing palm fruit before being taken to a police cell in the Gatete zone.

The same sources said that a judicial police officer (OPJ) named Pierre Nkongoro was arrested on 3 July 2023 and detained at the provincial police station in Rumonge for failing to inform his superiors of the detention of this man, who eventually succumbed to his injuries in the police cell.

- On the night of Monday 9 October 2023, an unidentified mentally ill man in the locality of Biringanyi was severely beaten by Imbonerakure who surprised him in a manioc field on the Biringanyi hill in the commune of Nyanza-lac, in the province of Makamba (southern Burundi). He succumbed to his injuries a few

hours later at the Kazirabageni health centre, where he had been evacuated in a very critical condition.

According to local sources, the chief of the Biringanyi hill, Rémy Harerimana, and three Imbonerakure including one Alexis Bayubahe (secretary of this Imbonerakure militia affiliated to the ruling CNDD-FDD party) were arrested the following afternoon on suspicion of having killed the victim. However, all four CNDD-FDD members were released on the afternoon of Wednesday 11 October without a full investigation into who killed the victim.

- On the night of Sunday 12 November 2023, the lifeless body of a young man named Fabrice was found by the side of the road in the Kavogero district of the commune and province of Kirundo in northern Burundi. Kavogero in the commune and province of Kirundo (northern Burundi).

According to local sources, Fabrice was severely tortured on 10 November 2023 with a concrete iron by an electromechanical Imbonerakure named Aristide after he was caught breaking down the door of his vehicle.

The same sources said that Aristide evacuated the victim to Kirundo hospital after the police refused to take him into custody because of his very critical state of health, but refused to pay the bail required to provide him with treatment and left him in hospital.

Fearing the cost of the treatment he was receiving, Fabrice decided to escape from Kirundo hospital on 12 November despite his very fragile state of health.

- On Monday 26 November 2023, Adrien Sibomana, aged 37, died in Mpanda hospital as a result of blows and wounds inflicted on him by police officers and Imbonerakure on the Masha hill in the commune of Mpanda, in the province of Bubanza (north-west Burundi).

According to witnesses, Adrien Sibomana, a former CNL party activist, was severely beaten by police officers and Imbonerakure, including Eric Nzambimana, considered to be the main perpetrator. Nzambimana, considered to be the main perpetrator of the crime, who were looking for distillers of a highly alcoholic home-made drink called "Kanyanga".

- On the afternoon of Thursday 21 December 2023, a young man known as Josué Iraganje succumbed to his injuries after being beaten by a group of Imbonerakure led by a certain Bernard Nibizi on the Butezi hill in the commune of Giharo, in the province of Rutana (south-east Burundi).

According to local sources, Josué Iraganje was tied up and violently beaten to death on the orders of Bernard Niyibizi, the communal leader of the

Imbonerakure youth league in the commune of Giharo. He succumbed to his injuries a few hours after being taken to hospital.

The same sources said that the head of the CNDD-FDD, Sylvain Nzikoruriho, and the local administrator of Giharo, Lydia Nihimbazwe, ordered Josué's father to proceed immediately with his burial on his land, despite his protest demanding that the perpetrators of the crime be brought to justice.

- On the night of Friday 22 December 2023, at around 8.30pm, an armed attack claimed by the Resistance for the Rule of Law movement on its official X account resulted in the deaths of at least twenty-seven (27) people, including 20 civilians, 4 police officers and 3 soldiers guarding the Vugizo border post in the Gatumba zone, in the Mutimbuzi commune of the province of Bujumbura (western Burundi), close to the border with the DRC (Democratic Republic of Congo).

According to local sources, sixteen (16) other people, including 3 soldiers and 2 police officers, were seriously injured in the attack and have been evacuated to various health facilities in Bujumbura, where they are receiving intensive care.

- On Saturday 23 December 2023, an unidentified man was murdered by Imbonerakure at the Muhafu market on the Shembe hill in the Muzye zone, in the commune of Giharo in the province of Rutana (south-east Burundi). Shembe in the Muzye zone, in the commune of Giharo in the province of Rutana (south-east Burundi).

According to witnesses to the macabre scene, the victim was first arrested by Imbonerakure led by a local councillor named Josué on charges of stealing a mobile phone from the Muhafu market. They then took her to the foot of the Gatonga hill in the same zone and, a few moments later, they were seen bringing her lifeless body back.

The same sources said that the body of the deceased was buried the next day by Imbonerakure on the orders of the Giharo local authority, without any investigation to identify the victim and his torturers so that they could be brought to justice and punished in accordance with the law.

B. Violations of the right to physical integrity

Violations of the right to physical integrity are generally attributable to imbonerakure militiamen acting individually or in groups, and to officers of the National Police and the SNR. In short, these violations demonstrate once again the limitless power enjoyed by the imbonerakure, allowing them to commit abuses with complete impunity. They also demonstrate the limited capacity of the judicial and police authorities to curb violence through a good repressive policy that does not encourage impunity.

The following examples illustrate these abuses.

- On 3 January 2023 at around 9 p.m., a man known as Richard Niyongabire was severely beaten and injured with knives by a group of five Imbonerakure (members of the youth league of the ruling CNDD-FDD party) led by a certain Protais Gacurabuhoro, headmaster of the Basic School (ECOFO) in Birohe and head of the Imbonerakure on the Birohe hill in the commune and province of Gitega.

According to local sources, these Imbonerakure, on night patrol, found Richard Niyongabire in a small bush, suffering from an epileptic seizure, and beat him violently, wounding him in the arms with knives. They threw him in a critical condition in a small bush near the Polytechnic University of Gitega, before admitting him to the regional hospital of Gitega for intensive care. The same sources stated that since then, the five Imbonerakure have not been prosecuted by the police for the crime committed, despite the complaint filed by the victim's family with the judicial police of the Gitega police station.

- At around 9pm on 15 February 2023, a cow trader known as Caritos Nzoyisenga was severely beaten by SNR officers in Muramvya province. According to witnesses, Caritos Nzoyisenga, in a state of obvious drunkenness, hurled insults at SNR officers who were drinking beer at the "Mess" bistro in Muramvya town centre. They then arrested him, put him in a vehicle and drove him to the SNR prison in Muramvya province.

However, on the way, he managed to jump out of the vehicle to escape, but was quickly caught, manhandled and severely beaten before being taken to a cell where he spent the night. According to the same sources, Caritos Nzoyisenga was released the following day.

- In the space of two consecutive days, two people were seriously injured by machete wounds inflicted by Imbonerakure on the Buringa hill and zone in the commune of Gihanga, in the province of Bubanza.

According to local sources, on the night of Saturday to Sunday 12 March 2023, a man known as Dismas Nsengiyumva was ambushed by a group of Imbonerakure

(a youth league affiliated to the CNDD-FDD party) who ordered him to stop. Having noticed that the men were carrying clubs and machetes, Dismas Nsengiyumva tried to flee, but the Imbonerakure caught up with him and stabbed him several times, even cutting off his testicles. The victim was evacuated the next morning to the health centre at 8th transversal before being transferred, in a very critical condition, to one of the hospitals in Bujumbura town hall.

Another person was seriously injured by machete blows on the night of Sunday to Monday 13 March 2023 by the same Imbonerakure, who took him themselves to the health centre at 8th transversal. According to local sources, the patient was guarded by these Imbonerakure, who controlled the people who came to visit him in hospital.

- On 2 May 2023, a man known as Jean Bosco Misago was severely tortured by Imbonerakure in the Murehe nature reserve on the Bishiha hill in the Gatware zone, in the Busoni commune of Kirundo province. According to local sources, the victim was severely beaten so badly that he urinated blood and was unable to sit or stand. Jean Bosco Misago was admitted to the Bishiha health centre in a very critical condition. According to the same sources, Jean Bosco Misago was tortured on suspicion of stealing cassiterite, which is abundant in the Kirehe nature reserve.
- Three CNL party activists were arbitrarily arrested and tortured by the head of the National Intelligence Service (SNR) in Bubanza province (north-west Burundi). According to local sources, Jean Marie Ndayishimiye, the CNL youth representative on the Gicuba hill in the commune of Mpanda, was arrested on 4 May 2023 by police colonel Germain Tangishaka (OPN 0856), head of the SNR in this province, and taken to a cell in the provincial police station.

The other CNL members, Samson Ntuyahaga from Gifurwe hill in Mpanda commune and Vianney Hakizimana from village 6 in Gihanga commune, were arrested on 8 and 9 May respectively by the same SNR official. The former was held in the SNR's detention centre in Bubanza province, while the latter was taken to the detention centre at the provincial police station.

Sources close to the police revealed that the three CNL activists were detained in poor conditions and severely tortured. Their legs and arms were tied together and they were subjected to atrocious torture sessions. They were also denied visits from members of their families.

- On the night of Monday 24 July 2023, a motorbike taxi driver known as Jérôme Ndzeye, nicknamed Rwembe, was violently tortured by Sylvestre Sabushimike, alias Bikovu, the local police commissioner in Rusaka in the province of Mwaro (central Burundi).

According to local sources, the victim was taken to hospital unconscious. Jérôme Ndizeye had had one too many drinks and was being helped back to his home by his friends, who found it difficult to walk alone. Along the way, they came across Sylvestre Sabushimike, who snatched him out of his friends' hands and hit him hard, trampling him until he vomited blood and lost consciousness.

The victim was then rushed, first to the Rusaka health centre and then transferred by ambulance to the Fota district hospital, as his state of health remained critical. The same sources stated that Sylvestre Sabushimike has not been prosecuted for the crime committed or for other crimes regularly attributed to him by residents of the commune of Rusaka.

- At around 11pm on Sunday 17 September 2023, Médard Nkeshimana, a night watchman at the University of Burundi, was severely beaten unconscious by a student known as Ferdinand Miburo, who is also a member of the Imbonerakure youth league affiliated to the ruling CNDD-FDD party.

According to witnesses, Ferdinand Miburo, a student in the Faculty of Psychology in year 3 on the Kamenge campus, beat the night watchman, accusing him of leaving the door open. The same sources said that students evacuated the victim to the Kamenge University Hospital, but had to take him back to the campus after he was refused admission for lack of money.

Ferdinand Miburo was subsequently arrested the following day on the intervention of the Kamenge campus manager and taken to the Ntahangwa commune prison for a brief one-day detention. He was released on 19 September 2023 to resume classes.

- On Wednesday 25 October 2023, Rodrigue Nkundimana and the man nicknamed Gisizwi were tortured after being severely beaten by police officers guarding the buildings of the Burundi Institute of Agronomic Sciences (ISABU) on the Gitasi hill in the commune of Mwumba, in the province of Ngozi (northern Burundi).

According to witnesses, the two men from the Tubindi sub-colline of the Kinyana hill in the commune and province of Ngozi were trying to gather dry grass for their stables in the fields of this institution when they were surprised by police officers who severely beat them and left them in a very critical condition.

The same witnesses revealed that the torturers demanded the sum of one hundred and fifty thousand Burundian francs (150,000 Fbu) in order to free the victims.

- On the night of Wednesday 28 November 2023 at around 8 p.m., around fifteen soldiers from the Rumonge camp (south-west Burundi) on night patrol attacked people they met as they passed, whom they unjustly accused of disrupting their line-up. Three people were seriously injured as a result of the blows and wounds inflicted on them, and were evacuated to Rumonge hospital where they were

admitted for emergency intensive care. Two of the victims have been identified. They were Enock Karabona, a teacher at the Urban Communal High School of Rumonge, and Marie Nahayo, a young girl studying at the “Lycée Etoile de Rumonge”. According to witnesses, some of the victims were nevertheless able to clear their names by paying a sum of ten thousand Burundian francs (10,000 Fbu) in the form of an unfounded fine.

- On the night of Sunday 10 December 2023 at around 8pm, a teacher named Benoît from the Buta Communal High School, in the commune and province of Rutana (south-east Burundi), was violently beaten and seriously injured by three members of the CNDD-FDD party. These were a certain Mfuranzima (the party's hill leader on Gitaba hill), Claver (head of the Imbonerakure youth league on the same hill) and Damien Nkinahamira (head of Gitaba hill).

According to witnesses, the three men seized Benoît and took him to the zone office to torture him atrociously. They left him in a very critical state. The same sources said that the three men were arrested the next day and taken into custody, before being released three days later on the orders of the governor of Rutana province, Olivier Nibitanga,

- On the night of Monday 25 December 2023, a CNL party activist known as Pascal Ndereyimana was severely beaten and seriously injured by three Imbonerakure, Olivier Nduwimana, Déogratias Bakundumuhari and Léopold Niyongabo, on the hill of Bwoga, in the commune and province of Gitega (central Burundi).

According to local sources, Pascal Ndereyimana, who is also one of the elected representatives on the hill of Bwoga, was ambushed by Imbonerakure on a night patrol as he was returning to his home on the same hill. The Imbonerakure violently beat him and seriously injured his head to the point of unconsciousness.

The same sources said that the victim, who was attacked because of his political affiliation, was rushed to a local health facility for intensive care. However, although his assailants were clearly identified and his relatives filed a complaint with the police, no investigation has been opened to bring to justice the perpetrators of the serious bodily injuries inflicted on Pascal Ndereyimana. On the contrary, Olivier Nduwimana, Déogratias Bakundumuhari and Léopold Niyongabo continue to move about freely while their victim remains confined to his hospital bed.

- On the evening of Tuesday 26 December 2023 at around 6 pm, two men known respectively as Macumi and Bagabo were violently beaten and seriously injured by the head of the Gikwiye hill known as Michel Karibwami, in collusion with imbonerakure on the same hill in the Gasorwe zone and commune, in the province of Muyinga (north-east Burundi).

According to witnesses, while visiting his wife in hospital at the Gasorwe health centre, Macumi heard cries of distress from a man who was being severely beaten. He found that a man of the Twa ethnic group called Bagabo was being beaten to punish him for looking for firewood on property that did not belong to him.

When Macumi tried to intervene, the hill leader Michel Karibwami and the Imbonerakure accompanying him stopped beating Bagabo and attacked him. Macumi then received several blows all over his body, including his genitals, which were violently twisted and damaged. According to the same sources, Macumi was first evacuated to the Gasorwe health centre before being transferred to Muyinga hospital the same day due to the seriousness of the injuries sustained. The state of health of the victim, who urinates blood when he goes to the bathroom, remains very critical.

C. Violations of the right to freedom of movement: Arbitrary arrests and detentions

Victims of violations of the right to freedom are generally targeted because they belong to social organisations or opposition political parties, particularly members of the CNL party or any other person suspected of being opposed to the government. These arbitrary arrests and detentions are carried out by agents of the police, the SNR, elements of the imbonerakure militia and sometimes by magistrates who comply with the orders of the political and administrative authorities. The following examples illustrate this reality.

1. Cases of arbitrary arrests by police officers

- On 22 February 2023, 23 people, including leaders of MUCO, a local NGO that fights HIV/AIDS and promotes youth entrepreneurship, were arrested while attending a seminar on "youth entrepreneurship" by dozens of police officers and agents of the National Intelligence Service, led by OPJ Fulgence Minyurano, at the organisation's headquarters in Gitega.

During a search of the organisation's offices, only condoms, a teaching tool in the fight against AIDS, and documents on the rights of homosexuals were seized.

It was only after 13 days in police custody, in violation of art. 34 of the CCP²¹, which sets the duration of police custody at 7 clear days, that all 23 people were placed under arrest warrant on 06/03/2023 by Joseph Désiré Nduwayezu, officer of the Public Prosecutor's Office at the Gitega Court of Appeal, accusing them of homosexuality (art. 590 CP. L.II).

Homosexuality being the fact of "*having sexual relations with a person of the same sex*", not having been caught in the act, without any tangible proof of the

²¹ Code of Criminal Procedure.

- offence against them, it is clear that these people were arrested on the basis of suspicion which, under the terms of art. 154 of the Code of Criminal Procedure, cannot be used as a basis for detention: *"Freedom being the rule and detention the exception, the accused may only be remanded in custody if there is sufficient evidence of guilt and the acts of which he is accused appear to constitute an offence punishable by law by a sentence of at least one year's penal servitude"*.
- On 15 March 2023, Sylvain Gashindi, chief of the Mutambara hill in the Gatete zone, in the commune and province of Rumonge, was arbitrarily arrested by the police and detained in a cell at the provincial police station. According to witnesses, Sylvain Gashindi was arrested by the provincial police commissioner in Rumonge, who incarcerated him after a brief interrogation by a judicial police officer.

The arrest followed a complaint lodged by a certain Jonathan Majid, who accused the victim, without proof, of having slept with his wife. Local sources believe that the real motive behind Sylvain Gashindi's arrest is linked to land disputes between the two men.

This is a notorious case of arbitrary arrest and detention of Sylvain Gashindi and calls for his immediate release because, even if the offence of adultery were to be established against the presumed accomplice, there would have been no need to place him in police custody since, under Article 550 of the Penal Code in force in Burundi, which provides for *"a fine of between twenty and one hundred thousand Burundian francs"*, the legislator has not provided for any penalty of penal servitude for this offence.

- On Sunday 11 June 2023, thirteen (13) CNL party activists were arbitrarily arrested at the Butare trading centre in the commune of Itaba in the province of Gitega (central Burundi) by local administrative officials and the local police, who took them to the dungeon of the communal police station where they were arbitrarily detained on trumped-up charges of holding an illegal meeting.

According to witnesses at the scene, these members were sharing a glass of beer in a bar at the Butare trading centre and were sorted out on the basis of their political affiliation from among the other customers who were quenching their thirst. Property was even confiscated from some of them, including a motorbike and mobile phones.

- In the early hours of Thursday 9 November 2023, at around 4.30 am, a teacher from the Muhuta I primary school, known as Ildephonse Nderagakura, was arrested at his home on the Gitaza hill in the commune of Muhuta, in the province of Bujumbura (western Burundi) by police officers accompanied by young Imbonerakure.

According to sources from his family, Ildephonse Nderagakura was accused of not having a toilet with a seat inside his house. However, according to sources in his neighbourhood, the victim was arrested because of his activism in the

FRODEBU party²² and that his arrest was part of acts of intimidation to force him to join the CNDD-FDD party.

- On Saturday 23 December 2023, six CNL party activists were arbitrarily arrested by the police on the Gatika hill in the Rukeco zone in the Busiga commune of Ngozi province (northern Burundi). They are Léonard Ndikumasabo, Denise Ndayikengurukiye, Médiatrice Bizimana, Simon Misago, Donatien Bihute and Raphaël Niyobuhungiro.

According to local sources, the six activists were at a meeting of their association when they were surprised by the police, who accused them of holding an illegal meeting of their party. The same sources said that the six CNL activists were first taken to the Rukeco zone detention centre before being transferred the same day during the night at around 9 p.m. to the Judicial Police detention centre in Ngozi.

2. Cases of arbitrary arrests by the SNR

- Elvis Nzigamasabo, a retired soldier who served in the ex-FAB²³, has been held in arbitrary detention for a fortnight since 12 January 2023 at the provincial police station in Mwaro. According to witnesses, the retired soldier was arrested in Kibumbu in the commune of Kayokwe in the same province of Mwaro by agents of the National Intelligence Service (SNR) and was taken to the police lock-up in the commune of Kayokwe before being transferred to the lock-up at the provincial police station.

The same sources revealed that Elvis Nzigamasabo was accused without proof of providing information to the Burundian media in exile and that his mobile phone was seized to be searched.

- On 14 February 2023, four human rights defenders were arbitrarily arrested by intelligence agents at Bujumbura international airport as they prepared to board a plane to Kampala in Uganda to take part in a meeting with partners. They are Sonia Ndikumasabo (president of the Association of Women Jurists of Burundi, AFJB), Audace Havyarimana (legal representative of the Association for Peace and the Promotion of Human Rights, APDH), Sylvana Inamahoro (executive director of APDH) and Marie Emerusabe (general coordinator of AFJB).

According to witnesses, the four human rights activists were taken directly to a cell at SNR headquarters. Local sources confirmed that a fifth person, known as Prosper Runyange, coordinator of the APDH land project, was also arrested in Ngozi, in the north of the country, later on Tuesday on a prosecutor's warrant and spent the night in a police cell in Ngozi before being transferred to the SNR cell in Bujumbura on Wednesday morning.

²² Front for Democracy in Burundi.

²³ Burundian Armed Forces.

According to the statement by the Minister of the Interior, Community Development and Public Security, Martin Niteretse, they were wrongly accused of having unaccountable funds to finance terrorism and of working in common accord with a non-governmental organisation (NGO), “Avocats Sans Frontières” (ASF), which withdrew from Burundi in December 2018 after its activities were suspended by the National Security Council. This NGO, which had recorded 20 years of uninterrupted presence in Burundi, was indexed for having continued to work with approved and non-approved civil society organisations.

The 5 human rights defenders were transferred to Mpimba central prison in Bujumbura after being questioned by a public prosecutor on the afternoon of Thursday 16 February 2023. They were released on 28 April 2023, after having appeared on 27 February before the Tribunal de Grande Instance de Ntahangwa (Ntahangwa High Court), in itinere at Mpimba central prison.

- On 10 April 2023, Pacifique Mahoro, a disability rights activist and employee of the Brarudi Company, was arrested by SNR officers in Ruziba in the Kabezi commune of Bujumbura province. He was on his way to the official opening of the centre for disabled children. He was arrested without a warrant, without being informed of the reasons for his arrest, and detained in a secret location without communication with his family, which is contrary to the provisions of articles 35 and 36 of the Burundian Criminal Procedure Code.
- On the morning of Thursday 4 May 2023, Jean Marie Ndayishimiye, the youth leader of the CNL party on the Musenyi hill in the commune of Mpanda in the province of Bubanza (north-east Burundi), was arbitrarily arrested in the same locality by the provincial head of the National Intelligence Service (SNR). According to local sources, after being severely tortured, he was taken to the police lock-up at the Bubanza communal police station, where he was held alone in the women's cell. According to the same sources, the reasons for his arrest were not communicated to him and he was not allowed any visits.
- On the evening of Friday 15 September 2023, Alexandre Nindorera, alias Buyoya, was abducted by uniformed police officers from a bistro located on the Buringa hill in the commune of Gihanga, in the province of Bubanza (north-west Burundi), and driven away in a van with tinted windows to an unknown destination.

According to local sources, after several days of fruitless searching in several dungeons in Bubanza province and Bujumbura town hall, his wife finally learned that her husband was being held in the dungeon at SNR headquarters. Although she went to the place of detention to enquire about the state of health of her husband, who suffers from a chronic illness, she was not allowed to see him.

In this regard, it is important to remember that Article 36 of Law No. 1/09 of 11 May 2018 amending the Code of Criminal Procedure states that *"Any Judicial Police Officer has the obligation to inform the family of the person in custody or any other interested person of the measure to which they are subject and the place of custody."*

Chapter 2 of the same law states that *"the only forms of detention authorised by law are police custody, the detention provided for in paragraph 2 of article 15 and the security detention provided for in articles 41 to 43"* and specifies that *"detention outside these cases constitutes abduction and infringement of the rights guaranteed to individuals under the Criminal Code"*.

- On the night of Sunday 27 August 2023, Fidèle Nkurunziza was arrested in a bistro in the provincial capital of Bururi by the head of the National Intelligence Service in this southern province on the orders of the governor's chief of staff, Juvent Ndayikeza.

According to witnesses, the two men were visibly drunk when they exchanged vexatious remarks. Subsequently, the chief of staff of the Bururi provincial governor, Juvent Ndayikeza, feeling that his self-esteem had been bruised, called the head of the SNR in the province and accused Fidèle Nkurunziza, known in the community as a human rights activist, of having insulted him.

He was immediately arrested and taken to the Bururi police station. According to the same sources, Fidèle Nkurunziza was transferred to Bururi prison on Wednesday 30 August, after being unfairly accused of using ethnic slurs against the Bururi governor's chief of staff.

With regard to this offence, it is important to note that the Penal Code states that *"Anyone who has publicly insulted a person shall be punished by penal servitude of between one month and one year and a fine of between ten thousand and one hundred thousand Burundian francs, or by one of these penalties only"* (article 265).

With regard to the offence of racial aversion, article 266 of the Criminal Code states that *"Anyone who has manifested racial or ethnic aversion or hatred, or who has incited or encouraged such aversion or hatred, or who has committed an act likely to provoke such aversion or hatred, shall be punished by imprisonment for a term of six months to two years and a fine of ten thousand to one hundred thousand Burundian francs, or by one of these penalties only"*.

- On the morning of Thursday 6 July 2023, Jean-Claude Ndayisenga, a police brigadier assigned to the Migration Police at Melchior Ndadaye International Airport (western Burundi), was arbitrarily arrested by agents of the National Intelligence Service after the political opponent and parliamentarian Agathon Rwasa, president of the CNL party, had passed through on his way to Zanzibar in the United Republic of Tanzania. He was taken directly to the SNR dungeon at

the service's headquarters on charges of having allowed Agathon Rwasa to cross national borders.

This was an arbitrary arrest of police officer Jean-Claude Ndayisenga, who should have been released immediately given that the president of the CNL party enjoys his civil and political rights, including his right to freedom of movement.

- On the morning of Sunday 19 November 2023, three CNL party activists known as Pascal Nyambere, Joselyne Dyna Vyizigiro and Epitace Ndayikengurukiye were arrested by SNR agents in the political capital of Gitega (central Burundi), near a hotel where a meeting was being held by two leaders of a rebel faction of the party, Immaculée Ntacobakimvuna and Thérance Manirambona.

According to witnesses, the three activists were taken to a cell at the provincial police station in Gitega where they were questioned about their attempt to disrupt a meeting, before being released the next day.

This arrest is the result of the political intolerance of the CNDD-FDD party towards opposition parties, particularly in the run-up to elections. As in the past, the leaders of this presidential party continue to divide opposition parties into dissident wings, a phenomenon known in Burundi under the neologism of "Nyakurisation", which has not spared any opposition political party.

3. *Arbitrary arrests by magistrates*

- Three judges from the Bururi High Court, Léonard Nizigiyimana, Antoine Ngendakumana and Irène Mukeshimana, issued an order in chambers on 20 July 2023 within the confines of Murembwe prison in Rumonge province, granting provisional release to eight detainees being prosecuted in the case of machete attacks committed since last April in Bururi province. Strangely, these three judges were arrested on Wednesday 16 August 2023 and detained in Bururi prison for the sole reason that they had decided on the provisional release of these 8 detainees.

They joined police Lieutenant-Colonel Patrice Nkurikiye (director of Murembwe central prison), Florence Nimbona (head of the legal department at the same prison) and Pélagie Nindamutsa (secretary in the legal department), who were arrested on 9 August 2023 and immediately taken to the dungeon of the Rumonge provincial police station simply for having carried out this temporary release order.

Subsequently, on 14 August 2023, a deputy public prosecutor at the Bururi Court of Appeal requested that they be sentenced to 7 years and 6 months' imprisonment and fined one million Burundi francs (1,000,000 BFU) for "*facilitating the escape*

of 8 detainees granted provisional release and complicity in disrupting security in Burundi".

- On 12 July 2023, Christella Ndayishimiye, a pupil in her third year of secondary school in the languages section at the Communal High School of Mugendo in the commune of Ntega in the province of Kirundo (northern Burundi), was arbitrarily and illegally detained in Ngozi prison following a preventive detention order issued by judges of the Kirundo high court accusing the victim of "*violating professional secrecy*" when she denounced sexual harassment and an attempted rape by the former headmaster of her school, Oscar Nemeyimana.

According to reports from the locality, the student wrote a letter on 6 March 2023 in which she explained why she had dropped out of school: she had refused to have sexual relations with the headmaster of the school, Oscar Nemeyimana. She then asked for her safety to be guaranteed, as she was facing death threats as a result of an unsuccessful lawsuit she had brought against her former headmaster, who had tried to rape her. Subsequently, in a letter dated 27 June 2023 that she sent to the Governor of Kirundo, the young girl stated that various authorities had not listened to her when it came to ruling on her case.

- The Independent National Commission for Human Rights (CNDIH) revealed to the public a case of three hundred and sixty (360) people detained without files in particularly inhumane conditions in the dungeon of the municipal police station in Bujumbura town hall located on the premises of the former "Bureau Spécial de Recherche" (BSR) (Special Research Office) during its visit to the site on 12 October 2023. There were 322 men, 38 women and children under the age of three. All these people were being held in a cell with a capacity of 46, an occupancy rate of more than 166%, with only one full toilet and one dry tap.

On its X account of 12 October 2023, the CNIDH stated that it had been accompanied on this visit by the Attorney General of the Republic and three public prosecutors from the Ntahangwa, Mukaza and Muha public prosecutor's offices in Bujumbura town hall, and regretted that they had asked in vain for the release of these people who had been arbitrarily detained, in addition to the cruel, inhuman and degrading treatment. Police Lieutenant-Colonel Jacques Nijimbere opposed any release, even though, under the relevant provisions of the Burundian Code of Criminal Procedure (in particular Articles 1, 2, 85 and 90), the Public Prosecutor's Office normally "directs and supervises the activities of judicial police officers".

D. Kidnappings and enforced disappearances

This phenomenon of kidnapping by strangers is a recurring one, with the law enforcement agencies or the courts failing to catch the criminals.

Police officers from the National Intelligence Service sometimes make arbitrary arrests using the same abduction modus operandi, which suggests that the criminals may be complicit with the police or intelligence services. The latter sometimes detain their victims in secret locations, in violation of articles 35 and 36 of the Code of Criminal Procedure relating to police custody and informing the families of defendants of the purpose and location of police custody.

*It is important to note that article 257 of the Criminal Code, paragraph 4, states that **"If the abduction or kidnapping was carried out by a member of the defence and security forces, the guilty party shall be punished by imprisonment for a term of twenty to thirty years"**.*

The following cases illustrate this worrying situation:

- On 11 April 2023, at around 6.30pm, Janvier Ngendakuriyo, a former employee of the National Assembly, was abducted from his home in Gatunguru, in the Mutimbuzi commune of Bujumbura province. He was taken away in a "Probox" car by people who did not identify themselves or reveal the reason for his arrest. He was taken to a place that was not communicated to his family, which is a violation of the provisions of articles 35 and 36 of the Burundian Criminal Procedure Code.
- On the morning of 10 May 2023, at around 8am, Haruna Mustafa, an influential member of the CNDD-FDD's Imbonerakure youth league who had fallen from grace in 2022, was abducted from the Villa Dubaï hotel in Gitega province (central Burundi) by SNR agents and taken away in a white van with tinted windows, registration number EA0507.

According to witnesses, two men in civilian clothes armed with pistols, accompanied by two others in police uniforms, got out of the van while three other people remained in the vehicle. They then asked to be shown the room where Haruna Mustafa had been staying and dragged him out of bed while he was still asleep. They then loaded him into the van and sat on him again. Later,

members of his family searched for him in the police and SNR dungeons in Gitega and Bujumbura, but to no avail.

- On Tuesday 23 May 2023, a CNL party activist known as Phocas Niyubuntu was abducted by SNR agents, some of whom were wearing riot police uniforms, on the Buhinga hill in the Munini zone in the commune and province of Bururi (southern Burundi). According to witnesses, Phocas Niyubuntu was quenching his thirst with friends in a local bistro when two men in civilian clothes arrested him and ruthlessly loaded him into a Toyota double-cabin van with tinted windows for an unknown destination.
- In the twilight of Friday 27 October 2023, at around 6 pm, a butcher and activist of the National Congress for Freedom (CNL) known as Jérôme Ndikuriyo was abducted from 12th avenue of et zone de Buringa in the commune of Gihanga in the province of Bubanza (north-west Burundi) by the local police commissioner in Gihanga, whose first name was Marc. According to witnesses, Jérôme Ndikuriyo, originally from Gitega province (central Burundi), was taken away in a police pick-up truck to an unknown destination.
- At around 1 pm on Wednesday 13 December 2023, Samuel Rudahinyuka, a teacher at the “Ecole Normale Supérieure” (ENS) and doctoral student at the University of Burundi, was abducted near the Kamenge campus at the end of classes at the doctoral school just as he was about to get into his car. According to witnesses, his abductors were in a white Toyota Hilux double-cabin van with tinted windows and no number plates.

E. Gender-based sexual violence

Sexual violence is a serious violation of human rights. Its consequences destroy the victim physically, psychologically and socially.

Sometimes, in order to distort the judicial investigations, the victims are murdered, and the majority of victims are underage students. This crime is often committed by unidentified perpetrators, but when the alleged culprits are known, they are usually arrested and prosecuted.

- On 10 May 2023, a 5-year-old girl was allegedly raped by a man known as Cyriaque Hakizimana, aged 46, on the Gatwaro hill in the commune of Rutovu, in the province of Bururi. According to local sources, the victim's relatives alerted the local administrative and police authorities, who quickly intervened and arrested the alleged perpetrator. Cyriaque Hakizimana was immediately taken to the Bururi provincial police station.

- On 22 May 2023, at around 9 pm, in the province of Gitega, two young girls, Médiatrice Irankunda, aged 18, and Sierra Iteriteka, aged 17, were severely beaten in the political capital by two Imbonerakure known as Don Divin Nduwimana and Jean Pierre Nkurunziza for refusing to sleep with them.

According to local sources, Médiatrice Irankunda, a pupil at the Christ-Roi High School in Mushasha, and Sierra Iteriteka, a pupil at the COMIBU²⁴ High School, were taken to a place of "*correction*", commonly known as "*Kwidodero*", in a small bush close to the Centre for the Deaf and Dumb in Mushasha by these two Imbonerakure, who severely tortured them with large sticks to punish them for refusing to sleep with them. The two victims suffered serious injuries to their backs and legs and were admitted to the Ubuzima medical polyclinic in the Yoba district of Gitega for intensive care.

The same sources indicate that the two imbonerakure, Don Divin Nduwimana, who is also a grassroots administrative officer well known for his night-time blunders during Imbonerakure patrols, and Jean Pierre Nkurunziza, a driver with the Anti-Corruption Brigade, were arrested the day after the double crime by the police at the provincial police station in Gitega.

- On the night of Monday 7 November 2023, a girl known as Concilie Butoyi was seriously injured by unidentified assailants at her home in the Gasunu sub-hill on Rushanga hill, in the commune of Bugendana in the province of Gitega (central Burundi).

According to local sources, Concilie Butoyi's neighbours noticed that the back door of the house was ajar and began calling for the victim, without success. They then entered the house to find the victim lying in a pool of blood in a very critical condition, with gaping wounds to the head and neck. According to the same sources, the victim had also been raped before being stabbed, and was evacuated the next morning to the VISPE²⁵ health centre in the Mutoyi zone of the same Bugendana commune.

- On Wednesday 22 November 2023, M.N., a young domestic worker aged 17, was gang-raped by a group of three young teenagers, Rodrigue Irakoze (18), Fiacre Irakoze (18), and Bonfils Cubahiro (15) in the Kanyenkoko district in the commune and province of Rumonge (south-west Burundi).

According to local sources, the victim went to the home of one of these young men at his invitation. In the end, the visit turned ugly as the three young men successively raped her after having immobilised her, and took care to film the horrific scene, as evidenced by a video that has been circulating on social networks.

²⁴ Islamic Community of Burundi.

²⁵ Volontari Italiani Solidarietà Paesi Emergenti (Italian Volunteers for Solidarity in Emerging Countries).

SOS-Torture Burundi subsequently learned that Rodrigue Irakoze and Fiacre Irakoze were sentenced by the Rumonge High Court on 24 November 2023 in a flagrante delicto trial to 30 years' principal penal servitude for rape and cybercrime committed against a young girl aged over 17. The two young men will also have to pay 10 million Burundi francs in compensation to the victim and pay a fine of 500,000 to the public treasury.

Bonfils Cubahiro, for his part, benefited from a mitigating circumstance linked to his minority and was sentenced to 3 years in prison for the same offences. He will have to pay 5 million Burundi francs in damages to the victim, in addition to a fine of 40,000 Burundi francs to be paid into the public treasury. The mobile phone used by the perpetrators as a means of committing the cybercrime was seized, and the proceeds from its sale will be paid into the public treasury.

III. CONCLUSION

The year 2023 saw a continuation of the human rights violations that have prevailed since the crisis erupted in 2015. The positive rhetoric always used by the authorities, starting with the Head of State, about the Government of Burundi's respect for human rights only serves to conceal the many violations of human rights in a context of impunity and against a backdrop of the use of the judiciary to repress human rights defenders, journalists and opposition party activists.

The non-cooperation or poor collaboration of the Government of Burundi with international human rights protection mechanisms such as the Special Rapporteur on Human Rights or the Human Rights Committee, is a clear indicator of a lack of political will in the implementation of human rights promotion and protection instruments adopted and ratified by the State of Burundi.

As a result, human rights violations are increasingly becoming a mode of governance, sheltered from criticism by a silenced media and independent civil society, which further encourages impunity for the many violations identified in this report, especially when the alleged perpetrators are state agents or their accomplices among the young Imbonerakure of the ruling CNDD-FDD party.

It is against this backdrop that the new electoral process for 2025 and 2027 is evolving with the establishment of the new team of the Independent National Electoral Commission, without consensus between political partners, notably Agathon Rwasa's main opposition party CNL, whose activities have been improperly suspended since June 2023 by the Minister of the Interior, Community Development and Public Security.

The Government is therefore called upon to do its utmost to widen the democratic space and re-establish inclusive, frank and sincere dialogue with its political partners both within the country and in exile, with a view to creating sufficient conditions for appeasement and preventing the worrying human rights violations observed during the previous electoral processes of 2020 and especially 2015.

At the regional level, the government had to normalise relations with Rwanda and re-establish the movement of goods and people by favouring dialogue, in particular through the "*Enlarged Joint Verification Mechanism*" (EJVM) of the International Conference on the Great Lakes Region (ICGLR), which monitors and investigates transnational security incidents.

At international level, the same dialogue with Burundi's partners remains essential through international cooperation based on the promotion of the rule of law and good governance in all sectors of the country's socio-economic and political life, and on effective collaboration with regional and international human rights protection mechanisms.

IV. RECOMMENDATIONS

A. To the Government of Burundi

- Release all arbitrarily detained prisoners, including journalist Floriane Irangabiye from the online radio station "Igicaniro";
- To improve the socio-political climate by removing all obstacles to the exercise and enjoyment of the rights and freedoms recognised by the country's constitution and the instruments that Burundi has ratified, guaranteeing in particular freedom of opinion, association, the press, peaceful assembly, etc. ...;
- Expand democratic space by cancelling all politically motivated arrest warrants unjustly issued against real or presumed political opponents, human rights defenders and journalists;
- Rigorously apply the relevant provisions of the Code of Criminal Procedure by initiating investigations to identify and punish the perpetrators of crimes linked to the worrying phenomenon of abandoned bodies;
- Put a definitive end to the abuses of the Imbonerakure militia by stepping up the prosecution of certain members of the militia who are guilty of acts against the law;
- To encourage dialogue with Rwanda with a view to reopening the land borders in the interests of the respective populations of the two countries;
- Resume effective cooperation with international human rights protection bodies and allow investigations to continue into the crimes committed since 2015 and the visits to Burundi by the Special Rapporteur on the situation of human rights in Burundi.

B. To the countries of the East African Community

- Respect the rights of Burundian refugees in their own countries, in particular by refraining from turning them back or subjecting them to poor conditions with a view to forcing them to repatriate, in violation of the relevant international conventions;
- To relaunch the inclusive dialogue initiatives on the rehabilitation of the Arusha Agreement following the EAC Court ruling of 25 November 2021 invalidating the third term of office of the late President Pierre Nkurunziza, which was at the root of the 2015 crisis, the harmful effects of which are still being felt.

C. To the International Community

- Remain committed to the values and principles of human rights and good governance in the political dialogue with the Government of Burundi on the effective relaunch of cooperation;
 - To keep Burundi's cooperation with international human rights protection mechanisms, and in particular the UN Special Rapporteur on the situation of human rights in Burundi, on the dialogue agenda;
 - Maintain support for the mandate and work of the International Criminal Court (ICC) in Burundi, so that investigations can continue and prosecutions can be initiated in order to put an end to impunity in Burundi.
-