



HUMAN  
RIGHTS  
WATCH

# BURUNDI'S HUMAN RIGHTS CRISIS

Materials Published by Human Rights Watch  
April 2015 to July 2016



# **Burundi's Human Rights Crisis**

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April 2015 to July 2016

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JULY 2016

# Burundi's Human Rights Crisis

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<b>Map of Burundi's provinces .....</b>	<b>i</b>
<b>Glossary of Terms and Acronyms .....</b>	<b>ii</b>
<b>Introduction .....</b>	<b>1</b>
<b>Burundi: Gang Rapes by Ruling Party Youth.....</b>	<b>3</b>
July 27, 2016 – Press Release.....	3
<b>UN Committee Against Torture: Submission on Burundi .....</b>	<b>17</b>
July 13, 2016 – Part of a Special Review on Burundi during the 58th session of the CAT .....	17
<b>Burundi: Intelligence Services Torture Suspected Opponents .....</b>	<b>25</b>
July 7, 2016 – Press Release.....	25
<b>Interactive Dialogue on the High Commissioner's report on Burundi .....</b>	<b>39</b>
June 29, 2016 – Statement delivered at the United Nations Human Rights Council under Item 10 .....	39
<b>Dispatches: Students Jailed for Doodling in Burundi .....</b>	<b>40</b>
June 20, 2016 – Dispatch .....	40
<b>Burundi: Government Investigations Ignore State Abuses .....</b>	<b>42</b>
April 13, 2016 – Press Release.....	42
<b>Killings, abductions and torture spread fear in Burundi.....</b>	<b>49</b>
April 13, 2016 – Interview with Carina Tertsakian, Senior Researcher .....	49
<b>Oral Intervention – Enhanced Interactive Dialogue on Burundi .....</b>	<b>53</b>
March 22, 2016 – Statement delivered at the United Nations Human Rights Council under Item 10 .....	53
<b>Burundi: Abductions, Killings Spread Fear .....</b>	<b>55</b>
February 25, 2016 – Press Release .....	55
<b>Dispatches: Pulling Burundi Back from the Brink? .....</b>	<b>72</b>
January 20, 2016 – Dispatch .....	72

<b>Human Rights Watch Statement – Human Rights Council Special Session on Burundi.....</b>	<b>73</b>
December 17, 2015 – Statement.....	73
<b>Dispatches: Fresh Attempts to Muzzle Free Speech in Burundi.....</b>	<b>75</b>
December 1, 2015 – Dispatch .....	75
<b>Joint NGO Statement Urging Coordinated Global Response to the Escalating Human Rights Crisis in Burundi.....</b>	<b>77</b>
November 12, 2015 – Joint Statement.....	77
<b>Burundi: President’s Speech Instills Fear as Killings Increase .....</b>	<b>78</b>
November 11, 2015 – Press Release .....	78
<b>Burundi’s Descent into Lawlessness .....</b>	<b>90</b>
November 7, 2015 – Dispatch .....	90
<b>Joint letter to Permanent Representatives of Member and Observer States of the UN Human Rights Council addressing the deteriorating human rights situation in Burundi.....</b>	<b>92</b>
September 2, 2015 – Joint Letter.....	92
<b>Burundi: Spate of Arbitrary Arrests, Torture .....</b>	<b>95</b>
August 6, 2015 – Press Release.....	95
<b>Rumours and violence are fuelling the uncertainty in Burundi .....</b>	<b>107</b>
August 5, 2015 – Op-ed published in <i>The Guardian</i> .....	107
<b>Burundi: Leading Human Rights Defender Shot.....</b>	<b>109</b>
August 4, 2015 – Press Release.....	109
<b>Dispatches: Elections Begin in Burundi in a Climate of Fear.....</b>	<b>111</b>
June 30, 2015 – Dispatch .....	111
<b>Burundi: Deadly Police Response to Protests.....</b>	<b>113</b>
May 29, 2015 – Press Release .....	113
<b>Dispatches: A Country in the Dark, a Nation Confused.....</b>	<b>125</b>
May 15, 2015 – Dispatch .....	125
<b>Dispatches: How Far Will Burundi’s President Go to Crush Opposition? .....</b>	<b>127</b>
May 5, 2015 – Dispatch .....	127
<b>Burundi: Crackdown on Protesters.....</b>	<b>129</b>
April 27, 2015 – Media Advisory.....	129

## Map of Burundi's provinces



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## Glossary of Terms and Acronyms

<b>API</b>	Support for the Protection of Institutions ( <i>Appui pour la protection des institutions</i> ), the police unit responsible for guarding state institutions in Burundi.
<b>APRODH</b>	Association for the Protection of Human Rights and Detained Persons ( <i>Association pour la protection des droits humains et des personnes détenues</i> ), a Burundian human rights organization.
<b>BAE</b>	<i>Brigade anti-émeute</i> , the police anti-riot brigade.
<b>BSR</b>	Special Research Office ( <i>Bureau spécial de recherche</i> ), a police detention center in Bujumbura.
<b>CNDD-FDD</b>	National Council for the Defense of Democracy-Forces for the Defense of Democracy ( <i>Conseil national pour la défense de la démocratie-Forces pour la défense de la démocratie</i> ), currently the ruling party in Burundi.
<b>FNL</b>	National Liberation Forces ( <i>Forces nationales de libération</i> ), a former rebel group that became a political party in 2009.
<b>FOREBU</b>	Republican Forces of Burundi ( <i>Forces républicaines du Burundi</i> ), an opposition group.
<i>Imbonerakure</i>	The CNDD-FDD youth league.
<b>MSD</b>	Movement for Solidarity and Democracy ( <i>Mouvement pour la solidarité et la démocratie</i> ), an opposition party.
<b>OPJ</b>	<i>Officier de police judiciaire</i> , judicial police officer.
<b>RED-Tabara</b>	Resistance for a State of Law in Burundi ( <i>Résistance pour un État de Droit au Burundi</i> ), an opposition group.
<b>RPA</b>	African Public Radio ( <i>Radio publique africaine</i> ), a private Burundian radio station.
<b>RTNB</b>	National Radio and Television of Burundi ( <i>Radio Télévision Nationale du Burundi</i> ), the state broadcaster.
<b>SNR</b>	National Intelligence Service ( <i>Service national de renseignement</i> ).

**UPD-Zigamibanga** Union for Peace and Development (*Union pour la paix et le développement*), an opposition party.





# **Burundi's Human Rights Crisis**

## **April 2015 to July 2016**

### **Introduction**

April 2015 marked the start of a political and human rights crisis in Burundi that has claimed several hundred lives. In late April 2015, public demonstrations broke out in response to President Pierre Nkurunziza's decision to seek a controversial third electoral term. The Burundian police used excessive force and shot demonstrators indiscriminately. After a failed coup d'état by a group of military officers in May, the Burundian government intensified its repression against suspected opponents and suspended most of the country's independent radio stations. By mid-2015, almost all Burundi's opposition party leaders, independent journalists and civil society activists had fled the country after receiving repeated threats. Those who remained did so at great risk.

After a disputed presidential election returned Nkurunziza to power in July, violence escalated in the second half of 2015, with targeted killings – including of high profile government and opposition figures –, deadly police search operations, abuses by members of the ruling party youth league, and attacks by armed opposition groups against members of the security forces and the ruling party. Grenade attacks in the capital, Bujumbura became increasingly frequent. The authorities arrested and detained large numbers of suspected opponents, in many cases arbitrarily and unlawfully. Torture by the intelligence services and the police became widespread and extremely brutal.

In early 2016, following international condemnation of the situation in Burundi, some of the abuses became more covert, with an increase in abductions, enforced disappearances, and unexplained deaths. Several military officers and soldiers have also been killed. Distrust and suspicion have caused deep divisions in the army.

There has been almost total impunity for these crimes. Burundi's already weak justice system suffers severe interference by the ruling party. Very few members of the security forces or other state agents have been brought to justice for killings, torture or other abuses. Suspected government opponents – including some who may have committed crimes – have been arrested and held for prolonged periods in unlawful detention. Others have been tried and convicted in unfair trials. Yet others have been shot dead, without any form of judicial procedure.

More than one year later, several independent radio stations remain off the air and many civil society organisations are unable to operate after the government suspended their activities or froze their bank accounts. An estimated 270,000 Burundians have sought refuge in neighboring countries. Many people in Burundi are living in fear, amidst continuing killings, abductions and torture.

Human Rights Watch has documented the shifting patterns of human rights abuses in Burundi since the crisis erupted, interviewing many victims and first-hand witnesses of abuses, as well as Burundian authorities and other actors. This publication brings together Human Rights Watch's reports, press releases, opinion pieces and recommendations on the human rights situation in Burundi issued between April 2015 and July 2016.

Human Rights Watch has also produced two videos:

- “Burundi: Killings, Abductions, Political Violence Plague Capital”, April 12, 2016, <https://www.hrw.org/video-photos/video/2016/04/12/burundi-killings-abductions-political-violence-plague-capital>
- “Police abuses exposed during Burundi protests”, June 16, 2015, <https://www.hrw.org/video-photos/video/2015/06/16/police-abuses-exposed-during-burundi-protests>

All Human Rights Watch's material on Burundi, including material published before April 2015, is available on the organization's website:

<https://www.hrw.org/africa/burundi>

## **Burundi: Gang Rapes by Ruling Party Youth**

*Attacks by Members of Youth League, Police on Relatives of Perceived Opponents*

**July 27, 2016 – Press Release**

Members of [Burundi](#) ruling party's youth league, the *Imbonerakure*, have repeatedly gang-raped women since a wave of political protests began in 2015. Many of the rapes appear to have been aimed at family members of perceived government opponents. Policemen or men wearing police uniforms have also committed rape.

In a pattern of abuse in many locations and in several provinces, men armed with guns, sticks, or knives have raped women during attacks on their homes, most often at night. Male family members, some of them members of opposition parties, were also targeted and some killed or abducted. Survivors reported both immediate injuries and longer-term consequences, including sexually transmitted infections, unwanted pregnancies, anxiety, and depression. Women have not been safe from rape in refugee camps, and services to assist them are inadequate and need to be better funded. Tanzanian police working in the camp should ensure they fully investigate all rape cases.

“Attackers from Burundi's ruling party youth league tied up, brutally beat, and gang-raped women, often with their children nearby,” said [Skye Wheeler](#), women's rights emergencies researcher at Human Rights Watch. “Many of the women have suffered long-term physical and psychological consequences.”

Human Rights Watch interviewed more than 70 rape victims in May 2016, in the Nduta refugee camp in western [Tanzania](#). Nduta is one of three Tanzanian camps sheltering 140,000 Burundian refugees.

Dozens of women said they were raped in or close to their homes. Fourteen said they recognized at least one of the attackers as an *Imbonerakure*. In some other cases, they said the rapists wore police uniforms. In other cases, they could not determine who the attackers were.

A 36-year-old woman said she was raped in the Mutakura neighborhood of Bujumbura, the capital, in October 2015: “I was held by the arms and legs. [An attacker] said: ‘Let's kill her, she is an [opposition National Liberation Forces] FNL wife’ as they raped me.”

Three *Imbonerakure* raped her, she said, one of whom she said she recognized from his patrols in the neighborhood. *Imbonerakure* had verbally harassed her husband, an FNL member, during visits to their home on several occasions before the attack during which the men took him away. His body was found in a nearby ditch the following day. Like many others Human Rights Watch interviewed, the victim said she still has trouble sleeping and has flashbacks of the attack.

In some cases, rape appeared to be used to try to deter people from fleeing Burundi. Six women said they were raped on the Burundian side of the Tanzanian border by people they believed to be *Imbonerakure* or knew to be Burundian police, between mid-2015 and early 2016. The attackers ordered the victims to return home, or verbally harassed them for attempting to leave. Sixteen others who tried to leave reported extortion, beatings, verbal harassment, or detention by *Imbonerakure* or police. Other rapes may have been opportunistic.

Human Rights Watch wrote to the president of the ruling party, Pascal Nyabenda, on July 12, 2016, seeking his response to allegations of rape by *Imbonerakure*, but did not receive a reply.

Many women fled Burundi immediately after they were raped, before they were able to get emergency medical services. Human Rights Watch found that in many cases women were not identified as rape victims when they arrived at humanitarian transit camps on the Tanzanian side of the border and so did not get emergency care for HIV exposure or emergency contraception, which are among World Health Organization [minimum standards for post-rape care](#).



*Burundian refugees gather on the shores of Lake Tanganyika in Kagunga village, Kigoma, in western Tanzania on May 17, 2015. © 2015 Reuters*

One woman who did not receive such emergency care became pregnant from the rape. Another found out later she was HIV positive. Both said there was no obvious way to report the rapes at the transit camps. Humanitarians told Human Rights Watch that they were continuing to train staff at the border points, had stockpiled drugs at the border, and were trying to increase the number of female staff there, to encourage women to report sexual violence.

People who fled to Tanzania are not safe from sexual violence in refugee camps, where the numbers of rapes are alarmingly high, including of children. Women and girls have been raped both inside the camps and in areas outside where they collect firewood or goods for market, often as many as three or four cases a week. Women said the attackers included both other Burundian refugees and Tanzanians. Humanitarians told Human Rights Watch they are concerned about high numbers of rapes of children.

Victims said that aid groups providing services in the camps do not provide adequate psychological services and trauma care. The Office of the United Nations High Commissioner for Refugees (UNHCR) reported that donor countries [have provided less than 40 percent](#) of funds requested in aid to Burundi refugees in Tanzania.

From May through September 2015, 323 (264 women and 59 girls) reported cases of rape or sexual assault that occurred in Burundi, including as they were trying to flee, to humanitarians in Nyaragusu, the first and biggest refugee Tanzanian camp hosting Burundians, according to UNHCR. UNHCR said that of all incidents reported from June to October 2015, according to the women, 16 were allegedly perpetrated by the police and 177 were allegedly perpetrated by other members of the security forces or *Imbonerakure*.

Over 170 people have reported rapes in Burundi or during their flight to humanitarians in the two newest Tanzanian camps, Nduta and Mtendeli, since they opened late last year, according to UNHCR. It is possible that some women may have reported rapes twice if they moved from Nyaragusu to the newer camps. Reported rape cases may only represent a percentage of the total. Medical staff of aid organizations told Human Rights Watch they believe many women do not report rape unless they seek treatment for continuing medical problems.

Some women interviewed described tense relations between Tutsis and Hutus in the camp and often between or within families. Some said they feared possible attacks from *Imbonerakure* whom they claimed were in Nduta to target and harass people. Human Rights Watch did not verify these claims.

UNHCR funds Tanzanian police in the refugee camps. The police station in Nduta camp is staffed by least three female police who work at a “gender desk” that encourages women to report abuse. Several interviewees said they appreciated efforts by Tanzanian police, including detaining alleged perpetrators, although sometimes only for short periods.



In other cases, however, women said the Tanzanian police did not seem interested in finding those responsible if the women had been attacked outside Nduta camp, or had not seriously tried to arrest attackers in the camp. A legal assistance organization, the Women's Legal Aid Center (WILAC), which works in Nduta, said that five people have been officially charged with rape since Nduta opened in October. Four were found not guilty, and one case was ongoing in late May. There have been two convictions for domestic violence.

Abortion services are only [legally available in Tanzania](#) to save a woman's life. This highly restrictive law means that women pregnant as a result of rape are forced to have the children. Medical service providers should use the ban's exception to the greatest extent possible and should consider whether a woman choosing a dangerous illegal abortion or committing suicide as a result presents a risk to life. The Tanzanian government should change its laws to make abortion available to all women, or at a minimum, to rape victims.

In 2015 and 2016, [Human Rights Watch documented](#) how the Burundian police and intelligence services, along with *Imbonerakure*, targeted perceived opponents with [killings, disappearances, torture](#), and arbitrary arrests. President Pierre Nkurunziza should publicly denounce security force and *Imbonerakure* abuses and ensure that rapists and other abusers are held to account.

The UN Security Council should authorize a strong international police force for Burundi, including women officers, to deter abuses, including rape. The UN and countries that provide police should ensure that they have training and expertise in investigating these crimes, and that providing security and support to survivors of sexual violence is among their priorities.

The UN Security Council should urgently set up an independent, international commission of inquiry with judicial, forensic, and medical expertise, as well as expertise in investigating torture and sexual violence. The commission should produce a timely public report that includes recommendations on accountability, possible financial reparations for victims, and improved access to health services. The commission would build on the work of the Office of the High Commissioner of Human Rights and other UN and African Union initiatives in Burundi, and could contribute to the International Criminal Court's preliminary examination of the situation in Burundi.

Identification of victims of sexual violence at Tanzanian transit camps should be improved, including by increasing female staff and ensuring victims have a safe and confidential place to report rape. Rape victims should have access to post-rape care that meets World Health Organization standards, including, if needed, emergency HIV prophylaxis and contraception.

"More and more people globally are living in displacement, or as refugees, for increasingly long periods," Wheeler said. "In Tanzania, as elsewhere, aid groups, host

governments, and wealthier donor countries need to ramp up services provision to meet their obligations to protect the health and safety of rape victims and to ensure that their most basic rights are met.”

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## **Crisis in Burundi**

In April 2015, President Pierre Nkurunziza of Burundi announced that he would run for a third term, setting off a political and human rights crisis. Police [violently repressed demonstrations](#) and the government cracked down on perceived opponents and critics. Targeted killings and attacks by government forces and armed opposition groups escalated. By December, several hundred people had been killed. Serious abuses in Burundi, including torture and enforced disappearances, have continued throughout the first half of 2016.

Hundreds of thousands of Burundians fled to surrounding countries, most to Tanzania, where three refugee camps were set up, but also to Uganda, Rwanda, and the Democratic Republic of Congo. Human Rights Watch has not conducted research into rape of Burundian refugees in these other countries.

### **Rape by *Imbonerakure***

Burundi has a long history of rape, including during periods of conflict or political crisis. There are indications there may be high rates of this crime even in times of relative stability. In June 2015, for example, Centre Seruka, a Burundian organization that helps victims of sexual violence, said that between 120 and 130 victims of sexual violence sought help at their facilities each month. The majority were children.

The survivors interviewed said that in some cases, they had been raped by men they knew to be *Imbonerakure*, who sometimes worked with the police. Many could not identify their rapist by name, but believed they were raped because of a family member’s link to an opposition party or a grievance against their husband. The *Imbonerakure*, who are the members of the youth league of the ruling party, the Council for the Defense of Democracy – Forces for the Defense of Democracy (CNDD-FDD), are organized across Burundi, down to the local level, and have long been used to target government opponents. Their role in the repression has increased since April 2015.

More than 10 women interviewed said that local *Imbonerakure* had harassed them even before April 2015, although this worsened after Nkurunziza’s announcement that he would run again. Several women said that *Imbonerakure* had started carrying weapons and had taken on a more prominent security role in their villages or towns.

*Imbonerakure* known to victims, men in police uniforms, and unidentified armed men, some of whom accused the victims of supporting an opposition party or being married to an opposition supporter, were among those responsible for rapes or gang-rapes of 38



women interviewed by Human Rights Watch. In two cases, girls were gang-raped during attacks in or near their homes. The attacks, almost always at night, were by a group of men with guns, sticks, grenades, or knives. In the majority of cases, more than one man raped the victim.

In 23 cases, the victims did not recognize the people who attacked them, but said some of the men were dressed in ruling party T-shirts or police uniforms, which *Imbonerakure* sometimes wear. The victims said that *Imbonerakure* either had previously threatened family members, or that the attackers had attacked or asked for male relatives and made derogatory comments about their political beliefs.

Some women also said they believed their attackers were *Imbonerakure* because the group controlled the victims' neighborhoods and there were no other armed groups in their area. In one case, the attackers took a mobile phone, and in two other cases, they extorted money from the women, but robbery did not appear to be their main motivation.

In several attacks the women described, the attackers either killed a male family member or took him away. In three cases, the attackers beat a husband or other male relative. In four cases, the male relative fled at the beginning of the attack.

A group of *Imbonerakure* raped O.P.'s 8-year-old daughter after they attacked her family home, in Karusi province, in late April 2015. O.P. saw a local *Imbonerakure* leader enter the house with other men before she ran away, leaving her daughter behind. She returned to find her daughter sitting in bloody sheets. O.P.'s daughter told her that four men had raped her. O.P.'s husband left the country the following day because he feared the attack was directed at him. He had already been arrested twice and detained for short periods by local *Imbonerakure* for not joining the ruling party, O.P. said.

Several rapes reported to Human Rights Watch took place at the end of 2015, when human rights abuses escalated in Burundi, especially in Bujumbura.

N.B.'s husband, a policeman and member of the FNL, was shot dead while on duty. On December 13, 2015, N.B., 22, said, a group of *Imbonerakure* forced their way into her home, beat her with sticks, and two of them raped her. She said that men, who had told her they were *Imbonerakure*, had repeatedly forced their way into her home in the three months prior to the attack looking for her husband, verbally harassing her and accusing her of hiding him. In five cases, the women interviewed said the dead bodies of men who were abducted were found dumped near the site of the attack.

Others did not know the whereabouts of family members for many weeks. Seventeen-year-old S.W. did not know where her father was for months after her family was attacked in August 2015, in Bujumbura's Kinama neighborhood. Four *Imbonerakure*, dressed in ruling party T-shirts, dragged her to a banana grove near her house and raped her after other men in their group took away her father, a member of the opposition Movement for Solidarity and Democracy (MSD). A neighbor who was an *Imbonerakure* eventually told the family her father had been killed.

Women said that if the man wanted by the attackers was not there, they would demand to know his whereabouts and would sometimes tell the victim that they were raping her because they could not find the man. In nine cases, women said the men had fled before the rape took place, or had begun habitually sleeping elsewhere because of threats.

M.N.'s husband, she said, had been harassed for his membership in an opposition party since his family returned to Muyinga province in Burundi in 2012, from exile in Tanzania, and had begun sleeping in friends' houses for safety. In December 2015, a group of *Imbonerakure* told her neighbors to stay indoors and forced their way into her house. Two of them picked M.N. up from her bed, threw her on the ground, and raped her, she said. She recognized one of them as an *Imbonerakure*.

In three other cases, the rape took place weeks or months after a husband or other male relative had been killed or disappeared in an earlier attack.

In many cases, known *Imbonerakure* had threatened or attacked the targeted male member before the attack, often during daytime house visits. Women often continued to receive threats after a male relative was attacked and sometimes after the woman had been raped.

Eleven of the reported cases of rapes and other abuses took place in Bujumbura, mostly in Mutakura, Cibitoke, and Musaga neighborhoods, where police had clashed with protesters over President Nkurunziza's bid for a third term. However, similar attacks were reported in other locations. Many women in the refugee camps were from border areas such as Makamba, Ruyigi, and Muyinga provinces.

In some cases, the attackers' comments during the attacks, as well as harassment before and afterward, would appear to indicate that the leading motivation behind the abuses was political, connected to the victim's relatives being members of opposition parties. However, there may have been other motivations. Many of the women who had been attacked had returned to Burundi between 2010 and 2012, after living in Tanzania for many years. Many found themselves embroiled in land conflicts when they returned, with neighbors or other family members occupying their homes. In several cases, women said that the attacks by *Imbonerakure* appeared to be connected to long-standing disputes over land in their communities.

Some women believed ethnicity may have been a factor. Two Tutsi women said the attackers made ethnic slurs during the attack. Others believed the ethnic dimension was a more prominent factor in communities with few Tutsi families. Human Rights Watch did not ask interviewees for their ethnicity.

Some attacks may also have been linked to personal disputes or grievances. In July 2015, two men raped 33-year-old J.N. in Muyinga province, she said, while three *Imbonerakure* watched, including a local leader whose face she recognized. The men beat her husband

and then took him from the house during the attack. She said that she believes she was raped because she and her husband were FNL members, but also because her husband, a local neighborhood leader, reported carousing at a prostitute's house by some local men to the police and some of the men were arrested. J.N. reported that the men who attacked her said, "he stopped us from using their prostitute, so we're [having sex with] you instead."

### **Rape by Security Forces**

In several cases, groups of men who attacked homes included one or more men in police or army uniforms. These may have been members of security forces or *Imbonerakure*, who often dress in police or military uniform. Members of the police or army have also attacked and raped women. Human Rights Watch documented several cases in which police raped women.

A group of policemen, all in blue police uniform, visited and harassed 28-year-old F.P., she said, at her house in the town of Nyanza Lac three times – in April, July, and September 2015, when two of them raped her. In April, the policemen took some of her belongings and in July, they stole bank account documents that had belonged to her husband, who had been a soldier and peacekeeper in Somalia before he died there in 2014. Local *Imbonerakure* also harassed her frequently, saying her husband had only managed to get rich by bribing his way into peacekeeping posts.

Two women said they were raped in police detention. A 26-year-old local leader of an opposition party was detained for a night in a police station in late February 2016, after she was accused of holding political meetings and refusing to join the CNDD-FDD. A senior policeman working in the detention center raped her, she said.

Few women feel safe reporting rapes or other abuses to the police, especially in view of the close relationship between some *Imbonerakure* and the police. Many of those interviewed said they feared they would have been killed had they done so. Fear of further attacks as well as the desire to leave the country quickly also prevented women from seeking emergency health care in Burundi, including emergency contraception and post-exposure prophylaxis to prevent HIV infections.

Four soldiers took 27-year-old M.D. from her house in Kamenge, in Bujumbura, after they failed to find her husband, a MSD member who had been detained several times, in mid-December 2015. They held her for a day in the barracks in Kamenge, where two of the soldiers raped and beat her.

### **Rape, Harassment During Flight**

Women have been raped on both sides of the border as they fled to Tanzania, part of a broader pattern of harassment and extortion of people trying to leave Burundi.

Some of the rapes on the Burundi side appeared to be attempts by members of the security forces and *Imbonerakure* to prevent people from leaving Burundi. Burundian police raped H.S., 24, in mid-May 2015, when she tried to cross at an official border point in Kabonga, Makamba province. She said the men called her a dog and told her she was crazy to try to leave the country when there was no war. They beat her and dragged her to some bushes, where two of the men raped her before a group of soldiers intervened.

In another case, three men in police uniform raped R.N. in October 2015, in Makamba province on a path through the bush as she was about to reach the Muragarazi river on the border.

In other cases, women said that they were raped by unknown men. A group of men in the Murama village area of Muyinga province stopped a group of women trying to cross the border in August 2015, and demanded to know why they were trying to leave the country. Three of the men tied up B.K., 45, and her adult daughter and raped them. The men let them go, she said, after they promised not to tell anyone. Twenty-seven-year-old G.O. said two of a group of men in CNDD-FDD T-shirts raped her at night in the Gatwe area of Makamba province in late October 2015.

In some cases, rapes appear to have been opportunistic. Four women reported that they were raped on the Tanzanian side of the border by unknown men who spoke Kiha, a language local to the Kigoma area of Tanzania, or Kiswahili.

### **Lack of Services in Tanzania Transit Camps**

The border between Burundi and Tanzania is porous, with numerous crossings. Aid organizations have established a number of transit points and transit centers in Tanzania where refugees can register and receive food and shelter before being taken to refugee camps.

Human Rights Watch found that in the majority of cases, women interviewed who had been raped a few days before reaching transit camps were not identified as victims by staff there. Women said that they sometimes felt too shy to say they had been raped, especially if only male staff were present. Others said that the staff seemed too busy or that they did not report the rape because they were not asked.

As a result, unless women were quickly transported to a refugee camp, they missed an opportunity to access emergency HIV post-exposure prophylaxis, which must be taken within 72 hours of exposure, or emergency contraception, which should be administered within 120 hours. Of 20 victims interviewed who arrived at transit camps within the five-day window, aid workers identified only two as rape victims and referred them for urgent assistance. Five were lucky enough to get on a bus quickly to a camp, but 13 missed the window altogether, with some of them left in the transit camps for more than a week.

One became pregnant after a rape that took place less than 24 hours before she arrived at a transit center. Another who had been raped for the second time since 2015, while crossing the border, was not identified as a rape victim at a transit camp. She, like two other interviewees, later found out she was HIV positive. She did not know whether she contracted the virus during the first or second rape.

Aid workers have made efforts to put in place a system to identify rape victims at border crossings and to help them get care. It is not clear why the procedures are not always working. UNHCR told Human Rights Watch in a letter that aid workers at border points have been trained to screen new arrivals to try to find out if they have experienced sexual violence and if so, expedite their referral for emergency health care. The also said that border point staff coordinate with aid workers in the camps to help ensure victims receive care in the camps. UNHCR also said that in May and June 2016, they supplied staff of nongovernmental groups at border entry points with emergency HIV and contraceptive care.

The International Rescue Committee, which provides services at 10 border crossings, said in a letter that they had made specific efforts to increase their numbers of female staff in accordance with best practices so that female victims of rape feel more comfortable reporting it. However, the group said that because of security concerns in these isolated places, they struggled to retain female staff. It appears from the interviews that women found fewer barriers to reporting rape at Nduta than at border points.

While the primary responsibility to provide services rests with the government, in countries where the government is unwilling or unable to meet these needs and where UN agencies are operating, these agencies have a clear human rights obligation to ensure that urgent needs are met to fulfil basic rights to health and life.

### **Rape in Nduta Camp**

There have been many reports of rape in both Nduta and the older Nyaragusu refugee camp, further south, in the Kigoma area of Tanzania. Women, men, and children have been raped both inside and outside the camps. Tanzanian camp authorities and UNHCR have taken important steps to prevent rape but should do more to ensure protection, including through enforcing greater accountability for attackers. To fully meet their obligations, humanitarians will need to be better funded.

Human Rights Watch was especially concerned to find that large numbers of children have been raped in Nduta. Human Rights Watch interviewed three girls under 18 and the close relatives of five other children, all under 12, including three under 5, who had been raped since the camp opened in October 2015.

Eight women or girls interviewed had been raped outside the camp, while collecting firewood or buying produce to sell in Nduta market. No one was arrested and the attackers have not been identified. Two 11-year-old girls were raped in the same incident

in February 2016, by men they believed were Tanzanian who chased a group of children collecting firewood behind the police station, about a 10-minute walk from the camp. No one has been arrested, and a parent of one of the girls said that the police did not go to the nearby village to investigate.

Rape of women outside of refugee camps occurs in many displacement sites in the region. However, in Nduta, this appears to be only part of the problem. Human Rights Watch interviewed more women and girls who had been raped inside than outside the camp.

In April 2016, two young men raped 15-year-old F.N. in a tent in the camp. F.N. said that as a result, she has chronic hip and back pain and suffered trauma and depression. Her mother said she was afraid to report the case or seek justice, even though they know one of the rapists because she fears retribution from his family.

Similar fears led the parents of 4-year-old S.A. not to report the rape of their daughter by a 16-year-old boy, although in this case her parents were also concerned that the police would beat the boy, or his father. A 14-year-old boy raped another 4-year-old, D.C., who lived in a nearby tent, in early May 2016. The mother decided not to press charges as the father would likely be jailed in his son's place, which she thought would be unfair.

### **The Need for Greater Protection, Counseling Services in Nduta**

The Nduta police have not always made serious efforts to arrest rapists. For example, a church leader raped 27-year-old H.N. in January 2016, after he entered her tent to, he said, pray for her. H.N. told the police but the man has not been arrested. Camp zone leaders who work in close cooperation with the police told her that her rapist appeared to have magical powers of disappearance when they tried to find him. The man also threatened her after the rape. S.K., 15, made several trips to the police to report her rape in January 2016, and told the police where the rapist lived, but as of May he had still not been arrested.

The Tanzanian police, including those based in and around Nduta, should thoroughly investigate rapes both outside and inside the camp. They should actively encourage women to report rapes and work with women's groups to investigate, even if the victim cannot identify the attacker.

Human Rights Watch wrote a letter to the Tanzanian Ministry of Home Affairs on July 1, 2016, but did not receive a reply.

Tanzania has historically provided tens of thousands of refugees' legal residency, including [162,000 people between 2008 and 2010](#), and has allowed hundreds of thousands more to enter and stay in camps in Tanzania. However, Tanzanian authorities made tens of thousands of other [refugees return to Burundi in 2011 and 2012](#). Tanzania's current encampment policy restricts refugees' movements to four miles from the camp.

Because authorities sometimes punish refugees who break this rule, women raped further afield are afraid to report rapes.

More concerted efforts by the Tanzanian police to identify, investigate, and prosecute alleged perpetrators could help reduce rape in Nduta. Aid groups should also continue to support survivors with medical, including psychosocial, and legal services and monitor to protect victims and their families from revenge attacks. UNHCR and IRC should continue training for police as well as community meetings and advocacy by leaders to encourage reporting. UNHCR has provided the camp police with vehicles and motorbikes so they can patrol inside and outside the camp.

Together with the Tanzanian government, UNHCR oversees protection activities in all the refugee camps. However, Human Rights Watch found that victims were often unable to access UNHCR staff or had to wait for long periods for an appointment. In four cases, women said they had repeatedly visited the Nduta UNHCR office to request an appointment, but had been unable to make an appointment or told to go away. One was looking for assistance after her 4-year-old child had been raped in the camp. Another woman, who visited the UNHCR office in April 2016, said she had been given an appointment in June. UNHCR told Human Rights Watch in its letter that it is improving its protection counseling services and hope to expand them further, but that staffing shortages mean that such services are more limited in Nduta than, for example, in Nyaragusu.

Officials responsible for running the camp should continue to carry out concrete measures to reduce attacks on women, such as improving lighting in the camp and ensuring all latrines can be locked. Several women said that they urinated in plastic bottles cut in half to avoid using unlit latrines at night. Some had received solar lamps, but several had been stolen. Many women said that their personal belongings had been stolen from their tents, including medical documentation of rapes which would be important in efforts to seek justice.

UNHCR is working with Tanzania's Home Affairs Ministry on a pilot project to produce bio-mass briquettes as an alternative to firewood. The use of improved mud-stoves has been promoted in the camps. UNHCR told Human Rights Watch that group firewood collection times have also been established and daily security messages are shared in the camp through community outreach teams. IRC conducts weekly community campaigns to raise awareness about the dangers and how women and girls can minimize risk.

Some special efforts have been made by aid groups to protect children from rape, including establishing child protection groups, drop-off child care centers, and campaigns to raise awareness about the dangers of leaving children unattended.

Five women said they had seen the *Imbonerakure* who allegedly raped them, or other *Imbonerakure*, in the refugee camp. Two said the men had threatened them. Several Tutsi women also said that they felt unsafe because of their ethnicity and that other refugees harassed and insulted them. One woman said men had called her a "cockroach" – a term

used to insult Tutsi during the 1994 Rwandan genocide – and told her she should have fled to Rwanda instead. The woman reported the case to the police, who intervened. The men apologized and promised they would not insult her again.

It is not clear how UNHCR plans on tackling threats to security in the camp, but increasing efforts are being made, the agency said, to support efforts by refugees to improve their security. A more grassroots approach to prevention and response to rape could be effective, such as a [community-led effort](#) in the 1990s that used refugee “crisis intervention teams,” who identified rape victims, helped them access services, and worked within their communities to address risks.

IRC is engaging religious leaders and others to promote nonviolence and has initiated a large program with some 400 women and men to examine and change attitudes and practices.

The long term consequences of rape are often devastating. Only two women out of more than 70 interviewed said that they felt largely unchanged emotionally or physically since the rapes. The others described experiencing chronic problems they said were a result of the rape, including poor physical health, infections, and continuing problems with HIV and other sexually transmitted diseases. Women with HIV said that they were struggling to find enough nutritious food to stay healthy, and two said they were not able to maintain a regime of HIV prophylaxis medications because they could not get enough to eat.

A large proportion of the women said that they still felt pain in their hips, back or stomach and several women said they were struggling to carry water or perform other activities. They reported persistent problems with sleeping, waking up suddenly screaming in the night, and nightmares. Emotional pain, a feeling of disconnection from others including their children, self-disgust, and shame were common. Two women said that they feared that the rape has made them worse mothers. Women also reported constantly thinking about the rapes, experiencing reoccurring flashbacks of the rape or killings, depression, or feeling no peace or happiness. There was a widespread – and in Human Rights Watch’s view, an accurate – perception that not enough was being done to assist to rape victims, although many women did not know that psychosocial – mental health – care should be key parts of government or aid agency responses to rape and are included in all global standards.

Human Rights Watch spoke to five women who had become pregnant or had had children as a result of rape. In all cases, the pregnancy had brought discord. Women reported ambiguous feelings for the children and family problems. In some cases, the women’s husband had refused to accept the pregnancy or the child. In other cases, the husband had forbidden the woman to get an abortion. In two cases, women said aid staff told them they had a religious and moral duty to keep the child. In all cases, the women were not able to choose what is best for them and their families after suffering a gross human rights abuse, not least because of Tanzania’s highly restrictive abortion laws.



More services from aid agencies or the government are needed to provide ongoing case management for victims, especially psychosocial and psychological support. Women interviewed were grateful for counseling, legal, and other support from IRC, but they said it tended to be short-term and inadequate.

A handful of women interviewed had been invited to join an IRC women's basket weaving group, which they described as helpful. A large number said that they would love to participate in group activities. UNHCR and IRC told Human Rights Watch that group counseling sessions were initiated in May and that three groups are now meeting. This may help meet a great hunger for healing.

About half the women interviewed had one or two counseling sessions at the IRC center in the camp. Some women said they benefitted from confidential dialogue and would have liked more sessions but were not given further appointments. Instead, women were told they could return if they had problems – confusing for victims experiencing depression, chronic shame, or low self-esteem. Although some women received further counseling, this was generally not the case even for children or survivors who became pregnant from rape, contracted HIV, or faced domestic discord or abuse because of the rapes.

A lack of funding has restricted IRC's capacity to assist. IRC told Human Rights Watch that they have faced up to 90 new reported cases per month, in part because its outreach to tell women about their services and encourage women to report rapes had created a great demand for the services of the three people providing care. Some emergency cases are especially time-consuming. IRC is continuing to apply for more funds to increase services and has improved its system for prioritizing cases and hired refugees to provide support in less complicated cases.

Many women took advantage of other services provided by IRC, including accompaniment to the hospital and to police to report crimes and said these were extremely useful.

All the parents of the child survivors said their children were still affected by the rape, exhibiting withdrawal or moodiness. IRC has a child counseling room and in two cases had provided child survivors with long-term counseling support and space in their shelter. UNHCR said that targeted and comprehensive training on working with child survivors has been planned for IRC staff who already have general training, as has equipping IRC's child care room for play therapy. Aid organizations should ensure services are equally available to male victims.

Three of the women interviewed, including two children, had stayed in a small IRC shelter in the camp. But it only had space for five women at a time, and they are only meant to stay for a few days. Improving this service could present an important option for women facing domestic violence or other abuse in the camp.

# UN Committee Against Torture: Submission on Burundi

**July 13, 2016 – Part of a Special Review on Burundi during the 58th session of the CAT**

Human Rights Watch welcomes the opportunity to contribute to the United Nations Committee against Torture (“the Committee”) July 28 special review of Burundi.

This memorandum highlights areas of concern Human Rights Watch hopes will inform the Committee’s consideration of the Burundian government’s compliance with the International Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (“the Convention”). It proposes specific measures that we hope the Committee will recommend to the Burundian government.

This submission focuses on torture and ill-treatment by the Burundian state security forces and members of the youth league of the ruling party, the *Imbonerakure*, between April 2015 and June 2016.

During this period, Human Rights Watch also documented numerous extrajudicial executions, other killings, disappearances, and arbitrary arrests in Burundi, which are not described in this submission.

## **Torture by Intelligence Services and Police**

The Burundian intelligence services have a [long history](#) of torture, extrajudicial killings, arbitrary detention, and other human rights abuses against suspected government opponents, going back many years. However, torture and ill-treatment appear to have become more widespread, and torture techniques more brutal and frequent, following a failed coup in May 2015.

The Committee’s 2014 concluding observations on the second periodic report on Burundi on November 26, 2014 expressed concerns about “credible, corroborative and persistent reports of a large number of acts of torture and extrajudicial killings committed by members of the Burundian National Police and the National Intelligence Service.”

Throughout 2015 and the first half of 2016, the Burundian intelligence services (*Service national de renseignement*, SNR) have continued to use torture to force detainees to confess to alleged crimes, incriminate or denounce others, and to intimidate them. The majority of victims were suspected government opponents. These practices directly contravene Article 1 of the Convention and Article 251 of the Burundian Criminal Procedural Code. Members of the Burundian police and *Imbonerakure* have also committed serious abuses, often in collaboration with the intelligence services.

Human Rights Watch documented [more than 148 cases](#) of alleged torture or ill-treatment, mostly by intelligence and police officials, between April and July 2015 in four provinces and in the capital, Bujumbura. Since then, Human Rights Watch has talked to scores of other victims of torture and ill-treatment in 2015 and 2016, from nine provinces and Bujumbura. The actual number of torture and ill-treatment cases in Burundi in 2015 and 2016 is likely much higher than the sample Human Rights Watch was able to document and confirm.

Between April and June 2016, Human Rights Watch [interviewed more than 40 torture victims](#). Victims and other sources said that members of the security forces or intelligence services had hit people repeatedly and slammed gun butts into detainees' faces or limbs, in some cases breaking their bones or smashing their jaws so that some of their teeth fell out. SNR agents have also beaten detainees with steel construction bars, driven sharpened steel rods into their legs, tied cords to detainees' genitals and pulled them, used electric shock, and poured liquid on detainees, which burned them.

In early 2016, a justice official told Human Rights Watch confidentially that some detainees arrived at police detention centers with their teeth knocked out, bloody, swollen faces and in great pain. Some detainees were then beaten again by high-ranking national or provincial police officials with steel bars, rocks or bricks.

One victim described in mid-2016 how a police official pulled out his tooth with pliers, because he allegedly worked for "human rights".

Despite Burundi's Criminal Procedural Code guaranteeing detainees access to a doctor and legal assistance, lawyers told Human Rights Watch that the intelligence services prevented them from entering their headquarters in Bujumbura where people were detained.

In November 2014, the Committee noted that Burundi's Constitution prohibited torture, but were concerned that there were "numerous shortcomings of the organization and command structure of the country's security services, particularly the Burundian National Police (Police nationale du Burundi) and the National Intelligence Service (Service national de renseignement)."

Former detainees and a judicial official who had long-term access to the intelligence headquarters in Bujumbura confirmed to Human Rights Watch that the head of the SNR (*administrateur général*) is aware that torture is taking place. In addition, intelligence agents who report directly to him have frequently tortured perceived opponents in the SNR headquarters in Bujumbura and in SNR provincial offices.

Provincial intelligence agents and senior officials who suspect detainees possess information about hidden weapons or armed opposition activities have tortured them in provincial intelligence offices and frequently transferred them to Bujumbura for further torture or ill-treatment there.

One victim said a provincial intelligence agent smashed bones in his legs with a hammer in April 2016 and then sent him to the intelligence headquarters in Bujumbura where he spent 13 days. A judicial police officer questioned him and accused him of being an opposition member who allegedly helped combatants cross into Rwanda. Intelligence officials frequently assigned judicial police officers known to be loyal to the ruling party to question detainees suspected of collaborating with the opposition.

One 22-year-old student told Human Rights Watch that unidentified men arrested him in February 2016 in Bujumbura's Ngagara neighborhood and bundled him into a truck. The student believed they were intelligence agents. As they drove off with him, one of the men said to him: "Turn over the weapons that you have." They stomped on his chest as he lay in the back of the truck and asked him about the identity and whereabouts of others in his neighborhood. They ordered him to undress and told him: "When we hit you enough times, you will end up talking." They beat him on the legs and back with an electrical cable.

The victim attempted to escape but was caught. The perpetrators sliced him on the chest with a hot knife and asked him questions about the location of hidden weapons and the people who allegedly had guns in the neighborhood. When the man was unable to respond, they pushed a sharpened steel bar into his leg until he passed out.

In March 2016, a taxi driver in his early 30s said someone knocked on the door of his house. When he opened it, an unidentified man was standing in front of him, pointing a gun at his head. Three pickup trucks escorted the taxi driver to a military position in Bujumbura. The perpetrators tied his arms behind his back and tied his legs, then tied his legs to his hands. The men hung him from a nail in the wall and beat him, while telling him to hand over the weapons he allegedly possessed.

The taxi driver estimated that the soldiers suspended him for three hours, then took him down and beat him for several more hours. They told him to reveal the location of hidden weapons. The next day, they took him to the SNR headquarters in Bujumbura, where an agent said: "That dog [name withheld] has returned." An SNR agent made him lie down on his stomach in a gutter and beat him with a thick stick on his feet and rear end. Then another person poured liquid on him. He said: "I felt like I was burning. I begged them to kill me. They said: 'You, you criminal, you are going to die slowly.'"

He said he was beaten twice more. He was in such pain he asked to be killed again. A policeman who worked at the SNR told him: "Who would dirty themselves with your blood?" The taxi driver said he can no longer sit down because of his injuries.

Several former detainees said they were locked in a small toilet room at the SNR headquarters in Bujumbura. Others said they stayed locked in cells for long periods. An official with access to the SNR said that senior intelligence officials, demobilized rebel

fighters, and *Imbonerakure* members beat detainees and hid them from international monitors.

The Burundian Criminal Procedure Code in article 34 states that detainees can be held for a maximum of seven days, renewable only once, before judges decide whether they should be provisionally released or remain in detention. A delay of seven days after detention appears to violate article 9 (3) of the International Covenant on Civil and Political Rights that states all detainees should be brought before a judge or equivalent “promptly.” In any event, this period is routinely disregarded, with many detainees held in police or SNR custody for longer than the maximum period provided by the law, and with no due process.

### **Abuses by *Imbonerakure***

The ruling party and intelligence services have often used *Imbonerakure* members to identify suspected government opponents. Despite having no legal powers of arrest, some *Imbonerakure* have frequently arrested people, beaten them, and handed them over to intelligence agents who tortured some of them.

Victims in several provinces told Human Rights Watch in 2015 that *Imbonerakure* hit them with sticks and clubs, forced them to roll in muddy pits, and punched them in the face. *Imbonerakure* often handed those they arrested directly to intelligence officials, who transferred them to the SNR offices.

A former detainee said an intelligence agent interrogated him in February 2016 while an *Imbonerakure* dripped melting plastic on him. They also used pliers to cut his genitals, while an *Imbonerakure* told him: “You will end up revealing the secrets of [opposition leader Alexis] Sinduhije.”

Residents from some provinces told Human Rights Watch that *Imbonerakure* often gave orders to the police and that low-level police appeared powerless to stop *Imbonerakure* abuses.

In one northern province in early 2016, *Imbonerakure* told a policeman who asked them why they were beating a man: “What are you doing here? Get out of here!” The policeman left. *Imbonerakure* beat the victim with cables that resembled fiber optic cables. A pickup truck belonging to the SNR provincial commissioner arrived and four policemen put the man in the back. The policemen beat him as he was driven to the SNR office, where a senior official accused him of collaborating with the armed opposition.

## Events of December 11, 2015

On December 11, 2015, armed opposition members attacked four military installations in and around Bujumbura. From about 8 a.m., police and military pursued the alleged attackers into Nyakabiga and Musaga, two of the Bujumbura neighborhoods where there were widespread demonstrations against Nkurunziza's third term in 2015. In both neighborhoods, armed opponents engaged the security forces in a sustained gun battle.

After the gun fight, police and military forced their way into some homes and accused residents of having weapons and harboring opposition fighters. Residents recognized some *Imbonerakure* wearing police uniforms. Soldiers from Camp Muha and Camp Muzinda, two large military camps in Bujumbura, provided reinforcements.

One man told Human Rights Watch that he heard someone yell at him to come out of his house. Outside, he saw almost a dozen police from the unit responsible for guarding state institutions (*Appui pour la protection des institutions*, API). Three of them had machine guns, three had rocket launchers and others had Kalashnikovs with grenades. Some had what looked like an ax a butcher might use. They were drunk. He said:

“They made us lie down on our backs and spread our arms and look at the sun. One of them cocked his gun and put it to my temple. Then he asked another (if he should kill me). I thought I was finished. Another said: “Wait.” Then another one came and cut me (on my arm) with an ax. I had a wide wound and blood was shooting up like this into his face. I said: “You’re killing me! You’re killing me!” He said: “I didn’t know it was so sharp.”

On the same day, a 39-year-old man from Musaga left his house during a lull in the gunfire. *Imbonerakure* in police uniforms cut him on the head with a bayonet and he lost consciousness. Police from the API and the anti-riot brigade (*Brigade anti-émeute*, BAE) tied him up and made him and some of his neighbors lie down on their backs. The police were drinking beer, and when they finished, they balanced the bottles on the men’s throats. The victim said: “When the bottle fell, they either kicked us or hit us with their gun butts. It was a form of punishment. They knew good and well that when you are tied up and looking at the sun, you can’t hold out. Men came and kicked me. All of them kicked me like it was a game of soccer.”

Scores of people were killed and many others seriously injured on December 11 in what was the [single deadliest episode](#) since Burundi’s crisis began in April 2015. The Prosecutor General, Valentin Bagorikunda, set up an inquiry into the December 11 events on December 17, 2015. Summarizing the inquiry’s main conclusions on March 10, 2016, he did not mention killings or abuses of Bujumbura residents by the security forces. He claimed that those killed on December 11 were armed “combatants” wearing police or military uniforms.

## Impunity for SNR and Police Torture

In 2014, the Committee noted with concern the “slow pace and limited scope of the investigations and judicial proceedings” and found it “regrettable that no information about cases that have gone to trial or the outcome of those trials has been forthcoming”. Human Rights Watch is not aware of any intelligence agents who have been arrested, prosecuted or convicted for torture since the crisis began in 2015.

Judicial officials, lawyers and human rights activists told Human Rights Watch that SNR and ruling party officials continued to heavily influence judicial decisions and overrule decisions by prosecutors and others. Cases involving opposition party members were often allocated to judicial officials known to be sympathetic to the ruling party.

This lack of independence in Burundi’s judicial and prosecutorial system contravenes Article 12 of the Convention. Human Rights Watch is not aware of any torture victim who has been compensated or received redress for their treatment. This violates Article 14 of the Convention.

A high-ranking justice official who spoke anonymously for fear of reprisals said: “The *Imbonerakure* arrest people and take them to the police after beating them and injuring them seriously. Instead of taking them to the hospital, the police imprison them because of political pressure.”

Another senior justice official said that in some cases, ruling party members controlled the fate of detainees and gave orders to the police to fabricate accusations against certain people. Some prosecutors collaborated with intelligence agents to determine what charges to file against individuals arrested by the SNR or by *Imbonerakure* and whether to keep them in detention.

The same justice official told Human Rights Watch: “The justice system is not independent. Judicial authorities can’t act independently according to their conscience. We can release someone, then we get a call immediately and [ruling] party members give an order. When *Imbonerakure* arrest people, we watch powerlessly. We can’t do anything about it.”

The *administrateur général* of the SNR reports directly to President Pierre Nkurunziza.

The police reports to the minister of public security, Alain Guillaume Bunyoni. Despite numerous cases of police torture, ill-treatment and other abuses documented by Human Rights Watch and other organizations, Bunyoni wrote, in a letter to Human Rights Watch in June 2016, that it was “unthinkable” that police could have tortured or ill-treated detainees and that it would be a “serious error to assert gratuitously” that the police arbitrarily arrested, tortured, or ill-treated suspected government opponents. He denied

categorically that the police collaborated with the *Imbonerakure*. He said that the police received human rights training.

However, the minister conceded it would be “illusory” to claim that police never make mistakes and wrote that more than 70 police officers had been prosecuted since 2015, some for “abuses committed during the management of the insurrectional movement” before and after the 2015 elections and others for common crimes. He did not provide details of these prosecutions.

### **Recommendations:**

1. The Burundian authorities should urgently investigate torture and ill-treatment at the SNR headquarters in Bujumbura and in provincial SNR detention facilities, as well as in police custody. Intelligence agents and police officials involved in ordering, supervising or carrying out torture and ill-treatment should be immediately suspended and investigated, and where there is sufficient evidence, prosecuted for these crimes. The Committee should ask the Burundian authorities for specific information on the progress of these investigations. The investigations and prosecutions should be fully independent of the individuals being investigated and of their chain of command.
2. The Burundian authorities should cooperate with international investigations into serious human rights abuses in Burundi, including any international commission of inquiry that might be set up by the UN.
3. The Burundian government should accept the deployment of a substantial international police presence in Burundi, with a strong protection mandate.
4. The Burundian authorities should develop a robust, independent National Preventive Mechanism (NPM) as set out in the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. The NPM should include members of civil society and government officials who would regularly visit detention facilities and make recommendations to Burundian authorities.
5. The Burundian authorities should seek the assistance of the UN Office of the High Commissioner for Human Rights and humanitarian agencies to identify victims of torture and ill-treatment who need medical assistance, and provide the necessary assistance, including specialized medical care outside their detention site.
6. The Burundian authorities should allow detainees regular access to lawyers at all intelligence, police, and other detention facilities across the country.



7. UN and African Union human rights observers in Burundi should intensify their visits to SNR and police detention facilities to deter and document torture. They should publish frequent detailed reports on their findings, including on any attempts by the authorities to obstruct or restrict their full access to detention centers.

## Burundi: Intelligence Services Torture Suspected Opponents

### *Dismiss and Prosecute Officials Responsible*

July 7, 2016 – Press Release

[Burundian](#) intelligence services have tortured and ill-treated scores of suspected government opponents at their headquarters and in secret locations, Human Rights Watch said today. Police and members of the ruling party's youth league, the *Imbonerakure*, have also committed serious abuses, often in collaboration with the intelligence services.

Agents of Burundi's national intelligence service (*Service national de renseignement*, SNR) have increasingly been responsible for torturing alleged opposition sympathizers taken into custody. They have beaten detainees with hammers and steel construction bars, driven sharpened steel rods into their legs, dripped melting plastic on them, tied cords around men's genitals, and used electric shocks. Detainees who were tortured or injured have been denied medical attention and many have been held in stinking, windowless cells.



*A Burundian artist's drawing of a fictional case of policemen and an intelligence agent torturing a detainee.*  
© 2016 Private

“Politically motivated torture by the Burundian intelligence services has reached new levels and has become increasingly vicious,” said [Daniel Bekele](#), Africa director at Human Rights Watch. “Intelligence agents treat suspected opponents horrifically because they know they can get away with it. The government should call a halt to torture immediately.”

The United Nations Security Council should deploy international police to Burundi with a strong protection mandate and set up an international commission of inquiry to investigate torture and other grave abuses, Human Rights Watch said.

Since April, 2016, Human Rights Watch has interviewed more than 40 torture victims from nine provinces and the capital, Bujumbura. Some were interviewed outside the country. Torture and ill-treatment appear to have become more widespread, and torture techniques more brutal, following a failed coup in May 2015 and several grenade attacks on bars by unidentified men in Bujumbura and elsewhere since early 2016. While it is difficult to ascertain the full scale of the abuses, the number of people tortured by intelligence agents across the country is most likely much higher than the number of cases Human Rights Watch documented. The UN reported [651 cases of torture](#) in Burundi between April 2015 and April 2016.

For security reasons, Human Rights Watch is not making public the names of interviewees and other information. Intelligence officials told some detainees they would be killed if they spoke about their treatment and ordered others to lie or promise not to talk to human rights groups. Intelligence agents have followed and threatened people suspected of giving information to human rights groups.

Former detainees, including opposition party members, told Human Rights Watch that intelligence agents beat them with water pipes weighted with steel construction bars, often until they bled or had difficulty standing. One said that a policeman working at the SNR headquarters poured a liquid over his body that burned him so badly he begged to be killed. Another said an SNR agent smashed bones in his legs with a hammer. A former detainee said an SNR agent interrogated him while an *Imbonerakure* dripped melting plastic on him. They also used pliers to cut his genitals, while an *Imbonerakure* told him: “You will end up revealing the secrets of [opposition leader Alexis] Sinduhije.”

Detainees and others with knowledge of the SNR headquarters in Bujumbura’s Rohero neighborhood said that the compound has several unofficial cells where detainees who had been tortured were hidden from international monitors.

Police officials have also tortured and ill-treated detainees. A police officer used pliers to pull out the tooth of one detainee. The victim told Human Rights Watch: “[The police officer] said he would pull out a tooth every day until I admitted I worked for human rights. I was in so much pain, and there was lots of blood.”

Several young men said the police arrested them for no stated reason, provided no warrants and rarely observed arrest procedures, and then beat them.

The Burundian authorities should seek the assistance of the UN Office of the High Commissioner for Human Rights and humanitarian agencies to identify victims of abuse who need medical assistance, and provide the necessary assistance, including specialized medical care outside their detention site, Human Rights Watch said.

*Imbonerakure*, meaning “those who see far” in Kirundi, have also been responsible for numerous abuses across the country, Human Rights Watch said. *Imbonerakure* operating at two major border crossings between Burundi and Rwanda have openly arrested suspected opponents in front of police, military, and border officials and accused them of collaborating with Burundian opposition members living in Rwanda. Witnesses said that in some cases the *Imbonerakure* appeared to have more power than the police.

“Local residents say that no one dares confront the *Imbonerakure* because of their power and influence,” Bekele said. “The authorities have allowed the *Imbonerakure* to operate outside the law, so the government needs to take responsibility for their actions.”

In May, Human Rights Watch wrote to Etienne Ntakirutimana, the head of the SNR, who reports directly to President Pierre Nkurunziza, with questions about alleged abuses, but received no reply. However, the public security minister, Alain Guillaume Bunyoni, who oversees the police, sent a five-page reply in which he wrote that it was “unthinkable” that police could have mistreated detainees and that it would be a “serious error to assert gratuitously” that the police arbitrarily arrested, tortured, or ill-treated suspected government opponents. He denied categorically that the police collaborated with the *Imbonerakure*.

Armed opposition groups have also attacked security forces and ruling party members, including police and *Imbonerakure*. A high-ranking *Imbonerakure* told Human Rights Watch that more than 50 *Imbonerakure* had been killed across the country since April 2015, including at least four in grenade attacks in Bujumbura in May 2016. Human Rights Watch was unable to confirm these figures.

The UN Security Council should urgently set up an independent, international commission of inquiry and authorize the deployment of an international police force in Burundi, Human Rights Watch said. While coordinating with the Burundian police, the international police should maintain their independence and not provide assistance to the Burundian security forces.

The commission of inquiry should have expertise in criminal, judicial, and forensic investigations and conduct in-depth inquiries with a view to establishing responsibility for the most serious crimes. It should focus on torture by the intelligence services and the police, particularly the role of senior intelligence and police officials.

UN and African Union human rights observers in Burundi should intensify their visits to SNR and police detention facilities to deter and document torture. They should publish frequent detailed reports on their findings, including on any attempts by the authorities to obstruct or restrict their full access to detention centers.

In April, the International Criminal Court announced a preliminary examination of the situation in Burundi. Other countries should consider investigating and prosecuting through their national courts, under the principle of universal jurisdiction, Burundians found on their territory who are believed responsible for ordering and carrying out torture and other serious rights violations.

The facilitator of talks between Burundian political actors, former Tanzanian president Benjamin Mkapa, should give priority to human rights concerns. Mkapa should press all sides to stop committing rights abuses and call upon the government to stop torture by the intelligence services and the police.

“The Burundian government claims the national justice system is independent and that individuals who commit abuses are held to account. Authorities should prove this by investigating and prosecuting those responsible for the systematic torture taking place in Burundi today,” Bekele said. “But President Nkurunziza is ultimately responsible for the torture by the national intelligence services and police, so he should take appropriate action.”

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### **Torture, Other Abuses by the Intelligence Services**

The SNR has a long history of torture, extrajudicial killings, arbitrary detention, and other human rights abuses against suspected government opponents. Human Rights Watch has documented a [pattern of torture](#) by the SNR to compel detainees to confess to alleged crimes or to incriminate or denounce others.

These practices became more widespread, and torture techniques more brutal, following a failed coup d'état in May 2015. A source who had access to SNR facilities said that intelligence officials, in collaboration with *Imbonerakure*, began then to routinely torture suspected opponents in their custody.

Police officers and SNR agents arrested a police official in Bujumbura on June 25, 2015. Police beat him and several bystanders. They alleged the official had a grenade that he was going to “give to Tutsis to kill Hutus” and took him to the SNR headquarters, commonly known as *La Documentation*. The man told Human Rights Watch:

When I arrived at the *Documentation*, I was told to lie on the ground. They hit me on the rear end with a steel bar. They hit the soles of my feet. They danced on me. They were telling me I had weapons and a grenade that I was going to give to Tutsis.

On July 1, [Etienne Ntakirutimana, head of the SNR] came. He told me to come out of the cell. I showed him where I'd been beaten. He said: "You haven't been beaten. You will be seriously beaten now." He made fun of me. He said: "If you are a commando, everything that happens to you, you have to accept it. Even if you want to go to Rwanda and play around with [Rwandan President Paul] Kagame, the Hutu people will never be conquered."

The most stressful were the nights at the *Documentation*. They would take people out of the cells and torture them. I heard this. They took them in the courtyard and you'd hear the screaming. They would scream loudly. With time, it got quieter until [presumably] the person died. [Others] were almost handicapped after the beatings.

The SNR transferred the official to Muramvya prison on July 8, and he was formally charged with participating in the failed coup. He was convicted after a flawed trial. In January, the Supreme Court acquitted him and he fled the country. The Supreme Court appeals court later convicted him *in absentia* and sentenced him to life in prison.

On February 18, unidentified men arrested a 22-year-old student in Bujumbura's Ngagara neighborhood and bundled him into a truck. The student believed they were intelligence agents. As they drove off with him, one of the men said to him: "Turn over the weapons that you have." They stomped on his chest as he lay in the back of the truck and asked him about the identity and whereabouts of others in his neighborhood. He said:

They brought me to a house in Carama [in Bujumbura]. They had a key to the house and opened it. In the living room, there was a television and wooden chair. They took my clothes off. I was naked. They said: "When we hit you enough times, you will end up talking." They beat me with an electrical cable. They beat me on the legs and back with the cable. They said: "Speak!"

I saw I was going to die. I saw that I was already dead. They went out back; I don't know what they were discussing. That's when I tried to escape. I was going to jump over the fence, but one of them was waiting outside. He caught me. They burned me with a [hot] knife [after] I tried to escape. They brought the knife from outside the house. I could feel the heat on the knife. They cut me just once [on the chest].

The student said his captors continued to beat him and ask questions about the location of hidden weapons and the people who allegedly had guns in the neighborhood:

I told them I knew nobody, and I didn't even participate [in 2015 demonstrations against President Nkurunziza running for a third term]. When I didn't admit anything, that's when they used the sharpened steel bar. They went out back and got it. They pushed it into my leg with more and more force. When they pierced me with it, I lost consciousness.

The student woke up in a police detention center. He didn't know who took him there. He was released the same day.

A taxi driver in his early 30s said that in March someone knocked on his door. When he opened it, an unidentified man was standing in front of him, pointing a gun at his head. Three pickup trucks escorted the taxi driver to a military position in Bujumbura. He said:

They tied my arms behind my back and tied my legs, then they tied my legs to my hands. There was a nail in the wall, and because of the rope [around me] I was hung like a sack on a coat hanger. They beat me and injured my head and arm with a bayonet. They told me to hand over the guns.

The taxi driver estimated that the soldiers suspended him for three hours, then took him down and beat him for several more hours. They told him to reveal the location of hidden weapons. The next day, they took him to the intelligence agency office in Bujumbura.

When I arrived [at the SNR], they [SNR agents] said: "That dog [name withheld] has returned." [An SNR agent] took me to a gutter and made me lie down on my stomach and beat me with a thick stick on my feet and rear end. Then another person came and poured liquid on me. I felt like I was burning. I begged them to kill me. They said: "You, you criminal, you are going to die slowly."

He said he was beaten twice more. He was in such pain he asked to be killed again. A policeman who worked at the SNR told him: "Who would dirty themselves with your blood?" The taxi driver said he is no longer able to sit down because of his injuries.

Police arrested a 27-year-old man at his house in Bujumbura in February and took him to the SNR office in Bujumbura. He described his treatment:

When we were [at the SNR], they tortured me with a cable, the kind used to connect to a radio or television. There was no rubber on the cable. They wrapped it [high up] around my leg. They made me sit next to a socket where they plugged the cable in. They plugged it in and disconnected it, shocking me, while asking questions. They said: "Show us where the weapons are."

After a while, they changed. They wrapped the cord around my genitals and pulled on them while asking questions. They used the cord for longer, for 20 to 25 minutes.

With assistance from a guard, the man escaped.

Police from the unit responsible for guarding state institutions (Appui pour la protection des institutions, API) arrested a group of people at a bar on the outskirts of Bujumbura in late April 2016 and drove them to the intelligence headquarters in Bujumbura. A 40-year-old man who was arrested said:

We arrived around noon, but the trucks didn't enter directly. We spent an hour outside the *Documentation*. We learned afterward that the white people from ICRC [International Committee of the Red Cross] were inside and that's why they didn't want to take us there. We had to wait until they had left.

Several detainees who had been held at the SNR headquarters said they were locked in a small toilet room. An official with access to the SNR said that senior intelligence officials, demobilized rebel fighters, and *Imbonerakure* beat detainees and hid them from international monitors. The official said:

They were beaten in the cells or in the courtyard. There are people who are demobs [demobilized fighters], *Imbonerakure*. I don't know where they came from. Sometimes they were at the entrance, other times inside the courtyard. They did the torture. What really struck me was that they put [detainees] in the toilet. They were in the toilet for three days.

Police arrested a man in February in Bujumbura and immediately beat him with truncheons and gun butts. They told him to admit that he collaborated with the opposition leaders Alexis Sinduhije, Hussein Radjabu, and Godefroid Niyombare. They then took him to the SNR headquarters in Bujumbura. He said:

[An SNR agent] took me to a kind of hallway and handcuffed me and started to seriously beat me. There was a chair with iron sticking out of it and big rocks that held up the chair. They tied me to the chair with handcuffs. They beat me with a kind of cable. He said: "It's you who killed policemen. Whatever you do, we are going to rule." He took me to a small room, without a window. It was very dark. I couldn't tell if it was day or night. I was still handcuffed. I couldn't leave. I had to go to the bathroom inside the room. The first time they took me out, they gave me at least two hours so I could wash myself well.

On the seventh day, they took off the handcuffs and I went before the judicial policeman. When I was there, [two former opposition members who collaborate with the SNR] came in. They said they knew me. [Name withheld] added that you can't live in Musaga [a neighborhood of Bujumbura] without knowing what happens there. I was questioned seven times by different people who asked me where the weapons were hidden. Some SNR members said I wouldn't leave until I revealed where the weapons were hidden.

The official who had access to the SNR, as well as detainees tortured at its headquarters, said that SNR officials prevented some detainees who bore physical signs of torture from being taken to the prosecutor's office. A judicial official said that magistrates from the public prosecutor's office questioned tortured detainees at the SNR's premises in Bujumbura instead. The magistrates sent to do this were known to be loyal to the ruling party.



Intelligence officials have also assigned judicial police officers known to be loyal to the ruling party to question detainees suspected of collaborating with the opposition. Some of these judicial officers slapped or beat detainees during questioning. A former government official said a judicial police official at the SNR gave case files directly to a senior intelligence official to review instead of submitting them to the public prosecutor's office.

The Burundian Code of Criminal Procedure, article 34, states that detainees can be held for a maximum of seven days, renewable only once, before judges decide whether they should be provisionally released or remain in detention. Detainees should have access to a lawyer while at intelligence agency facilities, but lawyers told Human Rights Watch that the SNR prevented them from entering their headquarters.

In February, men in police uniforms arrested a 34-year-old man on the street in Bujumbura. Passersby who witnessed the arrest started yelling: "They are taking [name withheld]!" The man said a policeman in the truck pointed his gun at the crowd and the passersby fled. One of the arresting officers stabbed the man in the foot with a bayonet because, the officer said, he did not want the man to reveal that he had stolen his money and phone. The police took him to the intelligence services headquarters. The man said:

At the SNR, they seriously beat me with a steel rod all over my back and legs. When they were beating me, they asked me how many times had I talked to Sinduhije and accused me of being among those who throw grenades in the city.

About 4:30 p.m., they stopped beating me and took me to a cell with other people. During the night, they took me out of that cell and brought me to a very dark place, in a toilet. A person who was in there with me who was called [out of the cell] on Saturday about 9 a.m. When he came back about 4 p.m., his backside was like it was on fire. He had been beaten with a steel rod, and he couldn't sit down. He told us he had been hit 150 times.

I stayed [in the toilet room] for 10 days. On the tenth day, [guards] came and took me out of the dark cell and brought me to a judicial policeman and ordered me to tell him that I had just arrived.

Guards returned the man to the cell with other detainees.

[I was at the SNR] when the magistrate came. He was with [a former member of the armed opposition who acts as an SNR informant]. The magistrate asked him how long we had known one another. [The informant] told the magistrate that I'm in contact with Alexis Sinduhije. The magistrate started to question me. He repeated the same accusations [as the SNR]. I asked him: "Why didn't I go to court like the others? Why did you come here?" He said: "You just answer my questions."

## Police Torture, Ill-Treatment, and Arbitrary Arrests

Since May 2016, the government has responded to grenade and other attacks it attributes to the opposition with mass arrests and detentions of hundreds of people. Many have been released but many others remain in custody. On May 2, President Nkurunziza said in a public speech: “We ask all Burundian citizens to fight those who disrupt security and peace and be finished with them in two months.”

After a grenade attack in Bujumbura’s Bwiza neighborhood on May 28, the police detained several hundred people. The police spokesman, Pierre Nkurikiye, told a local media outlet it was “normal” to arrest people near the site of a grenade explosion and “among those arrested, there may be perpetrators of the attack.” Police officials said all those arrested were later released.

Bujumbura’s mayor, Freddy Mbonimpa, said the arrests were necessary to control the movements of the population. To do this, police raided houses and detained people to check “household notebooks,” a register of all people living in a particular house. It is now compulsory for all households in Bujumbura to maintain a household notebook certified by a local government official.

On May 11 and 13, police arrested more than 200 young men and students in Bujumbura’s Musaga neighborhood. Local residents said the police ordered them to produce identity cards and “household notebooks,” but arrested some of them and took them to a nearby administrative office before they had time to collect the notebooks. Police beat some detainees with belts and truncheons and insulted them. Detainees said that the police used *Imbonerakure* and former opposition members to identify suspected government opponents. They recognized some former opposition members who used to live in Musaga circulating among the detainees.

The police mass arrests appeared politically motivated, rather than a genuine attempt to verify household notebooks. A 25-year-old man among those arrested told Human Rights Watch: “A policeman said: ‘You have been arrested. You are rebels, and you can’t prove that you are not. Look how many of you are here. Do you think you can attack the country with this number of people?’”

Under Burundian law, police must obtain an arrest warrant to arrest a suspect, unless the person is caught in the act (*en flagrant délit*). The public security minister, in his letter to Human Rights Watch, said that no suspects were arrested without a warrant except for those who were caught in the act. However, in the majority of cases that Human Rights Watch documented, the police failed to show a warrant to those arrested.

One young man who had been arrested said: “The police have nothing on us when they arrest us. They come and catch us like a sack of charcoal. They show us nothing. You know nothing.”

Police have tortured and ill-treated detainees. In February, policemen carrying firearms emerged from a police truck and stopped a 27-year-old man on the street. When they ordered him to come with them, he refused. A policeman hit him in the back with his gun butt, then forced him into the truck.

The man said: “When the truck was moving, one of the policemen stabbed me with his bayonet in my left leg and said: ‘That’s for hassling us when we were capturing you.’ I bled a lot.”

The police took the man to the police detention center in Bujumbura known as the *Bureau spécial de recherche* (Special Research Office). He said:

In the office of the judicial police officer, they started to stomp on the [leg] wound and hit me with steel bars on my back. They said to go bring them the weapons I’m hiding. I told them I didn’t have any weapons. The judicial policeman repeated the same thing, and each time I said I didn’t have weapons, they hit me with the steel bar.

The next morning, I was brought back to the same office and a policeman slammed my head against the ground and started to hit me again with the steel bar on my buttocks. They wanted to make me confess to having weapons, but I continued to deny it. The next day, they did the same thing.

I spent five days [at the detention center] and was beaten during the first three days, twice a day: in the morning between 8 and 9 a.m. and in the evening about 4 p.m. It was always the same scene: questions from the judicial police officer that alternated with blows from the steel bar from the three policemen. Each time it lasted at least 30 minutes.

They showed me a photo [on a computer] of myself when I was participating in the demonstrations [against President Nkurunziza’s third term in 2015]. I was circled in red on the photo. Maybe that was the basis on which they arrested me.

On his fifth day at the detention center, a judicial police officer released him without explanation, telling him: “I never want to see you again.” The man continues to have pain in his spine where the police beat him.

In April, two policemen stopped a 36-year-old man on the street in a western province and asked for his identity card. He said:

They called someone. I saw a truck coming and someone in it [wearing a police uniform] said: “That’s him! That’s him!” In the truck there was the driver, a police commander, and five policemen. They started beating me. We got in the truck and they took me to Bujumbura. They took my phone and looked at the messages. They said: “Who are you sending these messages to? You work for human rights.” I said I don’t work for human rights.

The policemen took the man to a neighborhood police detention center.

They used *indembo* [police truncheons] to beat me on the head. I said: “I did nothing!” They beat me for at least two hours, on my feet, my head, all over my body. When they were beating me, they told me to tell them who I sent the message to. I spent the night in a cell with detainees. One was accused of being a demonstrator. Others were accused of robbery and other things. There was one with a broken leg. He couldn’t walk. One of [the police] said: “Take him to the hospital.” Others said: “Wait for the doctor; he will come here.” But the doctor never came.

When the man’s family contacted the police to try to find him, the police demanded an exorbitant ransom. The man said that a police officer told the family: “If you have [the money], you can see him. If not, you’ll never see him again.” The man’s family could not afford to pay.

The man said the police beat him on the second day in detention for at least an hour. He said the police officer told him: “Tell us who you sent the message to and we’ll let you go.” The man refused so the police officer tortured him with a metal tool.

On the third day, he was released after another policeman intervened.

The public security minister, in his letter to Human Rights Watch, stated that the police never resorted to torture and observed all legal processes. He highlighted the prohibition of torture in Burundi’s Constitution and international and regional treaties that Burundi has ratified. He said that the police received human rights training.

The minister wrote that allegations that the police demand money from detainees or their families in exchange for their release were “a lie,” and that any police involved in extortion would face “severe administrative sanctions and penalties.” However, he conceded it would be “illusory” to claim that police never make mistakes and that more than 70 police officers had been prosecuted since 2015, some for “abuses committed during the management of the insurrectional movement” before and after the 2015 elections and others for common crimes. He did not provide details of these prosecutions.

### **Abuses by *Imbonerakure***

In recent years, *Imbonerakure* members have been responsible for numerous killings, beatings, threats and other abuses against suspected government opponents, Human Rights Watch said. *Imbonerakure* often operate alongside the police and intelligence services.

The police, in their [brutal suppression](#) of protests against President Nkurunziza’s bid for a third term in 2015, used *Imbonerakure* from neighborhoods where protests were taking place to identify and target demonstrators. Bujumbura residents said they often saw

known *Imbonerakure* wearing police or military uniforms, carrying weapons, and operating side by side with the police. One man detained by *Imbonerakure* said he watched them put on police raincoats.

Since February 2016, Human Rights Watch has documented several cases of *Imbonerakure* beating, intimidating, and arresting people in various provinces. Victims, witnesses, and human rights activists say that people rarely report *Imbonerakure* abuses to the authorities because they fear retribution and believe that some security force members collaborate with the *Imbonerakure*.

The ruling party and intelligence services have often used *Imbonerakure* to identify suspected government opponents. Despite having no legal powers of arrest, *Imbonerakure* have frequently arrested people, beaten them, and handed them over to intelligence agents who tortured some of them.

Residents from some provinces told Human Rights Watch that *Imbonerakure* often give orders to the police and that low-level police appear powerless to stop *Imbonerakure* abuses. *Imbonerakure* often collaborate with provincial intelligence authorities after they arrest perceived opponents. In one northern province, *Imbonerakure* told a policeman who asked them why they were beating a man: “What are you doing here? Get out of here!” The policeman left.

Victims reported that they have seen *Imbonerakure* conducting surveillance and sometimes arresting people crossing the border between Burundi and Rwanda. Government authorities have indicated that many Burundians who go to Rwanda have links with the opposition or may be planning to join Burundian opposition members in Rwanda.

In mid-April 2016, four *Imbonerakure* and a policeman arrested a man on the Burundi side of the border. The *Imbonerakure* made him take off his shirt and shoes, took his telephone, and bound his arms and legs. They carried him to a makeshift *Imbonerakure* base in the forest, where he saw another man the *Imbonerakure* had beaten. The first man said:

They started beating me with cables like those they use to install fiber optic lines. Others used big sticks. When they were beating me, they said they were going to decapitate me ... that I maintain relations with Rwandans, and that I’m in touch with “putschists” [those responsible for the failed coup].

A pickup truck belonging to the SNR provincial commissioner arrived at the forest base and four policemen put the man in the back. The policemen beat him as he was driven to the SNR office, where a senior official accused him of collaborating with the armed opposition. After an acquaintance paid a bribe, Burundian authorities released the man.

A student in a northern province said that on April 18, he was in a bar with friends when a group of *Imbonerakure* wielding wooden rods asked for his identity card and money.

When he was unable to give them money, they accused him of helping Burundian rebels cross from Rwanda into Burundi. A truck from the local government office arrived and took him to a nearby province. The student said:

We were held in a cellar of a multi-story house. When we arrived, we were tied up tightly with ropes. [Police] started to beat us with truncheons. We spent four days there and were always tied up. They beat us twice a day: once in the morning about 6 a.m. and once at night about 8 p.m. We were especially beaten on the bottom. Then we were sent to [another province]. The police commissioner drove us there. Wherever we went, we were accused of collaborating with armed groups.

[A senior police official] wanted us to admit that [weapons the police had found] were ours. He intimidated us, saying it's better that we admit it because, according to him, a mistake admitted to is half-way forgiven. We told him that we can't admit something we know nothing about. He said: "Are you going to tell human rights organizations [about your arrest] once you've been freed?"

A few days later, the senior police official drove him to a rural, uninhabited place and released him.

*Imbonerakure* arrested a 34-year-old taxi driver in a northern province in early 2016. The taxi driver said:

I saw two *Imbonerakure* come toward me with a policeman. They jumped on me, and they grabbed me by my belt, one on either side of me. A third *Imbonerakure* came and hit me, and they took me by force. I said to a policeman who was nearby: "Are you going to let them harm me while you are standing there?" The policeman said: "I can't do anything for you."

*Imbonerakure* tied the man's arms behind his back and marched him into the forest.

They started to beat me. They all had wooden rods. They lashed me 300 times. An *Imbonerakure* who said he was the commissioner in charge of operations said: "It's you who are supplying the rebels. Even Jesus is an *Imbonerakure*. Whether you want him or not, Nkurunziza should remain president. You'll have to wait at least 200 years until there's a Tutsi president."

The man said one of the *Imbonerakure* who beat him appeared to be Rwandan.

When they were beating me, I screamed loudly and one of them said [in Kinyarwanda, the language of Rwanda]: *Reka nze mbereke!* [I will show you]. Then the same person came and stomped on my stomach and put plastic bags and stones in my mouth so I couldn't yell.

The man paid a bribe of 100,000 Burundian francs (approximately US\$60) to an *Imbonerakure* who released him. The man said he was bruised and swollen and urinated blood after the attack.

### **Abuses by Armed Opposition Groups**

Local journalists and human rights activists have reported several grenade attacks and killings believed to have been committed by armed opposition groups. Former members of armed opposition groups told Human Rights Watch that in the past they had used hit-and-run tactics and grenade attacks to kill ruling party members and suspected collaborators.

Unidentified people have attacked several bars in Bujumbura and other provinces with grenades since early 2016. Burundian media reported that on May 24, 10 men attacked a drinks depot and bar in Mwaro province, killing a judicial policeman and injuring several customers. During the same attack, a guard at the ruling party offices in Ndava, a commune in Mwaro, was also killed as the attackers attempted to burn down the building. Three men were arrested in connection with the attacks.

In Bururi province, unidentified gunmen shot dead several ruling party members in April and May, including Jean Claude Bikorimana, a ruling party member fatally shot on April 9. Three ruling party members were among four people shot and killed at a bar in Bururi province on the night of April 15; another attack on the same night killed a ruling party member, Japhet Karibwami, at his home. Several people were reported arrested after these attacks.

A reported ruling party member, Anitha Nizigama, was shot dead June 12 in Musaga, Bujumbura. The exact circumstances and motive for the shooting have not been confirmed.

In all of these cases, Human Rights Watch was unable to confirm the identity of the attackers. Efforts to interview witnesses to attacks or contact family members of ruling party members or *Imbonerakure* who were killed were unsuccessful.

## Interactive Dialogue on the High Commissioner's report on Burundi

**June 29, 2016 – Statement delivered at the United Nations Human Rights Council under Item 10**

Widespread lawlessness in [Burundi](#)'s capital, Bujumbura, has spread across the country. In recent months there have been increasing reports of brutality by Burundian intelligence services who are accused of arbitrarily arresting and torturing scores of perceived opponents. Members of the police and of the youth wing of the ruling party, the *Imbonerakure*, are also involved in serious abuses, including rape.

Intelligence agents and others have melted burning plastic on victims, tied ropes to their genitals and pulled them, beaten them with steel rods and shocked them with electricity. One man who was tortured by a member of the intelligence services told Human Rights Watch: "They tortured me with a cable. They wrapped it around my leg. I sat next to a socket where they plugged the cable in. They plugged it in and disconnected it, shocking me, while asking questions."

Intelligence service agents often accuse detainees of collaborating with rebels or hiding weapons, and try to force them to admit to these alleged offenses. Despite having no legal powers of arrest, some *Imbonerakure* have taken into custody people in front of police, military and border officials, accusing them of collaborating with Burundian armed groups in Rwanda. *Imbonerakure* beat them and handed them over to the intelligence services where some were tortured.

In some provinces, *Imbonerakure* have gang-raped women in their homes as part of attacks on perceived opponents. Police -- or men in police uniforms -- have also raped women. Some women have been raped when attempting to cross the border to Tanzania. Burundian authorities have shown a blatant disregard for human rights since the crisis began in April 2015. The widespread torture and other serious violations should call into question Burundi's membership in the Human Rights Council.

In addition, the Council should urge the creation of an independent, international commission of inquiry to investigate grave abuses in Burundi since April 2015 -- including torture and sexual violence -- and support the efforts of the UN special rapporteurs. The commission should have expertise in criminal and forensic investigations and conduct in-depth inquiries with a view to establishing responsibility for the most serious crimes.



## Dispatches: Students Jailed for Doodling in Burundi

By Carina Tertsakian, Senior Researcher

June 20, 2016 – Dispatch

Earlier this month [Burundian](#) intelligence agents arrested eight secondary school students in Muramvya province and accused them of insulting the head of state. Their crime? Drawing and writing phrases like “Get out” or “No to the 3rd term” on a picture of President Pierre Nkurunziza in a textbook. Angered by the arrests, their classmates demonstrated in the streets. Security forces shot and injured two students and a motorcycle driver, who later died. They also arrested three other students. Minors were released but five students aged 19 and 20 are still detained, facing charges of insulting the head of state. They could spend up to five years in prison if found guilty.

This isn’t the first time students have been targeted in a crackdown by authorities. On May 27, school administrators kicked hundreds of students out of a secondary school in Ruziba, a community south of the capital Bujumbura, for the same reason. On June 14, in Ruyigi province in eastern Burundi, school administrators expelled a further 230 students when they refused to reveal who scribbled on the president’s face in textbooks. Media have also reported that school authorities at a secondary school in Bujumbura threatened to expel around 400 students unless their parents paid to replace textbooks in which the president’s photo had been doodled on. A few days ago, in Cankuzo province, a student was badly beaten in a police cell for doodling on a photo of the president.



*President Pierre Nkurunziza stands after being sworn in for a third term. Bujumbura, Burundi, August 20, 2015.  
© 2015 Reuters*

Typical teenage antics, right? Not in Burundi. Since April 2015, the country has been gripped by a political and human rights crisis triggered by President Pierre Nkurunziza’s controversial decision to stand for a third term. Perhaps out of fear, teachers, school administrators and local officials have become wrapped up in the crackdown on government opponents, including students who doodle on pictures, whether out of boredom or protest.

The students' arrest marks a turning point and portends a worrying future: Intelligence agents act as if they are accountable to no one and seem to be able to arrest anyone they believe opposes the president. In a judicial system manipulated by the ruling party, those detained are unlikely to receive a fair hearing.

The authorities should immediately release the students and stop Burundi's freefall toward authoritarianism.

## **Burundi: Government Investigations Ignore State Abuses**

### ***Independent International Inquiry Needed***

**April 13, 2016 – Press Release**

The findings of a [Burundian](#) commission of inquiry into allegations of extrajudicial executions by members of the security forces on December 11, 2015, in the capital, Bujumbura, are misleading and biased, Human Rights Watch said today. This is one of several official inquiries that have failed to properly investigate security force abuses or hold those responsible to account.

The inquiry focused on reports of abuses during the most deadly operation by the Burundian security forces since the country's crisis began in April. Human Rights Watch found that police and military [shot dead](#) scores of people in Nyakabiga and Musaga neighborhoods, apparently in retaliation for opposition attacks on four military installations, and for heavy shooting at security forces by gunmen in these neighborhoods.

“This is the latest in a series of commissions of inquiry in Burundi that has ignored widespread abuses by the security forces,” said [Daniel Bekele](#), Africa director at Human Rights Watch. “These inquiries have covered up state abuses and have not led to justice.”

The Prosecutor General, Valentin Bagorikunda, set up an inquiry into the December 11 events on December 17, 2015. Summarizing the inquiry's [main conclusions](#) on March 10, 2016, he did not mention killings or abuses of Bujumbura residents by the security forces. He claimed that those killed on December 11 were armed “combatants” wearing police or military uniforms.

Since 2010, there have been at least seven commissions of inquiry into allegations of killings and other abuses. Most of them have denied or downplayed serious abuses by state agents.

Human Rights Watch documented the killings of December 11 in detail and found no indications that the victims had participated in the attacks on the military installations. Some victims were found lying side by side, face down, and appeared to have been shot in the back or the head. Others survived with serious injuries. The security forces also carried out large-scale arbitrary arrests in both neighborhoods.

In March, two United Nations special rapporteurs and one from the African Commission on Human and Peoples' Rights visited Burundi to investigate human rights abuses at the request of the UN Human Rights Council. They plan to return in June and send a small team of human rights monitors to be based in the country.

Presenting their interim report to the Human Rights Council on March 22, Christof Heyns, UN special rapporteur on extrajudicial, summary, or arbitrary executions, said: “The overt violence of last year seems to have subsided. At the same time covert violence, for example, in the form of disappearances, seems to have increased... There are some in [the Burundian] government who seem to be open to change. Others, however, are in denial anything is wrong.”

Given the Burundian justice system’s inability or unwillingness to conduct credible and thorough investigations, an independent, international commission of inquiry is needed to establish the truth about the grave abuses in Burundi in the past year and support the efforts of the special rapporteurs, Human Rights Watch said.

An international commission with expertise in criminal and forensic investigations would conduct in-depth inquiries with a view to establishing individual responsibility for the most serious crimes. It would probe deeper into these crimes, complementing the work of UN and African Union human rights observers in Burundi as well as the Human Rights Council’s initiatives.

Burundian government officials have repeatedly claimed there is peace and security throughout the country, despite the fact that several hundred people have been killed over the past year and many others arbitrarily arrested, tortured or disappeared. The minister of human rights, social affairs and gender, Martin Nivyabandi, told the Human Rights Council in Geneva on March 22 that, “the situation is normalizing” and that, “Burundi today couldn’t be a land where impunity reigns.”



*Dead bodies found lying on the street in the Cibitoke neighborhood of Bujumbura, October 4, 2015. © 2015 Private*

“Contrary to the minister’s statement, impunity has been at the heart of Burundi’s political system for years and is one of the principal causes of the current human rights crisis,” Bekele said.

Serious new abuses were reported throughout March and early April. Scores of people have been arrested and others taken away to unknown destinations by the police or intelligence services. Ruling party officials, police, and members of the ruling party youth league known as *Imbonerakure* arrested at least 16 members of the opposition party National Liberation Forces (FNL) at a bar in Kirundo province on March 12. The police spokesman, Pierre Nkurikiye, claimed they were conducting a political meeting without authorization.

Armed opposition groups have also been responsible for abuses. Unidentified men killed two ruling party officials in Bururi and Makamba provinces on March 15.

Since early 2016, the intelligence services have intensified surveillance of human rights activists, journalists, and other perceived critics, making it even more difficult to document and expose abuses and putting the few activists who remain at even greater risk.

Tensions were heightened on March 22, after an unidentified gunman shot dead Lt. Col. Darius Ikurakure, a military commander reportedly involved in many abuses, at the army headquarters in Bujumbura. Later that day, residents of Bujumbura reported that security forces arrested several people. That night, another military officer, Major Didier Muhimpundu, was killed in Bujumbura. An opposition group, the Republican Forces of Burundi (*Forces républicaines du Burundi*, FOREBU), later claimed responsibility for Ikurakure’s death.

“The government’s claims that Burundi is calm and that security is improving aren’t true,” Bekele said. “The recent killing of the military officials has heightened tensions, and many people are being arrested or simply go missing.”

### ***Commissions of Inquiry***

Over the last six years, the prosecutor general’s office has set up multiple commissions of inquiry into human rights abuses, usually following critical reports by Burundian and international human rights groups or the United Nations. The Burundian government has used these commissions to try to show international actors that the Burundian justice system is able to investigate reports of abuses as well as to exonerate its security forces.

Some of the inquiry reports have never been made public. Those that have are deeply flawed and biased in favor of the government, denying or downplaying state abuses. Few have led to the successful or effective prosecution of those responsible. A lack of transparency has made it difficult to know how much effort the commissions made to identify and interview a wide range of impartial witnesses. However, they did not approach independent Burundian or international groups, such as Human Rights Watch, that had investigated and reported publicly on these abuses.

### ***Nyakabiga and Musaga killings – December 2015***

In the most recent case, the prosecutor general set up a judicial commission of inquiry on December 17, 2015, to investigate the December 11 killings.

Summarizing the commission's findings, Bagorikunda, the prosecutor general, said that 79 combatants were killed along with 4 policemen and 4 soldiers. He claimed the 79 were carrying weapons and were dressed in police or military uniforms. He described allegations that people had been buried in mass graves as “not founded” and said government officials buried those who could not be identified because of concerns about hygiene.

Bagorikunda stated that seven combatants captured in Mujejuru – in Bujumbura Rural province, outside the capital – died in unclear circumstances and that a case file has been opened against two members of the security forces.

Human Rights Watch [research](#) into the December 11 events paint a different picture. Multiple witnesses from Nyakabiga and Musaga said they saw members of the police or military kill local residents. Human Rights Watch also viewed photos of 16 bodies found in Nyakabiga on December 12 and related [video footage](#). Many were found in the street without their shoes. Security forces often make detainees remove their shoes to make it harder for them to flee. The photos were taken before local authorities collected the bodies.

The victims in the photos and videos were all wearing civilian clothes. A witness told Human Rights Watch that three other victims in Musaga were wearing police uniforms and two military uniforms, but that it looked like someone had put the uniforms on them because they clearly didn't fit.

Local residents said that *Imbonerakure*, wearing surgical masks and gloves, dug three or four graves in a cemetery in the Kanyosha neighborhood and buried some of the bodies there. They told Human Rights Watch that the authorities did not attempt to identify the dead.

### ***Ngagara Killings – October 2015***

On October 13, unidentified men in Bujumbura's Ngagara neighborhood stopped three policemen in civilian clothes. They killed one, shot and injured another, and the third escaped. The police response was brutal and disproportionate. The police responsible for guarding state institutions (*Appui pour la protection des institutions*, API) killed, beat, and threatened residents in Ngagara while searching for the attackers. [Police killed at least nine residents](#), including Christophe Nkezabahizi, a cameraman with the state broadcaster Radio Télévision Nationale du Burundi (RTNB), four members of his family, and a domestic worker.



On October 17, the prosecutor general set up a commission to investigate these events. Most of the commission's report is devoted to the attack on the policemen. It does not indicate that the commission talked to anyone who witnessed the killing of Nkezabahizi and his family or other killings and abuses by policemen. Human Rights Watch, Amnesty International, the Office of the UN High Commissioner for Human Rights, and the Burundian newspaper *Iwacu* talked to multiple witnesses who confirmed these abuses.

The report notes that local residents did not respond favorably to a call for evidence by the commission and quotes a local official in Ngagara as saying that residents of his neighborhood did not want to talk to government representatives about what they knew.

The report makes no mention of API police entering houses, beating people, shooting domestic workers, or looting homes, which numerous residents described to Human Rights Watch.

#### ***Anti-Third-Term Demonstrations – from April 2015***

Bagorikunda set up a commission of inquiry on April 29, 2015, into the violence surrounding demonstrations against President Nkurunziza's third term. The commission's report, published in August, described the protests as an "insurrectional movement." It focused on abuses by opposition sympathizers against the state security forces, destruction of state property, and killing of *Imbonerakure*. It did not mention [killings, beatings, or scores of arbitrary arrests](#) by security forces.

Witnesses told Human Rights Watch that police [shot live ammunition at demonstrators](#) indiscriminately – sometimes at point-blank range – hitting them in the head, neck, and chest. Medical personnel and witnesses, including a man who survived a shooting, said that some people were shot in the back as they fled. Medical staff in Bujumbura treated scores of people with bullet wounds.

Some demonstrators threw stones and Molotov cocktails at the police, killed an *Imbonerakure* and then burned his body, and used slingshots to shoot stones, marbles, and other projectiles at the police.

The president's main communications adviser, Willy Nyamitwe, told Human Rights Watch in May: "There are perhaps policemen who used too much force and others who were misguided. You need to recognize also that demonstrators are committing human rights abuses and they aren't being reported." He said some policemen had been arrested because "they used live ammunition against demonstrators."

#### ***Cibitoke Province Killings – December 2014-January 2015***

Human Rights Watch documented [at least 47 extrajudicial executions](#) by military, police, and *Imbonerakure* in Cibitoke province, western Burundi, between December 30, 2014, and January 3, 2015, after an unidentified armed group clashed with the military and police. The victims were members of the armed group who had surrendered. On April 25, Bagorikunda presented the findings of a commission of inquiry to

investigate these events. The report focused on fighting between the armed group and the military and only superficially touched on allegations of extrajudicial executions.

The commission stated that with the exception of three people whom policemen allegedly killed on their own initiative, all those who died were killed during the fighting. Its report states that these policemen were arrested. Human Rights Watch spoke with more than 50 people, including 32 witnesses to the killings, members of the armed group in detention, and local government officials, who confirmed that the victims were killed after they surrendered. The commission's conclusion that only three combatants were killed outside the fighting lacks credibility. Human Rights Watch research showed that some local authorities and *Imbonerakure* intimidated witnesses and warned them not to talk about these events.

### ***Politically motivated killings – 2010-2012***

In a [2012 report](#), Human Rights Watch documented scores of political killings and targeted assassinations since late 2010.

The deadliest attack took place on September 18, 2011, when gunmen entered a bar in Gatumba, a town near the Congolese border, and shot dead 37 people. A commission of inquiry submitted its report on the Gatumba events to the prosecutor general in October 2011, but to Human Rights Watch's knowledge, it was not made public. In January 2012, 16 people were convicted for their alleged role in the Gatumba killings, [in an unfair trial](#) during which several defendants stated they had been tortured.

In June 2012, Bagorikunda set up another commission of inquiry into allegations of torture and extrajudicial killings, in response to reports by Human Rights Watch, the Episcopal Justice and Peace Commission, the United Nations Office in Burundi (BNUB), and the Burundian human rights organization Association for the Protection of Human Rights and Detained Persons (APRODH).

In August 2012, the commission published its report, recognizing that killings had occurred, but concluding that they did not constitute extrajudicial executions. The government minimized the scale of the problem and made little effort to conduct in-depth investigations. The report stated that case files had been opened on a number of these incidents and that investigations were under way. It attempted to discredit the findings of Burundian and international human rights groups.

The commission's work resulted in the arrest of about eight people, including several policemen and local officials. In 2013, a court in Gitega tried deputy police commissioner Michel Nurweze, known as Rwembe (razorblade in Kirundi), for his alleged involvement in the murder of an opposition party member, Léandre Bukuru, and for attempted murder and torture in two other cases.



His trial could have been an important first step toward ending impunity, but at least two prosecution witnesses refused to testify because they lacked adequate protection. The court acquitted Nurweze of the murder and torture charges, changed the offense of attempted murder to grievous bodily harm, and sentenced to him to three months in prison. He was released as he had already served a year in prison.

A report of a commission of inquiry into extrajudicial killings in 2010, and another on abuses before, during, and after the 2010 elections have still not been published.

# Killings, abductions and torture spread fear in Burundi

By [Birgit Schwarz](#), Senior Press Officer

**April 13, 2016 – Interview with Carina Tertsakian, Senior Researcher**

*As Burundi descends further into violence, killings, abductions, torture and arbitrary arrests have become a daily occurrence. The crisis erupted in April 2015 when President Pierre Nkurunziza announced he would seek a controversial third term in office. His decision triggered widespread public protests, which the police brutally repressed. Armed opposition groups have also increasingly resorted to violence. While Burundi's security forces are targeting anyone deemed critical of the government, it has been difficult to identify who is responsible for some of the killings. The country is gripped by a climate of fear, distrust and lawlessness. Human Rights Watch's [Carina Tertsakian](#) talks to Birgit Schwarz about her recent visit to Burundi, the dangers of investigating human rights abuses under difficult conditions, and images illustrating the gravity of the situation.*

## **What was the situation in Burundi like when you were there?**

The level of violence had reached a new height. State agents are using very brutal tactics against suspected opponents. Increasingly, too, people go missing. In late 2015, almost every day, residents of the capital, Bujumbura were finding dead bodies, some with horrific injuries. In the [video footage and photographs](#) we just published, there are some striking shots of people standing around with two, three dead bodies just lying there in the street, covered with sheets. Some of the scenes captured in the images were so shocking that we decided not to include them: pictures of people whose throats were slit, who had deep wounds across their neck, whose limbs had been smashed. A very deep fear has spread among the population in Bujumbura. People are terrified, they don't trust each other any more, they're constantly looking over their shoulder.

## **Why did you decide to make some of these photographs public?**

Sometimes pictures can say so much more than words. Actually seeing the bodies just lying there in the street brings home what people go through on a daily basis. You can hear about somebody having been tied up before being killed, but when you actually see the marks of the ropes and the arms bound behind the back, you realize the extent of the atrocities. Residents live with this level of violence on their doorsteps day in, day out. Most of us can't imagine such a thing.

## **How do you investigate human rights abuses under these circumstances?**

Many Burundians assume these days that the intelligence services are watching them, watching us, watching anybody who may be doing something that the government might not like. Burundian activists also assume that they are being followed and that their

telephones may be tapped. It is therefore very difficult to persuade victims and witnesses to speak about what has happened. Many have been victims of arbitrary arrests, torture or ill-treatment themselves or they have seen their relatives, their friends, or their neighbors killed, tortured or taken away. It takes time to earn their trust. We had to spend a lot of time explaining to people that all our interviews are confidential. They were very frightened, and we had to take many precautions to protect them and their identities.

### **Does this descent into violence and lawlessness surprise you?**

What has been quite shocking has been the speed with which the situation has deteriorated as well as the scale of the abuses. Until President Nkurunziza decided to stand for a third term, Burundi was a country that, despite many problems and decades of violence, had a very active, independent civil society movement and strong independent media. All of that has been destroyed by the government. The vast majority of human rights activists and journalists have fled the country after being repeatedly threatened. The country's leading human rights activist, Pierre Claver Mbonimpa, was shot in the face in an assassination attempt in August. Luckily he survived, but with serious injuries. The government has shut down the most popular independent radio stations. Activists and journalists we would frequently meet when we visited Burundi in the past are not there anymore.



*Residents outside their houses in Nyakabiga, in the Burundian capital Bujumbura, look at the body of a man shot dead on December 11, 2015. © 2015 Jean Pierre Aimé Harerimana*

### **What were some of the most haunting accounts you came across?**

Some of the [most disturbing accounts](#) were from parents whose sons have been taken away and never seen again, or of people who saw their neighbors shot outside their houses. The story of a man who was arrested and injured on December 11, a particularly dark day in Bujumbura, shows the cruelty with which the security forces operate. More than 100 people were killed that day after military installations had been attacked, presumably by armed opposition groups. Police and the military started dragging people out of their houses, looking for young men whom they accused of having taken part in the attack. They lined people up, beat them or just shot them dead there and then. One man was picked up by a group of policemen armed with machine guns, rocket launchers, Kalashnikov assault rifles, and grenades. They made him and a group of other men lie on their backs, arms spread. Then a policeman held a gun to his temple. But another shouted “Wait!” A third policeman then hacked into the man’s arm with an ax, the kind a butcher might use. When the man’s blood spurted into his face, his tormentor simply said: “I didn’t know it was so sharp.” Fortunately, the man survived.

### **What happens to the dead?**

Some of the bodies have been buried in mass graves, but we have not been able to confirm all the details so far. We know that several mass graves exist in the Kanyosha area of Bujumbura. On December 12, the day after the attack on the military installation and the subsequent killings, police and members of the ruling party youth league, known as *Imbonerakure*, accompanied by local government officials, collected some of the bodies and took them away. We spoke to several people who witnessed *Imbonerakure* digging mass graves in the Kanyosha cemetery. The witnesses described quite graphically how the bodies were buried. What was particularly shocking was that no one, not even the authorities, made any attempt to identify the victims or find out how they were killed before burying them.

What sometimes also happens is that bodies are dumped in a different place from where they were killed. So when they are found, local residents may not recognize the victims. Furthermore, people are often killed at night so there may not be witnesses to the murder. And in some particularly gruesome cases, people have been badly mutilated, even decapitated. So it becomes even more difficult to know who the victim is.

### **Where are those who have been forcibly disappeared?**

Given the very secretive nature of enforced disappearances, it is impossible to confirm where the missing people have been taken. These abductions and “disappearances” are a relatively new phenomenon. And they have become big business for some members of the intelligence services or the police. More and more often, families are being asked for ransom, often through intermediaries. They are told that if they hand over huge sums of money, the missing person will be released. The intermediaries can ask for US\$300 to

\$1,900, money most people don't have, but families are desperate. So they find ways of borrowing it. Yet often the person is not released. In some cases, the person may be dead before the families are even asked for money.

**What has the recent flurry of high-level visits to Burundi achieved?**

It is good that the United Nations Security Council, the African Union and the UN Human Rights Council are taking the situation seriously. But one or two visits of high-level delegations isn't going to change the situation overnight. What is really important is for this international pressure to be sustained over the longer term and for diplomats to think of new ways of trying to resolve the crisis.

**What leverage do the UN and the African Union have, given the Burundian government's reluctance to engage in talks? What more should be done?**

We shouldn't look at the political dialogue as the miracle solution to the crisis in Burundi. The government has made it very clear that it is not interested in that dialogue and is constantly finding excuses to delay meaningful talks. Meanwhile people are being killed and tortured every day. If we wait for that dialogue to take off, people will keep dying. The Security Council needs to persuade the Burundian government to agree to the [deployment of a substantial international police presence](#). The deployment of international police in neighborhoods most affected by the violence might not solve the crisis immediately, but would at least reduce the number of abuses committed by both sides and act as a deterrent.

**What would Burundians like international and regional actors to do?**

Burundians are desperate and feeling quite abandoned. Some appreciate the efforts being made by governments, the UN and the AU. But others feel that it is too little too late. In February, the AU decided not to send in the proposed AU force without the consent of the Burundian government. Many Burundians we spoke to felt disappointed and even betrayed by this decision.

## **Oral Intervention – Enhanced Interactive Dialogue on Burundi**

**March 22, 2016 – Statement delivered at the United Nations Human Rights Council under Item 10**

The current climate in Burundi is one of fear and suspicion. Human rights abuses continue across the country, but many are not publicly exposed. The government's crackdown on civil society and the media, including closing or freezing the bank accounts of 14 civil society organizations, has made it extremely difficult for local human rights groups to monitor or expose abuses.

We cannot agree with the falsely positive depiction presented by the Burundian Minister of Human Rights, and we strongly feel it would have been more appropriate for Burundi to respond from the floor as a State concerned, rather than present from the podium.

Victims and other sources have described to Human Rights Watch an increase in brutality by state security forces and the youth wing of the ruling party, the Imbonerakure. Perpetrators have crushed victims' bones with metal rods, slit their throats, and beaten them in the face with gun butts or hit them with rocks.

Armed opponents of the government also have carried out attacks in which ruling party members have been killed.

December 11, 2015, was one of the deadliest days since the crisis started in April 2015. After armed opponents of the government used violence against military installations, police and soldiers – accompanied by Imbonerakure – clashed with members of the opposition in Nyakabiga and Musaga neighborhoods. Following the violence, the security forces and the Imbonerakure killed scores of people who they suspected of being opponents. Others were killed in house-to-house searches. The next day, police and the Imbonerakure, accompanied by local government officials, removed some of the bodies and buried them in mass graves. In recent months, several mass graves have been discovered.

Burundi's prosecutor general, in a press conference in March about the findings of a government commission of inquiry into the events, said that due to hygiene concerns, officials buried those who could not be identified. Local residents interviewed by Human Rights Watch dispute this version of events and said the authorities made no efforts to identify the bodies.

In recent months patterns of human rights abuses have shifted. Whereas dead bodies on the streets of Bujumbura were a daily occurrence in the second half of 2015, many abuses are now taking place under the radar. Many people have told Human Rights Watch that security forces secretly take people away and refuse to account for them. Many of those arrested are presumed dead.

We welcomed the Human Rights Council's Special Session on Burundi in December, but the Council needs to keep the deteriorating human rights situation in Burundi at the top of its agenda. It should urge the Burundian government to consent to the deployment of a substantial international police component to be based in neighborhoods most affected by the violence to deter abuses on both sides and strengthen human rights safeguards. The Council should also hold Burundi to its obligations as a member to uphold the highest standards of human rights, and stand ready to take appropriate action if the situation does not improve.



## Burundi: Abductions, Killings Spread Fear

*UN Security Council Should Press for Deployment of International Police Presence*

**February 25, 2016 – Press Release**

The Burundian authorities are targeting perceived opponents with increased brutality, Human Rights Watch said today. Government forces are killing, abducting, torturing, and arbitrarily arresting scores of people at an alarming rate.

As the capital, Bujumbura, descends into new levels of lawlessness, patterns of human rights abuses have shifted. Whereas dead bodies on the streets of Bujumbura were a daily occurrence in the second half of 2015, many abuses are now taking place under the radar, with security forces secretly taking people away and refusing to account for them.

“The Burundian police, military, intelligence services, and members of the ruling party’s youth league are using increasingly brutal methods to punish and terrorize perceived opponents,” said Daniel Bekele, Africa director at Human Rights Watch. “Government forces and the ruling party are treating suspected opponents with extreme cruelty and viciousness, which could further escalate the violence.”

Security forces have tortured or ill-treated suspected opponents so severely during arrests or in detention that some almost died. Security forces beat victims with rocks, bricks, gun butts, or metal rods. Most of those arrested are young men accused of participating in or supporting armed opposition groups.

Human Rights Watch researchers interviewed more than 63 people in Bujumbura between November 2015 and February 2016, including victims, their relatives, witnesses, residents of areas where abuses occurred, human rights activists, lawyers, journalists, judicial and security force officials, diplomats, United Nations staff, and other sources.



*A passer-by lifts a sheet covering the body of a man found decapitated in the Mutakura neighborhood of Bujumbura, November 4, 2015. © 2015 Private*

Human Rights Watch sought meetings with Burundian government officials while in Bujumbura but did not receive a response. On February 18, the president’s communications advisor, Willy Nyamitwe, sent the following Twitter message to Human



Rights Watch: “I have strong evidences (sic) that HRW is working with Rwanda and radical opposition. In that case, there is no need to talk to them.”

Human Rights Watch researchers in Burundi have documented an alarming new pattern of abductions and possible disappearances, particularly since December. Many families have not been able to get news of their relatives since security forces led them away. Many of those arrested are presumed dead. The police and intelligence services, or their intermediaries, have asked some families for exorbitant ransoms, with no guarantee that their relatives will be released and no certainty that they are alive.

Police and military, often accompanied by members of the ruling party youth league known as *Imbonerakure*, have carried out large-scale arbitrary arrests during search operations. These operations have also resulted in numerous extrajudicial killings. Many residents have moved out of their neighborhoods, in anticipation of further police or military operations.

In some cases, people were killed outright and their bodies left at the scene. This was the case, for example, on December 11, 2015, when the security forces shot dead a large number of people following attacks on four military installations that were attributed to the opposition. The military spokesperson said 87 people were killed on December 11, 79 “enemies” and eight military or police. Based on extensive interviews with a range of sources, Human Rights Watch believes the real number is much higher and that many victims were not involved in the attacks. In other incidents, victims’ bodies were dumped elsewhere, buried in mass graves, or taken to unknown destinations.

Other people survived extremely violent attacks with horrific injuries – mutilations, smashed bones, slit throats, attempted strangulation, and beatings with iron bars. Some have since died, while others left for dead survived.

Victims and witnesses of abuses are terrified to speak or move around town. Their fear has been heightened by the knowledge that people have denounced each other to the security forces. The government’s tactics have spread distrust among the population.

Armed opposition groups have also increased their attacks, killing *Imbonerakure* and other ruling party members, as well as security forces. These attacks almost always lead to violent reprisals by the security forces, Human Rights Watch said.

Human Rights Watch documented cases of recruitment and military training of Burundian refugees in Rwanda, to join Burundian opposition groups, between May and July 2015. They were recruited by Burundian refugees and trained by Burundians and Rwandans. In a February 22, 2016 [letter](#) to Human Rights Watch, the permanent secretary in the Rwandan Ministry of Justice said that the Rwandan government “has heard of some broad allegations of insecurity among Burundian refugees” and “is intrigued by these accounts and seeks information that may be useful in carrying out investigations.”

“Attacks by opposition groups have become increasingly targeted, aimed at members or sympathizers of the ruling party and the security forces,” said Bekele. “Contrary to their leaders’ statements that they want to defend the population, their tactics are putting ordinary Burundians at risk of further abuses.”

There have been frequent grenade attacks in Bujumbura, including the center of town, throughout January 2015 and February 2016, causing several deaths and scores of injuries. The identity of the perpetrators is not known. Médecins Sans Frontières stated that their trauma center in Bujumbura had treated 116 people in less than a week – 61 injured in grenade attacks on February 15, and 55 on February 11.

Bujumbura residents told Human Rights Watch that there was not even a pretense of law and order anymore. They said the security forces’ behavior indicated that the chain of command was breaking down and the police, military and *Imbonerakure* did whatever they wanted with complete impunity. “There are no more rules and no one cares,” one woman said.

Bujumbura residents said they often saw *Imbonerakure* wearing police or military uniforms, carrying weapons and operating side by side with the police, making it difficult to distinguish them from the regular security forces. Some residents told Human Rights Watch they recognized *Imbonerakure* from their area wearing police uniforms.

Neither the Burundian government nor the armed opposition is doing anything to halt the spiral of abuses, Human Rights Watch found. They are instead hardening their stance, knowing that they will not have to account for their actions.

President Pierre Nkurunziza should publicly denounce security force abuses and ensure that those responsible are held to account, Human Rights Watch said. Opposition leaders should also order their supporters to stop abuses. The Rwandan government should not allow, support, or participate in military training for armed groups responsible for human rights abuses in Burundi.

The Burundian government should grant full access to two UN special rapporteurs and a member of the African Commission on Human and Peoples’ Rights, mandated by the UN Human Rights Council, to investigate abuses in Burundi. As a Human Rights Council member, Burundi has an obligation to cooperate with the council’s representatives and to uphold the highest human rights standards. Failure to do so would put its membership status in jeopardy.

The UN Security Council should urgently seek the Burundian government’s consent for the deployment of a strong UN political mission with a substantial international police component, to be based in neighborhoods most affected by the violence. Its presence could deter or decrease abuses and attacks by both sides.

Given reports of the involvement of senior police, military, and intelligence commanders in serious abuses in Burundi, the UN should redouble efforts to vet Burundian personnel deployed in peacekeeping missions and exclude those with a known record of human rights abuses. The African Union should also urgently institute a vetting mechanism.

“With victims of abuse in Burundi paralyzed by fear, the cases that have come to light are just the tip of the iceberg,” Bekele said. “The government and the opposition should immediately rein in their members and supporters to break the cycle of violence.”

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## **The Backdrop to Burundi’s Crisis**

The current political and human rights crisis in Burundi began in April 2015, when President Nkurunziza announced his candidacy for a third term – a move seen as illegitimate by many Burundians. The police [violently repressed widespread public demonstrations](#) against Nkurunziza’s third term. After a failed coup led by a group of military officers on May 13, police cracked down further on protesters and critics. In the following months, [targeted assassinations and other killings escalated](#), and the government intensified its crackdown. Armed opposition groups began attacking security forces, throwing grenades or shooting at police patrols. By December, several hundred people had been killed and regional leaders’ attempts at facilitating political dialogue had essentially failed.

In contrast with Burundi’s armed conflicts in previous decades, which were largely fought along ethnic lines, the current tensions in Burundi are primarily political, with the government targeting anyone suspected of opposing it. Victims of abuses include members of the Hutu and Tutsi ethnic groups. However, in some cases, members of the security forces, intelligence services, or *Imbonerakure* have hurled ethnic insults at Tutsi as they arrested, or ill-treated them. While there are many Tutsi in the government, many of the powerful positions in the ruling party and the security forces are held by Hutu. The government seeks to portray the opposition as predominantly Tutsi, even though it includes many Hutu.

While most national institutions include both Hutu and Tutsi, the current crisis is making some members of each group distrustful of one another. This has been exacerbated by inflammatory rhetoric by some ruling party members and opposition figures.

## **Recent Killings, Other Attacks**

### ***Events of December 11***

At about 3 or 4 a.m., on December 11, 2015, Bujumbura residents heard explosions and gunfire from three military positions and a military training center that had been attacked in Musaga neighborhood.

Beginning at about 8 a.m., police and military pursued the alleged attackers into Nyakabiga and Musaga, two of the neighborhoods where there were strong demonstrations against Nkurunziza's third term. In Nyakabiga, armed opponents engaged the security forces in a sustained gun battle. It is unclear how many armed opponents, and how many members of the security forces or *Imbonerakure*, were killed in the fighting.

A source told Human Rights Watch that security forces arrested five soldiers from Camp Base (a military camp) who were suspected of involvement in the attacks. According to this source, a senior intelligence official then issued a detention order, and an intelligence services vehicle picked up the five soldiers and took them to an area near Lake Tanganyika, where they were killed. A witness saw their bodies the next day near the lake, all five with their throats cut.



The body of a man found dead, with his arms tied behind his back, in the Nyakabiga neighborhood of Bujumbura, December 12, 2015.  
© 2015 Private

After the armed clashes, a combination of different security force units, including the police and military responsible for guarding state institutions (*Appui pour la protection des institutions*, API, and *Brigade spéciale pour la protection des institutions*, BSPI), and the police anti-riot brigade (*Brigade anti-émeute*, BAE), accompanied by armed *Imbonerakure*, entered Nyakabiga and Musaga. They forced their way into houses and ordered residents to show them where young men or combatants were hiding. Some of them shouted ethnic slurs and insults against Tutsi residents.

Some residents said the security forces demanded money. Other residents offered money, hoping they wouldn't be killed. Police and military looted many homes, stealing phones, clothes, electronics, and household goods. They looted beer from local bars, drinking some of it on the spot.

A man from Nyakabiga told Human Rights Watch that police shot a visiting relative as he left his compound.

At around 11 a.m., it was a bit calmer on our street and (a relative) who had come to visit us went outside. When he was just in front of the gate, an API policeman, who was on the Avenue de l'Imprimerie, shot him. Some young men saw that he'd been hit and carried him to the 16<sup>th</sup> Avenue. They stopped the bleeding and left him there. He'd been hit in the stomach. Later, police came and finished him off.

The man said the police shot his relative twice in the chest and once in the head.

Human Rights Watch viewed photos of 15 bodies found in Nyakabiga on December 11. Many were found on the street, without their shoes – security forces often make detainees remove their shoes at the time of arrest to make it harder for them to flee. Some were side by side, face down, and appeared to have been shot in the back. One of those found in this position was Benoit Ngendakumana, a teacher in his 30s. Another photo showed the body of a man who had been killed in his house; a local resident said he had been tied up, shot, and locked inside. Another was of a man killed in his shop. Local government trucks removed most of the bodies before any investigation could be conducted.

Police and intelligence agents went door-to-door, arbitrarily arresting young men. A 30-year-old man from Nyakabiga said that when his wife opened the door, a policeman hit her with the butt of his gun and hit him in the eye with a pistol. The police forced the couple to sit on the ground in the courtyard.

One of the policemen shouted at us: “You house and feed the combatants! Let Kagame (the President of Rwanda), Obama, and the African Union come and save you. The white people are lying to you, just like (Alexis) Sinduhije (an opposition leader). You are Tutsi terrorists. (Nkurunziza) is president for life. Nobody can fight those in power.” We were around 20 (in the courtyard) and only one policeman was shouting bad things at us. The others were drinking what they had stolen from the bar in our house. They beat everyone there.

A witness said that in one house, police picked two men from a group of six and drove them away in an intelligence services truck. Their bodies were found with their arms bound the next day, both shot in the head and the neck.

One resident saw 20 bodies in Nyakabiga the day after the attack; another counted 22. Another resident said there were 29, a few of whom were from other neighborhoods. Witnesses said they saw 12 bodies in Jabe.

One case in particular shows the brutality by the security forces on December 11. A 31-year-old man from Nyakabiga said that anti-riot police tied his arms behind his back and took him to see their commander, who has been accused of numerous human rights abuses for several years. The man said:

The police said: “Here is one of the youth who shot at us.” They hit me with clubs, kicked me, and slapped me, saying, “These youth are dogs.” Then (the commander) asked me: “Where are the combatants?” I said I didn’t see them. (The commander) said: “Take him over there and strangle him.”

Two policemen took him to an empty house.

One of them took off the rope around his waist and the other stomped on my head while I was lying on the ground. He put the rope around my neck, then each of them took the end of the rope and started to pull. Blood came out of my nose and eyes. After a while, they took off the rope and left, thinking I was dead. I lost consciousness for a while. When I woke up, I was wet, but when I looked, I was covered in blood, alone and tied up.

The man found someone to untie him and hid, but policemen found him. He said they beat him again and took him back to the same commander, who gave them instructions to kill him. The man eventually talked his way out and went into hiding.

In Musaga neighborhood, where security forces also clashed with armed youth, police, and military forced their way into homes and accused residents of having weapons and harboring opposition fighters. Residents recognized *Imbonerakure* wearing police uniforms. Soldiers from Camp Muha and Camp Muzinda, two large military camps in Bujumbura, provided reinforcements. As gunfire and explosions rang through the neighborhood, a resident said he heard someone yell: “Get out of the house!” He said:

When we went out, I saw almost a dozen API policemen. Three of them had machine guns, three had rocket launchers and others had Kalashnikovs with grenades. Some had what looked like an ax a butcher might use. Inside our compound, they were shooting everywhere. They were drunk. They made us lie down on our backs and spread our arms and look at the sun. Hot shells were falling on us. They drank Amstel (beer) and poured it on us. They said: “Where are the youth who shot at us during the night?”

One of them cocked his gun and put it to my temple. Then he asked another (if he should kill me). I thought I was finished. Another said: “Wait.” Then another one came and cut me (on my arm) with an ax. I had a wide wound and blood was shooting up like this into his face. I said: “You’re killing me! You’re killing me!” He said: “I didn’t know it was so sharp.”

He saw the police beating other people and kicking a man in the jaw. Two of the policemen entered his house, asked him where he kept his money, and looted sheets, shoes, clothing, and other valuables. The man lay on the ground for an hour and a half, then fled. Afraid to go to the hospital, he rubbed liquid from a medicinal plant on his wound and hid. Interviewed several weeks later, he said: “Now, if I’m arrested by the police, I will just say to them: ‘Kill me so that I don’t have to go through that again.’”

A 39-year-old man in Musaga who ran a small bar out of his house went out during a lull in the gunfire on December 11. Policemen and *Imbonerakure* in civilian clothes hiding in an open street gutter told him to go home. There he heard someone say, “Let’s destroy the houses so that we can loot them.” The police started shooting at his house. He hid

behind a refrigerator. They shot open the outer door of the house and three *Imbonerakure* in police uniforms entered:

They said: “Come out from there immediately!” One of them took an iron bar and hit me twice in the back. One of them went into the room where my daughter and a bar employee were asleep. He stepped on them, pointed his gun at them and said: “Give me the money.” The two other (men in police uniforms) stayed outside drinking beer. (One of the policemen) took all our suitcases and bags and put the beer in them. They took powdered milk and sugar. They took the meat out of the refrigerator and ate it raw. They said to me: “I’m going to show you how the *Imbonerakure* work.”

They cut him on the head with a bayonet and he lost consciousness. He believes they thought he was dead and left:

They came back 20 minutes later to take other drinks. They found me sitting down and wiping blood from myself. They said: “You imbecile, are you still alive?” They took me to a place where around 50 (others) were tied up. They used my shoelaces to tie my arms behind my back. Men from the API, BAE and soldiers made us lie down on our backs. When (the security forces) finished drinking beer, they (balanced) the bottles on the throats of those of us lying down. When the bottle fell, they either kicked us or hit us with their gun butts. It was a form of punishment. They knew good and well that when you are tied up and looking at the sun, you can’t hold out. Men came and kicked me. All of them kicked me like it was a game of soccer.

The police took him and other detainees to the police detention center known as BSR (*Bureau spécial de recherche*), warning them to remain face down in the truck or the police would smash their heads. At the BSR, the police beat him again. He saw *Imbonerakure* who were looking to see who was detained there. The Bujumbura prosecutor denied him medical treatment and accused him of being an opposition fighter. Human Rights Watch has no indication that he was a member of an armed group. The man was released four days later.

Because of the insecurity and intensity of the gunfire, the Burundian Red Cross did not dispatch ambulances to pick up injured residents on December 11. Many only arrived at hospitals the following day.

### ***Mass Graves***

On December 12, 2015, police and *Imbonerakure*, accompanied by local government officials and public health workers, picked up some of the dead bodies from Musaga and took them away in local government vehicles to bury them in mass graves elsewhere, in and around Bujumbura. Reports of mass graves had already surfaced in November in Bugarama, in Muramvya province.

Human Rights Watch spoke to several witnesses who said that *Imbonerakure*, wearing surgical masks and gloves, dug three or four graves in a cemetery in the Kanyosha neighborhood and buried bodies there, completing the digging by the time the vehicles arrived with the bodies. One witness said he counted 20 bodies in one grave and eight in another, while a third grave remained empty. Another witness counted nine in one grave, nine in another, and 10 in the third. Authorities forbid those present from taking photos.

Two other bodies were found in a banana grove and a corn field near Mpimba prison on December 13, and a third was found on December 14, and buried nearby.

Local residents saw local government officials accompany the *Imbonerakure* to the Kanyosha cemetery. A health worker sprayed disinfectant on the bodies. After the burial, a local government official paid *Imbonerakure* from bundles of Burundian francs.

A Musaga resident said:

I saw how they were picking up the bodies. The bodies were scattered everywhere. In Kinanira II, I saw 12 bodies in the streets, near the houses. The population (residents) took three of them away. The nine others were thrown into three pick-up trucks... *Imbonerakure* who had come from Kanyosha and two from Musaga put the bodies in the trucks... In Kinanira I, there were four bodies, and there was another one opposite Camp Bataillon (a military camp). Some had been shot with bullets... At Camp Base, near Mpimba prison, nine bodies were found... In the river near the fields, there were three bodies without heads. One had police trousers on. The others were in civilian clothes... They threw them there like dogs. No one tried to find out who the victims were.

Another man said:

Some bodies were put in bags, then buried. Others were just thrown into the grave. Most had been shot. They were shot in the stomach, in the head, all over. Other had burns. Most were young men. The *Imbonerakure* with the police picked up the bodies from about 10 a.m. on Saturday (December 12). They finished burying them around 4 p.m. It took about three hours for them to offload the bodies... There were more than 20 *Imbonerakure* there, including the head of the *Imbonerakure* from Musaga... Three of the victims were wearing police uniforms and two military uniforms, but it looked like someone had put the uniforms on them because they didn't fit properly.

When they (the *Imbonerakure*) were burying the bodies, it was as if they were proud, but they knew they had done something wrong. They said things like: "Whether you like it or not, you have to accept his (Nkurunziza's) mandate"... It was horrible to see how these people were killed.



Local sources who saw dead bodies in Nyakabiga before they were taken away reported that some had been shot in the back, others in the head. Some bodies were found in street gutters. There were also reports from journalists, activists, and other sources that some were found in the Ntakangwa River.

Bodies from Nyakabiga were taken near Mpanda cemetery, on the outskirts of Bujumbura, and buried in mass graves there. There were unconfirmed reports of bodies buried in other locations.

The authorities made no attempt to identify the victims. It has not been possible to confirm how or by whom they were killed. Some sources alleged that most had been shot dead by the security forces on December 11; others believed that some of the dead may have been *Imbonerakure*.

### **Targeted Killings**

In a number of other cases, people suspected of opposing the government were singled out and killed.

Sources told Human Rights Watch that intelligence officials had offered money to those who had demonstrated against Nkurunziza's third term in 2015 to reveal where demonstrators and other opposition sympathizers lived.

On December 1, the bodies of three young men, some of whom may have been members of an opposition party, were found with their throats slit on 10<sup>th</sup> Avenue in Mutakura. Human Rights Watch saw photos of their bodies with deep cuts on their throats, and footage of a local resident saying people were being slaughtered like cows.

On January 3, at about 7:30 a.m., policemen in Musaga stopped Pascal Nshimirimana, a musician and part-time barber in his mid-20s who was known as Lissouba, as he was returning from buying food. He was with three other men, including a domestic worker.

Five policemen approached them, including one policeman in civilian clothes, whose hair Nshimirimana had agreed to cut on that day. The police asked the men why they were there and where they were coming from, demanded their identity cards, and ordered the men to follow them. One escaped. The policemen told the others to sit on the ground. Nshimirimana refused. By this time, 10 policemen had gathered around them.

A witness said:

All the policemen focused their attention (on Nshimirimana) and forced him to sit down. The domestic fled and was shot at, but he was lucky and wasn't hit. I saw a policeman shoot Lissouba in the legs. He got up and (tried to) run in the direction of Mpimba central prison. I heard another gunshot. Other people went to see what had happened and found him dead.

Another witness went to the scene after hearing the gunshots:

I found policemen there, including the neighborhood police chief (*chef de poste*). I asked him why Lissouba had been killed. He said he was a rebel, and (accused me of) collaborating with them. He said he could use a rope to kill me. (Lissouba) was hit in the legs and had been shot in the spine. The bullet came out through his stomach. His intestines had come out.

When asked about the case by Radio France Internationale, police spokesperson Pierre Nkurikiye said that Nshimirimana and those with him were “getting ready to commit a crime.”

Early in the morning of November 7, 2015, a man in police uniform entered the *Coin des Amis* bar in Kanyosha and approached four customers – three men and a woman who were speaking Kinyarwanda, the language of Rwanda – and then left. A short while later, three men in police uniforms approached the bar and made customers sitting outside go inside. Two of the men in uniform stayed outside while the third told everyone inside to lie on the ground and take everything out of their pockets. He collected the phones and money, then began shooting them. A survivor said:

I saw them kill nine people. It’s difficult to know who (the perpetrators) were. They could have been *Imbonerakure* in police uniforms. Police had come to the bar about a week before. They had asked staff at the restaurant: “Where are the criminals who drink here?”

The attackers stole the owner’s vehicle and fled. The car was later found riddled with bullets in a rural area.

### **Possible Disappearances**

Numerous sources in Bujumbura told Human Rights Watch about people who went missing in December, January, and February. In some cases, there were indications that state agents took the person away. In others, relatives or friends had been informed, through intermediaries or inside sources, that intelligence services might be holding the person, but were unable to confirm this or locate the person. In other cases, there were no leads at all. Many families are afraid to seek the authorities’ help for fear that the police or intelligence services may have been involved in the abduction or disappearance.

Local activists, journalists, and other sources have also reported, including on social media, a noticeable increase in people going missing since December. The secretive nature of these cases makes it very difficult to confirm the details.

An enforced disappearance occurs when someone is deprived of their liberty by state agents or those acting with their acquiescence, followed by a refusal to acknowledge the

deprivation of liberty or concealment of the fate or whereabouts of the disappeared person.

In a new practice, families have been asked for large ransoms. Police have in the past routinely asked families for relatively small amounts of money to release detainees. But recently, the police, intelligence services, or their intermediaries have demanded exorbitant sums, ranging from 500,000 to 3 million Burundian francs (approximately US\$320 to \$1,900), well beyond the reach of most people. Families borrow the money, but with no guarantee that their relatives will be released or located.

On December 10, unidentified men in a vehicle believed to belong to the intelligence services picked up Marie-Claudette Kwizera, the treasurer of Ligue Iteka, a Burundian human rights organization, in Bujumbura. The family paid a member of the intelligence services, through an intermediary, more than US\$2,000 to secure her release. An intelligence agent and the alleged intermediary were subsequently detained. But there has been no sign of Kwizera. Ligue Iteka is one of a dozen non-governmental groups whose accounts were frozen by the prosecutor general in November and December 2015.

A local police chief (*chef de poste*) in Nyakabiga and former member of the judicial police, Donatien Twizera, disappeared in early February. He received a call from a policeman who may have asked him to come to a meeting. Twizera's motorcycle was later found outside Bujumbura. As a judicial police officer, Twizera had worked on a sensitive investigation into the murder of three Italian nuns in Bujumbura in September 2014, which may have implicated members of the intelligence services. More recently, he had been accused of sympathizing with the armed opposition, activists said. His whereabouts remain unknown.

In January, a suspected police informant directed police to the home of a man in his early 30s. On January 25, soldiers arrested the man and took him to a local military base. When a relative asked what he had done, one of the soldiers said: "(He) is a killer and a criminal." On January 26, 2016, soldiers brought the man back to his house, with his hands bound behind his back. He had been beaten and was covered in blood. A relative said:

He had blood on his face. They made him sit on the ground. They kicked him and hit him in the head with a gun barrel. He begged them to untie him. (The military) said: "Bring us the weapons." He said: "I don't have weapons." They said: "We are sure you will bring them." They said to his young child: "Here's your father, (but) you don't have a father. Say goodbye to him because you will never see him again." They told the man to get into the vehicle, but he couldn't because his chest was so swollen. They lifted him up and threw him into the truck. Someone said they saw them beating him on the head with a small hoe.

The soldiers also hit, kicked and spat on one of his relatives. The fate of the man they took away is unknown.

## **Arbitrary Arrests and Unfair Trials**

Police and the intelligence services frequently round up groups of mostly young men – sometimes dozens at a time – and arrest them, accusing them of being part of the “rebellion.” The sweeping and arbitrary nature of these arrests means that any young man in neighborhoods such as Musaga, Nyakabiga, Cibitoke, Mutakura or Ngagara – where there were widespread demonstrations against Nkurunziza’s third term in 2015 – could be picked up, regardless of whether he has committed an offense.

Detainees are taken away on trucks, held in police cells or at the intelligence services, or taken to unknown destinations. According to one official, in the days following the December 11 attacks, some 100 young men were taken to the BSR police detention center. Some have been released; others have been transferred to central prisons, and others face long periods in pre-trial detention.

Some have been brought to court and tried in summary trials under a provision of the Burundian Code of Criminal Procedure that allows for an accelerated procedure for offenders allegedly caught in the act (“*en flagrance*”). Large groups of defendants have all been charged with the same offenses, with little attempt to establish individual participation in specific acts.

On January 11, for example, 68 people charged with illegal possession of weapons, were tried in a summary trial by the Tribunal de Grande Instance of Bujumbura, sitting in the town of Muramvya, around 40 kilometers from the capital. The prosecutor provided no evidence to support the charges. Their trial lasted just one day, during which some defendants said they had been tortured and showed rope marks on their arms.

In some cases, police or intelligence agents have singled out individuals for particularly brutal treatment. These may include people who participated in or may have helped organize demonstrations against Nkurunziza’s third term. They are often separated from detainees in police stations and sent to detention centers run by the intelligence services, where treatment is frequently even harsher.

Lower level judicial authorities in Bujumbura privately told Human Rights Watch that in many cases, there is no due process. They said they have given up trying to follow legal procedures as they receive orders from their superiors to falsely charge people with offenses such as participation in rebel groups or illegal possession of weapons, regardless of whether there is any evidence.

## **Torture, Ill-Treatment**

Human Rights Watch documented severe torture and ill-treatment by the police and intelligence services, at the time of arrest and in detention, particularly since late 2015. In some cases, police or intelligence agents tortured detainees to force them to sign

confessions. In other cases, the ill-treatment appeared to be punishment for alleged opposition to the government, or was designed to humiliate the victims.

Torture is not new in Burundi, but following the government crackdown against suspected opponents in 2015, it has become more systematic and brutal. Victims and other sources said that security forces or intelligence services had hit people repeatedly, and slammed gun butts into detainees, in some cases breaking their bones or smashing their jaws so that some of their teeth fell out. Others were pounded in the genitals with gun butts or cut with knives or machetes. An official said that some detainees arrived at detention centers with their teeth knocked out, bloody, swollen faces and in great pain. Some were then beaten again by high-ranking national or provincial police officials with iron bars, rocks or bricks.

Some of those who were badly injured by police have been denied medical treatment. Those beaten in locations other than detention centers have also found it hard to access medical assistance. Many people have been attacked at night and have been afraid to move around the city. Red Cross ambulances frequently do not operate at night because of security concerns. Injured people often arrive at hospitals in critical condition the following day. Some who were transferred to central prisons told their relatives they were happy to be in prison because they had survived detention by the police or intelligence services.

In late January, a 30-year-old man was beaten by men he believed were *Imbonerakure*. He said that they drove a metal rod repeatedly into his lower leg until the bone was crushed and broken in three places. He had deep open fractures to the lower leg. He also had wounds to his face and the left side of his body, where he had been beaten. He was left in an open gutter full of wastewater. He was in such pain that he asked those caring for him to kill him. He later died of his injuries.

Also in late January, a 44-year-old man who had been injured in an attack more than a year ago was approached by men he believed were *Imbonerakure*. They suspected he was an injured opposition fighter because he was wearing a cast. He had been treated for his earlier injury with a metal pin in his arm bone. The men tore off his cast and ripped the pin out of his bone with their hands. The man was so frightened that he hid for a month before seeking medical care. His arm was amputated, on his request, because he was afraid of being seen with a cast again. Some injured people reportedly fear being seen with casts or visible injuries because they may be associated with the opposition.

### **Armed opposition abuses**

The Burundian armed opposition movement is fragmented, consisting of several groups with separate structures, most of whose leaders are in exile. It is not clear whether, or to what extent, they collaborate or coordinate their actions.

Two groups have formalized their activities since early January: the Republican Forces of Burundi (*Forces républicaines du Burundi*, FOREBU) and Resistance for a State of Law in Burundi (*Résistance pour un Etat de Droit au Burundi*, RED-Tabara). Both groups have claimed responsibility for some attacks. While RED-Tabara has claimed it only targets government forces, many other people have also been injured in attacks attributed to the group.

On the evening of February 5, three *Imbonerakure* were killed in Gikoto, near Gasekebuye, in Musaga. A child of about 9 or 10 also died when a bullet hit him in the head. Four other people were injured.

On February 6, Thierry Habonimana, a former ruling party member, was shot dead in the shower of his home in Musaga. A local source said he was shot three times.

Armed opposition groups are believed to be behind a number of grenade attacks in various areas of Bujumbura, though they rarely claim responsibility. Some of these attacks appeared indiscriminate, killing or injuring many passers-by. Others were more targeted. In an unusual move, both FOREBU and RED-Tabara claimed responsibility for two attacks in Cibitoke and Musaga neighborhoods on February 6.

### ***Recruitment, Training of Burundian Refugees in Rwanda***

Since early 2015, according to the United Nations High Commissioner for Refugees, more than 240,000 Burundians have fled to neighboring countries, most to Tanzania, Rwanda, Uganda and the Democratic Republic of Congo.

At the same time, the Rwandan authorities have allowed Burundian opposition groups to organize, recruit and undertake military training on their territory.

Human Rights Watch interviewed more than 20 Burundians who said fellow Burundians recruited them in Rwanda's Mahama refugee camp between May and July 2015 to join a Burundian armed opposition movement. Mahama camp is run by the Rwandan Ministry of Disaster Management and Refugee Affairs. The recruitment appeared to be well-organized. Two Burundian men in the refugee camp were described as the main recruiters, one of them a demobilized combatant. Some recruits said that men from their home provinces in Burundi were also tasked with recruiting them. Meetings were held in Mahama camp to encourage young men to join. Many recruits were told that they would receive military training to remove President Nkurunziza from power.

Some young men claimed they were recruited under false pretenses, such as being promised work, but then taken to a training camp. Dozens of recruits walked a few kilometers out of the refugee camp at night to a meeting point, then were picked up by private buses, or in other vehicles which they described as Rwandan military vehicles, and driven to the training camp, in a forest, a few hours' drive away; they were unable to confirm its exact location. There, Rwandan and Burundian men in military uniforms

trained them in various military disciplines, including weapons training, war tactics, and digging hidden bunkers or trenches. Some witnesses said the Burundian military trainers were demobilized former soldiers. Witnesses estimated that several hundred recruits were trained in the training camp.

One 28-year-old man said:

(The boss of the camp) spoke Kinyarwanda. Sometimes, they called him James. There were Rwandans there who spoke Kinyarwanda. Sometimes they spoke English. Between themselves, when it was something they didn't want us to understand, they spoke English. The training was in Kinyarwanda.

Other recruits said the training was conducted in a mix of Kinyarwanda, English and Kirundi (the language of Burundi). Burundian military trainers told the recruits not to reveal they had been trained.

They told us we should leave (the training camp) and fight for our country, because in Burundi, the *Imbonerakure* are numerous. There was a senior official who came that day. He didn't live there. He came from time to time. His escorts wore Rwandan military uniforms.

Recruits spoke of a second site nearby, which they believed was another training camp. One of them had carried food to the training camp but never entered it.

At the training camp, a man came and took a photo of each recruit. These photos were later used to provide the recruits with fake Congolese electoral cards. Before leaving the training camp at night, instructors told them they would receive more information about their mission when they arrived in Burundi. The recruits were divided into groups of 25 and subgroups of five. Each subgroup had a leader, who was given a phone and told to call a number for instructions when his group arrived in Burundi. These groups were driven at night to a house where a Rwandan man provided them with food. After a few days, they were driven at night to a river. Rwandan men in civilian clothes told them to undress and gave them a jerry can to float across the river into Congo. Because many did not know how to swim, the Rwandans swam next to them across the river.

Once they had crossed the border into the Democratic Republic of Congo, vehicles took them to various locations. Congolese authorities arrested some of them in and around the town of Uvira and others as they attempted to cross into Burundi. Human Rights Watch has not been able to confirm whether recruitment and military training of Burundians in Rwanda has continued more recently.

In a February 22 [letter](#), responding to Human Rights Watch's findings, the Permanent Secretary in the Rwandan Ministry of Justice wrote that the Rwandan government had heard of "broad allegations of insecurity among Burundian refugees" and was seeking "information that may be useful in carrying out investigations in the context of protection

for the refugees but also the possible violations of Rwandan territory implied by the allegations.” The letter poses a series of questions regarding Human Rights Watch’s research and states that the Rwandan government “remains very interested in following up this issue if indeed the account can be verified.” It states that in the absence of information verifying Human Rights Watch’s claims, it would be “unwise to publish such a report as it would only be another example of sensationalism aimed at making news rather than protecting human rights” and would “serve to create a diversion from the conflict in Burundi.”

In a confidential document leaked to the media in January 2016, the UN Group of Experts on the Democratic Republic of Congo came up with similar findings on recruitment and training of Burundian refugees in Rwanda in May and June 2015. Burundian recruits told the Group that there were at least four companies of 100 recruits each at the training camp while they were there. Six of the trained recruits who spoke to the Group were minors.

Rwandan foreign affairs minister Louise Mushikiwabo told the media in early February that these were “unfounded” and “unverified” allegations and that the international community was using Rwanda as a scapegoat. In October and December 2015, Rwandan minister for disaster management and refugee affairs Séraphine Mukantabana was quoted in the media describing as false similar allegations by the non-governmental organization Refugees International and other sources.



## **Dispatches: Pulling Burundi Back from the Brink?**

*By Carina Tertsakian, Senior Researcher*

### **January 20, 2016 – Dispatch**

Ambassadors to the UN Security Council rarely leave New York, but this week they're in Burundi because of concern about hundreds of [killings](#) in the capital, Bujumbura, and fear that political violence might explode into all-out war. It's encouraging to see the Security Council (and the African Union, which has proposed a peacekeeping mission) take the situation seriously, but preventing further loss of life and human rights violations will require strong diplomacy and a comprehensive action plan.

The ambassadors should use their time in Bujumbura to persuade President Pierre Nkurunziza to accept a strong UN political mission with a substantial international police force, and sections on human rights, justice and political analysis. The aims would be to reduce abuses, by both the security forces and armed opposition groups; strengthen human rights safeguards in Burundian institutions, particularly the justice sector; and encourage non-violent solutions to the crisis.

The UN police force would be based in and patrol Bujumbura neighborhoods and other areas most affected by the violence, including at night. It would provide residents with a visible, permanent presence and allow them to report attacks and threats. Its presence could bolster security and deter attacks by the armed opposition, as well as extrajudicial killings and other security force violations.

The mission should include a human rights section, to work closely with the UN Office of the High Commissioner for Human Rights team already in place, to investigate and report publicly on abuses by all sides, including incitement to violence and hate speech. Forensic experts could be deployed to crime scenes and assist judicial authorities, who have so far failed to credibly investigate the killings. A rule of law and justice section would help strengthen the corrupt, politicized and underfunded justice system, and could offer assistance in increasing justice and accountability for serious crimes.

The UN should also deploy a quick reaction force to protect the mission; it would be limited in numbers and fielded from a single, preferably African, country.

Such a mission couldn't be expected to stop the violence completely or end all political killings, but could have a significant effect in deterring or decreasing the abuses. UN action, especially in concert with the proposed African Union force, would offer a chance of pulling Burundi back from the brink and demonstrate strong international support to the Burundian population caught in the violence, at risk of violations.

# **Human Rights Watch Statement – Human Rights Council Special Session on Burundi**

**December 17, 2015 – Statement**

As the Human Rights Council holds this Special Session, the human rights situation in Burundi has reached a new low. Last Friday, scores of people were killed in the capital Bujumbura in the most serious incident since the crisis started in April. The exact number of victims is not confirmed, but an estimated 100 people or more may have been killed in less than 24 hours. Following armed attacks on military installations on 11 December, and reported clashes between the Burundian security forces and armed youth, the security forces entered neighbourhoods of Bujumbura, searched houses, and, according to local sources, killed young men suspected of being opponents. Photographs of some of the dead bodies show people shot in the head and others with their arms tied behind their backs.

These gruesome events are just the latest in a series of extrajudicial executions, murders and attacks, in addition to hundreds of arbitrary arrests and cases of torture, since April 2015. Since President Pierre Nkurunziza announced his controversial bid to stand for a third term, the government has been lashing out at all perceived opponents and critics, including demonstrators, members of political parties, civil society activists and journalists. Opposition groups have also increasingly resorted to violence, killing police and members of the ruling party. Tit-for-tat attacks have spiralled, with a string of high-profile murders since August.

One of the most shocking incidents was the near-fatal attack on our friend and colleague Pierre Claver Mbonimpa, president of the human rights group APRODH, whom we are very lucky to have with us today. He narrowly survived a shooting in August, but a few weeks later, his son-in-law and his own son were murdered, one in October, the other in November.

Meanwhile the crackdown on civil society and the media continues. After suspending all the main private radio stations in May, the government has now suspended the activities and frozen the bank accounts of ten civil society organisations, including APRODH. It has also frozen the bank accounts of the human rights group Ligue Iteka. Burundi's once dynamic civil society movement and independent media have been practically destroyed.

Burundi's crisis is above all a human rights crisis. The Human Rights Council should remain actively engaged and reinforce calls for accountability for the serious crimes committed in Burundi. UN and AU human rights observers in the country should regularly publish their findings. In addition, there is an urgent need for thorough, independent judicial investigations leading to prosecutions. So far, virtually none of the investigations promised by the Burundian authorities have resulted in concrete actions to hold perpetrators to account. On the contrary, they have either reinforced impunity or led

to arbitrary arrests, trumped-up charges, and prolonged pre-trial detention. Given the lack of independence of the Burundian justice system, outside experts should be brought in to assist.

We also ask that Burundi's membership of the Human Rights Council be reviewed by the General Assembly unless the Burundian authorities take concrete, lasting measures to improve the human rights situation.

# Dispatches: Fresh Attempts to Muzzle Free Speech in Burundi

By Carina Tertsakian, Senior Researcher

December 1, 2015 – Dispatch

Burundi's journalists and human rights defenders have had a rough year. A relentless government crackdown has forced almost all of them to flee the country. The assault has been overwhelming: government closure of all the main private radio stations, repeated death threats, threats of prosecution on trumped-up charges, beatings, and the [attempted murder](#) of leading human rights activist Pierre Claver Mbonimpa.

Burundi's vibrant civil society movement and strong independent media used to be the envy of other countries in the region. But the government has spent the past year trying to destroy them.

The latest blow came just last week, when Interior Minister Pascal Barandagiye ordered 10 Burundian nongovernmental organizations to suspend their activities. The move came four days after the prosecutor general ordered their bank accounts to be frozen. The organizations include Mbonimpa's group, the Association for the Protection of Human Rights and Detained Persons (APRODH), and Maison Shalom, which helps vulnerable children and runs a hospital in Ruyigi province.



"To be a journalist in Burundi." © 2015 Alif

Just a week earlier, Antoine Kaburahe, director of Burundi's respected independent newspaper *Iwacu*, was summoned to the prosecutor's office, in connection with his alleged role in a failed military coup d'état in May. He complied with the summons. The authorities questioned him and let him go, but issued a second summons five days later, and have since requested his extradition from Belgium, where he had travelled for professional purposes.

*Iwacu* is a prime target for a government that has been [lashing out](#) at all its critics, particularly since President Pierre Nkurunziza announced – and won – a controversial third term in office this summer. Since all the country's main private radio stations were [shut down](#) six months ago, *Iwacu* is now the only independent media outlet in Burundi investigating and reporting on killings, arbitrary arrests, and other abuses. Several of its journalists have been threatened before, but have carried on working. Now the

government has the boss in its sights, and it may only be a matter of time before it muzzles *Iwacu* too.

If the Burundian government wants to salvage any of its human rights reputation, it should immediately lift its suspension of these organizations' activities, unblock their bank accounts, and drop its attempts to silence Kaburahe.

# **Joint NGO Statement Urging Coordinated Global Response to the Escalating Human Rights Crisis in Burundi**

**November 12, 2015 – Joint Statement**

We, the undersigned organizations, urge a coordinated global response to the escalating human rights crisis in Burundi, before it is too late. With an increase in killings – many by the security forces –, inflammatory and threatening public statements by high level officials and provocative attacks on the security forces by armed opposition, the international community is being put to the test.

According to the United Nations High Commissioner for Human Rights, at least 240 people have been killed in Burundi since April, with bodies dumped on the streets on an almost nightly basis. Speaking to the UN Security Council, Adama Dieng, Special Adviser on the Prevention of Genocide, expressed his alarm at the “inflammatory and threatening language” being used in Burundi, noting that some of it was “very similar to language used before and during the genocide of the Tutsis in Rwanda.” Dieng warned that Burundi “appears on the verge of a descent into violence that could escalate into atrocity crimes,” adding that “the international community has a responsibility to protect Burundians.” The High Commissioner underscored this urgency, recommending “all possible influence must be brought to bear to halt what may be an imminent catastrophe.”

Preventive diplomacy should be more than a slogan at the United Nations. It should be brought to life through decisive action aimed at preventing serious human rights violations and crimes under international law in cases like Burundi where, as the High Commissioner noted, “member states and the Security Council can intervene effectively to prevent the repetition of past horrors.”

We call on the Government of Burundi and the opposition to urgently de-escalate this dangerous situation, and in particular to end inflammatory rhetoric. We call on the UN Security Council to impose targeted sanctions against those who incite serious crimes in Burundi; to request regular public reporting on the human rights and security situation; to support the deployment of additional human rights observers to Burundi, including to monitor any hate speech in the media and social media; to consider a joint trip to Burundi with a representative of the African Union Peace and Security Council and to reinforce the UN presence in Burundi.

Burundi is on the brink. The UN Security Council has been put on notice that inaction could lead to an uncontrolled escalation. It is now incumbent on the Council to rise to this challenge with coordinated and timely action to avert further abuses.

*Amnesty International - Global Centre for the Responsibility to Protect - Human Rights Watch - International Crisis Group - International Federation for Human Rights (FIDH)*

## Burundi: President's Speech Instills Fear as Killings Increase

*Police Should Not Use Excessive Force*

November 11, 2015 – Press Release



*The funeral of Christophe Nkezabahizi, his wife, nephew and two teenage children, shot dead by police in the Burundian capital, Bujumbura, on October 13, 2015. © 2015 Iwacu*

[Burundian](#) security forces should exercise restraint during search operations for illegal weapons in the capital, Bujumbura, and not use these operations as a license to kill, Human Rights Watch said today.

President Pierre Nkurunziza warned on November 2, 2015, that anyone who failed to hand over weapons by November 7 would be “punished in accordance with the anti-terrorist law and fought like enemies of the nation.” He told security forces they could use all means at their disposal to find these weapons and re-establish security. Search operations began on November 8.

“Reckless and threatening speeches by the president and other ruling party officials have created panic,” said [Daniel Bekele](#), Africa director at Human Rights Watch. “The Burundian security forces have been responsible for numerous human rights violations in the past months, yet the authorities often just blame ‘criminals’ and ‘terrorists’ and ignore security officials’ deadly use of force.”

The president's warning led many residents of Mutakura and Cibitoke neighborhoods to flee for fear of attack. Members of the ruling party youth league searched them as they left.

The son of leading human rights activist Pierre Claver Mbonimpa was [shot](#) dead on November 6, reportedly after being stopped by the police, and initial media reports indicate that unidentified assailants killed at least seven people in an attack on November 7 at a bar on the outskirts of the capital.

In the lead up to search operations, senior ruling party officials used inflammatory and apparently threatening language in public speeches and statements. In a speech to local officials on October 29, Senate President Révérien Ndikuriyo said: "Go tell them [those who have weapons]: If something happens to them, they shouldn't say 'if only we had known'.... The day when we give people the authorization to 'work,' it will finish and you will see what will happen." He repeatedly used the word "*gukora*," which means "to work" in the Kirundi language. The same word was used to incite people to mass violence before and during the 1994 Rwandan genocide.

Burundian authorities have the authority to conduct law enforcement and security operations to seize illegal weapons. However, under international law, security forces are obliged to ensure that they only use force that is proportionate to a legitimate threat. They should follow the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, which set out the limits on the use of force.

The speeches come on the heels of a spate of killings in Burundi, with more than 100 people killed since August, some by members of the security forces, in and around Bujumbura. The frequency and brutality of the killings have reached disturbing new levels.

Two of the deadliest attacks took place in the Bujumbura neighborhoods of Cibitoke and Mutakura on October 3, and Ngagara on October 13. Multiple witnesses said that men in police uniforms carried out both attacks, apparently in retaliation for attacks on policemen by armed men presumed sympathetic to the opposition. The first attack killed at least seven residents and the second killed nine. In the Cibitoke attack, residents recognized members of the ruling party youth league who collaborated with policemen during the attack. Two witnesses saw between 7 and 10 dead bodies in civilian clothes being loaded into a police truck the day after the attack.

In the second attack, in Ngagara, the victims included a cameraman who worked for the state broadcaster. Police shot him dead, then ordered his wife, nephew, and two teenage children to come out of the house, made them and a local guard lie down on the main street, and shot each of them in the head, according to multiple witnesses.



In other cases, it has not been possible to identify the attackers. Dead bodies have been found nearly daily in Bujumbura, usually dumped overnight, sometimes in locations other than where they were killed – making it difficult to identify the victims or the killers. Many victims have been found shot dead, with their hands or arms bound, and with injuries indicating they may have been tortured. Witnesses told Human Rights Watch some bodies appeared to have been stuffed into sacks, taken to the outskirts of the city, and buried.

Human Rights Watch arrived at the figure of more than 100 deaths by speaking to witnesses, family members of the victims, local authorities, journalists, and other local sources, but has not confirmed each killing or the circumstances of every incident. Many Bujumbura residents told Human Rights Watch that they were afraid to discuss the killings, making it difficult to confirm the exact number of victims.

The police deputy director general, Godefroid Bizimana – one of four people against whom the European Union imposed sanctions on October 1 for “undermining democracy or obstructing efforts to achieve a political solution” – told Human Rights Watch on October 16: “The youths have used the population as human shields. This is how civilians have died. Some of the insurgents take civilians, accuse them of not being sympathetic to their cause, kill them, and dump their bodies.”

Witnesses, family members of victims, and members of the ruling party told Human Rights Watch that many of those who have turned up dead belonged to either opposition parties or the ruling National Council for the Defense of Democracy-Forces for the Defense of Democracy (CNDD-FDD). Some were members of the CNDD-FDD youth league, known as *Imbonerakure* (“those who see far” in Kirundi). Armed people sympathetic to the opposition have resorted to violence, throwing grenades at police, firing on them, and attacking police posts.

The prosecutor general and the police spokesperson told Human Rights Watch that investigations are opened into all reports of killings. In many cases, however, witnesses and victims’ relatives told Human Rights Watch that judicial authorities had not contacted them regarding investigations, even in high-profile cases or cases where the victims were ruling party members.

A justice official told Human Rights Watch that while case files have been opened on many killings, magistrates have not always thoroughly investigated them. The official said that cases are highly politicized, with some high-profile cases handled directly by magistrates or other officials close to the ruling party.

The deteriorating human rights situation in Burundi has led to a flurry of statements, resolutions, and other actions by senior diplomats and international and regional organizations, including a meeting at the UN Security Council on November 9 and a strong [statement](#) by the African Union Peace and Security Council on October 17.

International and regional actors should use all available channels to sustain pressure on Nkurunziza to prevent further violence, Human Rights Watch said.

The UN secretary-general, Ban Ki-moon, and the chairperson of the African Union Commission, Dr. Nkosazana Dlamini-Zuma, should lead high-level delegations to Bujumbura to meet Nkurunziza and urge him to hold the police and the intelligence services accountable for their actions. The delegations should also address the lack of credible investigations into recent killings, the lack of independence of the justice system, and attacks by opposition sympathizers against security forces.

The African Commission on Human and Peoples' Rights should accelerate its investigation into human rights violations and other abuses in Burundi, as per the African Union's Peace and Security Council statement on October 17, and ensure that it publishes a report on its findings in a timely manner. The commission should appoint experienced, independent members for this investigation who can focus particular attention on killings by state security forces and opposition sympathizers and lay the ground for effective independent criminal investigations.

When Nkurunziza took his oath of office for his third term on August 20, he promised that "investigations are happening and, sooner or later, those who are killing people will be apprehended and severely sanctioned." Yet no information is available on any prosecutions for these killings.

"President Nkurunziza needs to stick to his word," Bekele said. "To prove that Burundi is a country where the security forces aren't above the law, he should publicly and unequivocally condemn all killings and make sure there are thorough, independent investigations and prosecutions regarding all such cases."

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### **The Bujumbura Killings**

Human Rights Watch's research, conducted between July and November 2015, focused primarily on killings in and around Bujumbura. Several people have also been killed in the provinces. In an October 12 news release, the Public Security Minister Alain Guillaume Bunyoni noted that police had registered 130 "assassinations" in the country between July and September. He did not give a breakdown of casualties.

Since late July, Human Rights Watch has kept track of three patterns of killings in Bujumbura: killings during police raids after police were attacked by opposition sympathizers; killings directed at high-profile people with clear political affiliations; and killings of sometimes unidentified victims by unknown gunmen who dumped their bodies in the streets.

## Deadly Police Raids

Demonstrations against President Pierre Nkurunziza's bid for a third term began in April and were brutally [suppressed](#) by the police. After a failed coup led by a group of military officers on May 13, police intensified their crackdown on protesters. Since then, there have been sporadic attacks against security forces and persistent rumors that some Burundians have been forming an armed opposition movement in exile. The government's [closure](#) of Burundi's main private radio stations in April and May and repeated government threats against human rights groups, leaving them unable to operate freely, have meant that many abuses and other events go unreported.

Police spokesman Pierre Nkurikiye told Human Rights Watch on October 28 that grenades have sporadically been thrown at the police, usually when they respond to incidents in neighborhoods. He said 26 policemen had been killed since April. Burundian human rights activists believe the real number of police killed is higher.

Bizimana, the police deputy director general, told Human Rights Watch: "People take advantage at night and attack the police. They have grenades. The police retaliate by shooting at the people who threw grenades."

These attacks on police have sometimes triggered deadly reprisal attacks by police and men in police uniforms. Activists, residents, and a former police official told Human Rights Watch they believed some *Imbonerakure* wear police uniforms and accompany real policemen during incursions into neighborhoods. Based on interviews with witnesses and past practices, Human Rights Watch believes that some *Imbonerakure* worked closely with the police during the October 3 attack in Cibitoke, as they have done [in past incidents](#) documented by Human Rights Watch.

Most of the victims of the October Cibitoke, Mutakura, and Ngagara attacks appear to have been residents whom the police killed randomly, simply because they happened to be in the area where policemen had been attacked or abducted. There are no indications that the police singled out these particular individuals on the basis of their identity.

### ***October 3 Attack in Cibitoke and Mutakura***

At about 11 a.m., residents of Cibitoke neighborhood in Bujumbura heard gunfire. A police official told Human Rights Watch that police had been called to the neighborhood to intervene in an incident and were attacked. Later that afternoon, police, accompanied by youths in civilian clothes, entered Cibitoke from Kamenge neighborhood. A witness told Human Rights Watch that some of the youths, who the witness thought were *Imbonerakure*, entered a compound and yelled at the inhabitants hiding in their houses:

"These imbeciles who shoot us at night, bring out these dogs, and we're going to show them!" A woman in her [nearby] house yelled back at them: "They aren't here. Truly, there is no one here." They [two youths in civilian clothes] wanted to enter other compounds. A policeman with them said: "That's not what we agreed

on; I'm going to shoot at you!" He said to them [the two in civilian clothes]: "You came here to do this?"

The civilians and the policeman left the compound and stayed on the 10th avenue in Cibitoke. At least one witness recognized *Imbonerakure* among those in civilian clothes. A witness overheard some of the youths speaking on the phone to someone they called "commissioner." They said there was an operation in Cibitoke, and they were "in control of the sector." They mentioned people who "are going to wear the uniforms" and that one person was already wearing a uniform. The others, they said, "are not in uniforms."

The policemen and men in civilian clothes stopped two men who were returning home that evening. One of the men was Eloi Ndimira, a 54-year-old disabled man. A witness said:

They [the civilians and the policemen] said in a mean way: "Put your hands in the air and clap for us." There were two men. One was disabled. He responded: "Who do you think you are calling me like that?" He couldn't put his hands up and clap. He fell. We could hear his stick fall on the ground.

Around 7 p.m., we heard them, we heard sounds of gunfire. We could hear Eloi [the disabled man] say: "Oh! Oh! Oh!" He yelled three times. Maybe that's when they stabbed him. When we heard Eloi's cries, there were shots. We heard one of them say: "If it was me, I would have given him at least 10 bullets." We heard between five and seven shots.

The next morning, two people who returned to the area in search of a missing family member saw between 7 and 10 *Imbonerakure* and one policeman preparing to put dead bodies in the back of a police pick up with police license plates. One of them said:

When I arrived at the 8th avenue, that's where we saw a pile of bodies. I think there were at least 10 bodies. Some bodies were [laid out] side by side, some were piled up. *Imbonerakure* came and put them in a police vehicle. Among the *Imbonerakure*, there was one I recognized who had lived in Cibitoke, but moved to Kamenge.

On the same day, policemen arrived in Mutakura neighborhood. Residents heard gunfire at about 10 a.m. A witness said:

I found everyone in our plot outside of their houses, near their front doors. After a while, the police said: "Give us all the youth who live here." The police were in solid blue uniforms. They ordered us to lie on the ground and told everyone to come out of their houses. We said there was nobody in the houses. They shot inside the houses to make everyone come out.

Policemen outside the compound continued to shoot into the compound. Two grenades were also thrown into the compound by people outside. The people who had been made to lie down took shelter in their houses. A Rwandan clothes washer, Joseph Baganineza, was killed by a bullet. Police set fire to some houses in the compound.

Soon afterward, the same witness said, policemen, including police who guard state institutions (*Appui pour la protection des institutions*, API), entered the compound:

They continued to shoot into the houses. That's when I was hit. The bullet came through the window. [The police] shot a lot of bullets into houses that weren't burned, so those hiding there would be hit. When I was already hit, they said: "Come out, with your hands in the air." That's when we saw the police in camouflage. It was [two] groups, in two different uniforms. The [API] said: "Yes, combatants, it's you. Come out." We said: "We aren't combatants." They said: "You know who [the combatants] are." We said: "We don't know them." That's when they started to search us.

The police confiscated telephones, money, and personal documents, then forced residents to lie face-down in the street, a witness said. If they tried to lift their heads, the police kicked them in the head or beat them with their gun barrels. The police arrested 48 young men, including some minors, and took them to the police detention center known as *Bureau spécial de recherche* (BSR).

There, a judicial police officer took statements from some of those arrested. One of the young men arrested, who could not read and had been injured, said:

The statement, the [judicial police officer] said to sign it, but he didn't read back to me what he wrote. For example, he said: "Where were you when you were hit [with bullets]?" I said: "I was at home." He said: "It's you who shot at people, and you say you were hit? And what would have happened if someone had shot you in the head?"

Despite a serious gunshot wound and shrapnel wounds from a grenade blast, the police denied him medical treatment. He, and many of the other detainees, including the minors, were released several days later. They were not charged.

### ***October 13 Attack in Ngagara***

One of the most deadly police responses to an attack on policemen was on October 13 in Ngagara. Witnesses heard several grenades explode near a primary school. When residents went to the scene, they saw an injured person, whom they believed was an API policeman in civilian clothes, writhing on the ground. API members arrived, shooting in the air. Nkurikiye, the police spokesman, later said that armed men had captured three policemen in civilian clothes. One policeman was killed, one injured, and the other escaped.

At about 4 p.m. API police arrived in the area of Ngagara known as Quartier 3. Witnesses told Human Rights Watch that they heard the police shooting at houses. Four API policemen entered the house of an older man. One of them told him: “Show us where the people are who did the crime.” When he said they weren’t there, the police kicked him in the stomach and beat him. An API policeman then shot him in the left leg and left. A witness said the policeman came to his house: “He pointed the barrel of his gun at us, put his finger on the trigger, and said: ‘I’m going to kill you. You are going to pay for ours (who were killed).’”

The witness told them they could search the house and that they would not find any guns.

API policemen then went to a nearby house. They yelled: “If you aren’t guilty of anything, come out. Open [the gate].” Christophe Nkezabahizi, a cameraman for the state broadcaster Radio Télévision Nationale du Burundi (RTNB), said as he was opening the gate: “I’m a journalist at RTNB.” A witness said that an API policeman entered as Nkezabahizi opened the gate and slapped him. As Nkezabahizi lost his balance, the API policeman shot him twice. The policeman said again: “All those who are guilty of nothing, come out. Otherwise we are going to burn all the houses.”

Nkezabahizi’s wife, Alice, his adopted son, Trésor, his nephew, Evariste Mbonihankuye, and his daughter, Ines Nikura Kamikimana, known as “Kami,” came out of the house. As they passed by Nkezabahizi’s body, one of the API policemen asked Nkezabahizi’s wife: “Is this your husband?” She said yes. A local resident described what happened next:

They made them lie down in the street. And then they brought a guard [who lived nearby]. All of them were killed here. They were all shot in the same place, in the head, near the eye. Except Kami, who was shot under the chin. Her brains were left there with pieces of her skull.

Afterward, two policemen arrived and started shooting [at Nkezabahizi’s house]. One aimed at the living room and the other at the bedroom. One of them said loudly, as a warning: “Let’s hope nobody else is left here.” They said to each other that there were people still inside the house. They continued shooting several times. They left and came back. Left and came back. They did this three times. Each time, they started shooting again. It lasted around 30 minutes.”

Witnesses said police also shot randomly at many other houses.

During the raid, the police also shot dead three other young men from the local area, at least two of them in the head. A witness said that an API policeman found a domestic worker hiding in a house and said to him: “‘You dog, you’re hiding here? It was you who shot at us!’ He shot him in the back of the head and the bullet came out of his forehead. When we went to get the body, there were brains on the ground.”

Another domestic worker who distributed beer and soft drinks in the neighborhood was also found dead in the street, shot in the head.

On October 17 the prosecutor general, Valentin Bagorikunda, set up a commission to investigate the attack in Ngagara and said its report was expected in 10 days. It is unclear if the report has been finalized.

### **High Profile Attacks Against Specific Individuals**

In addition to killings during police raids, a number of directed killings and attacks have been aimed at specific individuals. The victims have included high-profile politicians, members of the security forces, human rights activists, and journalists.

One of the first was on May 23, almost a month after the start of demonstrations against Nkurunziza's bid to stand for a third electoral term, when Zedi Feruzi, president of the opposition party Union for Peace and Democracy-Zigamibanga (*Union pour la paix et la démocratie-Zigamibanga*) was murdered. Jean-Baptiste Bireha, a journalist, was injured during the attack, shot by men in police uniforms as he accompanied Feruzi home.

Beginning in August, the number of these attacks increased sharply. The following list is not exhaustive:

- **August 2: Lt. Gen. Adolphe Nshimirimana**, former head of the intelligence service and a close ally of the president, killed when unidentified men opened fire on his vehicle in Bujumbura;
- **August 2: Esdras Ndikumana**, the Burundi correspondent for Radio France Internationale (RFI) and Agence France-Presse (AFP), severely beaten by intelligence officials after attempting to take pictures of the vehicle in which Nshimirimana was killed. Intelligence agents broke his finger and beat him hard on the soles of his feet;
- **August 3: Pierre Claver Mbonimpa**, president of the Burundian human rights organization Association for the Protection of Human Rights and Detained Persons (APRODH), shot in the face and neck on his way home from work by a man on a motorcycle who approached his car. Mbonimpa recognized the shooter as someone who worked with the intelligence services. Mbonimpa was severely injured and is receiving medical treatment in Europe;
- **August 4: Côme Harerimana**, a local president of the CNDD-FDD in Kanyosha, in Bujumbura Rurale province, killed when an unidentified gunman threw a brick at the motorcycle on which he was riding, causing the driver to lose control. The assailant then shot Harerimana in the head, ribs, and arm, and fled. Harerimana had previously received threats, apparently because he was a member of the ruling party. Demonstrators had come to his house during protests against Nkurunziza's third term and sung: "We will dig 100 meters down and will bury Côme and all his family there";

- **August 15: Col. Jean Bikomagu**, former chief of staff of the Burundian army during Burundi's civil war in the 1990s, shot dead by an unidentified man on a motorcycle as he returned home;
- **August 22: Pontien Barutwanayo**, a member of the opposition party National Liberation Forces (*Forces nationales de libération*, FNL) and former administrator of Isale commune, in Bujumbura Rurale province, shot dead. A witness said one or several people opened fire on Barutwanayo from behind a wall as he sat with friends at an outdoor bar in Rushubi, a town in Isale;
- **September 7: Patrice Gahungu**, spokesperson for the UPD opposition party, shot dead while driving to his house in Bujumbura. Intelligence agents had severely tortured Gahungu in 2010, beating him with truncheons and rocks, cutting off a piece of his ear and trying to make him swallow it, and forcing him to drink his own blood. They had interrogated him about grenade attacks allegedly carried out by the UPD and FNL and the two parties' links. He was imprisoned for 15 months, and charged with weapons possession. After his release on October 24, 2011, he submitted an official complaint to the prosecutor general in 2012, as well as a petition to the UN Committee Against Torture on July 30, 2012. The Committee Against Torture wrote to the Burundian government in late August 2015, saying that Gahungu's rights had been violated. The committee said the government should "take all necessary measures to prevent all threats or acts of violence to which the petitioner or his family could be exposed, in particular for having submitted this present request";
- **September 11: Gen. Prime Niyongabo**, the army chief of staff, escaped an attack by unknown men in Bujumbura in which several of his bodyguards were killed; and
- **October 17: Charlotte Umurwaneza**, a member of the MSD opposition party, disappeared on October 16. Her body was found two days later next to a river outside of Bujumbura.

The prosecutor general, Valentin Bagorikunda, told Human Rights Watch in a meeting on October 16 that case files have been opened for each killing in the country. He said that investigations into the attack on Mbonimpa were under way but that it had not been easy to obtain testimony. He said that pre-judicial investigations were also under way on the killings of the two UPD representatives, Feruzi and Gahungu.

In the case of Ndikumana, Bagorikunda said that because Ndikumana was not currently in the country, and the prosecutor did not have his statement, it was not easy to make progress with the investigation.

On October 19, RFI, AFP, and Ndikumana himself filed legal complaints at the Supreme Court of Burundi against a person at the intelligence services they accused of torturing Ndikumana. The spokesperson for the intelligence services told RFI that at the time of Ndikumana's arrest, people were "in a panic" and that there was "misconduct." The spokesperson said necessary measures and sanctions would be taken.



In one of the few cases in which suspects were apprehended, a soldier and three policemen were among those arrested in connection with the killing of Nshimirimana. Nkurikiye told Human Rights Watch on September 22 that investigations were also ongoing into the attacks on Mbonimpa, Bikomagu, Barutwanayo, and Bireha, the journalist injured during the attack on Feruzi. He said that “for each assassination case, for each corpse that is found, there is a case file opened; there is an investigation.”

### **Other Murders**

In addition to the above high-profile cases, a number of other people were murdered from May onward. Victims were apparently singled out because of their political affiliations, suspected links to the opposition, or past grievances between some of the victims and government agencies, such as the intelligence services.

Sources close to the victims said that some had received threatening visits, text messages, or calls from unidentified people or people close to the ruling party. In some cases, sources witnessed or confirmed that members of the intelligence services and security forces were involved in abductions or killings.

The killings were aimed at members of the ruling party as well as government opponents. A witness told Human Rights Watch that on May 25, anti-government demonstrators came to the house of a CNDD-FDD party member in charge of awareness-raising in his area, on the outskirts of Bujumbura. They broke the windows on the door, damaged the roof, and looted and burned some of the man’s possessions.

On July 31, unidentified men came to his house at 11 p.m. and knocked on the door, saying: “Come out, we have something to tell you. We are military.” The witness, who was in the house with the victim at the time, said the victim looked outside and saw about 12 armed men surrounding the house. Some were in civilian clothes. Two or three wore camouflage military uniforms.

The witness said:

When I started to yell, they [the armed men] started shooting. After a moment, [the man] went outside, but he had already been hit [by bullets]. We found blood in the house. I went outside five minutes later. I found one of the assailants sitting in front of the door. Two others were against a wall. One of them said: “Shoot [her]!” Another one said: “No, it’s not worth it. We have already finished with the one we were looking for.”

A relative found the victim near his house. He had been shot multiple times in the genitals and arm. The attackers burned the man’s house and fled. A month after the killing, a relative of the victim said that the family was unaware of any investigation into his death.

In another case on the outskirts of Bujumbura, a 30-year-old man and his wife, both former fighters for the opposition FNL, had been threatened by opposition supporters for several months. After being demobilized from the FNL, the man had joined the CNDD-FDD under pressure. Anti-Nkurunziza demonstrators and other people visited his house multiple times. He believed they were unhappy with his membership of the ruling party and with his refusal to participate in demonstrations.

The man told Human Rights Watch: “[A demonstrator] said openly that those who are not with them in their struggle against the state will be considered enemies. They were looking at us, saying the [ruling party] gave us weapons.”

On the night of August 25, unidentified men came to the man’s house while he was out and shot his wife dead. They also shot his 8-year-old son five times. The boy survived. “I didn’t have the courage to look at [his wife’s body] because people said her head was completely flattened,” the man said.

Egide Twagirayezu, 35, who, until recently, had been an active member, fundraiser, and mobilizer of the ruling party, had signed a letter denouncing the president’s bid for a third term. Someone with knowledge of the case told Human Rights Watch that after Twagirayezu signed the letter, the intelligence services and members of the ruling party’s commission of discipline threatened him. He was fired from his job and reassigned to another one. In response to increased pressure, he wrote a letter to party officials asking forgiveness, but the threats continued. Youths followed him and watched his house, the intelligence services questioned him, and a high-level government official advised him to flee because his life was in danger. He told a family member: “I’m going to die. With the threats I’m getting, I’m going to die. Take care of the kids.”

On August 12, Twagirayezu and his wife, Yvette Irakoze, 32, went to a bar in the Kamenge neighborhood. A policeman was seen outside near their car. When Twagirayezu, Irakoze, and a family member left the bar and got in the car, an unknown gunman opened fire from behind the car. A witness who saw the body said: “Egide was shot from behind. The bullets came out of his chest. One of his eyes was shot out. His wife was hit about 20 times.”

Both were killed. The couple left behind a 3-year-old daughter and a 1-year-old son.

In other cases, the motive for the killings is not clear. On August 11, an employee of the University of Burundi received a call from an acquaintance and left to meet him. He was later arrested by policemen and men in civilian clothes with guns at a restaurant near the central market in Bujumbura. On August 16 passers-by found his decomposing body in a field on the outskirts of Bujumbura. According to a witness, three fingers were missing on one of his hands and two on the other. The witness said he had been shot in the head.

## Burundi's Descent into Lawlessness

*By Carina Tertsakian, Senior Researcher*

**November 7, 2015 – Dispatch**

Ask anyone in Bujumbura and they will tell you the same thing: dark days lie ahead.

Burundi seems to be descending into uncontrolled violence. A frightening lawlessness is taking hold, which some authorities appear to be taking advantage of to justify brutal repression. Politically motivated killings are more frequent by the day, with hardly any of the killers arrested or prosecuted.

In the last two days, neighborhoods in Burundi's capital worst hit by recent violence have started to empty, following warnings by President Pierre Nkurunziza, Minister of Public Security Alain Guillaume Bunyoni, and other officials that people should hand in their weapons by November 7 or face the consequences.

Burundians take these warnings seriously, having seen relatives, friends, and neighbors shot dead by the police during nightly raids. Panic has set in, and some residents of Bujumbura have been packing up their belongings and fleeing.

The latest victim was Welly Nzitonda, 28, a driver who lived in Mutakura neighborhood. The police stopped him yesterday morning as he tried to leave and took him away. His body was found later, with initial reports indicating that a police officer shot him dead.



*Welly Nzitonda, son of human rights defender Pierre Claver Mbonimpa, killed in Bujumbura on November 6, 2015.  
Courtesy of Iwacu*

Nzitonda's death is the latest devastating blow for his father, Pierre Claver Mbonimpa, Burundi's best-known human rights activist and president of the Association for the Protection of Human Rights and Detained Persons (APRODH). Mbonimpa, in his late 60s, narrowly escaped death when a gunman, whom Mbonimpa recognized as someone who worked with the intelligence services, shot him in the face in [August](#).

On October 9, Mbonimpa's son-in-law, Pascal Nshimirimana, was shot dead as he was driving to his house in Bujumbura. Nshimirimana, a businessman, was not involved in human rights work or political activities. His family is convinced he was targeted because of his father-in-law's work.

How much more suffering and violence can one family bear? Mbonimpa is a principled and fearless activist who never hesitates to denounce abuses by all sides. Is this the price for speaking the truth?

Judging by the foreboding tone of official speeches – warning people that when the “authorization” is given, the operation will start – more people are likely to be killed. Political opponents have engaged in armed violence too, killing and injuring policemen. The police have responded without restraint, in repeated instances forcing residents out of their homes and shooting them dead. In many cases, there is no evidence these residents were connected with the attacks on the police.

The police have a duty to restore security and disarm people who have weapons illegally, and they can use lethal force when lives are at imminent risk. But that does not give them a license to kill.

Nkurunziza and the Burundian government should urgently rein in the security forces. The looming November 7 deadline does not have to be the prelude to more horror. The government can still pull the country back from the brink.

## **Joint letter to Permanent Representatives of Member and Observer States of the UN Human Rights Council addressing the deteriorating human rights situation in Burundi**

**September 2, 2015 – Joint Letter**

Your Excellency,

We urge your delegation to address the human rights situation in Burundi at the 30th session of the Human Rights Council (14 September-2 October 2015) in order to prevent further serious human rights violations. In the context of a mounting political crisis, urgent measures are required to closely monitor developments on the ground, enhance protection of human rights defenders, journalists, opposition party members and supporters, and step up public reporting of human rights violations committed in the country. The Council should adopt a resolution aimed at preventing further serious human rights violations by, inter alia:

- Strongly condemning political violence and human rights violations and abuses<sup>1</sup> committed in Burundi, as well as the ongoing impunity enjoyed by perpetrators, and urging the Burundian authorities to address these violations as a matter of critical priority, including by conducting impartial and independent investigations with a view to bringing those responsible to justice;
- Urging the Burundian Government to allow private radio stations, which have been suspended for several months, to resume their broadcasts;
- Requesting the UN High Commissioner for Human Rights to publicly report, on a regular basis, on the human rights situation in Burundi, and to present a written report at the thirty-first session of the Human Rights Council, followed by an interactive dialogue, as well as a written report at the Council's thirty-third session, followed by an interactive dialogue; and
- Standing ready to convene an urgent debate on the human rights situation in Burundi and to consider taking further steps as appropriate, including the establishment of a UN Special Rapporteur mandate with full monitoring and reporting powers or requesting Human Rights Council special procedures to prepare a joint report on the human rights situation in the country.

In June 2015, at the Council's 29th regular session, a cross-regional group of 47 States signed a joint oral statement in which they expressed concerns about human rights violations in Burundi, including excessive use of force by security forces against

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<sup>1</sup> We refer to the letter sent by FIDH to Permanent Representatives of Member and Observer States of the UN Human Rights Council prior to its 29th regular session.

demonstrators and restrictions on the rights to freedom of expression, peaceful assembly and association, deplored a general climate of intimidation for opposition parties, journalists and civil society, and urged the authorities to conduct impartial and independent investigations into human rights violations and abuses in order to bring those responsible to justice. They also emphasized the need for the Human Rights Council to closely monitor the situation in Burundi and play a supportive role in preventing a worsening of the situation and contributing to a lasting political solution to the situation.

Unfortunately, since June, the human rights situation in Burundi has continued to deteriorate. To mention but a few developments,<sup>2</sup> a day after the murder of former head of the intelligence services and close ally of President Pierre Nkurunziza General Adolphe Nshimirimana, on 2 August, one of Burundi's most prominent human rights defenders, Mr. Pierre-Claver Mbonimpa, was shot in the face and neck. He survived the attack but was seriously injured and had to be evacuated for medical treatment. On 2 August, AFP and RFI correspondent Mr. Esdras Ndikumana was arrested while he was taking pictures of the location of Mr. Nshimirimana's killing, and severely beaten by intelligence agents. President Nkurunziza only condemned the attack 11 days later, on 13 August. In his 20 August investiture speech, he addressed a warning to civil society organizations to refrain from interfering in political affairs or to commit any act or pronounce any speech that may cause divisions and incite killings, "such as those observed during the demonstrations." President Nkurunziza further committed to review the legislation governing the activities of non-governmental organizations to ensure that "the mess observed in the past is not repeated." A few days later, he announced the creation of a commission to regulate the funding of NGOs. These announcements threaten to further compromise freedom of association in a context where most human rights defenders have been forced to flee the country or go into hiding to preserve their security. At the time of writing, tensions remain high, as many opposition actors still do not recognize the legitimacy of Nkurunziza's election for a third term.

The situation could trigger further serious human rights violations, which already include widespread excessive use of force, intimidation, arbitrary arrests, torture and other forms of ill-treatment of demonstrators, suspected government opponents and other detainees.<sup>3</sup> In the last few days, there has been an increase in targeted killings, with members of the ruling party, as well as opposition groups, among the victims – indicating a pattern of reprisal attacks.

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<sup>2</sup> For more detail, see [www.fidh.org/La-Federation-internationale-des-ligues-des-droits-de-l-homme/afrique/burundi](http://www.fidh.org/La-Federation-internationale-des-ligues-des-droits-de-l-homme/afrique/burundi) (in French); [www.amnesty.org/en/countries/africa/burundi](http://www.amnesty.org/en/countries/africa/burundi), [www.hrw.org/africa/burundi](http://www.hrw.org/africa/burundi) (in English).

<sup>3</sup> See Human Rights Watch press release "Burundi: Spate of arbitrary arrests, torture." Human rights defenders, journalists and ordinary citizens continue to flee the country as the authorities increase attacks on anyone who is perceived to be critical of the government. As of 14 August 2015, there were 118 documented cases of human rights defenders and journalists who have been forced to flee the country, as documented by EHAHRDP and its partners ([www.defenddefenders.org](http://www.defenddefenders.org)).

The situation in Burundi requires the urgent attention of the Human Rights Council. The Council should fulfill its mandate to address situations of violations of human rights and to respond promptly to human rights emergencies by articulating a meaningful response to prevent further deterioration of the human rights situation and contributing to UN and regional efforts to resolve the protracted crisis in the country. It should request the High Commissioner to publicly report, on a regular basis, on the human rights situation in the country and to present a written report at the Council's thirty-first (March 2016) and thirty-third (September 2016) sessions, followed by interactive dialogues. The Council should stand ready to convene an urgent debate on the human rights situation in Burundi and to consider taking further steps as appropriate.

Sincerely,

*International Federation for Human Rights (FIDH)*

*CIVICUS: World Alliance for Citizen Participation*

*East and Horn of Africa Human Rights Defenders Project (EHAHRDP)*

*Human Rights Watch*

## **Burundi: Spate of Arbitrary Arrests, Torture**

### ***Intelligence Officials, Ruling Party Youth Target Suspected Opponents***

**August 6, 2015 – Press Release**

[Burundian](#) intelligence officials, police, and youth from the ruling party have arbitrarily arrested and ill-treated scores of suspected opponents, Human Rights Watch said today. Officials accuse many of the mostly young men arrested of trying to leave the country and planning to join an armed rebellion.

Human Rights Watch documented more than 148 cases between April and July 2015 in four provinces and in the capital, Bujumbura, involving intelligence officials, police, and members of the ruling National Council for the Defense of Democracy-Forces for the Defense of Democracy (CNDD-FDD) youth league, known as *Imbonerakure* (“those who see far” in Kirundi). Most of these cases occurred in June and July. Many of those arrested were beaten, tortured, or otherwise ill-treated.



*Imbonerakure (members of the ruling party youth league) attacked this 35-year-old former member of their party on July 2, 2015, tied his arms behind his back, beat him with sticks and tried to strangle him.*  
© Human Rights Watch 2015

Human Rights Watch interviewed more than 80 victims, lawyers, human rights activists, judicial officials, and other sources in these four provinces and in Bujumbura. Human Rights Watch is also investigating reports of similar cases in other provinces. The total number of cases across the country is likely much higher. To protect the security of victims and witnesses, Human Rights Watch is not making public the locations of some of the incidents.

“The *Imbonerakure* have no legal right to arrest anyone, yet they have been stopping people arbitrarily, beating them, and handing them over to the intelligence services, who have tortured some of them,” said [Daniel Bekele](#), Africa director at Human Rights Watch. “The Burundian government should publicly order all *Imbonerakure* to stop arresting people and ensure that *Imbonerakure* and intelligence officials responsible for ill-treatment and torture are brought to justice.”



Since demonstrations against President Pierre Nkurunziza's bid for a third term began in April and were brutally [suppressed by the police](#), international attention has largely focused on human rights abuses in the capital. However, numerous abuses have also been taking place across Burundi's provinces, away from the media spotlight. The government's [closure of Burundi's main private radio stations](#) – one of the few sources of information on events outside the capital – has meant that many of these abuses have gone unreported.

More than 140,000 Burundians have fled the country since March, seeking refuge in neighboring Rwanda, Tanzania, or the Democratic Republic of Congo.

There have been persistent rumors that some Burundians have been forming an armed opposition movement in exile. On July 10, there was an attack by an unidentified armed group that allegedly crossed from Rwanda into Kayanza province, in northern Burundi. Authorities arrested more than 200 people who they claim were part of this group, some of whom are on trial. These events occurred against the backdrop of local and parliamentary elections on June 29 and presidential elections on July 21.

Victims in several provinces told Human Rights Watch that *Imbonerakure* arrested and beat them, sometimes in the presence of intelligence officials. They described being hit with sticks and clubs, forced to roll in muddy pits, and punched in the face. *Imbonerakure* often handed those they arrested directly to intelligence officials, who transferred them to offices of the national intelligence service (*Service national de renseignement*, SNR).

Once there, former detainees said SNR agents and policemen beat them with electric cables to force them to admit to trumped-up charges, such as planning to join an armed rebellion in Rwanda. Others were hit with gun butts and heavy wooden rods. In some cases, SNR agents forced them to undress and engage in humiliating and painful exercises, such as hopping like a frog and walking like a duck, or making them crawl on their elbows in gravel.

One man told Human Rights Watch that SNR agents forced him and other detainees to stand on their heads while they beat them. A senior SNR official in the province gave orders to his driver and police to beat the detainees. SNR agents said to the detainees: "You imbeciles! You are mad at only 10 years [the period Nkurunziza has been in power] whereas you governed for more than 30 years [presumably referring to Burundi's long period of Tutsi-dominated rule]."

A justice official privately confirmed to Human Rights Watch that some members of the SNR tortured detainees. Human Rights Watch tried repeatedly to contact Telephore Bigirimana, the spokesman for the SNR, but was unable to reach him.

When contacted by telephone, Pascal Nyabenda, president of the CNDD-FDD at the national level, refused to talk to Human Rights Watch.

Denis Karera, the national president of the *Imbonerakure*, told Human Rights Watch in a meeting that he was not aware of all the allegations against individual *Imbonerakure*. He said some people committed offenses then tried to blame them on *Imbonerakure*. He said: “I’m against all violence. Whether it’s an *Imbonerakure* or not, I can’t tolerate it. They should be tried and punished in accordance with the law. An *Imbonerakure* has no privilege over other citizens. Nobody is above the law. If an *Imbonerakure* is doing something illegal, he should be punished.”

Judicial officials, lawyers and human rights activists told Human Rights Watch that SNR and ruling party officials heavily influenced judicial decisions or overruled decisions by prosecutors and others. Cases involving opposition party members were often allocated to judicial officials sympathetic to the ruling party.

A senior justice official said that in some cases, ruling party members controlled the fate of detainees and gave orders to the police to fabricate accusations against certain people. Some prosecutors collaborated with intelligence agents to determine what charges to file against individuals arrested by the SNR or by *Imbonerakure* and whether to keep them in detention.

One high-level justice official told Human Rights Watch: “The justice system is not independent. Judicial authorities can’t act independently according to their conscience. We can release someone, then we get a call immediately and [CNDD-FDD] party members give an order. When *Imbonerakure* arrest people, we watch powerlessly. We can’t do anything about it.”

The United Nations and the African Union (AU) should consider deploying observers to monitor how the justice system handles cases of alleged opponents and to report on violations of judicial procedures, Human Rights Watch said. They should also monitor and report on government or ruling party interference in the justice system. This could be one of the functions of the new team of AU human rights observers being deployed to Burundi.

The UN special rapporteur on torture and other cruel, inhuman, or degrading treatment or punishment, and the UN special rapporteur on the independence of judges and lawyers, should urgently visit Burundi and investigate recent abuses, Human Rights Watch said.

“The Burundian intelligence services behave as if they are completely unaccountable,” Bekele said. “Those in power have politicized the justice system, turning it into a weapon against the opposition. The authorities should release detainees against whom there is no evidence of criminal activity, and ensure that the judiciary can function independently and that human rights violations can be investigated without fear.”

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## Attacks by Imbonerakure

Human Rights Watch interviews with victims, witnesses, judicial officials, lawyers, ruling party members, human rights activists, and other sources in several provinces indicate close collaboration between SNR agents and some *Imbonerakure*, as well as some local government officials.

On June 27, two days before local and parliamentary elections, a 40-year-old man had a run-in with six *Imbonerakure* who were his neighbors:

They asked me: “How are you going to vote?” I said: “I’m going to do as you do.” They said: “Since Rwasa [leader of the FNL opposition party] has pulled out, who are you going to vote for?” I said: “I’m going to vote for the eagle [the symbol of the ruling party].” They said: “Say this out loud.” I did, because I wanted to leave.

That night, at around 2 a.m., the same *Imbonerakure* came and took the man away.

They took me to a place where people fetch water; it’s a muddy place. They put me in the mud. They said: “Lie on your stomach and roll in the mud so we can soak the jacket of Rwasa.” They know I am a member of Rwasa’s party. When they saw I was totally wet, they said: “Get up! Go home! When we find out you didn’t [vote] for Nkurunziza, you’ll see what will happen.”

On June 30, the man was chatting with friends when he saw an *Imbonerakure* approach.

He kicked a bucket and said: “It’s on!” He was with a group of around 30. There were five of us. When I was on the ground, they really hit me. They had sticks as thick as a man’s wrist. They said: “Let him die! Let him die! Let him join Rwasa!” When I was almost dead – it was impossible to even breathe – I pretended to be dead. They touched me and said: “It’s finished for him.” They picked me up and threw me in a house. They thought I was dead.

The man was seriously injured. Twelve days later, he said he was still finding it hard to breathe because they beat him so severely in the ribs. Two of the *Imbonerakure* who assaulted him were arrested, but rather than ensuring they were brought to justice, a local government official proposed to “reconcile” the two sides. The victim refused to participate.

On July 5, at around 11:30 p.m., a group of *Imbonerakure* tried to lure a 32-year-old man from his house. When they were unsuccessful, they approached a member of his family and told him: “We heard [he] is in a party which refused to vote for the president. Call him. We are going to give him some advice.” The man’s relative convinced him to go outside and talk to the *Imbonerakure*. The man said:

They asked me why I hadn't voted [in elections on June 29]. I said I was sick. They said: "We know your games. You are against the third term. You didn't want to vote for the president. We are going to kill you." There was a pit nearby that was a meter and a half deep. The head *Imbonerakure* gave the order to the others to fetch water to fill it. Then they made me lie down in it. Two *Imbonerakure* were on either side of the pit. They spared my head, but hit me with sticks all over my body. They said: "Your child gets free health care, but you don't want to vote for the government."

They took me out of the pit and said: "Here you were in the water. We didn't hit you very well. Lie down here. We are going to beat you. You don't have the right to complain about this to the administration." I counted 100 blows with sticks. The rest, I couldn't count because I was almost unconscious.

On June 26, a 29-year-old aid worker said he was waiting near the border with Rwanda to help a family leave Burundi. A man he did not know approached and told him to sit on the ground. Suddenly four policemen and four *Imbonerakure* surrounded him. They took his money, phone, and documents.

They told me that my passport shows clearly I often go to Rwanda, and I should tell them why I made all these visits. I told them I went to visit members of my family. They said: "Maybe you are going for the rebellion that is now taking shape in Rwanda." The head *Imbonerakure* called the local head of the SNR in front of me. He told him he'd just apprehended a rebel. I told them I did humanitarian work but they didn't accept this.



*Imbonerakure (members of the ruling party youth league) beat this 23-year-old man unconscious on June 30, 2015, after he tried to intervene to help others who were being beaten.  
© Human Rights Watch 2014*

SNR agents arrested him and the family he had been waiting for, and drove them to the SNR compound. On their way there, they picked up three young men who had also been arrested trying to flee. The man watched as police working with the SNR beat the three young men with electric cables and military belts and told them to admit they knew the aid worker:

After they beat them, they locked us all up in a small room, including the mother and baby in the family. We stayed there for two days. We were then brought to the judicial police. During this time, I never saw a judge, or a prosecutor, or an OPJ [judicial police officer]. I found several people from different provinces there who had spent more time than I had [in detention] who had never seen a judge. I paid a police officer so I could use his phone and I called a lawyer. The lawyer talked to the prosecutor who said he didn't find any charges against us and he considers us free. When the lawyer told this to the head of the judicial police, he said: "The head of the Documentation [a term commonly used to refer to the SNR] has the last word."

The man was released after 14 days.

On June 26, a group of *Imbonerakure* arrested a 25-year-old unemployed man and four other young men who were attempting to cross into Rwanda. The leader of the *Imbonerakure* told the others: "We need to call the intelligence police because they [those they had captured] are numerous." He called an SNR official and said: "I just arrested some youth who wanted to cross the border to participate in the rebellion." SNR officials came and picked them up. The man said:

The SNR handcuffed us. They wanted us to confess we were rebels who were against Pierre Nkurunziza. [The SNR official] said: "You must freely accept this. We know you are rebels who are going to attack our country and its institutions." Each question was accompanied by lashes, kicks, and punches to terrorize us. Twice we were interrogated by this official and each time we were beaten. They also asked us to collaborate with the SNR in order to be freed.

After two days at the SNR, he was transferred to the judicial police. A judicial police officer (*officier de police judiciaire*, OPJ) told him he could help release him "if you accept the fact you went to participate in a rebellion. If you accept this, the fault can be reduced." The man was released on July 10, after SNR agents extorted about \$250 from detainees to drive them to their home province.

Victims told Human Rights Watch that some local government officials collaborated with *Imbonerakure* during attacks.

On June 30, an 18-year-old student was told by an *Imbonerakure* who lived in her area that someone wanted to talk to her. A local government official who is also an *Imbonerakure* then arrived and assaulted her:

I saw the vehicle of the [official] pull up. I saw [four *Imbonerakure*] get out of the vehicle. They greeted the *Imbonerakure* who was with me. [The official] came toward me. When I was getting up to greet him, he said: “Get on your knees, you imbecile,” and spat in my face. He started to slap me. Two *Imbonerakure* said they would get some wood to make a pole to beat me. [The official] said: “Beat this imbecile who is tarnishing our country.” When they brought the sticks, [the *Imbonerakure*] beat me on the arm. I was wearing a sweater with a zipper. [The official] unzipped it. He pulled hard on my breast. He said: “We’re going to rip off your breast and you won’t be able to feed your children.” They said that they were going to shove a stick in my vagina.

They lifted up the back of my top and hit me on the back with sticks. While they were doing this, [the official] said: “These imbeciles who continue to stain our country! Where did the 60 votes come from [presumably in reference to those who voted for opposition parties in elections the previous day]? The victory is ours. We are going to govern you like we want for the next five years.” They said that if someone saw me coming back [to the nearby town], I would be beaten, even killed. They said I was lucky: “If this had been before the elections, you would have been killed and nobody would have found your grave.”

### **Abuses by Intelligence Agents**

Numerous people who had been held in SNR custody described serious ill-treatment there. More than a dozen victims in various parts of the country said that intelligence agents beat or tortured them. Several were subjected to humiliating and strenuous exercises, beatings with electric cables, and other ill-treatment to force them to confess to false accusations. Some said the provincial heads of some SNR offices pressured them to confess to joining an armed rebellion.

A 30-year-old teacher said a senior SNR official in his province arrested him on April 28, accusing him and three others of preparing a demonstration against Nkurunziza’s bid for a third term in a small town outside Bujumbura. The SNR official forced them to undress and perform exercises in a courtyard:

[The SNR official] said: “Take them to Golgotha [the hill on which Jesus was crucified].” At the Documentation, they beat us with police clubs and the butts of their guns. They made us put our heads on the ground in the gravel. They then ground our heads into the gravel and beat our ankles. When we were tired, they made us crawl on the ground on our elbows. When we were lying on our backs on the ground, they stood on our chests and stomachs. [The SNR official] gave the orders. It was like a military training. The bodyguard [of the SNR official] and his

driver beat us. The driver said: “You, you imbeciles, you governed for more than 30 years.”

The teacher and three other detainees were eventually transferred to police custody, but were not allowed to seek medical treatment for their injuries because, they were told, there weren’t enough police to accompany them. The teacher was released on May 4. He has since occasionally seen the SNR agent who interrogated him. On two occasions, the SNR agent accused him of having guns, forming a rebellion, and distributing opposition leaflets. He warned the teacher: “Try to hand out those leaflets again, and I’ll slit your wrists.”

A 53-year-old businessman said four men approached him on June 25, forced him into a car and took him to the local SNR office. SNR agents accused him of organizing night patrols in the capital and of teaching youth how to handle weapons and grenades:

When I denied everything, they hit me with an iron bar on my rear end and on my feet. While they hit me, they continued to ask the same questions and I continued to deny it. They brought an iron sheet with nails pointing up. They made me stand on the nails. When they saw I would reveal practically nothing, they left and brought a small, 5-liter jug, which would usually contain oil. The jug was full of sand. They attached it to my testicles and made me stand up. They said I should stand up until I confessed. After I stood for around 40 minutes, I realized I couldn’t take it any longer.

They said: “Confess immediately, otherwise you’ll have to stand on the nails.” They took me to the sheet with the nails – the jug was still suspended from me – and I stood for a short time on my heels [so that the nails wouldn’t hurt the soles of his feet], then I fell on the ground. They brought a 1-liter jug of acid. They said: “This time, you have to confess.” They poured the acid on the ground. They told me to take my clothes off and sit in it. I refused. They forced me to sit down. It felt like fire. I tried to get up, but couldn’t. I fell and lost consciousness. I woke up locked in a cell.

The man said SNR agents questioned and beat him again and attached the jug of sand to his testicles a second time. He said he escaped from SNR custody on July 1.

### **Violations of Detainee Rights**

Many detainees were held unlawfully by the police for prolonged periods, Human Rights Watch found. The Burundian Code of Criminal Procedure specifies that detainees should not remain in police detention for more than seven days. They should then be brought before a prosecutor who will decide whether to release them or transfer them to a prison. The period of police detention can be extended for a maximum of a further seven days, on the authorization of a prosecutor.

International law requires bringing detainees before a judicial officer or equivalent – which would not include prosecutors – “promptly” to review the legality and necessity of the detention. Detainees should also be informed “promptly” – within a few days – of any charges against them.

When detainees arrive at the police station, an OPJ should take a statement. Detainees have the right to have a copy of their statement and to have access to a lawyer. However, lawyers, judicial officials, and former detainees told Human Rights Watch these provisions were regularly flouted.

In Kirundo province, Human Rights Watch visited 24 detainees in police custody. Most had been arrested by *Imbonerakure* between June 22 and July 16; all but two had been attempting to flee the country. By July 16, only four had been seen by a judicial police officer. Ten were released on July 22 and fourteen on July 23, according to a local human rights activist.

Witnesses said that on July 12, in Muyinga province, *Imbonerakure* and police arrested an opposition supporter after weapons and ammunition allegedly belonging to him were found at his home. The same day, *Imbonerakure* and police arrested 34 other people with suspected ties to *Amizero y’Abarundi*, an opposition party coalition which includes a wing of the National Liberation Forces (*Forces nationales de libération*) led by Agathon Rwasa and a wing of the Union for National Progress (*Union pour le progrès national*) led by Charles Nditije. The *Imbonerakure* accused the people arrested of security-related offenses and of participating in armed groups. A justice official with knowledge of the case said the arrests had no basis and were politically motivated.

A magistrate in Muyinga refused to allow a lawyer access to detainees multiple times. He kept telling the lawyer to wait and said to him: “You want to support the rebels? You are supporting those who attacked the country.”

## **A Broken Justice System**

Human Rights Watch spoke with dozens of victims of arbitrary arrests in five provinces. In most cases, judicial procedures were entirely disregarded.

*Imbonerakure*, despite having no legal powers of arrest, arrested people fleeing the country. Detainees then spent days or weeks in police or intelligence custody. When some were eventually questioned, judicial police officers did not always take down their statement. None of the detainees who spoke to Human Rights Watch received a copy of their statement. Some victims were denied access to a lawyer. Judicial officials told Human Rights Watch privately that ruling party members and SNR officials interfered in sensitive cases, especially those involving people fleeing to Rwanda.



*Imbonerakure* carrying long wooden staffs arrested four men on June 9 near the border with Rwanda, in Kirundo province. A well-known local *Imbonerakure* leader arrived and called the provincial head of the SNR. One of those arrested said:

[The *Imbonerakure* leader] accused us of joining a rebellion that would eventually come back and attack the country. He called the head of the SNR in the province and told him: “Come get these little boys that I just arrested.”

SNR agents beat the men, then transferred them to the judicial police, but they were not seen by an OPJ as the law requires. The police commissioner spoke with them a week later and told them to wait another week for the investigation. The four men waited in police detention for three weeks, without any evidence being produced against them. Human Rights Watch spoke with 24 other young men who had been in detention at the same time. An OPJ had interviewed only four of them. On July 1 the provincial head of the SNR came to the police detention facility and told the police there to release the man quoted above.

Human Rights Watch attempted to meet the prosecutor of Kirundo to discuss this and other cases, but he would not meet without the authorization of the external relations minister.

Human Rights Watch met the prosecutor of Ngozi, Daphrose Buganyira, to discuss concerns about cases in Ngozi. She told Human Rights Watch that the judicial system in Ngozi had no interest in detaining people unjustly. She said her staff carried out daily inspections of the police detention facility in the town of Ngozi and would order the release of any detainees held unlawfully. When asked about detainees who waited for days or weeks before seeing a magistrate, she said, “There are cases that don’t come to us.” She also contended that some people don’t tell the truth.

With regard to arrests by *Imbonerakure*, she said: “Nobody has the right to arrest people. There are competent people for that. If a case [offense] has been committed, and there isn’t someone in charge of security nearby, one should call the competent service.” She said she worked independently and there was no interference from the ruling party.

Other senior justice officials, however, told of unlawful practices and political pressure that they were unable to prevent.

A high-ranking justice official who spoke anonymously for fear of reprisals said: “The *Imbonerakure* arrest people and take them to the police after beating them and injuring them seriously. Instead of taking them to the hospital, the police imprison them because of political pressure.”

A justice official in a different province said: “Sometimes we hear that the head of the SNR here tortures people. When we ask him, he denies it, but we have proof.” In late April, the official had dealt with the cases of several men who were tortured at the SNR. They had been made to stand on their heads with their feet in the air.

The same official complained of interference by the SNR in judicial decisions, especially relating to people accused of trying to join an alleged rebellion in Rwanda. “When we try to approach [the detainees] for questioning, [the SNR] say: ‘Why are you trying to protect them?’ When I ask my superiors if I can create a case file, they say, ‘leave it alone.’ Sometimes it seems (the SNR) controls everything.”

Another high-level justice official said:

I’m not free to make a decision. Most people are arrested arbitrarily. One day, they accused people from the opposition of trying to hold a meeting. After listening to them, I decided to release them, but I was given an order to re-arrest them. [A senior national level official] said this. The system we are in... they don’t give reasons. If I decide against what [senior officials] say, without a doubt, something bad will happen to me later.

I can do nothing in the face of violation, yet I have the task of doing something about human rights violations.

### **Killings in Mutakura, Bujumbura**

Abuses have taken place in Bujumbura both in the lead-up to and throughout the election period, with [repeated clashes](#) between the police and opponents of Nkurunziza’s bid for a third term.

Throughout June and July, there were numerous violent altercations in some neighborhoods of Bujumbura, often at night. It is unclear whether protesters or police initiated the violence.

One of the most serious incidents was on the morning of July 1, when police entered the Mutakura neighborhood to scatter protesters. After the police dispersed the crowd with gunfire and demonstrators had fled, residents described hearing a grenade detonate. It is unclear who threw it.

It has been difficult to ascertain the exact sequence of the events that followed because many residents fled the area when shots broke out, and others hid. The account below is based on Human Rights Watch interviews with some of the survivors, witnesses, and other local residents.

About 15 police entered a house on 8th Avenue, where the grenade hit, and accused the occupants of throwing a grenade at them. A 26-year-old witness said:

They didn’t knock. They forced open the door. They came in to look for “the enemy,” that’s what they said. They found three of us in the house: me, the domestic worker, and my nephew. They started to hit me, saying: “This is the

Tutsi dog who just threw a grenade at me.” They hit me all over. I have injuries where they hit me with the gun barrel.

The witness said the police searched his house for weapons and didn’t find any. The police forced him and other young men out of their homes onto the main avenue. Outside his family compound, they beat him again:

A policeman came and kicked me in the stomach. Another came from behind and kicked me. I lost my balance and fell. When they were beating me, another policeman came and said: “Do you see how you are playing with him? That’s the one who threw the grenade. This Tutsi dog can throw another grenade.” [Another policeman] came to hit me in the face but another policeman held him back. He picked me up. He said: “Don’t kill him.” He told me: “Don’t run, or they’ll shoot you.”

The police then entered another compound on 8th Avenue. When they were inside, shots rang out and an exchange of gunfire ensued. A witness also said he heard a grenade go off at this time. During this exchange of gunfire, a policeman was killed.

Then, as the police were marching the first man, his nephew, and domestic worker to the main road, a police officer fired at the nephew, injuring his hand:

The domestic worker tried to explain to the police officer that [my nephew] was a student and that he knows nothing. The policeman then shot [our domestic worker] in the stomach. I looked back and he had his hands in the air. The same policeman who shot him the first time then killed him. He had worked for us for 10 years.

At least five people were killed in Mutakura on July 1, Human Rights Watch found. A sixth died later from his injuries. Four were shot inside a compound where a member of the opposition party Movement for Solidarity and Democracy (*Mouvement pour la solidarité et la démocratie*, MSD), who was an organizer of the protests, lived. The protest organizer said he believed the police were looking for him at the time of the raid. He said that two students who were killed, Frank and Fleury Hakizimana, had not participated in demonstrations. Their father, Pantaléon Hakizimana, a money changer, was also killed. All three were shot in the head.

The police deputy spokesman, Pierre Nkurikiye, told *Iwacu* newspaper on July 6 that six civilians were killed during a police search in Mutakura. He was quoted as saying: “People could have been hit by stray bullets during the operation to pursue a group of assailants who attacked the police, killing one and injuring four others.” Nkurikiye said some people among the group who attacked the police were killed and the police seized weapons and ammunition.

## Rumours and violence are fuelling the uncertainty in Burundi

*By Carina Tertsakian, Senior Researcher*

**August 5, 2015 – Op-ed published in *The Guardian***

On Monday morning, panic spread after rumours began circulating on social media that Pierre Claver Mbonimpa, Burundi's leading human rights activist, had been killed. In reality he was alive and well, working away as usual, documenting human rights abuses and trying to alert the world to the crisis engulfing his country.

Rumours are common in Burundi and, thankfully, many of them turn out to be false. So I breathed a sigh of relief for Mbonimpa – for a few hours. At around 6pm, I started getting calls informing me that Mbonimpa had been shot. I immediately phoned his family and colleagues in Burundi's capital, Bujumbura, hoping it would prove to be just another false rumour. But this time, it was true. Soon after Mbonimpa left his office, at around 5pm, a man on a motorbike fired shots into his car, injuring him in the face and neck. He was rushed to hospital and taken into intensive care. He is slowly recovering but still very weak.

The fact that these rumours had been circulating since the morning is disturbing. There is no easy explanation, but one thing is clear: this was a well-planned, targeted attack, and one of Burundi's most prominent human rights defenders only narrowly escaped death.

Mbonimpa, 67, is president of a well-known human rights organisation that he founded in the 1990s – after a spell in jail – to defend the rights of prisoners. But he is more than just a figurehead for the group. He is a hands-on, indefatigable activist, campaigning on the frontline every day and refusing to succumb to repeated threats from the government.

In May last year he was thrown into prison, charged with endangering state security, for comments he had made on the radio. After he became seriously ill, he was released on medical grounds in September, but the charges are still hanging over him. Despite this, he has continued his work.



*Pierre Claver Mbonimpa standing beside a portrait of him by a Burundian artist © 2016 Private*

The situation for Mbonimpa and other activists has worsened significantly in the last few months. Burundi has been in political turmoil since April, when public demonstrations began to protest against President Pierre Nkurunziza's bid for a third term in office. Police responded with a brutal crackdown, and scores of people were killed. Human rights activists, journalists and members of opposition parties were among the prime targets, with many forced to flee the country. Mbonimpa is one of the few who chose to remain.

I was last in Burundi in June, just before the controversial elections. The mood was gloomy. There were frequent clashes between police and demonstrators, and shooting almost every night in certain neighbourhoods of Bujumbura. Most people were getting on with their lives, at least in the daytime. But come nightfall, the streets emptied, and private conversations revealed deep fears. Almost everyone I spoke to said they didn't know what would happen from one day to the next. It was not uncommon to find that a person I spoke to one day had vanished the next, joining the more than 140,000 who have fled the country.

Nkurunziza was re-elected in July, but the polls were boycotted by most opposition parties and by many voters too. In a rare show of international consensus, many governments, as well as the United Nations and the African Union, agreed that basic conditions for free and fair elections had not been met.

Burundi seems to be heading into an increasingly uncertain and chaotic situation. The day before Mbonimpa was shot, the former head of the intelligence services, General Adolphe Nshimirimana – a powerful figure and close ally of Nkurunziza – was assassinated in the capital.

The attacks against Mbonimpa and Nshimirimana, both targeting senior, high-profile public figures, seemed deliberately designed to provoke. It's imperative that the Burundian authorities act swiftly to prevent revenge attacks, investigate these incidents, and bring the perpetrators to justice.

Just as pressing as the violence gripping Burundi is the almost total suppression of independent media: the main private radio stations – the primary source of information for most people – were taken off the air more than two months ago. In a country where rumours are rife, the lack of independent news quickly becomes not only frustrating, but also dangerous.

Until this week, I was tempted to think many of these rumours were nothing more than hearsay – but after what happened to Mbonimpa, I am no longer sure.

## **Burundi: Leading Human Rights Defender Shot**

### ***Urgent Need to Protect Highly Respected Activist***

**August 4, 2015 – Press Release**

A leading Burundian human rights defender, Pierre Claver Mbonimpa, was shot and injured on the evening of August 3, 2015, in the capital, Bujumbura, Human Rights Watch said today. He is in intensive care.

“We are shocked at this blatant attack on one of Burundi’s most prominent and respected activists,” said [Daniel Bekele](#), Africa director at Human Rights Watch. “The Burundian authorities should take immediate steps to secure Mbonimpa’s safety and protection.”



*Pierre Claver Mbonimpa © 2007 Martin Ennals Award*

On the morning of August 3, rumors that Mbonimpa had been shot or arrested were circulating on social media. These rumors were unfounded at the time: Mbonimpa spent the day working, as usual.

At about 5:30 p.m., after he left his office and was in his car, an unidentified man on a motorbike shot into the car, injuring him in his face and neck. Mbonimpa was rushed to the hospital.

Mbonimpa, 67, is president of the Association for the Protection of Human Rights and Detained Persons (APRODH), one of the main human rights organizations in Burundi. He was [arrested in May 2014](#) and charged with endangering state security, in connection with remarks he had made on the radio. After falling seriously ill, he was [provisionally released](#) on medical grounds, but the charges against him have not been dropped.

The government crackdown against opponents and critics that intensified in April 2015 after President Pierre Nkurunziza announced he would seek a controversial third term has led most Burundian human rights defenders and journalists to leave the country for their security. Mbonimpa is one of the few who chose to remain in Burundi.

The attack on Mbonimpa took place just one day after the assassination in Bujumbura of the former head of the intelligence services, Adolphe Nshimirimana, a powerful figure and ally of Nkurunziza.

Both events are likely to further inflame tensions in a rapidly deteriorating political and security environment, Human Rights Watch said. Nkurunziza won July elections that

most opposition parties boycotted, following weeks of demonstrations against Nkurunziza's third term bid, [brutal suppression of protests](#) by the police, and [clashes between police and demonstrators](#).

“The Burundian government should act promptly to prevent these two shocking attacks from triggering further violence,” Bekele said. “The president and senior officials should publicly appeal for calm, warn against revenge attacks, and ensure that those responsible for these acts are brought to justice without delay.”

## Dispatches: Elections Begin in Burundi in a Climate of Fear

By Carina Tertsakian, Senior Researcher

### June 30, 2015 – Dispatch

Yesterday, Burundians went to the polls to elect local and parliamentary representatives, in the country's most controversial elections for many years. Initial reports indicate a low turnout; many people chose to stay at home. After weeks of police [violence](#), fierce clashes between demonstrators and the police, scores of deaths, and the closure of most private [radio stations](#) (the main source of news in the country), it is no wonder many Burundians are not in the mood to vote.

Demonstrations against President Pierre Nkurunziza's bid for a third term have been taking place for almost [two months](#). Brutal police [tactics](#) ensured that they fizzled out in mid-June, but the frustration and anger remain, with some protestors resorting to violence.

Almost all opposition parties are boycotting the elections. For them, and many other Burundians, the victory of the ruling party is a *fait accompli*. The African Union, the European Union and other election observers seem to agree, and are not observing the polls because conditions for free, fair and credible elections have not been met.

When I was in Burundi last week, I found nearly everyone I met gripped by fear. Almost all the Burundians I spoke to, even those with no interest in politics, were thinking about leaving the country, joining more than 100,000 who have already fled. Our conversations invariably ended with: "What can we do? We're waiting to see what happens." A sad resignation echoed among this usually dynamic and vibrant population.

The capital, Bujumbura, felt empty and tense. During the day, people went about their business, despite frequent grenade explosions. But shops, restaurants and bars closed early, and instead of the usual traffic jams in the afternoon rush-hour, the avenues were almost deserted. Clusters of heavily armed police gathered on street corners, stopping and searching vehicles.

When I travelled outside the capital, the atmosphere was equally gloomy. Arrests of opposition party members, threats against suspected demonstrators, and fatal shootings in the provinces have received little attention because of the media blackout. Yet these abuses are occurring across the country.

The big news last week: the defection of Burundi's second [vice-president](#), the most senior in a long line of government or ruling party officials who have publicly denounced Nkurunziza and accused him of leading the country to political and economic ruin. He has since been joined by the president of the [National Assembly](#).



Although the circle of supporters around Nkurunziza is shrinking, so far this has not deterred him from clinging to power, trampling on civil liberties, and forging ahead with elections that have been widely described as lacking credibility. He has remained deaf to the advice of his allies and ignored appeals by African and Western diplomats.

It is not too late to pull back from the brink. Presidential elections are due to take place on July 15 and senatorial elections on July 24. The government should take immediate, concrete measures to defuse tensions and restore public trust: lift the ban on radio stations, order the police not to use excessive lethal force, and let people express themselves freely and peacefully. These simple actions would show the government's commitment to preserving Burundi's precious democratic advances.

Failure to do so could set the country back by years.

## **Burundi: Deadly Police Response to Protests**

*Investigate Deaths; Allow Peaceful Protest; Permit Radio Stations Back on Air*

**May 29, 2015 – Press Release**

[Burundian](#) police have used excessive force in a crackdown on protests against President Pierre Nkurunziza's election bid for a third term, Human Rights Watch said today.

Witness accounts indicate that police have shot and beaten people, in some cases when they posed no apparent threat. The authorities have closed down a number of radio stations and threatened journalists, human rights activists, and medical personnel.

“The Burundian authorities should call a halt to the crackdown on peaceful opponents and critics,” said [Daniel Bekele](#), Africa director at Human Rights Watch. “They should order the police to stop using excessive deadly force, investigate the deaths and beatings of protesters at the hands of police, and hold those responsible for excessive force to account.”

Restrictions on movements in the capital, and pervasive fear among the population, have made it difficult to confirm the exact number of victims. Based on interviews with medical personnel and other sources, Human Rights Watch believes that since demonstrations began on April 26, 2015, at least 27 people have been killed during the demonstrations or died from wounds inflicted during the demonstrations. Others have been killed in separate incidents. More than 300 people have been injured. It is likely that the overall number of dead is higher.

Thousands of protesters took to the streets after the murder on May 23 of Zedi Feruzi, president of the opposition party Union for Peace and Democracy-Zigamibanga (Union pour la paix et la démocratie-Zigabimanga). Human Rights Watch has not yet confirmed the circumstances of his death. A statement on the Burundian presidency's website described it as “a despicable assassination” and promised an investigation.

Police have responded aggressively to protests, with repeated clashes in several suburbs of the capital, Bujumbura. While many protesters have been peaceful, some have used violence. Witnesses say police have shot demonstrators indiscriminately – sometimes at point-blank range – in the head, neck, and chest. Medical personnel, witnesses, and a victim of a shooting told Human Rights Watch that some people were shot in the back as they fled. Medical staff in Bujumbura are treating more than 100 people with serious injuries.

Medical personnel, journalists, and human rights defenders have received death threats and menacing phone calls, and been intimidated and harassed by the authorities. Many of those who were threatened have gone into hiding or fled the country.

Public protests began in Bujumbura, on [April 26](#). On May 13, a group of military officers attempted a coup and announced that Nkurunziza had been dismissed. Following heavy fighting between their supporters and members of the army loyal to Nkurunziza, the coup leaders announced on May 14 that their attempt had failed and they would surrender. Several officers allegedly involved in the coup attempt have been arrested. The whereabouts of their leader, Godefroid Niyombare, remain unknown.

Following the failed coup, demonstrators resumed their protests in Bujumbura on May 18, defying government orders to stop and warnings that demonstrators would be treated as supporters of the coup attempt.

In a May 18 [statement](#), the External Relations and International Cooperation Ministry said that “the demonstrators will be treated as accomplices of the putschists as they are obstructing investigations into the putsch attempt and deliberately disturbing public order.” In contrast, a May 19 [news release](#) from the president’s office said that the government was not planning to take revenge, and that those involved in the coup attempt would be arrested and brought to justice according to the law.

Peaceful protesters and critics of the government should not be lumped together with those who attempted to overthrow the government, Human Rights Watch said.

Since demonstrations began, Burundian police have arrested hundreds of people, according to a Burundian police spokesperson and Burundian human rights organizations. They also beat detainees, witnesses and lawyers told Human Rights Watch. The *Imbonerakure* (“those who see far” in Kirundi) – members of the youth league of the ruling National Council for the Defense of Democracy-Forces for the Defense of Democracy (CNDD-FDD) – have also been implicated in beatings and threats.

Some of those killed or injured were taking part in protests while others were targeted in or near their homes. Human Rights Watch interviewed nine people with gunshot wounds who had been shot in various neighborhoods of Bujumbura, and obtained bullet casings from the Musaga neighborhood after police had shot at demonstrators there. A policeman confirmed to Human Rights Watch that some police had shot live ammunition and blank cartridges at protesters in Mutakura and Musaga neighborhoods during the first week of the demonstrations.

One man told Human Rights Watch that he was sitting near a road, away from protests, in the Cibitoke neighborhood on April 28 when four policemen approached him and told him to stand up. He stood up with his hands in the air. A policeman shot him at point blank range in the leg. He fell down, and the policeman said: “I got you.” The policeman picked up a stone as if to throw it at him. When other people arrived, the policemen fled. In another case, a victim said police shot him, then stomped on his head and body. He survived.

Some demonstrators have thrown stones and Molotov cocktails at the police, and used slingshots with stones, marbles, and other projectiles. Demonstrators have attacked people perceived to be *Imbonerakure* and policemen they accused of targeting demonstrators. Demonstrators who carry out violent attacks should be brought to justice, Human Rights Watch said.

The president's main communications adviser, Willy Nyamitwe, told Human Rights Watch: "There are perhaps policemen who used too much force and others who were misguided. You need to recognize also that demonstrators are committing human rights abuses and they aren't being reported." He said some policemen had been arrested because "they used live ammunition against demonstrators" and added: "The president was clear: no act [of violence] will go unpunished. And that also goes for the demonstrators."

The deputy police spokesman, Pierre Nkurikiye, said on May 25 that six police officers had been killed and at least 126 injured since the protests began. Nkurikiye said four policemen in Bujumbura were arrested for shooting at people. Three were provisionally released and one was still in custody. Investigations into all four cases are ongoing.

During demonstrations, the police should abide by the United Nations Principles on the Use of Force and Firearms by Law Enforcement Officials. The principles call upon law enforcement officials to apply nonviolent means before resorting to the use of force, to use force only in proportion to the seriousness of the offense, and to use lethal force only when strictly unavoidable to protect life.

Several hundred demonstrators and onlookers have been [arrested](#) since the protests began. Police figures indicate that 892 people were arrested in connection with the protests between April 26 and May 12. The deputy police spokesperson told Human Rights Watch in a meeting that police released 568 people, the majority of them minors or bystanders. The cases of 280 detainees had been transferred to the public prosecutor's office. During the coup attempt, people ransacked the police detention center known as Bureau spécial de recherche (BSR) and released about 50 detainees.

The Burundian government should immediately restore respect for freedom of expression and assembly, including the freedom to demonstrate peacefully, allow radio stations to broadcast, and stop harassing journalists and human rights activists, Human Rights Watch said.

Governments and intergovernmental organizations, particularly the African Union, should pursue diplomatic efforts and impress upon the Burundian government the necessity to restore respect for fundamental human rights, as a precondition to peaceful and fair elections, Human Rights Watch said.

The UN Security Council should consider conducting a new mission to Burundi and make clear to all actors in Burundi that in the event of serious or widespread human rights violations, those responsible may face sanctions.

The UN and the African Commission on Human and Peoples' Rights special rapporteurs covering freedom of expression and opinion; freedom of assembly and association; extrajudicial, summary or arbitrary executions; and the situation of human rights defenders should urgently visit Burundi and investigate recent abuses.

Human Rights Watch also encouraged the UN Office of the High Commissioner for Human Rights to increase its monitoring capacity in Burundi and keep the Human Rights Council informed of developments. The Office of the High Commissioner should document human rights violations through its country presence in Burundi and regularly and publicly report on its findings.

“Restraint is needed on all sides in Burundi,” Bekele said. “The police have the right to control crowds and may need to use force when confronted by violence, but they should do so only when strictly necessary and in a proportionate manner.”

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### **Shootings by Police and Other Attacks**

Based on interviews with a range of sources – including hospital staff, representatives of aid organizations, and human rights activists – Human Rights Watch believes that at least 27 people have been killed since the start of the demonstrations. Human Rights Watch has not been able to verify all deaths or confirm the exact total, which is likely to be higher.

#### ***Protesters Shot During Demonstrations***

Human Rights Watch talked with nine people who had been shot during demonstrations. In many of the cases, it was unclear whether the police targeted specific demonstrators or shot indiscriminately, or whether the people were hit by stray bullets.

A 20-year-old student shot by police in the groin said he was demonstrating in Bujumbura's Kinindo neighborhood on May 4 when policemen arrived and told demonstrators to move back:

We told them we would stay in the road and demonstrate peacefully and we wouldn't damage anything. Some police said they should let us demonstrate peacefully; others said they hadn't received orders yet. They demanded that we leave the area before anything was damaged. We stayed there, dancing and singing. The police started removing rocks that were blocking the road. The demonstrators wouldn't let them remove them. The police said: “If you refuse to

let us remove them, you'll see what will happen afterward." The police threw four teargas grenades. Then they shot at us. They shot me as I was carrying my friend who had also been shot.

Another 20-year-old protester shot in the left knee said that policemen got out of a vehicle with tinted windows in Musaga on April 30 and started shooting:

I couldn't escape. I was already hit. Four policemen came and started beating me. They kicked me and someone whipped me with a military belt. They said: "You are going to suffer because you are against the president of the republic." They beat me for around three minutes. Then other protesters threw stones at them and they fled.

An 18-year-old student from Ngagara neighborhood said that on April 28, he accompanied a friend to his house in Cibitoke neighborhood. He said neither of them were participating in the demonstrations:

We were sitting on a cement block. That's when we saw people running.... Afterward, we saw the police arrive where we were sitting. My friend fled. The police told me to stand up. I stood up with my hands in the air. Then he shot me in the leg. He said, "I got you." He wanted to throw a stone at my head. A lot of people came up to us. Maybe that's what stopped him.

A 30-year-old man said that on May 10, demonstrators in the Musaga neighborhood taunted police, and the police responded violently. One of the man's friends was shot.

[The demonstrators] said: "We aren't going to leave the street. We are against the third term [for the president]." There were around 30 police.... They started to shoot teargas. The demonstrators and people coming from church ran toward their houses. That's when the police shot bullets. I can't explain how it happened, because the bullets hit those in front of us. We weren't hit.

I was just about to arrive at my house when I found [my friend]. He was weak and didn't talk. They had shot him in his bottom and the bullet came out through his groin.

The man carried his friend, who was bleeding heavily, toward a first aid station. He said they came across a group of policemen, who told him, "Don't bring your foolish things here," referring to his injured friend. His friend died at a clinic before he could be treated.

A number of other attacks took place from April 26 on. The motives and the identity of the attackers were not always clear. For example, in Mutakura, men in camouflage uniforms and an unidentified man in civilian clothes visited several homes on the evening

of April 26. They attacked residents with a machete, club, and bayonet and shot three of them dead. Some of the attackers shouted ethnic slurs as they were leaving.

### ***Medical Personnel Threatened and Hospital Staff and Patients Endangered***

Human Rights Watch spoke to medical personnel, injured demonstrators, and caregivers who said the police intimidated medical staff in several hospitals in Bujumbura. Witnesses said intelligence agents visited at least three hospitals, and in two demanded that hospital staff provide lists of demonstrators in their care. Government officials, accompanied by journalists, filmed patients in at least one hospital, without explanation. At least one hospital worker received phone calls from unidentified people threatening him with death for caring for demonstrators.

Witnesses said that on May 14, a group of 40 to 50 police officers loyal to Nkurunziza went to the private Bumerec hospital searching for wounded soldiers allegedly involved in the coup attempt who were being treated there. When the police tried to force their way into the emergency room, there was an exchange of gunfire between the police and the soldiers. The police shot into the emergency room from outside the door. A policeman was shot during an exchange of gunfire; it is not known whether he survived.

Soldiers loyal to the president arrived at the hospital to support the police. The police then went from room to room, searching for an injured female soldier. When they couldn't find her, they forced all patients, staff, and caregivers into the courtyard. Some of the police threatened to "burn the hospital down" if they couldn't find the soldier. The female soldier had changed into civilian clothes. When the police discovered her, a witness heard a policeman say: "Sorry. Normally, this shouldn't happen. But during wartime, it happens like this." The policemen left, taking with them the female soldier, one other injured soldier, and a third soldier who had been assisting them. The soldiers' whereabouts are not known.

In a speech on May 20, Nkurunziza said judicial authorities should urgently investigate the "sad events" at the Bumerec hospital and ensure that those responsible are punished according to the law.

### **Beatings by Police**

Police severely beat demonstrators and detainees in their custody, as well as in the custody of the intelligence services, victims and witnesses told Human Rights Watch.

Police arrested a 32-year-old man who was guarding his house on the night of April 29. He said that officers slapped him in the face and took him and at least one other man they had arrested to the commune (local government) office, where a policeman beat him and forced him to sign a statement:

He [the police officer] was furious. The first thing he did, he looked for some paper on which to write my statement. Then he started to hit us. He used an electrical cable. He said: "You have weapons, and you are protesting against the third term of the president." I said: "We don't have weapons." He beat us so we

would accept everything he wrote down and all his questions. When we tried to say that his accusation against us – having weapons – wasn't true, he beat us again so we would admit it.

Afterward, he put me on a chair, put my arms behind my back and beat me all over. When he tried to make me sign [the statement] by force, [a policeman] found a machete. He hit me with it on the back with the flat side. It was [another] policeman who hit me with it. [The policeman] took an ink pad. He forcibly took my hand and he put it in the ink pad and then put it on the paper.

The man was taken to the BSR – the police detention center – then, along with other detainees, to the intelligence services. He said an intelligence official registered him, then he heard the official give an order to take the detainees to “school” (presumably meaning take them to be beaten). The man said that police assigned to the intelligence services beat the detainees with an iron bar used in building construction:

We were beaten with an iron bar on the bottom. The SNR [intelligence services] gave orders to the police to beat us. We were at least seven in the corridor [being beaten]. They said: “You are at school and you will return intelligent.” Each person had a policeman who beat him. When one got tired, another would come. After they finished, they slapped us on the ears. Even now, I have a problem hearing out of my left ear. I saw others who were beaten after us. The others came in [to our cell] in a bad state and had to be taken to the hospital.

A 26-year-old female demonstrator said that four policemen beat her after she was arrested with eight other demonstrators on May 4 near the university. Police drove them to a wooded area near a police camp where they beat them again:

They hit us hard with police truncheons. More than 10 policemen were there and participated. We were also beaten by the one who brought us. One took his truncheon and the others took theirs and they beat everyone. Each of them took one of us. When we were lying on the ground, they hit us on the back and often on the soles of our feet. They beat us for five minutes. I screamed: “Forgive us!” I said: “Jesus! Jesus!” when they were hitting me. They said: “Don't call Jesus. He's not the one who asked you to go to the demonstration.”

A 38-year-old human rights activist was arrested on May 4 in Bujumbura's Cibitoke neighborhood. He said that during the demonstration, he had picked up a child as police started shooting. As he was carrying the child to safety, about 10 policemen attacked him. They beat him with truncheons and belts and kicked him. They let him put the child down and told him to get into a truck with tinted windows and said they were taking him to Camp Socarti, a police camp in Bujumbura:



I said: “No, I’m not a policeman.” They said: “You don’t have any rights.” I said: “I’m not a policeman or a soldier. I’ll open the door and jump out while the car is moving.” [The policeman] told me to get down and lie down in the middle of the road. They started beating me. While they were beating me, Radio Bonesha [a private radio station] was playing and they heard the radio mention my name. [One of the policemen] said: “You, who are you, you imbecile?” I said: “I’m a simple citizen. Everything you are doing is being brought up on the radio.”

The police drove him to the Kamenge neighborhood, where he gave a statement to the judicial police:

On Monday night, a person claiming he was the head of the criminal research section of the judicial police ... told me to come with him. He brought a [handwritten] sign that was against the president’s third term. He wanted to take a picture of me with the sign. I said: “I can’t be photographed in front of this sign. I’m not the person who wrote it and you didn’t catch me with it.” I said this in front of the [judicial police officer]. He supported me.

The activist was taken to the BSR, then released.

Lawyers who visited detainees in the BSR told Human Rights Watch that detainees held there before the coup attempt were kept in very poor conditions. Some arrived at the BSR lying face down in police vehicles, with police holding the detainees down with their feet, the lawyers said, while others were beaten when they were arrested.

### **Abuses and Threats by *Imbonerakure***

Since Burundi’s last elections in 2010, the ruling CNDD-FDD has used the *Imbonerakure* to [threaten](#) opposition party members and force them to switch their allegiance, often through violent means. Few *Imbonerakure* have been brought to justice for these crimes.

Since the protests began on April 26, 2015, *Imbonerakure* have ill-treated and threatened suspected opponents of the CNDD-FDD. A 32-year-old *Imbonerakure* living in Bujumbura told Human Rights Watch on May 2: “We put down what we don’t agree with. We intimidate people. We tell them: If you aren’t part of our party, you won’t work anywhere in Burundi. Those who try to fight us, we can kill them.”

On April 30, a human rights activist saw about 30 *Imbonerakure* walking single file near the parish in Kanyosha, toward one of the areas of the demonstrations. Some were holding bicycle chains or machetes, the activist said.

An *Imbonerakure* living in Bujumbura said that *Imbonerakure* from Ngozi and Bubanza provinces had come to the capital to intimidate protesters and reinforce *Imbonerakure* and police there. He said that *Imbonerakure* who succeeded in thwarting the demonstrators were promised up to 10,000 Burundian francs (US\$5.71) for a day’s work:

The machetes, we don't hide them. They are there to intimidate people. We don't go up to the police. They see us and they let us do what we want. They are informed about what we should do.

Where I live, we have three guns in our group, Kalashnikovs. Our boss gave them to us. We've had [the guns] for a long time, since before the 2010 elections. Each group of *Imbonerakure* has some guns, even grenades and bullets.

We cannot go out without machetes, grenades, or clubs. We wear things we can hide this stuff in. We have sticks studded with nails. We yell at the demonstrators: "Those who want to die, come close!" [When we are at the demonstrations] nobody tells us what to do. We go there to stop the demonstrators so they don't come to our zone and influence others.

Human Rights Watch interviewed a 26-year-old teacher and member of the opposition party FRODEBU-Nyakuri, who had fled to Rwanda in late March 2015. He said *Imbonerakure* had come to his school twice, on March 14 and March 21, and told him to renounce his party or lose his job:

On the evening of March 24, a friend warned me the *Imbonerakure* were looking for me at my house. They were armed with clubs, sticks, machetes, and iron bars. I called my neighbor to come help me. I left dressed in my pajamas and a T-shirt with the photo of Pierre Nkurunziza. Immediately [two of the *Imbonerakure*] made me lie on the ground and started to hit me.

He said his neighbors called the police. The three *Imbonerakure* were arrested in connection with the beating but released the next day.

### **Curbs on Media Freedom, Threats Against Journalists and Human Rights Defenders**

The government has targeted the media in its crackdown since protests began. One of the government's first measures was to close down one of the country's most popular radio stations, Radio publique africaine (RPA), on [April 27](#). Senior government officials and police entered the station's offices, and ordered the journalists to leave and the radio station to close. On the same day, the government stopped Radio Isanganiro and Radio Bonesha FM from broadcasting outside the capital, cut off their telephone land lines, and prohibited all three stations from broadcasting live from the demonstrations.

In the following days, the Communications Minister Tharcisse Nkezabahizi called the director of Radio Isanganiro to his office several times to complain about the station's broadcasts, choice of music, and treatment and choice of stories.

Soon after the coup attempt, during the early hours of May 14, people presumed loyal to the president [attacked](#) the offices of RPA, Radio Bonesha, Radio Isanganiro, and Radio-Télévision Renaissance. None of these stations have broadcast since. There were also reports that unidentified people attacked the offices of Radio Rema FM, a station close to the ruling party, on May 13; it too has remained off the air.

The attack at Radio Bonesha was particularly violent, said journalists at the radio station and another witness. Men in police uniforms threw a grenade in the office and shot at the radio's broadcasting equipment, destroying it. A man who happened to be in the vicinity witnessed the attack:

I saw a truck with police in it.... They started shooting at Bonesha. There were soldiers inside Bonesha, left by the putschists, I imagine. When the police heard the soldiers fire back, they said: "There are military inside." They got back in the truck and drove off.

Then I saw a lot of police coming back, with heavy weapons. They took up positions in different places.... They forced open Bonesha's gate and shot a lot. Many, many of them entered. I hid behind a building under construction.... I have never seen police with heavy weapons like this before. I saw them carrying rocket launchers over their shoulders. They were wearing new uniforms. After they entered the building and went upstairs, there was an explosion.

In a message to the nation on May 20, Nkurunziza warned "Burundian or foreign media who might try to broadcast information that could disseminate hate and division among Burundians and discredit Burundi, or encourage insurrection movements during this electoral period."

In a five-page [written statement](#) on May 22, the government Secretary-General and Spokesperson Philippe Nzobonariba stated that radio stations had become "agents that convey the insurrection by propagating the most alarmist rumors in the country."

Police have assaulted and threatened individual journalists. On April 29, two policemen accosted a Burundian press photographer who was taking pictures at the scene of a demonstration. The policeman grabbed the journalist's camera and erased all of the photos. The policeman told the journalist that he couldn't take pictures wherever he wanted and told the second policeman to force the photojournalist to leave: "He hit me four times on the left elbow. I asked him: 'Why are you beating me like a criminal?' He said: 'I can even kill you.'"

On May 2, the same photojournalist received a telephone call from an unknown number. The caller did not identify himself. He said: "You see? It's difficult to take pictures where you want to. You aren't going to take photos. If you continue taking photos, you can even die."

On May 4, a Burundian journalist and two colleagues were covering the demonstrations when several policemen approached his car, arrested the journalist, and accused his colleagues of having weapons. The journalist said the policeman claimed to have an SMS message ordering his arrest. Police released him later that night.

The following day, two men in civilian clothes, who did not identify themselves, arrived at the journalist's house and told him to come with them to the police station. They questioned him and told him there was a list of journalists who work for the opposition and are financed by white people. When the journalist asked for further information, they said: "When you ask a lot of things, you will have a lot of things happen to you."

The next day, two men in civilian clothes who said they worked for the government questioned a fellow journalist and told him: "You are on a blacklist like other journalists who work with white people." It is unclear whether they were the same men.

Burundian human rights activists and other members of nongovernmental organizations have also been repeatedly threatened since April 26, especially those who have campaigned against Nkurunziza's third term. A leading human rights defender, Pierre Claver Mbonimpa, president of the human rights group APRODH, was arrested on [April 27](#) and released the following day. Many activists and journalists have gone into hiding for fear of arrest or reprisals by government agents.

### **Violence by Demonstrators**

Some demonstrators have resorted to violence and intimidation, despite public appeals by leaders of nongovernmental organizations to keep the protests peaceful. In some areas, protesters have prevented residents from leaving their neighborhoods, turning them back at roadblocks and telling them to join or support the protests. Demonstrators have burned vehicles, attacked and ransacked buildings, and injured police by throwing stones. Demonstrators should refrain from acts of violence, Human Rights Watch said.

Demonstrators killed a suspected *Imbonerakure* in the Nyakabiga III neighborhood on May 7. A witness told Human Rights Watch that market women informed demonstrators that a vehicle had dropped off three unknown men in the area that morning. Demonstrators caught two of the men. One of the two said he was from the neighborhood but nobody recognized him. Demonstrators believed he was an *Imbonerakure*, surrounded him, and wanted to stone him to death. Some demonstrators didn't agree and an argument broke out.

A witness at the scene said some demonstrators shouted: "We are being killed all the time. Since we are killed without scruples, we should kill him also." Others said: "Kill him. [The *Imbonerakure*] throw grenades and they aren't punished. We should punish them."

Demonstrators surrounded the *Imbonerakure*, threw stones at his head, and hit him with clubs. After he died, they put a tire around his body and burned him. The killing should be investigated and those responsible brought to justice, Human Rights Watch said. On May 7, demonstrators prevented students in Nyakabiga from attending school exams and refused to let them through roadblocks. They told parents there would be no national exams and that they should not take their children to school.

A teacher at a school where exams were due to take place said demonstrators yelled: “Don’t let the exams take place! They [the students] have to leave! If not, we’ll make them leave.” About 70 demonstrators threw stones at the school building. After talking with demonstrators, school staff agreed not to hold the exams.

## Dispatches: A Country in the Dark, a Nation Confused

By Carina Tertsakian, Senior Researcher

### May 15, 2015 – Dispatch

A coup attempt and heavy fighting in Burundi's capital, Bujumbura, are making headlines around the world, but many Burundians are still in the dark about what happened. Some would like to keep it that way.

Yesterday, less than 24 hours after a group of military officers announced that President Pierre Nkurunziza was dismissed, people presumed loyal to the president attacked the country's four most popular media outlets: Radio publique africaine (RPA), Radio Bonesha FM, Radio Isanganiro, and Radio Télévision Renaissance. Men in police uniforms threw a grenade at Radio Bonesha FM and shot at its broadcasting equipment, destroying it. Parts of RPA and Radio Télévision Renaissance have also been damaged. None of these stations can broadcast.

Burundi's main independent newspaper, *Iwacu*, suspended operations after receiving warnings that if the paper continued publishing, it could face the same treatment.

At the other end of the spectrum, came reports that unknown persons attacked Radio Rema FM, close to the ruling party, after the coup attempt on May 13.

The media blackout has deprived Burundians of all independent national news sources. Burundians who live in the countryside – most of this predominantly rural population – don't know what's happening. They rely on international radio broadcasts, scraps of information, and rumors.

The state broadcaster, Radio Télévision Nationale du Burundi, is still on the air but had mostly been playing music. A brief speech by the president was cut short yesterday because of heavy fighting near the station.

Burundian journalists told Human Rights Watch they fear reprisals, since many are viewed by the president's allies as sympathetic to the opposition. Many human rights [defenders](#) have also gone into hiding, fearing for their safety.

This climate of fear has been building since demonstrations [began](#) on April 26 to protest Nkurunziza's decision to stand for a third term. Now, with the military apparently divided and a breakdown of law and order, Burundians who spoke out against human rights abuses by the police, the intelligence services, and the ruling party's youth league could be targeted.

The coup attempt leaders and people loyal to Nkurunziza should not take out their political grievances on civilians, nor use the media or civil society as their battleground.

Both sides should make every effort to protect all persons without distinction, and restore respect for fundamental human rights.

Those who ordered the attacks on the radio stations know the power of Burundi's media. They know journalists will report on human rights abuses and take seriously their duty to inform the public. They think that when they deprive the country of news, they can act with impunity. But Burundi's media will not be silenced for long. Journalists will come back and investigate what happened. Crimes will be revealed and the perpetrators eventually brought to justice.



*Police try to enter the building of the radio station Radio publique africaine in Bujumbura on April 26, 2015. The Burundian government shut down its broadcasts across the country on April 27.*  
© Iwacu



## Dispatches: How Far Will Burundi's President Go to Crush Opposition?

*By Carina Tertsakian, Senior Researcher*

### May 5, 2015 – Dispatch

On May 5 the Constitutional Court in Burundi ruled that President Pierre Nkurunziza's decision to run for a third term in office was not contrary to the country's constitution. The ruling – controversial after the court's vice president revealed coercion and threats by [authorities](#) – removed a legal obstacle to Nkurunziza's bid for a third term. But his attempt to cling to power has unleashed a wave of public [protest](#), the government response to which appears to be spinning out of control.

Regardless of the rights or wrongs of the “third term question,” Burundians have a right to voice opinions about their leaders and to demonstrate peacefully without fear of being gunned down by the police.

After a brief lull over the weekend, demonstrations resumed for a second week in the capital, Bujumbura. In the past two days, at least two people have died and several others have been hospitalized with injuries from bullets and grenade shrapnel – adding to the steady rise in fatalities and grave injuries since clashes between protesters and police erupted on April 26. Unless the Burundian authorities take immediate measures to rein in disproportionate force by the police and abuses by members of the youth league of the ruling party, the toll may keep increasing.

It's difficult to verify the details of clashes in Bujumbura's worst-affected suburbs. Incidents flare up in different areas at the same time, and it has become hard to move around – even for Burundian journalists. Several have been threatened, beaten, or arrested simply for reporting or taking photos. Police have almost sealed off some of the most volatile areas and have pushed back protesters who tried to head toward the center of town.

As tensions keep rising, nerves are fraying. Some demonstrators seem to be getting aggressive too; several policemen have been injured. Residents of some areas are choosing to stay indoors, either blocked by demonstrators who won't let them leave their neighborhoods or afraid of being caught up in the violence.

While the street clashes are generating wide media coverage, what the vivid images don't show are the several hundred people arrested since protests began. Most are believed to be in police custody, with unconfirmed reports that some have been ill-treated. Others are held by the intelligence services, with no regard for due process.



Burundi's first vice president has announced that those arrested could be released – but only if the demonstrators call off their protests. International standards and basic rule of law do not allow people to be detained for use as bargaining chips in this way. Indeed, such detentions are inherently arbitrary and unlawful. Yet that seems to be what the government is offering.

Already the government has shut down one of the country's most popular radio stations and imposed severe restrictions on two others. Using the threat of unlawful detention to implement a ban on demonstrations would be another serious blow to freedom of expression and one that risks turning back the clock of Burundi's hard won democratic gains.

## **Burundi: Crackdown on Protesters**

### ***Government Lashes Out Amid Rising Protests***

**April 27, 2015 – Media Advisory**

The Burundian government is cracking down on activists, journalists, and demonstrators following protests over President Pierre Nkurunziza's decision to run for a third term.

The announcement on April 25, 2015, by the ruling National Council for the Defense of Democracy-Forces for the Defense of Democracy (CNDD-FDD) that Nkurunziza would be its candidate in June elections triggered widespread demonstrations in the capital, Bujumbura, on April 26 and 27.

"The Burundian authorities should respect people's right to demonstrate peacefully," said [Daniel Bekele](#), Africa director at Human Rights Watch. "Police in Burundi should be given strict instructions to avoid excessive force."

A heavy police presence prevented many demonstrators from reaching the city center, but there were numerous clashes between police and demonstrators in the suburbs, with police using teargas, water cannons, and live ammunition, Burundian and international journalists and human rights activists told Human Rights Watch. Some demonstrators threw stones at the police and burned tires in the streets. Burundian journalists and other local sources reported that at least two people were shot dead and others injured during the clashes.

On April 27, police arrested a leading human rights defender, Pierre Claver Mbonimpa, who had gone to give an interview at Media House (la Maison de la Presse), a gathering place for local media. The police kicked and roughed up Mbonimpa, aged 66, journalists at the scene told Human Rights Watch. Mbonimpa, [president of the human rights group APRODH](#), has been an outspoken critic of abuses by the government, including during recent events.

"The Burundian authorities should immediately release Mbonimpa and let him carry out his human rights work," Bekele said.

On April 26, the government banned live reporting from the sites of the demonstrations by three popular radio stations – Radio publique africaine (RPA), Radio Isanganiro, and Radio Bonesha FM, suspended their broadcasts outside the capital, and cut off their telephone land lines, journalists told Human Rights Watch. On the afternoon of April 27, the government completely shut down RPA's broadcasts, including in the capital, and shut down la Maison de la Presse.

"These radio stations in Burundi are doing their job by covering the news," [Bekele](#) said. "Government restrictions on communications not only violate basic media freedom but deprive many Burundians of the right to information about events that affect them directly."



*Police arrest a man in Bwiza,  
in the Burundian capital,  
Bujumbura, on January 19, 2016.*

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