Anmesty International Report: Burundi

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The government increasingly restricted the rights to freedom of expression, association and peaceful assembly. Protests by members of the political opposition, civil society and others against the President's decision to stand for a third term were violently repressed by the security forces, in particular the police and national intelligence services (SNR). Demonstrators were met with excessive force by the police and those detained were tortured and otherwise ill-treated by the SNR. Security forces also attacked independent media premises. There were several cases of unlawful killings of perceived opponents of the President.

Background

In February, the head of the SNR, General Godefroid Niyombare, warned President Nkurunziza not to seek a third term in office, predicting that doing so would be seen as a violation of the Arusha Accords and the Constitution. Days later, he was dismissed by the President.

In March, several high-ranking members of the ruling National Council for the Defense of Democracy-Forces of Defense of Democracy (CNDD-FDD) publicly called on President Nkurunziza not to seek a third term. They were subsequently expelled from the party.

Despite similar calls from the Catholic Church, civil society, the political opposition and many regional and international actors, the CNDD-FDD selected President Nkurunziza on 25 April as their candidate for the 2015 presidential elections. The decision sparked protests in the capital, Bujumbura, and other parts of the country. Protests were violently repressed and protesters responded with violence.

On 5 May, the Constitutional Court upheld President Nkurunziza's candidacy, a day after the Court's vice-president had fled the country, having accused the government of putting pressure on the judges.

On 13 May, a group of generals attempted to overthrow the government while President Nkurunziza was in Dar-es-Salaam, Tanzania, attending a regional heads of state summit on Burundi. The attempted coup failed. Several officers fled the country and security forces loyal to the President arrested others.

Legislative elections were held in June and presidential elections in July. Pierre Nkurunziza won the election and was sworn in on 20 August. The security forces continued their clampdown on perceived opponents. Three military installations in Bujumbura and one in Bujumbura Rural were attacked before dawn on 11 December. Systematic violations were carried out in the cordon and search operations that followed.

Efforts by the East African Community, the AU and the UN failed to bring together Burundian stakeholders in an externally mediated dialogue to resolve the crisis, with talks that reopened on 28 December soon stalling. The decision of the AU Peace and Security Council to send a prevention and protection mission was rejected by the government.

After months of instability, the political, social and economic situation deteriorated. The International Monetary Fund stated that the economy would shrink by more than 7% in 2015 as the country's tax revenue collector, *Office Burundaise des Recettes,* registered losses due to the crisis.

Many of Burundi's development partners, such as Belgium, the Netherlands and the USA, partially or completely stopped their projects. The EU initiated a dialogue with the Burundian authorities under Article 96 of the Cotonou Agreements to re-evaluate its future co-operation with the government. According to UNICEF, 80% of social sector ministries had previously been reliant on external aid.

More than 230,000 people fled to neighbouring countries. The fragile cohesion between different ethnic groups resulting from the implementation of the Arusha Accords was destabilized by the political crisis. Incendiary rhetoric from high-level officials increased tensions towards the end of the year.

Freedoms of assembly and association

In the run-up to the elections, activities by political opposition parties and civil society organizations were restricted. In March, the then Mayor of Bujumbura issued a directive authorizing public meetings organized by the ruling political party only. On 17 April, more than 100 people were arrested during a rally against President Nkurunziza's candidacy. On 24 April, a day before the CNDD-FDD was due to select its presidential candidate, the Minister of Interior banned all demonstrations.

Despite these measures, many protested in the streets of Bujumbura against President Nkurunziza's re-election bid. Demonstrations by political opposition groups were violently suppressed by security forces; those organized by the ruling political party or in support of President Nkurunziza's candidacy went ahead without interference.

Freedom of expression – journalists and media

The government restricted international journalists' access to demonstrations. In a number of incidents, officials made threats against members of international media outlets.

Attacks on media organizations

On 26 April, government officials stormed Radio Publique Africaine (RPA), which was broadcasting live from the protests. On the same day, authorities prevented four private radio stations from broadcasting beyond Bujumbura. On 27 April, authorities shut down the studio of *la Maison de la Presse*, a common space for media outlets to hold joint shows on special occasions.

On 13-14 May, security forces partially or completely destroyed the premises of four private media outlets: RPA, Radio Television Renaissance, Radio Isanganiro and Radio Bonesha. The government accused them of supporting the attempted coup against President Nkurunziza. Radio Television Rema, a pro-government media outlet, was partially destroyed by unidentified armed individuals.

Harassment of journalists

Burundian journalists were targeted and received threats from the authorities.[1] Most fled and sought refuge in neighbouring countries.

Bob Rugurika, managing director of RPA and a well-known journalist, was arrested and detained on 20 January after broadcasting investigative reports about the September 2014 killing of three elderly Italian nuns in Bujumbura. He was charged with complicity in the killing, obstructing the course of justice through violating confidentiality of a criminal investigation, harbouring a criminal and lack of public solidarity. He was released on bail on 18 February.[2]

In its report on the demonstrations against President Nkurunziza's third term bid, a Commission of Inquiry established by the government accused some journalists from the private media of having links to people behind the attempted coup. In November, the Prosecutor requested the extradition of five journalists. RPA's accounts were frozen and cars seized in December.

Excessive use of force

The government's response to the protests failed to comply with regional and international standards.[3] Police used excessive or lethal force against protesters, including by firing live bullets during demonstrations.

Arbitrary arrests and detention

The UN Office of the High Commissioner for Human Rights (OHCHR) reported that at least 3,496 people were arrested in relation to the political crisis. Many were detained following their participation in peaceful protests against President Nkurunziza's third term. Many detainees were denied visits from their families or lawyers.

In certain instances, members of the ruling party's youth wing, Imbonerakure, were involved in the arrests of perceived opponents of President Nkurunziza, including protesters. Among those detained, UNICEF identified 66 children charged with "involvement in armed groups".

Impunity

2015 was marked by an increased tolerance of impunity.

Security forces

There was concern that members of the security forces involved in human rights violations during public demonstrations were not held to account. The General Director of Police stated in July that five police officers were under investigation. The Prosecutor General announced an investigation into allegations of extrajudicial executions during the 11 December search operations.

Imbonerakure

The government failed to investigate allegations of intimidation and harassment of individuals by the Imbonerakure, such as those documented by the OHCHR in Burundi.

Extrajudicial executions

The government failed to investigate or suspend members of security forces accused of extrajudicial executions.

The Appui pour la Protection des Institutions (API), a police unit of the presidential guard, committed human rights violations, including extrajudicial executions of political opponents. API was reported to have been involved in the killing of Zedi Feruzi, president of the opposition party Union for Peace and Democracy-Zigamibanga. He was killed with one of his bodyguards on 23 May. On 7 September, Patrice Gahungu, spokesperson of the same party, was shot dead by unidentified armed men.

Members of API were also said to have been involved in the killing of Vénérant Kayoya and Léonidas Nibitanga on 26 April in Cibitoke neighbourhood, Bujumbura, as well as the 15 May killing of Faustin Ndabitezimana, a nurse and member of the Front for Democracy in Burundi, an opposition party in Buterere, Bujumbura.

On 13 October, cameraman Christophe Nkezabahizi and his wife and two children, and Evariste Mbonihankuye, an employee of the International Organization of Migration, were killed in Bujumbura. An OHCHR investigation indicated possible API involvement, although the prosecutor's office accused a group of youths.

Following the attacks on military installations on 11 December, Burundian security forces carried out cordon and search operations in so-called opposition neighbourhoods, during which they systematically killed dozens of people. There were reports of bodies being buried in mass graves. Witnesses cited the involvement of API and the anti-riot brigade, alongside regular police units.[4]

Torture and other ill-treatment

The use of torture and other ill-treatment by security forces increased, especially against those opposed to President Nkurunziza's re-election bid. Cases of torture and other ill-treatment were reported in official detention centres, mainly at SNR headquarters, and an unofficial detention centre known as "Chez Ndadaye" in Bujumbura. Security forces used techniques including beating detainees with metal bars, wooden sticks and military belts. Some victims were submerged in dirty water and others put in rooms covered with glass shards or forced to sit in acid.[5]

The authorities had not conducted any investigation or brought to account any members of the intelligence service or police in relation to these acts by the end of the year.

Unlawful killings

At least two high-ranking members of the security forces were killed in targeted attacks by men in uniform. On 2 August, General Adolphe Nshimirimana, considered to be close to President Nkurunziza, was shot dead in Bujumbura. Following investigations, four army officers appeared before a court in Bujumbura on 2 September, accused of his murder.

On 15 August, Jean Bikomagu, retired Colonel and former Chief of Staff during the civil war, was shot dead at his residence in Bujumbura by armed men. The government indicated that investigations were ongoing but no findings had been made public by year's end. On 11 September, the current Chief of Staff survived an armed attack against his convoy in Bujumbura.

Almost daily from September, dead bodies were found in the streets of Bujumbura and occasionally in other parts of the country. According to the OHCHR, at least 400 people were killed between April and mid-December, including members of the ruling political party, the CNDD-FDD.

Human rights defenders

Civil society's opposition to President Nkurunziza's third term through its campaign "Stop the third term" led to increased harassment and intimidation against human rights defenders. Government officials referred to them as leaders or supporters of an insurrectional movement. Many of them were named in the government's Commission of Inquiry report on the protests. Many fled the country or were in hiding in Burundi at the end of the year. In November, the government suspended the activities of several NGOs and froze their accounts, as well as those of three leading activists.

On 3 August, leading human rights defender Pierre Claver Mbonimpa survived an attempted killing by unidentified armed men while returning home.[6] His son-in-law, Pascal Nshimirimana, was shot dead at his house in Bujumbura on 9 October. On 6 November, Welly Fleury Nzitonda, Pierre Claver's son, was killed after being arrested by the police. The authorities had not investigated these attacks or brought anyone to account by the end of the year.

1. Burundi: Media clampdown intensifies in aftermath of coup attempt (Press Release, 12 June)

2. Burundi: Further information: Prominent journalist released: Bob Rugurika (AFR 16/1134/2015)
3. Braving bullets: Excessive force in policing demonstrations in Burundi (AFR 16/2100/2015)
4. "My children are scared": Burundi's deepening human rights crisis (AFR 16/3116/2015)
5. Burundi: Just tell me what to confess to – torture by police and intelligence services since April 2015 (AFR 16/2298/2015)
6. Burundi: Shooting of human rights activist increases climate of fear (News story, 6 August)