

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	360
Land:	Burundi
Kilde:	Amnesty International
Titel:	Burundi 2020
Udgivet:	7. april 2021
Optaget på baggrundsmaterialet:	12. april 2021

Document #2048651

AI – Amnesty International

Burundi 2020

Unlawful killings, arbitrary arrests, enforced disappearances and sexual violence were carried out, mainly against perceived political opponents. Freedoms of expression, association and peaceful assembly remained restricted; journalists and human rights defenders faced reprisals for their work. Hate speech along ethnic lines continued, and the President made homophobic remarks in his speeches.

Background

The human rights situation did not improve following the May general elections. The presidential candidate for the ruling party, the National Council for the Defence of Democracy – Forces for the Defence of Democracy (CNDD-FDD), was elected. He was inaugurated in June following the sudden death of President Nkurunziza on 8 June. In late June, the Council of Ministers were sworn in. This included the role of Prime Minister, newly created under the 2018 Constitution. Communal and legislative elections took place in May, followed by Senate and local level or *colline* (hill) elections in July and August, respectively.

There was no international election observation mission, partly due to restrictions imposed in response to the COVID-19 pandemic. The Conference of Catholic Bishops of Burundi raised concerns about “numerous irregularities” reported by its observers. On 4 June, the Constitutional Court ruled that the election had been held “in a regular fashion”.

In October, the UN Human Rights Council voted to renew the mandate of the Commission of Inquiry on Burundi.

Right to health

Government representatives initially claimed that the country’s “special pact with God” had spared it from being impacted by COVID-19. In late March, a government spokesperson threatened sanctions against schools and other institutions for taking proactive containment measures ahead of the government, and for seeking “to manipulate or disorientate public opinion”. Initial measures taken by government included quarantine for travellers, and advice on hand washing and avoiding physical greetings. The international airport was closed from late March to early November. Mass gatherings continued during and after the election campaigns. In May, some doctors told the media that testing was insufficient and that official COVID-19 figures underestimated the actual death rate. The Minister of Foreign Affairs expelled the WHO representative and three medical experts in mid-May. Former President Nkurunziza’s death proved a turning point in the authorities’ approach to the pandemic. On 30 June, the incoming President declared COVID-19 “public enemy number one”, and the government launched mass testing.

Refugees and asylum-seekers

The government continued to encourage refugees to return to Burundi. Refugee returns, facilitated by the governments and UNHCR, the UN refugee agency, continued from Tanzania and began in August from Rwanda. Tanzanian authorities arrested, forcibly disappeared, tortured and arbitrarily detained several refugees, some of whom were later forcibly returned to Burundi. Returnees continued to face difficulties reintegrating and received insufficient support. Some were accused of supporting the opposition and were threatened or physically attacked by the Imbonerakure, the ruling party’s youth wing.

Restrictions due to COVID-19 made it harder for people to seek asylum outside Burundi. Between January and mid-March, 3,242 people sought refuge in neighbouring countries in the run-up to the May elections. Between mid-March, when border restrictions were imposed, and the end of November, only 24 new arrivals from Burundi were registered in the region.

Discrimination

In the run-up to the elections, CNDD-FDD members increasingly used rhetoric which incited violence against the political opposition, and justified attacks against opposition members. The government failed to hold to account those suspected of being responsible for hate speech along ethnic lines. Such rhetoric continued after the elections.

Women’s groups criticized First Lady Angeline Ndayishimiye Ndayubaha’s speech to the Women’s Leaders Forum in September, in which she stated that the country would never see gender equality, and quoted from scripture to support her argument. The Family Code recognizes husbands as the head of the “conjugal community”.

President Ndayishimiye made several homophobic remarks in his speeches. In his inauguration speech, he described same-sex marriage as “social deviation”; in August, he suggested a correlation between countries which accepted homosexuality and high COVID-19 rates.

Freedom of expression

In January, Agnès Ndirubusa, Christine Kamikazi, Egide Harerimana and TERENCE MPOZENZI, journalists at Iwacu Press Group, arrested in October 2019 on their way to report on clashes in Bubanza province, were convicted of an “impossible attempt” to threaten internal state security. They were sentenced to two-and-a-half years in prison and fined BIF1 million (US\$525). Their driver Adolphe Masabarakiza was acquitted. In June, the Ntahangwa Court of Appeal upheld their conviction on appeal, but in December they received a presidential pardon and were released.¹

In October, Fabien Banciryanino, a former opposition parliamentarian, was arrested on charges of rebellion, defamation, and threatening state security. He was questioned about speeches he had made in the National Assembly in which he criticized the government, which would normally be covered by parliamentary immunity.²

Human rights defenders

In June, Burundi’s Supreme Court ruled that the 2019 Ntahangwa Court of Appeal’s decision to uphold human rights defender Germain Rukuki’s conviction, and 32-year prison sentence, was invalid. The case was sent back to the Court of Appeal to be heard again with a newly composed bench.

The trial of 12 exiled human rights defenders and journalists for “insurrection” continued before the Supreme Court. They were accused of involvement in the failed coup attempt of May 2015, in connection with their role in protests against the then President’s third term. Their lawyers were not present at a hearing in February.

Freedom of association

Members of the main opposition party, the National Congress for Freedom (CNL), faced numerous obstacles to their political activities. In some places, permission to open party offices was denied, whereas in other locations their offices were vandalized and destroyed. During the electoral campaign period, local administration officials prevented them from holding some campaign rallies.³

The authorities continued to press for stricter control over the operations of international NGOs, including by demanding that organizations provide individualized data on the ethnicities of their national staff. In May, a presidential decree was issued to establish international NGO recruitment committees, including government committees in each province to oversee and approve all national staff hires.⁴

Enforced disappearances

Enforced disappearances continued to be regularly reported, and previous cases remained unresolved. The UN Working Group on Enforced or Involuntary Disappearances raised 81 new cases (primarily from 2015 and 2016) with the authorities. By the end of the year, the government had provided no response to any of the 156 cases raised by the Working Group since 2016. Despite having signed the International Convention for the Protection of All Persons from Enforced Disappearance in 2007, Burundi was yet to ratify and implement it.

Arbitrary arrests and detentions

The CNL reported that more than 600 of its members, including candidates, were arrested before and during election day. Some were arrested after clashes with Imbonerakure members. Several CNL members were convicted in expedited trials before the elections. Reports of arrests and disappearances of party members continued throughout the year.

Two days before the election, the Prosecutor General wrote to the President of the National Election Commission asking for the disqualification of 59 CNL candidates in the legislative and communal elections on grounds that they were the subject of ongoing investigations. The Constitutional Court later overturned the decision to disqualify three candidates for the National Assembly.

Unlawful killings

Extrajudicial executions and other unlawful killings continued throughout the year. After fighting in February between an unidentified armed group and the police and army in Bujumbura Rural province, photographs and videos circulated on social media showing at least 12 young men who had been captured and tied up, as well as photographs

of the bodies of several of the men. The UN Commission of Inquiry on Burundi analysed the evidence and concluded that the men were killed after being captured and while under the responsibility of police, military and the Imbonerakure, who also featured in the images.

The Imbonerakure killed several members of opposition parties during the election period. CNL and CNDD-FDD members also died as a result of violent clashes between the parties. Richard Havyarimana, a CNL member, was abducted in May in Mwaro province and his body was found three days later. In a rare example of accountability, two members of the Imbonerakure were found guilty of his murder. They were sentenced in August to 15 years in prison and ordered to pay his family compensation of BIF10 million (US\$5,200).

Gender-based violence

Sexual violence was used by the Imbonerakure and others as a form of intimidation and punishment against people perceived as political opponents. In its 2020 report, the UN Commission of Inquiry highlighted acts of sexual violence committed against men and boys, as well as women and girls, in detention at the National Intelligence Service (SNR) since 2015. SNR agents subjected male detainees to torture and other ill-treatment that targeted their genitals and included rape. They also forced them to have sexual relations with other detainees, male and female, and subjected them to forced nudity and other humiliation. Women were raped and subjected to other forms of sexual violence.

Right to truth, justice and reparation

Throughout the year, the Truth and Reconciliation Commission conducted highly publicized exhumations of mass graves connected to past atrocities. Exhumations were focused on graves linked to the 1972 massacres that primarily targeted Hutu. This focus combined with comments made by public officials was polarizing and seen as an attempt to impose a single narrative. The exhumations were carried out in a manner which jeopardized the preservation of valuable evidence and failed to ensure respectful storage of human remains.⁵

1. [Burundi: Upholding journalists' conviction further undermines media freedom \(Press release, 5 June\)](#)
2. [Burundi: Release outspoken opposition politician \(AFR 16/3230/2020\)](#)
3. [Burundi: Prioritise human rights in election season \(AFR 16/2214/2020\)](#)
4. [Burundi: Drop demand on international NGOs to disclose ethnic identity of employees \(Press release, 27 February\)](#)
5. [Burundi: Human rights priorities for new government \(AFR 16/2777/2020\)](#)

© Amnesty International

ecoi.net summary:

Report on the human rights
situation covering 2020

Country:

Burundi

Source:

[AI – Amnesty International](#)

Original link:

<https://www.amnesty.org/en/countries/africa/burundi/report-burundi/>

Document type:

Periodical Report

Language:

English

Published:

7 April 2021

Document ID:

2048651

Austrian Red Cross
Austrian Centre for Country of Origin and Asylum
Research and Documentation (ACCORD)

Wiedner Hauptstraße 32, 1041 Wien
[T \(Telephone\)](#) +43 1 589 00 583
[F \(Fax\)](#) +43 1 589 00 589
info@ecoi.net

Contact
Imprint & Disclaimer
F.A.Q.
Data Protection Notice

ecoi.net is run by the Austrian Red Cross (department ACCORD) in cooperation with Informationsverbund Asyl & Migration. ecoi.net is funded by the Asylum, Migration and Integration Fund, the Austrian Ministry of the Interior and Caritas Austria. ecoi.net is supported by ECRE & UNHCR.

