

2024 Country Reports on Human Rights Practices: Burundi

EXECUTIVE SUMMARY

There were no significant changes in the human rights situation in Burundi during the year.

Significant human rights issues included credible reports of: arbitrary or unlawful killings; disappearances; torture or cruel, inhuman, or degrading treatment or punishment; arbitrary arrest or detention; transnational repression against individuals in another country; serious restrictions on freedom of expression and media freedom, including violence or threats of violence against journalists, unjustified arrests or prosecutions of journalists, and censorship; significant restrictions on workers' freedom of association; and significant presence of any of the worst forms of child labor.

The government did not take significant credible steps to identify, investigate, prosecute, and punish officials and members of the ruling party, the National Council for the Defense of Democracy-Forces for the Defense of Democracy, who committed human rights abuses. Observers continued to report intimidation and violence by members of state security forces and their proxies throughout the year. Impunity for government and ruling party officials and for their supporters and proxies remained a problem.

Some members of the Imbonerakure, the youth wing of the ruling party, were involved in or responsible for human rights abuses. Although they had no official arrest authority, they routinely assumed the role of state security agents and detained and turned over individuals to the official security services, in some cases after committing human rights abuses. The government investigated and prosecuted some alleged abuses by the Imbonerakure, although it did not do so consistently.

Section 1.

Life

a. Extrajudicial Killings

There were numerous reports the government or its agents, including police, the National Intelligence Service (SNR), and elements of the Imbonerakure committed arbitrary or unlawful killings during the year, often against perceived supporters of opposition parties or those who exercised their lawful right to assemble. The nongovernmental organization (NGO) Ligue Iteka, which was banned in 2017, continued operating from outside the country and documented 279 killings by the end of August, as compared with 284 the previous year.

Media and human rights organizations reported bodies bearing signs of violence were found in public places. Ligue Iteka reported that local authorities, police officers, and SNR officers often buried them in haste even if they were unable to identify the deceased and without investigating the cause of death and possible perpetrators. This made it more difficult for human rights organizations to document and differentiate between cases of human rights abuses and cases constituting ordinary criminal offenses. International human rights groups reported bodies continued to be discovered regularly in different parts of the country, especially in Cibitoke Province, which borders the

Democratic Republic of the Congo (DRC). According to Ligue Iteka, 85 bodies were found in Cibitoke between January and August, down from 92 the previous year.

Media reported that gunmen linked to the Burundian armed rebel group RED-Tabara operating from the DRC in December 2023 launched an attack near the village of Vugizo, Bujumbura Province, killing at least 20 persons and prompting a response from the Burundian National Defense Force.

b. Coercion in Population Control

There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Section 2.

Liberty

a. Freedom of the Press

The constitution and law provided for freedom of expression, including for members of the press and other media, but prohibited certain types of expression. Restrictions imposed in 2015 generally continued and were applied to all press outlets. These included closure of independent media outlets, censorship and content restrictions, arrests and intimidation of journalists, and tighter government control concerning digital and social media. Some independent outlets reopened in subsequent years, but they operated in a highly restrictive environment.

The law prohibited “defamatory” speech regarding the president and other senior officials, material deemed to endanger national security, and racially or ethnically motivated hate speech. It was illegal for anyone to display drawings, posters, photographs, or other items that might “disturb the public peace.” Penalties for disturbing the public peace ranged from two months’ to three years’ imprisonment, as well as fines. The government generally did not tolerate private citizens’ criticism of the presidency and government policy on security, human rights, corruption, and other matters deemed sensitive. For example, during the year authorities reportedly arrested a medical doctor for criticizing the work of the Truth and Reconciliation Commission in a WhatsApp group.

Many members of the Imbonerakure collaborated with government security forces to inhibit freedom of expression. In some cases, the Imbonerakure were official members of mixed security councils, which consisted of police, local administration officials, and civilians.

Physical Attacks, Imprisonment, and Pressure

Journalists reported harassment and intimidation by the security services and government officials designed to prevent them from doing their work independently or covering sensitive topics. Some journalists were required to obtain permission from authorities prior to conducting domestic, and in some cases international, travel. Forces allied to the National Council for the Defense of Democracy-Forces for the Defense of Democracy (CNDD-FDD) repressed media perceived as sympathetic to opposition parties, including print and radio journalists, through harassment, intimidation, and violence. Most independent journalists fled the country during and after the political crisis and crackdown in 2015, and some remained in exile as of the end of the year. The government detained or summoned for questioning local journalists investigating subjects such as human rights abuses, corruption, or security incidents. In its July report, the UN special rapporteur

highlighted an escalation of repression against media professionals including threats, arrests, and arbitrary detentions.

Media reported that on July 6 Imbonerakure members physically assaulted Gaspard Ndikumazambo and Timothee Ntaconayigize, journalists from Izere FM, while they were investigating the arrest of a suspected thief arrested by the group of Imbonerakure. Despite showing their press credentials, the journalists were detained at a police office for more than an hour and were pressured to delete their photos.

Censorship by Governments, Military, Intelligence, or Police Forces, Criminal Groups, or Armed Extremist or Rebel Groups

The government censored media content through restrictive press regulations established by the National Communications Council (CNC), an organization nominally independent but subject to political control and widely regarded as a tool of the executive branch. CNC decrees required that all journalists register annually with the body, limited the access granted to international journalists, and established content restrictions on the products disseminated by outlets. The CNC continued to monitor the press closely. The CNC regulated both print and broadcast media, controlled journalists' accreditation, and enforced compliance with media laws. The president appointed all 15 CNC members, who were mainly government representatives and journalists from the state broadcaster.

There were reports that journalists were required to obtain permission from local administrations and in some instances gain clearance in order to release their articles. Broadly interpreted laws against libel, hate speech, endangering state security, and treason also fostered self-censorship, including by journalists working for the national broadcaster. Observers reported most journalists working in the country exercised a degree of self-censorship or declined to cover topics labeled as sensitive, including high-level corruption, human rights abuses by government security forces or the Imbonerakure, and other subjects seen as critical of the government.

The CNC issued an official warning on June 6 to the leadership of Iwacu Press Group, one of the country's leading independent news organizations. The CNC claimed grave professional shortcomings in relation to two articles highlighting the country's existing political and economic difficulties.

The CNC blocked a joint media program involving six independent media outlets including Radio Bonesha FM, Radio-Television Isanganiro, Shima FM, Rema FM, the magazine *Jimbere*, and the Iwacu Press Group on June 6 regarding a draft press bill. The CNC argued that the law had not yet been promulgated.

The law required journalists to reveal sources in some circumstances and prohibited the publication of articles deemed to undermine national security. Treason, which included knowingly demoralizing the military or the country in a manner that endangered national defense during a time of war, carried a penalty of life imprisonment. It was a crime for anyone knowingly to disseminate or publicize rumors likely to alarm or excite the public against the government or to promote civil war. Media reported authorities used these laws to intimidate critics of the government and journalists covering politically sensitive topics.

b. Worker Rights

Freedom of Association and Collective Bargaining

The law provided for the right of workers to form and join independent unions with restrictions. A union had to have at least 50 members. The minister of labor had the authority to designate the most representative trade union in each sector. Most civil servants could unionize, but their unions

had to register with the Labor Ministry, which had the authority to deny registration and require unions to provide information on the union administration. Police, the armed forces, magistrates, and foreigners working in the public could not form or join unions. Workers younger than 18 had to have the consent of their parents or guardians to join a union.

The law provided workers with a conditional right to strike after meeting strict conditions; it banned solidarity strikes. The law required parties to exhaust all other means of resolution (dialogue, conciliation, and arbitration) prior to a strike. The law also required intending strikers to represent a majority of workers and to give six days' notice to the employer and the Labor Ministry, and required negotiations mediated by a mutually agreed-upon party or by the government to continue during the action. Strikes and demonstrations were banned during elections. The ministry determined whether the sides met strike conditions, in effect giving it the power to prevent strikes. The law permitted requisition of essential employees in the event of strike action. The law prohibited retribution against workers participating in a legal strike.

The law recognized the right to collective bargaining but excluded measures regarding public-sector wages that were set according to fixed scales following consultation with unions. The minister of labor designated the most representative employee organization by order. If negotiations resulted in deadlock, the minister could impose arbitration and approve or revise any agreement. No laws compelled an employer to engage in collective bargaining. The law prohibited antiunion discrimination but allowed termination of workers engaged in an illegal strike and did not specifically provide for reinstatement of workers dismissed for union activity.

The government did not effectively enforce applicable laws, and penalties were never applied against violators. Resources for inspection and remediation were inadequate, and penalties were not commensurate with those under other laws involving denials of civil rights. Administrative and judicial procedures were subject to lengthy delays and appeals.

The government placed excessive restrictions on freedom of association and the right to collective bargaining and sometimes interfered in union activities. Most unions were public-employee unions, and virtually no private-sector workers were unionized. Since most salaried workers were civil servants, government entities were involved in almost every phase of labor negotiation. The principal trade union confederations represented labor interests in collective bargaining negotiations in cooperation with individual labor unions.

Most laborers worked in the informal economy. According to the Confederation of Burundian Labor Unions, virtually no informal-sector workers had written employment contracts.

Forced or Compulsory Labor

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>

Acceptable Work Conditions

Wage and Hour Laws

The official minimum wages, unchanged since 1988, were below the official poverty line. Prevailing minimum wages more reflective of labor market forces were below the international poverty line.

The law limited working hours to eight hours per day and 40 hours per week, but there were many exceptions, including for workers engaged in national security, guarding residential areas, and road transport. Private security companies received guidance from the Labor Ministry allowing workweeks of 72 hours for security guards, not including training. There was no legislation on

mandatory overtime, but premium pay was required for any overtime work performed. Foreign or migrant workers were subject to the same conditions and laws as citizens.

Occupational Safety and Health

The labor code established appropriate occupational safety and health (OSH) standards for the workplace, but they often were not followed. The government did not proactively identify unsafe conditions and rarely responded to workers' OSH complaints. Many buildings under construction in Bujumbura, for example, had workforces without proper protective equipment, such as closed-toe shoes, and scaffolding built of wooden poles of irregular length and width.

Workers had the right to remove themselves from situations of imminent danger without jeopardy to their employment.

Wage, Hour, and OSH Enforcement

The government did not effectively enforce minimum wage, overtime, and OSH laws and penalties were not commensurate with those for similar crimes. The Labor Inspectorate in the Ministry of Labor was responsible for enforcing the laws on minimum wages and working hours as well as safety standards and worker health regulations. The labor inspectors' mandate was limited to the formal sector, except where international agreements extended the mandate to all employment. Inspectors had the authority to make unannounced inspections and initiate sanctions. The government did not hire sufficient inspectors to enforce compliance or allocate sufficient resources to address enforcement needs, such as that necessary for training and transportation for inspectors.

The Labor Inspectorate was responsible for enforcing the laws on minimum wages and working hours as well as safety standards and worker health regulations. Violations of safety standards were reportedly commonplace, but there were no official investigations, no cases of employers reported for violating safety standards, and no complaint reports filed with the Labor Inspectorate during the year. The government did not report data on deaths in the workplace.

Labor laws applied to the informal sector, but they were not enforced. More than 90 percent of the working population worked in the informal economy, mostly in agriculture and as domestic workers, and thus lacked access to legal protections. Violations of wage, hour, and safety regulations were common, but no cases were investigated or prosecuted.

The law defined employers' obligations on occupational health and safety and mandated that employers contribute toward health insurance, including for employees in the informal sector. The labor code provided protections for laborers in the informal sector, gave labor inspectors the power to refer violations of the code to police and courts, and created the post of medical inspector of labor, who was responsible for protecting the physical and mental health of workers.

c. Disappearance and Abduction

Disappearance

There were numerous reports that individuals were victims of politically motivated enforced disappearances after they were detained by elements of the security forces or after kidnappings where the identities of the perpetrators were not clear.

In addition, human rights organizations reported numerous cases of disappearances, and it was difficult to determine how many of these were cases of enforced disappearance or killings by or on behalf of the government. Some victims were found dead a few days after their disappearances with injuries indicating they had been executed.

The NGOs Ligue Iteka, Forum for Awareness and Development (FOCODE), and SOS Torture Burundi reported disappearances, which were sometimes later determined to be killings when victims' bodies were discovered. A victim's last sighting was often at the time of abduction by the Imbonerakure, police, or the SNR. NGOs and media reported persons suspected of collaborating with armed rebel groups, members of opposition parties including the National Congress of Freedom (CNL) and the Front for Democracy in Burundi (FRODEBU), former members of the army, and ordinary citizens perceived as a threat or critic of the government were victims of enforced disappearances. As of August 30, Ligue Iteka documented 24 cases of disappearances, compared with 16 in the previous year. It linked three disappearances to the Imbonerakure, 10 to the SNR, five to police, three to the military, and three to unidentified actors. In its August report, FOCODE reported statistics likely considerably underreported the true number of disappearances, as many victims' families were either unaware of the victim's disappearance or remained silent due to fear of reprisal.

According to international and local human rights organizations, the SNR, security forces, and the Imbonerakure forcibly disappeared real or perceived political opponents. In its September report, Amnesty International reported that CNDD-FDD members in conflict with the party's leadership were also reported missing. On September 9, FOCODE reported unidentified individuals kidnapped Melance Ndayizeye, local administrator and member of the CNDD-FDD, in Gihanga Commune, Bubanza Province. The report highlighted that Ndayizeye's abduction involved a conflict with Olivier Nahimana, Imbonerakure representative in Gihanga Commune. Ndayizeye's family was unable to locate him and as of the end of November, his whereabouts were unknown.

Prolonged Detention without Charges

The constitution and law prohibited arbitrary arrest and detention and provided for the right of persons to challenge the lawfulness of their arrest and detention, but the government did not observe these requirements.

Arrests required warrants issued by a presiding magistrate, although police were able to arrest a person without a warrant by notifying a police supervisor in advance. Police had seven days to finish an investigation and present evidence before a magistrate but could request a seven-day extension for additional investigation. Police often did not respect these provisions.

According to the law, a magistrate had to either order the release of suspects or confirm the evidence was sufficient for continued detention, initially for 14 days, and then for an additional seven days if required to prepare a case for trial. Magistrates routinely failed to convene preliminary hearings, often citing heavy case backlogs or improper documentation by police. Authorities acknowledged the legal system struggled to process cases in a timely fashion and that lengthy pretrial detentions were common.

Lack of transportation for suspects, police, and magistrates was a frequently cited reason for the failure to convene preliminary hearings. This remained a problem in the eight provinces without prisons, where lack of transport prevented the transfer of suspects from the site of detention to the provincial court with jurisdiction over their cases.

Judges could release suspects on bail but rarely did so. They often released suspects on their own recognizance, however. Suspects could hire lawyers at their own expense in criminal cases. The law did not require legal representation, and the government did not provide attorneys for those unable to afford one. Detainees who were unable to pay for a lawyer were rarely able to access legal counsel.

Some suspects were detained incommunicado. The SNR denied lawyers access to detainees held at its headquarters in Bujumbura, and there was no known access to the SNR's clandestine detention facilities.

The law provided for a token fine and imprisonment for 15 days to one year for any member of the security forces involved in an arbitrary arrest. There were no reports during the year this law was applied.

Human rights groups reported numerous arbitrary arrests and detentions as a tool to intimidate government critics, independent voices, and political opposition members. Ligue Iteka reported authorities targeted members of opposition parties such as the CNL, Union for National Progress party (UPRONA), and FRODEBU and their supporters for their involvement in legitimate political activities. Media and human rights organizations also reported arrests of journalists and members of the CNDD-FDD who were in conflict with the party's leadership. The UN special rapporteur reported in July that arbitrary arrests continued mostly for political or rebellion-related reasons.

Prolonged pretrial detention remained a serious problem. By law authorities could not hold a person longer than 14 days without charge. Authorities held some suspects without formal charges. According to the Office of Penitentiary Affairs, the average time in pretrial detention was approximately one year, but some individuals remained in pretrial detention for nearly five years. In some cases, the length of detention equaled or exceeded the sentence for the alleged crime. Inefficiency and corruption among police, prosecutors, and judicial officials contributed to the problem.

For example, authorities deprived many persons of their legal right to be released on their own recognizance because public prosecutors failed to open case files or the files were lost. During the year, the government increased the number of prosecutions without warrants to expedite the judicial process. Amendments adopted during the year included the requirement for all judges to hold a bachelor's degree in law to reduce inefficiencies. Additionally, the amendments allowed for certain cases, such as land disputes and debt insolvency, to be handled by a single judge instead of a panel of three, enabling quicker decisions.

During the year, there were regular arrests and detentions of government critics including independent media and individuals expressing disagreement with the government's decisions. Human rights organizations also reported arrests of members of opposition parties, mainly from the CNL, but also from other parties such as UPRONA and FRODEBU.

In his September report, the UN special rapporteur expressed concern regarding hundreds of members of the Movement of Solidarity and Democracy and the CNL who were acquitted or served their sentences but remained in detention. Others, mainly young men, were arrested or detained under suspicion of having cooperated with armed rebel groups. In many cases, political prisoners remained in prolonged pretrial detention, while other prisoners were released without explanation or, more frequently, after paying a fine.

On April 14, the SNR in Ngozi Province arrested Sandra Muhoza, a journalist for *La Nova*, an online media outlet, following controversial comments made among her colleagues in a WhatsApp group. On April 18, Muhoza was transferred to Mpimba prison in Bujumbura. During a court hearing on May 6, Muhoza was charged with threatening state security and ethnic aversion. As of November 4, Muhoza remained in detention and no trial date was set.

d. Violations in Religious Freedom

See the Department of State's annual *International Religious Freedom Report* at .

e. Trafficking in Persons

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Section 3.

Security of the Person

a. Torture and Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution and law prohibited cruel, inhuman, or degrading treatment or punishment, but there were numerous reports government officials employed these practices. NGOs and media reported cases of abuse they described as torture committed by security services or members of the Imbonerakure. As of August 31, Ligue Iteka reported 26 such cases, from 25 the previous year, attributing 16 to members of the Imbonerakure and 10 to the SNR. Human rights organizations reported numerous cases of torture against detainees at SNR headquarters in Bujumbura, as well as in unofficial detention centers in Bujumbura Province and other provinces. According to human rights organizations and media reports, the SNR tortured their victims to extract confessions or other information, or to compel them to incriminate or denounce others. In November 2023, the UN Committee Against Torture (CAT) presented its findings on the country, which included serious allegations of torture. CAT's findings emphasized that the SNR intentionally tortured political opponents as a means of punishment and intimidation. CAT also noted that the country's justice system consistently failed to investigate and identify alleged perpetrators, even in cases where victims appeared in courts bearing visible signs of torture.

The NGO SOS-Medias reported that SNR agents arrested Melchiade Kabura, one of the CNL representatives in Giharo Commune, Rutana Province on May 20. The report indicated that SNR agents beat Kabura for three hours with his head down and legs against the wall. According to the report, SNR officials acted on the orders of Alexix Baraguma, a CNDD-FDD representative in Rutana after Kabura refused to join CNDD-FDD.

There were some reports of investigations and prosecutions for serious abuses of human rights, although limited enforcement meant impunity in the security forces, including the Imbonerakure, the SNR, and police remained a problem. Media and human rights organizations reported some local administrators and CNDD-FDD members being held accountable by the justice system. Impunity remained, however, and even though the government touted accountability as its priority, it was only selectively applied.

Media reported that six individuals, including members of the CNDD-FDD party and local officials, were detained at the Giharo communal police station in Rutana Province since May 23. They were caught desecrating the grave of a child with albinism, intending to sell the exhumed body parts in Tanzania, with a reported value of 150 million Burundian francs (\$52,000).

The UN Commission of Inquiry stated that opposition parties and their members, mainly the CNL, suffered serious human rights abuses in the period preceding elections. There were reports of targeted killings, kidnappings, sexual violence, torture, and arbitrary arrests. Media remained under strict control, and journalists were unable to carry out their duties freely.

b. Protection of Children

Child Labor

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings> .

Child Marriage

The legal age for marriage was 18 for girls and 21 for boys. Forced marriages were illegal, and the government generally enforced the law. Nevertheless, forced marriages reportedly occurred, mainly due to economic pressures and early or unwanted pregnancy.

c. Protection to Refugees

The government generally cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern.

UN reports indicated that due to security threats from armed groups operating in the DRC, curfews were imposed in refugee camps and exit permits were increasingly being denied by the government. There were, however, reports by refugees of favoritism regarding who received exit permits and who did not; there were also reports of refugees being briefly arrested and then returned to the camps for leaving without an exit permit.

Provision of First Asylum

The law provided for the granting of asylum or refugee status, and the government had a system for providing protection to refugees. The country during the year had six refugee camps.

d. Acts of Antisemitism and Antisemitic Incitement

No estimate was available on the size of the Jewish population. There were no reports of antisemitic incidents.

e. Instances of Transnational Repression

There were credible reports that the government directly and through others attempted to intimidate or exact reprisal against individuals outside its sovereign borders, including civil society activists, human rights defenders and refugees.

Extraterritorial Killing, Kidnapping, or Violence or Threats of Violence

Media reported the government allegedly killed, kidnapped, or used violence or threats against Burundian refugees in Tanzania to pressure them into repatriating.

Bilateral Pressure

There were reports the government for politically motivated purposes attempted to exert bilateral pressure on another country aimed at having it take adverse action against specific individuals. As a condition of normalizing bilateral relations with Rwanda, authorities demanded the extradition of individuals alleged to be responsible for the 2015 attempted coup who sought refuge in Rwanda that year.