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BURUNDI: PRIORITISE HUMAN RIGHTS IN ELECTION SEASON

Burundians are expected to go to the polls to elect a new president on 20 May 2020 – one of a series of five elections at the local and national level that are scheduled to take place between May and August. Many see the upcoming presidential election as a particularly significant moment in light of both the crisis that was sparked by the previous election in 2015 and the fact that, with incumbent Pierre Nkurunziza not standing again, the poll guarantees a change of leadership.

However, as the country moves into the official campaign period, the political context is not promising. A climate of fear prevails in the country and serious human rights violations and abuses continue unabated. In addition to their existing challenges, Burundians must now also contend with the impact of the global COVID-19 pandemic. Up to now, there is no indication that the elections will be delayed; indeed, the first vice-president has said that “those who want to postpone the elections due to the coronavirus are enemies of democracy.”¹ While the pandemic necessitates a strong state-led response, some of the government’s actions have appeared to arbitrarily disregard the need to protect human rights in the process. For example, the government has threatened institutions taking proactive protective measures with sanctions on the grounds that these actions are ‘getting ahead of the government’ and aim to ‘manipulate or disorientate public opinion’.² Up to now, large political and religious gatherings have continued with the provision of hand-washing stations and advice against shaking hands, but little in the way of social distancing requirements. With so much at stake, both politically and in terms of protecting public health, Burundians need to be able to trust that critical decisions are being made to protect them and ensure respect for their human rights rather than as part of a political calculation.

The 2020 elections will inevitably be compared to 2015. Indeed, assuming they go ahead, the polls will take place against the backdrop of a continuing political and human rights crisis that was sparked when President Nkurunziza decided to stand for a third term in office in 2015. Widespread street protests began after the ruling party, the National Council for the Defence of Democracy – Forces for the Defence of Democracy (CNDD-FDD), nominated President Nkurunziza as their candidate on 25 April 2015, and were later followed by a failed coup attempt in mid-May 2015.³ The brutal repression that characterised the government’s response first to the protests and then to the attempted coup has become entrenched as the crisis continued. Efforts by the East African Community, with the support of the African Union, UN and others, to mediate a political solution to the crisis through the Inter-Burundi Dialogue process have failed to secure a reopening of political and civic space.⁴

President Nkurunziza’s assurances in a speech on 7 June 2018 that he would not stand again⁵ and the CNDD-FDD’s decision to field General Evariste Ndayishimiye, the party’s secretary general, as their 2020 presidential candidate has been hailed by many in the international community as a positive move.⁶ The extent to which President Nkurunziza will

¹ Iwacu, « Burundi/Covid-19 : « Pas de question d’ajourner les élections », dixit Gaston Sindimwo », 7 April 2020, <https://www.iwacu-burundi.org/burundi-covid-19-pas-de-question-dajourner-les-elections-dixit-gaston-sindimwo/>

² Statement of government spokesperson Prosper Ntahorwamiye, 25 March 2020, <https://www.presidence.gov.bi/wp-content/uploads/2020/03/Coronavirus-communique%C3%A9.pdf>

³ Amnesty International, *Braving bullets : Excessive force in policing demonstrations in Burundi*, 28 July 2015, <https://www.amnesty.org/en/documents/afr16/2100/2015/en/>

⁴ UN Office of the Special Envoy for Burundi, ‘EAC receives report on deadlocked Burundi peace talks,’ 4 February 2019, <https://oseb.unmissions.org/en/eac-receives-report-deadlocked-burundi-peace-talks>

⁵ Associated Press, ‘Burundi’s president says he won’t run for another term’, 7 June 2018, <https://apnews.com/1ee417c0f1194dc2bc47df755b027609>; Video of speech given at Bugendana, Gitega province, 7 June 2018, <https://www.facebook.com/sosmediasburundi/videos/1853882834673747/>

⁶ See, for example, United Kingdom, UN Human Rights Council 43: interactive dialogue with the Commission of Inquiry on Burundi, 9 March 2020, <https://www.gov.uk/government/speeches/un-human-rights-council-43-uk-statement-for-the-interactive-dialogue-with-the-commission-of-inquiry-on-burundi>; Statement by the Kingdom of the Netherlands - Interactive Dialogue with the Commission of Inquiry on Burundi, 10 March 2020,

maintain influence over national affairs is unclear. In February 2020, the National Assembly adopted legislation naming him as the country's 'supreme guide for patriotism', who must be consulted on issues relating to safeguarding national independence, the consolidation of patriotism and to national unity.⁷ Nevertheless, the expected upcoming change in national leadership, presents an opportunity for Burundi's ruling party to break with the repression that has characterised the last five years and move towards a period of human rights reform.

POLITICAL AND SECURITY-RELATED TENSIONS

Burundi's ruling party, the CNDD-FDD, continues to maintain a high-level of political and social control throughout the country. Refugees who had just recently fled the country told Amnesty International in December 2019 that they left Burundi due to harassment by the Imbonerakure, the CNDD-FDD youth wing, on account of their real or perceived opposition to the ruling party.⁸ Their descriptions of coming under increased pressure, surveillance and intimidation when they did not attend meetings organised by the ruling party chime with testimonies shared with Amnesty International over the course of several years.⁹

Members of the main opposition party, the National Congress for Freedom (CNL), have been particularly targeted. Agathon Rwasa registered the CNL in February 2019; it is the third opposition political grouping the former rebel leader and vice-president of the National Assembly has led, following the National Liberation Forces (FNL) and the Amizero y'Abarundi coalition. Members of the ruling party have pointed to the fact that the CNL (and the entities that preceded it) have been able to organize large meetings and rallies, both in the build-up to the 2020 elections and during the 2018 referendum campaign, and claimed this as a demonstration of political openness in the country.¹⁰ However, members and local leaders of the CNL have been subjected to repeated attacks, arrests and acts of intimidation. Several members have even been killed in cases where political motivations are suspected. On 16 March 2020, a local CNL representative, Méthuselah Nahishakiye, was shot dead in Bujumbura rural. A family member reported that he had been in conflict with Imbonerakure and was receiving repeated threats; however, a local administrator claimed that the killing was linked to a land dispute.¹¹ Just a month earlier, the CNL spokesperson reported that a party member died in detention in Bujumbura rural shortly after his arrest on 20 February.¹² Local party offices have also been vandalised or destroyed.

These attacks, most often perpetrated by members of the Imbonerakure, continue with almost total impunity. The conviction of four Imbonerakure members in Muyinga in October 2019 for killing a CNL member in an ambush is a notable exception to the general rule.¹³

Indeed, a former Imbonerakure leader in an area where there had been a surprising number of 'No' votes in the 2018 referendum told Amnesty International that he was instructed by a local ruling party leader "to do [his] best for the 2020

<https://www.permanentrepresentations.nl/permanent-representations/pr-un-geneva/documents/publications/2020/03/10/43rd-hrc---burundi>; Statement by Switzerland – International Dialogue with the Commission of Inquiry on Burundi, 9 March 2020, https://www.dfae.admin.ch/dam/mission-onu-omc-aele-geneve/en/speeches-to-the-un/2020/43%C3%A8me-hrc/Dialogue-interactif-Burundi_FR.pdf

⁷ VOA, « Le président Nkurunziza nommé "guide suprême du patriotisme" », 20 February 2020, <https://www.voafrique.com/a/le-pr%C3%A9sident-nkurunziza-nomm%C3%A9-guide-supr%C3%A8me-du-patriotisme-/5296222.html>

⁸ Amnesty International interviews, December 2019

⁹ Amnesty International, *Conform or flee: Repression and insecurity pushing Burundians into exile*, 29 September 2017, <https://www.amnesty.org/en/documents/afr16/7139/2017/en/>

¹⁰ See, for example, Nubwacu Yves Lionel, Advisor in Office of President, Tweet in reply to Amnesty International researcher, 19 September 2019: "Madame just last week @AgathonRwasa was running a meeting in Northern of the country in which a huge number of people participated. My self whitessed in south of Bujumbura several political activities of @BurundiCnl . Stop spreading #FakeNews on #Burundi." <https://twitter.com/LionelYves/status/1174624706454011904?s=20>

¹¹ Iwacu, « Bujumbura/Sécurité : un membre du CNL assassiné à Migera », 18 March 2020, <https://www.iwacu-burundi.org/bujumbura-securite-un-membre-du-cnl-assassine-a-migera/>

¹² Iwacu, « La CNIDH préoccupée par les assassinats ciblés », 26 February 2020, <https://www.iwacu-burundi.org/la-cnidh-preoccupee-par-les-assassinats-cibles/>

¹³ RFI, "Burundi: prison à vie pour quatre meurtriers Imbonerakure », 10 October 2019, <http://www.rfi.fr/fr/afrique/20191009-burundi-prison-vie-meurtriers-imbonerakure>

elections” in order to influence voters to vote for the CNDD-FDD. He said that the party official told him to do whatever necessary – “even to use force or kill someone” – and that he would protect him.¹⁴

Ongoing tensions and violence between CNDD-FDD and CNL members, particularly from the parties’ youth wings, are alarming. In recent weeks, dozens of CNL members are reported to have been arrested, accused of involvement in the killing of a CNDD-FDD official in Ngozi and the death of an Imbonerakure youth after a clash in Kayanza.¹⁵ In August 2019, an Imbonerakure youth member died of his injuries after clashes with members of the Inyankamugayo (CNL youth wing).¹⁶ On 3 March 2020, the Minister of Interior, Patriotic Training and Local Development, Pascal Barandagiye, wrote to the governors of all provinces and the mayor of Bujumbura, asking them to suspend all marches by the youth wings of political parties until the official start of the campaign period.¹⁷ Despite this and other initiatives aimed at easing tensions, clashes and tensions between the Imbonerakure and Inyankamugayo have continued to be reported in recent weeks, including in the provinces of Bujumbura rural, Rumonge, Cibitoke and Kayanza.¹⁸

The Government of Burundi ramped up its campaign to encourage Burundian refugees and asylum-seekers around the world, but particularly those currently in Tanzania, to return home in 2019 on the grounds that the country was at peace. They went as far as to sign a confidential bilateral agreement with the Government of Tanzania in August in which they proposed returning refugees with or without their consent, although to date mass forced returns, as seen in the past, have not taken place.¹⁹

While the authorities cite peace and security in the country as one of the reasons refugees should return, a series of armed attacks in recent months undermine that assertion. On 22 October 2019, there were clashes between Burundian security forces and an armed opposition group, believed to be RED-Tabara, in Bubanza province. A group of journalists seeking to report on the attack were arrested on route (details below). On 16 November 2019, a military post was attacked in Cibitoke province. The Burundian government accused Rwanda of responsibility, which the Government of Rwanda strongly denied.²⁰ The presence of an armed group in Bujumbura rural province was reported in late February 2020. The authorities reported that 22 armed criminals and two police officers were killed, as well as the capture of six assailants and the seizure of arms and ammunitions. Several of those captured were later killed by security forces and members of the Imbonerakure. The UN Commission of Inquiry on Burundi concluded that extrajudicial executions had been committed.²¹

In addition to political pressure and concerns about insecurity, Burundians are facing massive economic strain in the run-up to these elections. More than 1.7 million people require humanitarian assistance out of a population of approximately 11 million.²² While Burundi’s economic challenges pre-date the current crisis, the government increased the financial burden on the population by collecting ‘voluntary’ contributions towards the costs of running the 2020 elections. The contributions were officially collected between December 2017 and July 2019. For those employed by the government the

¹⁴ Amnesty International interview, December 2019

¹⁵ Iwacu, “Sources report 12 CNL members detained in Ngozi”, 19 April 2020, <https://www.iwacu-burundi.org/englishnews/sources-report-12-cnl-members-detained-in-ngozi/>; SOS Medias Burundi, KAYANZA : UNE TRENTAINE DE MILITANTS CNL EN DÉTENTION, 14 April 2020, <https://www.sosmediasburundi.org/2020/04/14/au-moins-trente-militants-du-cnl-en-detention-apres-lassassinat-dun-imbonerakure-a-kayanza/?fbclid=IwAR2InIPACVR00-SPOg4LK11J96BEg1SN1TZyZkd68QQZKOavq4VJ1-7VnYk>

¹⁶ UN Security Council, The situation in Burundi - Report of the Secretary-General (S/2019/837), 24 October 2019, <https://undocs.org/en/S/2019/837>

¹⁷ Letter from Minister of Interior, Pascal Barandagiye, 3 March 2020, <https://twitter.com/IntumwaNews/status/1234817196720885762/photo/1>

¹⁸ Iwacu, « Province Bujumbura : Rififi à Maramvya », 10 March 2020, <https://iwacu.collateral-freedom.org/province-bujumbura-rififi-a-maramvya/>

¹⁹ Amnesty International, “Tanzania: Maintain protection space for refugees”, 6 September 2019, <https://www.amnesty.org/en/documents/afr56/1007/2019/en/>

²⁰ Xinhua, “Rwanda denies accusation of attacking Burundi’s military post”, 29 November 2019, http://www.xinhuanet.com/english/2019-11/29/c_138591868.htm

²¹ UN Commission of Inquiry on Burundi, Oral briefing at 43rd session of Human Rights Council, 9 March 2020, <https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=25694&LangID=E>

²² UN OCHA, Burundi: Situation Report, 11 March 2020, <https://reports.unocha.org/en/country/burundi/card/3sNNNwY3gM/>

contributions were deducted from their salary payments at source. Contributions were also collected by local administrators and Imbonerakure members. Those who refused to pay were beaten and threatened.²³ Election contributions continued to be collected after the initiative's official closure.²⁴ Even before the official start of the election contributions, Burundians were being forced to pay contributions to CNDD-FDD activities and fundraising drives, in addition to numerous other fees and 'taxes'.²⁵

Alongside increased financial pressure on the population, the operating environment for international non-governmental organizations has become increasingly challenging, with the government pushing for ever-tighter oversight of their activities and staffing, creating obstacles for the provision of much-needed humanitarian assistance.²⁶

CONTROLLING THE NARRATIVE - ATTACKS ON MEDIA

Continued restrictions on the media and civil society threaten the rights of those specifically targeted but also the population as a whole. The rights to freedom of expression and access to information should be respected, protected, promoted, and fulfilled before, during and after the elections.

At the regulatory level, the National Communications Council set the tone when it presented a new code of conduct to journalists in October 2019 to govern their work during the 2020 election period. Media houses had not seen its contents prior to the meeting at which it was presented. Nonetheless, all but two media houses signed the code on the spot.²⁷ Under the new code, journalists are not allowed to publish any election results other than those officially announced by the National Independent Election Commission (CENI) or its subsidiary bodies, and "on no account" may survey results be considered a source of information for the media. Access to information and accuracy of any such information are essential in an election period. However, both measures unnecessarily restrict citizens' access to information, especially in cases where results may be contested.

Many private Burundian media houses remain closed, following the destruction of several radio stations at the time of the May 2015 coup attempt. Iwacu Press Group – one of the rare exceptions able to continue their reporting from inside the country – has faced major and ongoing challenges, including the alleged enforced disappearance of Iwacu journalist Jean Bigirimana who went missing in July 2016.²⁸ Most recently, the media house reported in late March that some of its journalists had received death threats from a CNDD-FDD member of the National Assembly, who allegedly threatened to "smash their head in", after he objected to a recent article in which he was accused of ordering attacks on opposition members in his constituency.²⁹

²³ For more details see Human Rights Watch, *"We Let Our Children Go Hungry to Pay" Abuses Related to the 2020 Election Levy in Burundi*, 6 December 2019, <https://www.hrw.org/report/2019/12/06/we-let-our-children-go-hungry-pay/abuses-related-2020-election-levy-burundi>

²⁴ International Crisis Group, *A first step towards reform: Ending Burundi's forced contribution system*, 8 April 2020, <https://www.crisisgroup.org/africa/central-africa/burundi/b153-first-step-toward-reform-ending-burundis-forced-contribution-system>

²⁵ Amnesty International, *Conform or flee: Repression and insecurity pushing Burundians into exile*, 29 September 2017, <https://www.amnesty.org/en/documents/afr16/7139/2017/en/>

²⁶ The Burundian authorities have sought increasingly detailed information on the ethnic identities of the national staff of international NGOs. For more details, see Amnesty International, "Burundi: End interference in NGO operations", 10 March 2020, <https://www.amnesty.org/en/documents/afr16/1919/2020/en/>

²⁷ These were Iwacu Press Group and Radio Isanganiro. Iwacu, « Code de conduite en période électorale : pas encore de signature d'Iwacu et Isanganiro », 17 October 2019, <https://www.iwacu-burundi.org/code-de-conduite-en-période-electorale-pas-encore-de-signature-diwacu-et-isanganiro/>

²⁸ Jean Bigirimana was last seen in Bugarama, Muramvya province, on 22 July 2016. He was reportedly arrested by members of the National Intelligence Service (SNR). Despite an investigation launched by Iwacu, he has never been found. Amnesty International, "Burundi: Further information: Burundian journalist is still missing: Jean Bigirimana," 19 September 2016, <https://www.amnesty.org/en/documents/afr16/4832/2016/en/>

²⁹ Iwacu, "Communiqué de presse : Un député menace de mort des journalistes d'Iwacu", 29 March 2020, <https://www.iwacu-burundi.org/communique-de-presse-un-depute-menace-de-mort-des-journalistes-diwacu/>; Iwacu, « Cendajuru/Busoni – Intolérance politique : un phénomène inquiétant », 23 March 2020, <https://iwacu.global.ssl.fastly.net/cendajuru-busoni-intolerance-politique-un-phenomene-inquietant/>

On 30 January, four Iwacu journalists, Agnès Ndirubusa, Christine Kamikazi, Egide Harerimana and Tércence Mpozenzi, were sentenced to two and a half years in prison and fined one million Burundian francs (approximately 525 USD) each on a charge of ‘impossible attempt to threaten internal state security’. They had been arrested with their driver Adolphe Masabarakiza, who was acquitted, in October 2019 while on their way to report on the clashes in Bubanza province. The four journalists have lodged an appeal.³⁰

International media have also struggled to operate in Burundi. The BBC and Voice of America have not been allowed to broadcast in the country since their initial suspension by the CNC just days before the constitutional referendum in May 2018. In March 2019, the CNC withdrew the BBC’s operating licence and extended VOA’s suspension “until further notice”.³¹ At the same time, the CNC banned other journalists working in Burundi, whether Burundian or foreigners, from sharing information with the two media houses, which they might broadcast.

CIVIL SOCIETY CLAMPDOWN

Like the media, civil society have a vital role to play including before, during and after an election, informing and empowering citizens to safeguard their rights and monitoring abuses of those rights. However, independent civil society and particularly human rights defenders have faced an ongoing crackdown since the start of the crisis in 2015. Most human rights organizations that were involved in the campaign against President Nkurunziza’s third term and which have also been the most critical of the government’s human rights record were initially suspended in 2015 and then closed down by the Minister of Interior in 2016. Dozens of human rights defenders left the country after being threatened or attacked. Several Burundian human rights organizations continue their work in monitoring, documenting and reporting on the human rights situation from exile. However, many of the vital services they previously offered are now almost impossible, such as providing direct support and assistance to victims of human rights violations.

An official government report accused many of the civil society leaders, journalists and opposition politicians who opposed President Nkurunziza’s bid for a third term in office of being members of an ‘insurrectional movement’.³² Even before the protests began in April 2015 and the failed coup in May, civil society leaders were accused of inciting insurrection and demonstrations were labelled as “insurrection”. Armel Niyongere, Vital Nshimirimana, Pacifique Nininahazwe, Marguerite Barankitse, and Dieudonne Bashirahishize (all HRDs) and Innocent Muhozi, Patrick Nduwimana, Bob Rugurika, Patrick Mitabaro, Anne Niyuhire, Arcade Havyarimana, and Gilbert Niyonkuru (journalists) are being tried for “insurrection” and “organising a coup d’état”. Burundi’s Supreme Court held a hearing in the case on 4 February 2020, in the absence of the accused and without legal representatives.³³ The atmosphere, therefore, is currently far from safe and conducive for the return of exiled civil society leaders to the country.

The crackdown has continued throughout the crisis with several waves of reprisals against human rights defenders and activists who have stayed in the country. For the most part, these human rights defenders and activists were less prominent than the more well-known leaders of the human rights movement. Their arrests and convictions sent a clear signal that independent human rights reporting would not be tolerated.

On 13 July 2017, Germain Rukuki, a human rights defender who previously worked for the anti-torture organization ACAT-Burundi, was arrested at home in Bujumbura. He was detained by the SNR for two weeks and interrogated without a lawyer present, before being transferred to Ngozi prison. He was found guilty on 26 April 2018 – the anniversary of the start of the protests – on charges of “rebellion”, “threatening State security”, “participation in an insurrectional

³⁰ Amnesty International, “Burundi: Jailing of journalists a sad day for press freedom”, 30 January 2020, <https://www.amnesty.org/en/latest/news/2020/01/burundi-jailing-of-iwacu-journalists-a-sad-day-for-press-freedom/>

³¹ Amnesty International, “Burundi: Authorities trying to silence media with ban of BBC and continued suspension of VOA”, 29 March 2019, <https://www.amnesty.org/en/latest/news/2019/03/burundi-authorities-trying-to-silence-media-with-ban-of-bbc-and-continued-suspension-of-voa/>

³² République du Burundi, Ministère de la Justice, Commission d’enquête chargée de faire la lumière sur le mouvement insurrectionnel déclenché le 26 avril 2015, Rapport, Bujumbura, August 2015

³³ Observatoire pour la protection des défenseurs des droits de l’Homme, OMCT/FIDH, « Burundi: Harcèlement judiciaire à l’encontre de douze défenseurs des droits humains en exil », 6 February 2020, <https://www.omct.org/fr/human-rights-defenders/urgent-interventions/burundi/2020/02/d25688/>

movement” and “attack on the authority of State” and sentenced to 32 years in prison. Part of the evidence presented against him was an email exchange between him and ACAT-Burundi staff from the time when ACAT-Burundi was still legally registered to operate in Burundi.

In November 2017, Nestor Nibitanga, a former regional observer for the Association for the Protection of Human Rights and Detained Persons (APRODH), was arrested at home in Gitega and taken to the SNR headquarters in Bujumbura, where he was held incommunicado for two weeks. Similarly, he was convicted in August 2018 for “threatening state security” and sentenced to five years in prison, after the High Court of Mukuza found him guilty of compiling reports for APRODH after the government had closed the organization. However, Nestor Nibitanga stated during the trial that a report found on a USB disk at the time of his arrest was not prepared for APRODH, but for a human rights network which was recognized by the government.³⁴

Three other human rights defenders – Emmanuel Nshimirimana, Aimé Constant Gatore and Marius Nizigiyimana, local representatives of PARCEM (Words and Actions for the Awakening of Consciences and the Evolution of Mentalities), were also arrested in 2017 and convicted in March 2018 on charges of “threatening state security.” While their conviction was overturned on appeal in December 2018, they were not released until March 2019, and in June 2019, PARCEM was suspended by the Minister of Interior.

The Burundian government insisted on the closure of the UN’s human rights office in Burundi, which closed its doors in February 2019 after more than two decades in the country. The UN Commission of Inquiry on Burundi has never been granted access to the country and its members have been declared persona non grata. The African Union has a small number of human rights monitors in the country, but they do not publish their reports.

CONCLUSION AND RECOMMENDATIONS

The human rights context going into Burundi’s 2020 elections is not promising. The rights to freedom of expression, association, peaceful assembly and access to information continue to be severely restricted ahead of the elections. Civil society and the media are obstructed from playing their essential roles as watchdog and information source for the public. The political space is tense, with attacks on both declared opponents and those who simply do not toe the ruling party line. Violence on the part of political party youth wings – and the impunity enjoyed by Imbonerakure members in particular – is a cause for alarm.

Added to these existing human rights challenges, Burundi, with the rest of the world, must tackle the threat to public health posed by the COVID-19 pandemic. At the time of writing, 11 people were confirmed to have been infected with the virus in the country, one of whom died. Levels of testing in the country, however, appear to be very low. Up to 24 April, the Ministry of Health had reported conducting 452 tests. The government did not say whether thousands of people released from quarantine had been tested or simply observed to be asymptomatic.³⁵ By the time the presidential, communal and legislative elections take place in May 2020 it is possible that the situation will have changed dramatically, and the Burundian authorities must be ready to adapt in order to protect the health of the population, while ensuring that any response is legal, necessary, proportionate and specifically aimed at a relevant legitimate purpose such as preventing the spread of or otherwise addressing COVID-19, or providing care for the sick. With further elections to the Senate on 20 July 2020 and the election of *colline* (hill) and *quartier* (borough) representatives on 24 August 2020, the situation will need to remain under constant review.

May 2020 could mark a turning point for Burundi. The authorities must ensure full and effective respect for the human rights of everyone before, during and after the elections. The new government must move swiftly to break with the past, embark on meaningful human rights reform, open the political and civic space, and reengage with regional inter-governmental organisations and the international community. Many reforms are required to ensure full and effective respect for human rights for all people in Burundi. Among these, Amnesty International urges the Government of Burundi

³⁴ Iwacu, “Cinq ans de prison ferme pour Nestor Nibitanga”, 20 August 2018, <https://www.iwacu-burundi.org/cinq-ans-de-prison-ferme-pour-nestor-nibitanga/>

³⁵ The total number of tests conducted has not been communicated via official channels. Based on the figures published in ten press releases issued by the Ministry of Health between 18 March 2020 and 17 April 2020, only 188 tests were conducted in that period, and those in quarantine were screened for symptoms. On 18-19 April 2020, 204 tests were conducted and on 22-23 April 2020, 60 tests were conducted.

to prioritise these key actions to ensure accountability for serious human rights violations and ensure an enabling environment for such change:

- Conduct prompt, impartial, independent and transparent investigations into human rights violations and abuses, including those targeting members of the opposition. Members of the security forces suspected of responsibility for such violations and abuses, and any officials who ordered or condoned such crimes, should be suspended pending investigations and where there is sufficient admissible evidence, prosecute those suspected of criminal responsibility in fair trials;
- Ensure that members of the Imbonerakure do not participate in operations of the security forces and take measures to prevent members of the Imbonerakure from committing human rights violations and abuses;
- Carry out prompt, impartial, independent and transparent investigations into allegations of abuses committed by members of the Imbonerakure, and where there is sufficient admissible evidence prosecute those suspected of criminal responsibility in fair trials;
- Immediately and unconditionally release all journalists and human rights defenders in prison on account of exercising their human rights;
- Allow the Office of the High Commissioner for Rights (OHCHR), and other independent monitors, including members of the Commission of Inquiry on Burundi, full access to the country to carry out investigations;
- Allow human rights defenders, activists and the media to carry out their important work without any intimidation, harassment and fear of reprisals.

Amnesty International further calls on the Burundian authorities to take urgent measures to ensure that the public is protected from avoidable exposure to the COVID-19 virus. These would include:

- Maintaining the situation under constant review and adapting to changing circumstances as required;
- Ensuring that all measures applied to tackle the spread of the virus respect the population's human rights, and that while the authorities may take measures to respond to the disease, any such measures must be provided by law, necessary, and proportionate;
- Introducing sufficient protective measures to ensure that the public is protected from exposure, for example through increased testing, stronger social distancing requirements and provision of protective equipment to key workers, including in the context of campaigning and voting activities.