

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	129
Land:	Burundi
Kilde:	Amnesty International.
Titel:	Amnesty International Annual Report 2011 – Burundi.
Udgivet:	13. maj 2011
Optaget på baggrundsmaterialet:	6. september 2011

Last Updated: Monday, 29 August 2011, 06:02 GMT

[unhcr.org](#) | [Partners](#) | [Help](#) | [Contact](#) | [Site Map](#)[Home](#) [Burundi](#)

Search

Text size [A](#) [A](#) [A](#) [A](#)[Email this document](#)[Printable version](#)Enter a word or phrase
[Advanced Search](#) [Search Tips](#)

Regions

[Africa](#)[Americas](#)[Asia](#)[Europe](#)[Oceania](#)

Countries

Categories

[Country Information](#)[Legal Information](#)[Policy Documents](#)[Reference Documents](#)

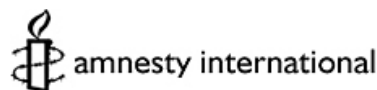
Browse by

[A-Z Index](#)[Topics](#)[Publishers](#)[Document Types](#)

Resources

[Special Features](#)[Standards and Training](#)[Information Alerts](#)[Protection Starter Kit](#)[Library](#)[News](#)[Refworld Personalization](#)[External Links](#)

Title	Amnesty International Annual Report 2011 - Burundi
Publisher	Amnesty International
Country	Burundi
Publication Date	13 May 2011
Cite as	Amnesty International, <i>Amnesty International Annual Report 2011 - Burundi</i> , 13 May 2011, available at: http://www.unhcr.org/refworld/docid/4dce157941.html [accessed 29 August 2011]
Disclaimer	This is not a UNHCR publication. UNHCR is not responsible for, nor does it endorse, its content. Any views expressed are solely those of the author or publisher.



Amnesty International Annual Report 2011 - Burundi

Head of state and government: **Pierre Nkurunziza**Death penalty: **abolitionist for all crimes**Population: **8.5 million**Life expectancy: **51.4 years**Under-5 mortality (m/f): **177/155 per 1,000**Adult literacy: **65.9 per cent**

The government intensified restrictions on freedom of expression and freedom of association during and after the elections. Human rights defenders and journalists were increasingly at risk. Magistrates were subject to pressure from the executive. Government promises to investigate torture committed by the intelligence service and reported extrajudicial executions by the police and army did not yield results. Women and girls continued to be victims of rape and other sexual violence, often committed with impunity.

Background

The government imposed growing restrictions on freedom of association and freedom of expression before, during and after municipal, presidential, legislative and communal elections held between May and September.

The ruling party, the National Council for Defence of Democracy-Forces for Defence of Democracy (CNDD-FDD) won 64 per cent of the vote in May's municipal elections. International and national election observers noted "irregularities", but found the elections to be broadly free and fair. Some election observers noted pre-electoral intimidation. Opposition parties rejected the results, claiming that there had been massive fraud. In early June, they withdrew from June's presidential elections leaving President Nkurunziza as the only candidate. Most opposition parties also boycotted the legislative elections in July, leading to a CNDD-FDD landslide.

After the opposition's boycott of the presidential elections, the government imposed a temporary ban on opposition party meetings. Campaigning for the presidential elections was marked by political violence, including numerous grenade and arson attacks, mainly targeting the CNDD-FDD party.

There was a rise in insecurity and criminality from September onwards in areas that were former National Liberation Forces (FNL) strongholds. The government called these groups "bandits", but others saw this as a possible precursor to renewed armed opposition.

Several acts of politically motivated violence in the weeks leading up to the communal elections were not fully investigated by the police. Statements by senior government officials that individuals should be prosecuted often failed to result in appropriate judicial action.

Between January and November, 4,752 Burundian refugees returned.

Freedom of association and assembly

A government ban issued on 8 June on meetings by political opposition parties, after their boycott of the presidential elections, unlawfully restricted the right to freedom of assembly.

Opposition parties still encountered problems holding meetings even after the ban was lifted following the presidential elections.

Searches of houses and offices of opposition members were often conducted without the necessary authorizations or at night, violating the Burundian code of criminal procedure.

UN human rights observers documented at least 242 election-related arrests, most from the opposition, between 1 May and 20 July. Some individuals were accused, and others charged, with offences of threatening state security, grenade attacks, burning CNDD-FDD offices and illegal arms possession. The UN found that 62 of the 242 arrests could be politically motivated. These included charges of holding illegal meetings, encouraging the population not to vote, and one charge of being "FNL". Some opposition detainees were held by the National Intelligence Service (SNR) for longer than the two weeks allowed by law before being charged. Most have since been released.

Extrajudicial executions

UN human rights monitors confirmed nine reports of extrajudicial executions by the police and army between August and mid-October. These included three FNL members found dead in the Ruzizi River in October shortly after their release from police custody in Cibitoke. The government established a judicial commission in late October to investigate these reports.

Torture and other ill-treatment

Between the end of June and early July, the SNR reverted to old practices of torture not seen in recent years. Twelve individuals arrested as part of the government's investigations into grenade attacks were allegedly subjected to physical and psychological torture and other ill-treatment by the SNR. They were slapped, kicked and hit with batons and reported receiving death threats as security agents tried to extract confessions.

Only one further torture case was reported after the UN, the diplomatic community and human rights organizations raised these cases with the government. The government committed to opening investigations, but had not done so by the end of year. None of the suspected perpetrators were suspended pending investigations.

Three police officers were convicted on 7 June by the High Court in Muramvya of ill-treating detainees thought to be FNL members in Rutegama in October 2007. However, authorities failed to execute the judgement; two officers were still serving in the police force by the end of the year and a third had been jailed on other charges in 2009.

Illegal extradition

Déogratias Mushayidi, a Rwandan opposition politician, was detained in Burundi on 3 March by Burundian security forces and handed over to Rwanda two days later. His arrest appeared to contravene formal extradition proceedings.

Freedom of expression

Human rights defenders

The government discussed the status of the Forum for the Strengthening of Civil Society (FORSC), whose legal position remained unclear after its suspension in 2009. This positive development was overshadowed by judicial harassment of human rights defenders, threats by government officials to arrest defenders or suspend their organizations, and enhanced surveillance and intimidation by individuals thought to be intelligence agents. Prominent individuals campaigning for justice for Ernest Manirumva, an anti-corruption activist killed in 2009, were at risk. The government also expelled a staff member of Human Rights Watch from Burundi.

- The trial of the killers of Ernest Manirumva opened on 14 July. Civil society criticized the prosecution for failing to investigate leads which might implicate senior intelligence officials and police. The case, twice adjourned, was slow to progress.
- In March, Pierre Claver Mbonimpa, President of the Association for the Protection of Human Rights and Detained Persons (APRODH) and Gabriel Rufyiri, President of the Anti-Corruption and Economic Malpractice Observatory (OLUCOME), stated that they were under surveillance and warned of potential assassination plots against them. In May, Pierre Claver Mbonimpa was summoned by the prosecution to respond to questions about his work on the Justice for Ernest Manirumva campaign. In October, the Interior Minister told him in a private meeting that he could be removed as President of APRODH if he continued to denounce abuses involving the police. In a press conference at the same time as the meeting, a police spokesperson threatened to arrest him on account of statements he made alleging extrajudicial executions by police.
- Staff members of OLUCOME and their families received death threats in October and November.

Journalists

© UNHCR

Burundi's independent media remained vibrant and journalists continued to criticize the government despite attempts to silence them. The government unduly restricted freedom of speech through harassment by judicial authorities and prolonged pre-trial detention. Some death threats received by journalists appeared to come from state agents.

- In July, Jean Claude Kavumbagu, editor of Net Press, was arrested for an article questioning the capacity of Burundi's security forces to defend Burundi from an attack by the Somali armed group Al-Shabaab. He was charged with treason, an offence only applicable under Burundian law in time of war. He remained in detention at the year's end.
- Journalists from African Public Radio (RPA) received death threats and anonymous phone calls, and were harassed, including by individuals who appeared to be state agents.

Political parties

In September, François Nyamoya, a lawyer and Movement for Solidarity and Democracy (MSD) spokesperson, was arrested on defamation charges after the SNR's General Administrator, Adolphe Nshimirimana, lodged a complaint against him. François Nyamoya had publicly criticized human rights violations by the SNR and the police and called for the dismissal of Adolphe Nshimirimana and the Deputy Director of the Police. Adolphe Nshimirimana accused François Nyamoya of calling him a "bandit". He was detained in Mpimba Prison until being conditionally released in October.

Justice system

Magistrates came under pressure and were moved to different provinces if they took decisions that were seen as unfavourable to the executive. President Nkurunziza continued to preside over the Superior Council of the Magistracy, the institution responsible for selecting, promoting and demoting magistrates.

- In July, a magistrate decided that there was insufficient evidence to charge Gabriel Rufyiri of OLUCOME after a complaint from the director of a parastatal organization that OLUCOME had falsely accused him of using a state vehicle to campaign for CNDD-FDD. The following day the magistrate was transferred to a rural area.

Prison conditions

Prisons were overcrowded and under-resourced. Despite steps to expedite bail hearings, the judiciary's continued lack of capacity contributed to continued overcrowding.

Transitional justice

President Nkurunziza committed to moving forward with the creation of a Truth and Reconciliation Commission (TRC) in his inauguration speech in September. The President received the report on the 2009 national consultations on transitional justice in November. Publishing the report was a prerequisite to establishing the TRC and a Special Tribunal within the Burundian justice system. Impunity persisted for serious past abuses by the FNL, CNDD-FDD and the former Burundian army.

Independent National Human Rights Commission

At the year's end, the Independent National Human Rights Commission (CNIDH) had not been established. Parliament adopted a bill in December setting up the CNIDH, which awaited presidential assent at the year's end.

The UN renewed the mandate of the Independent Expert on the human rights situation in Burundi pending the creation of the CNIDH, but with restricted reporting capacities. The Independent Expert was allowed to visit Burundi in November after his previous visit was blocked by the government.

Copyright notice: © Copyright Amnesty International