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In Burundi, it's not just witnesses to the politically motivated string of murders, torture, and rapes who are going missing, it's also the perpetrators, underscoring the enormous scale of the challenge now facing the International Criminal Court.

So great are the risks to the "life and wellbeing" of potential witnesses to alleged crimes against humanity committed by state agents here that ICC judges agreed for the first time to deliberate in secret before deciding the tribunal's chief prosecutor could step up her enquiries.

Fears of a [Kenya-style witness tampering](#) campaign appear well-founded: Several people with first-hand knowledge of crimes implicating police, soldiers, and militia members have disappeared or been killed in Burundi, according to relatives and rights groups.

An ICC judges' [ruling](#) has authorised Chief Prosecutor Fatou Bensouda to elevate her "preliminary examination" to an "investigation", paving the way for eventual arrest warrants, criminal charges, and trials.

The judges cited Bensouda's affirmation: "[The] Government of Burundi has not merely been uncooperative but has actively sought to target, both in Burundi and abroad, persons who it perceives could implicate it in the crimes alleged, as established by additional sources."

And, in another unprecedented decision, the judges allowed Bensouda to wait a full 10 days before informing the Burundian government that such permission had been granted.

In so doing, they granted time for witness protection measures to be put in place and lent credence to Bensouda's view that the "concrete possibility of an investigation [was] likely to affect the calculations of those implicated by the crimes".

The alleged crimes in question include: murder and attempted murder, imprisonment or severe deprivation of liberty, torture, rape, enforced disappearance, and persecution.

According to the prosecutor, high-ranking officials of the Burundian government, the police, the intelligence service, the military, and also the [Imbonerakure](#) (the ruling party's youth wing), appear to be those most responsible for the most serious crimes.

"The Chamber considers that multiple sources indicate that the Government of Burundi has interfered

with, intimidated, or harmed victims and witnesses," the judges' decision read.

30 months of hell

Such a campaign appears to have begun soon after the country was plunged into [a violent crisis](#) in April 2015, when President Pierre Nkurunziza's announcement that he would run for a third term in office (widely deemed unconstitutional) prompted street protests, a heavy-handed response from security forces, and an attempted coup.

A list of dozens of Burundians "forcibly disappeared" over the past two-and-a-half years has been published on a dedicated [website called Ndondeza](#), which is the Kirundi for "Help me to find him".

Names on the list include those of activists and politicians from various parties, journalists, state intelligence agents, police and army officers, Imbonerakure members, and would-be refugees detained while trying to leave Burundi.

"People implicated in crimes are often eliminated in the same way as their victims," explained Pacifique Nininahazwe, who is president of the *Forum pour la Conscience et le Développement* (the organisation behind the Ndondeza campaign) as well as a leading opponent of Nkurunziza's third term in office.

Speaking to IRIN by phone from Europe where he is living in exile, Nininahazwe said there were already several cases of Imbonerakure members being eliminated after having been "implicated in odious crimes", including those who attempted to assassinate Pierre Claver Mbonimpa, the country's leading human rights activist.

Missing perpetrators

Among this category of missing is Aimé Aloys Manirakiza, who has not been seen since May 2017.

"He was one of the Imbonerakure in Musaga zone," Manirakiza's wife, Allaine Vanessa Kaneza, said in a blog post, the authenticity of which she confirmed to IRIN by phone from Rwanda, to where she fled in October 2017. Musaga is an opposition stronghold in the capital, Bujumbura, and the scene of anti-Nkurunziza demonstrations in 2015 that led to a vicious crackdown.

"He committed crimes, torture, executions of people in the opposition. Sometimes, he told me about this himself, and [at other times] other people came to tell me," she said. "I want to say sorry to all the families who lost loved ones because of what my husband did."

Also missing: Christophe Ndabagoye, an intelligence agent working undercover as a member of an opposition party, the National Liberation Forces.

"He told me he worked for the intelligence services and that he knew lots of secrets," one of his relatives told IRIN, asking not to be identified.

One day "he got a phone call from another officer whose name I don't know. He left and to this day cannot be found. The same goes for the car he was using," the relative added.

After Ndabagoye disappeared, relatives looked for him in prisons, morgues and forests, but to no avail.

The cousin believed the state wanted to get rid of Ndabagoye because he was "involved in plans to eliminate certain demonstrators and above all because he was close to General Adophe Nshimirimana" - a former intelligence chief and close associate of the president who was killed in a rocket attack in August 2015.

IRIN could not independently verify this account. More broadly, it's not clear if missing Imbonerakure and intelligence agents are being eliminated because they too could end up as witnesses, or if there has been a campaign of reprisal killings, or both. Either way, it only makes the ICC's task of prosecuting harder.

Spokespersons for Burundi's government and the police couldn't be reached for fresh comment on the alleged disappearances.

But [speaking in August to France 24](#), Burundi's ambassador to France, Christine Nina Niyonsayde, dismissed any state role, saying: "Sometimes, there are people who disappear voluntarily, who leave and are not found, and later, maybe years later, they are found, either in other countries [or elsewhere] and they have changed their name."

In January, police spokesman Pierre Nkurikiye accused Nininahazwe on state television of running a network that "disappeared" people itself but then accused the police of doing so. He claimed such "criminality was born with the insurrectional movement initiated by those opposed to Nkurunziza's third term".

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