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The Burundian National Defense Force and police committed at least 47 extrajudicial executions between December 30, 2014, and January 3, 2015, following a clash with an armed group in the northwestern province of Cibitoke, Human Rights Watch said today. Armed members of the ruling party's youth league also participated in the killings.

"The Burundian security forces have a responsibility to defend citizens against violence, but that cannot mean murdering those they have detained," said Daniel Bekele, Africa director at Human Rights Watch. "It appears that members of the military and police made no effort to arrest most of the men who surrendered, shooting them dead instead."

The killings in Cibitoke are part of a broader pattern of extrajudicial executions by Burundian security forces and members of the ruling party's youth league, going back several years. The victims have included many civilians, as well as members of armed groups and other suspected opponents. The executions in Cibitoke are one of the largest incidents of this kind in recent years.

The limited information available on the armed group suggests its members crossed into Burundi from neighboring Democratic Republic of Congo in late December. Witnesses and military officials described the men as well-armed. Some members of the group who were arrested told Human Rights Watch that their objective was to establish a base in the Kibira forest, east of Cibitoke, from which to "wage war" on the Burundian government.

On the morning of December 30, there was a confrontation between the Burundian military and police and the armed group in the town of Rwesero. Members of the armed group scattered into Murwi and Bukinanyana communes, where fighting continued for four or five days. In early January, scores of members of the armed group surrendered to the military, to the police, or to residents who handed them over to local authorities.

The military and police, assisted by members of the youth league of the ruling party - known as the Imbonerakure - executed most of those who surrendered. Human Rights Watch travelled six times to Cibitoke over 17 days in January and spoke with more than 50 people, including 32

witnesses to the killings, members of the armed group in detention, and local government officials. Human Rights Watch documented the killing of at least 47 members of the armed group by the military, police, and Imbonerakure between December 30 and January 3.

The spokesman for the National Defense Force told journalists on January 5 that 95 members of the armed group, as well as two soldiers and two residents, were killed during the clashes, and that 9 members of the armed group were captured and arrested. Other members of the group were arrested later. 14 were still in Cibitoke prison in early February. The spokesman denied anyone was killed after surrendering.

The first executions took place on December 30, in the town of Rwesero, in Murwi commune, witnesses told Human Rights Watch. "I saw four rebels captured," one witness said. "They had their hands tied behind their backs. The police and the Imbonerakure beat them. Soldiers were there too... The police were furious and told the population to leave. When we walked away, I heard between 5 and 10 shots."

On January 1, military and police shot dead six members of the armed group on the edge of the Kaburantwa river, between Ngoma and Rugano hills, witnesses said. A resident who watched the killings from Rugano said: "At around 4 p.m. I went down to the river and saw six bodies together. They had all been shot in the head."

On January 2, soldiers and police shot dead 17 captured members of the group in Kibindi forest, near Mpinga, in Murwi commune. Witnesses said the fighters surrendered in small groups. Then soldiers and police lined them up at the top of a cliff and shot them. Some fell off the cliff as they were shot, the witnesses said. The soldiers, police, and Imbonerakure pushed the other bodies off the cliff and Imbonerakure went down to confirm they were dead. Imbonerakure and local inhabitants buried the bodies later.

"The soldiers walked the men to a cliff above the road," one resident said. "Other soldiers in trucks arrived from the main road and came to where we were. They shot at the rebels immediately. The rebels did not have time to say much."

Residents described how three local government officials - in Ngoma, Kalema, and Murwi - either participated in killings or handed over captured members of the armed group to the police or Imbonerakure, who then killed them. Human Rights Watch interviewed all three, who denied involvement.

"On December 31 a rebel gave himself up [to a local government official]," a witness from Kalema said. "As he surrendered, the local population, including me, followed at some distance. When he got to the local government office, [the official] shot him."

In Murwi, a witness watched as a local government official handed over a captured fighter to two police officers on January 1. The police officers and a local Imbonerakure then killed the fighter. "I followed the police," the witness said. "They stopped at a parking area. The population was saying, 'Don't kill this man!' An Imbonerakure was there and he insisted on killing the rebel. He said that to the police and to the population. The police allowed the Imbonerakure to accompany them. He left with the police and we heard shots some minutes later."

Imbonerakure participated in the killing of other members of the armed group who had surrendered. A witness said that on January 1, she saw a member of the armed group being chased by seven or eight Imbonerakure, near Bambo hill, in Murwi commune. "The rebel saw that there were too many of them, so he put his gun down and his hands up. An Imbonerakure said, 'Kill this dog!' and they hit him in the front of the head with a hoe. He screamed when he was hit. We later found his body."

"The involvement of police, military, and local government officials, as well as youth from the ruling party, would indicate coordination and state responsibility for these summary executions," Bekele said. "The Burundian authorities should immediately open an independent inquiry and ensure that those responsible are brought to justice."

The inquiry should investigate the responsibility of members of the police, military, Imbonerakure, and local government officials, as well as their commanders or superiors. Those against whom there is substantial evidence of involvement in these killings should immediately be suspended, arrested, and prosecuted.

Burundian commissions of inquiry into past incidents of extrajudicial killings have often been politicized, with some attempting to shield perpetrators and discredit information from human rights groups. Those responsible for these killings have rarely been made to answer for their crimes. Donor governments, especially those that support the Burundian security forces, should offer assistance in investigating the Cibitoke killings, and the Burundian government should accept such international assistance, Human Rights Watch said.

The US State Department in a February 5 statement said it was troubled by reports implicating Burundian security forces in the extrajudicial killing of at least two dozen members of a rebel group after they surrendered in Cibitoke in early January. The US statement said the Burundian government should fully and credibly investigate these allegations, prosecute any crimes that may have been committed, and hold those responsible accountable.

"Governments such as the Netherlands, which supports the Burundian police, and the United States, which supports the Burundian army, should insist on a transparent and meaningful investigation," Bekele said. "They should make clear to the Burundian government that they will not continue to support institutions or units responsible for abuses until the authorities bring the perpetrators to account."

Extrajudicial Executions in Murwi and Bukinanyana Communes

Rwesero, December 30

Local residents said that military and police killed at least six members of the armed group in Rwesero, in Murwi commune, on December 30. "On Tuesday December 30 I was in town," one resident said. "The police and soldiers were telling people to help them search for the rebels. I saw a man killed... It was on the road. The police shot him and he fell next to five other bodies that were already lying on the road. They shot him in the head, like the others. Some of the dead men were naked."

Kaburantwa River, January 1

On January 1 military and police cornered approximately 13 members of the armed group in a valley between Ngoma and Rugano hills, along the Kaburantwa river, in Murwi commune. A local resident told Human Rights Watch:

I was on the Ngoma side of the river. The soldiers arrived at around 11 a.m. They were guided by the Imbonerakure. Then another team of soldiers came from the Rugano side... There was a fight [with the armed group]. Soon six rebels came out of the bush and wanted to be prisoners [handed themselves in]... The soldiers said they would take them as captives, but a policeman said, 'No, give me my gun so I can show you. I will get rid of them'... We were close by. The police had told us not to approach, but we continued to approach. The rebels tried to plead for their lives. One was very young and he said, 'I am still at school. Call the director, I just did my exams. I was given a job to transport material and I was promised 100,000 to 150,000 [Burundian] francs

[approximately US\$65 to \$95]. 'The police tied the rebels' hands behind their backs. They made them lie on the ground and they shot them in the head one by one... There were many local people who saw this. We are afraid of what we saw.

Another witness said:

I was coming down the hill as the police came from Rugano...The rebels were hiding in a small bush along the river...The Imbonerakure were there too...The rebels were surrounded. They did not fire back, they had no way out, they saw they could not win. The police and military were saying, 'Come out, come out! We will not do anything to you!' Six rebels came out, some holding their guns above their heads. Others had left their guns behind and came out with their hands on their heads. The six approached the soldiers saying, 'Forgive us. We are students. If you want, you can take us to our homes to confirm what we are saying is true'...They said they were 18 and 19 years old. You could see they looked like students... But the soldiers tied them up with their arms behind their backs.

Then the police and soldiers pushed them to the ground and told us all to leave. A police officer said to me, 'We are going to show them the way home, as they have asked us to do.' The Imbonerakure stayed with the police and soldiers...I started to move back and I heard a succession of single shots...I returned to see the bodies. I saw two straightaway. Both had been shot in the head. The Imbonerakure were taking photos of the dead.

Kibindi, January 2

In one of the most serious incidents, on January 2, military and police encouraged at least 17 members of the armed group to surrender in front of scores of witnesses, in a small forested area called Kibindi, near Mpinga, in Murwi commune, then executed them. A local resident said:

I was with [soldiers] because the chef de zone [local government official] had sent me to guide them... When we arrived, soldiers [who had come from another location] were shooting into the valley and the rebels shot back. The fighting did not last long and soon the soldiers were shouting, 'Come out peacefully! We will not hurt you! If you don't, we will come and find you down there!' The rebels came out, some in small groups, others one by one, with their guns above their heads. The Imbonerakure tied them up, searched their clothes and took anything they could. I counted 17 rebels.

There were many local people watching... The commander of the soldiers made a call on his Motorola and said, 'We have rebels with guns.' The man he was talking to said, 'I want the guns, but I do not want the men.' I was right next to the soldier so I heard that...They took the rebels to a cliff. The men were tied up. They shot them, all at the same time. Then they fell down... Afterward, the Imbonerakure went down to confirm they were dead.

Another resident said he had been helping the Imbonerakure and soldiers look for members of the armed group when he witnessed the executions: "There were many rebels deep in the valley where it is difficult to climb up...Seventeen rebels surrendered with their guns above their heads. As they surrendered, they said, 'Do not shoot, we are coming out because we know we can't win.' The Imbonerakure tied up the rebels. The military and police shot the men on the road near the valley. Before they were shot, some of the rebels were pleading, 'I am a student,' or 'I finished school, but I did not find a job, forgive me.'"

A local resident said:

There were many soldiers and police. They were with Imbonerakure who had machetes...The rebels looked tired and hungry. They surrendered with their hands up. They were coming out one

by one. Some had their guns above their heads and they gave these guns to the soldiers. As they came out, some said, 'We are surrendering, do not kill us.' The Imbonerakure used the rebels' belts to tie them up. The police and soldiers were yelling, 'Come, come, we will not do anything to you. All of you come out!'... When the rebels were tied up on the road, the police and soldiers took photos of them with their telephones... They lined them up on the road. Then they shot them all in a line. It was a barrage of bullets... On the side of the road there is a cliff, and the rebels fell down.

The witness described how Imbonerakure went down into the valley and chopped the victims' bodies with machetes to make sure they were dead.

Human Rights Watch visited Kibindi on January 22 and found pieces of clothing, bullet casings, and a large patch of disturbed earth at the bottom of a steep hill, in a location corresponding with witness accounts.

Ngoma, January 2

Residents from Ngoma, in Murwi commune, said that on January 2, three members of the armed group handed themselves in to the local population and asked to be taken to a local authority. On the way to the local government office, the residents encountered a group of soldiers. A witness said:

The soldiers asked, 'Are you bringing more rebels from the bush?' We said, 'They want to go the authorities.' One of the rebels said, 'Let us live and take us to the authorities and we will give information.' But a soldier said, 'No, that is not possible' and he said to his men, 'Take them.' The rebels were on their hands and knees, crying and saying, 'Forgive us!' The soldier kicked the rebels. The soldiers brought the rebels to an area [nearby] and all three soldiers shot them at the same time. Then they threw some soil on the bodies and left.

Involvement of Local Government Officials

Witnesses from three locations said that local government officials participated in killing captured members of the armed group or handed them to police and Imbonerakure who killed them.

Kalema, December 31

Several residents told Human Rights Watch that on December 31 a local government official shot a captured fighter in Kalema, a small town on Gahabura hill, in Bukinanyana commune. "I was at Kalema, coming from the market," one witness said. "A rebel was brought there by the local population. He asked to be taken to an authority. He was maybe 20 years old. [The local government official] was there with the police. He did not say anything to the rebel. He told a police officer to shoot him. The officer refused, so [the local government official] took the officer's gun and shot the rebel in the chest."

On January 22 the local government official told Human Rights Watch: "Nobody was killed here... It was only the military and the police who were fighting. I was just coordinating between the population and the police and the military."

Ngoma, January 1

Ngoma residents said that on January 1 two members of the armed group surrendered at the office of a local government official. Six witnesses said they saw the official with the men. The official ordered a police officer and two Imbonerakure to take the two fighters, and he left with them.

Moments later, residents heard gunshots. Several residents said they later found the two men's bodies.

"I saw two rebels who had been taken to the office," one resident said. "[The local government official] arrived after they were there. He gave the order for the Imbonerakure and a policeman to take them and the rebels were tied up. Sometime afterward, I heard shots." Another resident said he saw the two men who had surrendered leave with two Imbonerakure and one policeman: "A few minutes later, we heard shots. [The local government official] walked back to his office...I saw the rebels' bodies. I went there because I wanted to know if the rebels had been killed."

On January 23 the local government official told Human Rights Watch: "I never gave the authority to an Imbonerakure or to the police to transport a rebel. I never saw a captured rebel."

Mirombero, January 1

Multiple witnesses said that on January 1, they saw a local government official hand over a surrendered fighter to two policemen at the official's office. The policemen took the man to a small motorcycle parking area in Murwi, where they met an Imbonerakure. A large group of local residents surrounded the fighter as the Imbonerakure and the police discussed what to do. From there, the police drove to a nearby primary school where the fighter was shot. A local resident said:

A rebel arrived at Mirombero and asked the population to take him to the [local government] office. They took him to the [local government official]. I saw this, because whenever someone was caught, everyone would run and look. The police were calling for us to come and see the prisoner. ... After some time, he was put on a motorcycle with two police officers and they left. I saw the dead body the next morning at the primary school. He had been shot. I recognized his clothes. It was the same man I saw with [the local government official].

Another witness said:

When I heard there was a captured rebel, I joined many people at the local jail who wanted to see him. A policeman tied him up with a rope from a mosquito net. The [local government official] was there with two assistants. The head of the communal police was there as well...They went behind the jail to talk among themselves... People were saying, 'We should have pity on this man because he gave himself up.' Then he [the local government official] came back and ordered the policemen to take the rebel away on a motorcycle taxi. We all followed them. An Imbonerakure came. The rebel said to us, 'Help me to ask for forgiveness.' But the motorcycles left...Everyone at Mirombero later saw the body.

On January 25 the local government official told Human Rights Watch: "If we have a captive, we have to give him to the law enforcement forces. On January 1 I heard a captive was with the security forces, but he was transferred. I never gave a captive to the police. I do not know anything about what you have heard."

Involvement of Imbonerakure

Human Rights Watch collected extensive information on the participation of the Imbonerakure in the fighting and executions of captured members of the armed group in Cibitoke. The Imbonerakure (meaning "those who see far into the distance" in Kirundi) are the youth league of the ruling party in Burundi, the National Council for the Defense of Democracy-Forces for the Defense of Democracy (CNDD-FDD). They are drawn from local communities across the country, so people are easily able to identify them, both by face and by name.

In Cibitoke, the military and police used Imbonerakure from Murwi and Bukinanyana communes as guides and to transport munitions. Most of these Imbonerakure carried machetes; some carried firearms. Witnesses from Buganda said they saw the military and police give Imbonerakure firearms and transport them to Murwi commune. The Imbonerakure participated in the killing of captured fighters in Mirombero, Ngoma, and other locations in Murwi.

A resident of Buganda said that on December 30, "The army and the police transported the Imbonerakure in their trucks. The Imbonerakure were taking orders from the soldiers and the police... The Imbonerakure are really well known by the population. We know who they are and we know their names. From Tuesday [December 30] to Thursday [January 1] I saw many Imbonerakure making their way into the hills."

The Imbonerakure have often been at the forefront of human rights abuses against real or suspected opponents of the CNDD-FDD. The CNDD-FDD used the Imbonerakure during the 2010 electoral period to intimidate and harass political opponents. From 2010 to 2012, Imbonerakure members frequently attacked and threatened former members of the National Liberation Forces (FNL, an armed group that became a political party) and other suspected opponents, sometimes jointly with members of the intelligence services or the police.

Threats to Residents of Murwi and Bukinanyana Communes

Many residents who spoke to Human Rights Watch said they did not support the killing of surrendered fighters. "The population is not happy," one man said. "Even if someone is at fault, they should be transferred to an authority, not killed in front of us. This is a tragedy."

At least 24 residents told Human Rights Watch that local officials and Imbonerakure had warned local people not to speak about the executions.

A Ngoma resident said: "The local authority and the Imbonerakure are saying, 'If you are not happy with what happened, you are with the rebels and we will kill you.'"

A resident of Gahabura said: "The Imbonerakure are saying, 'Be careful. If you speak about this, you will be punished.' People are scared to talk to journalists."

These threats continued for several weeks after the killings. A resident of Murwi told Human Rights Watch on January 24: "The Imbonerakure are still threatening people. We had to come here [to talk to you] in hiding. If we say we spoke to you, they will cut our throats." A Gahabura resident told Human Rights Watch on January 26, "If the authorities knew I was here, it would be suicide."

Government Response

Despite repeated attempts, Human Rights Watch was unable to obtain a substantial response to the events in Cibitoke from national government authorities.

Human Rights Watch requested meetings on January 20 with the ministers of defense and public security, but was told they were unavailable. On January 27, the deputy spokesman for the national police, Pierre Nkurikiye, told Human Rights Watch that he had been in Cibitoke at the time of the fighting, but that Human Rights Watch should request a response from the military instead, since it was a military operation. When a Human Rights Watch researcher told him of reports of executions by the police, he responded: "We have internal security reports every morning. I did not see anything like that in these reports and I can only speak about what is in these reports."

Human Rights Watch sought a meeting with Col. Gaspard Baratuza, the spokesman for the National Defense Force, but he did not agree to meet, saying over the phone on January 26 that, "I have already said many things publicly about this attack." He referred Human Rights Watch to his comments on the public record.

On January 5, an Associated Press article quoted Baratuza as saying: "No one was killed after surrendering or after being arrested." In a news conference on January 5, Baratuza told journalists: "To say that [some people] were executed after putting down their weapons with their hands in the air, I say and I repeat: the military are professional and know what they are doing. They cannot do that. I am absolutely certain." He said that if there were any such case, it would be subject to strict sanctions. He said the rules required soldiers "at best to capture [armed opponents] and "to kill [them] if things go wrong." He said the military knows how to treat prisoners and that high- and low-ranking military members know they have to respect international humanitarian law.

Video footage released by the British Broadcasting Corporation (BBC) on January 28 showed Baratuza saying: "Those people who are saying that they have seen [killings] with their own eyes, I can't say that is true... the population was not on the ground." He said members of the armed group were killed in the fighting and referred to "the principle of reciprocity."

On January 26 Anselme Nsabimana, the governor of Cibitoke province, told Human Rights Watch that the Imbonerakure could not have fought alongside the military and police and that if any local authorities had participated in or were complicit in killings, it would be "a scandal." When Human Rights Watch presented him with its preliminary findings on the executions, he said: "I do not know anything about this. This is new to me. This information was given to you by people with hidden agendas. They want to tarnish the government."

Armed Group on the Congo/Burundi Border

Human Rights Watch has been unable to confirm the identity of the armed group that crossed into Burundi from Congo in late December, or to identify its leaders or supporters.

On January 26 a Human Rights Watch researcher interviewed five captured members of the group in Cibitoke prison. Most said they had been recruited to join the armed group beginning in mid-2014; one said he was recruited in 2013. Most said they had been recruited to work in Congo, Uganda or Tanzania and claimed they were not aware that they were expected to join an armed group.

Once they arrived in Congo, they were not allowed to leave, they said. One said commanders caught him when he tried to escape and locked him in a room for three weeks.

The recruits were based in the village of Mutarule, in the Congolese province of South Kivu, close to the Burundi border. They received basic military training in the surrounding area. They said the training was minimal - in one case, just lasting three weeks. One said he had never fired a gun during training, but was taught how to use one.

The detainees told Human Rights Watch they were sent from Congo to Burundi with the aim of establishing a base in the Kibira forest and recruiting more fighters to prepare an eventual offensive against the Burundian government.

Burundian armed groups have been active in Congo's South Kivu province for several years. These groups have included elements of the FNL and smaller, lesser-known groups that have taken advantage of the relative lawlessness of eastern Congo to set up bases there, sometimes forming alliances with Congolese armed groups.

Fighting between December 30, 2014, and January 3, 2015

In the night of December 29 to 30, members of the armed group crossed the Rusizi river between Congo and Burundi into Cibitoke province. On the morning of December 30, they told residents of Rwesero they were on their way to the Kibira forest. "I saw men walking by," one resident said. "They were armed. They had other men with them who were transporting baggage, food, and cooking pots. Some were very young, 14 or 15 years old. Some were wearing military shirts and training pants. Others were in full military uniform. They asked for the way to Kibira and we told them that they were on the right road."

Burundi military and police engaged the armed group soon after they arrived in Rwesero, and members of the group initially fought back. A resident near Mpinga said that on January 2, he was guiding soldiers on the road when they were attacked: "The rebels shot at us. A soldier's gun was hit and knocked from his hand. When the shots were fired, everyone fell to the ground. We heard many shots, but we could not see anything. There was an exchange of fire and a short fight."

Members of the armed group then scattered quickly across Murwi and Bukinanyana communes, with one group of 40 to 50 moving toward Mpinga.

Residents said that local authorities, military, and police pressured the local population to transport equipment for them and to show them locations where the members of the armed group had passed or might be hiding. On January 22 a local government official in Kalema confirmed to Human Rights Watch that residents had helped the military transport their belongings and show them the way.

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