

World Report 2023



Burundi

Events of 2022

Tony Germain Nkina during his retrial before the Court of Appeal in Ngozi, Burundi, after the Supreme Court quashed his conviction, December 15, 2022.

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The authorities lifted some restrictions on media and civil society but promises by President Évariste Ndayishimiye's administration to rein in the ruling party's youth league, the Imbonerakure, remained unfulfilled. The ruling party strengthened its grip on power, including by encouraging youth league's members to carry out official activities and entrenching the party's control at the local level. Burundian armed forces and Imbonerakure members took part in armed combat in neighboring Democratic Republic of Congo.

Killings, disappearances, torture, ill-treatment, arbitrary arrests, and detention of real or suspected opponents were documented by international and Burundian [rights groups](#) throughout 2022. Unidentified bodies, often mutilated or tied up, were regularly found in different parts of the country, often buried by local authorities, Imbonerakure members, or police, without investigation.

Abuses by Security Forces and Ruling Party Youths

Burundi's national intelligence services, police, and ruling party youth members killed, arbitrarily detained, tortured, and harassed people suspected of belonging to opposition parties or of working with armed opposition groups.

Authorities continued to crack down on suspected opponents in response to attacks on both civilians and state agents by armed assailants or suspected rebel group members in various parts of the country in 2020 and 2021. They showed little regard for credible investigations, objective evidence, or due process needed to hold those responsible to account. Instead, they targeted perceived opponents of the ruling National Council for the Defense of Democracy-Forces for the Defense of Democracy (*Conseil national pour la défense de la démocratie-Forces pour la défense de la démocratie*, CNDD-FDD).

After he took power in 2020, Ndayishimiye made some efforts to rein in members of the Imbonerakure and their involvement in human rights abuse was less visibly apparent. However, in 2022, government and ruling party officials explicitly encouraged them to perform “law enforcement” duties, ensuring the ruling party remains in control. Imbonerakure members, some of whom are armed, have arrested, ill-treated, and killed suspected opponents, sometimes in collaboration with or with the support of local administrative officials, police, or intelligence agents.

Révérien Ndikuriyo, secretary general of the CNDD-FDD and a hardliner within the party, made several incendiary speeches during gatherings of CNDD-FDD members and Imbonerakure. In August, he attacked international human rights organizations and [called](#) on the Imbonerakure to continue night patrols and to kill any “troublemakers.” Imbonerakure members took part in training programs on “patriotism” across the country.

On June 22, the National Assembly enacted a [law on the Burundian national defense forces](#), which created a new reserve force (*Force de réserve et d'appui au développement*, FRAD). Its duties include organizing paramilitary trainings, “supporting other components in protecting the integrity of the national territory,” but also conceiving and implementing development projects, and operationalizing national and international partnerships. It is open to all Burundians who can be mobilized for the “defense” and the “development” of the country, following a military training.

Military Operations in Eastern DR Congo

Throughout 2022, the Burundian army conducted operations targeting RED-Tabara (Resistance Movement for the Rule of Law-Tabara, *Mouvement de la résistance pour un État de droit-Tabara*), an armed group that has launched attacks in Burundi in recent years, in the neighboring Congo. Civilian members of the Imbonerakure, who have mostly not received formal military training, supported the operations. According to [rights groups](#) and [media reports](#), little or no explanation was given to the families of those who died on the battlefield. In August, Burundian troops officially entered Congo as the first deployment of an East African regional force agreed upon by the East African Community (EAC) in April.

Judiciary and Rule of Law

The judiciary in Burundi is not independent. Despite [calls](#) by Ndayishimiye for the judiciary to be reformed, no substantive steps were taken to end political interference and release political prisoners.

On April 28, Pierre Nkurikiye, the spokesperson for the Interior, Community Development, and Public Security Ministry, [told media](#) that in cases of alleged disappearances, family members should make a complaint to judicial or administrative authorities so that they can investigate. However, in many cases documented by Human Rights Watch, family members feared reprisals from authorities for reporting disappearances or other human rights violations.

Six former Burundian refugees, part of a group of eight who were detained incommunicado and tortured in Tanzania before being forcibly returned to Burundi, remained in jail. Burundi’s authorities put them on trial for participation in armed groups, and despite a Burundian

judge [saying the case was political](#), and the court acquitting them of all charges in August 2021, then again on appeal in March 2022, prison and judicial authorities failed to release them.

The authorities failed to conduct a transparent, credible, and impartial investigation into a prison fire that broke out in Gitega, the country's political capital, on December 7, 2021. According to Human Rights Watch's [research](#) at the time, scores—maybe hundreds—of prisoners died in the fire. Authorities did not communicate findings transparently, including the names of the dead and the injured, or fairly prosecute anyone who may be held responsible.

There are no independent institutions providing scrutiny of the government's actions. The Independent National Commission on Human Rights (*Commission Nationale Indépendante des Droits de l'Homme*, CNIDH), despite having recovered its "A" status in 2021, does not report on the most sensitive and political human rights violations taking place. Its annual reports largely fail to address killings; torture; ill-treatment and arbitrary arrests of opposition members; political detentions and prosecutions; and restrictions on public freedoms.

Civil Society and Freedom of Media

Despite some steps taken by authorities to lift suspensions of civil society organizations and media, most of the [restrictions](#) introduced under Pierre Nkurunziza's presidency (2005-2020) remain in place. The conviction in absentia of 12 human rights defenders and journalists in exile has not been overturned.

Human rights organizations in Burundi are restricted in their ability to work freely or independently, particularly outside Bujumbura. On March 14, police [suspended](#) a joint press conference organized by OLUCOME (*Observatoire de Lutte contre la Corruption et les Malversations Economiques*) and PARCEM (*Parole et Action pour le Réveil des Consciences et l'Évolution des Mentalités*), two anti-corruption organizations, claiming they did not have permission to hold such a meeting.

Lawyer and former human rights defender Tony Germain Nkina spent over two years in jail. The Court of Appeal of Ngozi decided on September 29, 2021, to uphold his conviction and five-year prison sentence following an unfair trial. Despite no credible evidence presented by the prosecution, he was convicted of collaborating with RED-Tabara. On December 6, the Supreme Court quashed his conviction and after a retrial by the Court of Appeal of Ngozi, he was acquitted on December 20.

Burundi's media authority [announced](#) in March that it would lift its ban on the BBC, nearly three years after the National Communication Council withdrew its operating license in 2019, accusing it of violating press laws and unprofessional conduct.

Humanitarian Situation

The humanitarian situation in Burundi is dire. The country has been [impacted](#) by the war in Ukraine, the Covid-19 pandemic, and inflation, which have contributed to [soaring prices](#) of basic food and goods in the first half of the year. Fuel shortages have also driven inflation, notably for necessities. Food insecurity levels remain high with 52 percent of children under 5 stunted and high levels of malnutrition among rural communities, according to the [World Food Program](#).

Refugees

As of September, there were [over 250,000](#) Burundian refugees living in Tanzania, Rwanda, Congo, and Uganda. According to the UN High Commissioner for Refugees, around 200,000 refugees

have been [repatriated](#) to Burundi since 2017, including 16,621 in 2022, under its “voluntary repatriation” programs. The repatriations primarily took place from Tanzania, Uganda, Congo, and Rwanda, where refugees face worsening conditions, and authorities encouraged refugees to repatriate.

Sexual Orientation and Gender Identity

Burundi punishes consensual same-sex sexual relations between adults with up to two years in prison under Article 567 of the penal code. Article 29 of the Constitution of Burundi explicitly bans same-sex marriage.

Key International Actors

Despite overwhelming evidence of persistent and serious abuses in Burundi, the European Union, the United States, and other international partners have [pursued a policy of rapprochement with the authorities](#), lifting restrictive measures and sanctions since Ndayishimiye came to power in 2020. The EU resumed its political dialogue with the Burundian government in May.

The UN special rapporteur on Burundi, appointed in April, presented his first report in September. The special rapporteur [called](#) on Burundi to “engage more effectively in the rule of law and the fight against impunity” and found that “despite commitments and measures taken by the government, the human rights situation in Burundi has not changed in a substantial and sustainable way.” The government of Burundi has repeatedly [rejected](#) the special rapporteur’s requests for access to the country to carry out his work. The UN Human Rights Council extended the special rapporteur’s mandate for a year in October.

In September, Ndayishimiye replaced Prime Minister Alain Guillaume Bunyoni, who was until last year under US sanctions, with Gervais Ndirakobuca, a hardliner within the party. Following his appointment, the EU lifted sanctions on Ndirakobuca and two others.