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Burundi: Rampant Abuses Against Opposition

UN Security Council Should Increase Scrutiny, Impose Targeted Sanctions

(Nairobi) – Burundian (<http://www.hrw.org/afrique/burundi>) authorities and ruling party youths have carried out dozens of beatings, arbitrary arrests, disappearances, and killings against real and suspected political opposition members. A concerted campaign against people perceived to be against the ruling party has continued since the May 2018 constitutional referendum, but there appears to have been an increase in abuses since the registration of a new opposition party in February.

Members of the Imbonerakure, the youth league associated with the 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), and local authorities continue to put intense pressure on people to join the ruling party ahead of Burundi's 2020 presidential elections, especially in rural parts of the country. The youth league and local administrators have responded to the registration of the new opposition party, the National Congress for Freedom (Congrès national pour la liberté, CNL), with rampant abuses, facing virtually no consequences, in at least 8 of the country's 18 provinces, Human Rights Watch found.

“The alarming violence is fueled by the impunity that prevails in Burundi, and the cases we documented are likely only the tip of the iceberg,” said Lewis Mudge (<http://www.hrw.org/about/people/lewis-mudge>), Central Africa director at Human Rights Watch. “Local administrators and Imbonerakure members are terrorizing the population with almost no scrutiny, due to the absence of independent media and civil society.”

The United Nations Security Council's engagement on the situation in Burundi has waned in recent years, even as the situation in the country deteriorates. It has an opportunity to reverse that trend, beginning with its June 14, 2019 meeting on Burundi. As a first step, it should urgently impose travel bans and asset freezes against people responsible for ongoing serious human rights violations in Burundi, Human Rights Watch said.

Human Rights Watch conducted 33 interviews by phone with victims, family members, and witnesses in Bubanza, Cibitoke, Gitega, Karusi, Kirundo, Muramvya, Muyinga, Ngozi, and Rumonge provinces, as well as Bujumbura, between February and May. In May, researchers also interviewed 30 refugees who left Burundi after the May 2018 referendum.

Human Rights Watch documented at least 3 killings, 4 disappearances, and 24 arbitrary arrests of real or perceived CNL members in 8 provinces of Burundi since January 2019. In addition, Human Rights Watch documented 3 killings and 1 disappearance in the aftermath of the May 2018 referendum. The number of victims is probably much higher, but Human Rights Watch was not able to verify the dozens of additional credible allegations it received. The government did not respond to a letter Human Rights Watch sent on June 3, 2019 seeking clarification on whether authorities are investigating these abuses and holding those responsible to account.

While the new party has been able to organize some rallies and meetings since February, when it was registered, Imbonerakure members arrested and beat up dozens of CNL members, often accusing them of participating in “illegal meetings.”

In April 2019, a recording of a senior police official during a public meeting threatening CNL members was shared on social media: “Those who organize meetings at night ... if you want to disrupt security, I’ll finish with you there, and if you’re with your wife and children, you’ll go together.” A police source confirmed to Human Rights Watch that the recording was authentic. He said that although orders had not been given explicitly, “all it takes is for an administrative official to point a finger and say this person is a CNL militant, and they’re arrested and accused of participating in an illegal meeting.”

The CNL was formerly known as the National Liberation Forces (Forces nationales de libération, FNL), an armed group that remained active until its demobilization in 2009 and transformation into a political party. Its leader, Agathon Rwaso, ran as head of a political coalition known as Amizero y’Abarundi (“the hope of the Burundians”) in the 2015 presidential elections, and registered the new party after changes to the constitution voted in the May 2018 referendum prevented him from running in 2020 as an independent.

Burundi has faced a political, human rights, and humanitarian crisis since April 2015, when President Pierre Nkurunziza decided to run for a disputed third term. The May 17, 2018 constitutional referendum was held in the context of widespread ill-treatment of people (<https://www.hrw.org/news/2018/04/17/burundi-repression-linked-presidential-term-vote>) in Burundi by local authorities, the police, and Imbonerakure members – with no consequences. The referendum’s aftermath was marred by abuses (<http://www.hrw.org/news/2018/09/18/burundi-renew-un-inquiry>) against those who voted against the constitutional change or who were suspected of instructing others to do so. Since April 2015, Imbonerakure members have arrested, beaten, or attacked scores of FNL members (<https://www.hrw.org/report/2018/05/18/we-will-beat-you-correct-you/abuses-ahead-burundis-constitutional-referendum#0ce24b>) (now known as the CNL) across the country.

The Imbonerakure and local administrators arbitrarily arrested at least 24 real or suspected members of the CNL since the registration of their party in February 2019. Members of the Imbonerakure, who do not have the authority to carry out arrests, often beat up the victims before taking them to the local jail. Some were released after one or two weeks in detention, but others were transferred to provincial central prisons, where they remain in detention and face criminal charges.

Five individuals who were arrested by members of the Imbonerakure, national intelligence agents or the police are still missing at the time of writing. Three real or suspected opposition members died after beatings or attacks carried out by members of the Imbonerakure or the CNDD-FDD since January, and three people died in unclear circumstances after telling their families they were being subjected to intense pressure to join the ruling party following the May 2018 referendum.

In May 2019, Human Rights Watch spoke with 8 CNL members who said they had fled Burundi after the 2018 referendum due to threats from Imbonerakure members. Several refugees said that during and after the referendum, they were repeatedly accused of being part of the FNL (now known as the CNL) and harassed if they refused to join the ruling party.

One refugee said that he was forced to leave his wife and three children behind in September 2018 after members of the Imbonerakure came to his house three times to ask him to join the ruling party and threatened him with harm if he did not. Another person said he left Burundi because Imbonerakure members told him, “We will kill you and your family if you don’t join the CNDD-FDD.”

If the UN Security Council imposes sanctions on individuals in Burundi, it should also create a panel of experts to document serious crimes and violations. The panel should identify Burundian officials, whether in government or the opposition, most responsible for ongoing summary executions, torture, and other serious human rights abuses.

The sanctions framework should not affect the delivery of humanitarian assistance, and should ensure due process to allow those targeted to challenge the sanctions, as well as provisions to lift or suspend the sanctions in the event that sanctioned people take specific steps to remediate these abuses or Burundi authorities ensure adequate accountability for serious crimes. Asset freezes and travel bans would directly target abusers and would have minimal negative effect on the broader population.

In numerous incidents Human Rights Watch documented, members of the Imbonerakure, intelligence services, and security forces appeared to cooperate in intimidating, attacking, and arresting suspected opponents. The UN Commission of Inquiry on Burundi has said (https://www.ohchr.org/Documents/HRBodies/HRCouncil/ColBurundi/ReportHRC39/A_HRC_39_63_EN.pdf) that the government often effectively controls the Imbonerakure. Security Council members should invite the commission to New York to brief them on its findings.

“Imbonerakure members have consistently been shielded from justice and those responsible continue to instill deep fear in the population,” Mudge said. “Authorities should urgently rein them in and deliver justice to the victims and their families to restore rule of law in the country ahead of next year’s elections.”

For more information about the harassment, arbitrary arrests, disappearances and killings of real or suspected political opponents, please see below.

Members of the FNL (now the CNL) have been particularly targeted since the 2010 elections, which the opposition boycotted, giving the CNDD-FDD a near total monopoly of power. From 2010 to 2012, killings of real and suspected political opponents (https://www.hrw.org/report/2018/05/18/we-will-beat-you-correct-you/abuses-ahead-burundis-constitutional-referendum#_ftn4) escalated sharply. Agathon Rwasa and his coalition boycotted the 2015 presidential and parliamentary elections in protest of intimidation and violence they had suffered in the lead-up to the polls. He attempted to register the FNL-Amizero y’Abarundi as a party after the May 2018 constitution banned coalitions of independents from running. After this application was rejected, he registered the CNL in February.

In May 2019, Human Rights Watch interviewed 30 people who fled Burundi after the 2018 referendum. Most described leaving the country out of fear of being targeted, or after suspected Imbonerakure killed family members or neighbors. Between February and May 2019, Human Rights Watch also conducted phone interviews with 33 people in 10 Burundi provinces.

Killings, Disappearances

At least six real or suspected opponents have been killed, and another five are missing after last being seen with members of the police, national intelligence or the Imbonerakure.

In one case Human Rights Watch documented, Imbonerakure members violently beat up at least 10 members of the CNL and other opposition groups in Butihinda commune, Muyinga province, on April 21. Several witnesses and sources close to the victims confirmed that one victim died and at least five others were arrested, some facing criminal charges, including disturbing public order and threatening state security. Human Rights Watch is not aware of any of the alleged attackers being arrested or held to account.

Witnesses said they recognized the attackers, armed with clubs and metal bars, as local members of the Imbonerakure. “They gathered around one person with clubs, beating him for more than 15 minutes,” one witness said. Sources close to Aloys Ncishubwenge, an opposition member who was beaten that night, said he died of his injuries. Local residents reported that at least three CNL members were arrested after attending his wake and accused of participating in an illegal meeting.

Witnesses said that Imbonerakure members accused the victims of being part of the opposition and told them during the beatings to leave the CNL. The same night, Imbonerakure members beat up a CNL member’s wife and told her that her family would “pay the price” if her husband did not join the ruling party.

In Kirundo province, according to witnesses, a ruling party youth member stabbed Aimable Ndayizeye, a CNL member, to death in March. A local CNL member who was at the scene said: “Aimable was a pillar for the CNL on the hill, and the CNDD-FDD knew it. They wanted to stifle the CNL, so they went after the head and that was Aimable. We don’t know what we’re going to do now.” The alleged attacker, who was identified by witnesses and whose identity was confirmed by a source within the ruling party, has been detained ever since. It is unclear if he has been charged.

A Burundian in his 20s said he fled the country after his father was murdered in Cibitoke province: “My father had been asked many times to join the Imbonerakure. He kept on refusing because he was a member of the CNL. They didn’t like that.” Human Rights Watch confirmed with sources on the ground that the man’s body was found the morning of July 15, 2018, in a river with his arms tied behind his back, although it is not clear who was responsible.

In some cases, people were apparently targeted for refusing to join the ruling party or the Imbonerakure, regardless of their affiliation to the CNL. One farmer in Cibitoke province said he fled Burundi after finding his father’s body one morning in a nearby field with his throat slit. His father had repeatedly told him that the Imbonerakure were threatening him: “He would tell us that he was being asked to join the ruling party, and discouraged us from joining the Imbonerakure. He wanted us to take our work seriously and not spend our time bothering people.”

One woman who fled Burundi with her five children said that her husband, who was part of the opposition coalition Amizero Y’Abarundi, was taken away at night by armed men in September 2018: “30 or 40 minutes after they came to our house, I heard gunshots. His body was found the next day.” It is unclear who killed her husband, although credible reports suggest that several other men were executed at the same time.

In Gitega province, three men went missing shortly after men identified by witnesses as police and national intelligence agents arrested them in March 2019. A fourth man was arrested at the same time and later escaped. Sources said that a national intelligence agent took the men to a detention center, where they were interrogated and asked questions about their supervisor, a CNL member who had fled the country. The last time two of the missing men were seen was on April 4, when they were taken to a river in a national intelligence truck and possibly killed. A source who was at the scene said: “I heard screaming, and then the sound of two objects thrown in the river.” Sources also confirmed that two bodies were found near the place where the men were last seen and quickly buried.

Although some family members attempted to raise the situation with authorities, they have not received an official response.

In another case documented, men identified by witnesses as members of the Imbonerakure and national intelligence agents took away a member of the CNL’s youth league. His wife witnessed the events, and attempted to submit a complaint to the police:

They [the attackers] took my husband and they told me to be quiet and close the door. At one point, Gilbert [a pseudonym] wanted to speak, but an Imbonerakure hit him in the face and told him to close his mouth. The police later said they looked for Gilbert, but they never found him. I told them that he was taken by the Imbonerakure, but they did not say much. The police did not take notes when I spoke to them.

In Cibitoke province, a regional representative of the CNL party has been missing since February 2019. A neighbor said: “He was taken by the Imbonerakure, so when that happened, I knew I had to leave. I left three days later.” Neighbors confirmed that the CNL representative was still missing.

Beatings, Arbitrary Arrests

Since the 2018 referendum, and particularly since the CNL was registered in February 2019, security forces and the Imbonerakure have arbitrarily arrested real or suspected members in Burundi. Human Rights Watch documented at least 24 cases of arbitrary arrests, most by Imbonerakure members based on accusations of participating in “illegal meetings.” The Imbonerakure do not have legal authority to arrest people, and the number of credible allegations Human Rights Watch has received is much higher.

On May 13, several Imbonerakure members beat a group of CNL supporters in Ngozi province, after attempting to arrest them. Several witnesses recognized the members of the Imbonerakure, and said that one of them chased after one man, cutting him with a machete, injuring his head and shoulder.

In Kirundo province, men identified by witnesses as police and Imbonerakure members arrested seven CNL members on May 4 at an official party meeting and took them to the local jail. They were accused of taking part in an “illegal meeting” but not charged or given access to a lawyer. The prosecutor who ordered their release warned the CNL members to “slow down with this CNL business.” Those arrested reported being threatened and being told, “You’re not with us so you’ll be beaten.”

Local administrative officials and members of the Imbonerakure in Gitega severely beat and arrested two members of the CNL in April and accused them of being against the ruling party. One said: “The zone and hill chiefs accused us of organizing an illegal meeting. The Imbonerakure beat us badly, because the order came from authorities. They beat us with their fists and sticks.”

They were taken to a communal jail in Gitega province, where they were not given access to medical care and held for several weeks. They appeared in court, though without a lawyer, and were released on May 22. One was immediately transferred to a hospital for treatment of his injuries. One victim said: “We wanted to take the two chiefs and the Imbonerakure to court for what they did, but the conditions in the country won’t allow us to do so.”

In Ngozi province, in April, men identified by a witness as Imbonerakure members beat five CNL members with electric cables, sticks, and barbed wire. One said: “They made us lie down and beat our backs, buttocks, and legs. They had tied our arms behind our backs. It was so painful; even today I still have marks on my arms.” When the police arrived, they arrested the CNL members and accused them of holding an “illegal meeting.” They were released two weeks later. One of them said that each had to pay a fine of 20,000 Burundian Francs (US\$10.75).

In Muramvya province, Imbonerakure badly beat two CNL members in April, then took them to the Muramvya central prison. An elected CNL official was beaten when he intervened to prevent some Imbonerakure from harassing a local business owner and CNL member.

In another violent incident, in September 2018, an elected FNL (later CNL) representative was severely beaten in Ngozi province and left with serious injuries. He said that several Imbonerakure members beat him with sticks and clubs, slammed his face against a tree, dragged him several hundred meters, and discussed drowning him in a nearby river. They took him to the local jail for the night, where he vomited blood until he was taken to the hospital the next morning.

His brother, also a CNL member, attempted to help the victim when the attack started, but he was also attacked and struck on the head, losing sight in one eye. Complaints to the local police, the prosecutor’s office, and the national human rights commission have gone unanswered, and the two remain in hiding, fearing that the Imbonerakure will attack them again.

Human Rights Watch also documented cases in which members and local representatives of the CNL were arrested and detained for several days and released without official charges. These arrests, arbitrarily carried out by the Imbonerakure, were often accompanied by threats and intimidation to press CNL members to join the ruling party. In one case, a CNL member who had been arrested and jailed said he was asked by a local administration official to sign a document pledging to leave the CNL upon his release.

Beatings, Intimidation, Racketeering

Since the referendum, supporters and local CNL representatives have faced an uptick in threats, intimidation, and pressure from the ruling party and the Imbonerakure. Simply refusing to join the CNDD-FDD is often perceived as sufficient proof of someone’s affiliation with the CNL or the opposition more broadly and leads to threats, beatings, and intimidation.

Several refugees who recently left Burundi said that after the constitutional referendum, they were frequently harassed and accused of being with the FNL, now the CNL. Many left due to the pressure they faced to join the Imbonerakure or the CNDD-FDD.

One refugee said he left Burundi in April after Imbonerakure members beat him for refusing to join the CNDD-FDD:

Three men with grenades and batons, one in military clothes and boots, came to my house. They were a new team of Imbonerakure. [...] They beat me and kicked me a lot. They were saying: “Why don’t you join the CNDD-FDD?” I responded: “It’s my choice, I don’t want to join a political party. I want to be left alone.” They said: “So you will lose your life. If you tell anyone that we took you, we will find you and we will kill you. Change your mind and join the party.”

A 21-year-old farmer said he was beaten several times, until one day he was told: “You have to choose between life and death. If you accept what we say, you will live. If not, you will die. We are the Imbonerakure, will you join us?” He left with his wife and two children shortly afterward, in April. Another man, who fled the country in April, was told that if he did not join the Imbonerakure, he did not deserve to live in Burundi.

Some people said they were asked to prove their commitment to the ruling party by providing financial contributions to the 2020 elections or giving information about the CNL’s activities and members. A CNL member who left Burundi in September 2018 said:

After the referendum, the Imbonerakure started asking for money. They would come every day to ask for the money because they knew I was a member of an opposition party. I had to humiliate myself to avoid being beaten. In the end, I was given an ultimatum and I had to leave.

Another refugee, who fled in March 2019, said:

I left because I was not a member of the CNDD-FDD. For the elections, you have to give 2,000 Burundian Francs (US\$1.08) per household, and 1,000 Burundian Francs (US\$0.54) per student. If you don't give the money, you are considered part of the opposition.

One refugee, who fled shortly after the 2018 referendum left because he was afraid of the Imbonerakure who were threatening those who voted against the referendum. He also cited the pressure related to the financial contributions as a factor in his decision to leave:

The Imbonerakure came to my bar and beat my wife. They tried to force me to pay 10,000 Burundian Francs (US\$5.38) to prepare for the next elections. They asked for more and more money, and finally I said I didn't have any more. They told me: “If you don't give another 2,000 Burundian Francs (US\$1.08), you will be considered an enemy of the country.” So I decided to leave.

ecoi.net summary:

Article on widespread intimidations, threats and violence by youth organisation of ruling party against members and supporters of opposition



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