

BURUNDIAN LIGUE OF HUMAN RIGHTS "ITEKA"

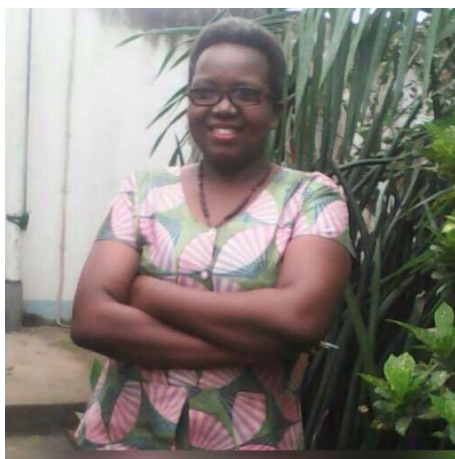
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Annual report of the Burundian League for Human Rights "ITEKA "

January-December 2021



In memory of Madam Marie Claudette Kwizera, Treasurer of Ligue Iteka, reported missing since December 10 2015. From December 2015 to 31 December 2021, Iteka has documented at least 632 cases of enforced disappearances.

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ACRONYMS

| | |
|-----------------|---|
| CNDD-FDD | <i>: National Council for the Defense of Democracy - Front for the Defense of Democracy</i> |
| CNL | <i>: National Congress for Liberty</i> |
| CNTB | <i>: National Commission on Land and Other Assets</i> |
| ICC | <i>: International Criminal Court</i> |
| EAC | <i>: East African Community</i> |
| FRODEBU | <i>: Front for Democracy in Burundi</i> |
| MSD | <i>: Movement for Solidarity and Development</i> |
| NGO | <i>: Non-Governmental Organization</i> |
| UN | <i>: United Nations</i> |
| SNR | <i>: National Intelligence Service</i> |
| TGI | <i>: High Court</i> |
| UPRONA | <i>: Union for National Progress</i> |
| SGBV | <i>: Sexual and Gender-Based Violence</i> |

0. CONTEXT

The Ligue Iteka's 2021 report on human rights situation in Burundi comes at a time when the current regime from the May 2020 elections has just spent a year and a half in power.

Despite positive speeches by the Burundian President Evariste Ndayishimiye advocating for an improvement in human rights situation in Burundi, the human rights picture is worrying.

The human rights environment in Burundi has been marked by major events at both political and social levels, which have had an impact on the life of the country.

With regard to Burundi's relations with the international community, unlike his predecessor, Burundian President Evariste Ndayishimiye has demonstrated a policy of openness to the international community.

Thus, in November 2021, the United States of America lifted the sanctions targeting the senior members of the Burundian police and army involved in the violence committed during the political crisis following the decision of the then president, the late Pierre Nkurunziza, to run for a third term of office, which was deemed illegal and unconstitutional. These sanctions have also been lifted for some political opponents.

Also, the year 2021 in Burundi was marked by the restoration of relations between Rwanda and Burundi. Following this warming of relations between the two countries, Burundian refugees returned, mainly from the Mahama refugee camp.

During its forty-eighth session, the Human Rights Council decided to end the mandate of the Commission of Inquiry on Burundi, which since its implementation in 2017, was responsible for documenting human rights violations in Burundi and identifying those responsible. The Human Rights Council also appointed a special rapporteur to replace the said Commission. However, this appointment of the UN rapporteur in Burundi was rejected by the Burundian Government.

The Independent National Commission on Human Rights regained its A status, which it had lost in 2018 due to its lack of independence to serious human rights violations committed in Burundi. The UN considered that a step has already been taken in the right way.

The release of 5225 prisoners by presidential pardon, the imprisonment of some state agents of the police force and SNR who were cited in various crimes, the release of some human rights defenders are positive facts that marked the Ministry of Justice.

This year was also marked by the accelerated work of the TRC, which qualified the 1972 crisis as genocide of the Hutus, despite various alerts from some personalities and NGOs that denounced the incompetence and partiality of this institution.

In terms of security, the year was marked by various attacks by armed groups, ambushes on the roads, and targeted assassinations.

During the year 2021, the management of the Covid-19 pandemic was marked by the launch of the systematic screening campaign called "Ndakira, sinandura, sinanduza" (I get well, I don't contract the disease, I don't infect). Nevertheless, the measures taken in this perspective have not been observed. The Government organized the diaspora week that gathered thousands of people where the barrier

measures against Covid-19 were not followed. In addition, some senior government officials have shown a clear distrust of the Covid-19 vaccine.

1. INTRODUCTION

This annual report 2021 is a summary of quarterly reports on the situation of violations and allegations of human rights violations. Thus, over this year, Burundi has experienced human rights violations such as violations of the right to life, torture, sexual and gender-based violence, abduction and/or enforced disappearances, arbitrary arrests, allegations of violations and violations of economic, social and cultural rights, settlements of accounts, mob justice, and other facts noted.

Thus, during the year 2021, allegations of violations, abuses and violations of human rights were recorded as follows: at least 875 people were killed including 269 corpses, 62 were reported missing, 101 were victims of SGBV, 63 were tortured and 535 arbitrarily arrested.

Among those killed this year were 345 prisoners who died in the fire that consumed Gitega prison on the morning of 7 December 2021.

Among the victims recorded during this year were 57 people killed by state agents, including cases of extrajudicial executions.

During this year, Ligue Iteka also recorded 17 cases of reappearances among those already declared reported missing in its reports since 2015.

Among the victims of these violations, women and minors were not spared. At least 88 women and 68 minors were killed, 2 women abducted, 7 women and 2 minors tortured, 70 women and 24 minors arbitrarily arrested.

The phenomenon of dead bodies has continued to be observed across the country and what is very worrying in most cases is that local administrative authorities rush to bury them without investigations being carried out. In addition to these allegations of human rights violations and abuses, issues related to justice, governance, economic, social and cultural rights and security developments were observed.

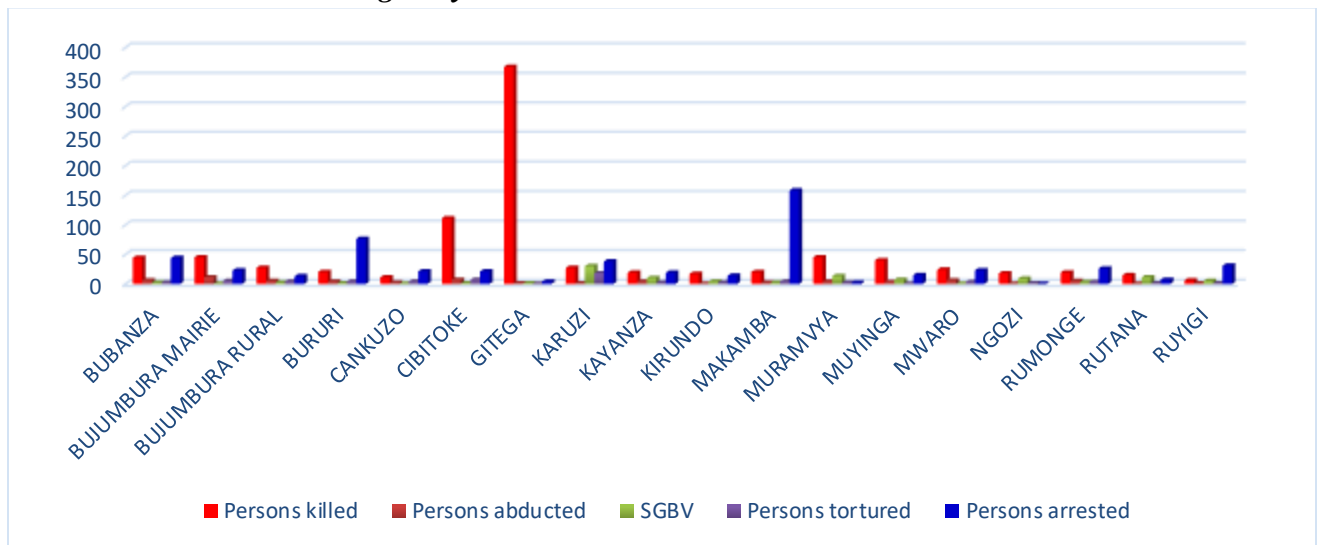
The alleged perpetrators of these human rights violations and abuses are largely police officers, members of the Imbonerakure militia affiliated to CNDD-FDD party, SNR agents, soldiers and local administration officials.

Members of political parties were not spared. Therefore, 31 members of CNDD-FDD party and members of CNL party were killed, 20 members of CNL party were abducted, 10 members of CNDD-FDD party and 21 members of CNL party were tortured; 60 members of CNDD-FDD party, 44 members of CNL party, 1 member of MSD party, 1 member of UPRONA party and 1 member of FRODEBU party were arbitrarily arrested; 9 members of CNL party were injured.

Most of CNDD-FDD party members were killed following armed attacks by unidentified people and others were killed following settling of accounts.

This report makes recommendations to anyone who can influence change in the precarious human rights situation in the country.

Fig. 1: Graph illustrating the main allegations of human rights violations, abuses and violations committed in Burundi during the year 2021



In this report, as the graph above illustrates, the main allegations of human rights violations and abuses recorded by Ligue Iteka are cases of killings, abductions and/or enforced disappearances, SGBV, torture and arbitrary arrests.

Out of a total of 875 people killed, Gitega province leads with 367 cases, or 42%, followed by Cibitoke with 114 cases, or 13%, Bujumbura mairie with 45 and Muramvya with 45 cases each and Muyinga with 40 cases.

Most of the persons killed in Cibitoke province were found dead, having been killed by unidentified people and often with injuries. It should be noted that most of these bodies were found all along Rusizi River, tied up or decapitated. The bodies found in the same place were often hurriedly buried by members of Imbonerakure militia under the orders of the administrative authorities.

The main alleged perpetrators of these killings are unidentified people with 641 cases, or 73%, police officers with 19 cases, soldiers with 17 cases, members of the Imbonerakure militia with 16 cases, administrative officials with 4 cases and SNR agents with 1 case.

Out of a total of 62 cases of abductees, Bujumbura mairie province leads with 11 cases, or 18%, followed by Cibitoke with 7 cases, Mwaro with 6 cases, Rumonge with 4 cases and Bururi with 3 cases.

Out of a total of 62 cases of abduction, SNR agents are the alleged perpetrators with 30 cases, or 48%, followed by unidentified persons with 15 cases, or 24%, police officers with 8 cases, members of the Imbonerakure militia with 5 cases and soldiers with 4 cases.

In addition, Ligue Iteka recorded 101 cases of SGBV. The leading provinces are Karuzi with 30 cases or 30%, followed by Muramvya with 13 cases or 13%, Rutana with 11 cases, Ngozi with 9 cases and Muyinga with 7 cases.

In this report, Ligue Iteka also noted 63 cases of torture. The province of Karuzi leads with 18 cases, or 28%, followed by Cibitoke with 7 cases, Bujumbura mairie with 5 cases, Bujumbura rural, Bururi, Cankuzo and Makamba with 4 cases each.

These cases of torture were committed mainly by members of the Imbonerakure militia with 42 cases, or 67%, followed by police officers with 9 cases, or 14%, SNR agents with 7 cases and administration officials with 5 cases.

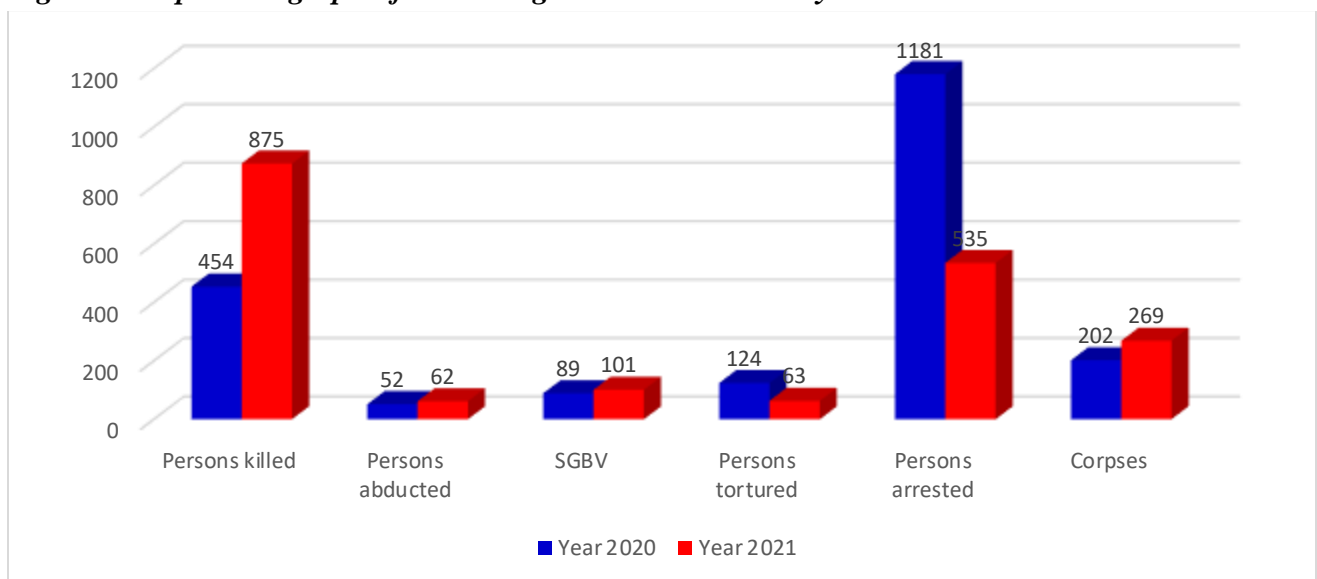
Out of a total of 535 cases of arbitrary arrests, Makamba province leads with 158 cases or 30%, followed by Bururi with 76 cases or 14%, Karuzi with 38 cases or 7%, Ruyigi with 31 cases or 6% and Rumonge with 26 cases.

The alleged perpetrators of these arbitrary arrests are police officers with 366 cases, or 68%, followed by administration officials with 75 cases, or 14%, SNR agents with 49 cases, or 9%, members of the Imbonerakure militia with 44 cases, or 8% and soldiers with 1 case.

PART I: COMPARATIVE ANALYSIS OF HUMAN RIGHTS VIOLATIONS IN BURUNDI OVER THE YEARS 2020 AND 2021.

Over this report for the year 2021, despite the advent of a new regime in Burundi, various human rights violations are still being observed. Thus, Ligue Iteka noted cases of human rights violations, including killings, abductions, torture, SGBV and arbitrary arrests. As the graph below illustrates, in comparison with the year 2020, the year 2021 recorded 875 cases of persons killed with 269 bodies found, while the year 2020 recorded 454 cases of persons killed with 202 bodies found. Abducted and/or reported missing persons in 2020 were 52 compared to 62 in the year 2021. The number of SGBV victims was 89 in the year 2020 compared to 101 in the year 2021. The number of people arrested in 2020 was higher than the number of people arrested in 2021, or 1181 compared to 535, due to the mass arrests during the election period in 2020. A similar phenomenon was observed for cases of torture during 2020, or 124 cases of torture in 2020 against 63 cases in 2021.

Fig. II: Comparative graph of human rights violations in the years 2020 and 2021.



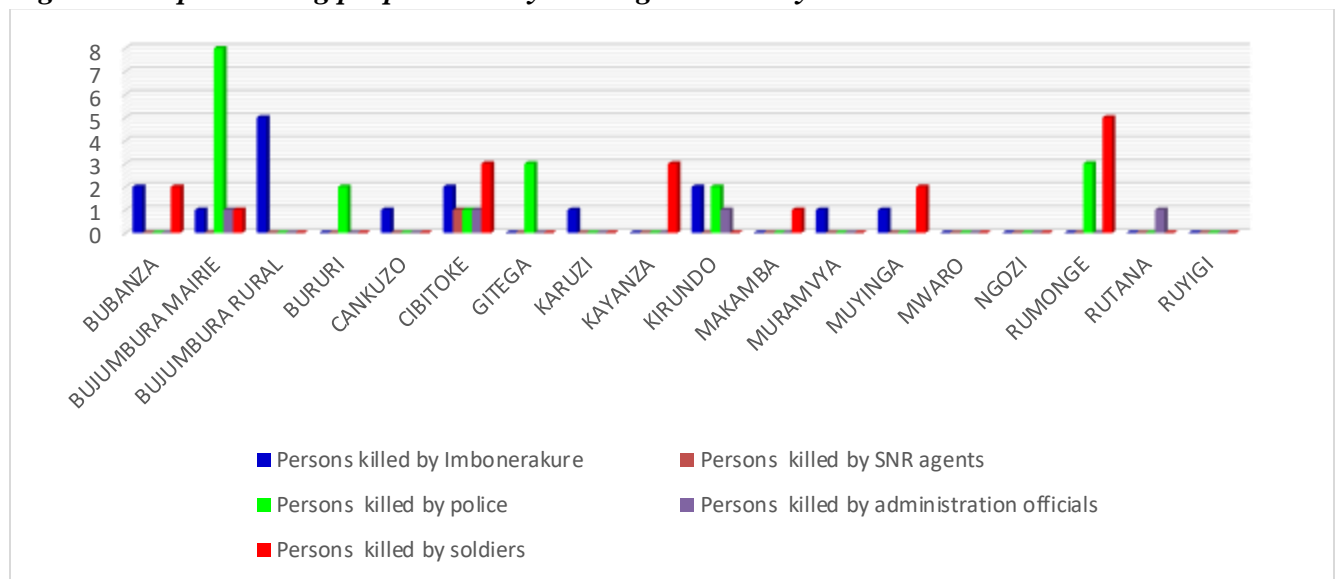
PART II: ALLEGATIONS OF VIOLATIONS, VIOLATIONS OF CIVIL AND POLITICAL RIGHTS

I. ALLEGATIONS OF VIOLATIONS OF THE RIGHT TO LIFE

I.1. PEOPLE KILLED BY STATE AGENTS

During the year 2021, Ligue Iteka noted 57 cases of people killed by state agents, namely 19 killed by policemen, or 33%, 17 killed by soldiers, or 30%, 16 killed by members of the Imbonerakure militia, or 28%, 4 killed by administration officials and 1 killed by SNR agents. The province of Bujumbura mairie is the most affected with 11 cases, or 19%, followed by the provinces of Cibitoke and Rumonge with 8 cases each, Bujumbura rural and Kirundo with 5 cases each.

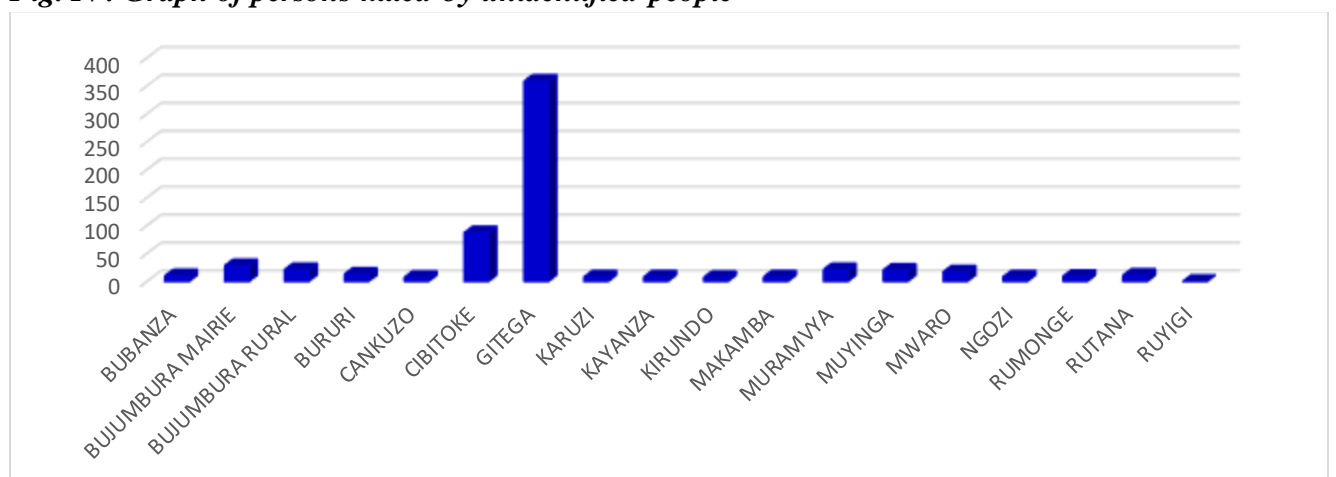
Fig. III: Graph showing people killed by state agents in the year 2021



I. 2. PERSONS KILLED BY UNIDENTIFIED PEOPLE

During the year 2021, Ligue Iteka recorded 641 cases of persons killed by unidentified people. As the graph below shows, the most affected provinces are Gitega with 358 cases, or 56%, followed by Cibitoke with 87 cases, or 14%, Bujumbura Mairie with 28 cases, or 4%, Bujumbura rural and Muramvya with 21 cases each and Muyinga with 20 cases.

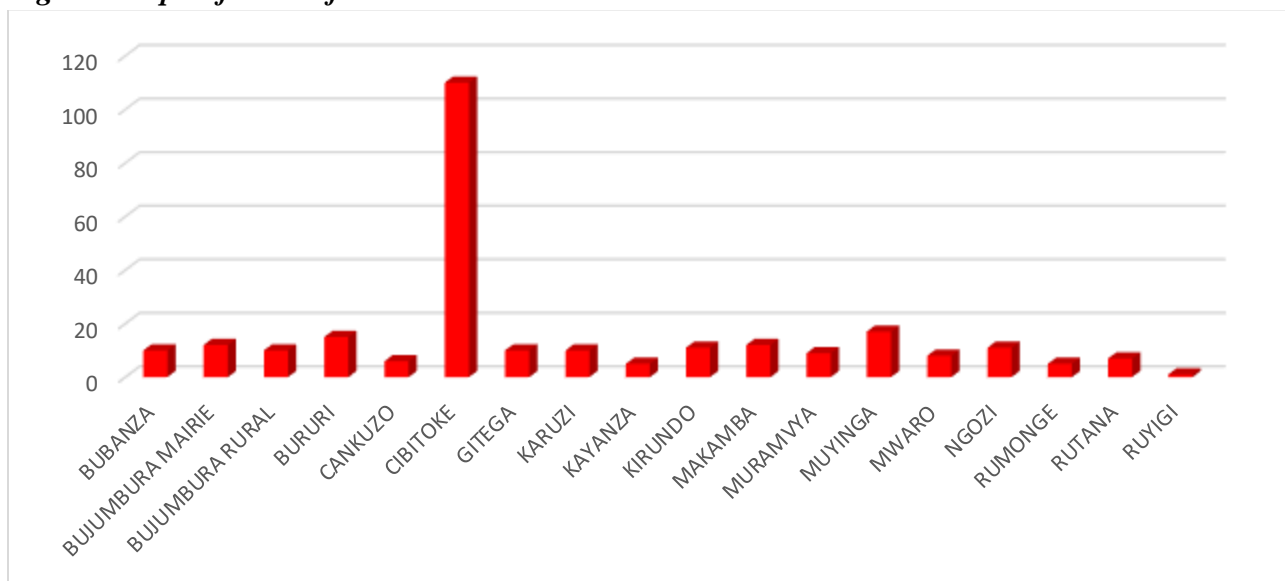
Fig. IV: Graph of persons killed by unidentified people



Among those persons killed by unidentified people, there were 269 bodies found in the bush, in rivers or in other places. Some of the bodies found were decapitated or showed signs of violence. In some provinces, these bodies were hurriedly buried under the orders of the administration and police authorities without establishing the identity of the victims.

As the graph below shows, the provinces most affected by this phenomenon of corpses are Cibitoke with 110 cases, or 41%, followed by Muyinga with 17 cases, or 6%, Bururi with 15 cases, Bujumbura mairie and Makamba with 12 cases each, Ngozi with 11 cases, Bubanza, Bujumbura rural, Gitega and Karuzi with 10 cases each.

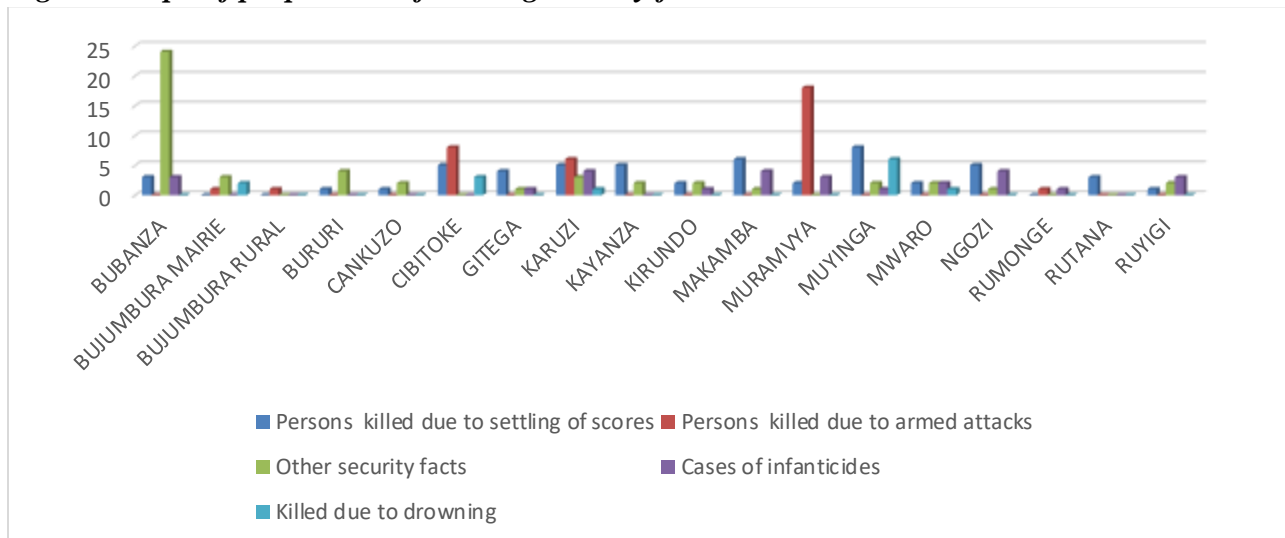
Fig. V: Graph of bodies found



I. 3. SECURITY FACTS

In this section, Ligue Iteka noted 177 cases of people killed following security facts, including people killed following settling of scores with 53 cases, or 30%, 35 people killed following armed attacks with grenades and ambushes by armed groups, or 20%, 27 cases of infanticide, 13 people killed due to drowning and 49 people killed following other security facts.

Fig.VI: Graph of people killed following security facts



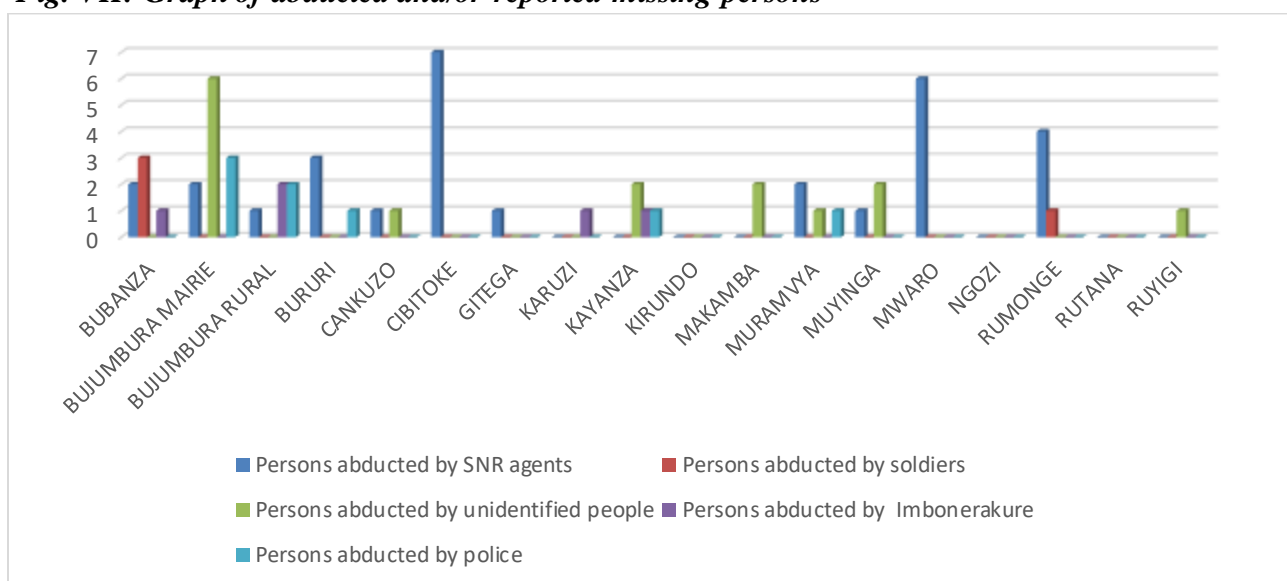
1.4. ABDUCTED AND/OR REPORTED MISSING PERSONS

Over the reporting period, Ligue Iteka noted 62 cases of people abducted and/or reported missing. Members of CNL party were the most targeted and 20 members of this party were victims of these abductions, or 32%.

As illustrated in the graph below, the most affected provinces are Bujumbura mairie with 11 cases, or 18%, Cibitoke with 7 cases, Bubanza and Mwaro with 6 cases each, Bujumbura rural and Rumonge with 5 cases each.

The alleged perpetrators most often cited in these abductions are SNR agents with 30 cases, or 48%, unidentified persons with 15 cases, or 24%, policemen with 8 cases, members of the Imbonerakure militia with 5 cases and soldiers with 4 cases.

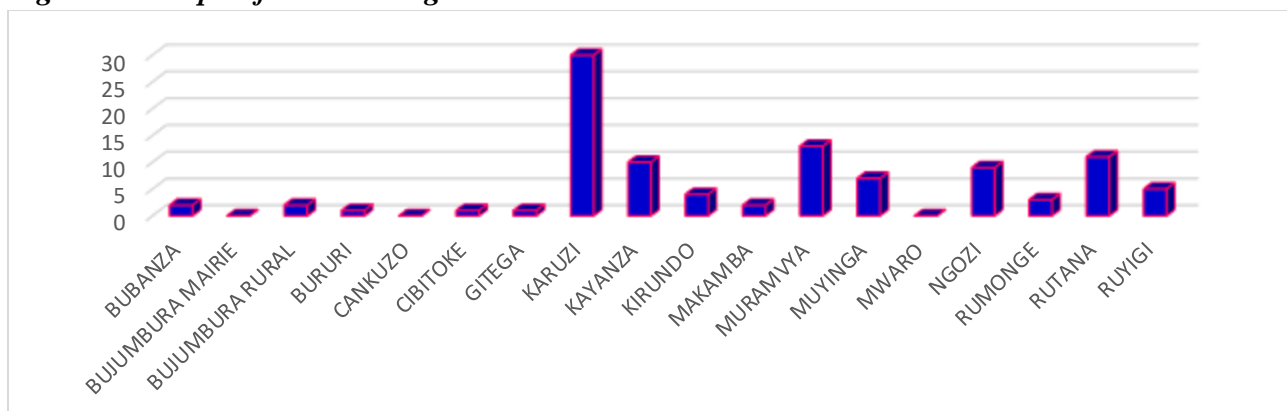
Fig. VII: Graph of abducted and/or reported missing persons



1.5. SEXUAL AND GENDER-BASED VIOLENCE

Ligue Iteka recorded 101 cases of SGBV. As the graph below shows, the leading provinces are Karuzi with 30 cases or 30%, followed by Muramvya with 13 cases or 13%, Rutana with 11 cases or 11% and Kayanza with 10 cases.

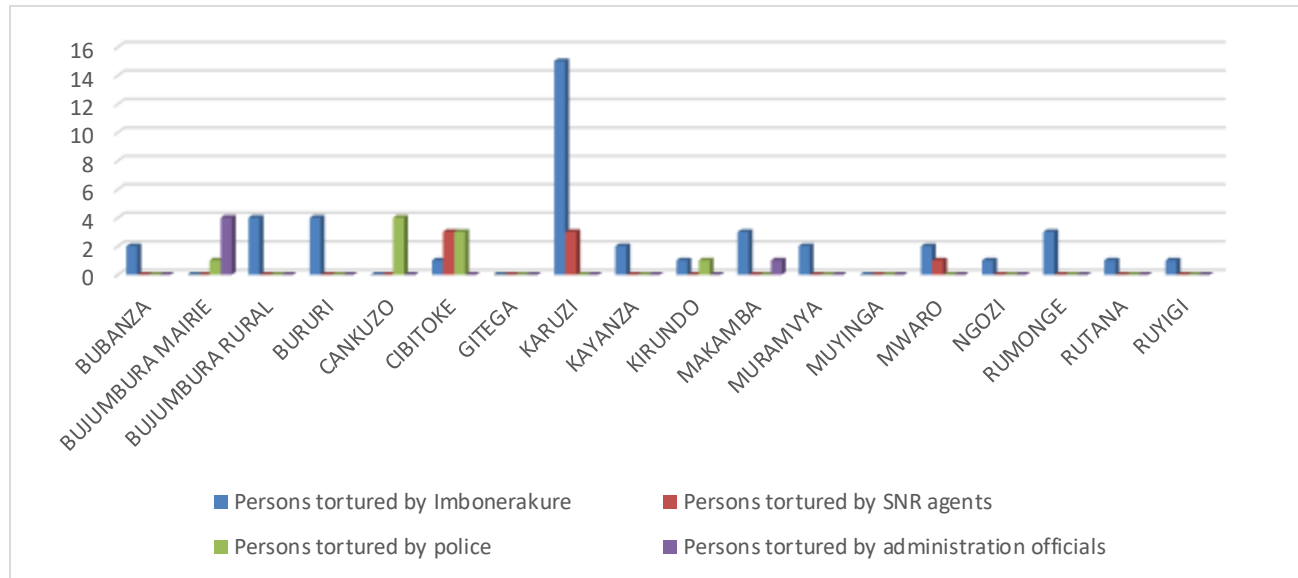
Fig. VIII: Graph of sexual and gender-based violence



I. 6. PERSONS TORTURED

In this report, Ligue Iteka noted 63 cases of torture, including 10 members of CNDD-FDD party and 21 members of CNL party. These cases were committed mainly by members of the Imbonerakure militia with 42 cases, or 67%, followed by policemen with 9 cases, or 14%, SNR agents with 7 cases, or 11% and administration officials with 5 cases. As shown in the graph below, the province of Karuzi is in the lead with 18 cases, or 29%, followed by Cibitoke with 7 cases and Bujumbura mairie with 5 cases. The provinces of Bujumbura rural, Bururi, Cankuzo and Makamba recorded 4 cases each.

Fig. IX: Graph of persons tortured



I. 7. PERSONS ARBITRARILY ARRESTED

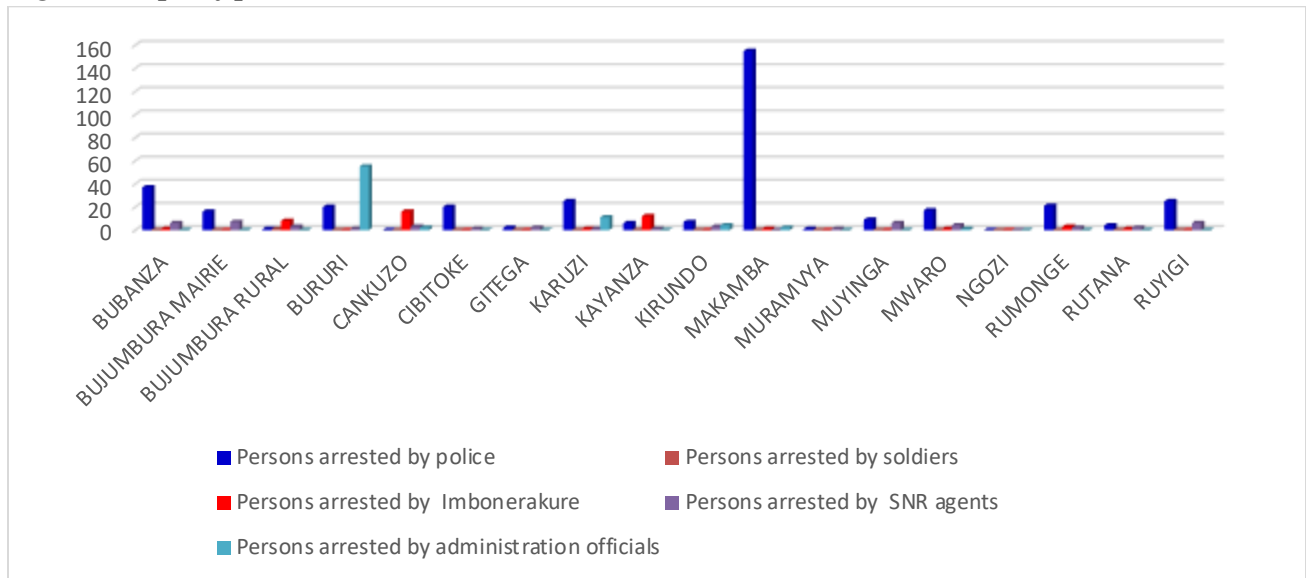
During the year 2021, Ligue Iteka recorded 535 cases of arbitrary arrests, including 66 members of CNDD-FDD party, 44 members of CNL party, 1 member of MSD party, 1 member of Uprona party and 1 member of Frodebu party.

The majority of those arrested are members of CNDD-FDD party. Most of them were arrested following an ambush on a vehicle belonging to the communal administrator of Vugizo in Makamba province and others were accused of collaborating with rebel groups.

Muramvya province leads with 158 cases or 30%, followed by Bururi with 76 cases or 14%, Bubanza with 44 cases or 8%, Karuzi with 38 cases and Ruyigi with 31 cases.

As the graph below illustrates, the alleged perpetrators of these arbitrary arrests are policemen with 366 cases, or 68%, followed by administration officials with 75 cases, or 14%, SNR agents with 49 cases, or 9%, members of the Imbonerakure militia with 44 cases, or 8% and soldiers with 1 case.

Fig. X: Graph of persons arrested



II. JUSTICE

Over the reporting period, concerning the judiciary, Ligue Iteka noted cases of flagrante delicto trials, people convicted by the country's various courts, searches in various provinces and arrests of some state agents accused of various offences.

In addition, this year was marked by the release of more than 5255 prisoners by presidential pardon, as well as the release of human rights defenders, especially Germain Rukuki, who was freed after 5 years in detention, and Nestor Nibitanga. Other victims of arbitrary detention were also released, including Christa Kaneza and Fabien Banciryano.

The trial of the Bururi Public Prosecutor at Makamba Court of Appeal, the conviction of a human rights activist, Tony Germain Nkina, by Ngozi Court of Appeal, and the detention of Gérard Ndayisenga, an SNR official involved in many human rights violations were also observed.

Ligue Iteka documented other elements of persons arrested following acts of rape and embezzlement of public funds, a former communal administrator and member of CNDD-FDD party accused of theft, collectors of bribes for CNTB agents, ten members of the Imbonerakure militia accused of murder, as well as a life sentence in a case of flagrante delicto by Kayanza TGI against a young man accused of undermining the internal security of the State.

III. ALLEGATIONS OF VIOLATIONS AND ABUSES OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Over the reporting period, violations of economic, social and cultural rights were noted. For example, Ligue Iteka noted cases of destruction of a commercial house by a group of Imbonerakure, school dropouts during the year 2020-2021, registrations in the civil register for the marriage of Batwa families and houses burnt.

In addition, the ban on people building plots in Buhiga commune, Karuzi province, accused of having received them from an unrecognized administration, the ransoming of school principals in Rugombo commune, Cibitoke province, during the enrollment of schoolchildren from 1 to 6 forms for start of the 2021-2022 school year, and the violation of the home and destruction of the property belonging to a

member of CNL party by a group of Imbonerakure commanded by an administrative officer; cases of fuel shortages in the country and price rises; the lack of desks in schools and the price rise of building materials; forced contributions in Cankuzo province for the construction of a provincial CNDD-FDD party office were reported.

IV. GOVERNANCE

Over the reporting period, cases of governance noted in the country include the suspension of the activities of CNL party, meetings of administrative authorities to demand forced contributions, the management of cases of theft of the telecommunications company Lumitel, demolition of kiosks and plank-made bridges in Bujumbura Mairie, the politicization of public activities and the dubious management of the morgues of the public hospitals of Bujumbura Mairie.

Ligue Iteka also noted cases of misappropriation of stocks of therapeutic food intended for malnourished children, the dismissal of all communal accountants, and the failure to compensate populations expropriated from their land.

During this year, Ligue Iteka also noted the obligation of crops to be cultivated in the marshlands in Cankuzo province, the non-respect of stabling measures and the demolition of infrastructure built near roads by the high authorities in Cibitoke province and the manipulation of the population in the recruitment of police officers in Karuzi province.

Ligue Iteka also reported the case of the fire that broke out in Gitega prison where at least 345 prisoners died and hundreds were injured. Just after of the fire, the official government report stated that 38 prisoners were killed by the fire and 69 were injured.

Ligue Iteka also noted cases of misappropriation of public funds intended for the electrification project in Muyange zone in Nyanza-Lac commune, Makamba province, and the misappropriation of food aid intended for malnourished children in Vumbi commune, Kirundo province.

On 18 August 2021, the President of the Republic, Evariste Ndayishimiye, suspended eight of the presidential advisers for 15 days, accused of being absent from duty.

V. MANAGEMENT OF THE COVID-19 PANDEMIC

During this year, as other countries in the rest of the world that have been affected by the Covid-19 pandemic, Burundi has not been spared.

Thus, Ligue Iteka noted a wave of contamination of Covid-19 following the slackening of the implementation of prevention measures against this pandemic; the closure of land borders for passengers; the increase in the price of the Covid-19 certificate as well as the arrests of bar and nightclub owners accused of having violated the instructions issued by the State concerning the fight against this pandemic.

During this year, the Government of Burundi received support for covid-19 vaccines from the World Bank and China.

Ligue Iteka also reported the suspension of the Covid-19 pandemic testing measure for travel in the provinces from Bujumbura Mairie; the fear of pupils against the Covid -19 pandemic vaccine in Cibitoke province; and cases of prisoners testing positive for Covid-19 in Muyinga province.

In some provinces, due to inadequate management of positive cases, people who tested positive could not be contained and were sent home.

The Covid-19 pandemic caused disruption to some services, particularly health and education. For example, the Lycée Notre Dame de la Joie in Ruyigi had to close because four teachers tested positive.

VI. CONCLUSION AND RECOMMENDATIONS

During 2021, human rights violations and allegations of violations continue to be recorded across the country.

Members of CNDD-FDD, CNL, MSD, UPRONA and FRODEBU parties were the targets of these violations.

Cases of extra-judicial killings, killings, abductions and/or enforced disappearances, torture, arbitrary and illegal arrests were reported. Cases of SGBV have also been reported.

The phenomenon of corpses is worrying because of its high number and the hurried burial by local administration authorities without investigations being carried out.

Ligue Iteka also noted cases of violations of economic, social and cultural rights. In addition, Ligue Iteka reported on issues of justice, governance, Covid-19 management and other security facts that have undermined human rights.

Considering the very worrying human rights situation in Burundi, Ligue Iteka recommends the following:

To the Government of Burundi:

- to re-examine and guarantee public rights and freedoms for all;
- to preserve peace and security for all;
- to cooperate with the different partners and mechanisms of the United Nations to restore peace in Burundi;
- to investigate all human rights violations in the country and bring the perpetrators to justice.

To the technical and financial partners:

- to support human rights organizations, institutions and mechanisms operating in Burundi;
- to use their influence to force the Burundian government to restore the rule of law.

To the EAC, the African Union and the UN

- to be fully involved in restoring the rule of law and democracy in Burundi.

To the ICC:

- speed up the investigations on Burundi and make the necessary indictments.

To the population:

- to stand together and not give in to divisionism solicitations and teachings or any other solicitation to violence;
- to denounce any act likely to sow or maintain insecurity.