



LBDH/001/2024

Kampala, 3 January 2024

Declaration of Ligue Iteka following the call by the President of the Republic of Burundi for the lynching of LGBT+ people.

1. Ligue ITEKA followed with interest the public conference of the President of the Republic of Burundi, His Excellency Evariste Ndayishimiye on December 29, 2023 on different aspects of the life of the nation. It was shocked to hear the President of the Republic call for the lynching of LGBT+ people.
2. Ligue ITEKA recalls that this type of statements endangers LGBT+ people and creates a harmful environment to the exercise of their human rights such as the right to life, the right to private life, the right to access health care, the right to non-discrimination, etc. All these rights are, however, enshrined in international instruments binding Burundi (including the International Covenant on Civil and Political Rights) and the substance of which is an integral part of the Constitution of Burundi.
3. Ligue ITEKA has always condemned¹ the criminalization of homosexual relations, first by the Penal Code of 2009 (article 567) then by that of 2017 (article 590). It reiterates its condemnation of these discriminatory legal provisions and further condemns the mobilization of hatred against a group already vulnerable in Burundi.
4. Ligue ITEKA is further concerned that the application of provisions of the penal code that are already discriminatory against LGBT+ people is also in violation of basic rules of criminal procedure. The consequences are generally tragic. The most recent case is the refusal to release the late Mévain Shurweryimana and his 17 co-accused after their acquittal of charges of homosexuality and incitement to debauchery by Gitega High Court on August 21, 2023². Unhappy with the decision of the Court and wanting to satisfy the higher authorities of the executive power, the General Prosecutor at the Court of Appeal of Gitega

¹ <https://www.hrw.org/fr/news/2009/04/24/petition-dong-burundaises-et-internationales-contre-la-criminalisation-de>

² https://www.iwacu-burundi.org/un-cadavre-autorise-a-recouvrer-sa-liberte/#google_vignette



LIGUE BURUNDAISE DES DROITS DE L'HOMME

"ITEKA" association sans but lucratif

Agréée par l'ordonnance ministérielle n°530/0273 du 10 novembre 1994 revoyant l'ordonnance 550/029 du 6 février 1991

Membre affilié de la fédération Internationale des Ligues des Droits de l'Homme (F.I.D.H)

opposed the release of the late Mévain Shurweryimana, although acquitted, by refusing to sign the release warrant for him. We should recall that Mr. Mévain Shurweryimana's doctor at Gitega hospital had requested his transfer to Bujumbura for care unavailable in Gitega. His illegal retention in prison made this transfer impossible and Mr. Mévain Shurweryimana therefore lost his life.

5. Ligue ITEKA once again calls on the Burundian authorities³ to show their sense of responsibility. This call by the President of the Republic for the lynching of LGBT+ people is made in a context where the phenomenon of mob justice is already a real social problem. Indeed in 2022, Ligue ITEKA had documented 42 instances of mob justice and settling of scores through assassination and this year 2023, 43 cases were documented. Burundi is also approaching an electoral period and experience has already shown that these periods are generally characterized by massive human rights violations.
6. Ligue Iteka once again condemns the statements of the President of the Republic and instead invites him to take necessary measures to protect human rights, including those of vulnerable groups including LGBT+ people.

For Ligue Iteka

Anschaire NIKOYAGIZE, President



³ https://ligue-iteka.bi/wp-content/uploads/2023/03/DECLARATION_DE_LA_LIGUE_ITEKA_13_MARS_2023.pdf