



To Permanent Representatives of Member and Observer States of the United Nations Human Rights Council

Geneva, 11 June 2015

Re: Addressing the human rights situation in Burundi

Your Excellencies,

The International Federation for Human Rights remains deeply concerned by the human rights situation in Burundi, and calls upon your delegation to ensure that the Human Rights Council addresses the human rights situation in the country at its 29th session and urges the Burundian authorities to:

- Respect and protect the rights to freedom of peaceful assembly, freedom of expression, and the right to information;
- Ensure that members of the defence and security forces use proportionate force, and strictly prohibit the use of lethal weapons against peaceful protesters, in accordance with the United Nations Basic principles on the use of force and firearms by law enforcement officials;
- Put an end to all forms of intimidation and harassment, including by the judiciary, against human rights defenders and journalists;
- Conduct thorough and independent investigations into the human rights violations committed in order to bring the perpetrators to account, including members of the defence and security forces and the youth league of the ruling party;
- Accept a visit by the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the Special Rapporteur on the right to freedom of peaceful assembly and of association, the Special Rapporteur on extrajudicial, summary or arbitrary executions and the Working Group on arbitrary detention, pursuant to the standing invitation issued by Burundi on June 6, 2013;
- Abide by their international commitments under the International Covenant on Civil and Political Rights.

We also urge the Office of the High Commissioner for Human Rights in Burundi to regularly report to the Human Rights Council on the human rights situation in the country in order to keep the Council informed about developments, and we call on the Council to hold an interactive dialogue on the issue at its 30th and 31st sessions.

Finally, we call on the Human Rights Council to stand ready to convene an urgent debate on the human rights situation in Burundi should the situation further deteriorate.

Excessive use of force by police forces during demonstrations

In the days following the investiture of Pierre Nkurunziza by the CNDD-FDD, the ruling party, to seek a third mandate at the upcoming presidential elections, violent clashes took place between protesters and law-enforcement officials in the capital. Protests led to police violence when the hundreds of police officers deployed in several neighbourhoods of Bujumbura faced thousands of protesters by using tear-gas grenades, water cannons and both rubber and live bullets. Some protesters threw rocks at the police officers and burnt tires in the streets. The events took a heavy toll. Nearly 50 people were reportedly killed, mainly by live bullets fired by police forces, and some 590 wounded, several seriously. Around 600 protesters were arrested and taken into custody, and reports suggest some of them have been subjected to ill-treatment. The United Nations High Commissioner for Human Rights has urged the Burundian authorities to “ensure that security forces comply fully with the country’s international human rights obligations and international standards on policing demonstrations, including the UN Code of Conduct for Law Enforcement Officials and the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials”.¹ Consistent reports further reveal the involvement of members of the *Imbonerakure*, the ruling party's youth league, in the repression of protesters, alongside police forces.

Politically-motivated abuses and restrictions on the right to freedom of peaceful assembly

We are also concerned by the involvement of the *Imbonerakure* in the commission of politically-motivated abuses and acts of violence. During the pre-electoral period, the *Imbonerakure* threatened, intimidated and attacked opposition activists and persons considered as such in many parts of the country, with complete impunity and often with the complicity of the police and other State officials, such as local civil servants. More than 110'000 Burundians have already left the country, fleeing pre-electoral violence and fearing escalation of insecurity in the run up to the elections. During his visit to Burundi, the High Commissioner urged the government to investigate and bring the members of the *Imbonerakure* who have carried out crimes before the courts.² Moreover, in several parts of the country activists were prevented from holding meetings, on the grounds that they did not belong to any registered party, while others were subjected to intimidation. The United Nations High Commissioner for Human Rights also called on the authorities to treat all political demonstrations equally and in accordance with international laws and standards relating to freedom of assembly.³

Restrictions on press freedom

Violations of fundamental freedoms constitute another matter of serious concern. Private radio stations can no longer broadcast. Following the decision to suspend the activities of the RPA, one of the most popular radio stations, to ban live broadcasting by two private radio stations (Bonesha FM and Isanganiro) and to suspend their broadcasting outside of the capital, the premises of these radios and part of their equipment were destroyed. This interference in the work of journalists prevents burundians from accessing several sources of information. In this regard, the High Commissioner has called for “a re-opening of all media outlets and respect for the independence of journalists”.⁴

¹ Zeid Ra'ad Al Hussein warns against reprisals after failed coup; fears Burundi heading towards further chaos, 15 May 2015, <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15967&LangID=E#sthash.7PYexYuk.dpuf>

² Opening remarks by UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein at a press conference during his mission to Burundi, 15 April 2015, <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15842&LangID=E#sthash.azWqYJks.dpuf>

³ *Ibid.*

⁴ Zeid Ra'ad Al Hussein warns against reprisals after failed coup; fears Burundi heading towards further chaos, 15 May 2015, <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15967&LangID=E#sthash.7PYexYuk.dpuf>

Threats against journalists and human rights defenders

Human rights defenders and journalists have been the main dissenting voices in the country following the exile of the heads of the main opposition parties after the 2010 general elections, making them prime targets of the Burundian regime. They are today stigmatized, intimidated, threatened, and targeted by ethnic rhetoric. They are also victims of harassment, especially judicial, the justice system having become a tool of repression by the regime to stifle dissenting voices. The pressure on human rights defenders and journalists has increased when protests erupted following the investiture of Pierre Nkurunziza as the CNDD-GDD candidate. Mr. Pierre Claver Mbonimpa, a prominent human rights defender and chairman of the Association for the Protection of Human Rights and Detained Persons (Association pour la Protection des Droits Humains et des Personnes Détenues, APRODH), was arrested on April 27 and released the following day. Arrest warrants have also been issued against two defenders, M. Pacifique Ninihazwe and Mr. Vital Nshimirimana. Moreover, several defenders and journalists were forced to leave the country, fearing for their safety. The High Commissioner also addressed this issue, urging the Burundian authorities to ensure the protection of human rights defenders.

The Human Rights Council should echo the calls of the High Commissioner and the international community, and remind the Burundian authorities of the need to restore respect for human rights and fundamental freedoms as a prerequisite for peaceful and fair elections.

We thank you for your attention to these pressing issues.

Sincerely,



Karim Lahidji
FIDH President