



# A STRANGLEHOLD ON BURUNDI'S FUTURE

The Burundi Human Rights Initiative

# **A STRANGLEHOLD ON BURUNDI'S FUTURE**

December 2020



## **WHAT IS THE BURUNDI HUMAN RIGHTS INITIATIVE?**

The Burundi Human Rights Initiative (BHRI) is an independent human rights project that aims to document the evolving human rights situation in Burundi, with a particular focus on events linked to the 2020 elections. It intends to expose the drivers of human rights violations with a view to establishing an accurate record that will help bring justice to Burundians and find a solution to the ongoing human rights crisis.

BHRI's publications also analyse the political and social context in which these violations occur to provide a deeper and more nuanced understanding of human rights trends in Burundi.

BHRI has no political affiliation. Its investigations cover human rights violations by the Burundian government as well as abuses by armed opposition groups.

Carina Tertsakian, Lane Hartill and Thijs Van Laer lead BHRI and are its principal researchers. They have worked on human rights issues in Burundi and the Great Lakes region of Africa for many years. BHRI's reports are the products of their collaboration with a wide range of people inside and outside Burundi.

BHRI welcomes feedback on its publications as well as further information about the human rights situation in Burundi. Please write to [contact@burundihri.org](mailto:contact@burundihri.org) or +1 267 896 3399 (WhatsApp). Additional information is available at [www.burundihri.org](http://www.burundihri.org) or on Twitter at [http://www.twitter.com/@BHRI\\_IDHB](http://www.twitter.com/@BHRI_IDHB).

©2020 The Burundi Human Rights Initiative

Cover photo: President Évariste Ndayishimiye (centre), Prime Minister Alain Guillaume Bunyoni (right), minister of interior, community development and public security Gervais Ndirakobuca (left). ©2020 Private

## TABLE OF CONTENTS

Acronyms	5
Summary	6
Methodology	8
Recommendations	10
To the Burundian government and the CNDD-FDD	10
To RED-Tabara and other armed opposition groups	12
To foreign governments and other international actors	12
1. The CNDD-FDD wins again: the emergence of hardliners after the elections	15
Contested elections	15
Nkurunziza's death and its implications	16
The appointment of hardliners in the new institutions	17
The defeat of the CNL	18
2. Burundi's big men take centre stage	20
Prime Minister Alain Guillaume Bunyoni	22
Rising through the ranks	22
2014: the generals turn against Bunyoni	23
Police torture and killings, overseen by Bunyoni	26
<i>Bunyoni's right-hand man: Désiré Uwamahoro</i>	28
Gervais Ndirakobuca: minister of interior, community development and public security	30
A reputation based on brutality	30
Blood on his hands: Ndirakobuca's involvement in human rights violations	32
<i>Ndirakobuca's henchman: Kazungu</i>	36
Taking a stand against corruption?	37

	The security chiefs who could shift the balance of power	38
	Ildephonse Habarurema, the new head of the intelligence service	38
	<i>Museremu and Nkoroka: Two known human rights violators         in the intelligence service</i>	41
	Prime Niyongabo, chief-of-staff of the National Defence Force	41
	<i>Burundi's web of powerbrokers</i>	43
3.	A brief respite gives way to uncertainty	44
	A glimmer of hope as human rights violations subside	44
	CNDD-FDD leaders tell <i>Imbonerakure</i> to back off	44
	Cracks start to show	46
	Slow fight against impunity	47
4.	Armed incursions lead to crackdown	50
	Attacking Rumonge from Lake Tanganyika	50
	Attacks near the Kibira forest	54
	<i>Map: Armed group incursions and subsequent arrests,     August-October 2020</i>	55
	As suspicions grow, repression mounts	56
	Reactivating the <i>Imbonerakure</i>	58
	Arresting political opponents	60
5.	Burundi's precarious political future	64
	Presidential speeches full of contradictions	64
	The CNL since May 2020: a shadow of its former self	68
	The CNDD-FDD consolidates its power	70
	The influence of Tanzania	72
	Challenges ahead	74

## ACRONYMS

API	Support for the protection of institutions ( <i>Appui pour la protection des institutions</i> )
AU	African Union
BAE	Anti-Riot Brigade ( <i>Brigade anti-émeute</i> )
BHRI	The Burundi Human Rights Initiative
BSPI	Special Brigade for the Protection of Institutions ( <i>Brigade spéciale pour la protection des institutions</i> )
CCM	Party of the Revolution ( <i>Chama Cha Mapinduzi</i> )
CNDD-FDD	National Council for the Defence of Democracy-Forces for the Defence of Democracy ( <i>Conseil national pour la défense de la démocratie-Forces pour la défense de la démocratie</i> )
CNL	National Congress for Freedom ( <i>Congrès national pour la liberté</i> )
COI	Commission of Inquiry
DRC	Democratic Republic of Congo
EU	European Union
FAB	Burundian Armed Forces ( <i>Forces armées burundaises</i> )
FDD	Forces for the Defence of Democracy ( <i>Forces pour la défense de la démocratie</i> )
FNL	National Liberation Forces ( <i>Forces nationales de libération</i> )
GMIR	Mobile Rapid Intervention Group ( <i>Groupement mobile d'intervention rapide</i> )
ISCAM	Higher Institute of Military Cadres ( <i>Institut supérieur des cadres militaires</i> )
MSD	Movement for Solidarity and Democracy ( <i>Mouvement pour la solidarité et la démocratie</i> )
PALIPEHUTU	Party for the Liberation of the Hutu People ( <i>Parti pour la libération du peuple Hutu</i> )
RED-Tabara	Resistance Movement for the Rule of Law in Burundi ( <i>Mouvement de résistance pour un état de droit au Burundi</i> )
SNR	National Intelligence Service ( <i>Service national de renseignement</i> )
UPRONA	Unity for National Progress ( <i>Unité pour le progrès national</i> )

## SUMMARY

In a public broadcast on 25 September 2020, Burundi's new president, Évariste Ndayishimiye, sought to reassure listeners that his presidency would usher in a new era:

“We've said goodbye to the past and we've started new things... In the past, you knew that if you were a government agent... you were important, you could imprison people however you wanted. That's finished. We're in a democracy (now).”

Many Burundians were sceptical of his rhetoric and promises – with good reason. Just one week after this broadcast, former parliamentarian Fabien Banceyano – one of the few members of the National Assembly who dared question the government on its human rights record – was arrested and charged with endangering internal state security, rebellion and slander. He joined many other government opponents and critics in prison.

Banceyano's arrest mirrored the political intolerance and violence that preceded the May 2020 elections, when many opposition party members were killed, beaten up and arrested.

Yet in the first few weeks after the elections, there were signs of hope. Many of the hundreds of opposition members arrested before or during the elections were released. Ruling party leaders gave clear orders to their youth league, the *Imbonerakure*, who had spearheaded the pre-election violence, to refrain from attacking opponents and carrying out arrests. Most *Imbonerakure* obeyed, and the level of human rights abuses decreased significantly – showing how quickly improvements can be achieved when orders are given by senior government and party leaders.

But barely two months later, the *Imbonerakure* went back to their old ways, arresting and beating suspected opposition members. Abuses increased sharply when in August and September, armed groups carried out attacks in several provinces and clashed with the security forces. Several residents, members of the armed groups and *Imbonerakure* were killed. Good intentions quickly dissolved in the face of this security threat, and fear and lawlessness spread across several parts of the country once again.

This report provides an overview of the human rights and political situation in Burundi since the 20 May 2020 elections that brought Ndayishimiye to power, but were contested by the opposition. It describes attacks and abuses by armed opposition groups, followed by extrajudicial killings of some of the attackers, sweeping arrests of suspected opponents and cases of torture and ill-treatment. It traces the decline of the main opposition party, the National Congress for Freedom (*Congrès national pour la liberté*, CNL), and its consequences for democracy in Burundi.

The report also analyses dynamics in the ruling party – the National Council for the Defence of Democracy-Forces for the Defence of Democracy (*Conseil national pour la défense de la démocratie-Forces pour la défense de la démocratie*, CNDD-FDD) – in which hardliners have emerged as the dominant force in the new government, and explains how Ndayishimiye is effectively protected by and beholden to a small group of powerful individuals. The report highlights the many contradictions in President Ndayishimiye’s speeches and the gulf between his and other officials’ promises and the reality, with a particular focus on impunity.

Saying “goodbye to the past”, in Ndayishimiye’s words, may not be so easy for Burundians – at least not until senior officials are held to account for their brutal repression over the previous years. The question remains: will international actors recognise that it is too early to turn the page, in the absence of evidence of the government’s resolve to deal with these crimes?

The rule of President Pierre Nkurunziza, who died on 8 June 2020, was marked by violence against opponents and other critical voices, particularly since 2015. The vast majority of killings, enforced disappearances, torture and other crimes committed by members of the security forces, the intelligence service and the *Imbonerakure* under Nkurunziza have still not been punished. The justice sector remains firmly under the control of the ruling party.

Many of the leaders who orchestrated this repression are still in power, dashing hopes that the new president would break with this bloody past. Some have even been promoted to the most senior positions in the new government. Chief among them are Alain Guillaume Bunyoni – Prime Minister since June 2020 – and Gervais Ndirakobuca, alias Ndakugarika (“I will kill you”), the new minister of interior, community development and public security. Several Burundians, especially victims of human rights violations and their families, told the Burundi Human Rights Initiative (BHRI) that they were deeply shocked by these appointments.

This report delves into Bunyoni’s and Ndirakobuca’s political trajectory and human rights records, with examples of serious violations for which they bear responsibility. Under Bunyoni’s watch as former minister of public security, members of the police killed and tortured suspected government opponents, and were responsible for the violent repression of demonstrators. Ndirakobuca was personally involved in killings and beatings of government opponents, and has collaborated closely with individuals who have carried out extrajudicial executions and torture.

The report also paints a portrait of the new head of the national intelligence service (*Service national de renseignement*, SNR) – one of the most feared state institutions, responsible for



some of the gravest human rights violations in recent years – and other figures in the national and provincial administration.

BHRI believes that the presence of senior officials responsible for serious crimes in the new government is an obstacle to meaningful human rights reforms in Burundi. These officials represent a repressive system of governance and ensure the continuation of the CNDD-FDD's strategy: eliminate the opposition and silence critical voices. Furthermore, the power that these officials retain undermines President Ndayishimiye's authority and credibility, both domestically and internationally.

Thousands of Burundians are still waiting for justice for crimes committed, ordered or sanctioned by Bunyoni, Ndirakobuca and their collaborators in the intelligence service and security forces. Championing positive values and encouraging citizens to develop the country in public speeches will not make these crimes go away. "You can't forget who these people are," said a Burundian in exile. "They can't just turn over, pretend they're new people and carry on."

Urgent action is also required to address simmering tensions. After a flare-up of human rights abuses caused by attacks by armed groups, violent reprisals by state agents and renewed hostility by the *Imbonerakure*, the human rights situation could deteriorate again. Measures should be taken to rein in the *Imbonerakure* and ensure that state responses to armed incursions are lawful and proportionate.

## **Methodology**

This report is based on interviews with a wide range of sources, including victims and eyewitnesses of human rights violations; family members of victims; government and former government officials; justice officials; members and former members of the security forces; current and former CNDD-FDD members; CNL members; lawyers; journalists; members of civil society organisations; and other Burundians from different parts of the country. The majority of witnesses were based in Burundi. BHRI also interviewed Burundians in exile, as well as foreign diplomats.

For security reasons, BHRI has not identified most of the individuals interviewed for this report and has withheld certain locations, dates and details of cases which may expose witnesses to reprisals.

BHRI wrote to President Ndayishimiye and other national government authorities with a summary of the findings of its investigations and a list of questions, in order to reflect the government's response in this report. At the time of writing, none of them had replied to these letters.

BHRI also wrote to Prime Minister Alain Guillaume Bunyoni, minister of interior, community development and public security Gervais Ndirakobuca and the head of the SNR, Ildephonse Habarurema, to obtain their response to the allegations about them and some of their subordinates contained in this report. Only Prime Minister Bunyoni replied, saying that international organisations should only contact Burundian authorities through the ministry of foreign affairs and that BHRI's letter would therefore not be dealt with. BHRI had previously written to the minister of foreign affairs, asking for his advice on the best way of obtaining a response from the Burundian authorities, but did not receive a reply.

## RECOMMENDATIONS

### *To the Burundian government and the CNDD-FDD*

**Senior government and CNDD-FDD officials should hold to account *Imbonerakure* responsible for killings, ill-treatment, unlawful arrests and other abuses by ensuring that they are expelled from the party and brought to justice. They should reiterate orders to *Imbonerakure* to immediately stop arresting and ill-treating people, as they did after the May 2020 elections.**

*Imbonerakure* frequently commit serious abuses against perceived opponents, further tainting the reputation of the CNDD-FDD. President Ndayishimiye's directives issued after the 2020 elections for the *Imbonerakure* to refrain from violence and carrying out arrests initially succeeded in reducing these abuses, proving the ruling party's ability to rein them in.

Since that time, however, several government and CNDD-FDD officials have contradicted this message, and only a handful of *Imbonerakure* have been arrested. *Imbonerakure* were heavily involved in the government's response to armed group attacks in August and September 2020. They have intensified repression against political opponents, particularly those they accuse of supporting the attackers, and have carried out numerous arrests, despite having no powers to do so under Burundian law.

If the government wishes to rebuild the country, attract foreign investment and repair the CNDD-FDD's damaged reputation, *Imbonerakure* responsible for crimes should be brought to justice. The few positive examples in recent months are a good start but are insufficient considering the scale of abuses, particularly during the pre-election period.

**President Évariste Ndayishimiye should provide several concrete examples of prosecutions, launched since the May 2020 elections, of police, intelligence or ruling party officials involved in serious human rights violations.**

Ndayishimiye said in his 18 June inauguration speech: "Victims should have their rights restored and be comforted, and alleged perpetrators should be taken to court."<sup>1</sup> Yet the government has failed to deliver justice for the many people whose relatives and friends were killed before and after the 2020 elections.

---

<sup>1</sup> Inauguration speech of President Évariste Ndayishimiye, <https://www.presidence.gov.bi/2020/06/19/discours-de-son-excellence-general-major-évariste-ndayishimiye-a-loccasion-de-son-investiture/>, 18 June 2020.

Ndayishimiye's credibility and reputation rest on his ability to deliver on his promises. In a public conference broadcast on 25 September, he assured listeners that human rights were a daily concern for the government.<sup>2</sup> But in practice, the government seems to want to "turn the page" on human rights violations, even those committed since the 2020 elections.<sup>3</sup> Scores of perpetrators, including state agents, who killed or ill-treated suspected opponents have not been held to account.

Ndayishimiye should immediately call on the minister of justice to ensure that thorough investigations are launched and that members of the police, military, intelligence service and ruling party involved in serious crimes are brought to justice. Failure to do so would call into question Ndayishimiye's commitment to end impunity and undermine his moral authority. The long-term consequences of his inaction could tarnish his reputation and negatively affect Burundi's ability to repair its relationship with international actors.

**President Ndayishimiye should grant the immediate and unconditional release of former member of parliament Fabien Banciryanino, four journalists from the newspaper Iwacu – Christine Kamikazi, Agnès Ndirubusa, Tércence Mpozenzi and Égide Harerimana – and two civil society activists – Nestor Nibitanga and Germain Rukuki – as a good faith gesture and proof of his commitment to respecting civil liberties.**

In his inauguration speech, President Ndayishimiye said that "political parties, civil society organisations and independent actors should enjoy their right to express themselves" and that the doors are open to "media or organisations defending the rights and interests of citizens... to denounce any impediment to the rights and interests of citizens."<sup>4</sup> Yet the government does not tolerate criticism by independent civil society or the media.

The release of the former parliamentarian, four journalists and two activists would be a simple but powerful measure that Ndayishimiye could implement quickly and easily, to show his commitment to freedom of expression.

---

<sup>2</sup> Public radio show with President Ndayishimiye in Gitega, 25 September 2020.

<sup>3</sup> In response to a presentation by the UN Commission of Inquiry on Burundi on 26 October 2020, a Burundian diplomat said that "Burundi is proud to enter a new era with the organisation of successful general elections... which allowed for a democratic, peaceful political transition. For this reason, Burundi has decided to turn the page." See UN Third Committee, virtual informal meeting, General Assembly, 75th session, <http://webtv.un.org/search/third-committee-virtual-informal-26-october-morning-general-assembly-75th-session/6204783711001/?term=&lan=english&page=2>, 26 October 2020.

<sup>4</sup> Inauguration speech of President Évariste Ndayishimiye, <https://www.presidence.gov.bi/2020/06/19/discours-de-son-excellence-general-major-evariste-ndayishimiye-a-loccasion-de-son-investiture/>, 18 June 2020.

***To RED-Tabara and other armed opposition groups***

**Commanders of RED-Tabara and other armed groups should order all their combatants to refrain from killing, abducting and committing other abuses against civilians, including members of the ruling party, and hold accountable all combatants who do so.**

Armed groups have killed, abducted and wounded several civilians in 2020. Their attacks have spread fear among the population. They have also sparked a wave of repression and suspicion by the security forces and *Imbonerakure*, who have used the armed groups' incursions as a pretext to arrest scores of alleged collaborators of these groups, often in the absence of substantial evidence. Intelligence agents have tortured several suspects.

Attacks by armed groups have also had a negative impact on the local population: residents of the affected areas fled their homes and were unable to tend their fields. After the incursions, CNDD-FDD officials urged *Imbonerakure* to arrest suspected armed group collaborators, reversing previous steps to rein them in.

***To foreign governments and other international actors***

**Foreign governments, particularly those with close relationships with Burundi or diplomatic representation in the country, should unreservedly condemn the resurgence of human rights violations by the police, the intelligence service and *Imbonerakure* since the elections, as well as abuses by armed opposition groups. They should also press for immediate action on individual cases, including the release of former parliamentarian Fabien Banceranino, the four Iwacu journalists and two human rights activists.**

Foreign diplomats have shown very little appetite to directly confront Burundian officials about ongoing human rights violations and to discuss them in detail, even on clear-cut cases such as the arrest of former parliamentarian Fabien Banceranino or killings of opposition party members. The reluctance of international actors to speak out sends the wrong signal, reinforces impunity and makes it more difficult to prevent future violations. Hostile statements by some Burundian government officials should not dissuade diplomats from raising concerns. They should make clear that it is premature to resume direct development assistance to the Burundian government in the absence of significant and measurable progress, particularly on justice for political killings.

**Identify senior members of the Burundian government who are blocking human rights reforms and engage with them, for example through intermediaries such as former**

**Burundian diplomats, businessmen with connections to the ruling party or religious leaders.**

Burundian government officials who take a hardline approach to international diplomacy – whether publicly or in closed ruling party meetings – exert considerable influence and are likely to stymie attempts by more reform-minded officials to introduce human rights reforms. The intransigence of a few powerful individuals – and the fear they inspire in the ruling party – has effectively halted meaningful progress. To persuade them to accept human rights reforms, governments concerned about the human rights situation in Burundi should seek intermediaries who have access to and influence in ruling party circles.

**Intergovernmental organizations, such as United Nations agencies, and bilateral donors should not directly fund or support projects that are managed or overseen by the minister of interior, community development and public security, Gervais Ndirakobuca, who has a well-documented record of human rights violations.**

UN agencies such as the United Nations Development Programme (UNDP) and the International Organization for Migration (IOM), financial institutions such as the World Bank, and bilateral donors should not provide direct assistance to projects overseen by Ndirakobuca, but should find other ways to channel funding to beneficiaries. The US and the European Union (EU) have imposed targeted sanctions on Ndirakobuca for his involvement in the violent repression of demonstrators in 2015. The US noted that in 2015, Ndirakobuca shot a civilian during a clash between youth and police, and the EU noted that his orders led to a “disproportionate use of force” and other acts of violence.<sup>5</sup>

Direct support to projects overseen by Ndirakobuca contravenes the UN’s rules and standards, which promote and encourage human rights, including among its partners. It also goes against the UN human rights due diligence policy which prevents UN bodies from supporting perpetrators of grave human rights violations. In addition, such support sends a devastating message to victims of Ndirakobuca’s crimes by indicating that international bodies or other donors are willing to overlook his involvement in killings, torture and other serious human rights violations.

**Tanzanian officials who are close to the Burundian government should press senior officials in the CNDD-FDD to prevent human rights violations and promote the long-**

---

<sup>5</sup> US Treasury Department, “Treasury Sanctions Four Burundian Individuals,” <https://www.treasury.gov/press-center/press-releases/Pages/jl0310.aspx>, 18 December 2015; Official Journal of the European Union, “Council regulation (EU) 2015/1755 of 1 October 2015 concerning restrictive measures in view of the situation in Burundi”, [https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=OJ:JOL\\_2015\\_257\\_R\\_0001&from=FR](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=OJ:JOL_2015_257_R_0001&from=FR), 1 October 2015.

**term advantages that justice and human rights reforms could bring to the ruling party.**

Ndayishimiye's visit to Tanzania in September 2020 – his first foreign visit as president – highlighted the importance the Burundian government places on its relationship with the country. Tanzanian officials or former officials with close ties to the CNDD-FDD, particularly former President Jakaya Kikwete, could play a crucial role in positively influencing the human rights situation in Burundi. The African Union (AU) and governments that have strong relations with Tanzania should encourage the Tanzanian government to support such reforms.

## 1. THE CNDD-FDD WINS AGAIN: THE EMERGENCE OF HARDLINERS AFTER THE ELECTIONS

### Contested elections

The chaos started early on 20 May. From all across Burundi, reports came in about irregularities during the presidential, legislative and local elections. The CNL – the main challenger to the ruling party – stated that more than 200 of its members had been arrested on election day and that its representatives were barred from monitoring the polls at many polling stations.<sup>6</sup>

Other sources, as well as voters across Burundi, described numerous irregularities, including CNDD-FDD members casting multiple votes or coercing others into voting for them. The government tried to prevent this information from spreading by imposing a social media blackout for one day, but many were quick to circumvent it.<sup>7</sup>

The Catholic Church, the only independent organisation to observe the elections across the country, deplored “many irregularities in terms of the freedom and transparency of the electoral process and the equal treatment of candidates and voters”, leading its bishops to ask the rhetorical question as to whether these and other irregularities would not jeopardise the results.<sup>8</sup> Some of its observers were repeatedly threatened and had to shut down a coordination meeting in Bujumbura, fearing an imminent raid by the intelligence service.<sup>9</sup>

The turmoil on 20 May was the culmination of months of political violence and repression, targeted primarily at CNL members. As documented by BHRI in its series “The Deadly Price of Opposition”, several CNL members were killed in late 2019 and 2020, right up until the election month of May 2020.<sup>10</sup> Others were reported missing, while many more were violently attacked and beaten by *Imbonerakure*. Hundreds of CNL members were arbitrarily arrested and detained. On several occasions, local government officials and *Imbonerakure*, often acting hand in hand, disrupted or blocked CNL gatherings and meetings, sometimes violently. CNL offices in multiple locations were set on fire or vandalised.<sup>11</sup>

<sup>6</sup> CNL press release, <https://twitter.com/BurundiCnl/status/1264571261054857216/photo/1>, 24 May 2020.

<sup>7</sup> Interviews with members of political parties, civil society organisations and Burundians with no political or organisational affiliation, 20 May 2020.

<sup>8</sup> Communiqué de la Conférence des évêques du Burundi sur le scrutin du 20 mai 2020, <https://eglisecatholique.bi/index.php/fr/vie-de-l-eglise1/communiqués/communiqué-de-la-conference-des-évêques-catholiques-du-burundi-sur-le-scrutin-du-20-mai-2020>, 26 May 2020.

<sup>9</sup> Interviews with election observers, 9 and 17 July 2020.

<sup>10</sup> See BHRI, “The Deadly Price of Opposition”, <https://burundihri.org/english/index2.html>, June-July 2020.

<sup>11</sup> BHRI interviews with a range of witnesses in different provinces between the second half of 2019 and May 2020. Burundian human rights organisations and media also reported daily abuses during the pre-election period.



Clashes between members of the CNDD-FDD and the CNL also resulted in injuries. *Imbonerakure* instigated many, though not all, of these clashes, yet authorities were quick to arrest CNL members. More than 260 were rounded up during the electoral campaign period (between 27 April and 17 May), according to reports by Burundian media and civil society organisations, and many more in the preceding months. Meanwhile, *Imbonerakure* continued participating in the campaign unhindered, even after they killed or beat up opposition members.<sup>12</sup>

On 25 May, the National Independent Electoral Commission published its provisional results, indicating a landslide victory for the CNDD-FDD in all provinces, except for Bujumbura, the economic capital, and Bururi, the stronghold of Burundi's former military regime. The leader of the CNL, Agathon Rwaswa, called the polls "a fiasco".<sup>13</sup> He formally challenged the election results, but on 4 June, the Constitutional Court declared his appeal unfounded. It attributed 68.7 percent of the votes in the presidential election to Évariste Ndayishimiye, the candidate of the CNDD-FDD, and 24.2 percent to Rwaswa, with similar results for their parties in the legislative elections.<sup>14</sup> The CNL considered taking the case to the East African Court of Justice, but concluded it would be pointless, as the Court had still not responded to an appeal the CNL had submitted on the 2018 referendum about the Burundian Constitution.<sup>15</sup>

### **Nkurunziza's death and its implications**

A few days later, on 9 June, a collective gasp rippled through the country when the government announced the sudden death of President Pierre Nkurunziza, officially of a cardiac arrest. As his successor had already been elected, the Constitutional Court ruled that rather than appointing an interim president, the swearing-in of Évariste Ndayishimiye should be brought forward by two months. Ndayishimiye therefore took his oath on 18 June.

This ended a short period of uncertainty, which could have upset the fragile settlement within the CNDD-FDD that had resulted in Ndayishimiye's nomination as the party's presidential candidate. Had there been an interim president, according to the Constitution, this would have been Pascal Nyabenda, president of the National Assembly at the time of

---

<sup>12</sup> See BHRI, "The Deadly Price of Opposition", <https://burundihri.org/english/index2.html>, June-July 2020.

<sup>13</sup> Iwacu, "Agathon Rwaswa: 'cette élection est un véritable fiasco'", <https://www.iwacu-burundi.org/agathon-rwaswa-cette-election-est-un-veritable-fiasco/>, 22 May 2020.

<sup>14</sup> Constitutional Court judgments RCCB 387 and RRCB 388, 4 June 2020.

<sup>15</sup> Interview with Agathon Rwaswa, 23 October 2020. See also Iwacu, "Agathon Rwaswa prend acte du verdict de la Cour constitutionnelle", <https://www.iwacu-burundi.org/agathon-rwaswa-prend-acte-du-verdict-de-la-cour-constitutionnelle/>, 6 June 2020.

Nkurunziza's death, and Ndayishimiye's failed rival for the CNDD-FDD's presidential ticket.<sup>16</sup>

Many had assumed that Nkurunziza would continue to play an important role after the elections, both as the Supreme Guide of Patriotism – a status he acquired in March 2020 – and behind the scenes. While his untimely death may give his successor greater latitude to distance himself from the past, many of Ndayishimiye's decisions in the first months of his presidency signal continuity rather than change, and are marked by the same repressive tactics of the Nkurunziza era.

### **The appointment of hardliners in the new institutions**

With his party firmly in control of both chambers of Parliament – the CNDD-FDD secured 86 out of 123 seats in the National Assembly, and 34 out of 39 seats through indirect elections for the Senate – Ndayishimiye felt no obligation to integrate the CNL into a coalition government; this was no longer a legal requirement but still a political option.<sup>17</sup> Despite obtaining 32 seats in the National Assembly, the CNL failed to secure any senior positions in parliament. Neither of the two CNL governors who had served from 2015 to 2020 were reappointed.

In contrast, the pro-government wing of the party Unity for National Progress (*Unité pour le progrès national*, UPRONA) – nominally an opposition party – only obtained two parliamentary seats, but was awarded the vice-presidency of the country and the second vice-presidency of the National Assembly, in exchange for toeing the CNDD-FDD's line.

The CNDD-FDD therefore easily has the upper hand in the new parliament, especially as most legislation is passed by absolute majority, according to the 2018 Constitution.<sup>18</sup> Both chambers of parliament are led by staunch CNDD-FDD loyalists: Gélase Ndabirabe was chosen as the new president of the National Assembly and Emmanuel Sinzohagera as president of the Senate.

Initial hopes of openness and reform were further diminished when Ndayishimiye appointed Alain Guillaume Bunyoni as prime minister and Gervais Ndirakobuca as minister of interior, community development and public security. As described in Chapter 2, the appointments of these two senior officials, who have been linked to serious human rights violations and are both under international sanctions, appear to jeopardise the chances of meaningful human rights reforms.

---

<sup>16</sup> See BHRI, "Party loyalist or reformer? The man who could become Burundi's next president", <https://burundihri.org/english/#april-2020>, April 2020.

<sup>17</sup> Iwacu, "Apaier et, ensuite, gouverner ensemble", <https://www.iwacu-burundi.org/apaiser-et-ensuite-gouverner-ensemble/>, 11 May 2020.

<sup>18</sup> See article 180 of the revised Constitution of 7 June 2018.

## **The defeat of the CNL**

While leading CNDD-FDD figures jostled for positions in the new state institutions, Agathon Rwasa, the opposition leader who had seemed to pose such a great threat to the CNDD-FDD prior to the elections, was suddenly nowhere to be seen.

In the space of about one year, the CNL's fortunes have changed dramatically. At first, after Rwasa threw his hat into the ring for the presidential race, the party went from strength to strength, drawing huge crowds at its pre-election rallies and attracting support from some disgruntled CNDD-FDD members. Despite historical ethnic tensions – the CNL, like its former incarnation the National Liberation Forces (*Forces nationales de libération*, FNL), remains a Hutu-dominated party – some Tutsis also backed the CNL, viewing it as the only realistic alternative to the CNDD-FDD.

The CNDD-FDD's ruthless crackdown on the CNL took a heavy toll in the pre-election period. Yet CNL members were undeterred and continued campaigning energetically until the very end, convinced of their victory in the elections.

Six months on, the CNL has been almost wiped off the political scene, and with the new government dominated by CNDD-FDD hardliners, it seems unlikely that its fortunes will be reversed in the near future. This not only leaves a big question mark over the future of the party, but could have long-lasting consequences for democracy and political space in Burundi. The CNL was the only political force in the country with a large public support base and the drive to challenge the CNDD-FDD in 2020. Other parties were either too small, too weak or too divided; some of their leaders had been bought off by the government, splitting parties into two or three factions in a process commonly known in Burundi as *nyakurisation*.

This has been the fate of some of the oldest, most established parties such as UPRONA, the Front for Democracy in Burundi (*Front pour la démocratie au Burundi*, FRODEBU) and even the FNL. The wings of these parties that resisted being co-opted by the government have been crushed. The government has refused to grant them legal registration, effectively forcing some of their leaders into exile. Through these tactics, as well as constant intimidation and violence against its opponents, the CNDD-FDD has acquired near-complete control of the political space. The exception, until May 2020, was the CNL.

Now that the CNL has been consigned to the role of an ineffectual, disgruntled loser, there is no significant political opposition left in the country. Individual politicians who speak out against human rights violations and challenge the government expose themselves to huge risks, as the arrest of former member of parliament Fabien Banciryano on 2 October illustrated.

Equally concerning is the absence of a strong independent civil society movement to help fill the vacuum.<sup>19</sup> Despite hopes of an early release after the elections, two human rights defenders – Nestor Nibitanga, a former representative of the Association for the Protection of Human Rights and Detained Persons (*Association pour la protection des droits humains et des personnes détenues*, APRODH) and Germain Rukuki of Action by Christians for the Abolition of Torture-Burundi (*Association chrétienne pour l'abolition de la torture-Burundi*, ACAT-Burundi) – are still serving prison sentences of five and 32 years, respectively. Four journalists of the newspaper Iwacu arrested in Bubanza in October 2019 also remain in prison, serving a two-and-a-half-year sentence. Other journalists investigating sensitive topics continue to face obstruction and intimidation. For example, journalists from Iwacu and Radio Isanganiro were barred from reporting on an attack in Mukike (Bujumbura province) in August.<sup>20</sup>

President Ndayishimiye's promises to restore basic civil liberties therefore remain unfulfilled. Institutional oversight mechanisms exist only on paper, leaving the coast clear for the new government to operate without accountability.

---

<sup>19</sup> In 2015 and 2016, almost all Burundi's independent civil society organisations and independent media were suspended by the government, dismantled or forced into exile. The few that remain in the country are severely constrained and unable to voice strong public criticism of the government, due to tight restrictions on freedom of expression.

<sup>20</sup> See Iwacu, "Bujumbura/Sécurité : Attaque à Mukike, 2 morts, 10 jeunes portés disparus et 3 blessés", <https://www.iwacu-burundi.org/bujumbura-securite-attaque-a-mukike-2-morts-10-jeunes-portes-disparus-et-3-blesses/>, 29 August 2020.

## **2. BURUNDI'S BIG MEN TAKE CENTRE STAGE**

The appointment of Bunyoni and Ndirakobuca in late June 2020 came as a shock to many Burundians who had hoped the new government would show a more compassionate face and introduce reforms. The promotion of these two symbols of repression under Nkurunziza reveals the legacy of the late president, as well as the calculations President Ndayishimiye has had to make to keep powerful hardliners on his side.

Several sources with close links to the ruling party said that in early June, a few days before he died, Nkurunziza told newly elected President Ndayishimiye to appoint specific senior ruling party members, including Bunyoni, to powerful positions in the government.



Gervais Ndirakobuca, minister of interior, community development and public security (left), and Alain Guillaume Bunyoni, Prime Minister (right), attend a handover ceremony in Bujumbura on 30 June 2020.  
©2020 Private

In the weeks after Nkurunziza's death, Ndayishimiye spoke with several generals in the inner circle of the CNDD-FDD about ministerial nominations, some of which had been proposed by Nkurunziza. Some of the generals, including Étienne Ntakarutimana, alias Steve – chief military advisor to the President and the former head of the SNR – and Prime Niyongabo – chief-of-staff of the National Defence Force – opposed the nominations of Bunyoni and Ndirakobuca. Ndayishimiye explained to them that he had agreed on the appointments with Nkurunziza. When one of the generals responded that Nkurunziza was dead and Ndayishimiye didn't owe him anything, Ndayishimiye reportedly insisted that he couldn't betray Nkurunziza's wishes and threatened the general who had challenged him.<sup>21</sup>

---

<sup>21</sup> Interviews with former CNDD-FDD members, 4 and 6 July 2020.

Gabriel Nizigama, chief advisor for civilian affairs in the president's office, declined a ministerial appointment in the new government because he refused to work under Bunyoni; the two men have a strained relationship.<sup>22</sup>

There are various explanations as to why Ndayishimiye decided to follow Nkurunziza's orders even after his death. Some believe he was guided by practical considerations: he can protect himself and stay in power by placing influential, feared men in positions of authority. If he sidelined them, Ndayishimiye could be targeted by the networks of police officers, intelligence agents and *Imbonerakure* that Bunyoni and Ndirakobuca control. Some believe he was also pressured by neighbouring Tanzania, in particular by former Tanzanian president Jakaya Kikwete (see Chapter 5), to stick to the deal with Nkurunziza.<sup>23</sup>

Many Burundians saw the appointments of Bunyoni and Ndirakobuca, who are close allies, to the most senior positions as confirmation that the new government was maintaining the status quo. "These guys (Bunyoni and Ndirakobuca) are loathed even in CNDD-FDD circles," said a Burundian diplomat, "but (their appointment) is a compromise to maintain the system."<sup>24</sup>

Their appointment has been devastating for victims of human rights violations for which the two men bear responsibility. A refugee from Bujumbura who had been threatened in 2016 by Ndirakobuca – when he was chief advisor for police affairs in the President's office – said he was shocked when he heard the news: "It haunts my heart to see these criminals appointed as ministers... There is no hope of returning to Burundi. He (Ndirakobuca) can call on us to return and say that there is peace and justice. But if it's him or Bunyoni who are there, it's difficult to believe it."<sup>25</sup>

An International Criminal Court investigation into crimes allegedly committed in Burundi between 26 April 2015 and 26 October 2017 is ongoing.<sup>26</sup> Some of the human rights violations committed during this period, when Bunyoni and Ndirakobuca held senior government positions, could constitute crimes against humanity, according to the United Nations Commission of Inquiry (COI) on Burundi.<sup>27</sup>

---

<sup>22</sup> Interviews with former CNDD-FDD members, 6 July and 5 August 2020.

<sup>23</sup> Interviews with diplomats, 7 and 13 July 2020, and interview with Burundian politician, 23 October 2020.

<sup>24</sup> Interview with Burundian diplomat, 6 July 2020.

<sup>25</sup> Interview with Burundian refugee, 11 August 2020.

<sup>26</sup> International Criminal Court, "ICC judges authorise opening of an investigation regarding Burundi situation", <https://www.icc-cpi.int/Pages/item.aspx?name=pr1342>, 9 November 2017.

<sup>27</sup> See final detailed report of the UN Commission of Inquiry on Burundi, A/HRC/36/CRP.1, <https://www.ohchr.org/FR/HRBodies/HRC/CoIBurundi/Pages/CoIBurundiReportHRC36.aspx>, 18 September 2017.

## **Prime Minister Alain Guillaume Bunyoni**

For years, Burundi's new Prime Minister, Alain Guillaume Bunyoni, has made his presence felt behind the scenes. His professional demeanour, well-cut suits and meticulous air gave him a veneer of respectability. As his influence grew, however, he quietly cultivated members of the security forces, some of whom were notorious for killing or torturing government opponents. "He hides behind others," said one of his former colleagues. "The crimes are committed under his complicit watch. Either he agrees to the crimes, or he closes his eyes and lets them happen."<sup>28</sup>

Former colleagues described him as cunning and said he is careful to cover his tracks when it comes to human rights violations. A former official who worked closely with him in the past said he is an intelligent man, but his public persona doesn't reveal his true character. "He had two faces," he said. "He had a hidden face that I didn't see; that's his current face."<sup>29</sup>

Bunyoni's hubris and his shrewd but brutal governing style emerged in private and, along with his love of money, have irritated some powerful CNDD-FDD generals. "He's a man without a heart, without emotion, contrary to Évariste (Ndayishimiye)," said a former CNDD-FDD official.<sup>30</sup>

### ***Rising through the ranks***

Bunyoni was born in 1972. He grew up in Kanyosha, a suburb of Bujumbura, and completed his secondary school in Rutovu *commune*, Bururi province. In the early 1990s, he fought against President Pierre Buyoya's government alongside other Hutu, many of whom were influenced by the ideology of the Party for the Liberation of the Hutu People (*Parti pour la libération du peuple Hutu*, PALIPEHUTU) that was finding a foothold in the country.

After the assassination of President Melchior Ndadaye in 1993, Bunyoni joined a group of Hutu fighters to combat the Tutsi-led government, which had targeted Hutus and other opponents. He formally joined the CNDD-FDD – then a rebel group – in 1995 after attacks on Hutu students at the University of Burundi.

While Bunyoni's intelligence and confidence soon earned him leadership positions in the CNDD-FDD, a former combatant described him as self-centred, especially when it came to his own troops: "When Bunyoni was commander of the southern military region in the

---

<sup>28</sup> Interview with former CNDD-FDD official, 6 July 2020.

<sup>29</sup> Interview with former police official, 26 July 2020.

<sup>30</sup> Interview with former CNDD-FDD official, 6 July 2020.

rebellion, the fighters he commanded suffered from a disease linked to malnutrition, but he ate well. We stole – or, as we used to say, we resupplied with cattle and fish. Bunyoni sold what he found. He didn't even buy medicine for his sick troops.”<sup>31</sup>

Bunyoni's duplicity and brutality also emerged during the CNDD-FDD's years in the bush. This was illustrated in an incident around 1996 when CNDD-FDD fighters detained a young woman who was a government spy. “Bunyoni and the others decided to free her, but she would continue to spy for us,” said a former fighter with first-hand knowledge of the incident. “Everyone agreed on this (including Bunyoni). When she was brought to Bunyoni, she was killed. Bunyoni had agreed that she should be freed. I found him to be a hypocrite; he gave us his word, but he didn't keep it.”<sup>32</sup>

Bunyoni was later sent to the Democratic Republic of Congo (DRC) where the CNDD-FDD had a base in Rubana, a village on the Ubwari peninsula. Bunyoni managed a house where CNDD-FDD fighters, who fought alongside Congolese troops, stayed before going to fight Burundian, Ugandan and Rwandan troops in the area known as the high plateau.<sup>33</sup>

During his years in the DRC, Bunyoni was spared the regional rivalries that emerged in the CNDD-FDD and led to the assassination of several officers.<sup>34</sup> However, he adopted the CNDD-FDD's brutal approach towards dissenters in later years.

After the war, and after the CNDD-FDD formed a government in Burundi, Bunyoni rose quickly through government ranks, becoming the coordinator of the integrated national police headquarters between 2004 and 2005; director of the national police from 2005 to 2007; and minister of public security from 2007 to 2011. From 2011 to 2014, he was the president's chief advisor for civilian affairs, and in August 2015, he was named minister of public security for a second time. He held this post for the next five years.

### ***2014: the generals turn against Bunyoni***

A seminal moment in Bunyoni's political career took place in late 2014 when distrust and frustration with him among the clique of powerful generals who control the country came to a head. The incident highlighted a divide between Bunyoni and many of the other generals that deepened in coming years, re-emerging after the 2020 elections.

---

<sup>31</sup> Interview with former CNDD-FDD official, 6 July 2020.

<sup>32</sup> Interview with former combatant with first-hand knowledge of the incident, 5 August 2020.

<sup>33</sup> The Berghof Foundation, “The CNDD-FDD in Burundi: The path from armed to political struggle,” [https://www.berghof-foundation.org/fileadmin/redaktion/Publications/Papers/Transitions\\_Series/transitions10\\_burundi.pdf](https://www.berghof-foundation.org/fileadmin/redaktion/Publications/Papers/Transitions_Series/transitions10_burundi.pdf), 2012, page 17.

<sup>34</sup> Interview with former military official, 14 September 2020.



In 2014, President Nkurunziza was contemplating a run for a controversial third term in the 2015 elections. Most of the generals opposed Nkurunziza's plan, but reluctantly agreed to support him under one condition: that he remove Bunyoni, then chief advisor for civilian affairs in the president's office, and Adolphe Nshimirimana, the head of the SNR, from their positions.<sup>35</sup>

The generals were concerned that Nshimirimana and Bunyoni's involvement in violence and serious financial and other crimes were tarnishing the reputation of the CNDD-FDD and that Nkurunziza had allowed both men to acquire too much power.<sup>36</sup> Moreover, they considered Bunyoni "distant, even arrogant"<sup>37</sup> and greedy, which made him unpopular, even among some rank-and-file members of the ruling party and the police. In a party in which regional ties matter, Bunyoni's roots in the southern province of Rutana made him an outlier among the powerful generals from the west and centre of the country.

A series of meetings ensued, culminating in 13 generals signing a letter to Nkurunziza, Nshimirimana and Bunyoni, in which they detailed their misgivings about Bunyoni's and Nshimirimana's behaviour.<sup>38</sup>

But slowly, the alliance crumbled. Ndirakobuca, who was at the time the president's chief advisor for police affairs, was the first to withdraw his name from the letter, throwing his support behind Bunyoni and Nshimirimana, after Nkurunziza and Nshimirimana warned him that "he had aligned himself with those with clean hands and they would eventually vomit him up."<sup>39</sup>

Others soon followed, including Ndayishimiye who apologised to Nkurunziza for signing the letter.<sup>40</sup> In the end, Nkurunziza allegedly told Bunyoni and Nshimirimana to resolve the problem themselves. They ultimately moved to other positions, but retained their power. Bunyoni was quickly named permanent secretary of the National Security Council, which

---

<sup>35</sup> Interviews with former CNDD-FDD officials, 7 July 2019 and 7 February 2020. See also CNARED-Giriteka, "Comment les officiers généraux ex-FDD et le SNR sont entrés dans la danse du 3ème mandat ? Les cartes sous tables", <http://cnared.info/wordpress/officiers-generaux-ex-fdd-snr-entres-danse-3eme-mandat-cartes-tables/>, 25 August 2016.

<sup>36</sup> Adolphe Nshimirimana was involved in planning numerous serious human rights violations by members of the intelligence service as well as *Imbonerakure*, many of whom considered him as their boss. He was assassinated in Bujumbura on 2 August 2015.

<sup>37</sup> Iwacu, "Cinq clefs pour comprendre le 'départ' de Guillaume Bunyoni et Adolphe Nshimirimana", <https://www.iwacu-burundi.org/cinq-clefs-pour-comprendre-le-depart-de-guillaume-bunyoni-et-adolphe-nshimirimana/>, 8 December 2014.

<sup>38</sup> The generals who signed the letter were Godefroid Bizimana, Ildephonse Habarurema, Maurice Mbonimpa, Emmanuel Miburo, Guillaume Nabindika, Évariste Ndayishimiye, Isidore Ndiokubwayo, Gervais Ndirakobuca, Audace Nduwumunsi, Thacien Nivyinyeretse, Prime Niyongabo, Gabriel Nizigama and Étienne Ntakarutimana.

<sup>39</sup> CNARED-Giriteka, "Comment les officiers généraux ex-FDD et le SNR sont entrés dans la danse du 3ème mandat ? Les cartes sous tables", <http://cnared.info/wordpress/officiers-generaux-ex-fdd-snr-entres-danse-3eme-mandat-cartes-tables/>, 25 August 2016.

<sup>40</sup> Interview with former CNDD-FDD official, 7 February 2020.

allowed him to stay atop the situation. “He has to stay in places where he can have a bird’s eye view,” said a person who worked with Bunyoni, “where he can watch all the plots against him. It’s not only the justice system that’s watching him. There is also score settling. People don’t like Bunyoni, especially because of money.”<sup>41</sup>

Bunyoni remained a close ally of President Nkurunziza until his death in June 2020, and was even described on the government website as a “hardliner” of the Nkurunziza regime; in late November, the page was removed. However, the relationship between the two men was, at times, reportedly strained.



Prime Minister Alain Guillaume Bunyoni before his inauguration at the National Assembly in Bujumbura on 24 June 2020. ©2020 Private

---

<sup>41</sup> Interview with former CNDD-FDD official, 6 July 2020. Bunyoni has been dogged by allegations of corruption for years. For more information, see Gervais Rufyikiri, University of Antwerp, Institute of Development Policy and Management, “Corruption au Burundi: problème d’action collective et défi majeur pour la gouvernance”, <https://www.uantwerpen.be/en/research-groups/iob/publications/working-papers/wp-2016/wp-201607/>, March 2016.

In his new position as Prime Minister, Bunyoni will play an even greater role in shaping the mode of governance and the direction of the country. “When (Bunyoni) takes a place, he enlarges his powers,” said a former CNDD-FDD leader.<sup>42</sup>

A person who has closely followed Bunyoni’s career agreed: “He’s able to influence from behind.”<sup>43</sup> But by appointing allies to key positions and consolidating his power, Bunyoni might also further alienate other generals who are already distrustful of him. “The nasty ones now have the upper hand, especially Bunyoni,” said a former ruling party official. “It’s dangerous because he is very well organised and very clever.”<sup>44</sup>

### ***Police torture and killings, overseen by Bunyoni***

During Bunyoni’s time as director of the national police and his two stints as minister of public security, members of the police committed serious human rights violations, including killings and torture of suspected government opponents. After the 2010 elections, for example, the police were involved in killing, arresting and ill-treating numerous members of the FNL and other government opponents, under Bunyoni’s watch.<sup>45</sup>

During the first wave of protests against Nkurunziza’s decision to run for a third term in April and May 2015, when police used lethal and excessive force against demonstrators, the minister of public security was Gabriel Nizigama, now President Ndayishimiye’s chief advisor for civilian affairs. But police brutality against demonstrators continued when Bunyoni took over from August 2015.

During Bunyoni’s second stint as minister of public security from August 2015 to June 2020, the police tortured opponents in barbaric ways: they poured burning liquid over their bodies, beat them with iron bars, pulled teeth out with pliers, and forced detainees to watch as others were executed with knives.<sup>46</sup> These practices intensified when some protestors attacked policemen and members of the ruling party. Police also collaborated with *Imbonerakure* who arrested, beat and detained demonstrators.<sup>47</sup>

---

<sup>42</sup> Interview with former CNDD-FDD official, 6 July 2020.

<sup>43</sup> Interview with source in Bujumbura, 27 August 2020.

<sup>44</sup> Interview with former CNDD-FDD official, 1 July 2020.

<sup>45</sup> See Human Rights Watch, “‘You Will Not Have Peace While You Are Living’: The Escalation of Political Violence in Burundi”, <https://www.hrw.org/report/2012/05/02/you-will-not-have-peace-while-you-are-living/escalation-political-violence>, 2 May 2012.

<sup>46</sup> See Human Rights Watch, “Burundi: Intelligence Services Tortured Suspected Opponents,” <https://www.hrw.org/news/2016/07/07/burundi-intelligence-services-torture-suspected-opponents>, 7 July 2016, and final detailed report of the UN Commission of Inquiry on Burundi, A/HRC/36/CRP.1/Rev.1, <https://www.ohchr.org/EN/HRBodies/HRC/CoIBurundi/Pages/CoIBurundiReportHRC36.aspx>, 29 September 2017.

<sup>47</sup> Amnesty International, “Burundi: conform or flee: repression and insecurity pushing Burundians into exile”, <https://www.amnesty.org/en/documents/afr16/7139/2017/en/>, 29 September 2017.

US President Barack Obama signed an Executive Order on 22 November 2015 imposing targeted sanctions on Bunyoni, as well as on the deputy director of the national police, Godefroid Bizimana, among others.<sup>48</sup>

Bunyoni bears responsibility for violations committed by the police, as he failed to punish the senior officers responsible. As minister of public security, he was at the top of the chain of command of the police. Burundian and international human rights organisations published detailed documentary and visual evidence of these violations, so he could not credibly claim that he was not aware of them. Yet he refused to admit that the police were responsible for serious human rights violations.

In a letter to Human Rights Watch in May 2016, he wrote that it was “unthinkable” that police could have mistreated detainees and that it would be a “serious error to assert gratuitously” that police arbitrarily arrested, tortured or ill-treated suspected government opponents. He denied categorically that police collaborated with *Imbonerakure*. However, he stated that since 2015, 70 police officers had been prosecuted, some for “abuses committed during the management of the insurrectional movement” before and after the 2015 elections, and some for common crimes.<sup>49</sup>

Despite Bunyoni’s denial, police continued to collaborate with *Imbonerakure*. For example, the police commissioner in Muyinga province, Jérôme Ntibibogora, was involved in the planning and execution of an ambush against CNL members by *Imbonerakure* in Muyinga on 18 August 2019. During the attack, *Imbonerakure* killed an elderly man, Grégoire Nsavyumwami, and injured seven other people, including a 74-year-old woman. The police commissioner had been informed of the threats against the CNL, but did nothing to protect them. Other policemen threatened CNL members themselves.<sup>50</sup> On 17 April 2019, during a public meeting with the governor in Gasorwe, Ntibibogora had made threatening remarks against opponents who organised “secret meetings” at night. He had warned CNL members and their families that rather than arresting them, he would throw grenades at them.<sup>51</sup>

Bunyoni is not known to have investigated Ntibibogora’s involvement in the ambush of 18 August 2019 or taken punitive measures against him or other policemen involved. In late 2020, Ntibibogora remains police commissioner in Muyinga.

---

<sup>48</sup> US Department of the Treasury, “Issuance of an Executive Order on Burundi-related Sanctions; Burundi-related Designations”, <https://home.treasury.gov/policy-issues/financial-sanctions/recent-actions/20151123>, 23 November 2015.

<sup>49</sup> Human Rights Watch, “Burundi: Intelligence Services Torture Suspected Opponents”, <https://www.hrw.org/news/2016/07/07/burundi-intelligence-services-torture-suspected-opponents>, 7 July 2016.

<sup>50</sup> See BHRI, “A façade of peace in a land of fear: Behind Burundi’s human rights crisis”, <https://burundihri.org/english/index.html#january-2020>, January 2020.

<sup>51</sup> See final detailed report of the UN Commission of Inquiry on Burundi, A/HRC/42/CRP.2, <https://www.ohchr.org/FR/HRBodies/HRC/CoIBurundi/Pages/CoIBurundiReportHRC42.aspx>, 13 September 2019, paragraph 237.

### **Bunyoni's right-hand man: Désiré Uwamahoro**

Police officer Désiré Uwamahoro has been involved in cases of killings, torture, ill-treatment and arbitrary arrests over several years.<sup>52</sup>

Bunyoni has had a close relationship with Uwamahoro since his days as director of national police and during his first tour as minister of public security.<sup>53</sup> Between 2006 and 2007, Ndayishimiye, who was interior minister at the time, wrote to Bunyoni, asking him to punish Uwamahoro for the crimes he committed. Bunyoni appears to have taken no action against Uwamahoro.<sup>54</sup>

In June 2010, Uwamahoro and two other police officers were convicted of torturing alleged FNL members detained in 2007. At the time of the torture, he was the commander of a unit in the Mobile Rapid Intervention Group (*Groupement mobile d'intervention rapide*, GMIR). In 2008, he fatally shot an FNL member.<sup>55</sup>

When Nizigama replaced Bunyoni as public security minister in November 2011, he demoted Uwamahoro. But when Bunyoni returned to the public security ministry in August 2015, he quickly reinstated him and put him in charge of a special unit he created, the anti-riot brigade (*Brigade anti-émeute*, BAE). This was in violation of Burundian law, which triggers the definitive removal from the police force of any officer sentenced to more than six months' imprisonment.<sup>56</sup>

Throughout 2015, Uwamahoro was involved in arrests of people accused of taking part in demonstrations against President Nkurunziza's third term. From September 2015, BAE police arrested scores of suspected opponents.

Police from the BAE and members of the military shot dead several people in a funeral procession in Buringa, Bubanza province, on 31 October 2015.<sup>57</sup> Several witnesses said Uwamahoro was present at the scene, coordinating the operation and giving orders to the BAE police.<sup>58</sup>

In January 2017, Uwamahoro was convicted of extortion in the context of gold trafficking and sentenced to three months' imprisonment. Bunyoni called the director of Bubanza prison and told him to give Uwamahoro special treatment, including a room with access to a television.<sup>59</sup>

After his release, Bunyoni reinstated Uwamahoro in the national police in May 2017, and in May 2019, appointed him commander of the second GMIR – the unit he had headed more than ten years earlier – based in Kanyosha, a Bujumbura neighbourhood. At the time of writing, he still holds this post.

---

<sup>52</sup> See Human Rights Watch, "Every morning they beat me: Police abuses in Burundi", [https://www.hrw.org/report/2008/04/30/every-morning-they-beat-me/police-abuses-burundi#\\_ftn65](https://www.hrw.org/report/2008/04/30/every-morning-they-beat-me/police-abuses-burundi#_ftn65), 30 April 2008, and "Closing doors? The narrowing of democratic space in Burundi", <https://www.hrw.org/report/2010/11/23/closing-doors/narrowing-democratic-space-burundi>, 23 November 2010.



Désiré Uwamahoro (right) patrols Mutakura, a neighbourhood in Bujumbura on 2 June 2015. ©2020 Private

Aside from human rights violations committed by the police under his ultimate command, there have been repeated allegations that Bunyoni may have been personally involved in human rights violations. However, several sources, including some who had worked closely with him, said that he had perfected the art of acting in the shadows and that it was therefore difficult to prove his personal involvement in specific cases.

BHRI gathered testimonies from people with first-hand information about serious crimes Bunyoni allegedly ordered in 2017 and 2020, but was unable to verify all the details and circumstances surrounding these incidents. Given the gravity of the allegations, BHRI has chosen to seek further confirmation and evidence of his involvement.

---

<sup>53</sup> Interview with former security official, 11 August 2020.

<sup>54</sup> Interview with former government official, 17 February 2020.

<sup>55</sup> See Human Rights Watch, “Closing Doors? The narrowing of democratic space in Burundi”, <https://www.hrw.org/report/2010/11/23/closing-doors/narrowing-democratic-space-burundi>, 23 November 2010.

<sup>56</sup> Article 70 of law no. 1/18 of 31 December 2010.

<sup>57</sup> For details, see final detailed report of the UN Commission of Inquiry on Burundi, A/HRC/36/CRP.1, <https://www.ohchr.org/FR/HRBodies/HRC/CoIBurundi/Pages/CoIBurundiReportHRC36.aspx>, 18 September 2017, paragraph 256.

<sup>58</sup> Information from private sources, October 2020, and interview with former *Imbonerakure*, 30 October 2020. See also Jeune Afrique, “La police tire sur un bus, faisant entre un et 16 morts, selon les sources,” <https://www.jeuneafrique.com/depeches/276143/politique/burundi-la-police-tire-sur-un-bus-faisant-entre-un-et-16-morts-selon-les-sources/>, 31 October 2015.

<sup>59</sup> Interview with source with direct knowledge of these events, 11 August 2020. See also SOS Médias, “Le Commissaire Désiré Uwamahoro est en prison à Bubanza,” <https://www.facebook.com/sosmediasburundi/posts/1255212581207445/>, 11 November 2016.

## **Gervais Ndirakobuca: Minister of Interior, Community Development and Public Security**

Burundians who know Gervais Ndirakobuca fear him. They've heard the stories of how he showed no mercy with protestors in Bujumbura in 2015, or how, as an SNR official, he beat opponents, some of whom were never seen again. They shudder when they hear that he collaborates with the dreaded duo: police officer Désiré Uwamahoro and SNR agent Joseph Mathias Niyonzima, alias Kazungu (see "Bunyoni's right-hand-man: Désiré Uwamahoro", and "Ndirakobuca's henchman: Kazungu").

But Ndirakobuca is a complicated figure. Residents of Ndora, his home area in Cibitoke province, pointed to a church and hotel he built in recent years. Former colleagues and friends said he is loyal and can be talkative, sociable and even humorous. He has sometimes used his contacts and fearsome reputation to do favours for friends. If he's challenged or senses a traitor, however, his good mood may suddenly evaporate, and he can turn violent. "If you met him without knowing him, you wouldn't believe he had participated in crimes," said a man who knew him personally. "He is like two different people. He adapts. He presents a different face... Socially, he is nice but politically, he is nasty."<sup>60</sup>

### ***A reputation based on brutality***

Ndirakobuca's reputation for brutality goes back to his time in the rebellion. Originally active in the PALIPEHUTU, Ndirakobuca joined the FDD, the armed wing of the CNDD, in the early 1990s. In 1996, he was a captain and company commander in the FDD in his home *commune* of Bukinanyana in Cibitoke province.<sup>61</sup> He later became a battalion commander and oversaw a CNDD-FDD liaison office in Moliro, a town in the DRC on the border with Zambia.

From 1997, the Congolese government used the CNDD-FDD to fight Burundian, Ugandan and Rwandan forces in Congo. Ndirakobuca facilitated troops and weapons shipments to CNDD-FDD fighters in the Congolese province of Katanga, where they fought alongside Congolese government forces.

"(Ndirakobuca) was very involved on the battlefield," said a former combatant, referring to when they fought together in Congo. "He (was) one of the rare officers who advanced on the frontlines with his troops. Those who were afraid were sanctioned (by him) and made to carry looted goods and prepare hot food."<sup>62</sup>

---

<sup>60</sup> Interview with source who knew Ndirakobuca, 20 July 2020.

<sup>61</sup> Burundi is divided into 18 provinces. Each province is divided into *communes*. Each *commune* is divided into zones, which are further divided into *collines* (hills).

<sup>62</sup> Interview with former CNDD-FDD combatant, 24 July 2020.

During his time in the DRC, Ndirakobuca already demonstrated a ruthless attitude. “(Ndirakobuca) had a hard heart, without pity, when he beat someone, but he liked to achieve his objective,” said a former combatant who fought with him.<sup>63</sup> Another soldier who worked under him said he “killed civilians in Congo for nothing”.<sup>64</sup>

Other CNDD-FDD combatants said Ndirakobuca’s strong commitment to the armed movement influenced his temperament. “He hated people who committed injustice. He hated fraud,” said a former combatant who fought alongside him. “Ndirakobuca... wanted people to be aware of why they had come to fight in the bush. He was someone who hated traitors. When you caused harm, you were punished. If traitors were set free, (he believed) they could betray (the CNDD-FDD) to the government.”<sup>65</sup>

After the civil war in Burundi, Ndirakobuca was appointed deputy director of the national police. He held this post from 2007 until 2012 and initially worked under Bunyoni, during a period when the police committed numerous human rights violations. Then in September 2012, President Nkurunziza named him chief advisor at the SNR where he worked under Adolphe Nshimirimana, one of the most brutal and powerful men during Nkurunziza’s presidency. Ndirakobuca became close to Nshimirimana when they worked together at the SNR.<sup>66</sup>

A former CNDD-FDD official who knew Ndirakobuca when he worked at the SNR said: “He has so much blood on his hands from the days when he was chief advisor at the SNR.”<sup>67</sup>

Ndirakobuca’s allegiance to Nshimirimana and Bunyoni accelerated his climb up the political ladder, but it also tainted his reputation, including with the other generals, who, to this day, remain wary of him.<sup>68</sup> A source who knew Ndirakobuca personally said that he had a way of imposing himself in civilian and military circles, and could refuse to obey orders from the party because of his status and influence.<sup>69</sup>

In 2014, President Nkurunziza appointed Ndirakobuca as his chief advisor for police affairs – a post in which he continued to collaborate with Bunyoni – and in November 2019, as head of the SNR, to replace Étienne Ntakarutimana, alias Steve, who had fallen out of

---

<sup>63</sup> Interview with former CNDD-FDD combatant, 24 July 2020

<sup>64</sup> Interview with former CNDD-FDD combatant, 16 September 2020.

<sup>65</sup> Interview with former CNDD-FDD combatant, 5 August 2020.

<sup>66</sup> Interview with former police official, 4 July 2020.

<sup>67</sup> Interview with former government official, 14 February 2020.

<sup>68</sup> Interview with former CNDD-FDD member, 1 July 2020.

<sup>69</sup> Interview with source who knew Ndirakobuca, 20 July 2020.



favour.<sup>70</sup> Then Ndayishimiye nominated Ndirakobuca on 28 June 2020 as minister of interior, community development and public security.<sup>71</sup>

### ***Blood on his hands: Ndirakobuca's involvement in human rights violations***

Witnesses have described incidents in which Ndirakobuca was personally involved in human rights violations in the successive senior positions he has held. A source who collaborated with him when he was chief advisor for police affairs at the Presidency from 2014 to 2019 said: “That guy, he was involved in everything, like an ordinary SNR agent. He gave orders... and then returned to the Presidency.”<sup>72</sup> Other sources said he often gave orders to people to carry out these violations. “He had people who carried out killings for him. He had his right-hand men,” said a member of a civil society organisation.<sup>73</sup>

A person close to Ndirakobuca said that in early 2014, several young men detained at the SNR headquarters in Bujumbura were handcuffed, gagged and forced to lie down in the back of a pick-up truck as police stood guard over them. Ndirakobuca accompanied them in the truck to Bubanza where he told the policemen to take them out of the truck, then he shot each of the young men twice in the chest with a pistol. He ordered the police to put the bodies in a grave that had already been dug, and said that another “team” would come and cover them with earth.<sup>74</sup> BHRI has been unable to establish the identities of the individuals who were killed.

When he was chief advisor for police affairs in the president’s office, Ndirakobuca was involved in the extrajudicial execution of members of an armed group who crossed into Cibitoke province from the DRC between 30 December 2014 and 3 January 2015 and clashed with the security forces. Dozens of members of the armed group were arrested or surrendered to the police and military, and were then killed by the security forces or by *Imbonerakure*.<sup>75</sup> Marius Ngendabanka, who was the commander of Burundi’s first military region, covering Cibitoke, reportedly ordered their execution; in 2016, the US government sanctioned him in relation to these and other events.<sup>76</sup>

---

<sup>70</sup> Information from former CNDD-FDD member, 9 September 2020.

<sup>71</sup> The Ministry of Public Security and the Ministry of Interior, Patriotic Training and Local Development were previously two separate ministries. They were merged in June 2020. The inclusion of community development means that the new, enlarged ministry headed by Ndirakobuca will handle significant funding for development projects from donors such as the World Bank.

<sup>72</sup> Interview with former SNR officer, 28 August 2020.

<sup>73</sup> Interview with a member of a civil society organisation, 20 July 2020.

<sup>74</sup> Interview with person with first-hand knowledge of the incident, 3 August 2020.

<sup>75</sup> Interview with source in Cibitoke, September 2020. For further details, see Human Rights Watch, “Burundi: Summary Executions by Army, Police”, <https://www.hrw.org/news/2015/02/12/burundi-summary-executions-army-police>, 12 February 2015, and Iwacu, “Affrontements à Murwi: une attaque qui ne dit pas son nom”, <https://www.iwacu-burundi.org/affrontements-a-murwi-une-attaque-qui-ne-dit-pas-son-nom/>, 12 January 2015.

<sup>76</sup> US Department of the Treasury, “Treasury Sanctions Three Individuals for Contributing to the Ongoing Violence in Burundi,” <https://www.treasury.gov/press-center/press-releases/Pages/jl0473.aspx>, 2 June 2016.



Gervais Ndirakobuca, minister of interior, community development and public security, prepares to be sworn in on 30 June 2020 at the National Assembly in Bujumbura. ©2020 Private

A military source who participated in the operation against the combatants said that Ndirakobuca was present during the fighting and that, along with other police officials, he fought alongside the *Imbonerakure* and military who clashed with the armed men.<sup>77</sup>

A resident who fought the combatants told a friend at the time that Ndirakobuca and police under his command were involved in killing some of those who were arrested or surrendered. “They didn’t use guns,” he said, referring to some of the perpetrators. “They killed using machetes and bayonets.”<sup>78</sup>

After the attack, Ndirakobuca, along with his guards, local authorities and *Imbonerakure*, went to a bar in the area. He bought beer for everyone and was overheard saying that he had “just buried Tutsis”, referring to the killing of the combatants. He said he was “washing his hands”, a Burundian euphemism that refers to the traditional practice of drinking beer after a burial, known in Kirundi as *gukaraba*.<sup>79</sup>

A source with first-hand information said that in early 2015, Ndirakobuca, along with Joe Dassin Nkezabahizi – an *Imbonerakure* who later became an intelligence agent<sup>80</sup> – and a man known as Binobine – a former FNL member turned *Imbonerakure* – as well as four

<sup>77</sup> Information from military source, August 2020.

<sup>78</sup> Interview with source in Burundi, September 2020.

<sup>79</sup> Interview with source in Burundi, August 2020.

<sup>80</sup> At the time of writing, Nkezabahizi is an SNR agent in Mutimbuzi *commune*, Bujumbura province.

police officers, arrested two FNL members in Musigati *commune*, Bubanza province. The two men were accused of working with an armed FNL faction based in the DRC.<sup>81</sup>

Ndirakobuca beat one of the FNL members with a Kalashnikov, then took him and the other FNL member to Camp Muzinda, a military camp in Bubanza province, and handed them over to Col. Darius Ikurakure, the camp commander. Two days later, the source saw a photo of the dead body of one of the FNL members that had been found in Muramvya province.<sup>82</sup>

Several former members of the security forces told BHRI that Ndirakobuca was involved in the crackdown in 2015 against demonstrators who opposed Nkurunziza's third presidential term. They described how Ndirakobuca, who, at the time, was the president's chief advisor for police affairs, oversaw members of the police who shot live rounds at demonstrators.<sup>83</sup> Eyewitnesses said they saw Ndirakobuca shoot at demonstrators himself.<sup>84</sup>

In 2015, the US and the EU imposed sanctions, including travel restrictions and asset freezes, on Ndirakobuca. The US Treasury Department sanctioned him for his alleged role in the violent repression, noting: "In early June 2015, witnesses claimed Ndirakobuca shot a civilian in Bujumbura's Musaga neighbourhood during a clash between patrolling youths and Burundian police."<sup>85</sup> The EU said he had issued "instructions that led to disproportionate use of force, acts of violence, acts of repression and violations of international human rights law against protestors demonstrating from 26 April 2015 onwards... including on 26, 27 and 28 April in the Nyakabiga and Musaga districts in Bujumbura."<sup>86</sup>

Following attacks by unidentified gunmen on several military camps in Bujumbura on 11 December 2015, large numbers of people were arrested, tortured and killed by members of the security forces in Bujumbura. Police arrested and beat one man at his home, then took him to Ndirakobuca's house in Kinanira 1, close to Musaga, an area perceived as an opposition stronghold:

"I was (first) tortured by the police when they came to my house... Two of the policemen hit me.... with a bayonet and the barrel of a gun and kicked me... Then they dragged me to Ndakugarika's house. When we got there, they tied me up. I was

---

<sup>81</sup> Interview with source knowledgeable about the events, 28 August 2020.

<sup>82</sup> Ikurakure and Binobine were later killed, in 2016 and 2019 respectively. Ikurakure was involved in several cases of extrajudicial executions.

<sup>83</sup> Interview with former police officer, 10 July 2020.

<sup>84</sup> Interviews with former intelligence officer, August 2020, and with another eyewitness, 10 July 2020.

<sup>85</sup> US Treasury Department, "Treasury Sanctions Four Burundian Individuals," <https://www.treasury.gov/press-center/press-releases/Pages/jl0310.aspx>, 18 December 2015.

<sup>86</sup> Official Journal of the European Union, "Council regulation (EU) 2015/1755 of 1 October 2015 concerning restrictive measures in view of the situation in Burundi", [https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=OJ:JOL\\_2015\\_257\\_R\\_0001&from=FR](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=OJ:JOL_2015_257_R_0001&from=FR), 1 October 2015.

bleeding... A police officer at Ndakugarika's house put the barrel of a gun in the wound and said: 'They missed you. I'm not going to miss you. I'm going to finish you off.' Then other police came and kicked me.

When I got there (to Ndakugarika's house), I found lots of other detainees... young men tied up there, probably more than 30. I knew some of them... I didn't see Ndakugarika. He was inside the house. Police from his guard and other police gathered us all there.... The police in his guard were selecting people among those who were arrested and tied up. They selected (one of the detainees). One of the policemen said Ndakugarika had selected him. He told him: 'The general needs you.' The guards were choosing people by name and calling them inside.'<sup>87</sup>

The detainees spent several hours at Ndirakobuca's house and were then taken into official police custody. Some were then transferred to Mpimba central prison. The fate of others remains unknown.

Many other people were arrested in the following days. For example, police arrested a man in December 2015 and took him to the SNR headquarters in Bujumbura, where police and SNR agents tortured him and accused him of being an opponent. Ndirakobuca was present during one of the torture sessions and hit the detainee.<sup>88</sup>

In a tactic often used by the intelligence service to infiltrate the opposition, Ndirakobuca has used former FNL members to target perceived opponents. A former FNL member, who had joined the CNDD-FDD a few years earlier, said he was approached in 2020 by several men who claimed they were members of the intelligence service and had been sent by Ndirakobuca, then head of the SNR. The men told him to identify CNL members and "eliminate them one by one". The man did not follow their orders and was later abducted by two men and beaten. "When they said (Ndirakobuca's) name, I heard it even though I was being (beaten)," said the victim.<sup>89</sup>

BHRI has gathered testimonies from people with first-hand information about additional cases of killings and torture in which Ndirakobuca was allegedly involved, particularly since 2015, but was unable to verify the details of each of these incidents.

In 2015, Ndirakobuca and other senior government officials planned the assassination of two CNDD-FDD members and gave orders to Niyonzima alias Kazungu, among others, to execute the mission. Due to a combination of circumstances, the plan was not carried out.<sup>90</sup>

---

<sup>87</sup> Interview with former detainee, August 2020. Several other sources confirmed the location of the house where Ndirakobuca lived in 2015.

<sup>88</sup> Information from private sources, October 2020.

<sup>89</sup> Interview with victim, 3 July 2020.

<sup>90</sup> Information from private sources, October 2020.

### **Ndirakobuca's henchman: Kazungu**

Ndirakobuca has relied on intermediaries, informants and enforcers to hide his involvement in crimes. He has often used three men to do his bidding: SNR agent Joseph Mathias Niyonzima, alias Kazungu, police officer Désiré Uwamahoro (see “Bunyoni’s right-hand-man: Désiré Uwamahoro”), and policeman Jean Marie Vianney Nshimirimana, alias Mutwa, one of his former guards and a member of the police unit responsible for guarding state institutions (*Appui pour la protection des institutions*, API). Both Niyonzima and Nshimirimana have been cited in cases of human rights violations.<sup>91</sup>

Niyonzima is a former PALIPEHUTU-FNL member who then switched to the FDD. He has been cited in relation to numerous cases of extrajudicial executions, torture and other human rights violations while at the SNR. In several cases, he was personally involved in committing these acts; in others, he played a leading role in planning or coordinating them – sometimes in conjunction with Ndirakobuca or on his orders. Niyonzima then often gave orders to a group of other security agents or *Imbonerakure* to carry out the crimes.

A source who personally knows Niyonzima described how in 2015, he arrested people who were demonstrating against President Nkurunziza’s third term in Bujumbura’s Cibitoke, Ngagara and Musaga neighbourhoods. The EU imposed sanctions on Niyonzima on 1 October in 2015. It stated, among other things, that he had incited “violence and acts of repression during the demonstrations that started on 26 April 2015” and that he was responsible “for helping train, coordinate and arm the *Imbonerakure* paramilitary militias.”<sup>92</sup>

A witness described how Niyonzima transported dead bodies from the SNR headquarters in Bujumbura to the Kibira forest for burial: “In April 2015, (a person) came with a double cab truck with tinted windows and no number plate. I saw the dead bodies of nine young people from Musaga (in the back).” Niyonzima dumped them in graves that had been previously dug. The witness did not know the identities of the youths but said they had been arrested for demonstrating. Most appeared to have been strangled and there were indications that they had been tortured.<sup>93</sup>

Niyonzima was one of several officials involved in organising the murder of Gen. Athanase Kararuzza, a member of the former Burundian Armed Forces (FAB) who was an adviser in the office of the First Vice President. Kararuzza, his wife and one of his guards were killed in an ambush by police and military in Bujumbura on 25 April 2015; his daughter died of her injuries three days later.<sup>94</sup> According to witnesses, Niyonzima came to the scene just after the attack and fired on Kararuzza, after he had been shot by military or police; it is not clear whether Kararuzza was already dead.<sup>95</sup>

BHRI spoke to sources who described how Ndirakobuca attempted to scuttle the investigation into the killing of a prominent individual in 2016, beat a ruling party member for not obeying orders in 2018, and, as recently as August 2020, ordered provincial officials to detain individuals on dubious or fabricated charges.<sup>96</sup> BHRI received detailed information on these events, but to protect witnesses against possible retaliation, it has chosen not to publish the details.

Ndirakobuca's close links to human rights violators have also sometimes enabled him to help people, especially when asked by friends and colleagues. In 2019, a man was threatened by unidentified individuals who warned him he could disappear. Two days later, he received further threats in an anonymous phone call and vehicles began following him. Afraid for his life, he contacted a member of the government who contacted Ndirakobuca. Ndirakobuca reportedly turned to Uwamahoro and Niyonzima and told them to make sure he was safe. The surveillance stopped almost immediately.<sup>97</sup>

### ***Taking a stand against corruption?***

Since his appointment as minister in 2020, Ndirakobuca has made his mark by publicly championing the fight against corruption. His fearsome reputation may already be having an effect.

“People were surprised by the tough stand he took against corruption,” said a member of a civil society organisation in Burundi. “Who knows, maybe because people are scared of him, he could force some changes. He can do it if he wants to, as he knows all the manoeuvres of corruption and human rights violations, so he's well placed to impose changes... The police are scared of him.” He added that one of the newly appointed provincial officials had confided: “Ndakugarika has frightened us.”<sup>98</sup>

---

<sup>91</sup> Interview with acquaintance of Ndirakobuca, 20 July 2020. See also Amnesty International, “Braving Bullets – Excessive force in policing demonstrations in Burundi”, <https://www.amnesty.org/en/documents/afr16/2100/2015/en/>, 22 July 2015, and Radio Publique Africaine, “Des policiers de l'unité spéciale API ont assassiné la famille du cameraman Nkezabahizi victime de son travail: Enquête exclusive de la RPA”, <https://www.rpa.bi/index.php/component/k2/item/6004-les-militaires-burundais-du-troisieme-bataillon-minusca-reclament-au-moins-4-mois-de-salaire>, 28 December 2015.

<sup>92</sup> Official Journal of the European Union, “Council regulation (EU) 2015/1755 of 1 October 2015 concerning restrictive measures in view of the situation in Burundi”, [https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=OJ:JOL\\_2015\\_257\\_R\\_0001&from=FR](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=OJ:JOL_2015_257_R_0001&from=FR), 1 October 2015.

<sup>93</sup> Interview with witness, August 2020.

<sup>94</sup> For details, see final detailed report of the UN Commission of Inquiry on Burundi, A/HRC/36/CRP.1, <https://www.ohchr.org/FR/HRBodies/HRC/CoIBurundi/Pages/CoIBurundiReportHRC36.aspx>, 18 September 2017, paragraph 270.

<sup>95</sup> Information from private sources, 30 October 2020.

<sup>96</sup> Interview with sources in Burundi, July, August and September 2020.

<sup>97</sup> Interview with source in Bujumbura, August 2020.

<sup>98</sup> Interview with member of a civil society organisation, 20 July 2020.

Ndirakobuca's desire to denounce corruption hasn't always been so evident. In August 2010, Jackson Ndikuriyo, a former police corporal, was shot dead in Bubanza province after he claimed he was wrongfully dismissed for denouncing financial wrongdoing in the police force. He had told an acquaintance that Ndirakobuca, to whom he was related, had threatened him to stop him from taking legal action against the police.<sup>99</sup> At the time, Ndirakobuca was deputy director of the national police. Burundian journalists said witnesses to Ndikuriyo's death told them that police arrested and executed him.<sup>100</sup>

## **The security chiefs who could shift the balance of power**

### *Ildephonse Habarurema, the new head of the intelligence service*

When Ildephonse Habarurema was named head of the SNR in 2020, it caught many people off guard. Reserved and discreet, Habarurema, 47, didn't have the vicious reputation of some in the SNR, although he was known to have ties to some of the ruling party's more questionable characters. Friends and family members said he's difficult to read: at times generous but also cold and intransigent when people close to him asked for favours. One thing is not in question: his commitment to the CNDD-FDD.

The son of a Tutsi mother and a Hutu father, Habarurema grew up in Muyinga province but fled to the DRC in the early 1990s during Burundi's civil war. He returned to Burundi in late 1995 and joined the FDD. He was later sent to the DRC where he worked as a deputy platoon officer and later company commander under Ndirakobuca.<sup>101</sup> The two men have been close allies ever since.

When the CNDD-FDD first came to power, Habarurema was the head of the personnel and logistics office at Burundi's military training school (*Institut supérieur des cadres militaires*, ISCAM) from 2005 to 2006. Former military officials said that during this time, he was involved, together with other army, intelligence and local officials, in identifying and arresting some 30 suspected FNL members in Muyinga province between May and August 2006.<sup>102</sup> In late July 2006, the bodies of at least 16 men who had been arrested were found in rivers in Muyinga.<sup>103</sup>

---

<sup>99</sup> Interview with source with knowledge of the case, 12 October 2020.

<sup>100</sup> Human Rights Watch, "Closing Doors? The narrowing of democratic space in Burundi," <https://www.hrw.org/report/2010/11/23/closing-doors/narrowing-democratic-space-burundi>, 23 November 2010, and "World Report 2011: Burundi, events of 2010," <https://www.hrw.org/world-report/2011/country-chapters/burundi>.

<sup>101</sup> Interview with former CNDD-FDD combatant, 14 September 2020.

<sup>102</sup> Interviews with former military officials, 7 and 8 July 2020. For background, see Amnesty International, "Burundi: Extrajudicial executions in Muyinga: former refugees were among the victims", <https://www.amnesty.org/download/Documents/68000/afr160192006en.pdf>, 21 November 2006.

<sup>103</sup> Amnesty International, "Burundi: Extrajudicial executions in Muyinga: former refugees were among the victims", <https://www.amnesty.org/download/Documents/68000/afr160192006en.pdf>, 21 November 2006.

At the same time, Habarurema attempted to alert a friend and FNL member, Donatien Kizito, that he might be arrested. A CNDD-FDD member allegedly intercepted the message and informed security officials who arrested Kizito. He has been missing ever since and is presumed dead. “I know (Habarurema) was touched by the case of his friend Kizito,” said a person who closely followed the case.<sup>104</sup>

After the arrests and killings of FNL members, in August 2006, Habarurema was sent to attend a military training course in China. One observer believed this was a strategy by ruling party officials to remove him from the country and avoid scrutiny after these events.<sup>105</sup>

When Habarurema returned to Burundi in 2007, he was appointed deputy military advisor in the president’s office where he worked closely with Ndayishimiye, then chief military advisor. They at times had a tense professional relationship. “They were in a kind of competition and were like equals, rather than a boss and his deputy,” said a former military official. “Ildephonse didn’t want (Ndayishimiye) to be his boss. He wanted to be on the same level.” Ndayishimiye had fallen out of Nkurunziza’s favour at the time, but Habarurema could meet Nkurunziza directly, without going through Ndayishimiye. “Nkurunziza gave Ildephonse missions directly, bypassing Ndayishimiye,” said the former official. “Ildephonse was also jealous of Ndayishimiye’s trips abroad. All this caused tensions.”<sup>106</sup>

After gaining Nkurunziza’s trust, Habarurema was appointed to a series of prominent positions. From 2009 to 2013, he was in charge of military intelligence at the headquarters of the National Defence Force; from 2013 until early 2014, he was deputy joint chiefs of staff (*chef d’état-major adjoint interarmes*). He was then named permanent secretary at the National Security Council until November 2014, and went on to become permanent secretary at the Ministry of Defence. In November 2015, Nkurunziza appointed Habarurema as chief military advisor in his office.

On 11 December 2015, unidentified gunmen attacked three military camps and a military training centre in Bujumbura. Habarurema was allegedly involved in the military response to the attacks at Camp Muha, a large military camp in Bujumbura.<sup>107</sup>

The police and a military unit called the Special Brigade for the Protection of Institutions (*Brigade spéciale pour la protection des institutions*, BSPI) clashed with suspected armed

---

<sup>104</sup> Interview with person close to Habarurema, 27 July 2020.

<sup>105</sup> Interview with former military official, 15 August 2019; Ndondeza, “Disparition forcée de l’Adjudant Alexis Hakizumukama, un sous-officier infirmier du Camp Bururi”, <https://ndondeza.org/disparition-adjudant-alexis-hakizumukama>, 24 March 2017.

<sup>106</sup> Interview with former military official, 7 July 2020.

<sup>107</sup> Interview with former military official, 7 July 2020.



attackers. Following the clashes, military from the BSPI, accompanied by *Imbonerakure*, killed scores of unarmed civilians in the Musaga and Nyakabiga neighbourhoods, in one of the deadliest episodes of the 2015 crisis in Burundi.<sup>108</sup> “The BSPI... were sent to kill and torture in Nyakabiga and Musaga,” said a former colleague of Habarurema. “Ildephonse can’t say he didn’t know about that.”<sup>109</sup> BHRI was unable to confirm if or how Habarurema may have been involved in these events or what measures he took, if any, to try to prevent the killings.

In December 2018, Nkurunziza appointed Habarurema as chief advisor of the SNR, where he worked under the head of the SNR, Étienne Ntakarutimana, alias Steve. By then, relations between Nkurunziza and Ntakarutimana were tense. “He (Habarurema) was put there to keep an eye on Steve,” said a former colleague of Habarurema.<sup>110</sup>

As Habarurema became established in national state institutions, he kept close ties with his native province of Muyinga, including with Aline Manirabarusha, the provincial governor until the 2020 elections. When problems arose in the province, Habarurema would sometimes intervene.

When the former provincial head of the SNR in Muyinga, Gérard Ndayisenga, was accused of beating and arresting gold traders from Habarurema’s home *commune* of Muyinga in March 2018, Habarurema quickly drove to Muyinga and freed the traders. Ndayisenga was arrested and a few months later transferred to Bujumbura province; Habarurema was instrumental in his removal from Muyinga. He told those close to him that he was fed up with Ndayisenga’s involvement in human rights violations and corruption.<sup>111</sup>

How Habarurema manages one of the country’s most powerful institutions in 2020 will be a test of his willpower and independence. As head of the SNR, he reports directly to the president, but his ties to other senior officials, particularly Bunyoni and Ndirakobuca, could create parallel lines of communication and exacerbate divisions within the upper spheres of the ruling party.<sup>112</sup> In late 2020, there were reports of a proposed reshuffle in the SNR and new lines of reporting; details were not yet confirmed.

---

<sup>108</sup> See final detailed report of the UN Commission of Inquiry on Burundi, A/HRC/36/CRP.1, <https://www.ohchr.org/FR/HRBodies/HRC/CoIBurundi/Pages/CoIBurundiReportHRC36.aspx>, 18 September 2017, and Human Rights Watch, “Burundi: Abductions, Killings Spread Fear”, <https://www.hrw.org/news/2016/02/25/burundi-abductions-killings-spread-fear>, 25 February 2016.

<sup>109</sup> Interview with former military official, 7 July 2020.

<sup>110</sup> Interview with former military official, 7 July 2020.

<sup>111</sup> Interview with resident of Muyinga province, 27 July 2020.

<sup>112</sup> Interviews with former CNDD-FDD members, 1 July 2020 and 18 September 2020.

## Museremu and Nkoroka:

### Two known human rights violators in the intelligence service

Habarurema is responsible for overseeing an institution in which several well-known human rights violators hold important positions. In 2020, police officer Alfred Museremu was appointed head of the powerful department of internal intelligence, in which he oversees other SNR staff who have been involved in serious human rights violations. Alexis Ndayikengurukiye, alias Nkoroka, who works in the SNR operations department, has also been cited in cases of torture and killings.<sup>113</sup>

Museremu was one of the symbols of political repression during the 2015 demonstrations against Nkurunziza's third term and was involved in arresting demonstrators in Bujumbura. While head of the traffic police and road security (*Police spéciale de roulage/sécurité routière*), photographs of him shooting a gun in May 2015, allegedly at demonstrators in the Buyenzi neighbourhood of Bujumbura, circulated widely.

A former police officer said that during a meeting with police officials in May 2015, Museremu called for demonstrators to be killed. "We were sitting in the same meeting, and he suggested using force so we can finish with the demonstrations," the officer said. "(Museremu) was saying we are joking around with killers, people that have to be killed."<sup>114</sup>

### *Prime Niyongabo, chief-of-staff of the National Defence Force*

Prime Niyongabo, who has held the post of chief-of-staff of the National Defence Force since 2012, strongly opposed Bunyoni's nomination as prime minister in 2020. He is considered less hardline than some generals and is believed to have had reservations about supporting former President Nkurunziza over the years. Rumours linger about his suspected sympathies in the failed *coup d'état* by military officers in May 2015. In September 2015, he narrowly escaped an assassination attempt, in which several of his guards were killed.<sup>115</sup>

Nevertheless, the military have committed serious human rights violations under Niyongabo's watch, particularly following the attacks against military camps in Bujumbura

---

<sup>113</sup> Interview with former CNDD-FDD member, 6 July 2020. See also "Enquête de l'APRODH sur la composition, les abus, les responsabilités, impunité au service national de renseignement du Burundi/Organe cité dans les violations des droits humains", <https://www.focode.org/574/>, 25 August 2016 ; Ndondeza, "Disparition forcée de Savin Nahindavyi, Officier du SNR", <https://ndondeza.org/declaration-du-focode-n0052017-du-16-mars-2017/>, 16 March 2017 ; BBC, "Burundi denies running secret torture houses", <https://www.bbc.com/news/world-africa-46545194>, 12 December 2018; and Iwacu, "Bururi: 'On torture toujours'", <https://www.iwacu-burundi.org/bururi-on-torture-toujours/amp/>, 4 July 2011.

<sup>114</sup> Interview with former police officer, 10 July 2020.

<sup>115</sup> See Radio France Internationale, "Burundi: le chef d'état-major échappe de justesse à un attentat", <https://www.rfi.fr/fr/afrique/20150911-burundi-chef-etat-major-echappe-attentat-militaires-prime-niyongabo>, 11 September 2015.

in 2015 when members of the military killed scores of unarmed civilians (see section on Habarurema). The military, along with the police and *Imbonerakure*, also participated in the extrajudicial executions of dozens of armed group combatants after they had surrendered or been arrested in Cibitoke province in late December 2014 and early January 2015 (see section on Ndirakobuca).



Alfred Museremu, former head of the traffic police and road security who was appointed head of the department of internal intelligence at the SNR in 2020, speaks with journalists in Bujumbura in December 2016. ©2020 Private

Niyongabo has a long and close relationship with Ndayishimiye. Both are from the central region of the country: Niyongabo from Muramvya province and Ndayishimiye from Gitega. Both men are also from the military, unlike Bunyoni and Ndirakobuca who made their careers in the police force. Their connection is personal too: Ndayishimiye played an important role in Niyongabo's wedding.

In the political chess game between Ndayishimiye and Bunyoni, Niyongabo's allegiance is crucial. He is one of the few senior figures in the state apparatus to have kept his post after the elections. If he remains chief-of-staff of the National Defence Force, he will likely be an ally for Ndayishimiye. If he is replaced, Bunyoni's political clout will probably increase as Ndayishimiye would no longer have a four-star general to act as a counterbalance to Bunyoni and Ndirakobuca.

“(Ndayishimiye)... knows that if Prime is replaced by someone on Bunyoni's side, he'll be cooked,” said a former government official. “Prime and Bunyoni don't get along.”<sup>116</sup>

---

<sup>116</sup> Interview with former civil servant, 5 August 2020.

# BURUNDI'S WEB OF POWERBROKERS

This graphic shows some of the key senior positions held by Alain Guillaume Bunyoni, Gervais Ndirakobuca and Ildephonse Habarurema since the CNDD-FDD came to power in 2005. It is not an exhaustive list of all their positions.

**2005-2010**



**PRESIDENT PIERRE NKURUNZIZA**



**PRESIDENT'S OFFICE**

Évariste Ndayishimiye Chief Military Advisor from 2007  
 Ildephonse Habarurema Deputy Military Advisor 2007



**NATIONAL POLICE**

Alain Guillaume Bunyoni Director 2005-2007  
 Gervais Ndirakobuca Deputy Director from 2007

Évariste Ndayishimiye Minister of Interior and Public Security 2006-2007

Alain Guillaume Bunyoni Minister of Public Security from 2007

Ildephonse Habarurema Head of Military Intelligence from 2009

**2010-2015**



**PRESIDENT PIERRE NKURUNZIZA**



**PRESIDENT'S OFFICE**

Évariste Ndayishimiye Chief Military Advisor until 2014  
 Alain Guillaume Bunyoni Chief Advisor for Civilian Affairs 2011-2014  
 Gervais Ndirakobuca Chief Advisor for Police Affairs from 2014

Alain Guillaume Bunyoni Minister of Public Security until 2011

Gervais Ndirakobuca Deputy Director of the National Police until 2012  
 Chief Advisor, National Intelligence Service 2012-2014

Ildephonse Habarurema Head of Military Intelligence until 2013  
 Deputy Joint Chiefs of Staff, National Defence Force 2013-2014  
 Permanent Secretary, Ministry of Defence 2014-2015

**2015-2020**



**PRESIDENT PIERRE NKURUNZIZA**



**PRESIDENT'S OFFICE**

Évariste Ndayishimiye Chief Advisor for Civilian Affairs 2015-2016  
 Gervais Ndirakobuca Chief Advisor for Police Affairs until 2019  
 Ildephonse Habarurema Chief Military Advisor 2015-2018



**NATIONAL INTELLIGENCE SERVICE**

Gervais Ndirakobuca Head of the National Intelligence Service 2019-2020  
 Ildephonse Habarurema Chief Advisor 2018-2020

Alain Guillaume Bunyoni Minister of Public Security 2015-2020

Évariste Ndayishimiye Secretary-General of the CNDD-FDD 2016-2020

**2020**



**PRESIDENT ÉVARISTE NDAYISHIMIYE**



Alain Guillaume Bunyoni Prime Minister

Gervais Ndirakobuca Minister of Interior, Community Development and Public Security

Ildephonse Habarurema Head of the National Intelligence Service

### **3. A BRIEF RESPITE GIVES WAY TO UNCERTAINTY**

#### **A glimmer of hope as human rights violations subside**

Despite the turbulent pre-election period, political violence decreased in the months that followed. Opposition members were no longer targeted with the same intensity and a short period of relative calm prevailed. Many of the hundreds of CNL members who had been arrested were released. Others, however, remained in detention. Some were tried and convicted for electoral offences, in summary trials.<sup>117</sup>

Despite the overall reduction in human rights violations, some CNL members were arrested or threatened in the weeks after the elections. In late June, a local CNL representative in the south of the country complained of continuing harassment and discrimination: “Now, after the elections, it’s the incarceration of our members every day,” he said.<sup>118</sup>

Several people, including CNL members, were arrested in June on accusations of celebrating the death of President Nkurunziza. In Makamba province, for example, *Imbonerakure* arrested at least three CNL members, beat some of them, then handed them over to the police. They were detained for periods of one to three weeks, then released without charge.<sup>119</sup>

On the night of 29 June 2020, the administrator of Bururi *commune*, in Bururi province, accompanied by the president of the local electoral commission, the president of the CNDD-FDD in the *commune*, four policemen and four *Imbonerakure*, surrounded the houses of six CNL members on Rushemeza *colline* and arrested all of them, accusing them of creating a rebel movement.<sup>120</sup> They were released soon after. These and other similar arrests prompted the CNL to publicly deny its intention to create a rebellion.<sup>121</sup>

#### **CNDD-FDD leaders tell *Imbonerakure* to back off**

The decline in human rights abuses following the elections came after the CNDD-FDD told the *Imbonerakure* to refrain from attacking their opponents and inflaming the situation. The

---

<sup>117</sup> In Makamba province, for example, on 23 May, two CNL members from Rabiho *colline* were sentenced to six months in prison and a fine for using fake electoral documents. Another CNL member, from Ruvuga *colline*, was fined for wearing a T-shirt with a design that looked like a CNL party emblem. Interviews with sources in Makamba, May 2020.

<sup>118</sup> Interview with local CNL representative, 24 June 2020.

<sup>119</sup> Interviews with sources in Makamba, July and September 2020.

<sup>120</sup> Interview with sources in Bururi, 29 June 2020.

<sup>121</sup> CNL, “Déclaration du parti CNL N° 02/2020”, <https://twitter.com/BurundiCnl/status/1286304930911981568?s=20>, 23 July 2020.

*Imbonerakure*, who had been the main tool for persecuting opponents before and during the elections, kept their distance from opponents for a few weeks.

Several sources confirmed to BHRI that once the dust had settled after the elections, President Ndayishimiye told national leaders of the CNDD-FDD and its youth league to call a meeting with the provincial heads of the *Imbonerakure*. He said he was tired of hearing negative stories about them and wanted the youth league to be restructured. He said the party youth should focus their efforts on developing the country rather than playing the role of self-appointed law enforcers.<sup>122</sup>

A meeting was held in Gitega, the political capital, to brief the provincial heads of the *Imbonerakure* on this new marching order.<sup>123</sup> Members of the government, the ruling party and the security services subsequently organised meetings at the provincial and local levels to further disseminate these directives. For example, a few days after his nomination in late June, Ndirakobuca organised a meeting in his native Cibitoke province to tell local officials that he would no longer tolerate disorderly conduct by the *Imbonerakure*.<sup>124</sup>

In August, the provincial head of the party and the provincial head of the youth league in Bujumbura province met *Imbonerakure* from across the province to decide on how to improve the image of the *Imbonerakure*.<sup>125</sup>

Similar meetings were held on a lower level, including by members of the intelligence service. On 10 August, for example, the provincial head of the SNR in Bururi province, Pontien Bigiruwuhiriwe, held a meeting on Coma *colline* (Mugamba *commune*) with local *Imbonerakure* leaders. He told *Imbonerakure* to continue to observe suspicious movements, but to stop patrolling at night and let the intelligence service arrest suspects. He said that the activities of the *Imbonerakure* would not be completely suspended, but that these measures were necessary to support the new government.<sup>126</sup>

In Rugombo *commune* (Cibitoke province), on 23 August, military officials dispersed *Imbonerakure* who were doing military-style training exercises and ordered them to remove any military clothing or boots. Soldiers confiscated clubs and whips from the *Imbonerakure*.<sup>127</sup> However, on the same day, in the same province, military-style training exercises by *Imbonerakure* reportedly took place in Mugina *commune* in the presence of the local police commissioner.<sup>128</sup>

---

<sup>122</sup> Interview with *Imbonerakure* leader, 10 July 2020; interview with diplomat, 13 July 2020.

<sup>123</sup> Interview with *Imbonerakure* leader, 10 July 2020.

<sup>124</sup> Interview with member of civil society organisation, 20 July 2020.

<sup>125</sup> Interview with *Imbonerakure*, 13 August 2020.

<sup>126</sup> Interviews with residents of Bururi province, 11 August 2020.

<sup>127</sup> Interviews with sources in Cibitoke province, 24 and 27 August, and 3 September 2020.

<sup>128</sup> Information from source in Cibitoke province, 27 August 2020.

Local ruling party and *Imbonerakure* members confirmed that they had been given new directives. “The provincial representative of the *Imbonerakure* told us that from now on, the message from the top is that we are prohibited from circulating at night,” a *commune* leader of the youth league said.<sup>129</sup> Several *Imbonerakure* believed the CNDD-FDD leadership was unhappy that *Imbonerakure* had failed to secure sufficient support for the party during the elections.<sup>130</sup> Some were frustrated that their powers were being curbed, as they felt it made them lose their standing in their communities.<sup>131</sup>

The new governor of Kayanza, Col. Rémy Cishahayo – a former CNDD-FDD combatant who made his career in the military – faithfully reiterated the message in a meeting with civil servants and businessmen on 17 July: “I am asking every citizen... to share information on security. We are not asking them to do patrols. That’s the work of the police... If I find someone who is not a policeman taking part in a patrol, I will take them off to the detention centre in a pick-up truck. I will ask them for their police badge. If you don’t have a badge, you will go to the detention centre. Security is the responsibility of the police... If it needs reinforcements, it will be supported by the military.”<sup>132</sup>

### **Cracks start to show**

These instructions by the governor of Kayanza were undermined a few weeks later, on 29 August, when Ézéchiél Nibigira, minister of East African Community affairs, youth, sports and culture, visited Kayanza. During a meeting to mark *Imbonerakure* Day, Nibigira – himself a former national head of the *Imbonerakure* – told *Imbonerakure*: “Stand up and be on your guard... We can’t have police or military for every household. Some of you may have heard what was said but didn’t understand the message properly. Let me explain the message: the *Imbonerakure* are asked to be vigilant from now on.”<sup>133</sup>

During a meeting in Gitega for International Youth Day in August, Nibigira commended several *Imbonerakure* for their so-called achievements.<sup>134</sup> One of them, Abel Ahishakiye, the provincial head of the *Imbonerakure* in Kirundo province, had been closely involved in planning abuses against CNL members in the run-up to the elections.<sup>135</sup> More recently, in September 2020, Ahishakiye was involved in the disappearance of Oscar Nahimana, a

---

<sup>129</sup> Interview with local *Imbonerakure* leader, 2 August 2020.

<sup>130</sup> Interviews with *Imbonerakure* leader, 2 August 2020, with CNDD-FDD representative, 5 August 2020 and with resident of Bururi province, 10 August 2020.

<sup>131</sup> Interview with CNDD-FDD representative, 25 July 2020.

<sup>132</sup> Extracts from speech by Rémy Cishahayo, governor of Kayanza, on 17 July 2020.

<sup>133</sup> Extract of broadcast on Radio Publique Africaine (RPA). See also Télé Renaissance, “Journal du 1er septembre”, [https://www.youtube.com/watch?v=4\\_rvvVLGcck](https://www.youtube.com/watch?v=4_rvvVLGcck), 1 September 2020.

<sup>134</sup> CNDD-FDD Kirundo, Facebook message, [https://www.facebook.com/permalink.php?story\\_fbid=334923884534474&id=106151614078370](https://www.facebook.com/permalink.php?story_fbid=334923884534474&id=106151614078370), 29 August 2020.

<sup>135</sup> See Ligue Iteka, “Faits sécuritaires au cours du mois de septembre 2019”, <https://ligue-iteka.bi/wp-content/uploads/2019/10/FAITS-SECU-SEPT-2019.pdf>.

member of the CNL and of the local electoral commission in Kirundo province. A witness said Ahishakiye went to a bar in Kirundo accompanied by *Imbonerakure* and told Nahimana that he needed to discuss an election matter with him urgently. Nahimana and another man left with Ahishakiye in his truck. Nahimana hasn't been seen again. Local government officials reportedly told CNL representatives that he was still alive, but CNL and other sources believe he had been killed.<sup>136</sup>

Nibigira was the first senior government official to publicly contradict the president's messages to the *Imbonerakure*, illustrating a worrying lack of consensus in the government. BHRI was unable to determine whether Nibigira was told to contradict Ndayishimiye's instructions, and if so, by whom, or whether he did so on his own initiative. The backtracking on previous calls for calm may have been a signal to *Imbonerakure* that they could be called on to support the government's pursuit of armed groups and their collaborators (see Chapter 4).

The noticeable decrease in *Imbonerakure* abuses straight after the elections showed what can be achieved if firm orders are handed down from above. But these improvements can just as quickly be undone if Ndayishimiye and other senior officials do not ensure that all government and CNDD-FDD officials back them, or if they contradict their own orders. In a speech in November, Ndayishimiye exhorted the *Imbonerakure* to defend the country and continue their patrols (see Chapter 4, section on "Reactivating the *Imbonerakure*"). These remarks will likely reverse the progress made after the elections.

### Slow fight against impunity

Along with the initial order to stop abuses against opponents, *Imbonerakure* were told they would face sanctions if they didn't respect the new orders.<sup>137</sup> More broadly, in his inauguration speech on 18 June, President Ndayishimiye said that "justice has no time limit and impunity has no place anymore in Burundi."<sup>138</sup> Yet so far, there have only been a handful of prosecutions for serious human rights violations.

A notable exception was the conviction, on 12 August 2020, by the *tribunal de grande instance* (high court) of Mwaro province, of two *Imbonerakure* to 15 years in prison for murdering Richard Havyarimana, a CNL representative. The two men were also ordered to collectively pay 10 million Burundian francs (approximately US\$5,176) to the family of the victim. BHRI documented in detail the involvement of these two *Imbonerakure*, Dieudonné

---

<sup>136</sup> Interview with person with first-hand knowledge of the incident, 11 October 2020; interview with CNL representative, 23 October 2020.

<sup>137</sup> Interview with national *Imbonerakure* leader, 10 July 2020.

<sup>138</sup> Inauguration speech of President Évariste Ndayishimiye, <https://www.presidence.gov.bi/2020/06/19/discours-de-son-excellence-general-major-evariste-ndayishimiye-a-l'occasion-de-son-investiture/>, 18 June 2020.



Nsengiyumva and Boris Bukeyenzeza, in the brutal abduction of Havyarimana on 4 May. He was found dead in a river on 7 May.<sup>139</sup>

The Mwaro prosecutor's work was commendable. During the trial, he asked for life imprisonment for the two defendants. He also promised to investigate the role of other individuals involved in Havyarimana's abduction and death. The two defendants have appealed the decision. While the appeal process was ongoing, in November they were seen in their home area. They had not been formally released, but were apparently allowed to visit for a few days; this created anxiety among witnesses of their crimes.<sup>140</sup>

On 14 August, the appeal court of Makamba convicted 13 men, including a *commune* police commissioner, a local government official and several *Imbonerakure* to prison sentences from five to 10 years for their involvement in extorting seasonal workers who returned from Tanzania to Kayogoro *commune*. They were all acquitted of murdering the victims of their racket, and three were acquitted on all counts. In a similar case, a soldier and a civilian CNDD-FDD member were convicted to 10 and five years' imprisonment respectively, two weeks earlier in Rutana province.<sup>141</sup>

The spokesperson of the ministry of interior, community development and public security, Pierre Nkurikiye, said that the arrests and convictions of police and local officials from Kayogoro illustrated the willingness of the minister to hold all those involved in such crimes accountable.<sup>142</sup> On the provincial level, while there was some pressure from judicial officials to shield these local authorities from prosecution, SNR agents contributed to the investigation to ensure that the suspects were convicted. Some of the accused said during a public hearing that the former governor of Makamba province, Gad Niyukuri, and the former administrator of Kayogoro, Zachée Misago (recently elected member of the National Assembly for the CNDD-FDD), were aware of the racket.<sup>143</sup>

In Cibitoke province, several *Imbonerakure* were arrested because of their alleged support to members of an armed group in the Kibira forest; they were released soon afterwards.<sup>144</sup> On 30 September, a court in Bujumbura sentenced five policemen to 5 to 20 years in prison for beating to death a man suspected of drug use in Mbuye *commune*, Muramvya province.

---

<sup>139</sup> See BHRI, "Richard Havyarimana: Found dead in a river, three days after his abduction", <https://burundihri.org/english/index2.html#1>, 22 June 2020.

<sup>140</sup> Interviews with sources close to the case, August, September and November 2020.

<sup>141</sup> Interviews with sources in Rutana province, July and August 2020.

<sup>142</sup> Media interview by Pierre Nkurikiye, spokesperson of the ministry of interior, community development and public security, in Makamba, 20 July 2020.

<sup>143</sup> Interviews with judicial sources, September 2020.

<sup>144</sup> SOS Médias Burundi, "Mabayi : la police a arrêté cinq jeunes *Imbonerakure* et un responsable collinaire", <https://www.sosmediasburundi.org/2020/07/23/mabayi-la-police-a-arrete-cinq-jeunes-imbonerakure-et-un-responsable-collinaire/>, 23 July 2020.

They had been deployed to the area after reports of the presence of armed men there.<sup>145</sup> On 5 November, the *tribunal de grande instance* (high court) in Cibitoke province convicted two *Imbonerakure* to life imprisonment for killing a young goatherd and stealing his goats.<sup>146</sup>

These examples are positive steps but do not yet indicate a sustained shift towards accountability under the new government, especially for human rights abuses. The *Imbonerakure* and government officials in Makamba were arrested for their involvement in common crimes, and the arrests of those convicted for the murder of Richard Havyarimana predate the new government. Moreover, none of the individuals arrested were senior or influential figures in the ruling party.

The relative leniency in some of these sentences stands in marked contrast with the 30 years' imprisonment imposed on three young people accused of throwing stones at the president's convoy in Kayanza, after a summary trial on 9 August. The evidence against them was apparently questionable. While the prosecutor had initially asked for a seven-and-a-half-year sentence for attempted murder, the judge quadrupled the sentence, adding a charge of plotting against the person of the president. The defendants didn't have a lawyer, despite requesting one. The defendants and the prosecutor both appealed the verdict.<sup>147</sup>

Impunity has been the norm when dead bodies are discovered, some with serious wounds, in lakes, in rivers and on roadsides – a phenomenon which marked the pre-election period and has since continued. The national authorities have remained largely silent on these cases and local authorities often order the burial of the bodies soon after they are found, making investigations difficult. BHRI attempted to investigate some of these cases, but was unable to establish the identity of the victims or the circumstances of their death. For example, residents described how in July, fishermen found a dead body in Lake Tanganyika with his arms tied behind his back. A local government official confirmed that the authorities ordered the burial of the body the same afternoon, without any investigation.<sup>148</sup>

---

<sup>145</sup> SOS Médias Burundi, “Burundi: Cinq policiers condamnés à des peines allant de 5 à 20 ans de prison”, <https://www.sosmediasburundi.org/2020/10/01/burundi-cinq-policiers-condamnes-a-des-peines-allant-de-5-a-20-ans-de-prison/>, 1 October 2020.

<sup>146</sup> Interview with source in Cibitoke, 10 November 2020; Ligue Iteka, “Bulletin hebdomadaire ‘Iteka n’Ijambo’ n° 239”, <https://ligue-iteka.bi/wp-content/uploads/2020/11/Bulletin-ITEKA-N-IJAMBO-239.pdf>, 2-8 November 2020.

<sup>147</sup> Interviews with sources knowledgeable about the case, August 2020.

<sup>148</sup> Interviews with local official and residents, July 2020.

#### **4. ARMED INCURSIONS LEAD TO CRACKDOWN**

The cautious sense of optimism after the elections started to crumble when attacks by armed groups were reported in late August and September, primarily in provinces bordering the DRC. The first groups of armed men reportedly crossed Lake Tanganyika on boats from the DRC, while others crossed the land border into Bubanza.<sup>149</sup> It seems the assailants were heading to nearby forests and natural reserves that often serve as hideouts for armed groups. There are indications that at least one group of armed men entered the large Kibira forest, that borders Rwanda.

Attacks by armed opposition groups have occurred sporadically in Burundi over the last few years,<sup>150</sup> but their frequency in recent months heightened insecurity and fear. Residents in the affected areas reported noticeable tension and suspicion, including among police and military who deployed additional troops and carried out frequent patrols and searches.

Not only have residents suffered directly from abuses by the armed groups, but many have also been arrested on suspicion of supporting the attackers. In some areas where armed clashes have been reported, residents left their homes for sustained periods because of the insecurity; they spent the night in health centres or primary schools, and were too afraid to tend to their crops.<sup>151</sup> The increased activity of *Imbonerakure* in these areas created further anxiety.

##### **Attacking Rumonge from Lake Tanganyika**

The first major attack in 2020 was reported on 23 August in Rumonge province. The armed opposition group *Résistance pour un État de droit-Tabara* (RED-Tabara) claimed it clashed with security forces in Bugarama *commune*, killing nine police officers and 20 *Imbonerakure*.<sup>152</sup> RED-Tabara operates primarily from the DRC and claims to have conducted several attacks in previous years.<sup>153</sup> The group is considered close to Alexis Sinduhije, leader of the suspended opposition party Movement for Solidarity and Democracy (*Mouvement pour la solidarité et la démocratie*, MSD).

---

<sup>149</sup> Iwacu, “Le spectre d’une rébellion plane sur la plaine et les montagnes...”, <https://www.iwacu-burundi.org/le-spectre-dune-rebellion-plane-sur-la-plaine-et-les-montagnes/>, 4 September 2020. Military and police were later seen burning some of the boats that were reportedly used. See <https://twitter.com/i/status/1304330923115241472>.

<sup>150</sup> See BHRI, “A façade of peace in a land of fear: Behind Burundi’s human rights crisis”, <https://burundihri.org/english/index.html#january-2020>, January 2020.

<sup>151</sup> Interviews with residents of two provinces, September and October 2020.

<sup>152</sup> RED-Tabara, “Communiqué”, [https://twitter.com/Red\\_Tabara/status/1297561282867060736/photo/1](https://twitter.com/Red_Tabara/status/1297561282867060736/photo/1), 23 August 2020.

<sup>153</sup> Civil society source in the DRC, 15 October 2020; UN Group of Experts on the Democratic Republic of Congo, midterm report, <http://www.undocs.org/S/2019/974>, 20 December 2019.



A palm plantation in Rumonge province. The armed opposition group RED-Tabara claimed it clashed with security forces in Bugarama *commune*, Rumonge province, on 23 August 2020. ©2020 Private

BHRI was unable to confirm the identity of the assailants or the number of casualties, but residents and military said that serious fighting took place, for several days, in the hills around Gahuni in Bugarama *commune*. A member of the military said: “The fighting was intense all day between the rebels and police and military who came from all (military) regions. My colleagues who were on the ground confirmed that the armed group was well organised.” He said he came across several groups of *Imbonerakure* armed with machetes.<sup>154</sup>

The armed group forced residents of Gahuni *colline* to carry looted goods to the nearby Monge forest reserve, then killed several of them.<sup>155</sup> A witness saw the body of one of the victims: “What I saw was horrible. The victim had wounds all over his body. Even the stretcher on which the body had been transported was stained with blood all over.”<sup>156</sup> BHRI established the authenticity of two videos in which captured combatants admitted they had killed civilians. In one of the videos, a captured fighter said: “Every person that screams, you have to kill them.”<sup>157</sup>

In the following days, the presence of armed assailants was reported in other areas, including on 26 and 29 August in nearby Mukike *commune* in Bujumbura province.

---

<sup>154</sup> Interview with member of the military, 4 October 2020.

<sup>155</sup> Interviews with residents of Rumonge province, 9 September and 4 October; interview with member of the military, 4 October; interview with resident of Bujumbura province, 8 October 2020.

<sup>156</sup> Interview with resident of Bujumbura province, 8 October 2020.

<sup>157</sup> See video circulated on Twitter, <https://twitter.com/i/status/1306872441130672129>, 18 September 2020. BHRI received a second, private video on 17 September 2020. The events shown and words spoken on the videos are consistent with BHRI interviews with eyewitnesses, October 2020.

According to the governor, armed men killed two people, wounded three and kidnapped two others.<sup>158</sup> RED-Tabara denied responsibility for the incidents in Mukike.<sup>159</sup>

In the first two weeks of September, residents reported the presence of armed men in the western provinces of Bururi, Makamba, Muramvya, Mwaro and Rumonge (see map).<sup>160</sup> RED-Tabara, as well as a largely unknown group, both claimed to have conducted operations in these provinces.<sup>161</sup> BHRI's research indicates that several of the attackers were indeed members of RED-Tabara, but it is not clear whether they were responsible for all reported attacks. Some sources said that several armed groups had joined forces and that the fighters seemed well-trained and armed. Some of the captured combatants said they had been trained in the DRC.<sup>162</sup>

In some cases, the armed attackers seemed to target members of the CNDD-FDD, including some who were not involved in the fighting. On Maramvya *colline*, in Burambi *commune* (Rumonge province), armed assailants killed three CNDD-FDD members on 6 September. They told survivors they wanted to teach *Imbonerakure* a lesson and distributed tracts that warned *Imbonerakure* not to patrol at night.<sup>163</sup>

Ten days later, on the night of 15 to 16 September, they made good on that threat. Armed men shot and killed three men on night patrol on Maramvya *colline*. A witness said: "It was around midnight. They were disguised as military, as they were wearing uniforms that looked like those of the military... They had already surrounded (the men on night patrol). Then they asked (them) where Kamoteri was. Kamoteri was the head of the *Imbonerakure* in Maramvya." The armed men confiscated the machetes and cellphones of the men on night patrol and ordered them to go and get Kamoteri, whose real name is Ngiyimbere. As soon as Kamoteri arrived, the attackers started shooting. They killed three men, including Kamoteri and two other *Imbonerakure*, and wounded others.<sup>164</sup>

---

<sup>158</sup> ABP, "Le président du Sénat a effectué une descente en commune Mukike", <http://abpinfos.com/le-president-du-senat-a-effectue-une-descente-en-commune-mukike>, 4 September 2020.

<sup>159</sup> RED-Tabara, [https://twitter.com/Red\\_Tabara/status/1299665896915566594?s=20](https://twitter.com/Red_Tabara/status/1299665896915566594?s=20), 29 August 2020.

<sup>160</sup> Interviews with police and local leaders, Makamba province, 1 and 2 September 2020. See also SOS Médias Burundi, "Burambi: trois personnes dont un responsable local des *Imbonerakure* tuées", <https://www.sosmediasburundi.org/2020/09/07/burambi-trois-personnes-dont-un-responsable-local-des-imbonerakure-tuees/>, 7 September 2020.

<sup>161</sup> See [https://twitter.com/Red\\_Tabara](https://twitter.com/Red_Tabara); <https://twitter.com/intwarifpl/status/1310814357832568832/photo/1>.

<sup>162</sup> Interviews with eyewitnesses, including former security officers and other sources knowledgeable about the attacks, September and October 2020.

<sup>163</sup> Interviews with residents of Rumonge province, 11 September 2020.

<sup>164</sup> Interview with a resident of Rumonge province, 4 October 2020. See also Iwacu, "Rumonge : Une attaque des hommes armés fait trois morts à Burambi", <https://www.iwacu-burundi.org/rumonge-une-attaque-des-hommes-armes-fait-trois-a-burambi/>, 30 September 2020, and Ligue Iteka, "Bulletin hebdomadaire 'Iteka n'ijambo' n°232," <https://ligue-iteka.bi/wp-content/uploads/2020/10/Bulletin-ITEKA-N-IJAMBO-232.pdf>, 14-20 September 2020.

Furious at the brazen attack on some of their own, *Imbonerakure* armed with machetes and sticks stopped a young man the next day, as he was on his way to attend the funeral of one of the victims. The *Imbonerakure* were heard asking him: “Did you come to make fun of us when you’re the perpetrator of this triple crime?” They cut the man’s legs with machetes, and only stopped assaulting him when a family member of one of the deceased intervened. The man sustained serious wounds on his legs.<sup>165</sup> It is not clear why the *Imbonerakure* targeted him.



The port in Rumonge. In Burambi *commune*, Rumonge province, armed assailants have killed CNDD-FDD members and distributed tracts that warned *Imbonerakure* not to patrol at night. ©2020 Private

On 16 September, police and military pursued a small group of armed men and clashed with them on Donge-Burasira *colline*, in Mugamba *commune* (Bururi province). The police arrested and interrogated several combatants, then handed them over to the SNR. Officials knowledgeable about the operation said that they saw photos of some of these combatants after they had been killed. BHRI was unable to establish their identity and the exact circumstances of their death.<sup>166</sup>

The next day, residents captured another fighter. They took him to the police, where members of a GMIR unit intercepted him and beat him with a stick. A military officer who later arrived told the residents who had captured him: “He must be one of you. Otherwise,

<sup>165</sup> Interviews with sources in Burundi, 12 October 2020.

<sup>166</sup> Interviews with residents of Bururi province, September and October 2020, and with officials knowledgeable about the incident, November 2020; video received on 17 September 2020.

you should have called us after cutting off his head.” After the captured combatant lost consciousness as a result of the beating, a senior police officer said: “He is one of those who don’t have ears (who don’t want to listen). Bring something to open his ears.” One of the police officers took a piece of metal from his gun and jabbed it in the victim’s ear. When residents started screaming, the police officer ordered them to leave.<sup>167</sup>

Two weeks later, on 23 September, a resident of Mutobo *colline*, in the same *commune*, alerted the police after a wounded combatant had come to beg for food and medicine. A GMIR policeman beat the suspected combatant and took him away. Residents later heard a gunshot. The next day, they were ordered to bury his body.<sup>168</sup>

### **Attacks near the Kibira forest**

In the meantime, the presence of armed men had been reported in other parts of the country. On 29 August, clashes took place further north, in Musigati *commune* in Bubanza province. According to local officials, 13 attackers and two civilians were killed.<sup>169</sup> BHRI received credible information that assailants crossed the Rusizi river from the DRC and killed at least two *Imbonerakure* who participated in the fighting. Military and police vehicles removed their bodies and they were buried on 6 September, in the presence of local authorities and the provincial secretary of the CNDD-FDD.<sup>170</sup>

On 10 September, the governor of Kayanza said that six people were killed, two wounded and one kidnapped in Matongo *commune*, in Kayanza province, which borders the Kibira forest, in what appeared to be a mission by armed men to loot supplies. The attackers exchanged fire with a nearby military position, then returned to the forest.<sup>171</sup>

In the following days, the military conducted several operations in and around the Kibira forest, and government officials arrested suspected members of armed groups. Armed clashes were also reported in Bukinanyana *commune* (Cibitoke province) on 26 September.<sup>172</sup>

---

<sup>167</sup> Interviews with sources in Burundi, October 2020.

<sup>168</sup> Interviews with residents of Bururi province, October 2020.

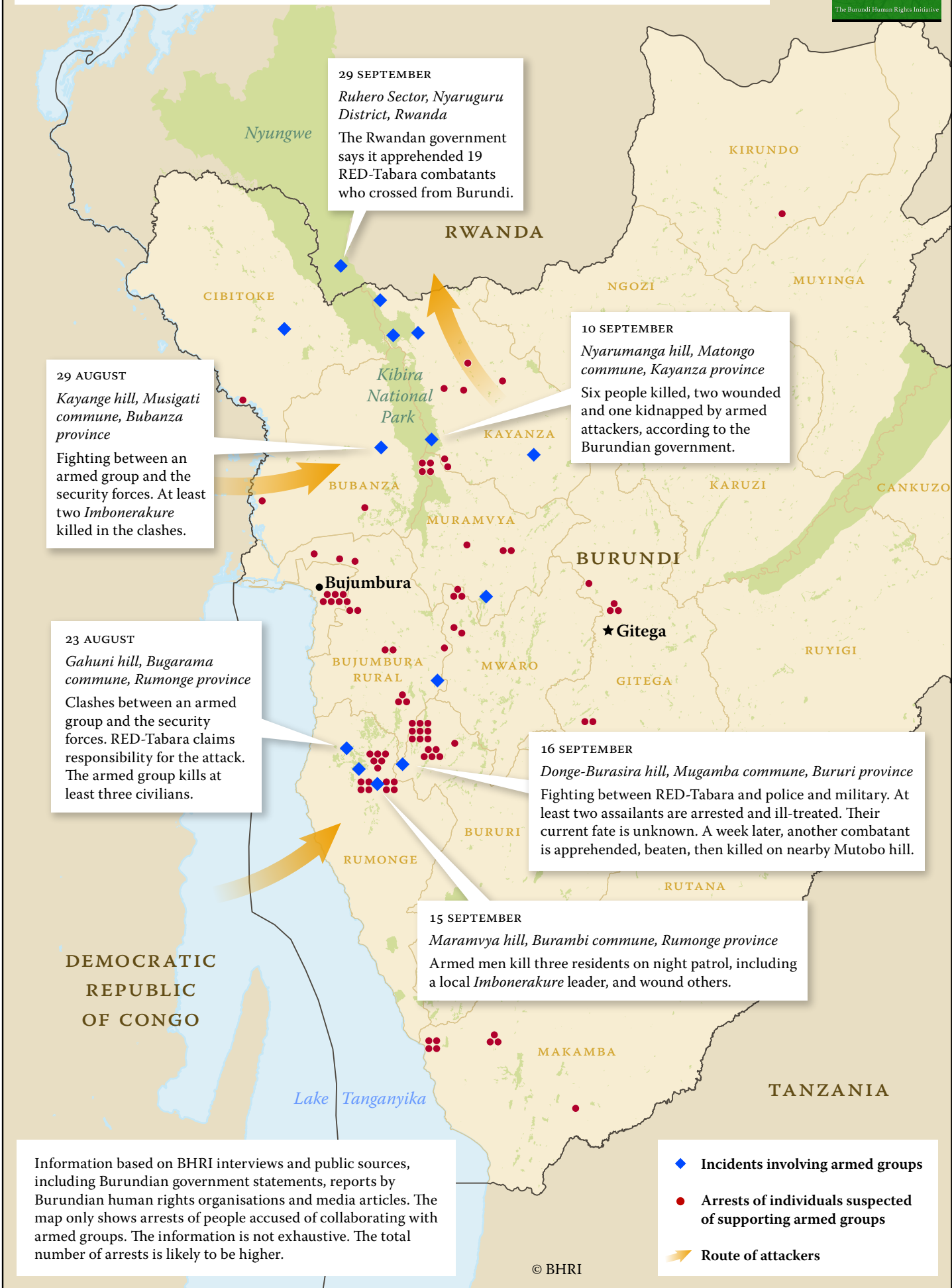
<sup>169</sup> Interview with local official, September 2020. See also SOS Médias Burundi, “Musigati: 15 personnes tuées dont deux habitants”, <https://www.sosmediasburundi.org/2020/09/03/musigati-15-personnes-tuees-dont-deux-habitants/>, 3 September 2020, and “Kiganda-Muramvya : Une présence d’un groupe d’hommes armés signalée”, <https://www.sosmediasburundi.org/2020/08/31/kiganda-muramvya-une-presence-dun-groupe-dhommes-armes-signalée/>, 31 August 2020.

<sup>170</sup> Interview with a source knowledgeable about the events, September 2020.

<sup>171</sup> Audio recording of comments by the governor of Kayanza, 11 September 2020.

<sup>172</sup> Interviews with residents of Cibitoke province, 6 October 2020. See also SOS Médias Burundi, “Bukinanyana : plusieurs familles ont fui leur ménage suite à des affrontements entre un groupe armé et des militaires”, <https://www.sosmediasburundi.org/2020/09/28/bukinanyana-plusieurs-familles-ont-fui-leur-menage-suite-a-des-affrontements-entre-un-groupe-arme-et-des-militaires/>, 28 September 2020.

# Armed group incursions and subsequent arrests, August – October 2020





On 2 October, the ministry of interior, community development and public security said that on 25 September, armed men who crossed into Burundi from Rwanda attacked two households and killed one resident in Kabarore *commune* (Kayanza province), before returning to Rwanda. The ministry asked the Rwandan authorities to hand over the men to the Burundian government.<sup>173</sup> The next day, the Rwandan Defence Forces published a press release that stated they had apprehended 19 combatants on 29 September who identified themselves as members of RED-Tabara and claimed they had crossed from Burundi into Rwanda.<sup>174</sup> A source with first-hand knowledge of the events confirmed the attack in Kabarore and the intention of the assailants to cross the border into Rwanda through the forest that straddles both countries, named Kibira in Burundi and Nyungwe in Rwanda.<sup>175</sup>

Rwanda and Burundi have accused each other of supporting and harbouring armed groups over several years. In 2015 and 2016, Rwanda had supported members of Burundian armed opposition groups, some with links to Alexis Sinduhije.<sup>176</sup> Rwanda has accused Burundi of supporting groups which conducted incursions into Rwanda, most recently on 27 June 2020, which the Burundian government denied.<sup>177</sup>

### **As suspicions grow, repression mounts**

The government has consistently downplayed the gravity of these armed attacks. During a radio programme on 25 September, President Ndayishimiye said: “Can you say that you attacked a country when you killed (only) one or two members of a family? ... (If) a person is a murderer, a thief... you can’t say he attacked the country.” He added that he had travelled through areas where assailants were supposedly present, including the Kibira forest, without encountering any problems.<sup>178</sup>

Nevertheless, as soon as the attacks occurred, senior security officials went to Rumonge and Kayanza to coordinate the response. Thaddée Birutegusa, the regional police commissioner for the southern region, set up a position in Mugamba *commune*, seen as a hotbed of the opposition.<sup>179</sup> In a meeting on 31 August, he warned local leaders: “Mugamba and

---

<sup>173</sup> Press release of the ministry of interior, community development and public security, <https://twitter.com/BurundiMIDCSP/status/1312268126315311105>, 2 October 2020.

<sup>174</sup> Rwandan Defence Forces, “Press release on Burundi combatants who crossed to Rwanda”, [https://mod.gov.rw/news-detail/?tx\\_ttnews%5Btt\\_news%5D=4736&cHash=14c615ad041b95039c35def9c42d1be5#.X3rJq2gzY2w](https://mod.gov.rw/news-detail/?tx_ttnews%5Btt_news%5D=4736&cHash=14c615ad041b95039c35def9c42d1be5#.X3rJq2gzY2w), 3 October 2020.

<sup>175</sup> Interview with source knowledgeable about the events, October 2020.

<sup>176</sup> Group of Experts on the Democratic Republic of the Congo, final report, <https://www.undocs.org/S/2016/466>, 23 May 2016.

<sup>177</sup> État-Major Général, Force de Défense Nationale du Burundi, press release, <https://twitter.com/LeRenouveauBdi/status/1276944985938673668/photo/1>, 27 June 2020.

<sup>178</sup> Public radio show with President Ndayishimiye in Gitega, 25 September 2020.

<sup>179</sup> On 9 September, Déo Birori was appointed as the new regional police commissioner for the southern region, replacing Birutegusa. See “Décret N°100/060 du 9 septembre 2020 portant nomination de certains officiers de la police nationale du Burundi.”

(neighbouring) Mukike are areas with no master. We will correct them. If you don't want to change, we will light the fire, and I'm sure you will cry."<sup>180</sup> He repeated this statement in a meeting in Burambi *commune* on 9 September, where the governor of Rumonge also threatened to starve residents if they refused to denounce the attackers.<sup>181</sup>

Following these meetings, police arrested large numbers of mostly young men they accused of supporting the armed opposition and carried out searches; many young men left their houses to seek refuge elsewhere, in fear of being arrested.

BHRI has compiled a list of 83 individuals arrested between late August and early October on accusations of collaborating with armed attackers, based on its own investigations and information from public sources (see map). Many other individuals were arrested on dubious charges. BHRI is continuing to gather information on these and other arrests.

On 1 September, police officers accompanied by *Imbonerakure* arrested eight people, including the *chef de colline* (local government official) of Kivumu (Bururi province), his son and several domestic workers.<sup>182</sup> The *chef de colline* and two of his domestic helpers were released the same day. Two days later, regional police commissioner Birutegusa took the remaining detainees from the police cell to the national SNR office in Bujumbura, where some were beaten.<sup>183</sup> They were transferred on 8 September to Mpimba central prison and accused of supporting the armed attacks.

Some residents doubted that the detainees had supported the attackers and claimed that local CNDD-FDD members had given false information to the police.<sup>184</sup> One resident said: "We can't understand why there are searches (here) as nobody has reported the presence of armed men. The police and administration use this as a pretext to arrest people."<sup>185</sup> Two weeks after the arrests, however, the presence of armed men was reported in the area around Kivumu.

Often, the basis for arrests seemed slim. SNR agents arrested a man in a northern province because he was transporting a mattress, cushions and utensils on his bike, while police apprehended a woman in the south of the country because she had let a mat dry in her field. Both were suspected of providing supplies to armed groups.<sup>186</sup> Others were arrested because of messages they had received or because they were outside their home province.

---

<sup>180</sup> Interviews with people who had information about the meeting, September 2020.

<sup>181</sup> Interviews with people who had information about the meeting, September 2020.

<sup>182</sup> The *chef de colline*, Boniface Ntaganzwa, had already been arrested in April 2020, on accusations of supporting the armed opposition. See BHRI, "Albert Niyondiko: Wanted for years, shot dead in front of a shack", <https://burundihri.org/english/index2.html#4>, July 2020.

<sup>183</sup> Interviews with people knowledgeable about the arrests, September and October 2020.

<sup>184</sup> Interviews with residents, September 2020.

<sup>185</sup> Interview with a resident, September 2020.

<sup>186</sup> Interviews with residents of two provinces, October 2020.

In at least three provinces, several of those arrested were taken to the provincial intelligence offices where they were interrogated, and some were tortured. One detainee said the provincial head of the SNR told him: “You are accused of participating in these armed groups and showing them the way.” The detainee replied that he didn’t know what he was talking about. His interrogator took a plastic rod, and he told the detainee to take off his shirt and shoes and put his hands on the floor, and his feet against the wall. He then beat the detainee, leaving visible marks. He told him: “You are going to tell us the truth. You still don’t want to tell us what you’ve done?” He then turned to another detainee and said to him: “Are you the ones who shoot at us at night? ... I think you’re going to tell us without too much delay.” He then beat the second detainee in the same way.<sup>187</sup>

When four suspects were arrested by police and intelligence agents in a southern province, people close to them first looked for them in police detention centres in the area, in vain. Eventually, they learned they were detained at the home of the provincial head of the intelligence service.<sup>188</sup> A person who visited the home said that some of the detainees held there were ill-treated; nearby residents said they heard screams coming from the house.<sup>189</sup> It was not clear whether those ill-treated were the four recently arrested or other detainees.

### **Reactivating the *Imbonerakure***

The attacks by armed groups provided an opportunity for those advocating for a strong role for the *Imbonerakure* to put them back at the forefront of “security” duties. The *Imbonerakure* were centrally involved from the outset in the government response to the attacks, and even in some of the armed clashes. An *Imbonerakure* said fellow members had been recruited from across Bubanza province to fight the attackers in Musigati. They were given police uniforms, boots and guns at the provincial headquarters of the CNDD-FDD.<sup>190</sup>

Government officials then stepped up the involvement of *Imbonerakure*. In meetings with the population, they told residents to participate in night patrols and to support the mixed security committees, both heavily dominated by *Imbonerakure*.<sup>191</sup> As mentioned earlier, several *Imbonerakure* were killed while carrying out night patrols and during clashes with armed groups.

*Imbonerakure* were involved in carrying out many arrests after the attacks, either directly or alongside police or intelligence agents. In Mugamba, three *Imbonerakure* collaborated with

---

<sup>187</sup> Interviews with sources with first-hand information, September 2020.

<sup>188</sup> Interviews with police and local leaders, September 2020.

<sup>189</sup> Interviews with source with first-hand information, September 2020.

<sup>190</sup> Interview with *Imbonerakure*, September 2020.

<sup>191</sup> Interviews with sources in two provinces, September and October 2020, and audio recording of comments by the governor of Kayanza, 1 September 2020. See also Iwacu Web TV, “Fait du jour: Sécurité : Attaques de Mukike, le président du Sénat appelle à la vigilance”, <https://www.iwacu-burundi.org/fait-du-jour-securite-attaques-de-mukike-le-president-du-senat-appelle-a-la-vigilance/>, 3 September 2020.

the police during arrests on 1 September in Kivumu *colline*. Paradoxically, they had also participated in the 10 August meeting mentioned in Chapter 3, in which the provincial intelligence chief told them to refrain from such activities.<sup>192</sup>

The *Imbonerakure* often reverted to their old habits of beating up those they arrested. On 29 September, a group of *Imbonerakure* arrested three young men – members of the Batwa community – on Nyamirinzi *colline*, Vugizo *commune*, in Makamba province, and accused them of supporting an armed group that was allegedly present in the area. They beat them up and tied their arms behind their back, before handing them over to soldiers. The men were later detained and questioned by the SNR, then presented before an assistant prosecutor.<sup>193</sup> In Rumonge, *Imbonerakure* detained and seriously beat a man who, they claimed, had refused to participate in night patrols, then handed him over to the police.<sup>194</sup>

The backtracking on previous orders given to the *Imbonerakure* was reinforced by a national tour by Sylvestre Ndayizeye, the national secretary of the *Imbonerakure* and other CNDD-FDD-affiliated leagues, in September. He met with *Imbonerakure* in several provinces and called on them to stand ready to fight, to conduct night patrols and arrest people suspected of supporting the armed opposition.<sup>195</sup> An *Imbonerakure* who participated in one of these meetings said Ndayizeye told them: “You have to put yourself at the service of maintaining security, as usual. The country has been invaded by rebels. You have to carry out patrols day and night. Every suspect has to be arrested.”<sup>196</sup> Several participants said Ndayizeye promised that weapons would be distributed to *Imbonerakure*.

Meetings on the local level followed, to further convey this change in direction. In one such meeting in the south of the country, the local head of the *Imbonerakure* relayed to his fellow members a message from the national leadership: “You already know that the new government ordered us to stop our physical training on Saturdays<sup>197</sup> and night patrols. But faced with the security situation on the national level, the leaders saw that we were wrong, because there is insecurity in the country. The *mujeri* (a derogatory term meaning stray dogs, used to refer to opponents) are suspected everywhere on the national territory, even here in this province. So wake up to defend our country because you know that the *mujeri* are not sleeping.” He added that *Imbonerakure* in a nearby province had already received

---

<sup>192</sup> Interviews with local sources, September 2020.

<sup>193</sup> Interviews with a resident and a police officer, September 2020. See also Ligue Iteka, “Bulletin hebdomadaire ‘Iteka n’Ijambo’ n°234,” <https://ligue-iteka.bi/wp-content/uploads/2020/10/Bulletin-ITEKA-N-IJAMBO-233.pdf>, 21-27 September 2020.

<sup>194</sup> Interviews with residents of Rumonge province, 4 October 2020.

<sup>195</sup> Information from residents in five provinces, September and October 2020.

<sup>196</sup> Interview with participant in one of the meetings with Ndayizeye, 7 October 2020.

<sup>197</sup> The behaviour of *Imbonerakure* during physical training is often intimidating, with verbal threats and chants against political opponents. Some *Imbonerakure* carry crude weapons and wear military clothing during these sessions.

reinforcements and that participants in the meeting should select the most dedicated *Imbonerakure* to receive similar support.<sup>198</sup>

Following these messages from Ndayizeye and other *Imbonerakure* leaders, *Imbonerakure* intensified their activities. A resident of Makamba province said that after a meeting with Ndayizeye on 5 October, “they (the *Imbonerakure*) arrived, running, wearing grass and branches on their heads. Then they crossed the neighbourhoods (in town), chanting slogans hostile to opponents, especially those that fled the country. Several residents considered fleeing their homes that evening.”<sup>199</sup>

In November, during a CNDD-FDD event to mark the “week dedicated to the heroes for the struggle for peace and democracy” (sometimes known as the Week of the Combatant), President Ndayishimiye gave an animated speech in which he encouraged the *Imbonerakure* to be vigilant in protecting the country. Directly contradicting his early messages, he egged them on, to much applause: “I want to tell you *Imbonerakure* who are here, *shirira*...”<sup>200</sup> Guard us against the enemy... I want to tell you that we are fighting for the country... Let’s all stand guard and see where they (the enemy) are coming from. Those who speak out are those who don’t want us to stand guard. That means they have a bad (harmful) plan... Listen carefully: every Burundian should remain vigilant and contribute to the defence of their home country. What does ‘remain vigilant’ mean?... Every Burundian should patrol constantly, wherever they are.”<sup>201</sup>

### **Arresting political opponents**

Among those arrested after the armed group attacks were scores of CNL members. According to the CNL, at least 31 were arrested between 6 and 20 September alone – and many more before and after – , the majority accused of collaboration with armed groups.<sup>202</sup> Several were detained and badly beaten at the SNR headquarters in Bujumbura, before being transferred to prison.<sup>203</sup>

Many of these arrests appeared arbitrary. The attacks may have provided a convenient excuse for the government to resume persecution of its political opponents, as a civil society member explained: “Whatever excuse the CNDD-FDD (finds) to dismantle the opposition is good for them. Many people are not convinced they won the elections. The CNL could have got a lot of votes. Maybe they even won. They were the real threat to the

---

<sup>198</sup> Interviews with participants in the meeting, October 2020.

<sup>199</sup> Interview with resident of Makamba province.

<sup>200</sup> An expression in Kirundi often used by CNDD-FDD leaders to fire up their members.

<sup>201</sup> Extracts from speech by President Évariste Ndayishimiye during the Week of the Combatant, <https://www.youtube.com/watch?v=XXwyUL5aAJE&feature=youtu.be>, 17 November 2020.

<sup>202</sup> List of arrests compiled by the CNL, 20 September 2020.

<sup>203</sup> Interview with source with first-hand information, October 2020.

CNDD-FDD, not RED-Tabara. RED-Tabara is helping the CNDD-FDD find an excuse to finish off its opponents.”<sup>204</sup>

Rwasa described the arrests of his members as arbitrary: “(The government) hunts down CNL members, but we have nothing to do with these attacks,” he said.<sup>205</sup> In an interview with the newspaper Iwacu, he denied any involvement of the CNL in the armed incursions. “The CNL has nothing to do with this pseudo-war,” he said.<sup>206</sup> At the time of writing, BHRI has been unable to verify allegations that some CNL or former FNL members may have supported or participated in these attacks.

CNL representatives in Bururi province have been particularly harassed. The party’s representatives of all six *communes* were arrested between 12 and 16 September, following a meeting in their premises in Matana on 12 September.<sup>207</sup> They were released in late October. Although these arrests were not officially linked to the armed attacks, they took place during a wave of arrests triggered by the incursions.



A landscape in Matana *commune*, Bururi province. Six CNL representatives were arrested following a meeting in their party office in Matana on 12 September 2020. They were released in late October. ©2020 Private

<sup>204</sup> Interview with civil society member in Burundi, 14 October 2020.

<sup>205</sup> Interview with Agathon Rwasa, 23 October 2020.

<sup>206</sup> See Iwacu, “Bururi: les militants de Rwasa dans la ligne de mire du pouvoir”, <https://www.iwacu-burundi.org/bururi-les-militants-de-rwasa-dans-la-ligne-de-mire-du-pouvoir/>, 20 September 2020.

<sup>207</sup> Interviews with CNL members and other local sources, September 2020. See also Iwacu, “Bururi: les militants de Rwasa dans la ligne de mire du pouvoir”, <https://www.iwacu-burundi.org/bururi-les-militants-de-rwasa-dans-la-ligne-de-mire-du-pouvoir/>, 20 September 2020.

In September, a group of *Imbonerakure* apprehended two local CNL representatives and accused them of holding a meeting without authorisation. They took them to a private building, where they beat and kicked them. At least five *Imbonerakure* were present. Initially they singled out one of the CNL members, who is Tutsi, and told the other one to leave. One of the *Imbonerakure* said to the Hutu CNL member: “Leave this little Tutsi here and go away so we can do something (to him).” The Hutu CNL member refused to abandon his colleague, so one of the *Imbonerakure* beat him on his legs with a stick, saying: “We’re letting you go, and you don’t want to (leave). You are just the same. We have to hit you all.” Another *Imbonerakure* kicked him.

After local government and police officials arrived, the detainees were taken to the local detention centre. A few days later, the local police commissioner took one of the CNL members out of the cell and beat him about 50 times with a stick on his legs and backside. The police commissioner said: “You know how you disturbed us in 2015 (a reference to protests against President Nkurunziza’s third term). I’m going to punish you immediately.”<sup>208</sup>

Former members of the MSD opposition party have also been arrested. In Bubanza for example, police and *Imbonerakure* arrested a former MSD member on 26 September. Police found a list of names in his house, which they alleged were the names of members of an armed group he collaborated with; the man claimed it was a list of pupils in the schools where he teaches.<sup>209</sup>

Several members of the former Burundian armed forces, known as ex-FAB – who are often viewed with suspicion by the government – were also arrested. On 12 September, police accompanied by notorious intelligence officers Joseph Mathias Niyonzima, alias Kazungu, and Alfred Museremu (see Chapter 2), arrested Prime Niyongabo, a former ex-FAB police colonel and local CNL representative, at his house in Gasekebuye, in Bujumbura. He was seen in a police pick-up truck during the arrest of another ex-FAB, Col. Pontien Baritonda, the next day. Both men were detained and questioned at the SNR headquarters in Bujumbura about their alleged communications with an armed group. On 18 September, Niyongabo was transferred to Muramvya prison and Baritonda to Bubanza prison.<sup>210</sup> On 25 November, the appeal court of Mukaza ordered their provisional release.

Asked about the waves of arrests in a radio programme, President Ndayishimiye said that investigations were necessary to establish the facts, and the government had the right to ask

---

<sup>208</sup> Interviews with people knowledgeable about the facts and photos of detainees’ injuries, September 2020.

<sup>209</sup> Information from person with first-hand knowledge of the arrest, 26 September 2020.

<sup>210</sup> Interviews with residents and security sources, September 2020.

people if they knew the suspects: “This is to find out if you are their accomplice or if you can help (us) to know which route they took.”<sup>211</sup>

The wave of repression abated again in November, but could resume if the government is faced with another real or perceived security threat.

---

<sup>211</sup> Public radio show with President Ndayishimiye in Gitega, 25 September 2020.



## **5. BURUNDI'S PRECARIOUS POLITICAL FUTURE**

Just six months after the elections, Burundi's future is already clouded by the conflicting approaches of CNDD-FDD leaders at a tense moment in the country. Ndayishimiye's disjointed speeches and dismissal of the human rights and security situation appear to show his inability or lack of resolve to address these challenges. His breathtaking disregard for victims of political killings – including prior to the elections that brought him to power – highlights the hypocrisy of his rhetoric and the depth of the political quagmire in which he finds himself.

The frustration and disappointment of many Burundians extend beyond the CNDD-FDD to its main rival, the CNL. Considerably weakened after its pre-election show of force, the CNL has been further damaged by ongoing violence against its members and by accusations that they have supported armed groups. The CNDD-FDD now has *carte blanche* to rule unchecked.

In the past, a no-holds-barred government in Burundi would have worried regional actors who once showed more concern and interest in their volatile neighbour. But in recent years, apathy, indifference and regional tensions have allowed systematic human rights violations to go unchallenged. The Tanzanian government, that has historical ties to the CNDD-FDD, has been remarkably silent and not tried to persuade the party to promote reforms. It could use its close relationship with Ndayishimiye to positively influence his political calculations, especially how he manages hardliners in the government.

### **Presidential speeches full of contradictions**

Several of President Ndayishimiye's speeches have been full of contradictions and mixed messages. These contradictions, exacerbated by his garrulous style, reflect his will to create his own path and present an open, positive image, while bowing to political pressures from hardliners. Striking the balance between the two has proved to be difficult, if not impossible, for the new President.

During his first five months as president, Ndayishimiye has publicly announced measures that he has been unable to implement or that didn't conform to the wishes of other senior party figures. A former government official with close links to CNDD-FDD leaders said that Ndayishimiye sometimes aimed to please domestic or international audiences without considering the consequences, or without consulting his entourage, then had to backtrack.<sup>212</sup>

---

<sup>212</sup> Interview with former government official, 29 September 2020.

One striking example was Ndayishimiye's announcement, in a speech in Ngozi in late August, that all government officials had to declare their wealth and assets within two weeks. This is not only a requirement under Burundian law, but also a crucial measure in the fight against illicit enrichment, according to a university thesis that Ndirakobuca wrote in 2013.<sup>213</sup> "It was (Ndayishimiye) himself who decided to say (that)," said the former official. "He said it to please diplomats... When he said this... everyone was looking at Bunyoni" (a reference to Bunyoni's reputation for amassing wealth).<sup>214</sup> After officials predictably failed to declare their assets, Ndayishimiye had to make a dramatic U-turn. In a public conference broadcast live on 25 September, he said: "We know that the Constitution requires us to declare our wealth... (but) we realised that it could take a whole week or more... A person's wealth is their secret... At the end of their term, you can say it looks doubtful. Then you can report it to the relevant authorities."<sup>215</sup>

Some of the mixed messages in Ndayishimiye's speeches may reflect a need to portray an image of openness and reform to the outside world, while at the same time showing loyalty to Nkurunziza and the CNDD-FDD hardliners – for example, by maintaining their confrontational approach to diplomacy. This can be seen in the rhetoric against countries that Burundi views as hostile. For example, initially, Ndayishimiye appeared to adopt a softer line towards Rwanda, Burundi's arch enemy during the last few years of Nkurunziza's rule. But in his public comments on 25 September, he reverted to the anti-Rwandan rhetoric of his predecessor, saying that Burundi "will not have relations with a hypocritical state that takes refugees hostage and hosts criminals who have caused grief to Burundi, rather than extraditing them so they can be tried."<sup>216</sup> Despite this rhetoric, Foreign Affairs Minister Albert Shingiro met his Rwandan counterpart on 20 October 2020 in Rwanda and agreed to work toward normalising relations.

The same contradictions have characterised Ndayishimiye's remarks about Western countries that have suspended direct cooperation with the Burundian government and imposed sanctions on senior officials, including Bunyoni and Ndirakobuca. On the one hand, Ndayishimiye has expressed a willingness to resume relations with these countries, and he and Shingiro have held meetings with several Western diplomats, in an apparently

---

<sup>213</sup> Article 95 of Burundi's 2018 Constitution states: "At the beginning and at the end of their term in office, the President of the Republic, the Vice President of the Republic, the Prime Minister and members of government are obliged to make, on their honour, a written declaration of their property and assets, addressed to the Supreme Court." In his university thesis on illicit enrichment, Ndirakobuca recommended that the government encourage its employees to declare their assets and impose sanctions on those who failed to do so. See Gervais Ndirakobuca, "De la répression de l'infraction d'enrichissement illicite en droit positif burundais", <https://www.memoireonline.com/04/14/8805/De-la-repression-de-l-infraction-d-enrichissement-illicite-en-droit-positif-burundais.html>, November 2013.

<sup>214</sup> Interview with former government official, 29 September 2020.

<sup>215</sup> Extracts of President Ndayishimiye's comments during a public broadcast, 25 September 2020.

<sup>216</sup> Tweet by the Burundian Presidency, <https://twitter.com/NtareHouse/status/1291598082090708994?s=20>, 7 August 2020. Ndayishimiye has subsequently repeated these comments, for example in a press conference on 25 September 2020.

positive atmosphere.<sup>217</sup> On the other hand, Ndayishimiye has continued branding Western countries as colonialists who support the opposition. In his inauguration speech, he said: “The last fifteen years have shown us that we are still held in contempt by the coloniser”, but added: “If we don’t worry about improving Burundi’s image abroad through relations based on mutual respect, complementarity, a strengthened understanding between Burundi and other countries... all our initiatives in economic development cooperation will be in vain.”<sup>218</sup>

More recently, in his speech to the United Nations General Assembly on 24 September 2020, he contradicted himself again. He started by stating that “at the diplomatic level, our ambition is to build relationships of friendship and cooperation based on the principle of mutual respect and sovereign equality of States”, but went on to say: “We therefore firmly reject the unjustified politico-diplomatic aggression against Burundi and its people by foreign governments, some of whom were involved in attempted regime change in 2015 through unconstitutional means.”<sup>219</sup>

Shingiro echoed this hostile tone on 9 October in a meeting with diplomats. He wrote in a Tweet on the same day: “If these unjust, immoral and illegal sanctions persist, Burundi could also turn to the principle of reciprocity, as a last resort.”<sup>220</sup> This reaction was in part influenced by the government’s displeasure at the EU’s recent extension of its individual sanctions against senior government officials, and the UN Human Rights Council’s renewal of the mandate of the COI on Burundi for another year.

As the months passed, some of Ndayishimiye’s remarks took on a harder tone, possibly reflecting a need to re-assert his credentials to the hardliners in the government. In his speech to mark the “week dedicated to the heroes for the struggle for peace and democracy” in November, he not only urged *Imbonerakure* to actively defend the country (see Chapter 3) but lashed out at human rights organisations and journalists: “In Burundi, you hear (people say) that someone who has a human rights organisation doesn’t have a duty to watch over Burundi. He can even kill someone and not be punished.”

In an implicit reference to the four Iwacu journalists in prison, he said: “Even if a journalist kills someone, there’s no problem, you’re not allowed to arrest him. A journalist is called upon to watch over Burundi too, all the more so because he is well-informed. He should

---

<sup>217</sup> Interviews with diplomats, September and October 2020.

<sup>218</sup> Discours de Son Excellence Général Major Évariste Ndayishimiye, Président de la République du Burundi, à l’occasion de son investiture, <https://www.presidence.gov.bi/2020/06/19/discours-de-son-excellence-general-major-evariste-ndayishimiye-a-loccasion-de-son-investiture/>, 19 June 2020.

<sup>219</sup> Discours de Son Excellence Général Major Évariste Ndayishimiye, Président de la République du Burundi, lors de la 75ème Assemblée générale des Nations Unies, <https://www.presidence.gov.bi/2020/09/26/discours-de-son-excellence-evariste-ndayishimiye-president-de-la-republique-du-burundi-lors-de-la-75eme-assemblee-generale-des-nations-unies/>, 24 September 2020.

<sup>220</sup> See <https://twitter.com/MAEBurundi/status/1314633385004994561>.

warn the police, it's a duty... If he doesn't do it, the fault lies with him... When you see an enemy who wants to attack Burundi and you don't warn Burundians so that they can protect themselves, it's treason and a punishable offence.”

In what seems to have become his typical contradictory style, he called for Burundians to come together and not harm each other, but warned: “I want to emphasise this... All those who oppose this, know that they are our enemies.”<sup>221</sup>

The consequences of President Ndayishimiye's contradictory rhetoric are serious. They undermine his authority, make it difficult to take his positive promises seriously and expose the divisions in the party. On a practical level, they often mean that reforms are not implemented. CNDD-FDD hardliners have exploited these weaknesses to carry on business as usual, regardless of the direction that their president has tried to set.

Since his inauguration, President Ndayishimiye has focused his public speeches on the need to develop the country and its population, frequently referring to notions such as the “parent state”, the “responsible state” or the “worker state”.<sup>222</sup> He has called on government officials to act as fathers for the citizens in their area and has promised to provide the security conditions to enable development for all citizens, without distinction.<sup>223</sup> Yet there remains a gulf between these notions of benevolent governance and the daily realities for many Burundians.

In terms of international perceptions, the lack of a coherent message on reforms and relations with partners erodes trust in the new government as an honest broker and confirms fears about its unreliable nature. Moreover, by denigrating the EU and other important development partners, Ndayishimiye is potentially hampering the government's relationship with countries willing to resume much-needed development support to Burundi.

---

<sup>221</sup> Extracts from speech by President Évariste Ndayishimiye during the Week of the Combatant, <https://www.youtube.com/watch?v=XXwyUL5aAJE&feature=youtu.be>, 17 November 2020.

<sup>222</sup> The slogan “Reta Muyeyi - Reta Nkozi” (parent state - worker state) appears on the home page of the Burundian government's website: <https://burundi.gov.bi/>. For a more detailed analysis of Ndayishimiye's speeches, see Gertrude Kazoviyo, “Burundi: qu'a-t-il réellement promis? Analyse thématique et sémiotique des discours d'investiture du nouveau Président du Burundi”, <https://www.scribd.com/document/477230294/Pr-Gertrude-Kazoviyo-Burundi-Qu-a-t-il-reellement-promis-Analyse-des-promesses-du-nouveau-pouvoir-de-Gitega>, September 2020.

<sup>223</sup> “Le président Ndayishimiye déterminé a garantir la sécurité de tout Burundais”, <https://www.presidence.gov.bi/2020/08/05/le-president-ndayishimiye-determine-a-garantir-la-securite-de-tout-burundais/>, 5 August 2020 and “Le chef de l'état présente le nouveau gouverneur de Rumonge”, <https://www.presidence.gov.bi/2020/08/27/le-chef-de-letat-presente-le-nouveau-gouverneur-de-rumonge/>, 27 August 2020.

### **The CNL since May 2020: a shadow of its former self**

Since his initial complaints about the election results, Rwaswa's public appearances have dwindled, and he seems to have lost his motivation to inspire his members. In the absence of strong public support from their leader, some CNL members feel as if they have been left to fend for themselves.

While CNL members continue to claim that the CNDD-FDD stole the elections, their frustration has not translated into violence. This was probably a pragmatic calculation. Once the CNL had lost its formal challenge of the election results, its options were limited. After the 2015 CNDD-FDD election victory, Rwaswa had accepted the symbolic post of First Vice-President of the National Assembly, which he held until May 2020 – a compromise which tainted him in the eyes of some CNL members and other Burundians. But there was no such deal after the 2020 elections, and the CNL did not obtain any positions in the new government or in the leadership of the parliament.

Attempts to organise talks between Rwaswa and Ndayishimiye a few days before and after the elections failed, and no meeting took place. Some senior government officials were in favour of talks with Rwaswa to avoid further problems after the elections, but Ndirakobuca apparently blocked this plan by saying that the new president had to be sworn in first, and that if Rwaswa had grievances, he could raise them later.<sup>224</sup>

Rwaswa claimed there was no real willingness to talk on the part of the CNDD-FDD. "Now it's the total exclusion of the CNL," he said. "Burundi is run in the interests of the party (the CNDD-FDD), not the country. Everyone is disappointed."<sup>225</sup>

However, Rwaswa's inaction after his party's 2020 election defeat surprised many Burundians, including some CNL supporters. A former senior FNL member said: "The population was ready to demonstrate (after the elections), but he didn't give them the signal. We were all waiting for him to say something. He remains... inactive."<sup>226</sup> Rwaswa may have been hesitant to expose his members to the risk of further bloodshed after the elections. A CNL representative said: "We have the right to demonstrate, but we're not going to do it, as we're not going to commit suicide."<sup>227</sup>

Rwaswa said that his strategy for the CNL, since the elections, is to continue to advocate restraint and not give the government any excuse for repression: "Yes, our members are frustrated, but what is important is wisdom, not anger. Anger will not achieve anything."<sup>228</sup>

---

<sup>224</sup> Information from political party sources, October 2020.

<sup>225</sup> Interview with Agathon Rwaswa, 23 October 2020.

<sup>226</sup> Interview with former senior FNL member, 18 June 2020.

<sup>227</sup> Interview with CNL representative, 25 June 2020.

<sup>228</sup> Interview with Agathon Rwaswa, 23 October 2020.

The CNL has not come up with other ways to ensure that it remains a credible opposition presence. Some sources said that if it had continued to defy the CNDD-FDD and if Rwaswa had called his members out onto the streets to protest the elections results, the authorities could have arrested him. Rwaswa has several court cases hanging over him,<sup>229</sup> which could be revived at any moment, or new charges could be brought against him, severely limiting his scope for action.

Rwaswa's personal vulnerability is significant, as power in the CNL is concentrated around him. Rwaswa enjoyed great loyalty and adulation from his supporters since the CNL's origins as an armed group, but has not enabled other members of his party to play a prominent role in the party. "Rwaswa has a big party, but he's alone... Now he has no room to manoeuvre. The CNDD-FDD has neutralised him. They want to isolate him and the CNL, and they have succeeded... He has isolated himself. He's the only leader in the CNL. No one in the CNL can pick up his grassroots support, which is good for the CNDD-FDD."<sup>230</sup>

The CNL party membership, while still strong at its core, may also have suffered some losses. Some members, especially those who had joined more recently, and perhaps opportunistically, became disillusioned when they saw what they believed to be their victory snatched away by the CNDD-FDD without a strong response by Rwaswa.

In the past, as leader of the PALIPEHUTU-FNL, Rwaswa had headed a significant armed force. That is no longer the case. Many FNL fighters started demobilising from 2009 and what was left of the armed movement split into several factions. While some former FNL members never handed in their weapons, and others formed splinter groups operating in the DRC, the broader FNL movement gradually drifted away from the armed struggle into conventional party politics. More recently, some former FNL members were rumoured to have joined forces with other armed opposition groups and dozens have been arrested on such accusations, but Rwaswa has repeatedly denied that his party has any link with these groups.

Yet the legacy of the FNL's armed struggle, which it shares with the CNDD-FDD, is important to understand the dynamics and the competition between the two groups. In the 1990s, the two Hutu-dominated rebel groups fought one another violently, despite their common goal of overthrowing the then Tutsi-dominated government. CNDD-FDD leaders still have a strong personal antagonism towards Rwaswa who, in turn, has adopted an attitude of superiority towards the CNDD-FDD leadership; this may be due to the fact the PALIPEHUTU predated the CNDD-FDD, and most CNDD-FDD leaders are younger than Rwaswa.

---

<sup>229</sup> One case relates to the massacre of more than 150 Congolese Banyamulenge refugees in Gatumba in 2004, for which the FNL claimed responsibility. Rwaswa has denied any personal responsibility for these killings.

<sup>230</sup> Interview with former CNDD-FDD official, 1 July 2020.

More than 25 years on, that animosity remains very much alive. Today, even some former CNDD-FDD members who defected and joined the opposition in exile remain scathing in their criticisms of the CNL, revealing the enduring mentality of competition between the two groups. One former CNDD-FDD senior official said that the CNDD-FDD could never have let Rwasa win the presidential elections. Even though this official had since joined the opposition, he was still intent on denigrating Rwasa: “People were willing to vote for the devil (Rwasa), but the devil has no room to manoeuvre anymore. Rwasa knew that, and that’s why he keeps a low profile... He flexed his muscles while forgetting the strength of his opponent... CNL members couldn’t take the risk of going out onto the streets because they didn’t know if Rwasa would defend them... The real CNL members were very committed, but their leader wasn’t.”<sup>231</sup>

The CNDD-FDD’s vindictiveness towards the CNL hasn’t let up. The pattern of human rights violations against CNL members that has resumed even after their electoral defeat can be seen as a form of punishment for a long list of grievances the CNDD-FDD has against the party. According to information collected by the CNL, 467 CNL members were imprisoned, six killed and 12 disappeared between 19 May and late October 2020; six CNL offices were destroyed during the same period.<sup>232</sup> A similar, even more violent, trend was observed after the 2010 elections which were followed by numerous extrajudicial executions of FNL and ex-FNL members, as well as MSD members.<sup>233</sup>

The feelings of lasting hostility are mutual. Six months after the elections, Rwasa was pessimistic about the new government and bitter in his criticisms of the new president: “I don’t think he wants to change things. He has tunnel vision: there can only be one party, his own... He doesn’t separate the party from the state.” He did not subscribe to the theory that Ndayishimiye might have the will to improve the human rights situation but that others are blocking him: “No. He’s been running the party for years<sup>234</sup> and has been the boss of the *Imbonerakure*, but he’s done nothing. He’s hypocritical. He closes his eyes on violence by the *Imbonerakure*. He’s more than hypocritical.”<sup>235</sup>

### **The CNDD-FDD consolidates its power**

After shutting out its historic competitor, the CNDD-FDD used its 2020 election victory to further entrench its power at all levels of government. In most cases, that objective was given precedence over the individual careers of ruling party officials. The party made clear

---

<sup>231</sup> Interview with former CNDD-FDD official, 25 June 2020.

<sup>232</sup> Information compiled by the CNL, 23 October 2020.

<sup>233</sup> See Human Rights Watch, “‘You Will Not Have Peace While You Are Living’: The Escalation of Political Violence in Burundi”, <https://www.hrw.org/report/2012/05/02/you-will-not-have-peace-while-you-are-living/escalation-political-violence>, 2 May 2012.

<sup>234</sup> Ndayishimiye is the Secretary-General of the CNDD-FDD since August 2016.

<sup>235</sup> Interview with Agathon Rwasa, 23 October 2020.

during the legislative and local elections that specific ruling party officials who had strongly supported Nkurunziza – but didn't have close ties to Ndayishimiye or Bunyoni – had no place in the new government. Governors and members of parliament who seemed untouchable only a few months ago have been sidelined since the elections.

The most notable example was Pascal Nyabenda, the former National Assembly president. He was passed over to succeed Nkurunziza, was not put forward as a candidate for the legislative elections, then lost the vote for a Senate seat to a CNL member; even CNDD-FDD members voted against him. In what seemed like a consolation prize, he was appointed second vice-governor at Burundi's central bank.

On the provincial level, President Ndayishimiye only reappointed two former governors who served under Nkurunziza (in Karusi and Gitega provinces). Many of the current governors are new faces, unknown even to some residents of their province. Some appear to have been chosen because of their links to powerful individuals or for their loyalty to the CNDD-FDD and willingness to obey orders handed down from the top of the party. But surprisingly, several well-known CNDD-FDD loyalist governors, such as Gad Niyukuri of Makamba and Frédéric Niyonzima of Bururi, a former *Imbonerakure*, have been replaced by relatively unknown individuals.

Five current governors and the mayor of Bujumbura have a background in the police, military or intelligence service; two of them (the governors of Mwaro and Bururi) are ex-FAB. In Rutana province, the governor is Olivier Nibitanga – a relative of Prime Minister Bunyoni; he comes from Mpinga-Kayove, the same *commune* in Rutana as Bunyoni's parents. He previously served as the provincial head of the SNR in Kirundo and Ngozi and was closely involved in tracking dissidents during the events of 2015.<sup>236</sup>

In Muyinga, the governor is the former administrator of Gasorwe *commune*, Jean Claude Barutwanayo. BHRI documented Barutwanayo's support for *Imbonerakure* who beat a family of CNL members on 26 February 2020 in Gasorwe – one of whom, Fauzia Basesuwabo, died a week later from her injuries. On two separate occasions after the attack, Barutwanayo held meetings in which he thanked the *Imbonerakure* for their work, which residents took to mean the attack on the CNL family. He exhorted the *Imbonerakure* to continue to work without fear or hesitation and said one of the *Imbonerakure* was a "hero" who had led and won a "praiseworthy fight".<sup>237</sup>

Barutwanayo, a former seminarian, teacher and FNL member, gradually became a staunch CNDD-FDD supporter. "(Barutwanayo) stood out during his tenure (as administrator) as

---

<sup>236</sup> Interview with a source familiar with Nibitanga, 27 August 2020.

<sup>237</sup> BHRI, "Fauzia Basesuwabo: Opposition party member, mother of 10, beaten to death by ruling party youth", <https://burundihri.org/english/index2.html#3>, 29 June 2020.



someone who didn't tolerate opinions that (went) against the ruling party," said a resident of Muyinga.<sup>238</sup>

During the 2020 presidential elections, some Muyinga residents claimed he ordered them to vote outside voting booths and bribed voters to cast their ballot for the ruling party.<sup>239</sup> "He said that a loyal member of the CNDD-FDD didn't need to isolate himself to express his choice," said one resident. Barutwanayo allegedly told *Imbonerakure* that suspected opponents should vote under the "watchful eye" of *Imbonerakure* posted in the voting booths.<sup>240</sup>

### **The influence of Tanzania**

During and after the elections, Tanzania's influence was very visible in Burundi. High-level Tanzanian dignitaries were among the few foreign visitors present at every important official ceremony, including President Ndayishimiye's inauguration, President Nkurunziza's funeral and Independence Day celebrations.

Present on every occasion was one man: former president Jakaya Kikwete. Kikwete maintains good relationships with many senior CNDD-FDD figures, dating back to his presidency from 2005 to 2015.

The current Tanzanian president, John Magufuli, has not shown great interest in Burundi. This has given Kikwete the opportunity to play a leading role in shaping, or maintaining, Tanzania's relations with Burundi, even though he has no official function. Sometimes, this has been at Magufuli's request, but on other occasions, Kikwete has personally taken the initiative.<sup>241</sup>

The ruling elites of Burundi and Tanzania have certain interests and approaches in common, including economic stakes in mining, transport and petrol businesses and a tendency to reject pressure from Western countries. However, security cooperation seems to have been a key driver, with close cooperation between the Tanzanian and Burundian security forces and intelligence services.<sup>242</sup>

One of their primary concerns has been the repatriation of the approximately 256,000 refugees who fled Burundi, especially in 2015 and 2016.<sup>243</sup> The Tanzanian government has

---

<sup>238</sup> Interview with resident of Muyinga province, August 2020.

<sup>239</sup> Interview with CNDD-FDD member in Muyinga, August 2020.

<sup>240</sup> Interview with CNDD-FDD member in Muyinga, August 2020.

<sup>241</sup> Interview with former diplomat in Tanzania, 20 August 2020 and with Tanzanian journalist, 17 August 2020

<sup>242</sup> Interview with analyst based in Tanzania, 29 July 2020; interview with Tanzanian journalist,

17 August 2020; interview with former diplomat in Tanzania, 20 August 2020.

<sup>243</sup> UNHCR, "Burundi Regional Refugee Response Plan 2018", <https://data2.unhcr.org/en/documents/details/61371>, 31 January 2018.

imposed numerous restrictions on Burundian refugees to push them to return – an objective that coincides with the Burundian government’s. Since the elections, President Ndayishimiye and other high-level officials have intensified calls on refugees to return. Close to 101,000 refugees have already returned from Tanzania since September 2017, while 154,000 remain in refugee camps in the country.<sup>244</sup>

On the political front, President Magufuli reportedly disagreed with Nkurunziza’s controversial third term in 2015, which he saw as an avoidable nuisance. According to some, his stance on this matter contributed to Nkurunziza’s surprise announcement in 2018 that he would not seek a fourth term,<sup>245</sup> but he has done little to address the broader political and human rights crisis in Burundi since 2015. He did not provide strong political backing to another of his predecessors, the late Benjamin Mkapa, who tried since 2016 to mediate between the different parties in Burundi’s political crisis under the auspices of the East African Community. Mkapa threw in the towel in 2019, frustrated by the intransigence of the Burundian government.

Rather than pushing for real reform in Burundi, Tanzania remains focused on ensuring the unity and survival of the CNDD-FDD, inspired by its own ruling party, the Party of the Revolution (*Chama Cha Mapinduzi*, CCM). During the 2020 elections and after Nkurunziza’s death, Kikwete repeatedly met CNDD-FDD leaders, reportedly to try to ensure they would stick together.<sup>246</sup>

President Ndayishimiye seems to hold Tanzania in awe. It was the country he chose for his first presidential visit abroad. During a public meeting in Tanzania, he said: “As you see me here in Tanzania, I see you as my father. That’s why I came here, to learn from you, to know what I’m going to do.”<sup>247</sup>

The fact that Tanzanian government officials have not raised human rights concerns strongly with their Burundian counterparts should perhaps come as no surprise, given Tanzania’s poor domestic human rights record in the last few years. Most recently, irregularities and violence were reported during elections on 28 October and several opposition leaders were arrested.<sup>248</sup>

---

<sup>244</sup> UNHCR, “Voluntary repatriation of Burundian refugees”, <https://reliefweb.int/sites/reliefweb.int/files/resources/Voluntary%20Repatriation%20of%20Burundian%20Refugees%2C%20Update%20as%20of%2031%20October%202020.pdf>, 31 October 2020.

<sup>245</sup> Interview with former diplomat in Tanzania, 20 August 2020.

<sup>246</sup> Interviews with diplomats, 7 and 13 July 2020.

<sup>247</sup> Speech by President Ndayishimiye in Kigoma (Tanzania), <https://www.youtube.com/watch?v=zD8xQHIUGBs&feature=youtu.be>, 19 September 2020.

<sup>248</sup> See, for example, The Guardian, “Tanzanian government cracks down on opposition after disputed election,” <https://www.theguardian.com/world/2020/nov/02/tanzanian-opposition-figures-arrested-after-disputed-election>, 2 November 2020.

For his second trip abroad, in early November, President Ndayishimiye visited Equatorial Guinea, a country with a dire record on human rights and corruption. He personally thanked President Obiang, who has been in office for 38 years, for his “defence of Burundi at the AU in 2015, when certain African countries, despite being brothers, were going to be drawn into the neocolonialist scheme of Western powers who planned the *coup d'état* in 2015.”<sup>249</sup>

### **Challenges ahead**

As 2020 comes to a close, Ndayishimiye finds himself confronted with a political landscape rife with distrust and discontent. Many Burundians are exhausted by the violence of the past several years. They had hoped for real change with a new president, but the light at the end of the tunnel appears to be receding. On the international level, diplomats who seek a constructive path forward are admonished and frozen out by government officials. Unless Ndayishimiye changes his approach and addresses the political and human rights situation in a concrete and sustained manner, he won't develop the responsible state he has promised to his citizens, and Burundi's tenuous grip on democracy will slip even further.

---

<sup>249</sup> Speech by President Ndayishimiye during his bilateral meeting with the president of Equatorial Guinea, <https://www.presidence.gov.bi/2020/11/02/discours-de-se-evariste-ndayishimiye-lors-de-la-rencontre-bilaterale-avec-son-homologue-de-la-guinee-equatoriale-le-2-novembre-2020-a-malabo/>, 2 November 2020.