

BURUNDI: FREE FIVE RIGHTS DEFENDERS

Drop Charges; End Civil Society Crackdown

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Burundian authorities should immediately and unconditionally release five human rights defenders arbitrarily arrested on February 14, 2023, and drop the baseless charges against them, Amnesty International, the Burundi Human Rights Initiative, and Human Rights Watch said today.

The five human rights defenders are accused of rebellion and of undermining internal state security and the functioning of public finances. The charges appear to relate only to their relationship with an international organization abroad and the funding they have received from this organization. Two of the defenders work for the Association of Women Lawyers in Burundi (*Association des femmes juristes du Burundi*, AFJB) and three for the Association for Peace and the Promotion of Human Rights in Burundi (*Association pour la paix et la promotion des droits de l'Homme*, APDH).

“The arrests of the five human rights defenders and the serious charges brought against them signal a worsening climate for independent civil society in Burundi,” said [Clémentine de Montjoye](#), Africa researcher at Human Rights Watch. “If working in partnership with or receiving funding from international groups is treated as a criminal offense and a threat to state security, what little space was left for civil society to operate in Burundi will be closed.”

On February 16, Martin Niteretse, Minister of Interior, Community Development and Public Security, accused the organizations of working with an international non-governmental organization.

Intelligence agents arrested four of the defenders – Sonia Ndikumusabo, president, and Marie Emerusabe, general coordinator, of AFJB; and Audace Havyarimana, legal representative, and Sylvana Inamahoro, executive director, of APDH – on February 14 at Bujumbura’s Melchior Ndadaye Airport as they were preparing to fly to Uganda for a meeting with partners.

Prosper Runyange, the APDH land project coordinator, was arrested in Ngozi on February 14 and transferred to Bujumbura the next day. The five defenders were held at the National Intelligence Service (*Service national de renseignement*, SNR) headquarters in Bujumbura, then transferred to Mpimba central prison in Bujumbura, on February 17. On March 2, the high court of Ntahangwa in Bujumbura confirmed their pre-trial detention.

Niteretse [told the media](#): “The case is ongoing. The results we have at the moment show that there is a high probability that there is a risk of financing of terrorism through these funds. We must be vigilant on all points to ensure that nothing disturbs peace and public order.” Under international human rights law and standards, seeking, obtaining and using financial resources, including from foreign and international sources, is a vital component of the right to freedom of association. Undue restrictions on resources available to organizations have a negative impact on the right to freedom of association.

The two organizations work on gender-based violence and land rights and are officially registered in Burundi. They help some of the most marginalized groups in Burundian society. The judicial authorities’

decision to pursue prosecution of the defenders, apparently solely on the grounds of their organizations' partnership with and funding from an international organization, has triggered fears of another civil society crackdown in Burundi and undermines the president's [stated reform agenda](#), the organizations said.

In October 2018, the authorities suspended the activities of most foreign organizations in Burundi and forced them to re-register, which included submitting documentation that stated the ethnicity of their Burundian employees.

The government policy, based on a [law on foreign non-governmental organizations](#), adopted in January 2017, caused [some international organizations to close their offices](#) in Burundi because they disagreed with government-imposed ethnic quotas and objected to the requirement to provide information on the ethnicity of their staff. Some said they feared that submitting this information could put their employees at risk of ethnic profiling and targeting.

“The charges of endangering state security and rebellion against these five human rights defenders are absurd,” said Carina Tertsakian from the Burundi Human Rights Initiative. “If the authorities have questions about their sources of funding, these can be solved through normal administrative channels, as provided for by the law.”

During late President Pierre Nkurunziza's third and final term, from 2015 to 2020, independent [civil society and media were often targeted](#), and their members attacked, forcibly disappeared, detained, and threatened. Scores of human rights defenders and journalists fled the country and many remain in exile. There has been almost total impunity for these crimes.

Since President Évariste Ndayishimiye came to power in June 2020 and despite his promises to restore freedom of expression and association, the government's hostility toward Burundi's once thriving civil society and media remains. The arrests of the five rights defenders followed the conviction, on January 2, 2023, of an [online journalist, Floriane Irangabiye](#), to 10 years in prison, on charges of “undermining the integrity of the national territory” in violation of her rights to free speech and to a fair trial.

These latest arrests and Irangabiye's conviction reverse a brief moment of optimism after the acquittal and release, in December, of [Tony Germain Nkina](#), a lawyer and former human rights defender who spent more than two years unjustly imprisoned on unsubstantiated charges of collaboration with a rebel group. Twelve human rights defenders and journalists in exile were convicted in June 2020 of participating in a May 2015 coup attempt. The verdict, which was only made public in February 2021, came after a deeply flawed trial during which the [defendants were absent and did not have legal representation](#), flouting the most basic due process principles. The 12 were found guilty of “attacks on the authority of the State,” “assassinations,” and “destruction.”

The arrest of Ndikumasabo, Emerusabe, Havyarimana, Inamahoro, and Runyange appears to be designed to punish the human rights defenders and their organizations for collaborating with an international organization, obstruct their organizations' activities, and intimidate other activists. Such behavior belies Burundian authorities' claims that they respect human rights and further stains the image of openness and reform that they try to project internationally, the organizations said.

“Actions speak louder than words,” said Flavia Mwangovya, Deputy Regional Director at Amnesty International. “If the Burundian authorities want their human rights promises to be taken seriously, they should allow civil society to do its valuable work – including defending and assisting victims of human rights violations – without harassment.”