



HIDDEN FROM VIEW

Sexual violence by Burundian troops
in Congo's South Kivu province

The Burundi Human Rights Initiative

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WHAT IS THE BURUNDI HUMAN RIGHTS INITIATIVE?

The Burundi Human Rights Initiative (BHRI) is an independent project that aims to document the evolving human rights situation in Burundi. 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 contribute to restoring respect for human rights.

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.

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

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Cover photo: Members of the Burundian army stand guard during President Évariste Ndayishimiye's inauguration on 18 June 2020 in Gitega. ©2020 Private

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Introduction

Burundian President Évariste Ndayishimiye has lauded the joint military operation between the Burundian and Congolese security forces in the Democratic Republic of Congo's (DRC) South Kivu province. He has claimed that Congolese armed groups who operate there, as well as civilians, trust the Burundian troops and that armed group combatants have surrendered.¹

The reality, however, is far more complicated.

The Burundi Human Rights Initiative (BHRI) has documented human rights violations and acts of violence by members of the Burundian army against Congolese civilians since their deployment to South Kivu in December 2021. Victims and their family members said that Burundian soldiers and members of the youth league of the ruling party in Burundi, the *Imbonerakure*, raped, abducted, arbitrarily detained and ill-treated Congolese civilians and looted their belongings.

In September 2022, for example, armed men in Burundian military uniforms speaking Kirundi, the language of Burundi, raped several Congolese women, then accused them of being the “wives” of Burundian armed group members. In another incident, also in September 2022, Burundian soldiers raped a Congolese woman and her 16-year-old sister-in-law, in front of her three children. In a horrific incident in October 2022, a member of the *Imbonerakure* inserted the barrel of his gun into the vagina of a Congolese woman in front of her children.

Members of Burundian armed opposition groups have also committed sexual violence against Congolese women. Members of the Resistance Movement for the Rule of Law-Tabara (*Mouvement de la résistance pour un État de droit-Tabara*, RED-Tabara) abducted women and held them as sex slaves in November 2022. In other cases, several women said that men speaking Kirundi and partly dressed in military uniforms had raped them; they were unable to identify to which armed group they belonged.

Initially, the Burundian army deployed troops in South Kivu in an unofficial operation from late 2021. This operation continued clandestinely until it became official in August 2022.² Both phases have been marked by disinformation. Burundian government officials have misrepresented the nature of the operation, duped *Imbonerakure* into going to fight in the DRC, and have not provided precise information about the circumstances of Burundian soldiers' deaths to their immediate families.

¹ France 24, “Évariste Ndayishimiye : ‘Il y a une avancée significative dans les négociations sur l’est de la RDC’”, <https://www.france24.com/fr/%C3%A9missions/l-entretien/20221121-%C3%A9variste-ndayishimiye-il-y-a-une-avance-%C3%A9-significative-dans-les-n%C3%A9gociations-sur-l-est-de-la-rdc>, 21 November 2022.

² The Burundi Human Rights Initiative, “An operation of deceit: Burundi’s secret mission in Congo”, https://burundihri.org/english/july_2022.php, July 2022.

Several military officials who were involved in planning and carrying out the operation have been accused of serious human rights violations in Burundi in the past. The Burundian government not only failed to hold them and other military officials in positions of authority accountable for human rights violations that took place under their command, but rewarded them with deployments to lucrative peacekeeping missions.

Burundi, which has ratified the Geneva Conventions, is bound by international humanitarian law (also known as “the laws of war”). The Burundian army, which is a party to the conflict in the DRC, has not upheld its international legal obligations since its troops entered the DRC in December 2021. Its disregard for the rights of Congolese civilians in areas where its troops have operated – particularly their involvement in the rape of Congolese women and girls – has led to flagrant violations of the laws of war and may constitute war crimes.³

International actors, particularly those concerned about the armed conflict in the DRC, should raise the serious human rights violations committed by Burundian troops in South Kivu with the Burundian authorities at the highest level. They should press them to hold those responsible to account, including the Burundian commanders who knew or should have known about the rape, ill-treatment and other human rights violations committed by the troops they supervised.

International actors should also raise concern about the involvement in the DRC operation of several Burundian military officials with a track record of committing or overseeing serious human rights violations in Burundi in previous years, including those named in this report.

Governments and intergovernmental bodies should make training and other forms of support to the Burundian armed forces contingent on credible investigations and action to hold to account the perpetrators of human rights violations against Congolese civilians in South Kivu, as well as their commanders. Support should also be contingent on the removal from peacekeeping operations and, where appropriate, the prosecution of senior Burundian officials involved in serious human rights violations in Burundi.

In parallel with their involvement in South Kivu, the deployment of Burundian troops to the DRC’s North Kivu province has attracted media attention, in particular in relation to the Burundian army’s collaboration with the Congolese armed forces (*Forces armées de la République démocratique du Congo*, FARDC) in fighting M23, a Rwandan-backed Congolese armed group, and the deaths of several Burundian soldiers on the battlefield. The Burundian army operated in North Kivu as part of the East African Community (EAC) regional force; the Congolese government did not renew the

³ Protocol II, Article 4 of the 1949 Geneva Conventions states, in part, that “outrages upon personal dignity, in particular humiliating and degrading treatment, rape, enforced prostitution and any form of indecent assault” are and shall remain prohibited. See International Committee of the Red Cross, “Article 4 – Fundamental guarantees”, <https://ihl-databases.icrc.org/en/ihl-treaties/apii-1977/article-4>, and Convention IV relative to the Protection of Civilian Persons in Time of War, Article 27, which states in part: “Women shall be especially protected against any attack on their honour, in particular against rape, enforced prostitution, or any form of indecent assault.” <https://ihl-databases.icrc.org/en/ihl-treaties/gciv-1949/article-27>.

mandate of the force, which ended on 8 December 2023. This report, however, focuses on the Burundian military operation in South Kivu, which has garnered considerably less attention.

Methodology

It is difficult to thoroughly document and verify all human rights violations committed by members of the Burundian army in South Kivu because of the vast areas in which they operate, the insecurity caused by Congolese armed groups in those areas and the lack of reliable phone networks.

However, BHRI spoke with a range of Congolese and Burundian sources, including Congolese military officials, Burundian soldiers – both during and after their deployment to South Kivu – and numerous victims and their family members who recounted in detail human rights violations by Burundian soldiers and abuses by *Imbonerakure*.

BHRI submitted its findings and questions in writing to President Évariste Ndayishimiye; the minister of defence of Burundi, Alain Tribert Mutabazi; the chief-of-staff of the National Defence Force of Burundi (*Force de défense nationale du Burundi*, FDNB), Prime Niyongabo; the deputy commander of land forces for the FDNB, Ignace Sibomana; the former commander of the Burundian contingent in North Kivu, Ildephonse Baranyikwa; and the minister of defence of the DRC, Jean-Pierre Bemba, before publication, with a view to incorporating their responses. The only official who responded was Prime Niyongabo, who asked to meet BHRI before submitting a written response. BHRI proposed a call, as an in-person meeting would not be possible; at the time of writing, Niyongabo had not responded to that suggestion or provided a written reply to the questions.

1. Background

For several years, the Burundian armed forces have conducted joint operations with the FARDC against Burundian armed opposition groups operating in eastern DRC.

One of their principal targets has been a faction of the National Liberation Forces (*Forces nationales de libération*, FNL) headed by Aloys Nzabampema,⁴ that broke away from the FNL more than 10 years ago and operates in South Kivu.⁵ The Burundian government secretly trained *Imbonerakure* in 2014 in Kiliba Ondes, a village in eastern DRC, to attack FNL-Nzabampema and other Burundian armed groups.⁶

⁴ The FNL was a predominantly Hutu armed group formed in 1980, which turned into a political party in 2009 and changed its name to CNL in 2019. The CNL is currently the largest opposition party in Burundi.

⁵ See Group of Experts on the Democratic Republic of the Congo, interim report, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N12/348/79/PDF/N1234879.pdf?OpenElement>, 21 June 2012.

⁶ Interview with Burundian intelligence official, 12 August 2020. See also Radio France Internationale, “RDC : l’ONU confirme la présence de l’armée burundaise à Kiliba,” <https://www.rfi.fr/fr/afrique/20141002-rdc-onu-confirme-presence-armee-burundaise-kiliba>, 3 October 2014, and Iwacu, “Des Imbonerakure sont-ils en RDC ?”, <https://www.iwacu-burundi.org/desimbonerakure-sont-ils-en-rdc/>, 19 May 2014.

The threat posed by FNL-Nzabampema has fluctuated over the years. The group has reportedly collaborated with multiple Congolese armed groups and has been linked to cattle theft, looting and other criminal activities.⁷ A former member of the FNL said that Nzabampema has sometimes collaborated with Burundi's intelligence service and given them information on RED-Tabara.⁸

In 2015, Burundi's political and human rights crisis emboldened the armed opposition, including RED-Tabara – an armed group created in 2011 that gained strength surrounding the protest movement against former President Pierre Nkurunziza's third term in 2015.

In 2020 and 2021, a number of armed attacks took place in Burundi, some near the border with the DRC and others in the centre of the country or other locations. In most cases, the identity of the assailants remains unconfirmed. RED-Tabara claimed responsibility for several of these attacks, including a mortar attack near Bujumbura airport in September 2021 and an attack on a communications antenna in Bubanza province in September 2023.⁹ RED-Tabara claimed that its combatants clashed with Burundian soldiers during the night of 10 to 11 December 2023 in Gihanga, Bubanza province. A local resident said that a large explosion took place around midnight, but did not hear armed clashes in the area; some infrastructure was damaged and one civilian was killed.¹⁰

2. The evolving nature of Burundian deployment in South Kivu

RED-Tabara appeared to be the Burundian army's primary target when it entered the DRC unofficially in December 2021.¹¹ After several clashes in 2022, Burundian troops seemed to have pushed RED-Tabara out of its stronghold in the Itombwe forest in South Kivu; there have been no reported clashes with RED-Tabara in several months. The exact location of the group and its areas of operation are unconfirmed.

After a meeting between President Ndayishimiye and Congolese President Félix Tshisekedi in July 2021 in the Congolese capital Kinshasa about how to deal with the threat posed by armed groups in eastern DRC, Burundian intelligence agents started laying the groundwork in South Kivu for clandestine deployments of Burundian soldiers and *Imbonerakure*. BHRI documented in detail the

⁷ Interview with victim of looting by FNL-Nzabampema combatants, 17 June 2023.

⁸ Interview with former FNL member, 27 March 2022.

⁹ RED-Tabara claimed responsibility for the attack on the communications antenna but denied ambushing a car in the area in which two passengers were killed and another wounded. See https://twitter.com/Red_Tabara/status/1698356224822005849/photo/1 and Reuters, "Gunmen kill two in car in Burundi near DR Congo border, residents say", <https://www.reuters.com/world/africa/gunmen-kill-two-car-burundi-near-dr-congo-border-residents-say-2023-09-03/>, 3 September 2023.

¹⁰ See RED-Tabara, https://twitter.com/Red_Tabara/status/1734207884542546382, and SOS Médias, "Gihanga: une personne tuée dans une attaque armée", <https://www.sosmediasburundi.org/2023/12/11/gihanga-une-personne-tuee-dans-une-attaque-armee/>, 11 December 2023; information from local resident, 12 December 2023.

¹¹ See The Burundi Human Rights Initiative, "An operation of deceit: Burundi's secret mission in Congo", https://burundihri.org/english/july_2022.php, July 2022.

planning, the recruitment and the early months of Burundi's unofficial military operation in the DRC.¹²

Despite reports and articles by media and Burundian civil society organisations describing this operation, Burundi's army spokesperson and the minister of defence denied in January 2022 that Burundian troops were conducting military operations in the DRC.¹³

EAC officials held a series of meetings in late 2021 and early 2022 to discuss the security situation in eastern DRC. While Burundi's unofficial military operation was underway in South Kivu, the chiefs of staff of the Burundian and Congolese armed forces signed a "special directive for a joint operation" in Kinshasa in July 2022, which provided a framework for bilateral cooperation.

In August 2022, Burundi's military operation in the DRC became official and it formally deployed its first troops to the DRC, which consisted of two battalions of 1,530 soldiers to operate alongside one battalion of 2,250 FARDC soldiers.¹⁴ President Ndayishimiye sent a letter to Burundi's Senate president on 24 August 2022, informing him that the army had deployed an infantry battalion to South Kivu for three months.¹⁵

Ndayishimiye did not admit, however, that alongside Burundian soldiers, large numbers of *Imbonerakure* had been recruited and duped into a clandestine combat mission.¹⁶

A senior FARDC official in South Kivu said that *Imbonerakure* appeared to operate outside the military command structure. "(Military officials in Bukavu) distributed to us a document, like an instruction guide, that explained all the ways and means of the joint operation," he said. "But today, this document is no longer respected because the individuals that they (the Burundian military) bring here to the DRC are young *Imbonerakure*, who don't have solid training. They're brutal. And they openly proclaim (when they are drunk) that they were hurriedly trained by their government just for this mission... It's payback for the work they've done in past years."¹⁷

The same FARDC official said that at the beginning of the operation, Burundian soldiers were deployed to military positions in the midlands and highlands of South Kivu, often referred to as the

¹² See The Burundi Human Rights Initiative, "An operation of deceit: Burundi's secret mission in Congo", https://burundihri.org/english/july_2022.php, July 2022.

¹³ Iwacu, "L'armée burundaise rejette les allégations de la présence de ses troupes en RDC", <https://www.iwacu-burundi.org/larmee-burundaise-rejette-les-allegations-de-la-presence-de-ses-troupes-en-rdc/>, 7 January 2022.

¹⁴ Confidential documents from private meeting between FARDC and FDNB officials that took place in Bujumbura on 16 and 17 January 2023 to evaluate military operations in eastern DRC, on file with BHRI; SOS Médias, "Burundi : la FDNB s'exprime pour la première fois sur sa présence en RDC et nie", <https://www.sosmediasburundi.org/2022/01/29/burundi-la-fdnb-sexprime-pour-la-premiere-fois-sur-sa-presence-en-rdc-et-nie/>, 9 January 2022.

¹⁵ Letter on file with BHRI.

¹⁶ For more information on the role of *Imbonerakure* in Burundi's military operation in the DRC, see The Burundi Human Rights Initiative, "An operation of deceit: Burundi's secret mission in Congo", https://burundihri.org/english/july_2022.php, July 2022.

¹⁷ Interview with senior FARDC official, 23 August 2022.

mid and high plateaux. “These Burundian soldiers commit (acts of) aggression against the local population when they are passing through,” he said. “This (military) operation was planned without the consent of the FARDC. We have nothing to say about it; the order came from a high level. And this order doesn’t benefit us.”¹⁸

In a private meeting in Bujumbura in January 2023, Burundian and Congolese military officials evaluated the joint operations in South Kivu. A Congolese military official involved in the operation claimed that in addition to RED-Tabara and FNL-Nzabampema, the Burundian army targeted Congolese armed groups including Makanika, led by Col. Michel Makanika, an FARDC deserter; Mai-Mai Yakutumba, led by William Amuri; and a coalition of armed groups that included Mai-Mai Kijangala, Mai-Mai Buhirwa and Ngumino, led by Nyamusaraba Shaka.¹⁹

Burundian and Congolese military sources said privately, however, that the primary objective for their soldiers deployed to South Kivu was to attack Burundian armed groups, not Congolese armed groups.²⁰ Burundian troops collaborated for months with Kijangala, Nyamusaraba and other Congolese armed groups they had been tasked with eradicating.²¹

A Congolese Mai-Mai leader in South Kivu said, in August 2022: “These Burundians (soldiers) collaborate with Mai-Mai Kijangala, (Mai-Mai) Buhorwe and (Mai-Mai) Kapapa.” He said the Mai-Mai were used as guides and facilitators for the *Imbonerakure* who collaborated with the Burundian army.²² Mai-Mai groups provided logistical support to Burundian troops when they crossed into the DRC as well as information on the location of FNL-Nzabampema and RED-Tabara military bases. They also provided information on Mai-Mai Biloze Bishambuke, an umbrella group of armed combatants that has supported RED-Tabara in the past.²³ Kijangala allegedly surrendered to the FARDC in April 2023. The FARDC reportedly arrested the leader of Mai-Mai Kapapa in November 2023.²⁴

As RED-Tabara became less of a threat, the Burundian army turned its attention to FNL-Nzabampema in early 2023. A Burundian soldier who had been deployed to South Kivu in mid-

¹⁸ Interview with senior FARDC official, 23 August 2022.

¹⁹ Confidential documents from private meeting between FARDC and FDNB officials that took place in Bujumbura on 16 and 17 January 2023 to evaluate military operations in eastern DRC, on file with BHRI. Mai-Mai is a broad term used to refer to community-based armed groups in the DRC. Originally created to defend their ethnic group or local area, Mai-Mai now frequently loot, steal and collaborate with other armed groups.

²⁰ Interviews with Burundian soldier, 20 and 23 October 2023; interview with Burundian military official, 29 October 2023; interview with Congolese military official, 24 August 2022.

²¹ See The Burundi Human Rights Initiative, “An operation of deceit: Burundi’s secret mission in Congo”, https://burundihri.org/english/july_2022.php, July 2022.

²² Interview with Congolese Mai-Mai leader, 28 August 2022.

²³ For more information on Congolese armed groups that supported RED-Tabara, see The Burundi Human Rights Initiative, “An operation of deceit: Burundi’s secret mission in Congo”, https://burundihri.org/english/july_2022.php, July 2022.

²⁴ Information from confidential source in South Kivu, 13 April 2023; SOS Médias, “Uvira (RDC) : arrestation d’un responsable Mai-Mai qui collabore avec les autorités burundaises”, <https://www.sosmediasburundi.org/2023/11/12/uvira-rc-arrestation-dun-responsable-mai-mai-qui-collabore-avec-les-autorites-burundaises/>, 12 November 2023.

2023 said, however, that the last large-scale confrontation with combatants from FNL-Nzabampema took place around May 2023.²⁵

The Burundian army has also deployed Task Force Commando (TAFOC) battalions to the DRC. A Burundian military official familiar with the operations in the DRC said that military personnel in the TAFOC were officially deployed to South Kivu, but in late 2023, some had gone to North Kivu to fight the M23.²⁶ As of early October 2023, seven TAFOC deployments had been sent to the DRC. Another Burundian military official confirmed this information and said that two separate groups of Burundian soldiers were trained or transited through Camp Mudubugu in Bubanza province, in western Burundi: one group of soldiers officially recognised by the EAC, who were deployed to North Kivu, and another tasked with attacking Burundian armed groups in South Kivu.²⁷

In late 2023, Burundian soldiers recruited for military operations in North and South Kivu as well as for peacekeeping missions in the Central African Republic and Somalia were trained or passed through Camp Mudubugu. A soldier who was deployed to South Kivu said that military officials and soldiers must participate in the military operation in the DRC before they are accepted on peacekeeping missions such as those in Somalia or the Central African Republic. Another military official said that soldiers who had been deployed to the DRC were given priority for deployment to international peacekeeping missions, which motivated some soldiers because those who are deployed to South Kivu do not receive additional compensation.²⁸

3. Senior Burundian military officials involved in the South Kivu operation

Gen. Maj. Ignace Sibomana, the deputy commander of Land Forces for the FDNB since November 2022,²⁹ played a leading role in Burundi's military operations in South Kivu and has a long history of working in the DRC.³⁰

²⁵ Interviews with Burundian soldier, 20 and 23 October 2023.

²⁶ Interview with Burundian military official, 5 November 2023; confidential documents from private meeting between FARDC and FDNB officials that took place in Bujumbura on 16 and 17 January 2023 to evaluate military operations in eastern DRC, on file with BHRI; interview with Burundian military official, 9 October 2023; Radio France Internationale, "La RDC et le Burundi signent un accord de coopération sécuritaire", <https://www.rfi.fr/fr/afrique/20230829-accord-s%C3%A9curitaire-entre-la-rdc-et-le-burundi>, 29 August 2023.

²⁷ Interview with Burundian military official, 9 October 2023.

²⁸ Interviews with Burundian soldier after his deployment to the DRC, 20 and 23 October 2023; interview with Burundian military official, 29 October 2023. Some Burundian soldiers, especially officers, have earned comparatively large amounts of money from serving in peacekeeping missions.

²⁹ Décret n°100/150 portant nomination de certains cadres au ministère de la défense nationale et des anciens combattants et à l'état-major de la force de défense nationale du Burundi, <https://www.presidence.gov.bi/wp-content/uploads/2022/11/Decret-No-150-du-16-novembre-2022-portant-Nomination-de-Certains-Cadres-au-Ministere-de-la-Defense-Nationale.pdf>, 16 November 2022.

³⁰ Interviews with Burundian soldier who was deployed in the DRC, 20 and 23 October 2023; interview with Burundian soldier, 29 October 2023; information from confidential source, 9 March 2023.

Sibomana trained with the opposition Party for the Liberation of the Hutu People (*Parti pour la libération du peuple Hutu*, PALIPEHUTU) in Burundi in the 1990s, during the early days of Burundi's civil war.³¹ He went on to work with the military intelligence branch of the FDD – the armed wing of the CNDD-FDD during the civil war – and was based in eastern Congo.³² He has held various senior military leadership positions in Burundi, including the powerful position of head of national military intelligence (known as G2) throughout the 2015 political and human rights crisis – one of the most brutal periods of repression in Burundi in recent years; previously he was head of military intelligence for the 5th military zone, in Makamba province. From 2019 to November 2022, he was head of logistics for the armed forces (known as G4), a lucrative position in which he was involved in negotiating contracts to supply the military with goods and services.³³ In July 2023, he led an evaluation of the EAC's regional force in the DRC.³⁴

Sibomana has been involved in the unofficial and official military operations in the DRC since at least late 2021, when he laid the groundwork for the clandestine operation. In July 2022, Sibomana and a group of other military officials went to Uvira, in South Kivu, to prepare the transition to an official military operation.³⁵ A Burundian military official said that Sibomana's role involved managing the joint operations between the Congolese and Burundian armed forces.³⁶ A soldier deployed to South Kivu in July 2022 said that Sibomana and Prime Niyongabo spoke with recruits in Bubanza province about how they should conduct themselves during the military operation, prior to their deployment to the DRC.³⁷

Burundian and international human rights organisations, as well as other sources, have reported Sibomana's involvement in abductions, killings and arbitrary arrests in Burundi in previous years, particularly when he was head of military intelligence.³⁸

A military official who worked closely with him during this period said that Sibomana oversaw the killing of perceived government opponents; their bodies were thrown into Lake Tanganyika. He said that some individuals who were arrested were brought to the G2 office or to the military police, and some later disappeared: "Once, a vehicle broke down and they called for another one. I was in the convoy that went to replace the broken-down vehicle. I could see people tied up in the (broken down) vehicle. They were in agony," he said, noting that he was told that the bodies of victims were driven to Cankuzo and Muyinga provinces. "In Muyinga, they were thrown in a river."

³¹ The FNL was the armed wing of PALIPEHUTU. The movement was often referred to as PALIPEHUTU-FNL.

³² Interview with Burundian military official, 12 October 2023.

³³ Décret n°100/143 du septembre 2019 portant nomination de certains cadres du ministère de la défense nationale et des anciens combattants et de l'état-major de la force de défense nationale du Burundi, <https://www.presidence.gov.bi/wp-content/uploads/2019/10/scan0004.pdf>, 19 September 2019.

³⁴ <https://x.com/Ikiriho/status/1678023178583506944?s=20>.

³⁵ Interview with Burundian military official, 1 November 2022.

³⁶ Interview with Burundian military official, 29 October 2023.

³⁷ Interview with Burundian military official, 9 March 2023.

³⁸ See, for example, "Burundi: Disparition forcée de l'Adjudant-major Deo Ndagijimana", <https://focode.org/burundi-disparition-forcee-de-ladjudant-major-deo-ndagijimana/>, 28 June 2017.

He said that Sibomana maintained a team of henchmen who would arrest perceived government opponents: “Ignace (Sibomana) had people he trusted in different military camps, captains and sub officers... They went to get (individuals) who were arrested in the field (and brought them to) the National Intelligence Service.”³⁹

The United States Department of the Treasury imposed targeted sanctions on Sibomana in 2016 for his involvement in, among other things, “operations to target those opposed to the regime of (former) President Nkurunziza” and “‘purification’ operations in Bujumbura against those opposed to the president’s third-term bid.”⁴⁰ The sanctions were lifted in 2021.

Col. Ildephonse Baranyikwa, former head of the military police in Burundi, was the commander of the Burundian contingent deployed to North Kivu as part of the EAC regional force. Prior to this position, he was one of the most senior Burundian military officials involved in the joint military operation in the DRC.⁴¹ He played a crucial role in preparing Burundi’s clandestine military operation in South Kivu. A Burundian soldier who had been deployed to South Kivu said that Baranyikwa made several trips to the DRC in 2021.⁴²

Baranyikwa allegedly committed human rights violations when he was the commander of Camp Muha in Bujumbura in early 2015, during protests against President Nkurunziza’s third term. Police arrested demonstrators and took them to Camp Muha where they were tortured and ill-treated. A former soldier said he saw Baranyikwa beat detainees, including children, at the camp.⁴³

In September 2021, it was reported that the UN rejected Baranyikwa’s nomination to lead a battalion of Burundian peacekeepers in the Central African Republic because of his alleged involvement in human rights violations in Burundi.⁴⁴

In late 2022, when members of the Burundian army committed human rights violations in the area of South Kivu known as the high plateaux, Baranyikwa was reportedly a commander in Bijombo, a strategic village near the Itombwe forest where RED-Tabara was believed to have been operating.⁴⁵ A soldier based in the DRC at the same time as Baranyikwa said that he believed Baranyikwa was “very popular” with military authorities because of his knowledge of the DRC gained during Burundi’s civil war and that he was “ruthless” when it came to the treatment of armed opponents.⁴⁶

³⁹ Interview with military source, 15 August 2019.

⁴⁰ US Department of the Treasury, “Treasury sanctions three individuals for contributing to the ongoing violence in Burundi”, <https://home.treasury.gov/news/press-releases/jl0473>, 2 June 2016.

⁴¹ Interview with confidential source, 5 January 2023; interview with Burundian soldier deployed to the DRC, 2 December 2022.

⁴² Interview with Burundian soldier deployed to the DRC in 2022, 2 December 2022.

⁴³ Interview with confidential military source, 15 August 2019. See also “Rapport final détaillé de la Commission d’enquête sur le Burundi”, <https://www.ohchr.org/en/hr-bodies/hrc/co-i-burundi/co-i-burundi>, 18 September 2017.

⁴⁴ Radio Inzamba, “Accusé d’avoir trop de sang sur les mains, le lieutenant-colonel Ildephonse Baranyikwa n’ira pas en Centrafrique”, <https://inzamba.org/accuse-davoir-trop-de-sang-sur-les-mains-le-lieutenant-colonel-ildephonse-baranyikwa-nira-pas-en-centrafrique/>, 24 September 2021.

⁴⁵ Information from Burundian soldier in the DRC, 18 October 2023.

⁴⁶ Information from Burundian military official who participated in the military operation in the DRC, 5 November 2023.

Baranyikwa was injured during clashes with FNL-Nzabampema combatants in the DRC in September or October 2022 and was evacuated to a military hospital in Bujumbura.⁴⁷ He was replaced by Zénobé Niyonzima, the former head of the 212nd battalion based in the Rukoko forest in Bubanza province.⁴⁸ Burundian military sources said that in early November 2023, Niyonzima was still based in South Kivu.⁴⁹

Brig. Gen. Emmanuel Haringanji, head of the 320th brigade, was the commander of Burundian forces in South Kivu for several months in 2022 and 2023.⁵⁰ Several sources said that in late 2023, he was transferred to North Kivu where he was appointed commander of the First Contingent of Burundian forces based in North Kivu.⁵¹

An FARDC official who worked in South Kivu and other sources said that Haringanji and **Lt. Col. Ezéchiel Ntivyishimirwa** commanded Burundian troops in South Kivu in late 2022.⁵² BHRI documented several cases of human rights violations by members of the Burundian army who would have been under their command during this period (see chapter 4). In October 2023, Ntivyishimirwa was the Burundian commander in charge of the 3rd battalion near Masango, a village near the Itombwe forest in the high plateaux.⁵³

Haringanji was formerly commander of the 120th brigade based in Bubanza province and led the Burundian contingent of peacekeepers in the Central African Republic in 2019.⁵⁴

4. Human rights violations by members of the Burundian military in South Kivu

Congolese victims of human rights violations and their family members said that Burundian soldiers operating in villages in the high plateaux raped women and girls and beat individuals whom they suspected of collaborating with Burundian armed groups or disobeying their orders. In some cases, FARDC soldiers intervened and stopped the ill-treatment. In other cases, they were not present or did not intervene.

⁴⁷ Interviews with military sources, 22 October and 26 November 2022.

⁴⁸ Information from Burundian soldier based in the DRC and another military source, 10 March and 18 October 2023.

⁴⁹ Information from Burundian soldier based in the DRC, 18 October 2023; interview with Burundi military official, 29 October 2023; information from Burundian military official, 10 November 2023.

⁵⁰ Interviews with Burundian soldier deployed to South Kivu, 20 and 23 October 2023.

⁵¹ Radio Publique Africaine, “Des militaires burundais dans les rangs des FARDC à Goma,”

<https://www.rpa.bi/index.php/actualites/regional1/des-militaires-burundais-dans-les-rangs-des-fardc-a-goma>,

6 October 2023; information from Burundian soldiers based in the DRC, 18 October 2023; letter from Ildephonse Baranyikwa, commander of the first Burundian Contingent of the East African Community RF-DRC requesting weapons and ammunition from the FARDC, 21 July 2023, on file with BHRI.

⁵² Interview with FARDC official based in South Kivu in late 2022, 16 October 2023.

⁵³ Interview with Burundian soldier based in the DRC, 18 October 2023.

⁵⁴ Burundi Forum, “Visite du commandant du 5ème contingent burundais au secteur centre”, <https://burundi-forum.org/34143/visite-du-commandant-du-5eme-contingent-burundais-au-secteur-centre/>, 28 July 2019; Agence Burundaise de Presse, “La sécurité est globalement bonne en province Bujumbura”, <https://abpinfos.com/la-securite-est-globalement-bonne-en-province-bujumbura>, 23 April 2019.

A 39-year-old Congolese man from South Kivu said that on 18 September 2022, Burundian troops encircled a market in a village in the Itombwe forest, questioned all men of military age and searched them for tattoos, which they believed were indications that they were members of a Mai-Mai group that collaborated with RED-Tabara. The man said:

“Those without tattoos were left alone. I was among those released, but my brother-in-law was seriously beaten. Each (person) with tattoos was whipped until they accepted that they would no longer (collaborate) with the Mai-Mai. An FARDC lieutenant who was with some (Congolese) soldiers also participated in the whipping alongside the Burundians. We gave a sheep and 100,000 Congolese francs (approximately \$50 USD) to the Burundian commander. (The Burundian and FARDC commanders) demanded that everyone give money (for the victims to be released).”⁵⁵

Burundian soldiers searched houses for members of RED-Tabara in Masango, a remote village near the Itombwe forest in September 2022. They arrested three women and 12 children during the raid, took them to their military base in Masango and accused them of being wives and children of RED-Tabara members. A village official said he went to the Burundian army base to enquire about their whereabouts:

“When I asked about the three women and 12 children, Burundian soldiers and an FARDC soldier... replied that these people had already been transferred to the hierarchy (senior military officials)... they said the detainees weren’t there and they had been sent to their bosses. I insisted on knowing (and asked): ‘where is that?’ They chased me away, threatening me with their weapons. A Burundian soldier said: ‘We’re not joking. If I point my weapon at you, I’m going to shoot. Get the hell out of here.’”⁵⁶

The women and children were released three days later. One of the women told a family member that Burundian soldiers had raped her multiple times. She said that a Burundian soldier told the detained women that his “boss” wanted to see them, then took each woman in a separate direction; the women thought they were going to be questioned. The adolescent son of one of the women who was detained with her said that while they were in detention at the Burundian military camp, Burundian soldiers sometimes came and took his mother away.⁵⁷

The village official said that to his knowledge, the Burundian soldiers who had previously been based in Masango (who had since been replaced) had not committed sexual violence but they “were thieves; they stole our cows, pigs and sheep, and they ate them in front of their owners”.⁵⁸

⁵⁵ Interview with Congolese witness, 19 June 2023.

⁵⁶ Interview with resident of Masango, 16 June 2023.

⁵⁷ Interview with resident of Masango, 16 June 2023.

⁵⁸ Interview with resident of Masango, 16 June 2023.

In a separate incident in September 2022 in a village in the high plateaux in the Itombwe forest, where Burundian armed groups were believed to operate, Burundian soldiers raped a 27-year-old woman and her 16-year-old sister-in-law.

At around 5 pm, the older woman saw people fleeing the village and heard gunshots. She locked herself in her house and waited for the fighting to stop. The next morning, Burundian soldiers searched other houses in her village. “Around noon, we left the house and heard some of our neighbours complain that they had been tortured and their valuables looted,” she said.⁵⁹

A week later, Burundian soldiers returned to her house. “They threw a big stone at my door and entered immediately. They asked my husband to get (his) weapon. He told them: ‘I’m not a soldier (so) I don’t have a weapon; I’m just a farmer.’” The soldiers found a machete in the living room that the man used for farming. They hit him with their guns, kicked him and stepped on him, wounding him. Then they took him outside.

Two soldiers, who were carrying phones and two Motorola walkie-talkies, raped the woman and her 16-year-old sister-in-law in front of the older woman’s three children. As the women screamed for help, the soldiers said: “You can do nothing; the village is in our hands. You tell your Mai-Mai sons who collaborate with the FNL, who think they’re clever... that we did this to you. We don’t joke around like your FARDC soldiers who are weak compared to this little (Mai-Mai) group. We are big Burundian warriors. Tell your Mai-Mai sons not to get involved in our pursuit of the FNL and other Burundian rebels and to let us get on with our operations; it’s also time for us to get rich.”⁶⁰

The younger woman said the men wore Burundian military uniforms and spoke Kirundi, which she understood because she had lived in Burundi as a child: “When I tried to resist, (a Burundian soldier) stepped on my (private parts). When I screamed, he said if he wanted to, he could marry me... When he finished (raping me), the other (soldier) who was (the age of) my father, jumped on me. I lost consciousness.”⁶¹

When the younger woman regained consciousness, a local midwife was treating her with traditional medicine because she was bleeding heavily, but it was of little help. The two women were eventually taken to a hospital.

In November 2022, a 67-year-old man was sitting with a neighbour in Malimba, a village in the high plateaux, when a group of Congolese youth, FARDC soldiers and others passed by him, carrying wounded Burundian soldiers on stretchers. A Burundian soldier with a walkie talkie, who appeared to be a commander, asked him how he could watch an injured soldier pass by and not offer to help. “You don’t help them, but they are dying for your peace (peace in your country),” the

⁵⁹ Interview with Congolese witness, 23 November 2022.

⁶⁰ Interview with Congolese witness, 23 November 2022.

⁶¹ Interview with Congolese witness, 23 November 2022.

soldier said to him. The soldier told the men to follow them so that they could help the injured get to Uvira and said to them: “Otherwise, if they die before they get there, we will pay the price.”

“We told the soldiers that at our age, we (he and his neighbour) are no longer capable of carrying even 1 kilogram to Uvira,” said the man. One of the Burundian soldiers bound his hands with a cord and beat him and his neighbour with a whip. Other Burundian soldiers came up behind them and beat them too. “It was thanks to the screams of our women and children and the intervention of an FARDC major who arrived with his two bodyguards that we were abandoned on the path.”⁶²

A Burundian soldier who returned to Burundi in October 2023 after a six-month deployment in South Kivu said that Burundian soldiers repeatedly stole cattle from Congolese residents in the areas where they operated. The soldiers identified cattle farmers and accused them of stealing cattle, then rounded up all their cattle and kept them. To regain possession of the cattle, the farmers had to give the Burundian soldiers at least two cows. The soldiers then used Mai-Mai from the area to locate markets where they could sell the cows and pocket the money.⁶³

Burundian soldiers also forced Congolese civilians to work for them and treated them harshly. In April 2023, near Masango village, two Burundian soldiers stopped five young men and yelled at them: “You guys, friends of RED-Tabara! If you refuse to come here, we will shoot at you.” The soldiers gave them machetes and told them to cut branches to use to support their tents. When one of the men asked to go home, a soldier threw him to the ground and beat him until he bled. He told the other four to take him away. A relative of the victim said: “(The Burundian military) don’t want to see men free. Here, in this area, every young Fuliru or Nyindu or Bembé (ethnic groups) is (considered) a member of Mai-Mai Ilunga which was allied with RED-Tabara. They arrest (people) ruthlessly and make people work hard. It’s as if we’re in the time of colonisation.”⁶⁴

5. Sexual violence by Imbonerakure

BHRI spoke with Congolese victims, *Imbonerakure* and FARDC officials who said that *Imbonerakure* committed abuses in South Kivu in 2022, including rape, forced recruitment and ill-treatment. Because many *Imbonerakure* wore full or partial military uniforms, it was often difficult for Congolese civilians to differentiate them from Burundian soldiers. After August 2022, when the Burundian military operation became official, fewer *Imbonerakure* participated in the military operation.⁶⁵

A 32-year-old Congolese woman said that in October 2022, she came across 12 men on the road near a mining village in the Itombwe forest, dressed in military uniforms and civilian clothes. All

⁶² Interview with Congolese witness, 14 June 2023.

⁶³ Interviews with Burundian soldier, 20 and 23 October 2023.

⁶⁴ Interview with family member of Congolese victim, 13 June 2023.

⁶⁵ Interview with Congolese witness, 23 November 2022. Several other sources confirmed that fewer *Imbonerakure* participated in the military operation in South Kivu after August 2022.

were armed with guns or machetes. They stopped her and spoke to her in Kirundi; some of them recognised her from her place of work. The woman recognised them and knew they were *Imbonerakure*. “I knew these men well,” she said. “One of them used to come to (where she worked) often and he talked to me a lot about Burundian politics.”

The men asked her: “Where are your clients, our Burundian brothers? Aren’t they still coming around these days? Don’t you know that we learned that they eat at your place on Saturday and Sunday nights? You give them food, but they have abandoned their mission (to fight against Burundian armed groups).”

They cited four names and asked her if she had seen those people. She told them she didn’t know what they were talking about. One of the men touched her breasts and the others started to forcibly undress her. They took her away from the road into the brush where three men raped her while the others stood guard.

“After the (rape), they hit me and spat on my face and told me: ‘Get out of here and say nothing because if you talk about it, we will come to your house and it will be the death of you.’”⁶⁶

A 36-year-old woman from a village near Sange said that after she advocated for the return of a villager’s cattle with a local leader, she received threatening phone messages from an unknown number. Two days later, as she was preparing dinner at home, two men entered her house, undressed her in front of her children and put the barrel of their gun in her private parts. “They insulted me in Kirundi, saying: ‘How do you like that? Is it good?’” She later learned that they were *Imbonerakure* who collaborated with a Congolese armed group allegedly involved in the cattle theft.⁶⁷

6. Human rights abuses by Burundian armed groups

Members of RED-Tabara and FNL-Nzabampema have committed serious human rights abuses in the DRC and Burundi in recent years. BHRI collected testimonies from several Congolese women who said they had been raped by armed men speaking Kirundi, wearing a combination of military uniforms and civilian clothes. The women believed the combatants were from either FNL-Nzabampema or RED-Tabara; BHRI was unable to determine which group the attackers belonged to. In other cases, such as those described below, victims were able to identify the combatants.

A Congolese village official said that in March 2022, RED-Tabara and Mai-Mai Ilunga combatants, led by Nicolas Niyukuri alias Gisiga, a RED-Tabara leader, entered a village in the high plateaux. Members of a Banyamulenge armed group were staying in the village.⁶⁸ After hearing gunfire

⁶⁶ Interview with Congolese witness, 23 November 2022.

⁶⁷ Interview with Congolese witness, 2 December 2022.

⁶⁸ The Banyamulenge is an ethnic group whose members live in the high plateaux and other areas of the DRC and have had longstanding tensions with other ethnic groups, in part because of their historic origins outside the DRC.

nearby, the official took shelter in the forest with other local leaders. Because he was from the same ethnic group as some of the members of Mai-Mai Ilunga, he and the other local leaders decided to come out of hiding after the combatants had taken control of the village.

“They (the RED-Tabara and Mai-Mai Ilunga combatants) put me on the ground immediately,” said the official. “Then Gisiga arrived (and he) said to the combatants... ‘he’s the chief who’s sheltering our enemies who cooperate with the Burundian regime’. He accused me of being an enemy of Congo when I (shelter) Burundians and their Banyamulenge allies. That’s when Gisiga told all of us who had been arrested to give him 10 cows; he gave us one hour to do it.”

RED-Tabara and Mai-Mai Ilunga combatants then beat the local officials with whips and punched and kicked them. Gisiga returned later and asked the official if he understood how many times RED-Tabara had sent emissaries to tell him to chase the Banyamulenge from his village. The official said: “I told them (to leave), but in vain. (The Banyamulenge) told me they were going to kill me too because they (aren’t welcome) anywhere.” His explanation irritated Gisiga who pulled out a knife as if he was going to attack him. “He ended up cutting off my ear lobe.”⁶⁹

In November 2022, a 27-year-old woman and her mother-in-law were collecting firewood near Fizi when around 12 men in Burundian and Congolese military uniforms speaking Kirundi stopped them. They asked the women if they had seen a group of individuals who had stolen some cattle.

“We (said we hadn’t). They told us to go in front of them because we know where our brothers the thieves are. We arrived at a place in the forest and they released my mother-in-law,” said the woman. The combatants took the woman back to their base where she was forced to live with them for a month; she said they raped her repeatedly.

“During the month that I lived with them, they only spoke Kirundi. The first week, I slept with three men, all Burundians from RED-Tabara. The second week, I became the ‘wife’ of their leader. I forgot his name. He (said) he was going to take me to Burundi and that I would see that life is good there. One day he told me: ‘We, RED-Tabara, we are stronger than the other armed forces in the world.’”⁷⁰

The woman said she and three other women who were also held captive fled RED-Tabara’s base when FARDC soldiers pursued the combatants as they were returning to their base. The FARDC soldiers told the women to flee. The woman who had been taken as a wife later discovered she was pregnant and was taken to a regional hospital.

⁶⁹ Interview with Congolese witness, 26 June 2023.

⁷⁰ Interview with Congolese witness, April 2023.

7. Conclusion

Since late 2021, members of the Burundian army, as well as RED-Tabara, have raped and ill-treated Congolese civilians in South Kivu away from the public eye, without any scrutiny or accountability. The human rights violations exposed in this report should prompt international actors to apply pressure on senior Burundian authorities, particularly the president and the chief-of-staff of the FDNB, Prime Niyongabo, to hold their troops to account and make clear that unless credible investigations take place and perpetrators and their commanders are held responsible, no support or training will be provided to the Burundian armed forces. Unless this is done, there will be no justice for Congolese victims, and human rights violators in the Burundian army will continue to be promoted and rewarded.