



TOURNONS LA PAGE

**FORCED
DISAPPEARANCES IN BURUNDI
10 YEARS OF SILENCE**

FORCED DISAPPEARANCES IN BURUNDI :

10 YEARS OF SILENCE

Since April 2015, Burundi has been facing a major political crisis triggered by the controversial candidacy of the late President Pierre Nkurunziza for a third term, violating both the spirit and the letter of the Constitution and the Arusha Accord. This accord, the cornerstone of peace after a decade of civil war, is founded on the principles of human rights and transitional justice, laying the groundwork for lasting peace and national reconciliation.

However, the violent repression of popular protests and the organization of contested elections have plunged the country into a climate of restricted civic and political space. Since then, civil society, the media, political opponents, and even members of the security

forces and the ruling party have been targeted by systematic repression.

Despite the rise to power of President Évariste Ndayishimiye in 2020, hopes for significant change in human rights remain unmet. The cosmetic measures adopted are primarily aimed at appeasing international partners without addressing the roots of ongoing violations. The regime continues to foster stifling political intolerance and encourages forced disappearances with total impunity. Institutions such as the police, judiciary, and supposedly independent bodies no longer defend human rights and may themselves be agents of violations.

The plague of forced disappearances

Forced disappearances, considered crimes against humanity under international law, have become a widespread tool of repression in Burundi since 2015. Human rights defenders, journalists, members of opposition parties (CNL, MSD, FRODEBU), former soldiers, and even agents linked to regime crimes are among the victims.

The main perpetrators are the security services, particularly the police and the National Intelligence Service, often supported by the ruling party's youth wing, the Imbone-

rakure. This strategy aims to silence dissent and cover up abuses, leaving the families of the disappeared in despair and fear. The inability of Burundians to seek justice is symptomatic of the systemic human rights violations in Burundi, fostering total impunity. As Burundi has not ratified the International Convention for the Protection of All Persons from Enforced Disappearance, international mechanisms struggle to intervene effectively. Victims' families face intimidation, and many choose silence for fear of reprisals.

Deafening silence despite alarming numbers

Between 2015 and 2018 :

➤ 83 cases of forced disappearances documented by NGOs.[1]

Since 2020 :

➤ At least 120 people have disappeared and have not been found. In 2024, FOCODE recorded at least 40 new cases of forced disappearances.[2]

Between 2015 and 2016 :

➤ More than 300,000 Burundians fled the country, victims of violence, extrajudicial executions, arbitrary arrests, and torture[3]. By 2018, approximately 430,000 Burundians were refugees in neighboring countries[4].

From 2015 to 2023 : [5]

- ❁ 13 072 arbitrary arrests.
- ❁ 1 381 bodies discovered.
- ❁ 1 225 cases of torture.
- ❁ 4 040 murders.
- ❁ 697 abductions.



TOURNONS LA PAGE
EN AFRIQUE COMME AILLEURS.
PAS DE DÉMOCRATIE SANS ALTERNANCE

ADVOCACY NOTE - JANUARY 2025

03

[1] "Burundi: 'Ndondeza' documente les disparitions forcées", Deutsche Welle. 26/07/2018. < [\[2\] "Déclaration du FOCODE à l'occasion de la Journée internationale des victimes de disparitions forcées – Edition 2024", Ndondeza. 30/08/2024. < <https://ndondeza.org/journee-disparus-2024/> >](https://www.dw.com/fr/la-campagne-ndondeza-documente-les-disparitions-forc%C3%A9es-au-burundi/a44829281#:~:text=Ils%20sont%2083%20C3%A0%20C3%AAtre%20formellement%20identifi%C3%A9s%20comme,de%20traces%20depuis%20en%202015%20est%20largement%20sup%C3%A9rieur.> ></p></div><div data-bbox=)

[3] "Plus de 300 000 Burundais ont fui vers les pays voisins débordés" UNHCR. 23/09/2016. < <https://www.unhcr.org/fr-fr/actualites/points-de-presse/plus-de-300-000-burundais-ont-fui-vers-les-pays-voisins-debordes> >

[4] "BURUNDI. Le traitement réservé par les autorités nationales à leurs ressortissants de retour dans le pays" Commissariat général aux réfugiés et aux apatrides. 15/05/2023. < https://www.cgys.be/sites/default/files/rapporten/coi_focus_burundi_le_traitement_reserve_par_les_autorites_nationales_a_leurs_ressortissants_de_retour_dans_le_pays_20240621.pdf >

[5] "Burundi : Plus de 1000 personnes torturées par les forces de l'ordre depuis 2015" OMCT. 30/10/2023. < <https://www.omct.org/fr/ressources/nouvelles/burundi-plus-de-4000-personnes-tu%C3%A9es-par-les-forces-de-lordre-depuis-2015> >

A context of institutional stalemate

In 2016, Burundi suspended the activities of the Office of the United Nations High Commissioner for Human Rights, permanently closing the office in 2019[6]. Since then, Burundian authorities have refused to cooperate with the United Nations Commission of Inquiry[7] and the Special Rapporteur on Burundi, even denying him access to the national territory. This mandate, created by the Human Rights Council's resolution 48/16 on the human rights situation in Burundi on October 8, 2021, recalling the Arusha Accord for peace

and reconciliation in Burundi, was renewed in October 2024[8]. The UN Rapporteur on Burundi observed "*a reinforcement of impunity*," with the perpetrators of serious human rights violations "*being promoted to positions*." [9]

In the same year, the National Independent Human Rights Commission (CNIDH) lost its A status due to a lack of independence and effectiveness[10]. This downgrade illustrates the marginalization of national mechanisms meant to protect human rights.



TOURNONS LA PAGE
EN AFRIQUE COMME AILLEURS.
PAS DE DÉMOCRATIE SANS ALTERNANCE

ADVOCACY NOTE - JANUARY 2025

04

[6] "Fermeture du Bureau des droits de l'homme des Nations Unies au Burundi" OHCHR, 05/03/2019. < <https://www.ohchr.org/fr/2019/03/un-human-rights-office-burundi-closes> >

[7] "Le refus du Burundi de coopérer avec l'enquête méprise son appartenance au Conseil des droits de l'homme de l'ONU", Human Rights Watch, 15/06/2017. < <https://www.hrw.org/fr/news/2017/06/15/le-refus-du-burundi-de-cooperer-avec-lenquete-meprise-son-appartenance-au-conseil> >

[8] "Situation des droits de l'homme au Burundi" Conseil des droits de l'homme, A/HRC/57/L.12. < <https://documents.un.org/doc/undoc/ltid/g24/181/67/pdf/g2418167.pdf> >

[9] "Droits humains au Burundi : « Il y a un renforcement de l'impunité »", Nations unies. 01/11/2024. < <https://news.un.org/fr/audio/2024/11/1150236> >

[10] "Communication à l'attention de l'Alliance mondiale des institutions nationales des droits de l'homme", HRW. 13/09/2023. < <https://www.hrw.org/fr/news/2023/11/02/communication-lattention-de-lalliance-mondiale-des-institutions-nationales-des> >

RECOMMENDATIONS

01 ➤ TO THE GOVERNMENT OF BURUNDI

1. Criminalization of enforced disappearances :

- Introduce and adopt specific legislation criminalizing enforced disappearances, in line with the standards of the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED).

3. Investigations and Prosecution of Perpetrators :

- Immediately initiate impartial and thorough investigations into documented cases of enforced disappearances, with the involvement of independent observers.
- Suspend security or administrative personnel suspected of involvement until the conclusion of investigations.
- Prosecute identified perpetrators, including high-ranking officials who issued orders or turned a blind eye to these practices.

5. Institutional Strengthening:

- Reform the Independent National Commission on Human Rights (CNIDH) to ensure its independence and restore its status A.
- Collaborate with the Office of the United Nations High Commissioner for Human Rights (OHCHR) and reopen its offices in Burundi.

2. Justice for families :

- Establish a national support fund for the families of victims, including legal, psychological, and social assistance services.
- Implement an independent and secure complaint mechanism for reporting enforced disappearances, accessible to citizens without fear of retaliation.

4. Transparency in detention facilities :

- Compile a public and exhaustive list of official detention centers.
- Allow national and international organizations to regularly inspect these facilities to ensure they are not used for secret detention.

6. Ratification of international treaties :

- Immediately ratify the ICPPED and incorporate its provisions into national legislation.
- Fully cooperate with UN monitoring mechanisms, including the Special Rapporteur on Burundi.

RECOMMENDATIONS

02 ➤ TO THE EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA)

1. Periodic Reviews :

- Conduct regular audits of the human rights situation in member states, with particular attention to enforced disappearances in Burundi.

2. Engagement with Burundi :

- Require the Burundian government to present a detailed report on measures taken to prevent enforced disappearances and protect human rights.

3. Creation of a regional mechanism :

- Propose the establishment of a regional mechanism dedicated to preventing enforced disappearances, including a support fund for victims and a regional reporting network.

03 ➤ TO THE UN WORKING GROUP ON ENFORCED DISAPPEARANCES

1. Targeted pressures :

- Send urgent official communications to the Burundian government to investigate the 40 new cases documented in 2024 and publish their findings.
- Demand the release of internal investigation reports from security services, including the police and the National Intelligence Service.

2. Field visits :

- Insist on access to Burundian territory to meet with the families of the disappeared and verify allegations.
- Collaborate with local NGOs to secure and centralize evidence related to disappearances.

RECOMMENDATIONS

04 ➤ TO THE UNITED NATIONS

1. Strengthening monitoring mechanisms :

- Continue to renew the mandate of the Special Rapporteur on Burundi and expand his powers to include access to victims' families and witnesses.
- Create an international database to document enforced disappearances in Burundi, accessible to families and investigators.

2. Targeted sanctions :

- Impose specific sanctions (asset freezes, travel restrictions) against identified perpetrators of enforced disappearances, whether military, political, or administrative.

05 ➤ TO BURUNDI'S BILATERAL AND MULTILATERAL PARTNERS

1. Conditionality of Aid :

- Tie any financial or technical support to measurable progress in combating enforced disappearances and respecting human rights.
- Support independent audits of the use of international funds to ensure they do not finance bodies involved in human rights violations.

2. Support for Victims :

- Strengthen the capacities of local organizations to provide legal and psychological assistance to the families of the disappeared.
- Fund national awareness campaigns on human rights and available legal remedies.

3. International advocacy :

- Organize high-level meetings to maintain diplomatic pressure on the Burundian government and mobilize greater support for local and regional initiatives.



TOURNONS LA PAGE