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Burundi: Release prisoners of conscience immediately and unconditionally

Amnesty International calls on the Burundian authorities to immediately and unconditionally release five human rights defenders detained simply on account of their human rights work. Germain Rukuki, whose trial started today, Nestor Nibitanga, Emmanuel Nshimirimana, Aimé Constant Gatore and Marius Nizigiyimana are all charged with threatening state security. Amnesty International considers the five men to be prisoners of conscience as they have been imprisoned solely for the peaceful exercise of their human rights.

Germain Rukuki was arrested on 13 July 2017 in Bujumbura, the capital, and has been held for seven months in pre-trial detention. He is the president of a community organization called Njabutsa Tujane, an employee of the Burundian Catholic Lawyers Association and a former member of Action by Christians for the Abolition of Torture - Burundi (ACAT-Burundi). He was initially held and interrogated by the National Intelligence Service (SNR) without a lawyer present, before being transferred to a prison in Ngozi on 26 July.

On 1 August, Germain Rukuki was charged with “threatening state security” and “rebellion” for collaborating with ACAT-Burundi. Along with several other independent human rights groups, ACAT-Burundi was closed down by the Minister of Interior in October 2016, accused of working to “tarnish the image of the country” and “sow hatred and division among the Burundian population”. The Public Prosecutor presented an email exchange from a period when ACAT-Burundi was legally registered in Burundi as evidence against him. Germain Rukuki was denied bail on 17 August, a decision that was upheld on appeal on 31 October.

Nestor Nibitanga, the former regional observer responsible for the centre and east of Burundi for the Association for the Protection of Human Rights and Detained Persons (Association pour la Protection des Droits Humains et des Personnes Détenues, APRODH), was arrested on 21 November 2017 in Gitega. APRODH was closed down in October 2016 alongside ACAT-Burundi and other organizations. He was also charged with threatening state security and rebellion, which Amnesty International believes is in retaliation for his human rights work. In a tweet on the day of his arrest, the police said several documents were seized as evidence. He was denied bail in January 2018 and is held in detention at the Murembwa central prison in Rumonge.

Three members of the non-governmental organization Words and Actions for the Awakening of Consciences and the Evolution of Mentalities (*Paroles et actions pour le réveil des consciences et l'évolution des mentalités PARCEM*) were also arrested in June 2017. Emmanuel Nshimirimana, PARCEM's provincial representative in Muramvya, Aimé Constant Gatore and Marius Nizigiyimana, local focal points for PARCEM in the same province, are being prosecuted on charges of threatening

state security and using fake documents. They are accused of recruiting youth members of opposition parties as whistleblowers to report on human rights violations while excluding members of the Imbonerakure, the youth wing of the ruling National Council for Defence of Democracy – Forces for Defence of Democracy (CNDD-FDD). PARCEM has said that their members were identifying these young people as part of preparations for a workshop which would bring together young activists from different political parties, including representatives from the ruling party.

The trial of PARCEM's members opened on 1 December 2017, and a verdict is expected on 26 February. The prosecution has requested sentences of between 20 and 25 years in prison, and a fine of 1 million FBU (1175 USD) for each of the accused.

Amnesty International urges the Burundian authorities to immediately and unconditionally release these five prisoners of conscience, as well as all other detainees held solely on the grounds of their peaceful human rights work.

While they remain in detention, the Burundian authorities must ensure that Germain Rukuki, Nestor Nibitanga, Emmanuel Nshimirimana, Aimé Constant Gatore and Marius Nizigiyimana have full access to the lawyers of their choice and their family members.

Since the start of the political crisis in April 2015 and President Pierre Nkurunziza's decision to stand for a third term in office that sparked widespread demonstrations, the government has continuously cracked down on independent civil society and media. Many human rights defenders have fled the country for their safety. Pierre-Claver Mbonimpa, APRODH's founder and one of Burundi's most respected human rights defenders, narrowly escaped an assassination attempt in August 2015, sustaining life threatening injuries. His son-in-law was killed by unknown assailants in Bujumbura in October 2015, and his son was killed in November 2015 after being arrested by the police.

Amnesty International urges Burundian authorities to stop harassing, intimidating and attacking human rights defenders and publicly recognize the legitimacy of their activities. In the run-up to the May 2018 referendum on a major reform of the Constitution, the rights to freedom of expression, access to information and a space for genuine debate in which human rights defenders can speak freely without fear of reprisals is more vital than ever in Burundi.