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President Pierre Nkurunziza  
President of the Republic of Burundi  
Office of the President  
Boulevard de l'Indépendance  
Bujumbura  
Burundi

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**AMNESTY  
INTERNATIONAL**



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Your Excellency

I write to raise Amnesty International's concerns about the deteriorating situation for freedom of assembly in Burundi and to make specific recommendations based on your government's human rights obligations and commitments to protect, promote and fulfil the right to freedom of assembly and to thoroughly and transparently investigate allegations of human rights abuses by the *Imbonerakure*.

Over the last year, violations of individuals' rights to freedom of association, peaceful assembly and expression have increased ahead of the 2015 presidential, legislative and communal elections.

On 25 March, the Mayor of Bujumbura stated in a letter that "the Government of Burundi through the Ministry of Interior organises a campaign of 100 days to support peace and social cohesion, which is manifested through popular demonstrations organised at the end of each month. During this pre-electoral period, no demonstration other than the one in the context of peace can be authorised."<sup>1</sup> In this context, only demonstrations organized by the National Council for the Defence of Democracy-Forces for the Defence of Democracy (CNDD-FDD), such as the demonstrations on 11 April in Bujumbura and on 18 April in Gatumba, have been allowed to proceed unhindered, while the authorities impose impermissible restrictions on those organized by individuals who are not part of the CNDD-FDD.

Amnesty International also notes that the police arrested more than 100 people on 17 April, during a demonstration against a further presidential bid by your Excellency. At least 65 of these people are still detained and being charged for alleged "participation in an insurrectional movement" among other charges. Amnesty International believes there is no factual basis for the charge of insurrection levied against them.

Over 10,000 Burundians have fled to Rwanda and the Democratic Republic of Congo (DRC) in the past few weeks alleging intimidation and harassment by the *Imbonerakure*, the youth wing of the CNDD-FDD. Amnesty International has repeatedly encouraged Burundian authorities to effectively and thoroughly investigate allegations of harassment, intimidation and violence by the *Imbonerakure*. To date, no such investigation appears to have taken place.

The Government of Burundi is obliged to promote, protect, and fulfil individuals' human rights including the rights to freedom of expression, association and peaceful assembly, and to ensure fair trial rights and due process in line with regional and international human rights standards.

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<sup>1</sup> Letter from Bujumbura's Mayor dated 25 March 2015, <http://olucome.bi/IMG/pdf/document1.pdf>.

Specifically, the right to peaceful assembly is protected by the International Covenant on Civil and Political Rights (ICCPR), which Burundi acceded to in 1990, and which is enshrined in Burundi's Constitution. Article 21 of the ICCPR provides: "The right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order, the protection of public health or morals or the protection of the rights and freedoms of others."

The right to peaceful assembly is also protected by the African Charter on Human and Peoples' Rights, to which Burundi acceded in 1989. Article 11 of the African Charter provides: "Every individual shall have the right to assemble freely with others. The exercise of this right shall be subject only to necessary restrictions provided for by law, in particular those enacted in the interest of national security, the safety, health, ethics and rights and freedoms of others."

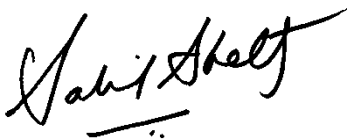
I would therefore urge you to use your leadership position to ensure the Government of Burundi moves swiftly to:

- Fully and effectively guarantee the rights to freedom of expression, assembly and peaceful assembly, including by allowing all peaceful public assemblies.
- Ensure that the police and other law enforcement agencies fully respect the freedoms of expression and assembly and do not interfere with peaceful assemblies.
- Ensure that the police do not arbitrarily arrest or ill-treat protestors.
- Ensure due process and a fair trial where there is sufficient admissible evidence to underpin prosecutions.
- Subject any use of force during a public assembly to review, and where appropriate, investigation and disciplinary or criminal sanction.
- Effectively and thoroughly investigate and bring to justice all suspected perpetrators of violence and intimidation, including the *Imbonerakure*.
- End intimidation and harassment of critics, human rights defenders, the media and the political opposition.

Amnesty International urges you to publicly commit to these recommendations and ensure the Government of Burundi takes these important steps to prevent further violations ahead of the forthcoming elections.

I look forward to continued dialogue on the issues raised in this letter.

Yours sincerely



Salil Shetty  
Secretary-General