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Burundi: Release prominent lawyers jailed on spurious charges

The Burundian government should immediately release two prominent lawyers jailed amid an ongoing dispute with the government, Amnesty International said today, as a national lawyers' strike continues.

Head of the Bar Association Isidore Rufikiri was arrested on 27 July after speaking at a rally in the capital, Bujumbura. Burundian lawyers are on strike this week to call for the release of their colleague, Suzanne Bukuru, who was arrested on 15 July on charges of "complicity in espionage" after speaking to French journalists about a case of alleged rape.

"Arresting these lawyers violates the right to freedom of expression," said Erwin van der Borgh, Amnesty International's Africa Programme Director.

"The Burundian authorities must immediately release these lawyers and allow them and others to practice freely. "The way they handle this will be a litmus test for the credibility of Burundi's justice system."

The prosecution summoned Rufikiri to the Court of Appeal on 27 July, and interviewed him on charges of "insulting magistrates", apparently referring to comments he made about judicial interference at a lawyers' protest on 25 July.

Following this questioning, Rufikiri was taken directly to Mpimba Central Prison.

Bukuru was also summoned by the prosecution on 15 July, in relation to a case where she is representing five girls who allege they were raped by a French national living in Burundi. The accused was found guilty on 25 July and sentenced to 25 years in jail and a €14,000 fine. He is appealing the sentence.

Bukuru was questioned about having put her clients in touch with French journalists visiting Burundi before the verdict. She was charged with an unrelated and spurious offence of "complicity in espionage", which carries a life sentence and can only be applied to foreigners and in times of war.

Bukuru was immediately transferred to Mpimba Central Prison and the court will rule on 1 August on whether to grant bail.

The prosecution also questioned Edras Ndikumana, a correspondent for Radio France International (RFI), about his role in putting French journalists in contact with Bukuru.

Background

The independence of the judiciary in Burundi is regularly compromised through political interference. Magistrates are sometimes penalized by being relocated to different provinces for taking decisions seen as unfavourable to the executive.

The United Nations Independent Expert on the human rights situation in Burundi, Fatsah Ouguergouz,

cited problems with judicial independence as one of the key weaknesses of Burundi's justice system in his May 2011 report.

The UN Basic Principles on the Role of Lawyers not only state that lawyers must be allowed to carry out their work "without intimidation, hindrance, harassment or improper interference" but also expressly recognizes that they are entitled to freedom of expression including "the right to take part in public discussion of matters concerning the law, the administration of justice and the promotion and protection of human rights".