

**TO MINISTER DOMINE BANYANKIMBONA
MINISTER OF JUSTICE
REPUBLIC OF BURUNDI**

Index Number: AFR 16/5043/2021

26 November 2021

Dear Minister,

**RE: IMMEDIATELY IMPLEMENT COURT DECISIONS AND RELEASE CHRISTA KANEZA
WITHOUT FURTHER DELAY**

We, the undersigned human rights non-governmental organizations, call on you, in your capacity as Minister of Justice, to implement without further delay the court decisions granting provisional release to Christa Kaneza. The failure to implement the court decision is an affront to the rule of law and amounts to a violation of her right to a fair trial guaranteed under article 38 of the Burundian Constitution, article 7 of the African Charter on Human and Peoples' Rights and article 14 of the International Covenant on Civil and Political Rights to which the country is a state party.

Christa Kaneza, who is 19 years old and mother of a one-year-old child, was arrested on 19 January 2021 following the killing of her husband Thierry Kubwimana on 24 November 2020. He was killed at their residence in Gasekebuye, a suburb of the economic capital, Bujumbura. She has been detained at Mpimba central prison in Bujumbura ever since.

On 1 February 2021, the High Court of Muha in Bujumbura ordered that Christa Kaneza should be provisionally released, citing the lack of evidence of her involvement in her husband's murder. On 28 September 2021, the Court of Appeal of Muha in Bujumbura upheld the decision, following an appeal by the prosecution. Almost two months later – and more than nine months since the initial court ruling – she remains in detention.

We are also concerned about the conduct of the ministry in charge of the police in the days following Christa's arrest and detention. In [January](#), Pierre Nkurikiye, spokesperson of the Ministry of Interior, Community Development and Public Security, told reporters, without providing any evidence, that Christa killed her husband. Such statements violate her right to be presumed innocent until proven otherwise.

During his inauguration speech in June 2020, President Evariste Ndayishimiye declared his commitment to upholding human rights in Burundi. More recently, he acknowledged the malfunctions of the judicial system and denounced corruption. [On 6 October](#), he promised to ensure a fair and independent justice system in Burundi. While the words of the President give hope for change, we are waiting for them to be translated into concrete actions.

Christa Kaneza's case is emblematic of all those whose human rights have been violated through the failures of Burundi's judicial system and underlines the urgent need for effective reform to ensure

justice that is independent, fair and equitable. The conduct of the police in this case raises serious questions on the motive behind the delay in the judicial procedures and the authorities' failure to date to implement the court decisions.

We call on you to immediately implement the court decision and release Christa Kaneza from detention without delay.

Sincerely,

1. Action by Christians for the abolition of torture in Burundi (ACAT Burundi)
2. African Centre for Democracy and Human Rights Studies (ACDHRS)
3. Akina Mama wa Africa (AMWA)
4. Amnesty International
5. Coalition Burundaise des Défenseurs des Droits Humains (CBDDH)
6. Coalition de la Société Civile pour le Monitoring Electoral (COSOME)
7. Coalition Burundaise pour la Cour Pénale Internationale (CB CPI)
8. Collectif des Avocats pour la Défense des Victimes (CAVIB)
9. Fédération Internationale des Droits Humains (FIDH)
10. Forum pour la Conscience et le Développement (FOCODE)
11. Forum pour le Renforcement de la Société Civile (FORSC)
12. Ligue Iteka
13. Light for All
14. Mouvement des femmes et des filles pour la paix et la sécurité au Burundi (MFFPS)
15. Mouvement INAMAHORO, Femmes et Filles pour la Paix et la Sécurité
16. Observatoire de Lutte contre la Corruption et les Malversations Economiques (OLUCOME)
17. Organisation pour la Transparence et la Gouvernance
18. Réseau des Citoyens Probes (RCP)
19. SOS TORTURE BURUNDI
20. The Burundi Human Rights Initiative
21. Tournons la Page - Burundi
22. TRIAL International
23. Union Burundaise des Journalistes (UBJ)