

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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BURUNDI: RELEASE HUMAN RIGHTS DEFENDER GERMAIN RUKUKI

During Amnesty International's global Write for Rights campaign, our members and supporters in 37 countries took more than 436,292 actions in solidarity with Burundian human rights defender Germain Rukuki and called for his immediate and unconditional release. These letters have been sent by Amnesty International's national sections and offices to Burundian embassies in their countries across the world. A number of letters were also sent directly to President Evariste Ndayishimiye via email.

Germain Rukuki was arrested on 13 July 2017 in Bujumbura. On 26 April 2018, he was found guilty and sentenced to 32 years on baseless charges of "rebellion", "threatening State security", "participation in an insurrectional movement" and "attack on the authority of the State". This conviction was upheld by the Ntahangwa Court of Appeal on 17 July 2019. He is being held in the overcrowded prison of Ngozi.

On 30 June 2020, the Cassation Chamber of the Supreme Court set aside the 17 July 2019 decision of the Ntahangwa Court of Appeal. The Cassation Chamber based its decision on the fact that when the Ntahangwa Court of Appeal held a hearing to deliberate on Germain Rukuki's case on 31 May 2019 the case continued with a newly composed bench of judges and the debate was not reopened to ensure that the new judges are made aware of the substance of the case and for them to hear both parties' arguments. Mr Rukuki was not present at the May 2019 hearing. The Cassation Chamber agreed with Germain Rukuki's lawyers that not allowing contradictory arguments during the hearing on 31 May 2019 was in violation of articles 10 of the Universal Declaration of Human Rights and article 14 of the International Covenant on Civil and Political Rights guaranteeing that all people are entitled in full equality to a fair and public trial before a competent, independent and impartial tribunal, and article 19 of the Burundian Constitution which domesticates international treaties and conventions to which Burundi is part of. The Cassation Chamber requested the Ntahangwa Court of Appeal to organize another hearing and allow both parties to present their case. On 24 March 2021, the hearing for Germain Rukuki's fresh appeal was held at the Ngozi Prison. The appeal court's decision is yet to be made public.

Amnesty International believes that Germain Rukuki is being harassed and deprived of his liberty because of his human rights work. Accusations against him were based on his previous affiliation with a civil society organization, Action by Christians for Abolition of Torture (ACAT-Burundi), which was deregistered by the Burundian Government in October 2016.

On 18 June 2020, during his inauguration speech, President Ndayishimiye declared his intention to respect and uphold human rights in Burundi. Amnesty International calls upon him to live by this promise and uphold Burundi's national, regional, and international obligations to respect human rights, in particular to ensure that human rights defenders are able to work safely in Burundi and without fear of repression.