

PUBLIC

AI Index: AFR 16/007/2006

25 May 2006

UA 147/06      Arbitrary detention/Prisoner of conscience

BURUNDI      Térencia Nahimana (m)

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Peace activist Térencia Nahimana is facing charges that could potentially see him jailed for up to 20 years. The government has recently been harassing and intimidating human rights defenders, especially those who criticise it, and Amnesty International is concerned that numerous other people are now at risk of imprisonment simply for exercising their right to freedom of expression.

Térencia Nahimana is the director of the NGO *Cercle d'initiative pour une vision commune* (CIVIC), which works to promote peace and conflict resolution in Burundi. On 5 May, he wrote a letter to President Pierre Nkurunziza, saying that the government was deliberately delaying peace negotiations with the last armed opposition group operating in the country. He claimed that this group, the *Forces Nationales de Libération* (FNL), National Liberation Forces, has a presence in the neighbouring Democratic Republic of Congo, and that the government was planning to use this as an excuse to move troops into that country. The following day he gave a press conference where he expressed the same views.

He also said that the government was hindering talks with the UN aimed at establishing a Truth and Reconciliation Commission to address the alleged past war crimes and crimes against humanity. Nahimana argued that the government was afraid that some of its own members could be indicted by such a Commission.

He was arrested on 9 May by the national intelligence service, the *Documentation Nationale*. He was released after three hours of questioning, but the following day he was arrested again, and held at their headquarters in the capital, Bujumbura. On 15 May he was formally charged by the public prosecutor with "threatening state security", under articles 404 and 428 of the Burundian penal code. These articles deal with "exposing Burundi to foreign hostility" and "incitement of the population against the government or incitement to civil war". Térencia Nahimana is now held in Mpimba central prison, in Bujumbura.

Amnesty International considers him a prisoner of conscience, detained solely for the peaceful exercise of his right to freedom of expression, as guaranteed by the African Charter on Human and Peoples' Rights and the International Covenant on Civil and Political Rights. Burundi is a state party to both.

## BACKGROUND INFORMATION

Burundi is emerging from 13 years of civil conflict. The FNL is still operating in three provinces around Bujumbura. Peace negotiations between the government and the FNL have been slow.

## RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English, French or your own language:

- expressing grave concern that peace activist Térencia Nahimana has been detained on charges of "threatening state security", apparently for criticising the government;
- urging the authorities to release him immediately and unconditionally, as he is a prisoner of conscience, detained solely for exercising his right to freedom of expression;
- reminding the authorities that Burundi is a state party to both the African Charter on Human and Peoples' Rights and International Covenant on Civil and Political Rights, which guarantee the right to freedom of expression.

**APPEALS TO:**

President

Président Pierre Nkurunziza  
Président de la République  
Boulevard de l'Uprona  
Rohero I

BP 1870, Bujumbura, Burundi

**Fax: +257 22 74 90**

**Salutation: Monsieur le Président / Excellence**

Government Spokesperson

Monsieur Karenga Ramadhani

Ministre de l'information, de la Communication, des Relations avec le Parlement et Porte-Parole du  
Gouvernement

2e Bdg de l'INSS

Chaussée Prince Rwagasore

BP 1080, Bujumbura, Burundi

**Fax: +257 22 17 66**

**+257 21 63 18**

**Salutation: Monsieur le Ministre**

Minister of Justice

Madame Clotilde Niragira

Ministre de la Justice et Garde des Sceaux

Chaussee Prince Rwagasore

BP 1880, Bujumbura, Burundi

**Fax: +257 21 86 10**

**+257 25 00 40**

**Salutation: Madame la Ministre**

Minister of the Interior and Public Security

Monsieur Evariste Ndayishimiye

Ministre de l'Intérieur et de la Sécurité Publique

Ministère de l'Intérieur et de la Sécurité Publique

Avenue du Gouvernement

Building Grand Bureau

BP 1910, Bujumbura, Burundi

**Fax: +257 22 53 51**

**Salutation: Monsieur le Ministre**

and to diplomatic representatives of Burundi accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 6 July 2006.