

Burundi | Stop the harassment, intimidation, arbitrary arrest and criminalisation of human rights defenders

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ISHR urges States to use Burundi's Universal Periodic Review happening today to call on the Burundian Government to refrain from criminalising the legitimate activities of human rights defenders and refrain from restricting their rights.



Every member State of the UN has its human rights record periodically reviewed by its peers in a process known as the Universal Periodic Review (UPR). Today, Burundi will be reviewed as part of the 29th session of the Universal Periodic Review.

Burundian civil society actors, and particularly human rights defenders and journalists, have been the primary targets of systematic oppression by the authorities. Journalists and human rights defenders face heightened risks of threats, intimidation, and violent attacks; while the activities of civil society organisations have been suspended for 'disturbing security in the country'.

Further, and incredibly disappointing is the fact that in its last UPR in 2013, Burundi simply noted all but one of the 6 recommendations received relating to human rights defenders, and rejected 10 recommendations relating more broadly to restrictions on rights to freedom of expression, the press, association, and assembly.

ISHR's [Briefing Paper](#) on the Situation of Human Rights Defenders in Burundi is intended to assist States and other stakeholders to formulate questions and recommendations regarding the protection of human rights defenders during the UPR.

Key recommendations that should be made to Burundi at the UPR include:

- Refrain from criminalising the legitimate activities of human rights defenders and repeal all laws and policies which restrict their activities and rights.
- Combat impunity, including of Imbonerakure forces, by ensuring the prompt, thorough and impartial investigation of all violations against human rights defenders, such as forced disappearance, arbitrary and incompetent detention of journalists and other human rights defenders, and threats of violence and attacks against private media outlets.
- Demonstrate support for human rights defenders by refraining from stigmatising them as terrorists and destabilisers, and allowing civil society organisations to conduct their legitimate activities.
- Commit to granting entry for UN Special Rapporteur on the situation of human rights defenders and the UN Commission of Inquiry and allowing them unrestricted access to all spaces in the country. Further allow civil society organisations and individual human rights defenders access to interact with the Special Rapporteur without fear of reprisal.

UPDATE:

During Burundi's Universal Periodic Review on 19 January 2018, States echoed ISHR's recommendation that the Government should repeal laws restricting the activities of human rights defenders and investigate abuses committed against them by the Government and its allies.

Notwithstanding this, the Burundian Government rejected allegations that it persecuted human rights defenders. It claimed that the defenders were prosecuted under the country's ordinary legal framework, and were not targeted for legitimate human rights activities. Similarly, the Government argued that the detained journalists had been guilty of violating Burundi's criminal code, in one case alleging that they had advocated a coup d'état.

"By systematically prosecuting defenders and journalists, the Burundian government has stigmatised them and equated their work with criminality. It has chosen to target them for their legitimate, peaceful activities and

for exercising the right to freedom of opinion and expression," said Tess McEvoy, ISHR's programme manager and legal counsel.

As a member of the Human Rights Council, Burundi should fulfill its obligation to engage with UN systems and mechanisms. In keeping with its [refusal](#) to work with the Commission of Inquiry, Burundi has shown no interest in doing so.

ISHR urges Burundi to work with civil society to implement the UPR recommendations and create an enabling environment for human rights defenders, many of whom have been forced to flee the country.

For further information about the Briefing Paper or for any assistance or advice in the formulation of recommendations, please contact ISHR's Clement Voulé, c.voule@ishr.ch.

Photo: UN Photo

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