

## Burundi

The information below is based on UNICEF's article "Abuse, impunity and sexual violence in Burundi", issued 14 June 2018<sup>1</sup>

### Sexual abuse, a growing phenomenon

Nearly one in four Burundian women (23%) and 6% of men have experienced sexual violence, and children are particularly at risk. Only a small percentage of sex-related incidents are reported, so the actual number is likely much higher.

Survivors in this East African nation typically don't report rape and sexual assault. Some fear reprisal by the perpetrator or negative reactions from their families. Most don't know where and how to get help, living in rural communities where quality health and psycho-social support are virtually non-existent. Few victims get the care they need to heal physically and emotionally.

The information below is based on Questions and Answers on the Report of the United Nations Commission of Inquiry on Human Rights in Burundi, issued on 4 September 2017<sup>2</sup>

### 5. Who are the main victims of human rights violations?

Most of the victims are real or suspected government opponents. Some participated in the spring 2015 demonstrations against an additional presidential term for Pierre Nkurunziza or are members of opposition parties. Others were targeted for refusing to join the ruling party or because of the suspected political affiliation of their relatives. Others say they never took part in any demonstrations or political activities. They just happened to find themselves in the wrong place at the wrong time.

Most of the victims are young men; some are teenagers. The exceptions are the victims of sexual violence, most of whom are women, including minors. Some men have also been victims of sexual violence.

The information below is based on OHCHR, News and Stories, "Burundi – A knife or a steel bar? How would you prefer to be killed?", 4 September 2017<sup>3</sup>

Most of them are young. They even include minors. Some participated in demonstrations against President Nkurunziza's new mandate in the spring of 2015 or were members of opposition parties. Many others say they never took part in the protests or engaged in any political activity. But all of them have seen their lives descend into horror.

Alphonse<sup>4</sup> was 22 years old when he was arrested in his neighbourhood, along with many others. "Soldiers tied our elbows together. They kicked us and beat us with electrical cables, steel bars and the butts of their guns. Members of the youth league of the ruling party, the *Imbonerakure*, joined in."

Arrested at home or in the street, these victims of torture are among around 500 people who agreed to talk to the Commission of Inquiry on Burundi, set up by the United Nations Human Rights Council in September 2016.

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<sup>1</sup> Full text available [here](#)

<sup>2</sup> Full text available [here](#)

<sup>3</sup> Full text available [here](#)

<sup>4</sup> Not his real name.

They describe ill-treatment, insults, sexual violence and summary executions. They show their scars, burn marks, fractures or disabilities resulting from the torture. Their testimonies illustrate the extreme cruelty and brutality of the perpetrators, most often members of the Burundian national intelligence services (SNR), police, military and *Imbonerakure*.

The information below is based on the Report of the Commission of Inquiry in Burundi (A/HRC/36/54), issued on 11 August 2017<sup>5</sup>

#### **4. Torture and other cruel, inhuman or degrading treatment**

45. The Commission has documented a persistent practice of torture and ill-treatment since April 2015. Numerous witnesses identified the headquarters of the National Intelligence Service, situated near Bujumbura Cathedral, as a place where such acts occurred, while others referred to a police detention centre known as “Chez Ndadaye”, which was used mainly in 2015 by the Anti-Riot Brigade, among others. Several other detention centres run by the police and the National Intelligence Service in Bujumbura and other provinces, as well as some unofficial places of detention, were also mentioned.

46. The victims interviewed by the Commission mentioned recurrent methods of torture, including beatings with clubs, rifle butts, bayonets, iron bars, metal chains or electric cables, as a result of which some victims’ bones were broken and other victims lost consciousness; long needles thrust into victims’ bodies or unidentified substances injected into them; nails ripped out. Some victims were placed beside human remains or forced to eat faeces. Rapes were also committed and acts of torture inflicted on the genital organs of victims. Detainees were forced to witness executions, convinced that they would be the next victims. Acts of torture and ill-treatment were often accompanied by insults, including of an ethnic nature, and threats to kill the victims with firearms or grenades. In many cases these acts caused severe and enduring physical and psychological trauma.

#### **5. Sexual violence**

48. Notwithstanding their fears of stigmatization, the Commission was able to interview more than 45 victims of sexual violence whose ages ranged from 8 to 71 at the time when the acts were committed. The real number of victims, mostly women but also a few men and children, is probably much higher. The most recent of these acts of sexual violence took place in 2017.

49. Most of the cases documented by the Commission involved rape or attempted rape committed while police officers or members of the *Imbonerakure*, sometimes acting together, were in the process of arresting the victim’s spouse or a male relative accused of belonging to an opposition party, taking part in demonstrations or refusing to join CNDDFDD, although such crimes also occurred while the victims were at home alone. These acts were frequently accompanied by offensive gender-based, political and/or ethnic remarks. The Commission wishes to emphasize the extreme cruelty of some of these acts of violence. For example, a female minor was raped by three *Imbonerakure* wearing police uniforms beside the body of a relative whom they had killed. Two women were raped by several men, including *Imbonerakure*, who subsequently mutilated their genital organs. The Commission also heard

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<sup>5</sup> Full text available [here](#)

the testimonies of women who had been raped by Imbonerakure or police officers at roadblocks or near the borders because they were attempting to flee.

50. Sexual violence has been used as a means of torture to obtain information or confessions from detainees. These acts include rape, forced nudity, infliction of severe wounds on, and injection of unknown substances into, male genital organs, and the hanging of weights on testicles. The Commission heard the testimony of a female victim of rapes, including gang rapes, committed over a period of four days, inter alia by police officers in a National Intelligence Service cell with a view to obtaining information.

51. Acts of sexual violence have left the victims with severe and enduring physical and psychological trauma. Women have contracted HIV, fallen pregnant or suffered miscarriages and several men are suffering from erectile, urinary and other problems.

**The information below is based on OHCHR's summary of the oral briefing by the members of Burundi's Commission of Inquiry, issued on 15 June 2017<sup>6</sup>**

**Burundi : Persistence of serious human rights violations in a climate of widespread fear**

"We were struck in our investigations by the feeling of deep and widespread fear running through the testimonies we gathered," said Fatsah Ouguergouz, Reine Alapini Gansou and Françoise Hampson, members of the Commission of Inquiry on Burundi, during the presentation of their second oral briefing<sup>7</sup> to the Human Rights Council.

"Today we can say that our initial fears concerning the scope and gravity of human rights violations and abuses in Burundi since April 2015 have been confirmed", they stated. The Commission regretted once again its lack of access to the country and the Burundian Government's lack of cooperation. Nevertheless, the Commission interviewed many Burundians in exile and visited Tanzania, Rwanda, Uganda, the Democratic Republic of Congo and Kenya, among other countries. Since the beginning of its investigations, it has collected more than 470 testimonies of human rights violations allegedly committed in Burundi since April 2015.

These violations include extrajudicial executions, acts of torture and other inhuman and degrading treatment, sexual and gender-based violence, arbitrary arrests and detention and enforced disappearances, often accompanied by demands for large ransoms from families in exchange for promises to release detainees or to find those who have disappeared. Many of these violations have been committed by members of the National Intelligence Service and the police, sometimes assisted by members of the youth league of the ruling party, the *Imbonerakure*.

"We were struck by the particularly cruel and brutal nature of the violations described to us," the members of the Commission stated. They received testimonies alleging the use, during torture sessions, of clubs, rifle butts, bayonets, iron bars, metal chains and electric cables with the result that some victims' bones were broken and other victims lost consciousness; needles stuck into victims' bodies or unidentified products injected into them; nails ripped out with pliers; burns; and many abuses inflicted on male detainees' genital organs. "In several

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<sup>6</sup> Full text available [here](#)

<sup>7</sup> The full text of the oral briefing by the members of the Commission of Inquiry is available on the Commission's web page: <http://www.ohchr.org/EN/HRBodies/HRC/ColBurundi/Pages/ColBurundi.aspx>

cases, acts of torture and ill-treatment were accompanied by violent insults and death threats, including of an ethnic nature,” they said.

The Commission of Inquiry has also documented cases of sexual violence, particularly against female relatives of government opponents, especially by people believed to be *Imbonerakure*.

“These human rights violations are reinforced by hate speech, sometimes with an ethnic dimension, delivered by certain state officials and members of the ruling party. This was illustrated by a recent video circulating in April 2017, showing around a hundred *Imbonerakure* chanting a song calling on people to ‘impregnate [female] opponents so that they give birth to *Imbonerakure*,” the Commission members added. However, testimonies indicate that victims are most often targeted on the basis of their alleged opposition to the government, independent of their ethnicity.

According to Resolution 33/24<sup>8</sup> establishing the Commission of Inquiry on Burundi, the Commission will present its final report at the thirty-sixth session of the Human Rights Council, in September 2017. Until then, the Commission will continue its investigations and proceed with an analysis, in particular to establish whether certain violations or abuses constitute international crimes and, if necessary, to establish individual responsibility.

**The information below is based on UNHCR, News and Stories, “Running from rape in Burundi: Women and men fleeing Burundi are reaching Tanzania with harrowing tales of sexual violence”, by Hannah McNeish, issued on 6 May 2016.<sup>9</sup>**

**Women are not the only ones targeted for rape.**

Davide is fearful of people finding out about his ordeal, although he considers his attackers “less than human.” As he waits to be reunited with his girlfriend in Tanzania, he is hopeful that she will be understanding. “I love her, so I can tell her anything,” he said, with a shy smile.

Renate Frech, a UNHCR senior protection officer working in the Tanzania refugee camps, said the reported cases of sexual violence might only “present a small number of the reality,” particularly for men.

“We have to break the wall of silence regarding male survivors of sexual violence,” said Frech. “Whereas we have hardly any reports, we are concerned that men might also be targeted, in particular when being detained,” she added, emphasizing the need for more resources to provide everyone services.

Survivors in Tanzania are still dealing with the serious consequences from assaults. Some women in the camp are giving birth to babies born of rape. Some have been rejected by their husbands, who cite infidelity, or fears of being infected with HIV.

One mother who was raped by two men related how they slit her five-year-old son’s throat, but left her husband alive. Now pregnant, she wants to believe that the baby growing inside her is her husband’s.

UNHCR and its partners are trying to provide new arrivals who have suffered sexual violence with prompt medical treatment, counselling and legal services.

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<sup>8</sup> The text of Resolution A/HRC/33/24 is available at:  
<http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session33/Pages/ResDecStat.aspx>

<sup>9</sup> Full text available [here](#)

Services extend to those who've been attacked after fleeing as well. International Rescue Committee initiatives in Tanzanian camps have provided services to 1,759 survivors of sexual and gender-based violence since April 2015.

Reaching survivors is still a challenge, as a fear of stigma stops many people from coming forward. With only 30 per cent of the funding it needs to help those displaced by the Burundi crisis, UNHCR and its partners are struggling to provide everyone with more than life-saving services, such as food, water and shelter.

**“It’s hard to recover from the memories.”**

Long-term programs such as specialized counselling, education and skills training, which are crucial in preventing and treating sexual violence, have fallen by the wayside.

“Wherever you turn, you have the impact of a lack of funding,” said Frech.

UNHCR and its partners are giving women solar lanterns, but the camp still needs more lighting and latrines nearer to homes to reduce the walk for women – especially at night – and keep them safer on the move. To reduce attacks on women and girls walking up to 15 kilometres from the camp to gather firewood, aid workers are helping women build energy-saving stoves, as well as providing some firewood and tools for chopping it.

One 19-year-old woman, whose rapists came to her home and killed her parents, is trying to rebuild her life as a refugee in Tanzania.

“It’s hard to recover from the memories,” she said. The young woman remains haunted by what happened at home. “This place doesn’t let you forget.”

*\*Names changed for protection reasons*

**The information below is based on the Report of the Independent Investigation on Burundi carried out pursuant to Human Rights Council resolution S-24/1<sup>10</sup> (A/HRC/33/37), issued on 25 October 2016<sup>11</sup>**

**C. Torture and cruel, inhuman or degrading treatment**

53. The use of torture or other cruel, inhuman or degrading treatment or punishment against opponents to the third term and targeted opposition members or their relatives, to extract information or as punishment, has been a common feature of the crisis. UNIIB conducted 65 interviews with witnesses and/or victims of torture or ill-treatment. Elements of the SNR, the PNB, the Imbonerakure and, to a lesser extent, the FDN, are consistently identified as the perpetrators, and some individuals, including senior figures of the security apparatus, have been repeatedly cited.

54. From various testimonies, UNIIB was able to establish a non-exhaustive list of forms of torture and other ill-treatment to which the victims were subjected at the hands of the security forces:

- Attaching weights to testicles;
- Crushing of fingers and toes with pliers;
- Detention in a closed container;
- Forcing families to stay next to the dead body of a relative;

<sup>10</sup> The present report was submitted after the deadline in order to reflect recent developments.

<sup>11</sup> Full text available [here](#)

- Forcing the victim to sit on acid, broken glass or nails;
- Gang rape of a mother in the presence of her children;
- Injections of a yellow liquid in the testicles and other parts of the body, leading to paralysis;
- Knife and machete stabs;
- Lashes using preheated electric cable or iron bars;
- Progressive burning with a blowtorch or gas cylinder;
- Progressive electrocution;
- Pulling a cord attached to the testicles;
- Sprinkling the victim with a mixture of water and sand and rubbing this with a broom so that it fills the pores of the skin (known as "Ubutoteza" in Kirundi);
- Tightly tying a person's arms in the back for several days;
- Insults and humiliating speech, including with an ethnic dimension;
- Poking of fingers in the eyes of the victim;
- Tying the victim up by the feet upside down (known as "Amagurizege" in Kirundi).

55. No national preventive mechanism as required under CAT has been set up by the Government.

#### **D. Sexual and Gender-Based Violence**

61. UNIIB also recorded first- and second-hand allegations of sexual violence against men, particularly in detention. In May 2015, a man detained by SNR for 18 days was reportedly forced to spread his legs and severely beaten on his genitals, causing permanent erectile dysfunction. A male student who refused to join the Imbonerakure was reportedly picked up by classmates and taken to a house. He was reportedly handcuffed and raped by three men while others watched.

**The information below is based on the Report of the Secretary-General on Children and Armed Conflict in Burundi (S/2006/851), issued on 27 October 2006<sup>12</sup>**

##### **Serious sexual violence**

29. The capital and the 17 provinces of Burundi are fraught with sexual violence. The victims vary in age from a few months to 17 years. Although the victims are mostly girls, some boys have also reportedly been attacked. From August 2005 to July 2006, ONUB investigations have turned up more than 300 cases of girls having been raped, 16 of which were attributed to FDN soldiers. These cases are only the ones that were reported to the authorities. Burundian officials and child protection workers recognize that these represent only part of the real problem of sexual violence against girls. Most cases of rape are not reported, while a number of cases have supposedly been "solved" by "amicable settlement", with the offender giving money to the victim's family or with the arrangement of a marriage between the victim and the perpetrator. Only a few offenders are arrested, and even fewer are actually prosecuted. Nonetheless, there have been some improvements during the period under review. We have noted that more sexual offenders are being arrested and punished. This

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<sup>12</sup> Full text available [here](#)

may be due to both systematic follow-up by human rights workers and awareness-raising campaigns.

The information below is based on the Report of the Independent Expert on the human rights situation in Burundi - Akich Okola (E/CN.4/2006/109), issued on 23 December 2005<sup>13</sup>

**(c) Sexual violence**

42. The independent expert was informed of 218 cases of sexual violence during the period under review. Only in a few cases were the perpetrators arrested. Most perpetrators were civilians, though the military and armed groups were also implicated in some cases. The majority of the victims were minors, some as young as 2 years old. Often the victims were raped by people known to them - neighbours, domestic workers and relatives. In some cases, very young children were raped by HIV-infected people who believed that they could be cured of the condition in that way. Few women report rape cases due to cultural reticence or fear of stigmatization, though as a result of intensified sensitization more victims were reported to have come forward in the last few months. Out of court or amicable settlement of rape cases by Bashingantahe (council of elders) or administrative authorities is the rule. Traditional elders also encourage practices such as marriage between a rapist and his victim.

43. In August, cases of rape included three victims aged 4, 8 and 17, in Makamba and Muramvya provinces. The 4-year-old victim was reportedly gang-raped by five men, none of whom was arrested. The mother refused to file a complaint against the attackers, whom she knew, in order to avoid trouble between their families. In another case, warrants were issued in two cases of rape where the victims were minors, aged 4 and 12, on 21 July and 7 August, respectively, in Mpanda commune, Bubanza province. Nine rape cases were also reported in Musinga, Rutana, Makamba, Bujumbura rural, Bururi and Gitega provinces. Eight of the victims were minors, and only two were reported to have received medical attention. Four of the perpetrators remain under arrest, while in two cases the perpetrators were released shortly after arrest. A Musinga-based NGO dealing with sexual violence registered 24 rape cases in August, 13 of which involved minors, an increase in comparison with previous months. The increase may be the result of greater awareness of the assistance provided to rape victims by the NGO, rather than an actual increase in cases.

44. In September, reports of rape included 10 cases in Musinga, Cankuzo, Bujumbura rural, Bubanza, Gitega, Makamba and Mwaro provinces. Most of the victims were minors, the youngest aged 2. The victims received medical assistance in seven cases and eight of the perpetrators were arrested. Another five cases of rape of three minors and two adults were reported in Makamba, Gitega and Muramvya provinces. Three of the perpetrators were arrested. Six rape cases were reported in Ngozi, Muramvya, Karuzi and Makamba provinces between 17 and 24 September. Two of the victims were minors, including a 13-year-old boy. One perpetrator was arrested, while the rest are still at large. In the last week of September, eight new cases of rape were reported in Bujumbura rural, Karuzi, Mwaro, Bubanza, Kayanza and Ngozi provinces. In six cases the victims were minors, the youngest 3 years

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<sup>13</sup> Full text available [here](#)

old. Four of the victims received medical attention. Only two of the perpetrators have been arrested - the police were not aware of most of the cases.

45. The situation did not improve in October. Seven rape cases were reported in Gitega, Ruyigi, Kirundo, Cibitoke and Ngozi provinces, the victims aged between 3 and 19. The alleged perpetrators were arrested in only three cases. A woman who was reportedly raped on 2 October said that a Bashingantahe settled the rape case and she accepted a payment from the perpetrator in exchange for not registering a complaint. Five rape cases were reported in Ngozi, Kayanza, Kirundo and Cibitoke provinces, the majority involving minors. The perpetrators were arrested in three cases and only two victims received immediate medical care. Fifteen rape cases were reported in six provinces, including the gang-rape of a young woman in Cibitoke province. Nine of the victims were minors. The perpetrators were arrested in seven cases and six victims received medical assistance.

46. In November, 11 rape cases were reported in Makamba, Ngozi, Kayanza, Cankuzo, Mwaro and Bujumbura rural provinces, in which 7 of the victims were minors. At least nine victims received medical attention. The alleged perpetrators were arrested in three cases, including an FDN soldier who reportedly raped a 12-year-old minor on 12 November in Kabezi commune, Bujumbura rural.

47. HRD is planning to carry out sensitization and education campaigns in order to address this worrying phenomenon. A sensitization session on sexual violence and education of the girl child was organized in Ntega commune, Kirundo province, on 15 September, and was attended by some 60 people. HRD also continues to follow up on the judicial process in sexual violence cases. For instance, the *Tribunal de grande instance* of Ngozi dedicated the period from 19 to 22 September exclusively to rape cases; 32 cases involving 45 suspects were listed for hearing, but only 8 were deliberated.

**The information below is based on the Report of the Independent Expert on the human rights situation in Burundi - Akich Okola (A/60/354), issued on 14 September 2005<sup>14</sup>**

### **3. The proliferation of sexual violence**

24. Sexual violence, including gang rapes, perpetrated by members of armed groups and soldiers of the regular army, and also by unknown persons, continues to be reported. The victims are mainly female minors, some as young as two, but also young boys. ONUB has documented 68 cases during the last six months, but it is believed that the actual number is much higher.

25. Most of the rape cases are not reported, either because victims fear reprisals, or because of cultural reticence, fear of stigmatization and lack of confidence in the justice system. Responsibility in rape cases is difficult to establish. Lack of material and human resources is also an obstacle to successful prosecutions, which are rare and very slow. Failure to bring to justice those responsible for sexual violence results in impunity for such

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<sup>14</sup> Full text available [here](#)

crimes and encourages potential perpetrators. This violence also contributes to the spread of HIV/AIDS and the increase in unwanted pregnancies.

**The information below is based on the Report of the Situation of human rights in Burundi (A/58/448), issued on 20 October 2003<sup>15</sup>**

**(c) Rape**

39. In Ngozi province, the Burundi Family Welfare Association notes that more than 21 women were raped in 2003. The victims' ages range from 3 to 40 years, but the majority of them, mainly school students, are around 15. Those responsible are reportedly rebels and bandits who disappeared after committing the crime. The number of rapes reported falls far short of the real figure, for many victims keep silent, either through fear or because they are afraid of being ostracized. There have apparently been many rapes of girls aged between 7 and 15 in Rumonge commune in the last six months; most cases are apparently of schoolgirls raped by adults, and many of them are now pregnant. There are also many reports of cases of sodomy in Bujumbura, with boy street children being sexually attacked; in a single day, 30 October 2003, four young boys were reportedly raped by other boys. Such acts of juvenile crime are becoming ever more frequent in the streets of Bujumbura.

40. The problem of sexual violence aroused the Special Rapporteur's indignation on her last visit to Burundi and was mentioned in her last report; it seems to have become more widespread, and the fact that it continues to go unpunished makes it all the more disquieting.

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<sup>15</sup> Full text available [here](#)