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WATCH

“We Let Our Children Go Hungry to Pay”

Abuses Related to the 2020 Election Levy in Burundi



“We Let Our Children Go Hungry to Pay”

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Map of Burundi



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Summary

President Pierre Nkurunziza's decision in 2015 to run for a controversial third term and his subsequent reelection pushed Burundi into a prolonged political, humanitarian, and human rights crisis, which has adversely impacted the economy. To help fund the 2020 elections, the government—dominated by the ruling National Council for the Defense of Democracy-Forces for the Defense of Democracy (Conseil national pour la défense de la démocratie-Forces de défense de la démocratie, CNDD-FDD)—and members of the party's youth wing, the Imbonerakure, orchestrated a national campaign to collect “voluntary” contributions from the population.

According to a government order published in December 2017, the contributions were to be collected in various ways, including a voluntary donation of 2,000 Burundian Francs (US\$1.08) per household and 1,000 Burundian Francs (\$0.54) per student of voting age, and direct deduction from the salaries of public sector workers and civil servants for two years. Between December 2017 and July 2019, when the president announced the suspension of the elections-contribution collections, local administrative officials and members of the Imbonerakure collected levies from the population across the country.

The Imbonerakure, who are feared by the population for their brutality and cruelty, are widely described as having more power than local police. This report documents how they arbitrarily, and sometimes brutally, enforced the payment of financial and in-kind contributions to the elections. The government's responsibility for the wrongdoing of the Imbonerakure has been established by the United Nations Commission of Inquiry on Burundi in cases where they act under the direction of agents of the State. In most cases, they have not been held responsible for abuses committed while collecting contributions.

The Imbonerakure often collaborate with local administrative officials, the police, and the intelligence services. According to Burundian law, administrative officials represent the State at the local level.

This report focuses on abuses committed between December 2017 and July 2019 in 13 of the country's 18 provinces, assessing to what extent the policy was abusive and implemented arbitrarily, through interviews with refugees in neighboring countries who

fled these provinces, and phone interviews with individuals who were residing in Burundi during the period covered by the research.

Human Rights Watch research found that the levies were forcibly collected from people who often paid multiple times, more than the official amount, or were not given a receipt, contradicting the government's order. Members of the Imbonerakure and local government officials often used violence and intimidation, restricted movements and access to public services, and beat those who failed to comply. In addition, the process of collecting these contributions was not transparent, and, to the best of Human Rights Watch's knowledge, the government has failed to publish how much was raised, and how the funds were or would be used.

Human Rights Watch interviewed 51 people who reported that, after the president announced the elections-contributions plan in December 2017, Imbonerakure members set up roadblocks, prevented people from passing if they could not provide proof of payment, or even illegally detained some individuals. Many farmers told Human Rights Watch that Imbonerakure members often stole goods and working tools, such as machetes or hoes, and extorted and beat people at these roadblocks.

Twenty-seven people from eight provinces reported that members of the Imbonerakure regularly blocked access to markets to force people to show their receipts or pay, and seven individuals in six provinces said that members of the Imbonerakure also blocked access to water pumps. Sixteen interviewees from nine provinces reported that local government workers restricted access to services from the administration, such as registration of births, marriages, or deaths, in order to compel people to pay. At times, witnesses and victims said that members of the Imbonerakure were accompanied by local authorities, local CNDD-FDD representatives, or police officers.

The practice became widespread, and in other instances, 20 interviewees said that Imbonerakure members or health workers checked elections receipts at healthcare facilities and turned away those who could not prove they had paid. A dozen students, teachers, and parents also said that school directors ordered teachers to prevent students of voting age, who did not pay, from attending classes.

Members of the Imbonerakure do not have any legal authority to conduct administrative duties, including tax collection, or law enforcement activities. Several people, particularly business and shop owners, reported they had paid up to 25 times the official amount to members of the Imbonerakure but had been given a receipt for 2,000 Francs (\$1.08). Some of those interviewed said they were not given a receipt for all or some of the money they gave, while others said they had to make multiple contributions, sometimes within a same month.

This report also documents how, since early 2018, members of the Imbonerakure, visibly emboldened by their contribution-collector role, have intimidated, threatened, and beaten people to force them to donate food, livestock, and money to the ruling CNDD-FDD and take part in the construction of local ruling party offices.

Human Rights Watch interviewed 38 people from 9 provinces who said they were forced, through threats, to supply food to members of the Imbonerakure. Fourteen people in Muyinga, Cankuzo, and Kirundo provinces, which are affected by severe food insecurity and where people sometimes go for an entire day without eating, said that members of the Imbonerakure were present at food distribution centers being managed by humanitarian organizations, and had beaten and prevented people from accessing food or forcibly taken food from them.

Additionally, members of the Imbonerakure forced dozens of people to participate in the construction of local ruling party and government offices and donate money to the ruling party. Failure to comply resulted in fines, threats, and beatings. Many interviewees told Human Rights Watch they were called “*igipinga*” (a pejorative Kirundi expression to designate someone who does not support the ruling party) for non-compliance. Although some interviewees called *igipinga* were opposition party members, many said they simply did not want to get involved in politics, but that the authorities and Imbonerakure members interpreted refusing to contribute as being opposition supporters.

According to the civil society organization Ligue Iteka, since the political crisis broke out in 2015, security forces and members of the Imbonerakure have killed, raped, beaten, detained, threatened, and harassed thousands of people in Burundi. In some cases, simply not belonging to the ruling party was enough to create suspicion and provoke a violent response from members of the Imbonerakure and the security forces.

In a report presented to the United Nations Human Rights Council in September 2018, the Commission of Inquiry on Burundi concluded that the contributions were established “extralegally” and that they have, in a number of cases, been collected forcibly by members of the Imbonerakure. This report echoes many of the findings of the Commission, which has not been allowed to work in Burundi since it was established in September 2016 to investigate human rights violations and abuses in Burundi since April 2015, including whether and to what extent they may constitute international crimes.

In its September 2019 report, the Commission highlighted that the Imbonerakure’s control over the population has become more entrenched in rural areas, where they commit abuse and seek “to keep [the population] in check and compel their allegiance to CNDD-FDD.” It also concluded that “people have been forced, on pain of financial penalty, to build local offices for CNDD-FDD, an obligation that constitutes forced labor.”

Human Rights Watch research indicated that the Imbonerakure’s role as contribution collectors and enforcers had strengthened their grip over many different aspects of the lives of Burundians. The degree to which an individual pays the election or other contributions, attends ruling party rallies or participates in the construction of the party’s offices has become a measure of their allegiance to the CNDD-FDD. A teacher from Muramvya province said: “We don’t just have to pay the contribution that’s taken at the source, we also have to pay the contribution per household. One day, the Imbonerakure might wake up and decide you’re going to pay for a new party building even though you’re not a member of the party, or that you’ll pay for a celebration they’re planning, to build a stadium or a school. We have to contribute for everything.”

Farmers travelling to sell their produce reported being asked to show their receipts and give a portion of their goods to members of the Imbonerakure manning the barriers. “There are roadblocks set up everywhere in my commune. The Imbonerakure ask everyone who is going into town to buy goods to give them one tenth of what they’ve bought. If a seller refuses to give a portion of his goods, he can’t come back,” an interviewee told Human Rights Watch.

According to the World Bank, Burundi is one of the world’s poorest countries and has traditionally relied heavily on foreign aid. The idea to fund the elections through contributions, a ruling party official told Human Rights Watch, was a response to the significant reduction by many of its foreign partners of economic aid following widespread

rights violations, precipitated by the president's decision to run for a third term in 2015. The government announced in May 2019 that it would fund 85 percent of its budget from domestic revenues.

The election contributions, combined with the associated extortion and other abuses by Imbonerakure members and local officials, have significantly impacted the lives of many Burundians, including over 70 percent of the population of 11 million living below the poverty line. Although President Nkurunziza said he would not run again, tensions are likely to continue to escalate ahead of the May 2020 presidential and legislative elections. Many Burundians suspected of being political opposition supporters have been killed, disappeared, arbitrarily arrested, and beaten.

President Nkurunziza, on July 1, 2019, Burundi's Independence Day, announced that the election fundraising target had almost been met and that although voluntary donations were still accepted, Burundians could stop contributing. He was silent on the amount so far raised or how these sums of money would be managed. However, Human Rights Watch found that that even after the president's announcement, the election levies were still being collected, albeit on a lesser scale, while other "donations" to the ruling party and other local projects continued to be collected.

The government's decision to implement the 2017 law on foreign nongovernmental organizations (NGOs), including by requiring them to submit information on the ethnicity of their local staff, presented a huge challenge. Many foreign organizations were suspended in October 2018 and requested to reapply for registration, and by March 2019, 93 out of an estimated 130 had been re-registered. Humanity & Inclusion (formerly Handicap International), which had been working in areas of health, rehabilitation, education, protection, and socioeconomic integration since 1992, closed its offices in January 2019.

Burundi has failed to take reasonable steps to protect its citizens, and it has not fulfilled its duty to take all reasonable measures to prevent and prosecute abuses committed by Imbonerakure members and state agents. The government of Burundi should take prompt measures to end the abusive and forced collection by the Imbonerakure of financial and in-kind contributions, as well as forced labor.

Authorities should ensure that all Burundians, including the most vulnerable, have access to critical humanitarian assistance, and that access to public services such as markets is not denied on the basis of people's real or perceived political allegiances and their contributions to the elections. The government should hold accountable those credibly implicated in violations of the rights to life, security, food, movement, property and freedom from political discrimination, as well as of the right not to be subjected to ill-treatment, including local authorities, police, and members of the Imbonerakure.

The African Union should increase scrutiny of the situation in Burundi, including by pressing for the full deployment of its human rights observers and ensuring they have unfettered access to carry out their monitoring mandate in the country. The European Union and the United States should expand existing sanctions to target those further up the chain of command, including any Imbonerakure leaders responsible for serious ongoing human rights violations. The UN Security Council should also impose targeted sanctions, including travel bans and asset freezes, against individuals responsible for ongoing serious human rights violations in Burundi. The Security Council should request the Commission of Inquiry to brief the Council on the human rights situation in Burundi.

Recommendations

To the Government of Burundi

- Instruct the security forces, the local administrators, and the Imbonerakure to stop extortion, beatings, arbitrary arrests, threats, harassment, or other types of abuses, including during the collection of contributions. Individuals suspected of perpetrating or ordering abuses should be brought to justice;
- Order the Imbonerakure and officials to dismantle all unauthorized roadblocks and stop collecting election levies and contributions to the ruling party, to ease the hardship on an already impoverished population;
- Order all government officials to stop demanding proof of payment to access state services and stop unlawfully restricting access to public services;
- Issue clear instructions that no individual should be prevented from accessing public services, such as health care, food, water, and education, based on their payment of an election or political contribution;
- Issue clear instructions to the security forces, local officials, and the Imbonerakure that individuals should not be targeted for attack, intimidation, or threat on account of their real or perceived political affiliation;
- Remind the police of their duty to ensure, in an impartial manner, the safety and protection of all Burundians, regardless of their political affiliation;
- Stop the intimidation, harassment, and arbitrary arrest of journalists, human rights activists, and members of the opposition; allow human rights activists and journalists to conduct their legitimate duties of investigating and reporting human rights abuses without hindrance; and immediately and unconditionally release those arrested for exercising their fundamental rights;
- Allow humanitarian actors to operate independently and deliver assistance based on the duty to meet the most urgent needs;
- Allow the full deployment of the African Union's human rights observers and unfettered access to carry out their monitoring mandate in the country, including visiting detention facilities and attending judicial proceedings;
- Cooperate with United Nations mechanisms, including the Commission of Inquiry, allow them into the country, and allow for the deployment of 228 UN police officers, as authorized by a July 2016 Security Council resolution;

- Resume cooperation and collaboration with the Office of the United Nations High Commissioner for Human Rights (OHCHR).

To Leaders of All Political Parties and Groups

- Remind members that political killings and other human rights abuses by their opponents can never justify unlawful retaliation;
- Fully cooperate with judicial authorities investigating political killings and related abuses, including by providing relevant information about such incidents.

To Humanitarian Actors

- Conduct detailed due diligence, with a focus on identifying human rights concerns associated with the implementation of a project, and mitigating risks arising from it;
- Be transparent, reporting regularly and with sufficient details, about obstacles facing full implementation of desired programming, including lack of permission to access specific areas, diversion of aid, lack of funding, and unavailability of local partners that meet the standards of humanitarian work.

To African Leaders and the African Union

- Increase scrutiny ahead of the 2020 elections, including by hosting a meeting on Burundi with East African Community leaders and guarantors of the Arusha Agreement;
- Strengthen regional efforts to resolve the political and human rights crisis in Burundi to prevent a further escalation of violence which could have consequences for the region, including by pressing President Nkurunziza and his government to immediately end the repression, during a high-level visit by regional leaders and guarantors of the Arusha Agreement;
- Indicate clearly that there will be real consequences if no progress is made in ending the widespread repression;
- Continue to express concern about political killings and other abuses in Burundi, including by using all the tools at the disposal of the Peace and Security Council to raise specific cases where appropriate, and urge the

authorities to take effective action to bring the perpetrators to justice and prevent further abuses (as recommended above);

- Fully deploy the African Union's human rights observers to Burundi and ensure they have unfettered access to carry out their monitoring mandate across the country.

To the African Commission on Human and Peoples' Rights

- Request access to conduct a fact-finding mission to Burundi, including for the Special Rapporteur on Extra-Judicial, Summary or Arbitrary Executions in Africa, the Special Rapporteur on Freedom of Expression and Access to Information in Africa, and the Special Rapporteur on the situation of Human Rights Defenders in Africa, in order to ascertain the general state of human rights ahead of the 2020 elections; issue a public report on this mission;
- Refer the situation to the African Union Peace and Security Council;
- Refer cases to African Court on Human and Peoples' Rights.

To the European Union

- Urge the UN Security Council to impose targeted sanctions, including travel bans and asset freezes, on individuals responsible for ongoing serious human rights violations in Burundi; and, absent any meaningful progress, expand the current regime of targeted sanctions against these individuals;
- Continue to uphold measures taken under Article 96 of the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States and the European Community and its member states, (ACP-EU Partnership Agreement) in respect of the situation in Burundi, which set out specific steps the government should take to address the human rights situation that could lead to the resumption of full cooperation;
- Monitor and publicly condemn human rights violations and abuses, including restrictions on civil society, the media and the opposition, especially ahead of the 2020 elections;
- Call on Burundi to allow humanitarian actors to operate independently and deliver assistance based on the duty to meet the most urgent needs, and with the purpose of protecting and advancing the basic rights of all individuals,

including the right to food and water, without discrimination and with full transparency.

To the UN Security Council

- Impose targeted sanctions, including travel bans and asset freezes, against individuals responsible for ongoing serious human rights violations in Burundi;
- Maintain scrutiny on the situation in Burundi, including by keeping it on the official agenda of the Security Council and holding regular public meetings; demand that the office of the Secretary-General's Special Envoy on Burundi brief in these meetings and for the UN to issue to regular written reports highlighting public incidents of incitement to hatred and violence, as mandated by UN Security Council resolution 2303;
- Request the UN Commission of Inquiry on Burundi to brief the Security Council on the findings of their investigations and the risk factors linked to the 2020 elections that the Commission identified in its September 2019 report.

Methodology

Based on interviews conducted with victims of abuse, witnesses, family of victims, civil society, and humanitarian actors, this report documents repression and serious human rights violations committed by members of the Imbonerakure, security forces, and local government officials related to the collection of so-called “voluntary” contributions between December 2017 and July 2019. Between January and August 2019, Human Rights Watch interviewed 55 Burundian refugees who fled to the Democratic Republic of Congo and Uganda and 28 Burundians and foreigners residing in Burundi at the time they were interviewed. Of those 83 interviews, 65 were conducted with victims of abuses by members of the Imbonerakure related to the contributions, and the remaining 18 provided background on the political, human rights, and humanitarian situation. The report also draws on Human Rights Watch’s previous research and reporting on Burundi since the start of the crisis in 2015.

For security reasons, Human Rights Watch did not seek access to Burundi to conduct research. Researchers therefore worked in partnership with local and exiled Burundians partners to identify victims of rights abuses who recently left the country and sources in Burundi. Partners assisted Human Rights Watch in identifying interviewees in order for researchers to interview a wide range of people, from various parts of Burundi, on matters related to how the election contributions were being collected in their commune.

Human Rights Watch interviewed Burundians from 13 out of the country’s 18 provinces: Bubanza, Bujumbura Mairie, Bujumbura Rural, Cankuzo, Cibitoke, Gitega, Karuzi, Kirundo, Muramvya, Muyinga, Ngozi, Rumonge, and Ruyigi provinces.

Human Rights Watch’s research in Congo and Uganda focused primarily on individuals who fled Burundi in late 2018 or 2019 in order to focus on interviewees who lived in Burundi during the time the contributions were being collected. Interviews were conducted in French or Kirundi, the most widely spoken language in Burundi, with interpretation to French. Interpretation was provided by Human Rights Watch staff or civil society partners.

Human Rights Watch also sought to interview people from a range of socioeconomic backgrounds, including students, teachers, businessmen, shop owners, drivers, and the unemployed. However, majority of interviewees were rural dwellers engaged in agriculture activities.

Human Rights Watch did not compensate interviewees. We only provided modest funds to our partner organizations to reimburse the costs of transportation for all interviewees who traveled to central locations to be interviewed. We also provided modest meal stipends to those who spent several hours in transit to participate in interviews. We obtained informed consent from all interviewees, provided information on how Human Rights Watch would use the information they shared, and explained that they could decline to answer questions or end the interview at any point.

All the interviews were conducted individually, generally for periods ranging from 45 to 90 minutes, in private locations.

Human Rights Watch shared information on recent abuses, particularly abuses by members of the Imbonerakure, with the minister for external relations and international cooperation, the minister for the interior and patriotic formation, the minister for finances, budget and privatization, and the minister for public security in copy, and the CNDD-FDD's national secretary in charge of information and communication, in November 2019, and requested information related to these abuses and the opinion of the government but, at time of publication, received no response.

Due to fear of reprisals against victims and witnesses or their relatives in Burundi, we have withheld names and other identifying information of interviewees.

Background

President Pierre Nkurunziza's decision, in 2015, to run for a controversial third term and subsequent reelection pushed the country into a prolonged political, economic, humanitarian, and human rights crisis, placing at risk over a decade of economic social progress following an end to a brutal civil war.¹ Sparked by the assassination in 1993 of President Melchior Ndadaye, Burundi's first democratically elected Hutu president, a brutal civil war was fought largely along ethnic lines between Tutsi and Hutu and claimed tens of thousands of lives.² During the war, rebel groups often forcibly collected in-kind and financial contributions from the population to support their war efforts.³

The civil war ended with the Arusha Accords peace deal and the transformation of the last remaining rebel groups into political parties.⁴ The CNDD-FDD, the main Hutu rebel group, entered into a ceasefire with other groups in 2003 and then won the 2005 elections, resulting in Nkurunziza's first term as president.⁵ Members of the National Liberation Forces (Forces nationales de libération, FNL) armed group remained active in the country until their demobilization in 2009 and the group's transformation into a political party.

In the run-up to the 2010 elections, the ruling CNDD-FDD and the FNL vied for the country's majority Hutu vote. In doing so, both parties resorted to violence.⁶ Electoral code violations

¹ See International Crisis Group, "Helping the Burundian People Cope with the Economic Crisis," *Report 264*, August 31, 2018, <https://www.crisisgroup.org/africa/central-africa/burundi/264-soutenir-la-population-burundaise-face-la-crise-economique> (accessed November 20, 2019).

² Burundi is divided into three ethnic groups: Hutu, Tutsi, and Twa, with Hutu making up approximately 80 percent of the population and Tutsi approximately 19 percent. Tensions between Hutu and Tutsi have, at times, inflamed violence since independence in 1962.

³ Rachel Sabates-Wheeler and Philip Verwimp, "Extortion with Protection: Understanding the Effect of Rebel Taxation on Civilian Welfare in Burundi," *Journal of Conflict Resolution*, vol. 58(8), 2014, pp. 1474-1499.

⁴ The Arusha Peace and Reconciliation Agreement (known as the "Arusha Accords") and the 2005 Constitution are central to understanding Burundi's ongoing political crisis. The Arusha Accords are a political framework widely attributed with having brought Burundi out of its civil war and provided for power sharing, coalition building, government participation, a system of checks and balances, and the integration of former combatants into the military. Signed in 2000, the Accords paved the way for the Constitution adopted five years later and became a defining feature of Burundian national identity and the cornerstone of a consensus-led system in which Hutus and Tutsis governed together.

⁵ See International Crisis Group, "Burundi: From Electoral Boycott to Political Impasse," *Africa Report no. 169*, February 7, 2011, <https://www.crisisgroup.org/africa/central-africa/burundi/burundi-electoral-boycott-political-impasse> (accessed November 20, 2019).

⁶ Burundian and international organizations documented extensive human rights violations and abuses during this period, including targeted assassinations, many of them by CNDD-FDD members. For further information, see Human Rights

were reported in the 2010 communal elections in isolated areas, resulting in a boycott by the opposition for the remaining elections, including the presidential vote, giving the CNDD-FDD a near total monopoly of power.

In late April 2015, protests broke out in response to Nkurunziza's announcement that he would stand for reelection, and the Burundian police used excessive force and indiscriminately shot scores of demonstrators.⁷ After a May 2015 failed coup d'état attempt by military officers, the Burundian government intensified repression against suspected opponents and suspended most of the country's independent radio stations.⁸

Nkurunziza was declared the winner of the disputed July 2015 presidential election, which he contested as the sole presidential candidate, as most of the opposition boycotted the polls. The ruling CNDD-FDD quickly consolidated its hold on power, restricting the activities of opposition parties and forcing many leading members to flee into exile.⁹

Violence escalated in the second half of 2015, with targeted killings—including of high-profile government and opposition figures—deadly police search operations, abuses by members of the ruling party youth league, and attacks by armed opposition groups against members of the security forces and the ruling party.

Since then, according to human rights groups and the United Nations, security forces and members of the Imbonerakure, have continued to kill, rape, beat, detain, threaten, and

Watch, *"We'll Tie You Up and Shoot You:" Lack of Accountability for Political Violence in Burundi*, May 14, 2010, https://www.hrw.org/sites/default/files/reports/burundio51owebwcover_2.pdf.

⁷ See "Burundi: Deadly Police Response to Protests", Human Rights Watch news release, May 29, 2015, <https://www.hrw.org/news/2015/05/29/burundi-deadly-police-response-protests>.

⁸ The government closed down one of the country's most popular radio stations, Radio publique africaine (RPA), on April 27, 2015. On the same day, the government stopped Radio Isanganiro and Radio Bonesha FM from broadcasting outside the capital, cut off their telephone land lines, and prohibited all three stations from broadcasting live from the demonstrations. Soon after the coup attempt, during the early hours of May 14, people presumed loyal to the president attacked the offices of RPA, Radio Bonesha, Radio Isanganiro, and Radio-Télévision Renaissance. To get permission to reopen, Radio Isanganiro had to sign an undertaking to pursue a "balanced and objective" editorial policy that respects the country's "security." The others have not broadcast inside the country since.

⁹ Human Rights Watch, *"We Will Beat You to Correct You:" Abuses Ahead of Burundi's Constitutional Referendum*, May 18, 2018, <https://www.hrw.org/report/2018/05/18/we-will-beat-you-correct-you/abuses-ahead-burundis-constitutional-referendum>.

harass thousands of people in Burundi. In some cases, simply not belonging to the ruling CNDD-FDD is enough to create suspicion and provoke violence.¹⁰

While Nkurunziza's third term was disputed, the constitution clearly did not permit him to stand again in 2020. The president and his party called for a referendum to change the constitution to increase presidential terms to seven years, renewable only once, and reset the clock on terms already served. The change could extend his rule until 2034, although Nkurunziza has said publicly that he will step down in 2020.¹¹

The constitutional referendum took place on May 17, 2018 against the backdrop of widespread abuses by local authorities, the police, and Imbonerakure members, with no consequences for the abuse.¹² The constitutional amendments subsequently adopted opened the way for Nkurunziza to run for two new seven-year terms, dismantled the ethnic power-sharing arrangements that were central to the Arusha Accords, and gave more power to the president.

A campaign against people perceived to oppose the ruling party has continued since the 2018 referendum.¹³ Imbonerakure members and local authorities continue to pressurize people to join the party ahead of the 2020 presidential elections, especially in rural areas. Youth league members and local administrators responded to the February 2019 registration of long-time opposition leader Agathon Rwaswa's new party, the National Congress for Freedom (Congrès national pour la liberté, CNL), with more rampant repression and abuse, including killings, disappearances, arbitrary arrests, beatings, and intimidation, with authorities looking the other way.¹⁴

¹⁰ "Burundi: Rampant Abuses Against Opposition", Human Rights Watch news release, June 12, 2019, <https://www.hrw.org/news/2019/06/12/burundi-rampant-abuses-against-opposition>.

¹¹ "Burundi's Pierre Nkurunziza says he will step down in 2020," *Al Jazeera*, June 7, 2018, <https://www.aljazeera.com/news/2018/06/burundi-pierre-nkurunziza-step-2020-180607160413061.html> (accessed November 20, 2019).

¹² For more information on elections and the referendum in Burundi, see: "*We Will Beat You to Correct You*," Human Rights Watch report; "Burundi: Repression Linked to Presidential-Term Vote," Human Rights Watch news release, April 17, 2018, <https://www.hrw.org/news/2018/04/17/burundi-repression-linked-presidential-term-vote>.

¹³ "Burundi: Renew UN Inquiry," Human Rights Watch news release, September 18, 2018, <https://www.hrw.org/news/2018/09/18/burundi-renew-un-inquiry>.

¹⁴ Agathon Rwaswa ran as head of a political coalition known as Amizero y'Abarundi ("the hope of the Burundians") in the 2015 presidential elections, and registered the new party after changes to the constitution voted in the May 2018 referendum prevented him from running in 2020 as an independent. For more information on abuses against the CNL, see "Burundi: Rampant Abuses Against Opposition," Human Rights Watch news release.

Most major donors responded to the widespread rights violations in 2015 by suspending direct budgetary support to Burundi, further worsening the country's financial situation. As a result, aid inflows which previously made up 50 percent of the budget significantly reduced. However, some donors maintained humanitarian assistance either through direct support to the government or by funding aid organizations and agencies to deliver services to the population.¹⁵ The crisis has driven up prices of petrol, transport, and consumer goods.¹⁶

In December 2017, the government announced that Burundians would be asked to “voluntarily” contribute to help fund the 2020 elections.¹⁷ The United Nations Commission of Inquiry said this contribution was established “extralegally” and that “these levies, together with various ad hoc contributions imposed at the local level, are impoverishing [the] population.”¹⁸

In May 2019, the government announced it was funding over 85 percent of its budget from domestic revenue, including the 33.2 billion Burundian Francs (\$18 million) allocated to the elections.¹⁹

Officials of several international humanitarian organizations and local NGOs, in interviews with Human Rights Watch, raised concerns over the government's desire to control the

¹⁵ For instance, the World Bank and the African Development Bank continued to provide direct budgetary support to the government. Other donors, such as China and Saudi Arabia, have also stepped up bilateral relations, including on aid, trade, and development.

¹⁶ For more information, see: “Sub-Saharan Africa Regional Economic Outlook: Recovery Amid Elevated Uncertainty,” International Monetary Fund, April 2019, <https://www.imf.org/en/Publications/REO/SSA/Issues/2019/04/01/sre00419> (accessed November 20, 2019), and “Helping the Burundian People Cope with the Economic Crisis,” *Crisis Group Africa Report*, no. 264, August 31, 2018.

¹⁷ Joint Ministerial Order no. 530/540/1772 of December 11, 2017 on the modalities for collecting the population's contribution to the 2020 elections.

¹⁸ The Commission of Inquiry cites an expert, who found that the order was in contradiction with art. 70.4 of the Constitution, which allows for extraordinary contributions to be collected in cases of natural and national “calamities” and art. 159.5, which states that taxes are of the realm of the law and cannot be determined by government order. See United Nations, *Report of the Commission of Inquiry on Burundi*, A/HRC/39/63, August 8, 2018, https://www.ohchr.org/Documents/HRBodies/HRCouncil/ColBurundi/ReportHRC39/A_HRC_39_63_EN.pdf (accessed November 20, 2019), and United Nations, *Rapport final détaillé de la Commission d'enquête sur le Burundi*, September 12, 2018, p. 191.

¹⁹ Analysis and adoption of the draft law on the general budget of the Republic of Burundi for 2019/2020, National Assembly, <https://www.assemblee.bi/spip.php?article2033> (accessed November 20, 2019).

narrative on the food security and health crises that are underway, preventing them from recognizing the severity of the situation and responding adequately.²⁰

The economic challenges facing Burundi predate the crisis precipitated by Nkurunziza's decision to run for a third term. One of the most densely populated and least urbanized countries in Africa, Burundi has always faced unusually high food insecurity rates—currently double the average in sub-Saharan Africa—with over 70 percent of its 11 million people rooted firmly below the poverty line.²¹ According to the World Food Program, the prevalence of chronic malnutrition in Burundi is one of the highest in the world and 56 percent of children are stunted.²²

According to the World Bank, Burundi's average per capita consumption is 497,313 Burundian Francs (US\$270) per year, which is below the poverty line of 636,510 Burundian Francs (\$345) per year.²³ According to the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), in October 2019, 1.7 million people in Burundi were affected by food insecurity.²⁴ Malaria cases have been steadily rising, and between January and November 2019, over 7.3 million cases—over half the population—and 2,800 deaths were reported. Most health districts in the country have surpassed the epidemic threshold, although the government has yet to declare district- or national-level epidemics.²⁵ Cholera outbreaks were reported over the course of 2019 in Rumonge, Cibitoke, Bujumbura Mairie,

²⁰ Interviews with officials of five humanitarian organizations on the food security and health situation in Burundi, March to July 2019.

²¹ "Addressing Fragility and Demographic Challenges to Reduce Poverty and Boost Sustainable Growth Systematic Country Diagnostic," World Bank. According to the government's latest 2014 poverty survey, the poverty line in Burundi is 636,510 FBU (US\$345) per year.

²² The World Food Program's Burundi country profile states that, "Underlying drivers for undernutrition include poverty, poor access to clean water, and worsening access to basic services such as health and education. A high prevalence of infectious diseases, lack of diversity in diets and poor hygiene make the situation worse. Adding to the pressure on Burundi's limited resources, over 36,000 refugees, mainly from the Democratic Republic of the Congo, are hosted in already food-insecure areas and rely on assistance for basic food and nutrition."

²³ "Addressing Fragility and Demographic Challenges to Reduce Poverty and Boost Sustainable Growth Systematic Country Diagnostic," World Bank.

²⁴ "Situation Report," United Nations Office for the Coordination of Humanitarian Affairs, October 7, 2019, <https://reliefweb.int/sites/reliefweb.int/files/resources/Rapport%20de%20situation%20-%20Burundi%20-%207%20oct.%202019.pdf> (accessed November 20, 2019).

²⁵ "Weekly Bulletin on Outbreaks and Other Emergencies: Week 45: 4-10 November 2019," World Health Organization, November 10, 2019, <https://apps.who.int/iris/bitstream/handle/10665/329898/OEW45-0410112019.pdf> (accessed November 20, 2019).

and Bujumbura Rural provinces,²⁶ and there are fears that the Ebola outbreak in neighboring Democratic Republic of Congo could spread to Burundi.²⁷

The government of Burundi has continued to restrict the operating environment for international organizations. On October 1, 2018, authorities suspended the activities of foreign NGOs for three months to force them to re-register, including by submitting new documentation stating the ethnicity of their Burundian employees.²⁸ Many organizations feared the information would put their staff at risk of ethnic targeting. Some organizations refused to comply and left the country. Humanity & Inclusion (formerly Handicap International), working since 1992 on health, rehabilitation, education, protection, and socioeconomic integration, shut down in January 2019.²⁹

By March 2019, around 93 out of an estimated 130 international NGOs were re-registered, although it is unclear to what extent they complied with the requirements set out in the law.³⁰ Since then, the government has created a commission that will play an oversight role in the recruitment of national staff of foreign NGOs to monitor compliance with the ethnic quotas. Many independent human rights groups have also left the country over the past few years as a result of repression.³¹

Since 2015, hundreds of thousands of Burundians have fled the country and, according to the Office of the United Nations High Commissioner for Refugees (UNHCR), by October 31,

²⁶ “Weekly Bulletin on Outbreaks and Other Emergencies: Week 29: 15-21 July 2019,” World Health Organization, July 21, 2019, <https://apps.who.int/iris/bitstream/handle/10665/325979/OEW29-1521072019.pdf> (accessed November 20, 2019).

²⁷ “UNICEF Burundi Ebola Situation Report No 3,” October 20, 2019, <https://reliefweb.int/sites/reliefweb.int/files/resources/UNICEF%20Burundi%20Ebola%20Situation%20Report%20No%203%20-%202020%20October%202019.pdf> (accessed November 20, 2019).

²⁸ Bill no. 1/01 of January 23, 2017, <https://presidence.gov.bi/2017/01/23/loi-n1-01-du-23-janvier-2017-portant-modification-de-la-loi-n1-011-du-23-juin-1999-portant-modification-du-decret-loi-n1-033-du-22-aout-1990-portant-cadre-general-de-la-cooperatio/> (accessed November 20, 2019).

²⁹ “Handicap International ferme son programme au Burundi,” Handicap International, January 7, 2019, https://handicap-international.fr/sn_uploads/pdf/CP_Burundi_070119.pdf (accessed November 20, 2019).

³⁰ Stef Vandeginste, “Ethnic Quotas and Foreign NGOs in Burundi: Shrinking Civic Space Framed as Affirmative Action,” *Africa Spectrum* 1–20, October 30, 2019, <https://journals.sagepub.com/doi/pdf/10.1177/0002039719881460> (accessed November 20, 2019).

³¹ “Oral briefing of the Commission of Inquiry on Burundi,” Interactive Dialogue on Burundi at the 41st session of the UN Human Rights Council, Geneva, March 12, 2019, <https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=24311&LangID=E> (accessed November 20, 2019).

2019, there were around 326,000 Burundian refugees in neighboring countries.³² Between August 2017 and October 31, 2019, around 80,000 refugees returned to Burundi under a UNHCR-backed voluntary repatriation program.³³

In August 2019, Tanzania and Burundi signed an agreement that says about 180,000 Burundian refugees in Tanzania “are to return to their country of origin whether voluntarily or not” by December 31.³⁴ At the time, UNHCR reported that people continue to leave Burundi every month and that conditions in the country were “not conducive to promote returns.”³⁵ In September 2019, the Human Rights Council adopted a resolution expressing deep concern for the situation of Burundian refugees, underlining the need for any returns to be safe, dignified, voluntary, and consensual.³⁶

Between August and October, Tanzanian officials made threatening public statements, closed down a refugee camp market, and repeatedly changed administrative requirements for aid organizations operating in the camps. On October 15, Tanzanian authorities unlawfully coerced more than 200 unregistered asylum seekers into returning to Burundi by threatening to withhold their legal status in Tanzania.³⁷

Many of the interviewees who fled the country since 2017 told Human Rights Watch they faced the choice of fleeing or dying. They spoke about the growing financial burden of the contributions, abuses by Imbonerakure members, and increasing insecurity.

For example, a teacher from Kirundo province explained the significant financial impact the contributions were having on his disposable income:

³² “Regional Overview of Burundi’s Refugee Population,” United Nations High Commissioner for Refugees, Update as of October 31, 2019, <https://data2.unhcr.org/en/documents/download/72227> (accessed November 25, 2019).

³³ “Voluntary Repatriation of Burundian Refugees,” United Nations High Commissioner for Refugees, Update as of October 31, 2019, <https://data2.unhcr.org/en/documents/download/72174> (accessed November 20, 2019).

³⁴ “Tanzania: Protect Burundians Facing Abuse,” Human Rights Watch news release, September 19, 2019, <https://www.hrw.org/news/2019/09/19/tanzania-protect-burundians-facing-abuse>.

³⁵ “The Refugee Brief – 1 October 2019,” United Nations High Commissioner for Refugees, October 1, 2019, <https://www.unhcr.org/refugeebrief/the-refugee-brief-1-october-2019/> (accessed November 20, 2019).

³⁶ Resolution on the situation of human rights in Burundi, United Nations Human Rights Council, A/HRC/42/L.10/Rev.1, http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/42/L.10/Rev.1 (accessed November 20, 2019).

³⁷ “Tanzania: Asylum Seekers Coerced into Going Home,” Human Rights Watch news release, October 29, 2019, <https://www.hrw.org/news/2019/10/29/tanzania-asylum-seekers-coerced-going-home>.

First, I had to pay 2,000 Francs (\$1.08) to the Imbonerakure for the elections. That was compulsory, even if you can't afford it. On my salary of 130,000 Francs (\$70) a month, 5,000 Francs (\$3) are deducted at the source. But then I also have to pay 60,000 Francs (\$32) on top of that to the Ministry of Education annually, and I don't get a receipt for that.

He also had to give food and the school director ordered another contribution of 5,000 Francs to be collected for the president, without a giving a receipt.³⁸

The Imbonerakure

Political parties in Burundi have long used youth groups for a variety of functions. In late 2008, after coming to power in 2005, the ruling CNDD-FDD party mobilized youth throughout the country into quasi-military groups, called the Imbonerakure (meaning “those who see far” in Kirundi), to demonstrate the party's strength. The CNDD-FDD used the Imbonerakure from 2009 into the 2010 electoral period to intimidate and harass its political opponents. They often engaged in street fights with other parties' youth wings. Since the 2010 general elections, the reliance on youth to intimidate and attack perceived opponents of the CNDD-FDD at the local level has increased.

Imbonerakure members have consistently been shielded from justice. In numerous incidents documented by Human Rights Watch since 2015, members of the Imbonerakure, the intelligence services, and the security forces appeared to cooperate in intimidating and attacking suspected opponents, which indicates a degree of state involvement in the Imbonerakure's actions.³⁹

The government's responsibility for the wrongdoing of the Imbonerakure has been established by the United Nations Commission of Inquiry on Burundi in certain contexts: “when their conduct is acknowledged and adopted by agents of the State,⁴⁰

³⁸ Human Rights Watch phone interview with a Burundian teacher, March 28, 2019.

³⁹ “Burundi: Rampant Abuses Against Opposition,” Human Rights Watch news release.

⁴⁰ International Law Commission, articles on responsibility of States for internationally wrongful acts, art. 11, http://legal.un.org/ilc/texts/instruments/english/draft_articles/9_6_2001.pdf (accessed November 20, 2019).

when they act on the instructions or under the direction of the latter,⁴¹ and when they act in ‘complete dependence’ on or under the ‘effective control’ of such agents.”⁴² The level of coordination between the government, local authorities, and members of the Imbonerakure to collect election contributions, including by handing out state-issued receipts or restricting access to public services, suggests that they were operating under the instructions of central authorities.

In late 2016, reports of killings, torture, and beatings committed by members of the Imbonerakure increased, demonstrating that the widespread impunity for the group’s members and the government’s unwillingness to prosecute or rein in the group continued.⁴³ In the run-up to the May 2018 referendum, Imbonerakure members set up makeshift roadblocks in several provinces, including Kirundo, Makamba, Muyinga, Muramvya, Ruyigi, and Ngozi, detaining passersby, extorting money or valuables from them, and sometimes beating them.⁴⁴

In 2019, Human Rights Watch documented killings, disappearances, arbitrary arrests, and beatings of real or suspected opposition members by Imbonerakure members. Family members and witnesses often believe the killings were related to pressure to join the ruling party.⁴⁵ Feared for their brutality and cruelty, the Imbonerakure are often described by interviewees as having more power than local police officials. Interviewees emphasized that refusing to follow their orders would likely result in beatings, arrest, or death.⁴⁶

⁴¹ Ibid., art. 8.

⁴² United Nations Human Rights Council, “Report of the Commission of Inquiry on Burundi”, A/HRC/39/63, August 8, 2018, https://www.ohchr.org/Documents/HRBodies/HRCouncil/ColBurundi/ReportHRC39/A_HRC_39_63_EN.pdf (accessed November 20, 2019).

⁴³ “Burundi: Attacks by Ruling Party Youth League Members,” Human Rights Watch news release, January 19, 2017, <https://www.hrw.org/news/2017/01/19/burundi-attacks-ruling-party-youth-league-members>.

⁴⁴ “We Will Beat You to Correct You,” Human Rights Watch report.

⁴⁵ “Burundi: Rampant Abuses Against Opposition,” Human Rights Watch news release.

⁴⁶ Human Rights Watch interviews with a Burundian teacher and a business owner, Uganda, July 3, 2019; Human Rights Watch interview with a Burundian student, Uganda, July 5, 2019; Human Rights Watch interview with a Burundian mason, Democratic Republic of Congo, May 14, 2019, among others.

Continuing Repression

Whereas from the end of the civil war to the period leading up to the 2015 elections, the government tolerated some criticism, since 2015, any space for rights groups and independent journalists to operate freely in Burundi has gradually vanished.

Since early 2015, some leading Burundian human rights defenders have been attacked, organizations have faced severe restrictions or were shut down, and most of the leading civil society activists and independent journalists fled the country for their security.⁴⁷

In June 2019, the government suspended PARCEM, one of the country's last remaining independent rights organizations, accusing it of tarnishing the image of the country and its leaders. PARCEM had been spearheading the “Ukuri Ku Biduhanze” campaign (“truth on the challenges the country faces”), which had been raising awareness of critical issues ranging from malaria to food insecurity.⁴⁸

The media have also come under increasing pressure. On October 22, 2019, four journalists and their driver were arrested while they were on a reporting trip to Bubanza province for *Iwacu* newspaper.⁴⁹ On October 26, they were charged with complicity in threatening state security, and their detention was extended on October 31.⁵⁰ On October 20, the driver was released, but at the time of writing, the four journalists remain in detention.

In March 2019, the National Communication Council (Conseil National de la Communication, CNC) renewed the suspension of Voice of America (VOA), initially imposed in May 2018, and withdrew the British Broadcasting Corporation's (BBC) operating license. The CNC has officially banned journalists in Burundi from “providing information directly or

⁴⁷ For more information on civil society and media space in Burundi, see “*We Will Beat You to Correct You*,” Human Rights Watch report.

⁴⁸ “What Does Burundi Have to Hide?,” Human Rights Watch dispatch, June 20, 2019, <https://www.hrw.org/news/2019/06/20/what-does-burundi-have-hide>.

⁴⁹ “Burundi: Journalists, Driver Detained on Reporting Trip,” Human Rights Watch news release, October 23, 2019, <https://www.hrw.org/news/2019/10/23/burundi-journalists-driver-detained-reporting-trip>.

⁵⁰ “4 Burundi reporters charged with undermining state security,” *Associated Press*, October 26, 2019, <https://apnews.com/d5bd1095b3ac4543978c93154a25f9d7> (accessed November 20, 2019).

indirectly that could be broadcast” by either the BBC or VOA.⁵¹ In July 2019, the BBC closed down its office in Bujumbura.⁵² In July, a former Imbonerakure chief was appointed the head of the state broadcaster, known as RTNB (Radio Télévision Nationale du Burundi), and senior government and intelligence officials were put onto the RTNB’s board.⁵³

Burundi continued its practice of refusing to cooperate with the UN Commission of Inquiry and has not given its members access to the country since the Commission was established in September 2016 to investigate human rights violations and abuses in Burundi since April 2015. The Commission’s mandate includes investigating whether and to what extent such abuses may constitute international crimes. In 2019, OHCHR closed its offices in the country following a request by the Burundian government.⁵⁴

In its March 2019 oral update, the Commission of Inquiry said that the main alleged perpetrators of serious violations and international crimes committed since 2015 have not been prosecuted, that they still hold positions of responsibility within the security and defense forces or within the Imbonerakure, whose collusion with these forces has been highlighted in its previous reports. Its September 2019 report concluded that “serious human rights violations—including crimes against humanity—have continued to take place since May 2018.”⁵⁵ The targets, it said, were in particular real and suspected opposition supporters, as well as Burundians who have returned from abroad and human rights defenders.

With increasing repression and arbitrary and even punitive financial demands on the population, political tensions are likely to continue to escalate ahead of the May 2020 elections.

⁵¹ See “Burundi Tightens Screws on Media Freedom,” Human Rights Watch dispatch, March 29, 2019, <https://www.hrw.org/news/2019/03/29/burundi-tightens-screws-media-freedom>.

⁵² Committee to Protect Journalists, “Banned from broadcasting since 2018, BBC closes bureau in Burundi,” July 26, 2019, <https://cpj.org/2019/07/banned-from-broadcasting-since-2018-bbc-closes-bur.php> (accessed November 20, 2019).

⁵³ See “Under Siege, Burundi’s Journalists Fight On,” Human Rights Watch commentary, July 22, 2019, <https://www.hrw.org/news/2019/07/22/under-siege-burundis-journalists-fight>.

⁵⁴ OHCHR, “UN Human Rights Office in Burundi closes,” March 5, 2019, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24254&LangID=E> (accessed November 20, 2019).

⁵⁵ United Nations, *Report of the Commission of Inquiry on Burundi*, A/HRC/42/49, September 4, 2019, <https://undocs.org/en/A/HRC/42/49> (accessed November 20, 2019).

Arbitrary and Forced Collection of Election Contributions

“Voluntary” Contributions to Fund the 2020 Elections

In a speech delivered in Bugendana, Gitega province, on December 12, 2017, President Nkurunziza announced new directives on “the manner in which the 2020 elections will be supported in conformity with patriotic spirit,” warning anyone who might try and “disorient” the project.⁵⁶ A joint ministerial order dated December 11, 2017 set out the modalities for collecting contributions from the population to pay for the 2020 vote.⁵⁷

In the order signed by the interior and finance ministers, three categories of contributors were laid out. Households of non-salaried citizens were requested to contribute 2,000 Burundian Francs (US\$1.08) through in-person collections, and students of voting age were expected to pay 1,000 Burundian Francs (\$0.54). This category constitutes over 80 percent of the population. A second category of civil servants, public sector, and other government workers saw their contribution deducted from their monthly salary from January 2018 until January 2020. In the third category are others not captured in the first two. They include business and shop owners, NGO staff, staff of cooperatives,⁵⁸ and members of the diaspora. They were asked to make voluntary contributions according to their “sense of patriotism.” The order states that the funds collected must be paid in exchange for an official receipt, and regularly transferred by local administrators to a bank account of the Bank of Burundi.⁵⁹ It did not specifically give authority to the Imbonerakure to collect the levies.

Although the joint ministerial order stated that the contributions for the first and third categories are voluntary, Human Rights Watch spoke with 65 farmers; business and shop owners; truck, bus, and motorbike drivers; civil servants; teachers; nurses; students; and civil society activists who said they were given no choice but to pay when Imbonerakure

⁵⁶ Speech by President Nkurunziza on the launch of the constitutional referendum campaign, Bugendana, December 12, 2017, <https://www.uantwerpen.be/images/uantwerpen/container49546/files/Burundi/gouv/121217KF.pdf> (accessed November 20, 2019).

⁵⁷ Joint Ministerial Order no. 530/540/1772 of December 11, 2017.

⁵⁸ Cooperatives are groupings of individuals created to facilitate mutual help and solidarity and to work towards a common economic or social goal.

⁵⁹ Joint Ministerial Order no. 530/540/1772 of December 11, 2017, art. 9.

members and local officials came asking for money. This included people whose contributions were already deducted from them their salaries. One farmer from Muyinga province told Human Rights Watch he fled the country in May 2019 after being beaten by Imbonerakure members: “The Imbonerakure asked us for the money and they said, ‘If you want to live in peace, you have to pay for the elections.’”⁶⁰

In a March 2019 letter addressed to provincial governors⁶¹ and the mayor of Bujumbura, Interior Minister Pascal Barandagiye proposed a strategy to “collect the maximum number of contributions possible for the 2020 elections, including by organizing an intercommunal competition.”⁶² Some interviewees, particularly those working in the public sector, referred to this inter-communal competition to encourage governors to collect as much money as possible. One schoolteacher from Bujumbura Mairie who left the country in June 2019 said:

The provincial director for education asked the communal director for education to see lists of those who gave money for the elections because of the competition that was announced between provinces. We had to pay, even though we didn’t know where the money was going. We were told that if we did not pay, we would be seen as putschists or protesters [from 2015].⁶³

Members of the Imbonerakure often collaborated with local administrative officials and members of the police. According to Burundian law, commune-level administrators represent the state at the local level.⁶⁴

Although the joint ministerial order clearly specifies that the contributions should be collected on a voluntary basis, in practice, Human Rights Watch found that members of the

⁶⁰ Human Rights Watch interview with Burundian farmer, Uganda, July 9, 2019.

⁶¹ There are 18 governors for the same number of provinces in Burundi. They are nominated by the executive and approved by the Senate. Their mandate is to handle the day-to-day management of administrative affairs in the provinces and represent the executive at the provincial level.

⁶² Letter no. 530/437/CAB/2019 of March 1, 2019 of the interior minister to the governors of all provinces and to the mayor of Bujumbura.

⁶³ Human Rights Watch interview with a Burundian teacher, Uganda, July 4, 2019.

⁶⁴ Law no. 1/33 of 28 November 2014 revising law no. 1/02 of 25 January 2010 on the organization of the communal administration, arts. 26 and 27, <http://www.presidence.gov.bi/wp-content/uploads/2014/11/loi-033-2014.pdf> (accessed November 20, 2019).

Imbonerakure and local officials threatened, beat, and intimidated people, and restricted movement and access to basic services, such as markets and water pumps, in order to force them to contribute. Sometimes amounts paid were far superior to those set out in the order, and often interviewees said they paid multiple times.

Those whose contribution was deducted from their salaries said they also had to pay direct cash contributions to Imbonerakure members. A teacher from Muramvya province said:

We don't just have to pay the contribution that's taken at the source, we also have to pay the contribution per household. One day, the Imbonerakure might wake up and decide you're going to pay for a new party building even though you're not a member of the party, or that you'll pay for a celebration they're planning, to build a stadium or a school. We have to contribute for everything.⁶⁵

Local government officials also restricted access to administrative services, such as registration of births, deaths, or marriages, to those who were unable to prove they had paid.

The president announced the suspension of the contributions on July 1, 2019, saying that the target had almost been met, and a government order was signed on August 8, 2019, ending the collections but stating that “voluntary contributions are maintained.”⁶⁶ To the best of Human Rights Watch's knowledge, the government has not transparently reported on the total sum collected and how it will be used.

Many Burundians who had recently fled the country and others interviewed over the phone confirmed that beyond the election contributions, Imbonerakure members appeared to have seized the opportunity of the government order to make additional demands on many Burundians. Some of the interviewees said the Imbonerakure's extortion, threats, and beatings greatly increased after the election contribution was announced. Human Rights Watch has received reports since July 2019, including from ruling party officials, that

⁶⁵ Human Rights Watch phone interview with Burundian farmer, April 16, 2019.

⁶⁶ Joint Ministerial Order no. 530/540/1554 of August 12, 2019 stopping the collection of contributions from the population for the 2020 elections, art. 2.

contributions to the elections and the ruling party were still being collected in several provinces. Some interviewees said ruling party officials asked them to donate money to the party, were issued receipts with the ruling party's logo, or were instructed to deposit their contributions on a ruling party bank account. Contributions to local development projects, such as stadiums or schools, have also continued to be forcibly collected since July.



A receipt for a 10,000 Burundian Francs (US\$5.3) contribution to the 2020 elections in Burundi paid on July 20, 2019. Failure to pay “voluntary contributions” toward the election has often led to threats, beatings, and denial of access to public services. © 2019 Private

A CNDD-FDD source involved with the election contributions told Human Rights Watch that the rationale behind the project was to show that the ruling party could fund the elections without donor money and that the collection was “intentionally entirely opaque for two reasons: first, if this was an ordinary tax, the money would be sent to the treasury, instead it is being sent to a separate account. Second, there are no records available for tax authorities to verify.”⁶⁷

⁶⁷ Human Rights Watch phone interview with source in the ruling party, March 18, 2019.

Those with limited resources were at particular risk with this policy and its often brutal and arbitrary enforcement by members of the Imbonerakure. One farmer whose home was in the drought-stricken Kirundo province told Human Rights Watch over the phone: “They don’t care if you’re poor, they come with bats and clubs. We know we have to contribute, so even if we don’t have money, we let our children go hungry to pay.”⁶⁸

“If you don’t pay, you are *igipinga*”

Almost every person Human Rights Watch interviewed for this report said that the contributions were collected by members of the ruling party’s youth league. Members of the Imbonerakure, sometimes alongside local administrators or ruling party representatives, were said to be going door-to-door demanding payment. Whether or not someone contributes, and how much they chose to give, appears to have become a way of gauging support for the ruling party. Those who had money deducted from their salaries, such as teachers, also said they had to pay donations to Imbonerakure members.

Four teachers told Human Rights Watch that a set amount was taken from their salaries at the source. A 32-year-old teacher from Ruyigi province told Human Rights Watch:

As a teacher, for the elections, I had 2,000 Francs per month taken from my salary, and I had to give 5,000 Francs to the Ministry of Education. I also paid my brother’s contribution because he is 18 years old. The school director said it was compulsory, and that if we didn’t pay, we would be considered dissidents or putschists.⁶⁹

Many of those interviewed told Human Rights Watch that, if they didn’t pay, the authorities would consider them to be part of the opposition. Increasingly, anyone perceived of being part of the opposition, or simply opposed to the ruling party, is at risk of abuse. One 26-year-old from Ruyigi province said he had refused to join the Imbonerakure after he finished his studies. In March 2019, pressure came to a head when members of the youth league arrested him, took him to local party offices, and beat him for several hours with sticks: “The first thing the Imbonerakure asked for when they came to get me was my

⁶⁸ Human Rights Watch phone interview with a Burundian farmer, March 15, 2019.

⁶⁹ Human Rights Watch interview with a Burundian teacher, Uganda, July 4, 2019.

elections receipt. Because I didn't have it, [they took me away]. My father had to come pay 100,000 Francs (\$54) to free me.”⁷⁰

Another person, who fled Bujumbura in September 2018, told Human Rights Watch that members of the Imbonerakure started coming to his house after the May 2018 referendum: “They came every day to see those who didn't pay. They also threatened me because I was member of an opposition party.”⁷¹

Some who were identified as being members of the opposition said they felt particularly targeted and paid much more than the established amount. A shop owner from Bujumbura said: “Because they thought I was a member of the opposition, I had to pay more. I had to pay 100,000 Francs (\$54) every month.”⁷² Another trader, from Kirundo province, explained that he had left Burundi in April 2019, in part because of the financial impact of the contributions: “I wasn't a member of the ruling party so they were constantly asking me for contributions for the elections and the party. I ended up working at a loss.”⁷³

Many interviewees also told Human Rights Watch they were called “*igipinga*” (a derogatory Kirundi expression to describe someone who does not support the ruling party) if they did not contribute. Although some interviewees who were called by this name were part of an opposition party, many said they simply did not want to get involved in politics but refusing to contribute meant they were associated with the opposition.

Rampant Extortion and Other Contributions

Threats and Violence

Many victims of abuse described an opaque process of collecting the elections contributions and the behavior of Imbonerakure members which could amount to extortion. Burundian law sets out clearly how local taxes are calculated, and authorizes specific tax authorities, and in some cases, local authorities, to collect them.⁷⁴ The

⁷⁰ Human Rights Watch interview a Burundian jobseeker, Uganda, July 5, 2019.

⁷¹ Human Rights Watch interview with a Burundian refugee from Bujumbura Mairie, Democratic Republic of Congo, May 11, 2019.

⁷² Human Rights Watch interview with a Burundian business owner, Uganda, July 6, 2019.

⁷³ Human Rights Watch interview with a Burundian trader, Uganda, July 7, 2019.

⁷⁴ Ministry of Finance, Tax Department, General Tax Code, 2006, https://www.obr.bi/images/stories/download/1.%20code%20general%20des%20impots_%20burundi.pdf (accessed

Imbonerakure, as the ruling party's youth league, does not have the authority to carry out official activities such as collecting taxes or contributions.

However, most people interviewed for this report said that members of the Imbonerakure, sometimes working with ruling party officials or local administrators, had collected the election levy using threats and force. One schoolteacher from Ruyigi province who left the country in June 2019 said: "The Imbonerakure would come and ask us to give money, sometimes they said it was because they needed beer and clothes."⁷⁵ In some cases, individuals reported not being given receipts despite being told they were paying for the elections.

Several people, particularly business and shop owners, reported they had paid amounts up to 25 times the official amount to the Imbonerakure but had been given a receipt for 2,000 Francs. A shop owner in Bujumbura said he fled in June 2019 after being beaten by members of the Imbonerakure and security forces. He told Human Rights Watch that he usually paid taxes to the Burundian Revenue Office. He said that, "If you don't pay for the elections, you can't even open your shop. I gave 50,000 Francs (\$27), but they gave me a receipt for 2,000 Francs. I paid several times."⁷⁶

Many business and shop owners said that they began operating at a loss when the number of contributions and amounts they were required to pay grew significantly after the 2018 referendum. Several asylum seekers interviewed in July 2019 said that the contributions were what finally caused them to leave the country.

A shop owner from Muyinga province told Human Rights Watch he fled in May 2019 because of the financial burden and security issues associated with the contributions:

The Imbonerakure gave receipts when we paid for the elections. I had to give 60,000 Francs (\$33) in one go, but the receipt I was given was for 2,000 Francs. They told me not to tell anyone that I had paid more. But now local authorities just decide on new contributions and the Imbonerakure

November 20, 2019); Law no. 1/02 of 3 March 2016 reforming communal taxation in Burundi, <http://burundilegis.com/Gouvernance/communes/Reforme-finance%20communale.html> (accessed November 20, 2019).

⁷⁵ Human Rights Watch interview with a Burundian teacher, Uganda, July 4, 2019.

⁷⁶ Human Rights Watch interview with a shop owner, Uganda, July 6, 2019.

come and collect them. They don't tell us the motive, and you can't question them, otherwise they accuse you of trying to sabotage them. I left because the contributions ruined my business. I couldn't feed my family anymore. Since I didn't want to pay anymore, I was worried I would end up in prison.⁷⁷

A business owner from Bujumbura gave a similar account, explaining:

With the elections, the Imbonerakure came all the time, asking for 20,000 or 30,000 Francs (\$11 or \$16) or more. After initially giving me a receipt for the official 2,000 Francs, they stopped giving me receipts. So sometimes you paid several times in one month because you couldn't prove you'd already paid. When I refused, I was beaten.⁷⁸

Lack of transparency in how the contributions were collected, as well as numerous accounts of extortion and theft by members of the Imbonerakure, indicate criminality associated with official policy. Combined with intimidation, threats, and frequent beatings, people said that this meant they had no choice but to pay to stay safe.

Food, Livestock, and Forced Labor

In 2018, after they began collecting the election levies, members of the Imbonerakure began to increase collections for the ruling party, which could be both financial and in-kind.

Over 20 interviewees told Human Rights Watch that members of the Imbonerakure forced them to donate money to the ruling party, despite not being members. Another 38 said they were forced to give food to members of the Imbonerakure and local administrators, who visited their homes. These contributions were collected irregularly and inconsistently, apparently in an arbitrary manner.

⁷⁷ Human Rights Watch interview with a Burundian business owner, Uganda, July 3, 2019.

⁷⁸ Human Rights Watch interview with a Burundian business owner, Uganda, July 6, 2019.



A receipt for a one-ton contribution of beans paid to members of the Imbonerakure. The beans were worth one million Burundian Francs (US\$540) at the time. The receipt has the ruling party's logo on it and reads: "What is your contribution to the political struggle?" Members of the Imbonerakure and local authorities have been forcibly collecting food contributions from people. © 2019 Private

Sometimes, people said they were given receipts. One shop owner and truck driver said he was made to give one ton of beans out of the three tons he had just purchased and was given a receipt by the CNDD-FDD. He said the amount he gave away was worth one million Burundian Francs (\$540). Some farmers said they were asked by members of the Imbonerakure to give livestock, such as goats and cows. Several farmers also said they had noticed a rise in the number of food contributions being demanded by members of the Imbonerakure since 2018.

One shop owner explained that members of the Imbonerakure regularly went from household to household to collect 1 to 5 kilograms of non-perishable goods:

They would say that it's for them, because they don't get a salary and that they work night and day to ensure our security. If we can't give, they accuse us of not supporting them and then all our lives are at risk.⁷⁹

⁷⁹ Human Rights Watch interview with a Burundian business owner, Uganda, July 3, 2019.

Interviewees told Human Rights Watch that sometimes members of the Imbonerakure and local administrators collected food from houses saying that it was to help the poor and vulnerable in provinces affected by food insecurity. However, many people in vulnerable situations, including farmers affected by droughts, said they were also forced to give food.

Individuals working in the agriculture or informal sector from Kirundo, Muyinga, Cankuzo, and Ruyigi, some of the provinces in the country currently affected by severe food insecurity, told Human Rights Watch about giving food contributions and sacrifices they had to make in order to comply.

A woman from Kirundo province explained how hill-level administrators and representatives of the ruling party organized a meeting to announce the collections in January 2019:

On the Saturday, the local CNDD-FDD officials organized a meeting to tell us that they are going to come ask for non-perishable goods, such as sorghum, rice, and maize. Those who can pay money maybe don't have to give; it's the farmers that give food. Then on the Sunday, [the Imbonerakure] went around house by house to ask for goods. Those going to the market had to give the Imbonerakure one tenth of their product. If you don't give the food, they put you on a list.⁸⁰

Another woman from the same commune in Kirundo province, who said she was too poor to send her children to school, also spoke of members of the Imbonerakure coming to her house twice a month to take a few kilograms of beans.⁸¹

For people living in provinces affected by drought and severe food insecurity, this represented a significant challenge. A 22-year-old woman from Cankuzo province said: "The Imbonerakure regularly came to the house to ask for 2 to 5 kilos of food. It was difficult, but we didn't have a choice. If we had to, we skipped meals to be able to give."⁸²

⁸⁰ Human Rights Watch phone interview with a Burundian teacher, January 22, 2019.

⁸¹ Human Rights Watch phone interview with a Burundian farmer, March 15, 2019.

⁸² Human Rights Watch interview with a Burundian student, Uganda, July 7, 2019.

Many others said they had also been forced to give food, in various amounts and at different intervals. A woman from Cankuzo province said, “It doesn’t matter if you are a widow, handicapped, or vulnerable. You have to give.”⁸³

A man from Ruyigi province said, “They came asking for food, between 1 and 10 kilograms, and said it was for the poor and vulnerable. But sometimes we’d see them handing the food out to our neighbors who were [members] of the CNDD-FDD.”⁸⁴

Sometimes, interviewees described being forced to give food when high-level government officials visited their commune, or for national holidays and celebrations. They were not paid for the food they contributed and there was little information about where it was sent or who it would benefit.

Construction of Local Ruling Party Offices

Twenty-two interviewees in ten different provinces told Human Rights Watch that members of the Imbonerakure forced them to contribute money to and participate in the construction of local CNDD-FDD offices. International law prohibits compulsory work or service which forms part of mobilizing or for purposes of economic development, and bans authorities who do not exercise administrative functions from having recourse to forced or compulsory labor.⁸⁵ The Imbonerakure are not authorized to exercise administrative functions; instead, their main role is to mobilize support for the ruling party.

⁸³ Human Rights Watch interview with a Burundian farmer, Uganda, July 8, 2019.

⁸⁴ Human Rights Watch interview with a Burundian farmer, Uganda, July 7, 2019.

⁸⁵ Forced Labour Convention, 1930 (no. 29), art. 7, and Abolition of Forced Labour Convention, 1957 (no. 105).



The ruling CNDD-FDD party's national office in Ntahangwa commune, Bujumbura. Members of the Imbonerakure and local administrators have forced people to participate in the construction of local ruling party offices around the country, often beating or detaining those who fail to comply. © March 27, 2015, Private.

A 25-year-old woman in Rumonge province said:

The Imbonerakure [ask] us to carry rocks and gravel. If you refuse, they beat you or they make you pay a 10,000 Francs (\$5) fine. One day in January, my father told me not to go because he needed my help. They stopped him on his way back from church and beat him on his head and his back. They said he had to pay because I had refused to join the ruling party.⁸⁶

Another man in the same commune explained that he had built a new office for the hill-level administrator, and that soon they would be building one for the zone-level one. He said: “The population paid for it and made the bricks. We made more than 30,000 bricks.

⁸⁶ Human Rights Watch phone interview with a student, April 10, 2019.

It took around one year. The Imbonerakure made everyone go by force, even women and children.”⁸⁷

A man with a physical disability said that older people, children, or people with disabilities were not spared: “I had to pay 5,000 Francs (\$2.7) a month for the ruling party’s new building. Every Saturday, I had to go help build it. If you don’t go, the Imbonerakure make you pay double. If you can’t pay, they put you in jail.”⁸⁸

Most interviewees explained that they were too afraid to refuse to take part. One man who fled Muyinga province in May 2019 explained that his security situation had worsened after he was asked to help build the local CNDD-FDD offices:

In February 2019, I refused to take part in the construction. So, the Imbonerakure came to me and said: ‘We’ve observed your behavior. You have a Tutsi wife and a Tutsi child.’ They beat me badly one month later because I missed a rally for the ruling party. Life there was impossible, and it was worse if you weren’t a ruling party member.⁸⁹

A 23-year-old student and farmer from Cankuzo who travelled for five days in June 2019 to flee to Uganda said:

Once a week, you have to carry rocks. If you don’t go help build the ruling party’s offices, the Imbonerakure give you a 5,000 Francs fine, they come to your house to terrorize you. They put you in jail after beating you, and then you would have to pay 50,000 Francs to get out. Since 2015, punishments are getting worse and since December 2017, they’ve increased. Since the president announced the elections contributions, you can’t travel from one commune to the next without the receipt.⁹⁰

⁸⁷ Human Rights Watch phone interview with a Burundian jobseeker, March 27, 2019.

⁸⁸ Human Rights Watch interview with a Burundian welder, Uganda, July 5, 2019.

⁸⁹ Human Rights Watch interview with a Burundian business-owner, Uganda, July 6, 2019.

⁹⁰ Human Rights Watch interview with a Burundian farmer, Uganda, July 7, 2019.

Roadblocks and Restrictions on Access to Public Services

Members of the Imbonerakure and local administrators used a wide range of tactics to force people to pay the contributions for the elections and other unofficial levies to the government. These included restricting people's movements with roadblocks, and limiting access to markets and administrative services, on the condition of showing the elections contribution receipts.



A receipt for the 2,000 Burundian Francs (US\$1.08) contribution to the 2020 elections in Burundi. Members of the Imbonerakure have been collecting so-called voluntary contributions from people and regularly check receipts. Failure to pay has often led to threats, beatings, and denial of access to public services. © 2019 Private

Restrictions on Free Movement

Over 50 interviewees from Bujumbura Mairie, Cankuzo, Cibitoke, Gitega, Karuzi, Kirundo, Muramvya, Muyinga, Ngozi, Rumonge, and Ruyigi provinces told Human Rights Watch that

Imbonerakure members erected and manned roadblocks. At such roadblocks, they would demand to see receipts as proof that they paid toward the elections, thus violating freedom of movement. Interviewees who did not have receipts reported paying money at the roadblock or having to avoid them altogether. According to international human rights law, peoples' movements can only be restricted in situations when the permitted restrictions are set out in law, are necessary to protect national security, public order, public health or morals, or the rights and freedoms of others, and the power to impose restrictions on movement and who can impose such restrictions is clearly set out in law.⁹¹

A 16-year-old Burundian from Cibitoke province told Human Rights Watch in May 2019: "The president announced that we have to contribute to the elections and the barriers went up the same day."⁹² Some interviewees reported that those who had not paid or did not have the receipt with them faced arrest or beatings.

Women described additional challenges travelling around as they were expected to share their husband's receipt, and therefore travel with him. One 23-year-old from Cankuzo province, who was forced to flee leaving his family behind, said:

They put up barriers everywhere so you couldn't go get water, go to the market, or just get around without the receipt. If you didn't have it, they put you in jail. I paid just so I could live safely. To get to the market, I went through three roadblocks. But my wife and I had to share one receipt, so only one of us could travel at a time, or we had to travel together.⁹³

Another woman from Cankuzo province expressed frustrations at having to go to the market with her husband now, but said she had no choice.⁹⁴

⁹¹ Art. 12 of the International Covenant on Civil and Political Rights states: "Everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose his residence; Everyone shall be free to leave any country, including his own; The above-mentioned rights shall not be subject to any restrictions except those which are provided by law, are necessary to protect national security, public order (ordre public), public health or morals or the rights and freedoms of others, and are consistent with the other rights recognized in the present Covenant."

⁹² Human Rights Watch interview with a Burundian refugee, Democratic Republic of Congo, May 11, 2019.

⁹³ Human Rights Watch interview with a Burundian farmer, Uganda, July 7, 2019.

⁹⁴ Human Rights Watch interview with a Burundian farmer, Uganda, July 6, 2019.

One person who was asked to pay 20,000 Francs (\$11) but not given a receipt said, “They organized meetings to tell people to pay money for the elections, and then the Imbonerakure would set up roadblocks and prevent people from going to the fields, to the water pumps and came to our house to intimidate us.”⁹⁵

Human Rights Watch interviewed seven truck, bus, or motorbike drivers who regularly had to travel within and between provinces and said they faced particular challenges after the announcement of the election contributions. One truck driver from Gitega province in a telephone interview said:

The Imbonerakure asked to see the receipt, and if you don’t have it, you don’t pass. The roadblocks vary depending on where we go. Some areas are strict, and others less so. Where I live there is a high ranking CNDD-FDD official, so it’s very strict. I had to pay 5,000 Francs per day to travel, but I was only making 7,000 to 10,000 Francs a day. I recently stopped working because I felt it was too dangerous.⁹⁶

A taxi driver from Gitega province also said he had to pay daily contributions to the Imbonerakure for the elections to be able to work.⁹⁷

Extortion at Roadblocks

Many said that the levels of extortion rose drastically because the roadblocks were manned by members of the Imbonerakure. One farmer from Cibitoke province told Human Rights Watch:

There were a lot of roadblocks [to check the elections receipts]. They put them on the roads that went to the fields, and there were generally around five Imbonerakure at each one. They usually had sticks, electric cables, and long knives. They would take everything from us and say that we’re not in the system, and sometimes they took our tools too.⁹⁸

⁹⁵ Human Rights Watch interview with a Burundian driver, Uganda, July 7, 2019.

⁹⁶ Human Rights Watch phone interview with a Burundian truck driver, June 18, 2019.

⁹⁷ Human Rights Watch phone interview with a Burundian taxi driver, June 18, 2019.

⁹⁸ Human Rights Watch interview with a Burundian farmer, Democratic Republic of Congo, May 12, 2019.

Farmers travelling to sell their produce reported being asked to show their receipts and give a portion of their goods to members of the Imbonerakure manning the barriers. One farmer said:

There are roadblocks set up everywhere in my commune. The Imbonerakure ask everyone who is going into town to buy goods to give them one tenth of what they've bought. If a seller refuses to give a portion of his goods, he can't come back.⁹⁹

People who, for any reason, did not have an election contribution receipt described a range of strategies they had to use to avoid the roadblocks. One older woman in Kirundo province who was unable to pay the contribution explained that she could not get through the roadblocks between her house and the market to buy goods, and therefore relied on neighbors to buy food for her.

A 27-year-old man from Muyinga province told Human Rights Watch he had a friend in the Imbonerakure who warned him of the time and location of their roadblocks, so that he could try and avoid them. Vulnerable people were sometimes the most affected. One person from Kirundo province told Human Rights Watch over the phone: "We are living in extreme poverty. We can't pay so we often fall victim to the Imbonerakure. They are everywhere, they beat us and prevent us from going to the market or the hospital."¹⁰⁰

Identity Checks and Access to Public Services

Sixteen people interviewed reported that members of the Imbonerakure at the roadblocks used them to control the population's movements as well as check the receipt for the elections. One person said: "They would check who came into the neighborhood. If they knew you, you were generally O.K. But even if you are from there and they don't like your response to their questions, they can do what they want to you."¹⁰¹

⁹⁹ Human Rights Watch phone interview with a Burundian farmer, January 22, 2019.

¹⁰⁰ Human Rights Watch phone interview with a Burundian farmer, March 15, 2019.

¹⁰¹ Human Rights Watch interview with a Burundian from Bujumbura Mairie, Democratic Republic of Congo, May 12, 2019.

Others reported that those present at the roadblocks would write down peoples' names and where they are from, as well as their movements, and call other Imbonerakure to verify their claims. One farmer told Human Rights Watch:

If you leave your area and come back, the Imbonerakure ask you where you have been and what you were doing. One friend left Rumonge and went to Makamba for work. The Imbonerakure in Rumonge wanted to know where he was, so they harassed his family and sent messages to the Imbonerakure in Makamba. They caught him and he spent one week in prison. He was part of the opposition.¹⁰²

Many reported being unable or too afraid to travel at night. In Muyinga province, one person told Human Rights Watch over the phone: "By 7 p.m., we can't go visit or ask something of our neighbors. The Imbonerakure threaten you, and you can't travel 2 or 3 kilometers without reaching a roadblock."¹⁰³

Additionally, local administrators appear to also play a role in restricting people's access to their services as a tactic to compel people to pay the contributions, which is revealing of the degree of involvement of the government in the enforcement of the policy. Sixteen interviewees described facing difficulties in accessing administrative services including registering births, deaths, and marriages, unless they were able to show local officials the receipt for the election contribution. Some said they were not able to apply for marriage or birth certificates without showing the receipt for the elections.

Some interviewees said they were not allowed to make official complaints to the local administrative authorities or benefit from mediation for disputes between neighbors unless they could prove their contribution to the election.¹⁰⁴

The practice became so widespread that 20 interviewees spoke of nurses and members of the Imbonerakure at healthcare facilities also checking receipts before allowing prospective patients to see a doctor.

¹⁰² Human Rights Watch interview with a Burundian farmer, Democratic Republic of Congo, May 11, 2019.

¹⁰³ Human Rights Watch phone interview with a Burundian farmer, April 16, 2019.

¹⁰⁴ Human Rights Watch phone interview with a Burundian teacher, January 22, 2019; Human Rights Watch phone interview with an unemployed Burundian, March 25, 2019.

A 23-year-old man from Cankuzo province explained:

At the medical center, if you didn't have the receipt, you didn't get treated. Sometimes it was the Imbonerakure who checked the receipts, sometimes it was the nurses. It really began in 2018, and even though it was difficult to pay, you did it anyways.¹⁰⁵

One man with a physical disability explained how he struggled to pay the ever-growing number of contributions. He said he had to take his children out of school because he could no longer afford the contributions. When his 12-year-old daughter was ill with typhoid, he attempted to take her to the hospital:

A nurse at the entrance of the hospital was checking the election receipts. I didn't have one, so she said I couldn't see a doctor. I had to call a friend who is a nurse so she could advise which medicine to buy directly from the pharmacy.¹⁰⁶

Accessing Markets and Water

Thirty-three interviewees from Cankuzo, Gitega, Kirundo, Muramvya, Muyinga, Ngozi, Rumonge, and Ruyigi provinces described how members of the Imbonerakure set up roadblocks around markets and water pumps to check receipts. Although most interviewees reported restrictions in accessing either all or some public services, these restrictions were applied arbitrarily and differently in the 13 provinces Human Rights Watch conducted research on.

Restricting access to markets on political grounds is likely to be a violation of the rights to free movement, food, and freedom from discrimination, particularly given that access to basic facilities is already extremely limited in Burundi due to an overall lack of public infrastructure.

¹⁰⁵ Human Rights Watch interview with a Burundian farmer, Uganda, July 7, 2019.

¹⁰⁶ Human Rights Watch interview with a Burundian welder, Uganda, July 5, 2019.

Markets and Politicization of Food Distributions

Many of those Human Rights Watch interviewed said they could not go to the market without their election contribution receipt. A man from Rumonge province interviewed over the phone in March 2019 said:

If we haven't contributed, we can't access the market. I was stopped with some others and the Imbonerakure said we had to pay for the elections because it's for the people. If we don't pay, we can't go in. If the stall owners don't pay, they can't open their stalls. They don't have a choice; they have to pay to be able to work.¹⁰⁷

Sometimes, interviewees reported that Imbonerakure members also asked for a portion of food. A farmer from Kirundo province told Human Rights Watch over the phone:

When you leave the market to go to my house, there are four roadblocks. The Imbonerakure are always there. They check the receipt [for the elections] and then they ask for some of the food. Recently I had to give some beans and some maize. They do it by force; it's theft. They say it's to help the vulnerable, but why are they taking our goods when we're the ones who need help? With the drought, we can't even feed our children.¹⁰⁸

Since the end of the civil war, international organizations and UN agencies have continued providing aid to respond to food shortages. Due to the lack of economic diversification and heavy reliance on subsistence agriculture, Burundians remain particularly vulnerable to climatic shocks and economic instability.¹⁰⁹ According to the World Food Programme, more than 50 percent of the population is chronically food insecure.

¹⁰⁷ Human Rights Watch phone interview with a Burundian jobseeker, March 25, 2019.

¹⁰⁸ Human Rights Watch phone interview with a Burundian farmer, March 15, 2019.

¹⁰⁹ Since 2015, the El Niño climate phenomenon has had a severe impact on Burundi's rainfall and temperatures. According to the World Bank, more than one-third of Burundi's land is considered highly or very highly degraded. In recent years, torrential rains have caused floods and landslides and displaced thousands of people. For more information, see "Addressing Fragility and Demographic Challenges to Reduce Poverty and Boost Sustainable Growth Systematic Country Diagnostic," World Bank, p. xi.

Fourteen interviewees from Muyinga, Cankuzo, and Kirundo provinces reported the presence of members of the Imbonerakure during food distributions. Interviewees reported that local hill-level administrators prepared lists of beneficiaries for food distributions excluding people who were not members of the ruling party or the Imbonerakure, while others reported that members of the Imbonerakure would go collect the food or ask beneficiaries to share their food after the distributions. These three provinces contain communes that suffer from severe food insecurity, which, according the Food and Agriculture Organization, is characterized by “feeling hungry but not eating, or not eating for an entire day, due to lack of money or other resources.”¹¹⁰

In a response to Human Rights Watch’s request for information on these allegations, the World Food Programme confirmed that they are organizing food distributions in communes affected by “crisis-level” food insecurity, known as Integrated Food Security Phase Classification (IPC) phase 4. Although IPC surveys in previous years identified from 1.8 to 2.6 million people in phases 3 and 4, WFP said they are only able to cover the most serious needs. The three main challenges to their work in Burundi are insufficient funding, the expectation that beneficiaries, including refugees repatriated from Tanzania, will share food, and the risk of abuse and extortion during the identification of beneficiaries.¹¹¹ However, they stated:

We try to minimize inclusion and exclusion errors by applying our food security vulnerability criteria. We also conduct joint verification exercises and make sure the list of beneficiaries is checked for errors or misuse and validated by the community members through public meetings.

One person in Kirundo province said:

The Red Cross distributes food according to the list they have, but the hill-level officials only put people who belong to the ruling party on the lists.

¹¹⁰ “The Food Insecurity Experience Scale,” Food and Agriculture Organization of the United Nations, <http://www.fao.org/3/a-bl354e.pdf> (accessed November 20, 2019).

¹¹¹ “Response to the allegations raised by Human Rights Watch,” World Food Programme, July 22, 2019.

Some others got food, but then the Imbonerakure robbed them and beat them up when they were heading home.¹¹²

Another witness confirmed that people were beaten with clubs by members of the Imbonerakure and their goods stolen on the way back from the same food distribution in March 2019.¹¹³

In Muyinga province, several neighbors from the same commune described how lists of beneficiaries were created which included some of the most vulnerable and poorest people in the community. Yet, they said mostly members of the Imbonerakure went to collect the food when the distribution took place.¹¹⁴

Access to Water

Seven interviewees from Cankuzo, Cibitoke, Gitega, Kirundo, Muyinga, and Ngozi provinces also described being restricted from accessing public water pumps after the election contributions were announced. In most cases, they said that members of the Imbonerakure would be stationed at the waterpoints and check receipts before they allow people to fetch water.

A farmer from Ngozi province who had not paid the contribution said he waited until nightfall to go collect water. A student and member of the CNL from Cankuzo said:

The Imbonerakure would beat us at the waterpoint and didn't let us take water. We've always had to pay the tax for the water, which is 1,500 Francs (\$0.8) a year, but after 2017 they wouldn't let us take water unless we had the elections receipt. I was in the opposition, so I had to ask a friend in the CNDD-FDD to take water for me or go find some in the bush.¹¹⁵

¹¹² Human Rights Watch phone interview with a Burundian farmer, March 15, 2019.

¹¹³ Human Rights Watch phone interview with a Burundian farmer, March 15, 2019.

¹¹⁴ Human Rights Watch interview with a Burundian business owner, Uganda, July 9, 2019.

¹¹⁵ Human Rights Watch interview with a Burundian student, Uganda, July 7, 2019.

Legal Standards

According to the Burundian Constitution, the state has a duty to protect its citizens from the violations of the rights to security, liberty, property, freedom of movement, and freedom from discrimination.¹¹⁶

Under international law, Burundi is under the obligation to respect, fulfill, and promote the right to an “adequate standard of living,” which includes a right to food as enshrined in the International Covenant on Economic, Social and Cultural Rights (ICESCR).¹¹⁷ The African Charter on Human and Peoples’ Rights explicitly protects the rights to movement and property. Human rights law also prohibits discrimination on the grounds of race, color, sex, language, religion, political or other opinion, national or social origin, property, birth, or “other status.”¹¹⁸

Burundi has the obligation to progressively realize these rights under ICESCR which it has ratified.¹¹⁹ Even recognizing that limited resources and capacity may mean that these rights are only realized over time, it still violates Burundi’s core obligations to fulfill people’s needs in a discriminatory manner or to impose unnecessary, political and arbitrary barriers on access to public services. This means the government’s failure to rein in the Imbonerakure and ensure that local officials serve the needs of all the population, regardless of their political affiliation, is a violation of Burundi’s obligations.

The African Charter on Human and Peoples’ Rights also imposes immediate obligations on States including the obligation to take steps and the prohibition of deliberate measures which result in the deterioration of current level of fulfillment of economic, social, and cultural rights.¹²⁰

¹¹⁶ Constitution of the Republic of Burundi, arts. 14, 22, 25, and 36.

¹¹⁷ International Covenant on Economic, Social and Cultural Rights, art. 1.

¹¹⁸ International Covenant on Civil and Political Rights, art. 26 and International Covenant on Economic, Social and Cultural Rights, art. 2.2.

¹¹⁹ International Covenant on Economic, Social and Cultural Rights, art. 2.1.

¹²⁰ African Commission on Human and Peoples’ Rights, Principles and Guidelines on the Implementation of Economic, Social and Cultural Rights in the African Charter on Human and Peoples’ Rights.

The policies and practices put in place by the Burundian government have restricted previously free access to public services such as markets and water according to how government perceives individuals' loyalty to the ruling party and the payment of the elections contributions. They may also amount to the arbitrary deprivation of people's property by unlawful and arbitrary seizure of money and goods.

Activities associated with securing an adequate standard of living—travelling within the country, engaging in commercial work, accessing humanitarian assistance—have been effectively restricted and become hostage to extortion by members of the Imbonerakure and restrictions by members of the administration and the security forces.

Consequently, what international law regards as universal and inalienable rights—the rights to life, security, liberty, work, freedom of movement, and food and water, and property—have instead become contingent on the ability to prove allegiance to the ruling party and its ruling party youths.¹²¹

Lack of access to Burundi hinders the ability of the international community to assess how Burundi is fulfilling its human rights obligations, including the right to an adequate standard of living. It also hampers the ability of the international community to provide adequate and targeted humanitarian and development assistance.

¹²¹ "Universal declaration of human rights," UN General Assembly, (217 [III] A), 1948, <http://www.un.org/en/universal-declaration-human-rights/> (accessed November 20, 2019).

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“We Let Our Children Go Hungry to Pay”

Abuses Related to the 2020 Election Levy in Burundi

President Pierre Nkurunziza’s decision in 2015 to run for a controversial third term and his subsequent reelection pushed Burundi into a prolonged political, humanitarian and human rights crisis. To help fund the 2020 elections, the government – dominated by the ruling National Council for the Defense of Democracy-Forces for the Defense of Democracy (Conseil national pour la défense de la démocratie-Forces de défense de la démocratie, CNDD-FDD) – and members of the party’s youth wing, the Imbonerakure, orchestrated a national campaign to collect “voluntary” contributions from the population.

According to a government order published in December 2017, the contributions include voluntary donations and direct deduction from the salaries of public sector workers and civil servants.

“*We Let Our Children Go Hungry to Pay*” focuses on abuses committed between December 2017 and July 2019 in 13 of the country’s 18 provinces, documenting how this abusive policy was arbitrarily implemented. The report finds that levies were forcibly collected from people who often paid multiple times. In some instances, people paid more than the official amount without being given a receipt, meaning they often face more forced payments. Members of the Imbonerakure and local government officials often used violence and intimidation to make people pay and restricted movements or access to public services for those who failed to comply.

The report calls on the government of Burundi to take urgent and prompt measures to end the abusive and forced collection by the Imbonerakure and local officials, of financial

(above) Monument built by the ruling party, the National Council for the Defense of Democracy-Forces for the Defense of Democracy (CNDD-FDD) in Kajaga, west of Bujumbura, Burundi’s capital city. Across the country, citizens said authorities are forcing them to pay “contributions” toward monuments glorifying the ruling party, or building CNDD-FDD offices.
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(front cover) March organized by the CNDD-FDD in Burundi’s Gitega province, August 24, 2017.
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