

# The question of human rights violations in Burundi

Human Rights Council



Shattered Vows: Tracing the Devastation Caused by  
Violating Human Rights



**Forum:** Human Rights Council

**Issue:** The question of human rights violations in Burundi

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## Introduction

In the heart of Africa lies Burundi, a nation marred by a tumultuous history overshadowed by pervasive human rights violations. The landscape of this East African country, nestled between Rwanda, Tanzania, and the Democratic Republic of Congo, bears the scars of ethnic strife, political unrest, and systemic injustices that have led to profound suffering for its people.

Burundi's narrative is etched with instances of egregious human rights abuses that have plagued its past and continue to echo through its present. Historically, tensions between the Hutu and Tutsi ethnic groups have fueled cycles of violence, propelling the nation into periods of civil war and political turmoil.

The country's fraught history is etched with harrowing accounts of massacres, targeted killings, and ethnic-based violence that have fractured communities and scarred generations. The civil war in the 1990s and early 2000s epitomized the darkest chapters, witnessing atrocities committed by both state actors and rebel groups. Massacres along ethnic lines, arbitrary arrests, torture, and a pervasive culture of fear became the unfortunate norm, thrusting civilians—men, women, and children—into the crossfire of conflict.

Forced displacement compounded the tragedy, with hundreds of thousands fleeing their homes, seeking refuge within Burundi or across its borders. The conflict also witnessed the tragic exploitation of children as soldiers, subjected to the horrors of warfare beyond their years.

Moreover, the specter of sexual violence haunted communities, with women and girls enduring unspeakable brutality that left indelible scars, not just on their bodies but on the social fabric of the nation.

While the formal end of the civil war marked a step toward peace, the scars of these violations linger. Human rights abuses continue to challenge Burundi's efforts towards reconciliation and stability. Addressing these violations demands not only accountability for past atrocities but also a concerted commitment to uphold human rights, promote justice, and foster a culture of respect and dignity for all Burundians.



## Definition of Key Terms

### Hutus and Tutsis

Burundi is divided into three ethnic groups. The Hutus are the biggest group, making up 85% of the population. The Tutsis are a minority, making up approximately 14% of the population. The Hutus and Tutsis have been in an ongoing conflict since Burundi was a colony, because the Belgian colonial power favoured the Tutsi minority over the Hutu majority. The third ethnic group are the Twas, who make up around 1% of the Burundi population.

### Genocide

Genocide is the deliberate, systematic destruction, in whole or in part, of an ethnic, racial, religious, or national group. It encompasses acts intending to annihilate the targeted group, including killings, causing severe mental or physical harm, imposing harsh living conditions, or imposing measures aimed at preventing births within the group. Genocide is recognized as one of the most severe violations of human rights and international law.

### War crimes

War crimes encompass grave violations of international humanitarian law during armed conflicts. These include intentional targeting of civilians or non-military targets, torture, inhumane treatment, unlawful killings, and indiscriminate attacks causing excessive civilian casualties. War crimes also encompass the recruitment of child soldiers, sexual violence, and destruction of property without military necessity. These offenses are prohibited by international treaties and are subject to prosecution under national and international law.

## General Overview

### Colonization

For over 500 years, Twa, Hutu and Tutsi people have lived in Burundi in relative harmony. Before the country became a colony, Burundi was an independent kingdom led by Tutsi kings.

In 1885, Burundi became part of the German colony of German East Africa, but after Germany's defeat in the First World War the colony was divided. The League of Nations, the predecessor of the UN, mandated the territories of Burundi and neighbouring Rwanda to Belgium and the territory got the name Rwanda-Burundi. When the League of Nations ceased to exist after the Second World War, Rwanda-Burundi was transformed into a United Nations Trust Territory which still remained under Belgian colonial power. The Belgians favoured the Tutsi minority over the Hutus. They were given privileges and western-style education, while the Hutus were oppressed.

### Independence and first genocide

On July 1<sup>st</sup>, 1962, Burundi gained independence from Belgium and retained the monarchy. The monarchy was overthrown in 1966 and was replaced by a one-party republic. For nearly three decades, the country was ruled by a series of Tutsi dictators.



On April 29<sup>th</sup>, 1972, the Hutus, who felt marginalized and excluded from political representation, staged a rebellion against the ruling Tutsi-dominated government. The government responded with extreme force, launching a brutal campaign to suppress the uprising. Security forces and the military targeted Hutu intellectuals, political activists, and civilians suspected of opposing the government. This led to widespread killings, torture, and mass atrocities perpetrated against the Hutus. Estimates suggest that between 100,000 to 200,000 Hutus were killed during this period, with many more displaced or fleeing the country to escape the violence.

### **Constitution led to Civil War**

In 1992, long negotiations led to the adoption of a constitution. This constitution provided the framework for a multiparty system, established the principles of democracy, and sought to address the ethnic divisions within Burundi. During the country's first multiparty elections in June 1993, Melchior Ndadaye became the country's first Hutu president.

On 21<sup>st</sup> October 1993, a Tutsi-dominated army faction attempted a coup, which resulted in the assassination of the president and provoked a 12-year civil war. During the war both the government forces and the various rebel groups were responsible for human rights violations. The conflict was marked by ethnic tensions, leading to widespread violence against civilians based on their ethnic identity. Common were massacres of civilians and instances of sexual violence, including rape, were reported, targeting women and girls as a weapon of war. And lastly, various armed group forced children to fight among them.

In 1996, old Tutsi-president Buyoya took power through a coup. He suspended the constitution and officially became president in 1998. Under his rule, long peace talks started mediated by South Africa. After four years, both parties had signed several agreements to share power in Burundi. A ceasefire was signed in 2003 between the Tutsi-controlled Burundian government and the largest Hutu rebel group.

In April 2003, a Hutu named Ndayizeye was elected president, and a new constitution was approved in February of 2005. By June of that year, the last Hutu rebel group had stopped their fighting, and its representatives joined the political process. All political parties accepted a formula for inter-ethnic power-sharing: this meant that no political party could gain access to government offices unless it is ethnically integrated.

### **Reconstruction**

Reconstruction efforts started to take effect after 2006. The UN shut down its peacekeeping mission and re-focused on helping with reconstruction. However, the terms of the ceasefire agreement between the government and the last remaining armed opposition group, the FLN (Forces for National Liberation), were not totally implemented. In September 2007, rival FLN factions clashed in the capital and rebel raids were reported in other parts of the country. FLN combatants also attacked government-protected camps where former combatants were living.



Amnesty's 2007 report mentions many areas where improvement is required. Civilians are victims of repeated acts of violence done by the FLN, who also recruits child soldiers. The rate of violence against women is high. Perpetrators regularly escape prosecution and punishment by the state. There is an urgent need for reform of the judicial system. Genocide, war crimes and crimes against humanity continued to go unpunished.

On April 17<sup>th</sup>, 2008, the FLN bombarded Bujumbura. The Burundian army fought back and the FLN suffered heavy losses. A new ceasefire was signed on 26<sup>th</sup> May 2008.

### **Burundian unrest**

In April 2015, protests broke out after the ruling party announced that President Nkurunziza would seek a third term in office. Protestors claimed Nkurunziza could not run for a third term in office, but the country's constitutional court agreed with Nkurunziza. An attempted coup on May 13<sup>th</sup> failed to depose Nkurunziza. When he returned to Burundi, he arrested several of the coup leaders. Following the attempted coup, protests continued and over 100,000 people had fled the country by May 20<sup>th</sup>. There are reports of continued and widespread abuses of human rights, including unlawful killings, torture, disappearances, and restrictions of freedom of expression.

On September 30<sup>th</sup>, 2016, the United Nations Human Rights Council established the Commission of Inquiry on Burundi. Its mission is to conduct a thorough investigation into human rights violations and abuses committed in Burundi since April 2015, to identify alleged perpetrators and to formulate recommendations. The Commission of Inquiry on Burundi called on the Burundian government to put an end to serious human rights violations in September 2017. The Commission also stressed that the Burundian government had so far refused to cooperate with the Commission. The Commission documented violations which include arbitrary arrests and detentions, acts of torture and cruel, inhuman or degrading treatment, extrajudicial executions, enforced disappearances, rape and other forms of sexual violence.

In a constitutional referendum in May 2018, Burundians voted to approve an amended constitution that ensured that Nkurunziza could remain in power until 2034. However, Nkurunziza later announced that he did not intend to serve another term.

### **Ongoing human rights violations**

Ongoing human rights concerns in Burundi persisted, with varying degrees of visibility due to restricted access and limited independent reporting. These prevalent ongoing human rights violations include:

- The government imposes limitations on freedom of expression, assembly, and the press. Journalists, activists, and opposition members face harassment, intimidation, and arbitrary arrests for speaking out against the government or reporting on sensitive issues.



- Opposition groups and individuals critical of the government face harassment, arrest, and persecution. This includes restrictions on their ability to participate in political activities, which undermined the democratic process and stifled political pluralism.
- Humanitarian organizations faced challenges in accessing vulnerable populations due to government restrictions, impacting the delivery of aid, healthcare, and education. Socio-economic issues, including poverty and lack of access to basic services, continued to affect large segments of the population.
- Reports persisted of extrajudicial killings, torture, and arbitrary arrests by security forces. Cases of individuals being targeted or disappeared for their perceived opposition to the government were of concern.
- Humanitarian organizations faced challenges in accessing vulnerable populations due to government restrictions, impacting the delivery of aid, healthcare, and education. Socio-economic issues, including poverty and lack of access to basic services, continued to affect large segments of the population.
- Ethnic tensions and discrimination, though not as overt as in previous periods of conflict, still posed concerns. There were reports of discrimination against certain ethnic groups, which, if unaddressed, could potentially exacerbate historical grievances.

## Major Parties Involved

### Burundi

Burundi has taken steps to address human rights issues by establishing national institutions and mechanisms. This includes the creation of the Truth and Reconciliation Commission (TRC) to investigate past violations, fostering dialogue, and recommending measures for reconciliation. The country has also implemented legal reforms and initiatives to promote human rights education and awareness. However, challenges persist due to limited resources, political instability, and ongoing tensions. Burundi's efforts aim to navigate a complex landscape, promoting accountability and fostering a culture of respect for human rights amid continued socio-political challenges.

### United States

The United States has been involved in Burundi by supporting peace and stability efforts, promoting human rights, and providing humanitarian aid. This involvement includes diplomatic engagement to encourage political dialogue and reconciliation among conflicting parties. The U.S. also contributes financial assistance through aid programs aimed at addressing humanitarian needs, supporting healthcare, education, and economic development initiatives. Additionally, the U.S. emphasizes the importance of respecting human rights and democracy in Burundi, advocating for accountability for human rights abuses and encouraging inclusive governance for a more stable and prosperous future.

### United Nations

The United Nations (UN) has been actively engaged in Burundi, supporting peacebuilding efforts, promoting human rights, and providing humanitarian assistance. The UN has



deployed peacekeeping missions, such as the United Nations Office in Burundi (BNUB) and later the United Nations Integrated Office in Burundi (BINUB), to facilitate political dialogue, disarmament, and democratic governance. Additionally, UN agencies provide aid, including healthcare, education, and food assistance, to alleviate humanitarian crises. The UN's sustained involvement underscores its commitment to fostering stability, reconciliation, and the protection of human rights in Burundi amidst ongoing challenges.

### International Criminal Court (ICC)

The International Criminal Court (ICC) intervened in Burundi by initiating a preliminary examination in 2017 to investigate alleged crimes against humanity committed in the country since April 2015. This examination aimed to assess whether the criteria for opening a formal investigation were met. While Burundi withdrew from the Rome Statute, the ICC's examination continued, focusing on reports of extrajudicial killings, torture, and other grave human rights violations. The ICC's involvement underscored its commitment to ensuring accountability for atrocities, despite challenges posed by Burundi's withdrawal from the court's jurisdiction.

### Timeline of Events

1 <sup>st</sup> July 1962	Independence from Belgium
8 <sup>th</sup> July 1966	Monarchy overthrown
29 <sup>th</sup> April 1972	First Burundian Genocide
June 1993	First democratic presidential and parliamentary elections
October 1993	Begin Civil War
25 <sup>th</sup> July 1996	Coup by former president Buyoya
2 <sup>nd</sup> December 2003	Ceasefire
April 2005	New constitution
June 2005	End Civil War
September 2007	New rebel attacks
26 <sup>th</sup> May 2008	New ceasefire
2015	Burundian unrest

### Previous attempts to solve the issue

The Arusha Peace and Reconciliation Agreement of 2000 stands as a landmark effort to solve the human rights issue in Burundi, bringing together key Burundian factions to forge a path towards ending the civil war. This agreement laid out a blueprint for power-sharing arrangements and comprehensive reforms aimed at promoting reconciliation and addressing human rights violations.

In the aftermath of the agreement, Burundi established a Truth and Reconciliation Commission (TRC) in 2001. The TRC embarked on the challenging task of investigating past human rights abuses, aiming to uncover truths, provide a platform for victims' voices, and propose measures to heal the wounds of the past.



Internationally, the involvement of various global actors and organizations has been instrumental. Diplomatic interventions, peacekeeping missions, and support for post-conflict development have underscored the international community's commitment to fostering peace, stability, and respect for human rights in Burundi. Despite these efforts, challenges persist, necessitating ongoing dedication to promoting accountability, justice, and a culture of human rights in the country.

## Possible solutions

Addressing human rights issues in Burundi demands a multifaceted approach encompassing national, regional, and international efforts, given the complex challenges the country faces.

**Political Dialogue and Reconciliation:** A sustained commitment to inclusive political dialogue among all stakeholders is vital. This involves creating a platform for meaningful engagement between the government, opposition groups, civil society, and ethnic communities to address grievances, foster reconciliation, and promote national unity.

**Reform and Strengthening of Institutions:** Strengthening democratic institutions, including the judiciary, law enforcement agencies, and human rights bodies, is crucial. Reforming these institutions to ensure their independence, accountability, and capacity to uphold human rights laws is pivotal.

**Promoting Rule of Law and Accountability:** Ensuring accountability for human rights abuses through fair and transparent judicial processes is essential. Establishing mechanisms to investigate and prosecute perpetrators of human rights violations, regardless of their position, is critical for fostering a culture of accountability.

**Human Rights Education and Awareness:** Promoting human rights education within communities, schools, and among security forces can foster a culture of respect for human rights. Empowering citizens with knowledge about their rights and responsibilities is key to preventing future violations.

**International Engagement and Support:** Continued international support, diplomatic engagement, and cooperation with regional bodies can bolster efforts to address human rights issues. This includes supporting peacekeeping efforts, providing technical assistance, and exerting diplomatic pressure when necessary.

**Socio-Economic Development:** Addressing socio-economic disparities and promoting sustainable development can contribute to reducing tensions and preventing conflicts. Access to education, healthcare, employment opportunities, and basic services can help create a more stable and equitable society.

These solutions require sustained commitment, collaboration, and resources from both Burundi's government and the international community. While challenging, addressing human rights issues in Burundi is essential for building a peaceful, inclusive, and prosperous future for its citizens.





## Useful documents

<https://peacemaker.un.org/node/1207> - Arusha Peace and Reconciliation Agreement

<https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/> - U.S. Department of State 2022 country reports on human rights practices in Burundi

<https://www.amnesty.org/en/location/africa/east-africa-the-horn-and-great-lakes/burundi/report-burundi/> - Amnesty International on human rights in Burundi (2022)

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