



## ***Burundi Watch Update 23-30 October 2017***

### **SUMMARY**

Despite the ongoing conflict and Burundi withdrawal from the ICC, the government of Burundi took another step towards changing the constitution to allow President Pierre Nkurunziza to run for additional presidential terms.

### **EU renews sanctions against four Burundians**

On 23 October 2017, the EU announced that it had renewed restrictive measures against four Burundians namely Godefroid BIZIMANA, Gervais NDIRAKOBUCA alias NDAKUGARIKA, Mathias/Joseph NIYONZIMA alias KAZUNGU and Léonard NGENDAKUMANA for another year, until 31 October 2018. These measures consist of a travel ban and asset freeze against the four persons. The measures apply on the bases that the activities of the four are “deemed to be undermining democratic governance and obstructing the search for a peaceful political solution in Burundi”, including “acts of violence, repression or incitement to violence and acts which constitute serious human rights violations”. The EU said, “the absence of progress in the situation in Burundi justified the renewal of the sanctions for another year”.

### **Burundi’s withdrawal from ICC comes into effect**

On 27 October 2017, the Burundi’s withdrawal from the International Criminal Court (ICC) came into effect. Burundi is the first country to withdraw from the Hague-based ICC. The withdrawal of Burundi occurred in the context of crisis triggered by the third term bid of President Nkurunziza, whose regime is accused of massive human rights violations amounting to crimes against humanity.

Pursuant to Article 127 (2) of the Rome Statute, Burundi's withdrawal doesn't affect the preliminary examination of the country's situation by the court's prosecutor which has been under way since 26 April 2016. This was confirmed by the ICC spokesman Fadi El Abdallah when talking to The Associated Press.

At the call of the government of Burundi, thousands of people gathered on 28 October 2017 and celebrated the withdrawal of Burundi from the ICC. The controversial Ombudsman of Burundi, Hon. Edouard Nduwimana actively lead the celebration.



## Decisive step towards changing the constitution

The government of Burundi has adopted a draft revision of the constitution that could allow President Pierre Nkurunziza to run for two additional seven-year terms in 2020 and thus further strengthen his influence over the country.

The revision was adopted Tuesday 24 October 2017 during an extraordinary meeting of a Council of Ministers.

This text does not affect the quotas of 60% of Hutu (majority ethnic group, 85% of the population), 40% of Tutsi (14%) and at least 30% of women in the government and parliament, as well as the 50-50 in the army and police, but the new text no longer refers to the Arusha Peace Agreement. This draft revision of the constitution provides that "the President of the Republic is elected for a term of 7 years renewable" but adds that "no president can lead more than two consecutive terms".

The Arusha Accord, from which the current constitution emanates, makes it clear that no president can rule Burundi more than 10 years. The revision text also envisages a profound modification of the governmental structure, with the creation of a single post of vice-president in charge of "assisting" the head of state. He will be of an ethnicity and a party different from that of the president and will not be endowed with any power. A post of prime minister, from the party that won the elections and will be head of government, will also be created.

If adopted, the new constitution would also change the way in which Parliament works and balances. The current constitution prohibits a party from occupying more than 80% of the seats in the National Assembly, regardless of their electoral margin. It also provides for all laws to be voted by a two-thirds majority, in the interests of political balance.

## Human rights violations

Certain human rights violations reported during the report period include:

- On 19 October 2017, Policeman Cishahayo Gaston was abducted from Muramvya by unknown persons;

- On 23 October 2017, a Burundi University student, Hakizimana Dieudonné, was abducted from Bujumbura and detained by the NIS in Bujumbura;
- On 23 October 2017, the dead body of an unidentified 2-year-old girl was recovered floating in Buyongwe river situated in Nyamarobe in the District of Kiremba;
- On 23 October 2017, Nyandwi Lewis was tortured by a local chief in Nyanza who also an estimated 130 000 BIF from him;
- On 23 October 2017, Bubanza Prison Director Yves Kevin Iradukunda was arrested and detained in Mpimba Prison;
- On 24 October 2017, the dead body of a person identified as Léonce Ntanguranwa was recovered in Mayuyu in the District of Mukike.

### **Atrocities Watch Africa**

Atrocities Watch Africa (AWA) is a non-partisan, civil society organization and institution that intends to provide continental leadership in matters pertaining to the prevention of mass atrocities within Africa and beyond, through multi-pronged approaches that infuse ownership, legitimacy, and sustainable interface. AWA's strategic and approaches are grounded in the realization that atrocities can be prevented through various interventions, including, but not limited to, early warning mechanisms, diplomatic efforts, use of social media and new technologies, litigation, and advocacy campaigns.

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