

Open letter

09 December 2020

To the attention of

Hon. **Solomon Ayele Dersso**, Chairperson of the African Commission on Human and Peoples' Rights,
Hon. **Rémy Ngoy Lumbu**, Vice Chairperson of the African Commission on Human and Peoples' Rights,

CC:

Hon. Commissioner **Jamesina Essie L. King**, Special Rapporteur on Freedom of Expression and Access to Information in Africa,

Hon. Commissioner **Maria Teresa Manuela**, Special Rapporteur on Prisons, Conditions of Detention and Policing in Africa,

Hon. Commissioner **Marie Louise Abomo**, Commissioner Rapporteur on Burundi,

The UN Special Rapporteur on the Situation of Human Rights Defenders, **Mary Lawlor**,

The UN Special Rapporteur on the Independence of Judges and Lawyers, **Diego García-Sayán**,

In the spirit of the Addis Ababa Road Map between Special Procedures Mandate-Holders of the UN Human Rights Council and the African Commission on Human and Peoples' Rights, we, the undersigned African and international civil society organizations, **express our deep concern on the situation of human rights defenders in detention in Burundi.**

On 9 December 2020, as we celebrate International Human Rights Defenders' day, we are urging Special Procedures Mandate-Holders to take necessary measures to engage in dialogue and raise this issue with the Burundian government. We call for the immediate and unconditional release of all human rights defenders currently unjustly detained, as a sign of goodwill and reconciliation by the President H.E. Ndayishimiye.

In particular, we express deep concern on the cases of Germain Rukuki, Nestor Nibitanga, and the 4 journalists of the media house Iwacu, Egide Harerimana, Christine Kamikazi, Térencia Mpozenzi and Agnès Ndirubusa. **They should never have been arrested, and their detentions violate the principles and guidelines on the right to a fair trial and legal assistance in Africa**, proclaimed by the African Commission on Human and Peoples' Rights according to the African Charter on Human and Peoples' Rights.

We further call on you to urge the Burundian government to:

1. Reinforce their commitment to the independence of the justice system, as outlined in the ACHPR resolution (i) 412 (LXIII) 2018.
2. Ensure fairness of Germain Rukuki's new appeal hearing proceedings in open trial; and to allow trial monitoring and observation by physical presence.

3. Act upon the ACHPR resolution 412 (LXIII) 2018 which urges the Burundian authorities to:
 - (i) Respect, protect and guarantee human rights and fundamental freedoms for all, in accordance with the Constitution of Burundi and the country's international obligations, including by respecting the principles of the rule of law;
 - (iiv) Release all persons who have been arbitrarily detained, in particular human rights defenders, including by strictly respecting the relevant applicable procedures.
 - (viii) Cooperate with all international community stakeholders, including the African Union, the United Nations and the East African Community, in the search for a peaceful and human rights responsive solution to the crisis situation in Burundi.

Signatories

1. Agir ensemble pour les droits humains (AEDH)
2. Action for Rural Women Empowerment (ARUWE)
3. Action et Aide pour la Paix (AAP)
4. Affirmative Action on Gender Equality (AGEN)
5. Agape Aids Control Program
6. Alerte Congolaise pour l'Environnement et les Droits de l'Homme (ACEDH)
7. Anti-corruption and Economic Malpractice Observatory (OLUCOME)
8. Arche d'Alliance (ARAL)
9. Association Burundaise pour la Protection des Droits Humains et des Personnes Détenues (APRODH)
10. Association d'actions de Paix et de Développement Communautaire (APADEC)
11. Association des Femmes Juristes du Congo (AFEJUCO)
12. Association des Journalistes Burundais en Exile (AJBE)
13. Association pour la Coopération et l'Auto-Developpement (ACAD)
14. Association pour le Développement des initiatives paysannes (ASSODIP)
15. Blessed Aid
16. Building inclusive society Tanzania organization (BISTO)
17. Bunge Mashinani initiative
18. Centre pour l'Éducatons, Animation et Défense des Droits de l'Homme (CEADHO)
19. Civic and Legal Aid Organization (CiLAO)
20. Christian Education and Development Organization (CEDO)
21. Coalition Burundaise des Défenseurs des Droits Humains (CBDDH)
22. Coalition Burundaise pour la CPI (CB-CPI)
23. Coalition de la Société Civile pour le Monitoring Electoral (OSOME)
24. Collectif des Femmes Journalistes (CFJ)
25. Collectif des femmes pour le développement intégral et consolidation de la paix (COFEDIP)
26. Congrès Africain des Journalistes (CAJ)
27. Defenders Coalition Kenya
28. Defend Defenders (East and Horn of Africa Human Rights Defenders Project)
29. Door of Hope to Women and Youth Tanzania.
30. FIDH, within the framework of the Observatory for the Protection of Human Rights Defenders

31. Forum des organisations nationales des droits de l'homme (FONAHD)
32. European Network for Central Africa (EurAc)
33. Fédération internationale des ACAT (FIACAT) and the following ACAT (Action des chrétiens pour l'abolition de la torture):
34. ACAT Belgium
35. ACAT Burundi
36. ACAT Canada
37. ACAT Central African Republic
38. ACAT Chad
39. ACAT Congo
40. ACAT Cote d'Ivoire
41. ACAT France
42. ACAT Germany
43. ACAT Italy
44. ACAT Switzerland
45. ACAT UK
46. Forum pour la Conscience et le Développement (FOCODE)
47. Forum pour le Renforcement de la Société Civile (FORSC)
48. Genre Actif pour le Devenir meilleur (GAD)
49. Global Alliance for Justice
50. Groupe d'Association de défense des Droits de l'homme et de la Paix (GADHOP)
51. Haki Africa
52. Héritiers de la Justice (HJ)
53. Independent Medico- Legal Unit (IMLU)
54. Initiative Alpha (IA)
55. Initiative congolaise pour la justice et la paix (ICJP)
56. Institut pour la Protection et l'Apprentissage des Droits (IPAD)
57. International Service for Human Rights (ISHR)
58. Jumuiya ya Kulinda na Kutetea haki za wanawake na watoto (JUKUWAM)
59. Jumuiya ya Maendeleo ya Elimu ya Watoto Pemba (JUMAWEAPE)
60. Jukwaa la Katiba Tanzania (JUKATA)
61. League Burundaise des Droits de l'Homme "Iteka"
62. Mouvement des Femmes et Filles pour la Paix et le Développement (MFFPS)
63. Mouvement Inamahoro, femmes et filles pour la paix et la sécurité
64. Mutuelle des Femmes Paysannes pour le Développement et la Santé en Afrique (MFPDSA)
65. Nguruka Development Agency (NDA)
66. Observatoire de Lutte contre la Corruption et les Malversations Economiques (OLUCOME)
67. OMCT (World Organisation Against Torture), within the framework of the Observatory for the Protection of Human Rights Defenders
68. Organization of Journalists against Drug Abuse and Crimes in Tanzania (OJADACT)
69. Organisation pour la Transparence et la Gouvernance (OTRAG)
70. Partenariat pour la protection intégrée (PPI)
71. Pemba Environment and Malaria Control (PEMCO)
72. Protection International
73. Protection International Africa
74. Réseau des Citoyens Probes (RCP)
75. Réseau pour la Réforme du Secteur de Sécurité et de Justice (RRSSJ)
76. Save the mother and children of central Tanzania

77. Solidarité féminine pour la Paix et le développement Intégral (SOFEPADI)
78. Synergie des femmes pour la Paix et la Réconciliation des peuples des Grands Lacs (SPR)
79. SOS-Torture/Burundi
80. Tanzania Human Rights Defenders Coalition (THRDC)
81. Tournons la Page
82. Tournons la Page-Burundi
83. Tanzania Legal Knowledge and Aid Centre.
84. Tanzania Network of Women Living with HIV
85. Tanzania Peace Legal Aid and Justice Centre (PLAJAC)
86. Tanzania Tobacco Control Forum
87. Tunduru Paralegal Centre (TUPACE)
88. Union Burundaise des Journalistes (UBJ)
89. Wote Initiative for Development Empowerment