

BURUNDI: Targeted investigations and timely justice needed in Ernest Manirumva assassination case
Press Release

15th July 2011

Additional investigations into the murder of Ernest Manirumva should be carried out without delay, seven non-governmental organisations said today. The East and Horn of Africa Human Rights Defenders Project (EHAHRDP), Protection International, the Observatory for the Protection of Human Rights Defenders¹, Ligue Iteka, the Observatory for the Fight against Corruption and Economic Embezzlement (Observatoire de Lutte Contre la Corruption et les Malversations Économiques - OLUCOME) and the Forum for the Strengthening of Civil Society (Forum pour le Renforcement de la Société Civile - FORSC) welcome the public prosecutor's stated intention to carry out additional investigations and the decision of the Tribunal to order additional investigations as requested by the prosecutor given that up to now, a number of irregularities have been observed, the investigation has been partial and incomplete and major delays in the proceedings were registered².

Manirumva, a prominent Burundian human rights defender and Vice-President of OLUCOME, was kidnapped from his home and murdered on 9th April 2009. Among the sensitive cases he had been investigating at the time of his killing were allegations of large-scale police corruption and illegal weapons purchases. For over two years, civil society organisations have been campaigning for justice for Manirumva, but as yet no-one has been held accountable for his murder.

At a hearing on 15th June 2011, observed by EHAHRDP and members of the Justice for Ernest Manirumva Campaign, the Public Prosecutor's office requested that the case file be returned to them for further investigations, as new information had been received. The request was granted in a decision of 22nd June. The new investigations must focus on previously ignored evidence and be carried out with due diligence. Both the Third Commission of Inquiry and a report by FBI forensic investigators made recommendations for further investigations, including that DNA samples should be retrieved and certain high-ranking officials questioned.

"Though we have repeatedly called for the Prosecutor to investigate these leads, we have no indication of the course of the new investigations," said Pacifique Nininahazwe, delegate general of FORSC. "We are also concerned that the tribunal judgement excludes all reference to our submissions in this regard."

All ten of the accused that are currently in remand requested bail on 15th June. Their arguments included that their continued incarceration without serious evidence of their guilt and without the

¹ The Observatory is a joint programme of the World Organisation Against Torture (OMCT) and the International Federation for Human Rights (FIDH)

² For more information on those irregularities, see Observatory Judicial Observation Mission Report, at the following links: http://www.omct.org/files/2011/04/21198/rapport_burundi_obs11.pdf or <http://www.fidh.org/IMG/pdf/RapBurundiManirumvaOBSavrill2011.pdf>

monthly renewal of their preventative detention orders violates Articles 71 and 75 of the Criminal Procedure Code; two detainees also asked for bail on medical grounds. All the requests were judged to be unfounded.

As the case is again delayed, Burundian civil society members who have denounced Manirumva's killing and failings in the judicial process continue to face threats to their personal safety. In early July 2011, OLUCOME reported that intruders armed with knives had broken into the house of its current Vice-President **Prudence Bararunyeretse**, the night after an attempted break-in at the home of another staff member **Claver Irambona**. In April, Irambona was arrested during a march organised by the Justice for Ernest Manirumva Campaign. These actions, as well as other suspicious behaviour around the current Vice-President of OLUCOME's house, appear to be an attempt to intimidate human rights defenders. Other civil society members linked to the case have also been threatened periodically. **Gabriel Rufyiri**, President of OLUCOME, **Pierre Claver Mbonimpa**, President of the Association for the Protection of Human Rights and Detained Persons (Association Burundaise pour la Protection des Droits Humains et des Personnes Détenues - APRODH), and **Pacifique Nininahazwe**, Delegate General of FORSC, have all previously been warned of plots to assassinate them.

The East and Horn of Africa Human Rights Defenders Project (EHAHRDP), Protection International, the Observatory for the Protection of Human Rights Defenders (OMCT-FIDH), Ligue Iteka, the Observatory for the Fight against Corruption and Economic Embezzlement (OLUCOME) and the Forum for the Strengthening of Civil Society (FORSC) encourage the Prosecutor to conduct all complementary investigations without delay, in accordance with the recommendations of the Third Commission of Inquiry and FBI report, including questioning and taking DNA samples from named individuals, necessary in the justice process.

"It is imperative that all avenues of investigation are pursued so that the truth can emerge from this judicial process, said Hassan Shire, Executive Director of the East and Horn of Africa Human Rights Defenders Project. "Justice must be done in order to end impunity in Burundi and protect the crucial work of human rights defenders."

The organisations also request the Government of Burundi to establish a protection mechanism to allow witnesses to provide their testimony in safety and confidence. Adequate resources should be allocated to allow investigations and court dates to proceed within a reasonable timeframe. The date for the next hearing should be publicised as soon as possible. All threats against human rights defenders involved in the case should be investigated and measures should be taken to guarantee their protection and security.

More generally, our organisations request the authorities of Burundi to guarantee in all circumstances the physical and psychological integrity of all Burundian human rights defenders, as well as to comply with the provisions of the United Nations Declaration on Human Rights Defenders and all regional and international instruments on human rights ratified by Burundi.

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