

**Report**  
(Original in French)

**Exhumation of Mass Graves in Kivyuka  
Bubanza Province, Burundi**

**State of Affairs and Recommendations**

**8 July 2013**

**Bujumbura – Burundi**



On Monday 8 July 2013, a team from Impunity Watch (Burundi) visited Bubanza province and arrived in Kivyuka towards the end of the day. The exhumation of three mass graves had just ended.

**Impunity Watch’s team found the following:**

- The exhumations were overseen by the Governor of Bubanza province and the Commander of the region, and a notable police presence. The exhumations were carried out by local villages equipped with pickaxes in the absence of any exhumation expert(s), nor the families of the victims, national civil society or international observers.
- The operation was carried out in the absence of any officers of the Judicial Police (Officiers de la Police Judiciaire or OPJ), charged with beginning an investigation since the graves constitute a crime scene.
- The remains, which may belong to a number of different people, had been placed indiscriminately in a coffin.
- As the photos indicate, the remains, consisting of skulls and other bones, were wrapped in pieces of cloth that once served as banners and put into eleven coffins.
- The eleven coffins were not closed and some of them had been attacked by termites.
- Impunity Watch noted the total absence of local civil society.

*The Governor of Bubanza province gave a speech and stressed the following points:*

*(translated from French into English)*

“The exhumations this Monday, 8 July, prove that there really was a massacre of the population and that their bodies were thrown into mass graves. As you have noticed, the bones were mixed with the earth, which means that over time, we will not find more evidence of the massacre. We conducted the exhumation with respect and dignity. Let no one spread untruths about this.”

From this statement several questions arise. Can we talk about dignified exhumations when they are conducted with pickaxes used for the construction of a road? Can we talk about respect in the absence of the families of victims who could otherwise perform certain funeral rites? Where is the respect and dignity when one warps human remains in cloth previously used for banners and then piles several bodies into one coffin eaten by termites? Moreover, it is a crime scene: how can we safeguard future legal proceedings in the absence of an OPJ responsible for overseeing the exhumation procedure and the gathering of evidence?

Furthermore, when asked how the work was conducted, the Governor declared to Impunity Watch’s team: “We have done it with the Red Cross and the ICRC.” However, interviewed by Impunity Watch in the morning, the Burundian Red Cross and the ICRC said that at no point were they there in Kivyuka.

In his speech, the Governor also stressed the fact that the population and the victims’ association had been consulted before the operation. Questioned in this regard by Impunity Watch, a representative of the association of victims of Kivyuka, who lost his father in the

massacre, said that the Governor has never approached him to talk about the exhumations of Monday 8 July. “I learned about it this morning. I was in Bujumbura and it was the members of my association who alerted me.”

In his speech, the Governor also stated that the population of Kivyuka population will be consulted to take measures concerning the remains.

For Impunity Watch, the Governor’s speech constitutes intimidation of the population, victims’ associations, and the international organisations active in this case. This discourse reflects a certain ignorance on the part of the Burundian government when it comes to dealing with the past and sets a dangerous precedent in the treatment of other mass graves around the country.

The attitude of the government goes against international standards and good practices, as well as Burundian customs and traditions that demand a dignified (re)burial for the dead.

The argument of economic development or the construction of the road must not obscure the victims’ right to dignity. The Kavakure report and the draft law on the establishment of a Truth and Reconciliation Commission (TRC) indicate that the treatment of mass graves will be defined by the recommendations in the final report of the TRC.

### **Impunity Watch recommends the following to the international community:**

Impunity Watch recommends the following action to the international community, through representatives of the diplomatic and consular corps accredited in Burundi:

- 1- A meeting between diplomats, the United Nations and the ICRC for an update on the discussions between the ICRC and the Ministry of the Interior in charge of this case.
- 2 - An urgent meeting between the Ambassadors of the European Union, United States of America and a representative of the United Nations with the Minister of the Interior to request that he accounts for the exhumations of the three mass graves in Kivyuka done in contravention of scientific standards.
- 3 - Urge the government to initiate a consultation with the population, in the presence of national and international observers, to decide what should be done with the remains.
- 4 - Request a clear commitment from the Burundian authorities to permit international experts in exhumations to examine the three mass graves before the construction of the Bubanza-Ndora-Kayanza road.

## Quotes from a number of people at Kivyuka

Impunity Watch's team collected testimonies from members of the population of Kivyuka and found an atmosphere of fear, intimidation and desolation among the citizens:

“We believe that in each coffin, there are the remains of at least 4 to 5 people.”

“Can we really know the exact number? We picked up the bones in disarray. You could just about guess the gender of victims from the clothes: we saw trousers, at other times a loincloth.”

“It is sad. While our loved ones are dead, it's over for them, but we should investigate and prosecute those responsible. We know them.”

“We believe that they should not be buried in a common cemetery, because these people did not die a natural death. There must be a separate site where we can gather. There should be a memorial for them as was done elsewhere.”

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