



# Reform Takes Hold in Burundi

## *IBJ Strengthens Ties with Burundi's Leaders*

In 2009, IBJ hired Astere Muyango, our first Burundi Country Fellow, to launch a Defender Resource Center (DRC) in the capital of Bujumbura. The DRC directs our activities in Burundi, functions as a pilot legal aid center, and provides training and resources to IBJ's growing pro bono legal aid movement.

In the summer, IBJ facilitated a four-day practical legal skills workshop in Bujumbura that included 18 lawyers and 28 police officers, magistrates, prosecutors, and prison officials. Participants described their motivations to achieve justice, worked on skills-building exercises, studied the amended penal code, and discussed strategies to address prison overcrowding.

2009 also marked successful efforts to reach into other provinces in Burundi and map access to legal aid. We targeted one province each month, combining roundtables and rights awareness campaigns to spread IBJ's reform message throughout the country. Lawyers who undertook these provincial trips identified cases where pretrial detainees had been held for long periods without trial. Many of these cases were fast-tracked with the help of justices and prison officials who took part in

the roundtable discussions. Overall, 73 accused Burundians, including 15 juveniles, were represented and freed by IBJ-trained lawyers.

Additionally, IBJ conducted four on-street legal rights awareness campaigns in remote provinces. Nearly 1,400 citizens participated in constructive discussions about their legal rights. Widely publicized campaigns held on June's "Day in Support of Victims of Torture" and December's "International Human Rights Day" resulted in an increase in requests for legal assistance. Moreover, 85 percent of individuals educated through IBJ's rights

awareness programs now say they are in a better position to demand their rights in case of an arrest.

IBJ also made progress in its efforts to strengthen ties with Burundi's government, meeting with Minister of Justice Jean-Bosco Ndikumana. On July 23, Minister Ndikumana issued an open letter to the President of the Supreme Court, the Director General of the Penitentiary Administration and the Prosecutor General, protesting the unacceptable overcrowding of prisons and the high pretrial detention rate and requesting the immediate release of juveniles under the age of fifteen.

### JUSTICE FACTS: BURUNDI

**Rule of Law:** 13.9/100

**2009 Prison Population:**  
9,114, 104 people per  
100,000

**In 2009**, the prison population of Burundi was more than double capacity. (APRODH)



Gitega Prison Director André Mbayabaya works with IBJ to root out irregular pretrial detentions. Photo courtesy of Nathalie Mohadjer



A mock trial in a 2009 training in Bujumbura, Burundi. On the left, a judge playing the accused; to the right, a prosecutor in the role of a defending lawyer.

Photo courtesy of Nathalie Mohadjer



Rights awareness posters on a courthouse door.

Photo courtesy of Nathalie Mohadjer

## ROUNDTABLE ADDRESSES PRETRIAL DETENTION

The roundtable discussion held on the issue of pretrial detention concluded with bold promises to achieve results. These promises have been kept.

A month after the roundtable discussion, three lawyers traveled from Burundi's capital city to Gitega's prison. The group, led by IBJ Legal Fellow Herman Ndayishimiye, met with the prison director, André Mbayabya. Together, they scoured prison records and identified 182 cases of irregular pretrial detention.

Of these, 28 cases were identified as requiring immediate attention. The lawyers met with the defendants, became familiar with each of their stories, and prepared defense strategies. As agreed with Gitega's prosecutor and the magistrates who had attended the roundtable discussion, a special court session was conducted the next day to expedite these cases. The result was a resounding success: all 28 detainees were immediately released.