

Press Statement

President Pierre BUYOYA's reaction in NDADAYE murder trial whose verdict was made public on Monday, 19 October 2020

In the parody of justice relating to the case RPS/97 on the assassination of President Melchior Ndadaye, in progress for almost two years, the Supreme Court of Burundi has just decided, not surprisingly, to sentence twenty former personalities to heavy sentences, ranging from twenty years of penal servitude to life imprisonment. And to complete the package, this sentence is accompanied by the condemnation to pay jointly and severally to the State of Burundi more than one hundred and two billion francs, thereby betraying the government's intention to expropriate the former leaders of all their property in view of appropriating them. In the face of this sham trial, we would like to declare the following for the benefit of national and international public opinion:

**First, as we have always said, this case is a purely political trial.** It was initiated within the framework of the crisis following the third unconstitutional term of former President Pierre Nkurunziza, with the aim of achieving a major politico-ethnic mobilisation, in the prospect of the last general elections of 2020. In the footsteps of its predecessor, the new government has just proved to the world that it is part of this line of lawlessness. The orchestration is such that this sentence is pronounced, to strike the minds even more, on the eve of the anniversary date of the assassination of President Melchior Ndadaye.

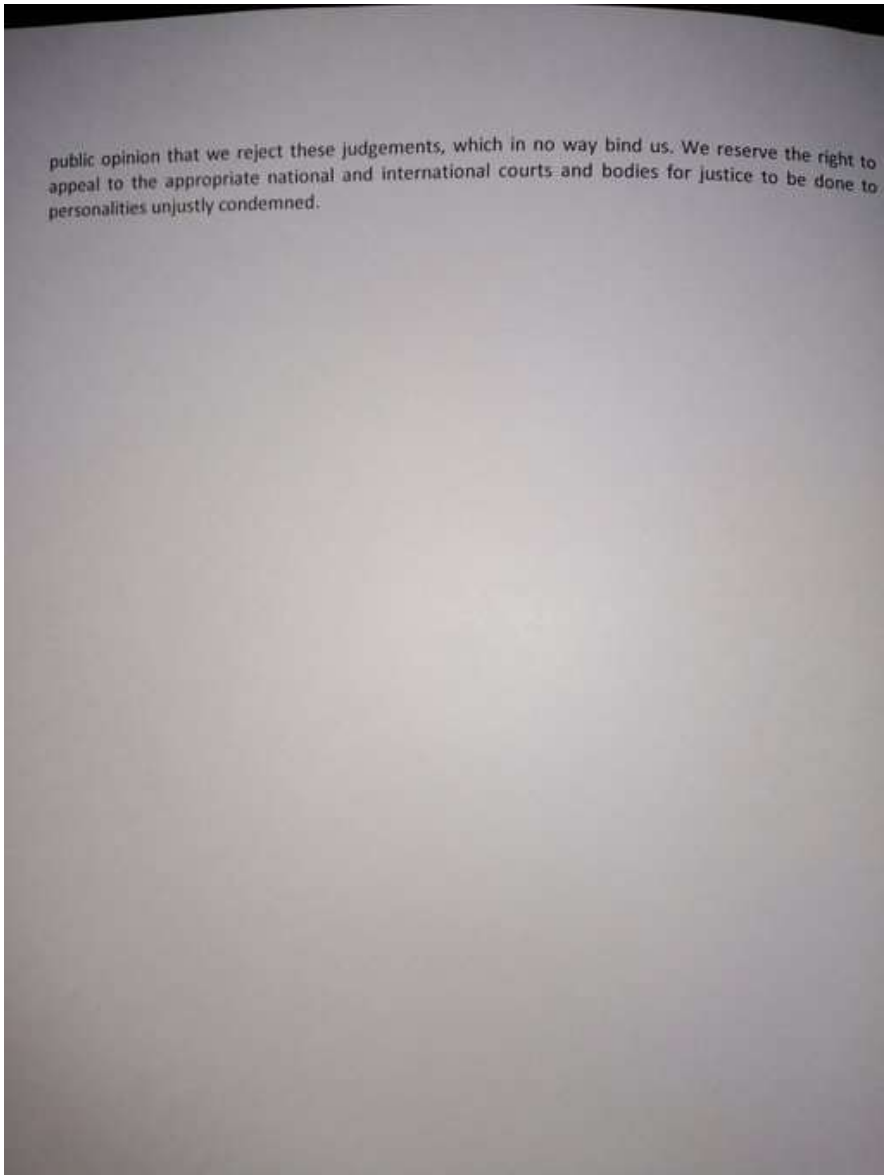
**Second, from the start of its implementation, this trial was conducted in violation of the Arusha Agreement for Peace and National Reconciliation in Burundi.** Concluded on 28 August 2000, under the auspices of illustrious African personalities like Nelson Mandela and the entire international community, this historic Agreement has symbolic value. It translates a new social contract which marks the will of the Burundian people to be reconciled between themselves. In seeking to eliminate one of the signatory parties, the government is taking on the heavy responsibility of breaching this pact and setting the country down a slippery path of hatred, division and injustice.

**Third, this trial was conducted in flagrant violation of all national and international provisions which enshrine the right of every human being to a fair and equitable trial.** From the outset, the defendants who, for security reasons, do not currently reside in the country, were not allowed to be assisted. Their national lawyers have been kept out of the case and the government has denied international lawyers visas to enter Burundi to participate in their defence. So much so that today, citizens above all suspicion have just heard their condemnation to such heavy sentences without ever knowing what they are accused of. This judgement clearly constitutes a new flagrant violation of human rights, the right to life, to freedom, the right to fair justice.

**Fourth, from the first hearing into this case, the defendants lawyers made every effort to obtain copies of the files of the defendants, without success. This means that the evidence of the charges against the defendants has never been presented or demonstrated.** Only simple, often anonymous, statements were made in a trial where defence lawyers were literally excluded.

**Fifth, the judgement that has just been handed down tramples underfoot the Constitution, laws, principles and procedures that underpin the Burundian law.** By reopening the case, in defiance of the judgement already rendered in the same case, it ignores the internationally recognized principle of res judicata. At the same time, it violates the principle of prescription and non-retroactivity of the criminal law, since the incriminated acts took place twenty-seven years ago, while the law in force at the time limited their prosecution to a period of twenty years.

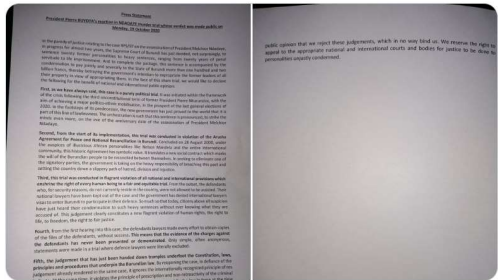
In the face of all these violations, we would like to bring to the attention of national and international



 **Pierre Buyoya**  
@PierreBuyoya

I firmly reject the Supreme court's ruling concerning the Ndadaye murder trial which is in violation with the Arusha Peace Agreement & the right of every citizen to a fair hearing. I've decided to appeal against this ruling to the competent national & int'l courts.

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