



## PUBLIC STATEMENT

### **Measures to release prisoners in Burundi: ACAT-Burundi condemns unlawful exclusions and calls for fair and transparent application**

**February 19, 2026**

Action by Christians for the Abolition of Torture in Burundi (ACAT-Burundi) welcomes the initiative to release prisoners undertaken by the Burundian authorities since the end of 2025, which has enabled several hundred people deprived of their liberty to regain their freedom in various prisons, notably in Mpimba and Ngozi. This measure is an important step toward reducing prison overcrowding and promoting a more humane justice system.

However, ACAT-Burundi expresses its deep concern about the partial and opaque nature of this initiative. To date, the authorities have not made public the specific legal framework, selection criteria, or mechanisms governing the release decisions, suggesting that there have been unjustified exclusions.

According to consistent information gathered by ACAT-Burundi, several categories of prisoners have not benefited from the release measures, including:

- Prisoners prosecuted for undermining the internal security of the state or similar offenses;
- People who had served their sentences in full but were still being held in detention;
- Persons definitively acquitted by all courts;
- Prisoners without a regular criminal record;
- People suffering from mental disorders, chronic illnesses, or living with disabilities;
- Military personnel convicted in connection with the fighting in the Democratic Republic of Congo (DRC), who have served at least a quarter of their sentence in accordance with legal provisions;
- Persons convicted in connection with the 2015 protests who meet the legal conditions for sentence adjustment. Several cases illustrate these concerns.

With regard to individuals who have served their full sentences but remain in detention, ACAT-Burundi notes in particular the case of **B.P.**, convicted of attacking state authority, whose sentence expired on July 25, 2020, and that of **J.B.N.**, convicted of criminal association, whose sentence ended on January 1, 2023; both are still incarcerated in Gitega prison. Similarly, **T.N.**, a soldier involved in the so-called "Mukoni à Muyinga" case, whose sentence expired on June 28, 2023, as well as **A.M.** and **R.I.**, remain deprived of their liberty despite the expiry of their sentences.



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With regard to individuals who have been definitively acquitted by all competent courts but remain in detention, ACAT-Burundi cites in particular **R.H.**, who was definitively acquitted on January 25, 2020, and **F.N.**, who continue to be deprived of their liberty without any legal basis.

Furthermore, vulnerable prisoners do not appear to have benefited from any special consideration of their situation, such as **Christian Butoyi**, who is being held at Mpimba prison and suffers from mental health issues. People living with disabilities or chronic illnesses also remain excluded from the measures announced.

The continued detention of individuals who have served their sentences or been acquitted constitutes a serious violation of the principle of legality, the right to liberty and security, and the right to a fair trial. It also contravenes the Constitution of the Republic of Burundi, the Burundian Code of Criminal Procedure, and the country's international commitments.

ACAT-Burundi also notes persistent irregularities in the implementation of releases, marked by selective application of criteria, a lack of transparency, and the absence of an independent monitoring mechanism. Conditions of detention also remain a cause for concern, in particular insufficient access to healthcare, medication, hygiene, and food appropriate for certain medical conditions.

In light of these findings, ACAT-Burundi calls on the competent Burundian authorities to:

- Conduct an independent and transparent audit of the situation of prisoners who have served their sentences or been acquitted;
- Ensure fair and non-discriminatory application of release measures;
- Publish the official criteria used for releases;
- End all arbitrary detention without delay;
- Give priority attention to vulnerable detainees and improve conditions of detention.

ACAT-Burundi reiterates its gratitude to the authorities for the prisoners who have been released. However, justice must not be partial or selective. Equality before the law and respect for fundamental rights must apply to all, without distinction.



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