

BURUNDIAN LEAGUE OF HUMAN RIGHTS "ITEKA"

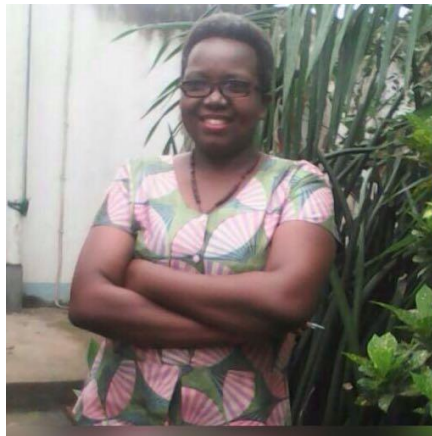
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***Weekly bulletin « ITEKA N'IJAMBO » n° 51 of the Burundian League of Human Rights
"ITEKA"***

Week from 20 to 26 March 2017



In memory of Madam Marie Claudette Kwizera, Treasurer of Iteka, reported missing since December 10 2015. From December 2015 to 26 March 2017, Iteka has documented at least 409 cases of enforced disappearances.

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ACRONYMS

CNDD-FDD: *National Council for the Defense of Democracy*

CNI: *National Identity Card*

CPI: *International Criminal Court (ICC)*

CPP: *Code of Criminal Procedure (CCP)*

EAC: *East African Community*

ECOFO: *Fundamental School/Ecole Fondamentale*

FAB: *Burundi Armed Forces*

FNL: *National Liberation Front*

ISP: *Police High Institute*

ODH: *Human Rights Observors*

OMP: *Prosecution Officer*

ONATEL: *National Telecommunication Board*

OPJ: *Police Judicial Officer*

OPP: *Police Principal Officer*

PBA: *Participation to Armed gangs*

PJ : *Judicial Police*

SNR: *National Intelligence Service*

TGI: *High Court*

UA: *African Union*

UE: *European Union*

VBG: *Gender Based Violences (GBV)*

0. INTRODUCTION

Allegations and violations of human rights were recorded during this reporting period: at least 1 person killed, 4 reported missing, 8 tortured, 61 arbitrarily arrested and 1 person was a GBV victim.

Policemen, SNR agents, the Imbonerakure, the CNDD-FDD ruling party's youth are blamed as the perpetrators of most of human rights violations.

The phenomenon of corpses is reported in this bulletin. At least 7 corpses were registered by Iteka League during this reporting period.

This bulletin reports cases of arbitrary arrests of alleged opponents to President Pierre Nkurunziza's 3rd term.

Members of Agathon Rwasa's FNL wing, ex-FAB soldiers have always been a privileged target of the repression organized by President Pierre Nkurunziza's regime.

This bulletin protests against the impunity of crimes granted to those close to CNDD-FDD party. Members of this party involved in various crimes enjoy impunity with the complicity of the government services.

The security context is characterized by cases of assassination, arbitrary arrests and torture, continuing acts of terrorism organized by the Imbonerakure youth against alleged opponents to the regime.

This bulletin makes recommendations to various partners likely to influence on the change in the precarious human rights situation in the country.

I. ALLEGATIONS AND VIOLATIONS OF HUMAN RIGHTS

I.1. CASES OF ARREST AND ABDUCTION FOLLOWED BY ENFORCED DISAPPEARANCES

FNL activist of Agathon Rwasa's wing arrested and then reported missing in Mutimbuzi commune Bujumbura province

As of 21 March 2017, Amatus Nshimirimana, a resident of Maramvya zone, a representative of FNL party of Agathon Rwasa's wing in Mutimbuzi commune, Bujumbura rural province and a member of the communal council was abducted by an SNR official nicknamed Mafyeri accompanied by a group of Imbonerakure headed by Olivier and Sébastien, all inhabitants of Maramvya zone and known as perpetrators of several violations against CNDD-FDD regime opponents. According to sources from his party, Amatus Nshimirimana was abducted in Carama quarter and no news of him ever since. Amatus Nshimirimana's friends say they searched him on 22 March 2017 in all prisons and cells including those of SNR in vain. Another source said that Amatus Nshimirimana was directly taken to a secret cell in the pub of "Iwabo w'abantu" of the late Lieutenant General Adolphe Nshimirimana.

One person reported missing in Ruyigi province

Information received by Iteka League on 25 March 2017 indicates that a retired ex-FAB named Janvier Gisoma alias Kaguruka, from Rukaragata hill, zone Ruyigi, commune and Ruyigi province is unnoticeable since early March 2017. His family asked on this issue reserves to answer for security reasons.

One person arrested and then reported missing in Kayanza province

On March 25, 2017, around 3:00 a.m., a man named Elias nicknamed General, living on Kirema hill, Kayanza commune and province, near the place called "Ku rubaho" was arrested by SNR agents who accused him of possessing arms. No one knows where he was taken.

One person reported missing in Bujumbura mayorship

As of March 21, 2017, a man known as Habonimana Jean Marie has disappeared and his family no longer had any news of him. He went out at night for sport and never came back. Jean Marie Habonimana lived in Kinindo commune in Bujumbura mayorship.

1.2. CASES OF TORTURE AND ILL-TREATMENT

A war displaced person tortured in Mutambu commune, Bujumbura rural province

On 23 March 2017, around 10:00 a.m. in Gomvyi zone, Mutambu commune, Bujumbura rural province, Vianney Nduwayo, displaced from 1993 to Mukike commune, went to his native commune of Mutambu to see his properties. According to our sources, on the way, he was tortured by Imbonerakure youth including Elysée Sindihebura, Joseph Ndayegamiye and Jean Pierre Mugiraneza. The victim was accused of being an informer of the rebels.

A person tortured in Buyenzi urban zone , Bujumbura mayorship

On March 23, 2017, at about 5:00 am, an unidentified old man was tortured in Buyenzi quarter between 24th and 25th Avenue. The authors were Imbonerakure youth headed by Nyabenda. The old man tried to explain to them that the roof of his house where he was staying had flown away and that he had no place to stay at that time, in vain. According to the same sources, he was beaten up very seriously.

1.3. CASES OF ARBITRARY ARRESTS AND ILLEGAL DETENTION

A person arrested in Buhiga commune, Karusi province

On 23 March 2017, Sebushahu from Ngayane hill, Ntunda zone, Gitaramuka commune, Karusi province was arrested by an Imbonerakure known as Star Niyonkuru who took him to Buhiga police station cell. According to our source, Sebushahu was carrying passengers on his small canoe. He was accused by this Imbonerakure of transporting rebels entering Buhiga from Gitaramuka in Karusi province. His neighbors considered this arrest as unfair and illegal, as Sebushahu transported people from the market by taking this route.

At least twelve people arrested in Ntakangwa commune, Bujumbura mayorship

As of March 23, 2017, twelve persons were arrested by police during a search carried out from 2nd to 6th Avenue, from number 90 to 120 in Cibitoke urban zone, Ntakangwa commune, Bujumbura mayorship. According to sources on the spot, they were accused of not having household records and receipts for household waste removal. When they arrived at the police station of the zone, they refused to be ransomed and were finally released.

At least eleven people arrested in Ntakangwa commune, Bujumbura mayorship

On March 24, 2017, 11 people were arrested during a search, from 9th to 12th Avenue in Cibitoke urban zone, Ntakangwa commune, Bujumbura mayorship. According to sources on the spot, they were accused of not having household records and receipts for household waste removal. When they arrived at the police station in the area, they refused to be ransomed and finally released.

At least 23 people arrested in Ntakangwa commune, Bujumbura mayorship

On 21 March 2017, 23 people were arrested by policemen and soldiers during a search carried out from 13th to 15th Avenue in Cibitoke urban zone, Bujumbura mayorship. They were accused of not having the household records while the stock of the latter was over. They were taken to the police station of the zone and ransomed each of a sum varying between 5,000 and 20,000 Bif to be released.

1.4. RIGHT TO FAIR JUSTICE

Detainees transferred illegally to other prisons

Illegal transfers of detainees have become commonplace and initially, families and observers think of abductions.

For illustration:

On 25 March 2017, a prisoner named Jean Marie Haragakiza and another named Charles were abducted from Mpimba prison in Bujumbura mayorship around 12:00 p.m. to be transferred to other prisons. They were summoned to the direction of the prison and they did not return to their cells. Jean Marie had come from Rumonge prison on 23 February 2017 with four others including Charles, Sherif and Libere where he was the chief in charge of detainees' security. On 25 February 2017 Jean Marie Haragakiza was strangled by Imbonerakure of Mpimba Prison in collaboration with the Deputy Chief of Security of Prisoners and was rescued by the detainees. On the same day, others who were in the same cell were beaten. Jean Marie Haragakiza is currently in Muyinga and Charles in Gitega. Our source is concerned about how they are being mistreated and fears they may be killed.

Injustice in the release of a detainee in Muramvya province

On 20 March 2017, Remy Bimenyimana, a resident of Gatabo zone, Kiganda commune, Muramvya province was released by the prosecutor's office before entering Muramvya central prison. According to one source, all began with a search of his home, which resulted in the discovery in his home of military equipment, medicines, several CNI and national flags. The same sources indicate that Remy Bimenyimana is the head of Imbonerakure in Gatabo zone.

1.5. RIGHT TO PROPERTY

Insecurity linked to land disputes in Ruyigi province

In Butezi commune, a person named Samuel Condo put Muyange hill in motion. The reason is that the Ruyigi TGI granted Samuel 9 km². The trial was scheduled to be implemented by Butezi court of residence on 21 March 2017, but there was an impediment.

According to the information by Butezi ECOFO principal, no other activity was carried out in the commune because the big event was awaited. What is extraordinary, the whole population of Muyange hill must leave and do not know where to go. The ODHs note that the danger is imminent. According to the same sources, all high officials in the province are aware of this land issue. Samuel obtained this great land because he had attacked the Diocese of Ruyigi who had occupied part of this land and won the trial. He had attacked other people and there he won and he has all the relevant land documents. The Governor, the Provincial Police Commissioner, the Prosecutor and the deputies held a meeting on this hill to announce to the occupants that the property would be withdrawn for Samuel's benefit.

1.6. GENDER BASED VIOLENCE

A girl raped by an Imbonerakure in Buhiga commune, Karusi province

Miss I, 17 years old, living on Rwingoma hill in Buhiga zone and commune in Karusi province was raped by an Imbonerakure of the area known as Sayidi on 24 March 2017. According to our source, miss I was raped just as she was going behind the house to get grass for the cattle.

II. SECURITY FACTS

II.1. THE PHENOMENON OF CORPSES SOME UNIDENTIFIED

A dead body found in Rutana province

On March 22, 2017 on Kabingo hill in Giharo commune in Rutana province, a corpse of Garçon Manirakiza aged 3 years was found in a field near the family home. The alleged perpetrator remains unidentified except that his father Dieudonné Ndiokubwayo is in land conflict with his neighbor Mujumbura.

A corpse found in Muramvya province

On March 19, 2017, a corpse of Maurice Ndayiragije, aged 25, son of Gervais Bavekure and Madeleine Nsavyimana from Kavumu hill, commune and Ngozi province was found in Bugarama zone, commune and Muramvya province. He was from Kivyara sub-hill, Kavumu hill, commune and Ngozi province. He was married and father of a child. He was a motorcycle taxi driver. He was taken to the morgue of Muramvya hospital by the advisor of the Communal Administrator and the PJ Commissioner. The corpse was handed over to the family and buried on 23 March 2017 at his family's in Ngozi.

A corpse found in commune and province Kayanza

A dead body of Barthélémy Miburo, aged 54, from Bikaranka hill, Kabuye commune and Kayanza province was found on March 22, 2017, near Kabuye Communal Lycée. According to sources on the spot, the incident occurred on the evening of 21 March 2017 and the corpse showed signs that he was killed with machetes by unknown people a few meters from his home. Information from neighbors indicates that Miburo Barthélémy cohabited well with his neighbors. The latter wonder why this wise carpenter was savagely killed.

A dead body of a police officer found in Ntakangwa commune, Bujumbura mayorship

As of March 20, 2017, a dead body of OPP1 Charles Ndiokubwayo was discovered very close to Saint Joseph Catholic parish in quarter III, Ngagara urban zone, Ntakangwa commune, Bujumbura mayorship. The victim was an employee at ISP Bubanza and his colleagues claim to have dropped him in Kinama urban zone on the evening of March 19, 2017.

A dead body found on Mugozi hill, commune and province Bururi

On March 20, 2017, an unidentified dead body was found on the banks of Siguvyaye River on Mugozi hill, commune and Bururi province. According to sources on the spot, the circumstances of the death are not known and the body of this person has not been identified. Bururi police are doing preliminary investigations while waiting for the next steps, specifies our source.

A dead body found in Ndava commune, Mwaro province

On March 22, 2017, around 8:00 a.m., a dead body of Emmanuel Nisubire, aged 48 years, ONATEL watchman in Gihiga, was found on Gishuha sub-hill, Ndava commune, Mwaro province. According to our source, Emmanuel Nisubire had left his house around 10:00 p.m. on 21 March 2017 and had not returned. His dead body was found hanging with a rope on an avocado tree, sources said.

II.2. ARMED ATTACKS

A person killed during an armed attack in Gitega province

On 22 March 2017, around 10:00 p.m., an old man named Jacques Bukobero, who lived on Gasenyi hill, Nyarusange commune, Gitega province was killed. Armed unknown persons slipped a grenade into his room through the window and died on the spot. He lived alone. These unknown persons have stolen a lot of goods in his house, according to sources on the spot. The victim is the father of an influential CNDD-FDD businessman, Vénérand Ntikazohera. The next day, high-ranking policemen went to the spot but the communal administrator, Ferdinand Nkurikiye said the criminals were thieves. Following this assassination, FNL militants of Agathon Rwasa's wing were the target of the blind arrests. Eight militants were arrested including Sylver Simbagije, FNL chairman in Nyarusange commune. The targeted hills are Gasenyi, Ruhororo, Biziya all of Nyarusange commune, Gitega province.

One person wounded in Gihanga commune, Bubanza province

On 19 March 2017, around 9:00 p.m., on the hill, Buringa zone, Gihanga commune, Bubanza province, Aster Kantungeko nicknamed Gasongo was seriously wounded, stabbed by armed

men who were trying to abduct him. The attack occurred near the livestock barn in Buringa zone, Gihanga commune, Bubanza province. Many gunfire between the soldiers and the armed men were heard. According to our sources, the victim was quickly evacuated to one of the hospitals of Bujumbura mayorship the same night. This group has retreated into Rukoko Natural Reserve boarding Buringa zone.

Two persons wounded in Bisoro commune, Mwaro province

As of 18 March 2017, around midnight, a group of 10 gangsters armed with machetes invaded the home of a widow named Leocadie on the hill and Kanka zone, Bisoro commune, Mwaro province. Leocadie and her child were seriously injured. According to sources on the spot, Leocadie had sold one of her plots and the group of his criminals wanted to steal her money. The two victims are hospitalized at Kibumbu hospital, our source said.

One person wounded in Ndava commune, Mwaro province

As of March 23, 2017, Manassé Bigirimana, from Rango hill, Ndava commune, Mwaro province, belonging to the social component Twa entered his father's house with a spear and machete with the purpose of killing people living in this house. He tried to fight with his father and stepmother, but Manassé was wounded with a machete on the face, ribs and legs. He was evacuated to Fota hospital. Manassé's father and his stepmother are in the hands of the police to undergo interrogations. According sources on the spot, land conflicts are the heart of this incident.

II.3. CASES OF SUICIDE

A girl dead in Gisenyi zone, Busoni commune, Kirundo province

As of March 20, 2017, a girl named Emelyne Niyokwizera, a student at ECOFO Kibonde in 9th year, daughter of a man named Evariste alias Directeur, a tradesman in Kabaniro, Gisenyi zone, Busoni commune, hanged himself with a rope around 2:00 p.m. while she was in the 2nd quarter examination period. According to sources on the spot, the girl asked for a permission to go home because she was sick. Arriving at home, the girl hanged herself and died immediately, says our source.

II.4. OTHER FACTS REPORTED

Intimidation of a member of FNL of Agathon Rwasa's wing in Mpanda commune, Bubanza province

Enock Nkundayesu, a member of FNL of Agathon Rwasa's wing and a member of the Communal Council in Mpanda commune, Bubanza province is panic-stricken following the intimidation of CNDD-FDD party members, including Melchior, Musenyi zone head. According to our sources, CNDD-FDD members intimidate him in order to force him joining CNDD-FDD party.

Fear caused by Imbonerakure in Bururi province

Information received by Iteka League on 25 March 2017 indicates that Imbonerakure youth from the provinces of Bururi and Rumonge are arresting, poisoning, fining and beating passers-

by in the knowledge of the communal and provincial administration. These barbaric acts are frequently observed in Bururi province, on Kiremba sub-hill and in Matana commune in the urban center on the hills of Rubanga, Gisarenda and Gasibe.

Twelve families beaten by Imbonerakure in Kirundo province

As of March 20, 2017, twelve families from Bugabira commune, Kirundo province made a sit-in at Kirundo province office. According to local sources, the twelve very hungry families went to the provincial office to ask for food from the authorities. They were beaten by Imbonerakure and forced to return home.

Threats and intimidation to displaced people from Ruhororo site, Ngozi province

On the night of 23-24 March 2017, young people of Imbonerakure militia have organized paramilitary training in the site of the displaced people of Ruhororo in Ngozi province, chanting songs of intimidation and warning that "they will correct them seriously".

According to the inhabitants of this site, the purpose of these paramilitary demonstrations is to intimidate them. These war displaced people from Ruhororo site then understood that the administrative warnings that rebel groups were to attack this site and it is a distraction because in reality those who will execute this plan of attack will be the same Imbonerakure. Those displaced from Ruhororo site also fear for some of them who would be on a list made by the Imbonerakure, given that they have already received threats and warnings in the same way and repeatedly.

Selon la même source, ils ont remarqué que pendant la nuit, tous les policiers quittent leur position pour laisser la place aux Imbonerakure alors qu'ils devraient plutôt renforcer la sécurité étant donné qu'ils prétendent être au courant de ces soi-disant attaques des groupes rebelles. L'autre remarque inquiétante est que les forces de l'ordre n'interviennent pas lorsque les Imbonerakure menacent ou agressent les déplacés de ce site et ces derniers se disent inquiets vu que même certains administratifs continuent de déclarer qu'ils veulent que ces déplacés regagnent leurs collines d'origine.

According to the same source, they noticed that during the night, all the police leave their position to leave the place to the Imbonerakure whereas they should rather strengthen security since they pretend to be aware of these so-called attacks of the rebel groups. The other worrying remark is that the police do not intervene when the Imbonerakure threaten or attack the displaced persons of this site and the latter are worried because even some administrative officials continue declaring that they want the displaced to return to their original hills.

III. CONCLUSION ET RECOMMENDATIONS

Allegations and violations of human rights following the deterioration of political context since the beginning of President Pierre Nkurunziza's protested 3rd term continue to be recorded in various parts of the country.

The obsession of an imminent rebellion fighting President Pierre Nkurunziza's regime is the source of many cases of murder, torture, abduction, illegal arbitrary arrest and illegal imprisonment.

The phenomenon of corpses, some of which are unidentified once again demonstrates a human rights situation that is likely to degenerate if measures are not taken to force the country to put an end to these unpunished crimes.

The fear of seeing the crimes against the alleged opponents widespread is great following the withdrawal of Burundi from the ICC and the minimization of any kind of foreign pressure by President Pierre Nkurunziza's regime.

Given the continuously serious situation of human rights situation in Burundi, Iteka League recommends:

A) To Government of Burundi

- To put immediately an end to state violence and human rights violations by ensuring the security and protection of the population without discrimination;
- To dismantle and disarm the militia of the Imbonerakure youth league which spread terror in the country and which has replaced the administration and security corps instead of seeking to legalize it;
- Not to set the blaze by highlighting ways of violence in resolving the ongoing political conflict in the country;
- To ensure compliance with the CCP and the military code for cases of arrests currently being committed and/or dealt with by persons who are not competent to do so;
- To renounce the withdrawal project from ICC, which aims only to increase violence and human rights violations;
- To put an end to the injustice and political and ethnic manipulation, the source of all the evils experienced by the Burundian people since its independence.

B) To the AU

- Implement its decision to send a military force to protect the Burundian population in distress.

C) To the EU

- Use its power as Burundi's first financial partner to force the Bujumbura regime return to the negotiating table;
- To carefully review its payment system for the Burundian soldiers in peace mission so as not to continue funding a government responsible for serious human rights violations.

D) To the United Nations Security Council

- Take all resolutions likely to restore peace in the country and guarantee the protection of human rights;
- Implement the decision to send a protection force for Burundians

E) To the mediation

- Not to neglect the damage caused by the violation of the Constitution and the Arusha Accords, including the thousands of people killed, exiled, arbitrarily imprisoned and hundreds of tortured and reported missing persons as well as hundreds of women and girls raped;
- Knowing that political conflict requires a political solution.

F) To the EAC

- Bring President Pierre Nkurunziza's regime to a negotiation table for an inclusive and sincere dialogue in order to find a lasting political solution to the crisis;
- Take sanctions if the Burundian government continues to decline the offer of the mediation.

G) To the population

- To stay united and not yield to the demands and divisive teachings or any demand to violence;
- To denounce any act likely to spread or maintain insecurity

H) To the ICC

- To speed up the procedures for the analysis of the cases submitted and to carry out necessary indictments.