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Weekly bulletin « ITEKA N'IJAMBO » n° 92 of the Burundian League of Human Rights "ITEKA"

Week from 1-7 January 2017



In memory of Madam Marie Claudette Kwizera, Treasurer of Iteka, reported missing since December 10, 2015. From December 2015 to 7 January 2018, Iteka has documented at least 475 cases of enforced disappearances.

CONTENTS	PAGES
<i>ACRONYMS AND ABBREVIATIONS</i>	3
<i>0. INTRODUCTION</i>	4
<i>I. ALLEGATIONS OF VIOLATIONS AND VIOLATIONS OF HUMAN RIGHTS</i>	4
<i>I.1. ALLEGATIONS OF VIOLATIONS OF THE RIGHT TO LIFE</i>	4
<i>I.1.1. PEOPLE KILLED BY UNIDENTIFIED PERSONS</i>	4
<i>I.2. PEOPLE TORTURED BY IMBONERAKURE AND POLICE</i>	4
<i>I.3. PERSONS ARRESTED BY IMBONERAKURE, SNR AGENTS AND POLICE</i>	6
<i>I.4. GENDER BASED VIOLENCE</i>	8
<i>I.5. RIGHT TO FAIR TRIAL</i>	8
<i>II. VIOLATION OF ECONOMIC RIGHT</i>	9
<i>III. OTHER FACTS REPORTED</i>	9
<i>III.1. PEOPLE KILLED DUE TO MOB JUSTICE AND/OR SETTLING OF SCORES</i>	9
<i>III.2. INTIMIDATION ACTS</i>	9
<i>IV. CONCLUSION</i>	12

ACRONYMS AND ABBREVIATIONS

APRODH :

BCB : *Credit Bank of Bujumbura*

BSR : *Special Bureau of Investigation*

CDS : *Health Center*

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

ENS : *Higher School*

FAB : *Burundi Armed Forces*

FNL : *National Liberation Front*

FRODEBU : *Front for Democracy in Burundi*

ITAB : *Burundi Farming Techniques Institute*

MSD : *Movement for Solidarity and Development*

OBR : *Burundi Revenue Authority*

OPJ : *Judicial Police Officer*

SNR : *National Intelligence Service*

SOBUGEA : *Burundi Airport Authority*

TGI : *High Court*

UPRONA : *Union for National Progress*

0. INTRODUCTION

Allegations and violations of human rights were recorded during this reporting period: at least 4 persons were killed including 1 corpse, 5 tortured 124 arbitrarily arrested and 3 GBV victims.

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

This bulletin reports cases of killings, torture, and arbitrary arrests of the alleged President Pierre Nkurunziza's 3rd term opponents.

Cases of rape are also reported.

The phenomenon of mob justice and settling of scores is reported in different parts of the country.

The bulletin rejects impunity of crimes that is granted to pro CNDD-FDD party. Members of this party involved in different crimes enjoy impunity from public complicity.

Arrests linked to the referendum vote for the change of the constitution is reported in this bulletin

1. ALLEGATIONS OF VIOLATIONS AND VIOLATIONS OF HUMAN RIGHTS

1.1. ALLEGATIONS OF VIOLATIONS OF THE RIGHT TO LIFE

1.1.1. PEOPLE KILLED BY UNIDENTIFIED PERSONS

A corpse found in Rumonge commune and province

On January 4, 2017, a body of a child, aged 6, was discovered in Mugara thermal waters, Gatete zone, Rumonge commune and province. Sources on site indicate that this child was not found at home since December 3, 2018.

Two people killed in Muyinga commune and province

On January 5, 2018, at around 7:00 pm, on the road to Kobero border, on Nkanka hill, Butarugera zone, Butihinda commune, Muyinga province, Isaac Nzeyimana, money changer at Kobero border post and Sezirahiga, biker, were shot in an ambush by a group of unidentified gunmen. Another person, a child of about 10 years named Juvenal Murengerantwari from Rabiro hill, Butihinda commune, was shot to the belly. According to our sources, the perpetrators also took all the victims' money. Two suspects have already been arrested by the police for investigation.

1.2. PEOPLE TORTURED BY IMBONERAKURE AND POLICE

A person tortured in Kirembe commune, Ngozi province

On January 2, 2018, at Gakere police post, Kirembe commune, Ngozi province, an OPJ named Fabrice working at the same post, tortured Thierry Shimayezu, a student at ITAB Kigozi in Kirundo province. Sources on site indicate that Thierry had refused the 11th passenger to sit on him in a

Probox type transport vehicle, normally licensed to carry 4 people. Passengers were asked to pay 10,000 Bif while the normal fare was 5,000 Bif. According to the same sources, Thierry was taken off to this police post and was demanded to pay for the trip already made, which he refused. He was then beaten up by the driver and handed over to the OPJ, who continued to torture him for 16 hours until the next day. He jailed him and released him on January 3, 2018 at 11:00 am upon his parents' arrival.

A person tortured in Gitaramuka commune, Karusi province

On January 1, 2018, around 4:00 pm, on the hill and Ntunda zone, Gitaramuka commune, Karusi province, Lucien Havyarimana was beaten up by Imbonerakure led by their leaders Emile and Joachim. According to sources on site, Imbonerakure from Ntunda zone decided to celebrate the New Year party at the court of Lucien's bar without asking permission and ordered his employee to close, since they had brought their own drinks. Lucien was called by his employee and came to ask what these Imbonerakure were doing in his property without his knowledge. Instead of answering him, they attacked him, beat him up and trampled him. Being in a coma, he was rescued by patrolling police who rushed him to CDS Ntunda. He was then transferred to Buhiga hospital still in coma.

A person tortured in Rugombo commune, Cibitoke province

On January 1, 2018, at the 7th street, Cibitoke hill, Rugombo commune, Cibitoke province, Nganji, ex-FAB, SOBUGEA driver, was beaten up by Bucumi and Mwenyemali, both young Imbonerakure. According to sources on site, Nganji was accused of propaganda to vote for "NO" in the next referendum.

A person tortured in Gitobe commune, Kirundo province

Information received by Iteka League on January 7, 2018 indicates that on December 21, 2017, on Butahana hill, Gitobe commune, Kirundo province, an Imbonerakure named George Niyorugira nicknamed General and CNDD-FDD party chairman beat up Gordien Sezibera, accusing him of stealing coltan and was hospitalized in one of the hospitals of the area.

Since his recovery, Gordien Sezibera has complained but the OPJ was afraid to summon George Niyorugira. According to the same sources, Georges Niyorugira continues threatening the community. For example, Ntambara had to flee to an unknown place because of these threats; Casimir an agent of the commune was broken a leg by Georges Niyorugira, accusing him of having written the fine discharge incorrectly.

A person tortured in Gitega commune and province

The information received by Ligue Iteka on 1 January 2018 indicates that on 24 December 2017, on Mugutu hill, Gitega commune and province, Louis Ntuyahaga, chief of the Imbonerakure on this hill, beat up his neighbor Richard and seriously injured him in the head. Louis commits any act

without being disturbed under the protection of Mugutu hill head. Elders on the hill had decided to file a complaint, but the hill head objected and the police were not aware of this case. Richard was taken to Gitega hospital.

1.3. PERSONS ARRESTED BY IMBONERAKURE, SNR AGENTS AND POLICE

A person arrested in Rutana commune and province

On 2 January 2018, Sadoscar Ndikumwami, ambulance driver at Makamba Hospital and retired ex-FAB, was arrested by policemen in Birongozi quarter, Rutana commune and province. An accident of one of the vehicles of the convoy of the Minister of Public Security, Alain Guillaume Bunyoni occurred 20 meters from where Sadoscar had parked his vehicle. The minister's vehicle hit a cyclist and five police officers were injured. Sadoscar was arrested and then taken to Rutana police station, accused of causing the accident, although no police report was made.

A person arrested in Gahombo commune, Kayanza province

On January 3, 2018, at Rukago hill, Gahombo commune, Kayanza province, MSD party member Isaac Niyomutoni was arrested by the leader of the Imbonerakure of that area. He was jailed in Gahombo commune police cell. According to our sources, he is accused of having said that he cannot participate in an evangelical crusade organized by the President of the Republic, Pierre Nkurunziza.

A person arrested in Muyinga commune and province

On January 4, 2018, at the Burundo-Tanzanian border post of Kobero, Muyinga commune and province, Goreth Mukayiranga, of Rwandan origin, Volcano travel agency agent in Kobero, was arrested and taken to Muyinga province police station cell by Gérard Ndayisenga, SNR provincial officer in Muyinga. According to our sources, he accuses him of spying on behalf of the enemies of Burundi and especially Rwanda.

A person arrested in Giteranyi commune, Muyinga province

On January 4, 2018, in Giteranyi commune, Muyinga province, Didier Rutarindwa, alias Rwavyuma, a supplier of building materials in the locality of Giteranyi and a resident of the same area, was arrested by Gérard Ndayisenga, SNR head in Muyinga and taken to Muyinga province police station cell. According to sources on site, the victim does not know the reason of his arrest. However, Gerard Ndayisenga threatened to kill him in clear terms: "*We are not torturing anymore, now we are killing*".

A person arrested in Mutimbuzi commune, Bujumbura rural province

On January 3, 2018, on Kirekura hill, 14th street, Maramvya zone, Mutimbuzi commune, Bujumbura Rural province, at the place called Kumikangara, Ezekiel Nshimirimana, FNL member

of Agathon Rwas's wing was arrested by Jérémie, SNR head in Mutimbuzi commune. Ezekiel Nshimirimana was taken to Kabezi commune cell.

A person arrested in Bujumbura City

Information received by Ligue Iteka on 4 January 2018 indicates that on 16 December 2017, Ezechiel Ntiharirizwa, a student at ENS, was arrested at Mutanga campus and boarded in a SNR vehicle without a license plate. Ezechiel is from Gihogazi commune, Karusi province and is FNL member of Agathon Rwas's wing. According to his fellow students, he was arrested because he had sent a picture in a WhatsApp group he shared with other natives of his commune, showing that he would vote for "NO" in the next referendum for the change of the constitution. Since then, he began being threatened by CNDD-FDD party members of this group, including the administrator of Gihogazi commune. He was first detained in an SNR cell in Bujumbura and transferred to Mpimba central prison on 29 December 2017.

A person arrested in Cankuzo province

On 2 January 2018, Sef Ndayishimiye, a resident of Cankuzo province, was arrested by the SNR leader in that province and taken to the police brigade cell. According to local sources, this SNR official accused him of traveling a lot to Rwanda, and that he reveals information to the rebels in that country. According to the same sources, he has a job in Rwanda and he came to see his family in Cankuzo.

A person arrested in Makamba commune and province

On 1 January 2018, Pie Nzoyihera, Sahwanya FRODEBU party member and recruiter in the same party, was arrested by police and taken to Makamba police post. According to local sources, he was arrested when he shared a drink with the chief advisor of the governor of Makamba province. A misunderstanding broke out as he discussed political issues. The advisor then called the police who immediately embarked him. He is accused of breaching internal security of the state.

Four people arrested in Cibitoke urban zone , Bujumbura city

On January 3, 2018, policemen and soldiers conducted a search and control of household notebooks and other irregularities from 3rd to 6th Avenue in Mutakura quarter, Cibitoke urban zone, Ntahangwa commune, Bujumbura city. Four people, including Fabrice of the 4th Avenue and the nicknamed Puta of 3rd Avenue were arrested and then released for a ransom they did not want to reveal the amount.

One hundred and nine people arrested in Bujumbura downtown

Information received on January 1, 2018 indicates that as of December 29, 2017, one hundred and nine people including 68 adults, 11 minors and 30 street traders were arrested by police on board 4 pick-ups. They were taken to the BSR prison in Buyenzi urban zone. Twenty of them were released

after paying a transactional fine of 20,000 Bif paid to OBR. But many remained in jail. Others were released one by one, according to sources on site.

Three people arrested in Rugombo commune, Cibitoke province

On January 2, 2018, in Rugombo commune, Cibitoke province, three Muslims named Hussein, Usama and Abu were arrested by the police and taken to Rugombo commune cell.

Sources on site indicate that they are accused of insubordination for denouncing the scheming of the representative of the Islamic community in Rugombo who wants to steal the property of the community. The same sources indicate that they reportedly denounced the mismanagement of the community's assets, namely the incomes from schools built by the same community in front of BCB branch office in Rugombo. The three Muslims accuse Munyafrika, head of the Muslim community in Rugombo, of wanting to transfer the rent from these schools to his own account. Rugombo Muslims demand the release of their comrades who, according to these Muslims, are fighting only for the protection of the property of the whole community.

1.4. GENDER BASED VIOLENCE

A person raped in Bubanza commune and province

On 5 January 2018, at about 9:00 pm, on Cona hill, Gatura hill, Mitakataka zone, Bubanza commune and province, E.B, married, 19 years old, was raped at home by Prosper Nduwayo while her husband was absent. The perpetrator is on the run in complicity with the head of Mitakataka zone. The victim was taken to Seruka center.

A girl raped in Bubanza commune and province

On 1 January 2018, at night, in Bubanza, Kidahwe quarter, Bubanza province, B.D, aged 13, was raped by 19-year-old Ferdinand Niyonkuru, son of Berchmans Nduwabike and Rénilde Ngendakumana. According to our sources, the victim was taken to Seruka center. The alleged perpetrator is jailed in Bubanza province police post cell.

A girl raped in Bubanza commune and province

On 4 January 2018, towards evening, in the bush, on Buhororo hill II, Bubanza commune and province, F. M., aged 18, was raped by Evariste Ndorere, 21 years old. The victim was taken to CDS Bubanza. The author was arrested and jailed at Bubanza police post.

1.5. RIGHT TO FAIR TRIAL

Detention of a civil society member

The TGI in Bujumbura City confirmed on January 3, 2018 the preventive detention of Nestor Nibitanga, APRODH former representative in Gitega. This human rights defender appeared on 28 December 2017 before the TGI of Bujumbura city in roaming in Rumonge in chambers. The trial

took place at Murembwe central prison in Rumonge. Nestor Nibitanga is accused of breaching internal security of the state and rebellion. Charges rejected by his lawyers for he was arrested at his home in Gitega. His relatives say he is being prosecuted for the simple reason of being APRODH member.

II. VIOLATION OF ECONOMIC RIGHT

Cows poisoned in Mukike commune, Bujumbura rural province

Information received by Iteka League on 1 January 2018 indicates that as of 31 December 2017, around 12:00, on Nkomane sub-hill, Kigozi hill, Bikanka zone, Mukike commune, Bujumbura rural province, cows of Niragira's family were poisoned by unidentified people. According to our sources, two cows died on the spot. Niragira is UPRONA member of Charles Nditije's wing.

III. OTHER FACTS REPORTED

III.1. PEOPLE KILLED DUE TO MOB JUSTICE AND/OR SETTLING OF SCORES

A person killed in Bukemba commune, Rutana province

On 2 January 2018, Fulgence Manirakiza, a resident of Bugiga hill, Bukemba commune, Rutana province, was beaten to death by residents of that hill when he was caught in the act with a solar plate stolen in the area.

III.2. INTIMIDATION ACTS

Threats to FNL party members in Ntega commune, Kirundo province

Since January 1, 2017, on Rukore hill, Ntega hill, Kirundo province, FNL members of Agathon Rwasa's wing, are threatened to have beaten and injured the Imbonerakure Rwabira, Mayoya, Kagabo and Ndereyimana who are currently hospitalized at CDS Ntega. According to sources on site, these Imbonerakure entered the New Year's party without invitation at Samuel Mugisha, FNL member of Agathon Rwasa's wing, intimidating Samuel's guests, who later resisted and revenged. Damascene Karuhura, Rukore hill head, denied Bayadunde, FNL member of Agathon Rwasa's wing the right to seek treatment while he was injured during the fight. According to the same sources, the police, accompanied by a CNDD-FDD party member named Sendegeya, continue tracking down and arresting FNL party members. Eight of them are jailed in Ntega commune cell but others were reportedly taken to one of the cells in Kirundo and were required to pay health care costs of those Imbonerakure to be released and this obligation was given by the administrator Philippe Ngabonzoza.

Mistreated people in Rutana province

Information received by Ligue Iteka on January 3, 2018, indicates that the inhabitants of this province live under fear following the behavior of the provincial police commissioner, Leonidas Ninganza nicknamed Facebook. According to sources on site, the latter tortures and intimidates

anyone. During Christmas holidays, for example, he went into movie houses, took everyone out, putting the students apart and beat them violently. On January 1, 2018, he arrested a taxi driver in Gitaba named Jean and beat him up.

Two people burned in Rugombo commune, Cibitoke province

Information received by Ligue Iteka on 1 January 2018 indicates that on 31 December 2017, in Karurama quarter, in Cibitoke province, Alice Icoyitungiye, accountant at BCB agency in Rugombo commune, Cibitoke province, burned his servant, Marie Mukeshimana, with boiling water. They are both CNDD-FDD party members. The victim was burned with his baby. The perpetrator of this crime was quickly released after a night spent in Cibitoke province police post cell. Both victims are hospitalized at Cibitoke Hospital.

A person injured in Rusaka commune, Mwaro province

On January 3, 2018, at around 10:00 pm on Gikebuka hill, Rusaka zone and commune, Gervais Nkunzimana, aged 37, was stabbed by an unidentified group of people. According to sources on site, Gervais Nkunzimana came from Mugongo-Manga commune where he works and went to Gahweza in Kiganda commune to his family. A sum of 30,000 Bif and a cell phone were stolen by these criminals. He is now at CDS Rusaka where he receives health care with hill head Gikebuka as sick nurse. According to the same sources, peace mediators in Rusaka commune have alerted the administration so that the victim has health care.

Two people injured in Ndava commune, Mwaro province

On January 2, 2018 at around 5:00 pm, 34-year-old Ferdinand Ndereyimana wounded with machete Nestor Riyazimana, aged 32, and 38-year-old Désiré Bigirimana on the arms, according to sources on site. They are both from Mpanuka hill, Ndava zone and commune, Mwaro province. The wounded were taken to Kibimba Hospital near the incident site for health care. The alleged perpetrator was arrested by the police, but released without investigation. The victims receive health care but one of them is hospitalized.

Forced contribution in Bururi commune and province

Since 1 January 2018, forced contributions for the inauguration, on 6 January 2018, of CNDD-FDD communal office have been collected. According to sources on site, Imbonerakure led by Diomede require a sum ranging from 2,000 to 10,000 Bif from the population on all the hills of Bururi commune. Upon contribution, a receipt with a CNDD-FDD party stamp is given, add the same sources.

Speech of intimidation in Makamba commune and province

At a meeting held on January 3, 2018 for the heads of services and local administration officials of Makamba province, Governor Gad Niyukuri warned anyone trying to teach vote for "NO" at the

next referendum for the change of the constitution. In his speech, he reiterated that anyone, including priests of the Catholic Church and pastors of Protestant churches, will be surprised to urge people to vote for "NO", will be a candidate for sanctions for what he called "Zero tolerance against critics of the next constitution of the Republic of Burundi! "

Gad Niyukuri also required participants to show each their payment slip of the year 2017 to the contributions of the elections of 2020.

According to sources on site, some participants deplore untimely contributions imposed on them. Apart from the one related to the 2020 elections, there is another contribution for the construction of Makamba province offices that has been collected since the beginning of 2016 per household and by civil servant.

IV. CONCLUSION

Human rights violations and allegations of violations following the deteriorating political context since the start of President Pierre Nkurunziza's third term challenge continue to be recorded in various parts of the country.

Killings, torture, arbitrary and illegal arrests, targeted to CNDD-FDD regime opponents are also reported.

Intimidation linked to the referendum for the change of the constitution of the Republic, forced contributions by administration officials and Imbonerakure from CNDD-FDD is a source of threats to the population.