

LIGUE BURUNDAISE DES DROITS DE L'HOMME « ITEKA »

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Burundi, 3 years and 4 months of crisis: perpetrators and their strategies.



Septembre 2018

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I. INTRODUCTION

Since the beginning of the April 26, 2015 protests against President Pierre Nkurunziza's third term until the end of August 2018, Ligue Iteka has noted cases of grave human rights violations such as extrajudicial executions, abductions and/or enforced disappearances and acts of torture.

From a total of 1454 people killed including 167 women, 59.4% were killed by unidentified people, 16.5% by police, 7.3% following security facts, 6.2% by Imbonerakure militiamen, 4.1% following the settlement of scores, 2.8% following mob justice, 1.9% by the military, 1.7% by SNR agents and 0.3% by the administration officials.

Among 1454 people killed, Ligue Iteka registered 386 cases of extrajudicial executions, or 26.5%.

Out of 500 abducted and/or reported missing persons, including 21 women, 58.2% were abducted by police, 17% by SNR agents, 16.8% by unidentified people, 4% by Imbonerakure militiamen and military each.

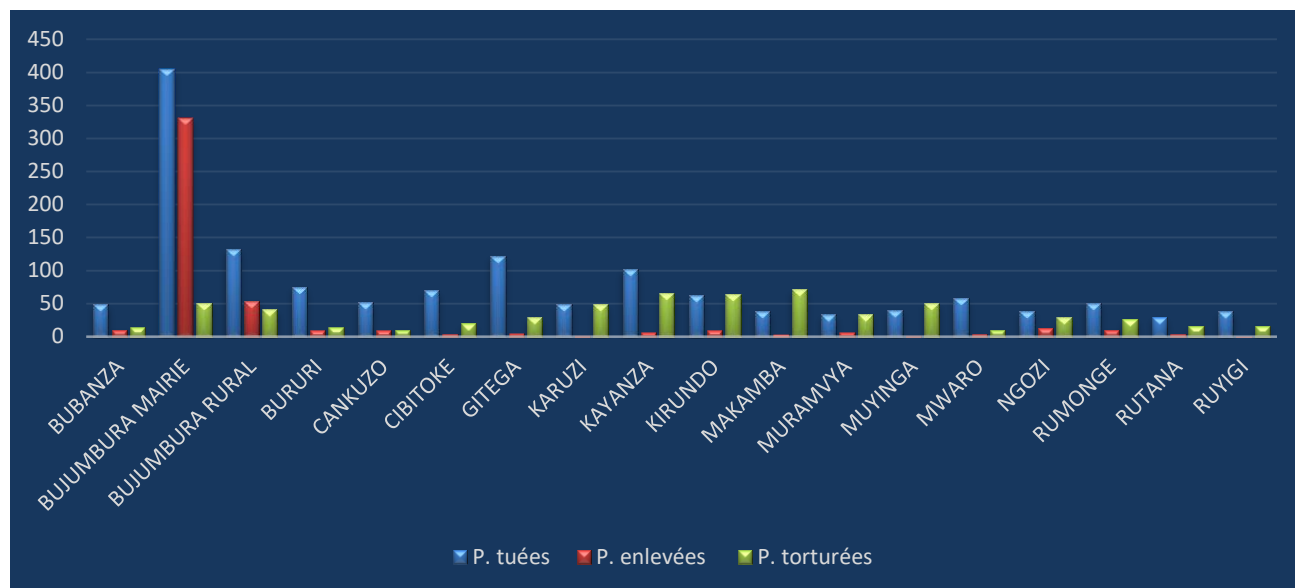
Out of the 613 people tortured, 58.4% were tortured by Imbonerakure militiamen, 21.7% by police, 10.1% by SNR agents, 6.4% by administration officials and 3.4% by military.

The victims of these human rights violations are mainly members of Agathon Rwasa's FNL wing, opponents or alleged opponents, ex-FAB, members of MSD party, FRODEBU Nyakuri, UPD-Zigamibanga, Charles Nditije's UPRONA wing and CNDD-FDD. This report does not revert in detail to these victims.

This report also does not revert to 9432 cases of illegal and arbitrary arrests as well as the 152 gender-based violence recorded by Ligue Iteka during this crisis period.

II. ALLEGATIONS OF VIOLATIONS AND VIOLATIONS OF HUMAN RIGHTS DURING THE PERIOD OF APRIL 2015-AUGUST 2018

Chart 1

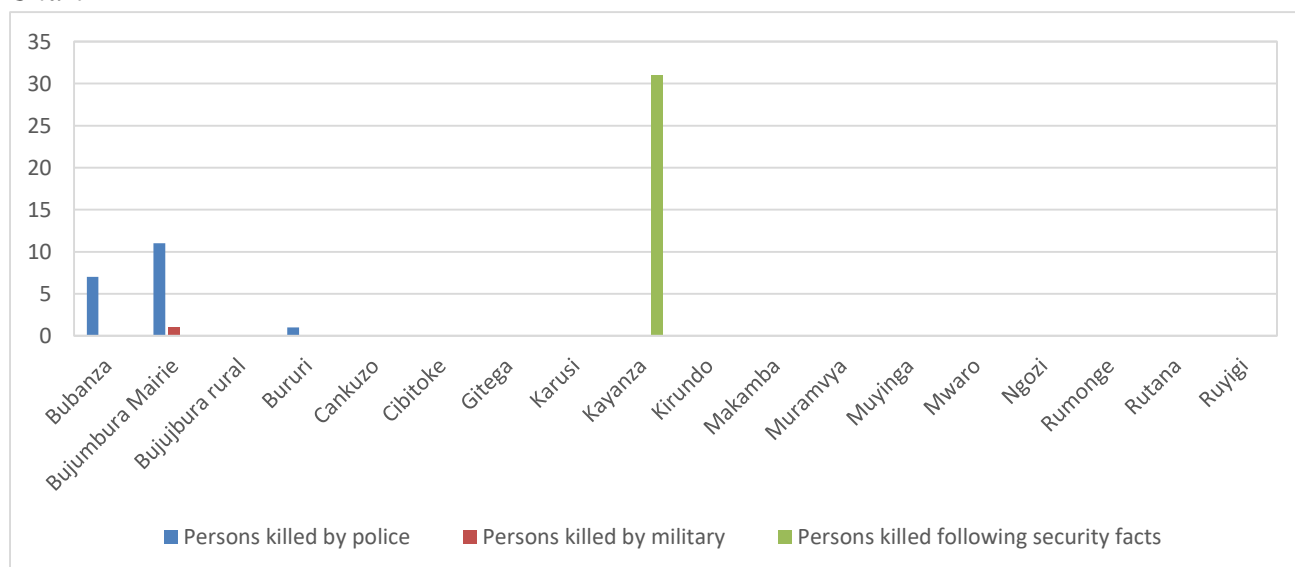


The above chart globally presents the violations of human rights recorded by Ligue Iteka during the period from April 2015 to August 2018. The following charts present details per category of violations and per period.

I.1. PERSONS KILLED

I.1.1. PERSONS KILLED DURING THE PERIOD FROM APRIL TO OCTOBER 2015¹

Chart 2



During the period from April to October 2015, Ligue Iteka recorded 87 people killed including 6 women, 36 (41.4%) were killed by unidentified people, and 31 (35.6%) due to security facts. During

¹ The data of this period are part of Ligue Iteka annual rapport from January to October 2015.

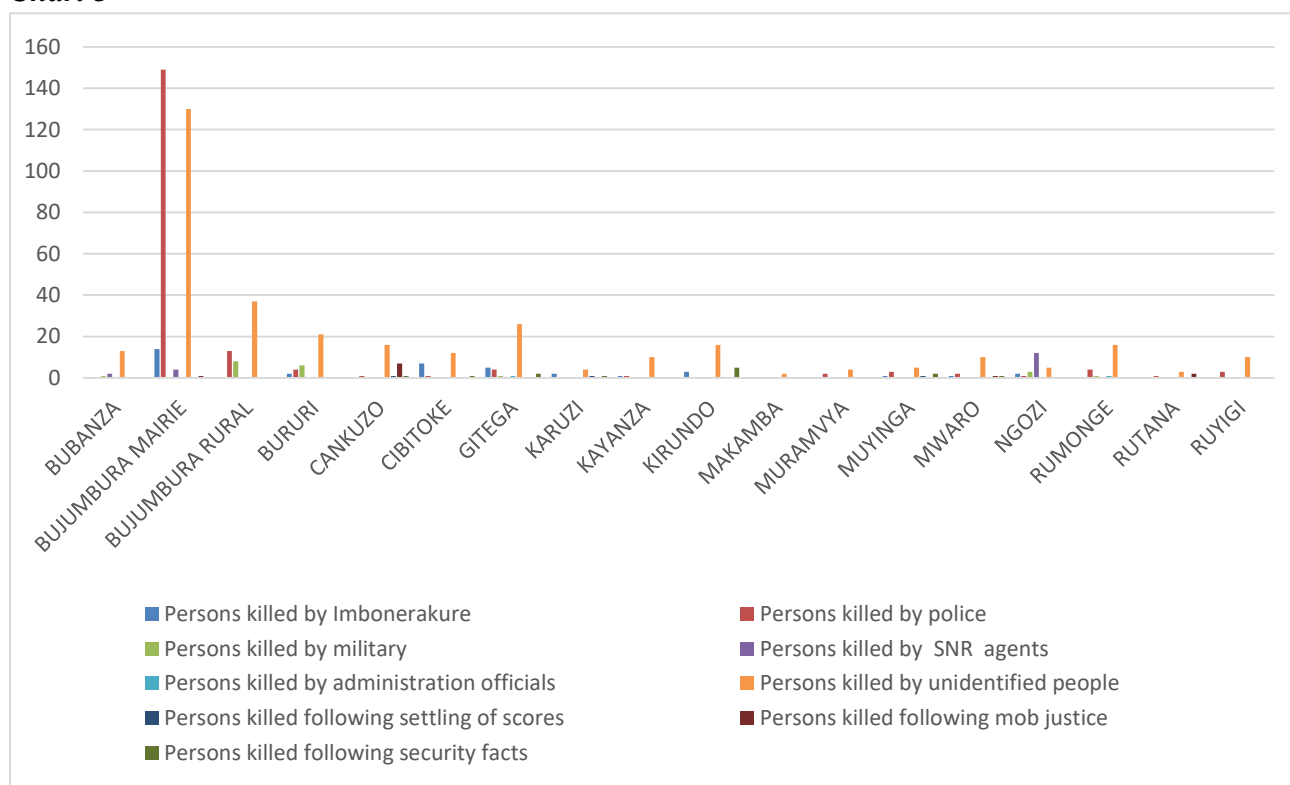
this same period, agents of State institutions were alleged perpetrators of killings. Therefore police officers were alleged perpetrators of 19 (21.8%) cases and military 1 (1.1%) cases.

The province of Bujumbura Mairie tops the list with 36 cases of people killed including 5 women. Out of these 36 cases, 24 (66.6%) were killed by unidentified people and 11 (30.5%) cases by police officers, followed by Kayanza with 31 cases following security facts and Bujumbura rural with 11 cases by unidentified people.

In Bubanza province, the police were alleged perpetrators of 7 cases of extrajudicial executions.

1.1.2. PERSONS KILLED DURING THE PERIOD FROM NOVEMBER 2015 TO NOVEMBER 2016

Chart 3

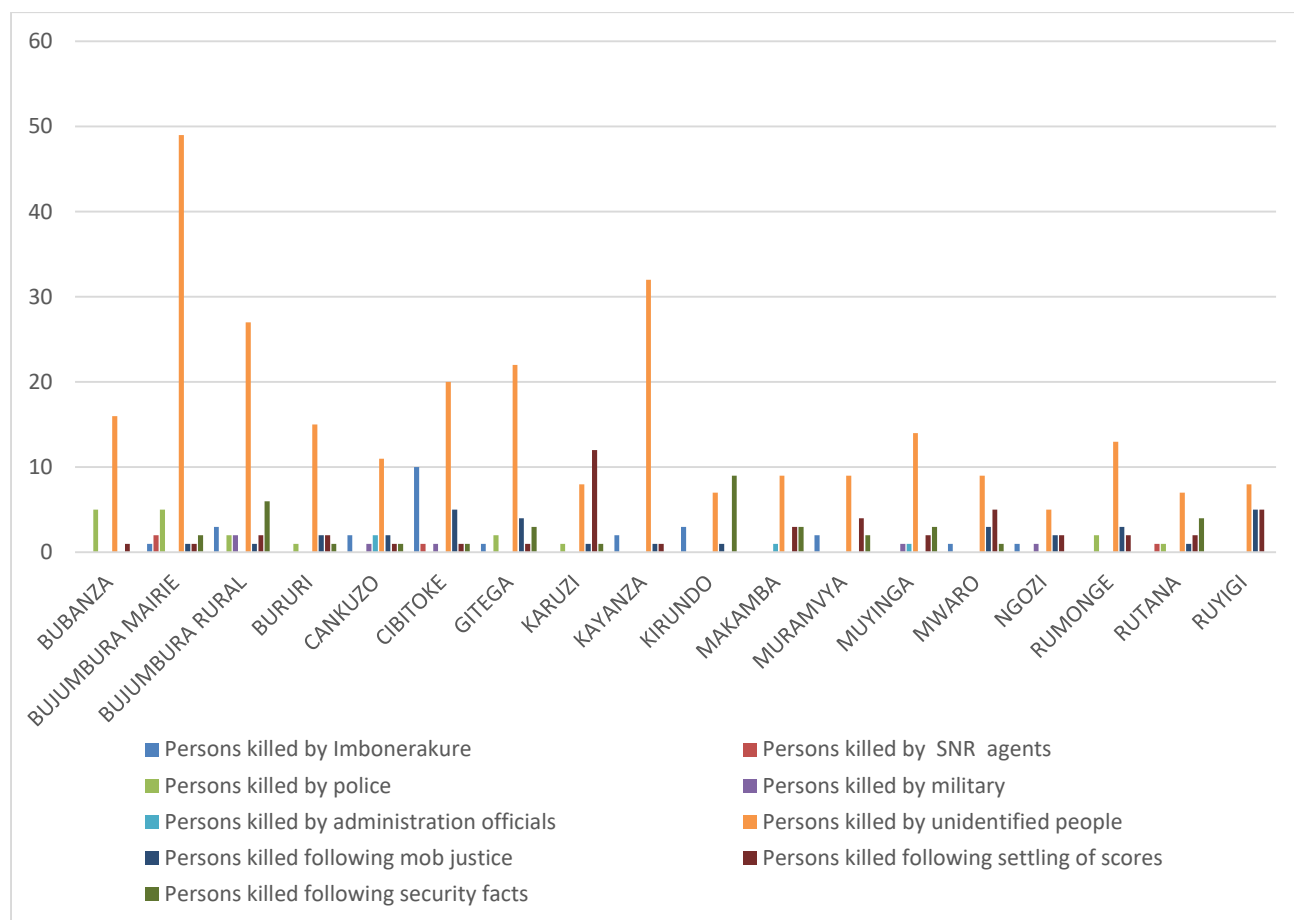


During the period November 2015-November 2016, out of a total of 634 people killed including 43 (6.7%) women, 340 (53.6%) were killed by unidentified people while the police were responsible for 189 (29.8%) case. The Imbonerakure militiamen were the alleged perpetrators of 38 (5.9%) killings while the military and SNR agents were respectively the alleged perpetrators of 20 (3.1%) and 18 (2.8%) cases.

The province of Bujumbura Mairie was the most affected with 298 people killed including 149 (50%) by police, 130 (43.6%) by unidentified people and 14 (4.6%) by Imbonerakure. The majority of women killed were reordered in this province with 12 (27.9%) cases out of 43. The province of Bujumbura Rural comes second with 58 cases of people killed including 37 (63.7%) by unidentified people and 13 (22.4%) by police.

1.1.3. PEOPLE KILLED DURING THE YEAR 2017

Chart 4



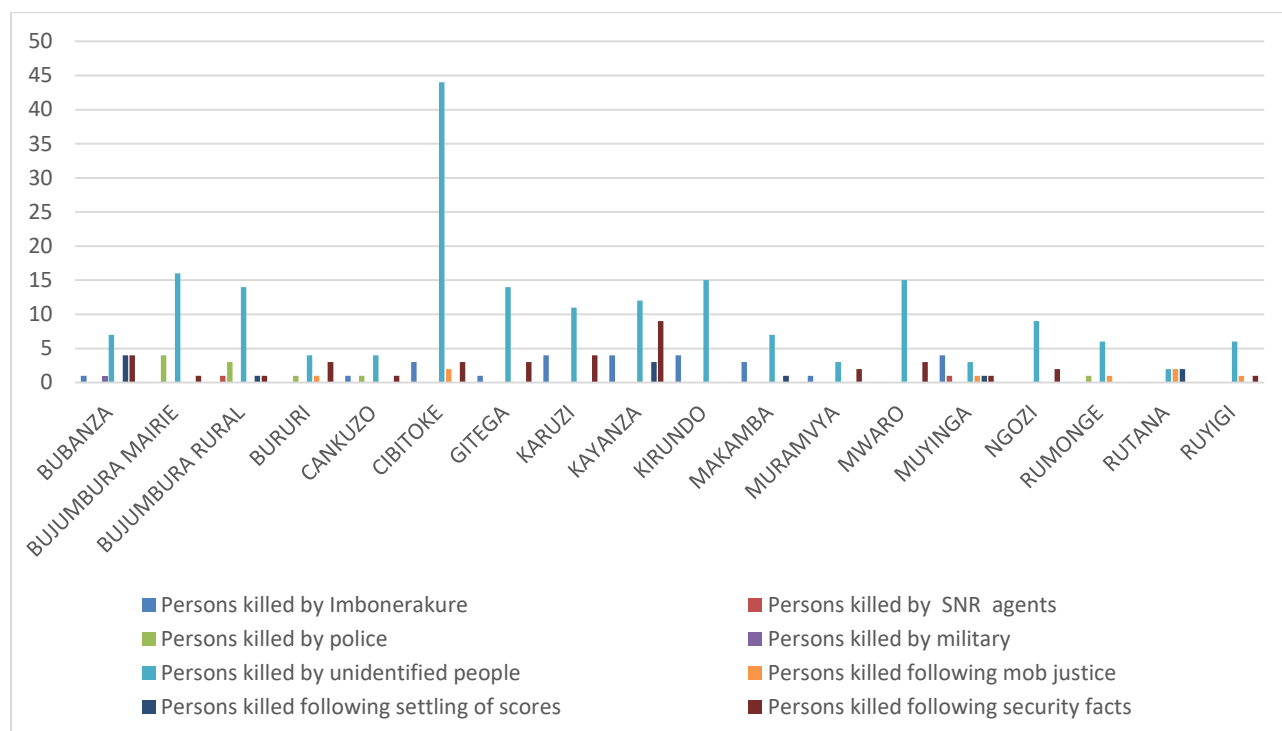
Over the year 2017, out of 456 people killed, including 69 (15.1%) women, 281 (61.6%) were killed by unidentified people, 47 (10.3%) were killed following the settlement of scores and 37 (8.1%) following security facts as well as 32 (7%) cases following mob justice.

The agents of State institutions were the alleged perpetrators of 59 (12.9%) cases of people killed. Out of the 59 cases, Imbonerakure militiamen were the alleged perpetrators of 26 (44%) cases, police 19 (32.2%) cases, military 6 (10.1%) cases, administration officials and SNR with 4 (6.7%) cases each.

The province of Bujumbura Mairie comes first with 61 (13.3%) cases of persons killed, 49 (80.3%) by unidentified people, Kayanza with 32 (7%) and Gitega with 22 (4.8%). The Imbonerakure were active in Cibitoke province with 10 out of 26 cases, or 38.4%. Police were active in the provinces of Bubanza and Bujumbura Mairie with 5 cases out of 19, or 26.3%.

1.1.4 PERSONS KILLED IN THE YEAR 2018

Chart 5



Over the period from January to August 2018, out of 289 people killed, including 49 (16.9%) women, 192 were killed by unidentified people, 66.4%, 38 killed due to security facts, 13.1%, 8 killed or 2.8% following mob justice and 12 killed following the settlement of scores, or 4.2%.

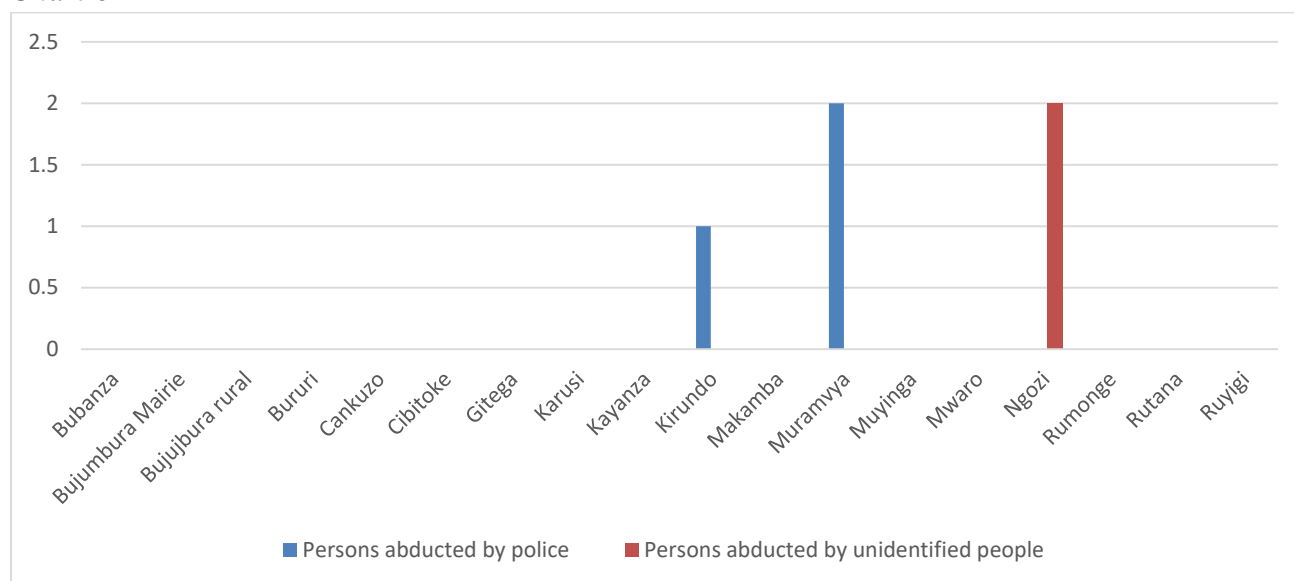
The agents of State institutions were also the alleged perpetrators of 39 cases including 26 (66.7%) people killed by Imbonerakure, 10 (25.6%) cases by police, 2 (5.1%) cases by SNR agents and 1 (2.6%) case by military.

The province of Cibitoke was the target of unidentified perpetrators with 52 cases followed by Kayanza provinces with 28 cases and Bujumbura Mairie with 21 cases.

1.2. PERSONS ABDUCTED OR REPORTED MISSING

1.2.1 PERSONS ABDUCTED AND / OR REPORTED MISSING DURING THE PERIOD APRIL-OCTOBER 2015

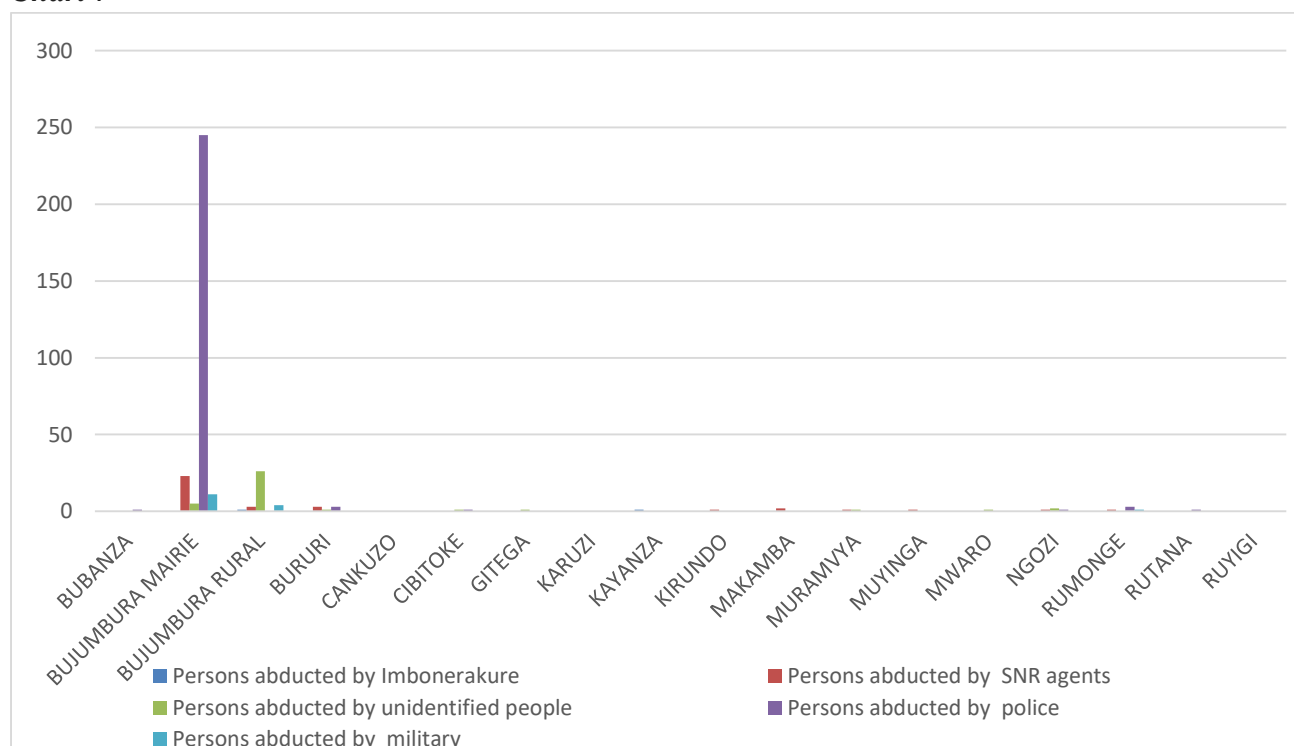
Chart 6



Over the period from April to October 2015, Ligue Iteka recorded 5 abduction cases, including 3 by police and 2 cases by unidentified people. These cases were found in the provinces of Ngozi, Muramvya and Kirundo

1.2.2 PERSONS ABDUCTED AND/OR REPORTED MISSING DURING THE PERIOD NOVEMBER 2015-NOVEMBER 2016

Chart 7

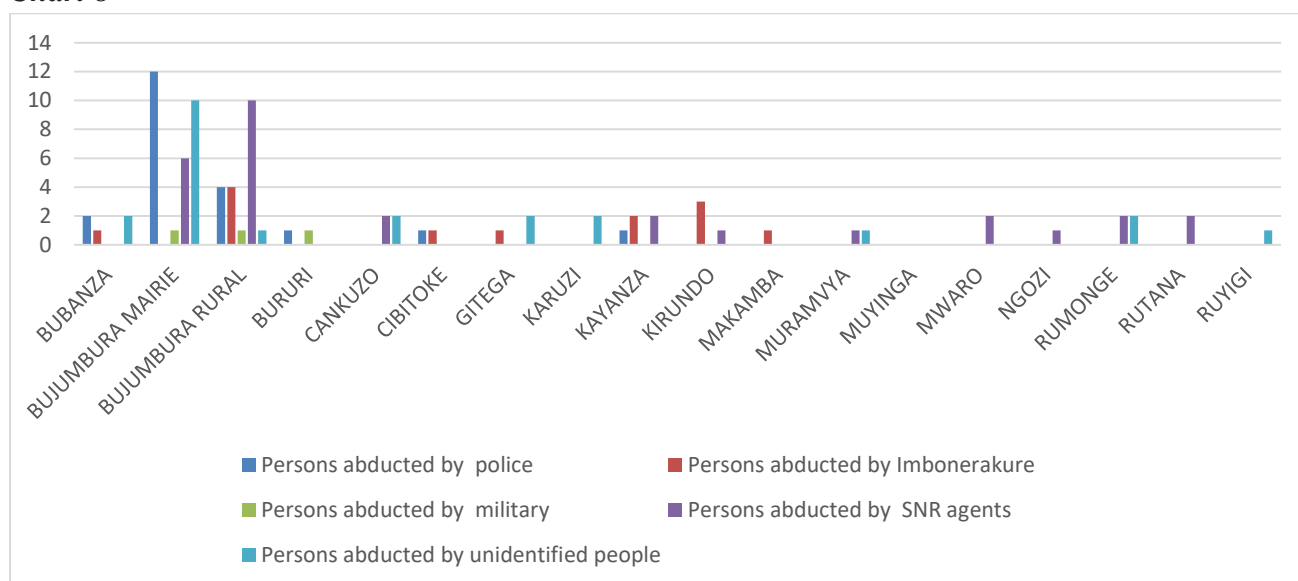


The period from November 2015 to November 2016 faced cases of massive abductions often followed by enforced disappearances across the country. Over this period, 347 people were abducted or reported missing. Among these, 255 (73.6%) were abducted by police, 38 (11.2%) by unidentified persons, 36 (10.6%) by SNR agents, 16 (4.6%) by military and 2 (0.6%) by Imbonerakure militiamen.

Bujumbura City was the most affected by these cases of abduction and enforced disappearances with 284 (81.8%) cases out of 347, including 245 (86.2%) by police and 23 (8.1%) by SNR agents. Out of 33 cases registered in the province of Bujumbura Rural, unidentified people abducted 26 (78.8%) persons.

1.2.3. PERSONS ABDUCTED AND /OR REPORTED MISSING DURING THE YEAR 2017

Chart 8

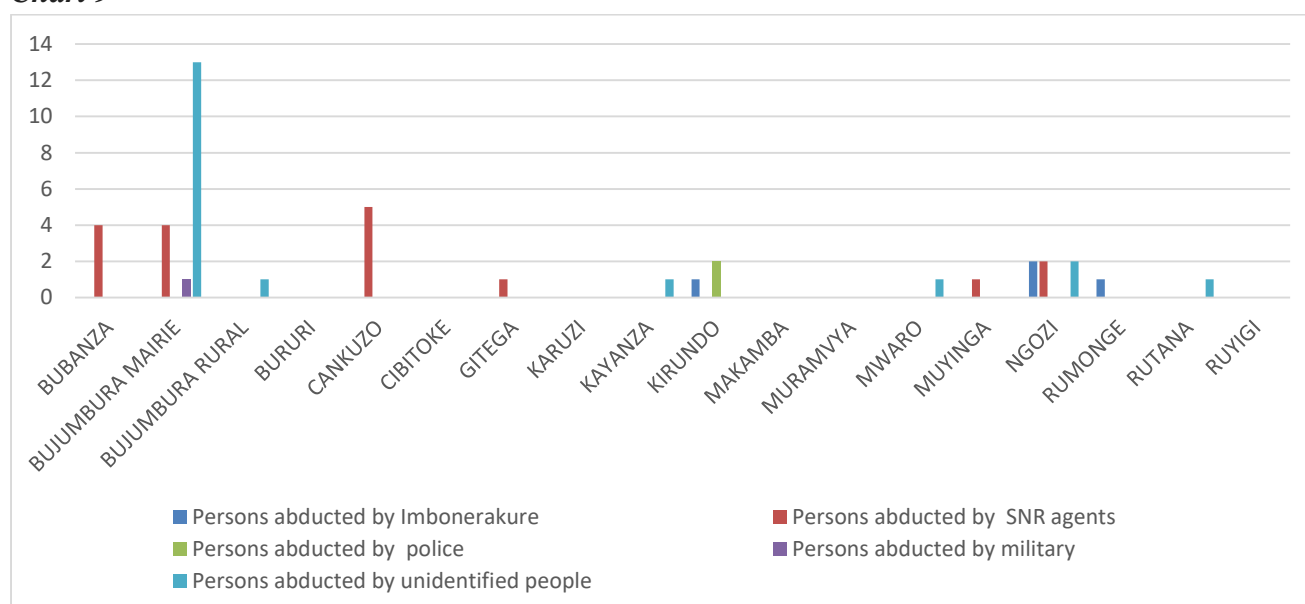


The year 2017 recorded 89 cases of abductions followed by enforced disappearances. SNR agents were the perpetrators of 29 (32.6%) cases, unidentified people 23 (25.8%) cases, police officers 21 (23.6%) cases, Imbonerakure militiamen 13 (14.6%) cases as well as 3 (3.4%) cases by military.

Bujumbura Mairie comes first with 29 cases including 12 (41.3%) cases of abductions by police, 10 (34.4%) cases by unidentified people and 6 (20.6%) cases by SNR agents. The province of Bujumbura rural comes second with 20 cases including 10 by SNR agents, or 50%. Imbonerakure militiamen and police were the alleged perpetrators of 4 cases each.

1.2.4. PERSONS ABDUCTED AND /OR REPORTED MISSING DURING THE YEAR 2018

Chart 9



Over the period from January to August 2018, Ligue Iteka reported 43 cases of abductions and/or enforced disappearance, including 4 (9.3%) women. Abductions by unidentified people come first with 19 (44.2%) cases, followed by 17 (39.5%) cases of abduction by SNR agents.

Agents of State institutions were the alleged perpetrators of 24 cases including 17 (70.8%) cases by SNR agents, Imbonerakure militiamen with 4 (16.6%), police with 2 (8.3%) and military with 1 (4.1%) case.

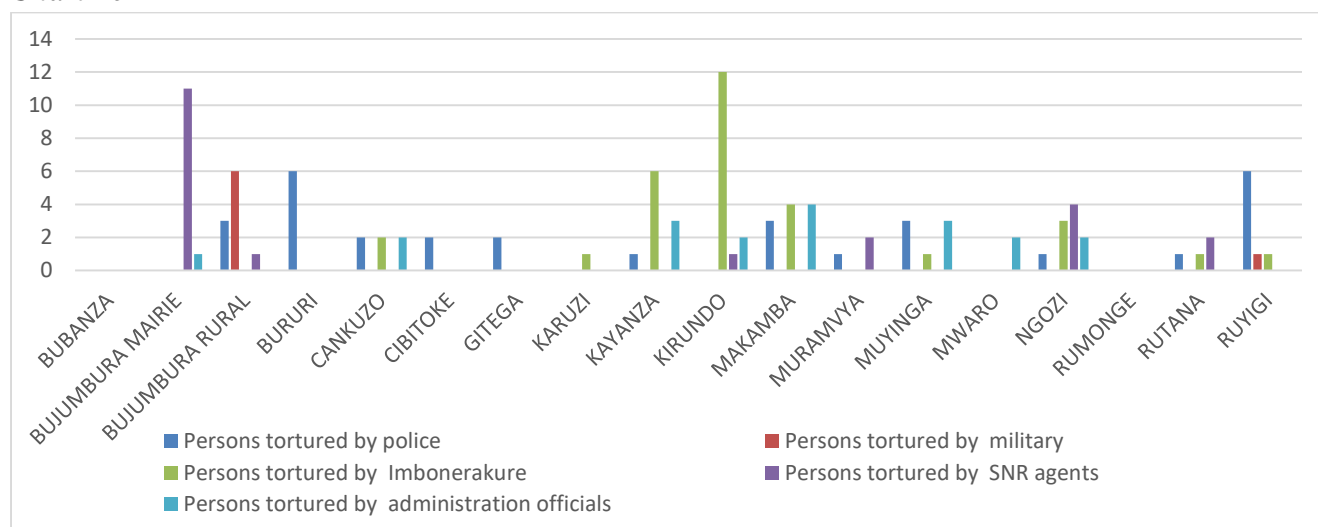
The province of Bujumbura Mairie stood out with 18 out of 43 cases including 13 (72.2%) by unidentified people, 4 (22.2%) by SNR agents and 1 (5.5%) by military followed by the province of Cankuzo with 5 cases of abduction by SNR agents.

During this reporting period, Ligue Iteka registered 30 cases of reported as missing persons who were subsequently found in various prisons in the country, abroad or at their homes.

1.3. PERSONS TORTURED

1.3.1 PERSONS TORTURED DURING THE PERIOD NOVEMBER 2015-NOVEMBER 2016

Chart 10

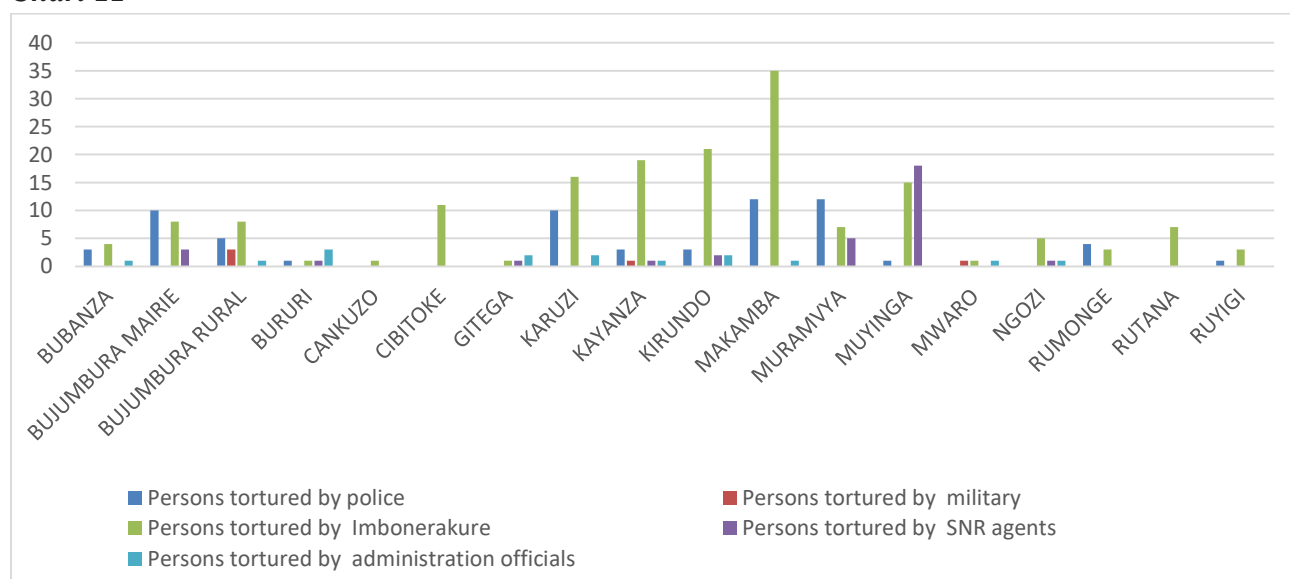


Over the period from November 2015 to November 2016, Ligue Iteka recorded 109 cases of torture. The alleged perpetrators of these cases are police and Imbonerakure militiamen with 31 (28.4%) cases each, followed by SNR agents with 21 (19.3%) cases, administration officials with 19 (17.4%) and military with 7 (6.4%) case.

The province of Kirundo tops the list with 15 cases including 12 (80%) by Imbonerakure militiamen. The province of Bujumbura Mairie comes second with 12 cases, 11 (91.6%) by agents SNR followed by Makamba with 11 cases including 4 (36.3%) by administration officials and Imbonerakure militiamen each.

1.3.2 PERSONS TORTURED DURING THE YEAR 2017

Chart 11

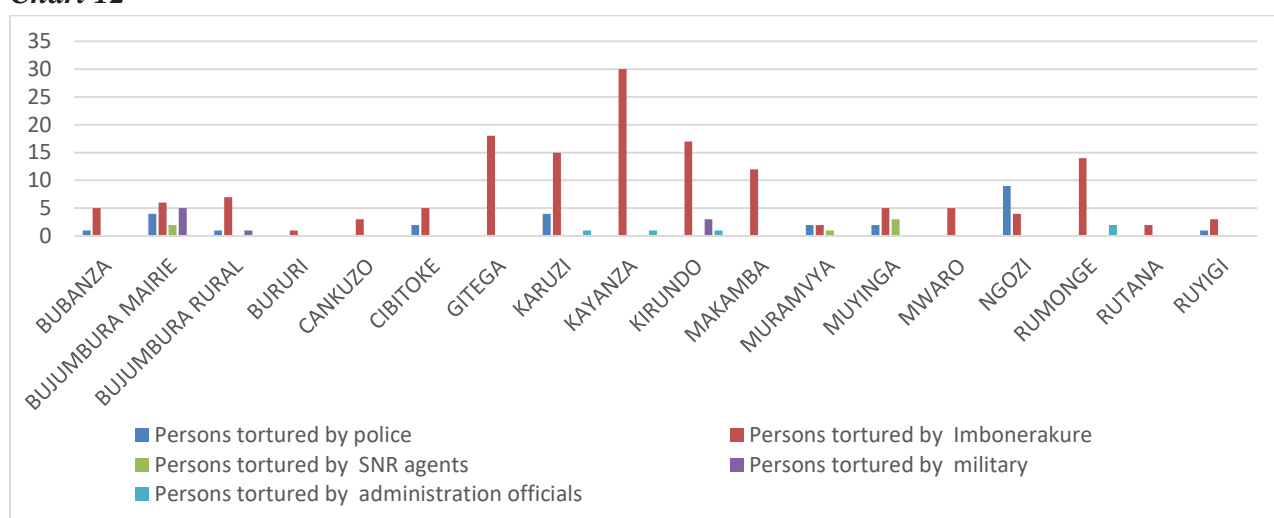


During the year 2017, 283 cases of torture were recorded by Ligue Iteka. The alleged perpetrators are Imbonerakure militiamen with 166 (58.7%) cases, police with 65 (23%) cases, SNR agents with 32 (11.3%) cases, administration officials with 15 (5.3%) cases and military with 5 (1.8%) cases.

Makamba province leads with 48 cases including 35 (72.9%) cases by Imbonerakure militiamen and 12 (25%) cases by police. The province of Muyinga comes second with 34 cases including 18 (52.9) by SNR agents and 15 (44.1%) cases by Imbonerakure militiamen. The provinces of Kirundo and Karuzi are in third place with 28 cases each, including Imbonerakure militiamen are the alleged perpetrators respectively at the rate of 21 (75%) cases and 16 (57.1%) cases.

1.3.3 PERSONS TORTURED DURING JANUARY TO AUGUST 2018

Chart 12



Over the period from January to August 2018, Ligue Iteka recorded 200 cases of torture, including 154 (77%) by Imbonerakure militiamen, 26 (13%) by police, 9 (4.5%) by military, 6 (3%) by SNR agents and 5 (2.5%) by administration officials.

The provinces of Kayanza, Kirundo and Karuzi were the most affected and the alleged perpetrators are mainly Imbonerakure militiamen respectively at the rate of 30 (96.7%) cases out of 31, 17 (80.9%) out of 21 and 15 (75%) out of 20 cases.

1.4. PERIOD OF THE MONTH OF DECEMBER 2016²

Over the month of December 2016, Ligue Iteka reported 17 people killed, including 4 bodies, 16 persons abducted and reported missing including 7 women, 21 tortured. Of the 17 people killed, 6 were women, or 35.3%.

Out of the 17 people killed, 14 (82.3%) were killed by unidentified people and 3 (17.6%) by police.

² The annual reports already produced by Ligue Iteka during this crisis do not include the data for the month of December 2016. These are the January-October 2015, November 2015-November 2016 and 2017 annual report.

During this period, out of 16 persons abducted and/or reported missing, 10 (62.5%) were abducted by police, 3 (18.8%) by SNR agents, 2 (12.5%) by unidentified persons and 1 (6.3%) by Imbonerakure militiamen.

Out of 21 cases of torture, 11 were tortured by police, 7 by Imbonerakure militiamen and 3 by SNR agents.

III. PHENOMENON OF CORPSES

Over this reporting period, Ligue Iteka identified a very high number of corpses found in rivers, in bushes or in other places across the country. Illustratively, over the period November 2015 to November 2016, out of 634 cases of people killed, 160 (25.2%) were found dead. In December 2016, out of 17 people killed, 4 (23.5%) were found dead. Over the year 2017, out of 456 people killed, 192 (42.1%) were found dead. During the year 2018, out of 289 people killed, 112 were found corpses, or 38.7%.

IV. PHENOMENON OF MASS GRAVES

Since April 2015, a phenomenon of mass graves has been noted across the country.

Hence, over the period from April to October 2015, 1 mass grave was discovered in Maramvya zone, Mutimbuzi commune, Bujumbura Rural province.

During the period November 2015 to November 2016, at least 13 mass graves were discovered in different parts of the country namely Bugarama in Muramvya province, Vyerwa in Ngozi province, Gatunguru in Mutimbuzi commune, Kanyunya in Mukike commune and Nyabiraba in Bujumbura rural province, Mitakataka in Bubanza province, in Mpanda cemetery, Buringa in Gihanga commune, Maramvya in Mutimbuzi commune, Mutakura and Kanyosha in Bujumbura City

Most of the mass graves were found after the attack on the military camps during the night of 11-12 December 2015. From this period, a wave of repression was carried out by police, soldiers, SNR agents as well as Imbonerakure militiamen. After the international community denounced the crimes linked to this crackdown, a discovery of the mass graves followed, suggesting that the government has adopted a strategy of disguising the bodies of the persons abducted.

It was during this period that Ligue Iteka recorded the highest number of cases of abducted and/or reported missing persons.

Out of 500 cases of abducted and/or reported missing persons recorded over the crisis period, 347 cases, or 69.4%, were recorded during the only period from November 2015 to November 2016.

V. HUMAN TRAFFICKING

Over this reporting period, Ligue Iteka noted cases of human trafficking. For the only period November 2015 to November 2016 alone, at least 130 cases of human trafficking were recorded. Most of the victims are girls sent to Arab countries including Oman and Saudi Arabia. This traffic was facilitated by some administration officials in complicity with some CNDD-FDD party officials. Subsequently, the perpetrators of this trafficking decided to include men in order to conceal their feminine character.

VI. CONCLUSION

This report presents crimes committed in Burundi since the outbreak of the crisis linked to President Pierre Nkurunziza's third term. Cases of killings, abduction and/or enforced disappearances and torture were committed during this reporting period.

During this period, this report highlights the perpetrators and their strategies. At the beginning of the crisis, the perpetrators were mainly police officers and SNR agents but also the victims were identifiable.

With the year 2016, following the reactions of various international institutions such as the African Union, the United Nations and the European Union, a concealment of the victims by the perpetrators was noticed by the discovery of mass graves across the country and a large number of reported missing persons.

From the year 2017, with the opening of the UN and ICC investigations on the crimes committed in Burundi, Ligue Iteka notes that over time, the discovery of unidentified corpses in different parts of the country is accentuated and the perpetrators are not known.

Ligue Iteka also notes the will of the government to hide the identity of the victims by the rushed burial of corpses by administration agents in complicity with elements of Imbonerakure militiamen.

Currently, the missions yesterday assigned to the police and the administration are often tasked and executed by elements of Imbonerakure militiamen, which confirms the high rate of the violations committed by Imbonerakure militiamen.

VII. RECOMMENDATIONS

Given the human rights situation in Burundi during this reporting period, Ligue Iteka recommends the following:

A) To the Government of Burundi:

- To dismantle and disarm the population in general and in particular the Imbonerakure militiamen, which spreads terror in the hills and communes of the country and has replaced the defense and security forces;
- To punish police officers, soldiers, youth of Imbonerakure militia, SNR agents and administration officials involved in human rights violations;
- To accept collaboration with NGOs and international bodies for the search for long-lasting solutions to human rights problems in Burundi;

- To privilege the dialogue with the different partners in the resolution of the Burundian problem.

B) At the AU

- Implement its decision to send a military force to protect the Burundian population in distress;
- To become fully involved in the organization of the inter-Burundian dialogue.

C) To the EU

- Use its power as Burundi's main financial partner to force Bujumbura regime to dialogue with all actors in the Burundi conflict.

D) To the United Nations Security Council

- Take all resolutions that can restore peace in the country and ensure the protection of human rights;
- Implement the decision to send a protection force to the Burundian population in distress;
- To become fully involved in the organization of the inter-Burundian dialogue.

E) To the Mediation

- Take into account the previous achievements of the inter-Burundian negotiations, particularly the Arusha Agreement and the Constitution;
- Use his powers to bring the Burundian government back to the negotiating table;
- Take into account the inclusivity of all the antagonistic parties in the Burundi conflict in order to guarantee a good success of the negotiations between Burundians.

F) To the EAC

- Take sanctions against the Burundian government, which continues to sabotage the efforts of mediation;
- To take all the necessary strategies for the renewal of the inter-Burundian inclusive dialogue.

G) To the population

- To remain united and not to yield to the requests and divisive teachings or any solicitation to violence;
- To denounce any act likely to spread or maintain insecurity.

H) At the ICC:

- Accelerate investigations and carry out necessary indictments.