

LIGUE BURUNDAISE DES DROITS DE L'HOMME « ITEKA »

BURUNDIAN LEAGUE OF HUMAN RIGHTS "ITEKA"

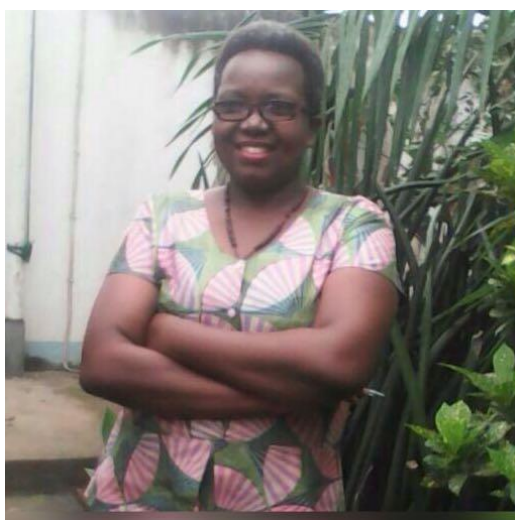
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Monthly report « ITEKA N'IJAMBO » of the Burundian League of Human Rights "ITEKA"

Week from 27 to 5 March 2017



In memory of Madam Marie Claudette Kwizera, Treasurer of Iteka, reported missing since December 10 2015. From December 2015 to January 2017, Iteka has documented at least 392 cases of enforced disappearances.

TABLE OF CONTENTS	PAGES
<i>ACRONYMS</i>	3
<i>0. INTRODUCTION</i>	4
<i>I. ALLEGATIONS AND VIOLATIONS OF HUMAN RIGHTS</i>	4
<i>I.1. CASES OF ARREST AND ABDUCTION FOLLOWED BY ENFORCED DISAPPEARANCES</i>	4
<i>I.2. CASES OF TORTURE AND ILL-TREATMENT</i>	4
<i>I.3. CASES OF ARBITRARY ARRESTS AND ILLEGAL DETENTION</i>	5
<i>I.4. RIGHT TO EDUCATION</i>	6
<i>I.5. RIGHT TO PROPERTY</i>	7
<i>I.6. GENDER BASED VIOLENCE</i>	7
<i>II. SECURITY FACTS</i>	8
<i>II.1. THE PHENOMENON OF CORPSES</i>	8
<i>II.2. ARMED ATTACKS</i>	8
<i>II.3. OTHER FACTS REPORTED</i>	8
<i>III. CONCLUSION AND RECOMMENDATIONS</i>	11

ACRONYMS

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

CPI: *International Criminal Court (ICC)*

CPP: *Code of Criminal Procedure (CCP)*

CVR : *Truth and Reconciliation Commission*

DPE : *Provincial Direction of Education*

EAC: *East African Community*

ECOFO: *Fundamental School/Ecole Fondamentale*

EP: *Primary school*

FAB: *Burundi Armed Forces*

FDN : *National Defence Forces*

FNL : *National Liberation Front*

ISCAM : *High Military Official Institute*

NU : *United Nations*

PAM : *World food Programme (WFP)*

PJ : *Judicial Police*

PMPA : *Armed Political and Movements Parties*

REGIDESO : *Water supply authority*

SADC : *Southern African Development Community*

SNR : *National Intelligence Service*

UA: *African Union (AU)*

VBG: *Gender Based Violence (GBV)*

0. INTRODUCTION

Allegations and violations of human rights were recorded during this reporting period: at least 5 persons killed, 7 reported missing, 3 tortured, 6 arbitrarily arrested and 2 persons were a GBV victims. 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 the Iteka League during this reporting period.

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

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

It 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.

It addresses the right to education that is threatened in Burundi following the crisis in the country.

The security context is characterized by cases of assassination, arbitrary arrests and torture, armed robbery and the 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

One person abducted in Muramvya province

Augustin Kabayabaya, a detainee at Muramvya prison was abducted by the police on 2 March 2017. According to sources on the spot, Augustin Kabayabaya was called to the prison administration and then he did not return to his cell. He was a student of the University of Mwaro in 2015 at his arrest, accused of being against Pierre Nkurunziza's 3rd term.

Six persons abducted in Bujumbura Mayorship downtown

On March 3, 2017, around 5:30 p.m., six unidentified persons, including three women and three young men were abducted by the Rohero police station head, named Guillaume. According to sources on the spot, these people were abducted on Mission Avenue, downtown, Bujumbura Mayorship and then boarded a pick-up vehicle and then taken to an unknown destination.

I.2. CASES OF TORTURE AND ILL-TREATMENT

A person beaten by Imbonerakura in Rugombo commune, Cibitoke province

As of 1 March 2017, Jean Marie Kwizera, from Mparambo II, zone and commune Rugombo, Cibitoke province was beaten by 3 Imbonerakure of this area. According to sources on the spot, this young Imbonerakure was accused of stealing a bicycle. The perpetrators were arrested and taken to a container serving as a cell in Rugombo commune. As of March 3, 2017, in the morning, at least 12 people were in this container.

One person arrested and tortured in Butaganzwa commune, Ruyigi province

On March 3, 2017, Emmanuel, member of FNL of Agathon'swing was beaten by Imbonerakure of Butaganzwa commune, led by Ferdinand Banyankimbona. The victim was afterwards imprisoned in Butaganzwa commune cell.

One person tortured in Gihogazi commune, Karusi province

Methode Gahungu from Ruyaga hill, Munanira zone, Gihogazi commune, Karusi province was beaten by Imbonerakure of the area on 3 March 2017. According to sources on the spot, they accused him of stealing bananas.

1.3. CASES OF ARBITRARY ARRESTS AND ILLEGAL DETENTION

Un officier de la FDN arrêté en zone urbaine de Musaga

En date du 4 mars 2017, Major Jean Claude Nibayubahe alias Suguru, a été arrêté par des agents du SNR en commune Muha, zone urbaine de Musaga, Mairie de Bujumbura. Selon des sources sur place, cet officier de la FDN s'est disputé avec un Imbonerakure dans un bar communément appelé « chez Decobu » jusqu'à se battre. Il a par la suite été enlevé par des agents du SNR puis conduits au cachot de la zone urbaine de Musaga en Mairie de Bujumbura. L'information parvenue à notre rédaction indique que Major Jean Claude Nibayubahe alias Suguru a été libéré le 5 mars 2017 suite à l'intervention des amis de sa promotion à l'ISCAM.

An FDN officer arrested in Musaga urban zone

As of March 4, 2017, Major Jean Claude Nibayubahe, alias Suguru was arrested by SNR agents in Muha commune, Musaga urban zone, Bujumbura Mayorship. According to sources on the spot, this FDN officer has disputed with an Imbonerakure in a pub commonly called "Chez Decobu" until fighting. He was afterwards abducted by SNR agents and then taken to Musaga urban zone cell in Bujumbura Mayorship. The information received by our office indicates that Major Jean Claude Nibayubahe alias Suguru was released on March 5, 2017 following the intervention of his ISCAM promotion friends.

A woman arrested in Bugabira commune, Kirundo province

On 28 February 2017, a woman named Mugwaneza, residing in Bugabira commune in Kirundo province was arrested by SNR agents and then taken to PJ Kirundo. According to sources on the spot, this Tutsi woman married to an ex-PMPA soldier from CNDDD-FDD was accused of having posted on facebook the doodled picture of President Pierre Nkurunziza. According to the same sources, her husband who had wanted to chase his wife for some time and then informed the SNR, has now begun the divorce proceedings arguing that he cannot live with a woman who is against President Pierre Nkurunziza. The same sources indicate that this woman does not even know how to use social networks.

Two persons arrested in Mukike commune, Bujumbura rural province

As of March 4, 2017, Ndunduri Nikoyangize and Innocent Nkengurutse were arrested on Kanyunya hill, Rukina zone, Mukike commune, Bujumbura rural province. According to sources on the spot, these people were arrested during a search by soldiers and policemen on this hill. Nothing was found with them but the victims were taken aboard a truck from Mujejuru military camp and then taken to an unknown destination.

One person arrested in Makamba commune and province

A retired soldier named Ambroise Bashirahishize was arrested on 1 March 2017 after a search at his home by Makamba police. A pair of worn-out military boots and socks were found in his house. According to witnesses, the search was only for ex-FAB retirees. Mr. Bashirahishize is currently detained at Makamba police station. According to the police, there are no offenses against him except some military objects seized at his home. Ex-FAB policemen and soldiers are victims of waves of arrests recently in Makamba province. Most were arrested and taken to Murembwe central prison in Rumonge after searches were carried out at their homes. The recent series of arrests targeted a retiree with disability named Savin Nsavyimana of Nyanza-Lac commune.

1.4. RIGHT TO EDUCATION

Mistreatment of ECOFO Bwica teachers, in Muyinga commune

Information received by Iteka League this week indicates that ill-treatment is being reported from ECOFO Bwica teachers in Cumba, Commune and Muyinga province. According to sources on the spot, these teachers are victims of not being of CNDD-FDD party members and work under conditions different from the other teachers from the ruling party. When the working time is set at 8:00a.m., these teachers not CNDD-FDD members are obliged to arrive at work at 7:30 a.m. upon pain of severe penalties in case of delay. In addition, they work all day long when their colleagues from CNDD-FDD work half a day. They denounced this unjust ill-treatment as they walk more than 10 km to get to the work. According to sources in the ruling party, these measures were taken to force these teachers to join CNDD-FDD party otherwise they will eventually be dismissed and replaced.

Rate of school drop-outs in Burundi

School drop-outs are very worrying during the first quarter of the 2016-2017 school year at the primary and secondary education as well and main reason is poverty.

School drop-outs in Cibitoke province at the end of the 1st quarter 2016 – 2017

In total, throughout Cibitoke province there were 8,812 cases of dropout.

Classification of drop-outs per commune in primary and secondary education level

Communes	Primary	Secondary
Mabayi	3321	25
Rugombo	2754	336
Mugina	871	131
Murwi	511	69
Buganda	358	19
Bukinanyana	337	80
Total	8152	660

The main reason for these dropouts is poverty. Children lack food and prefer drop out. For Rugombo and Buganda communes, the WFP is feeding children in some schools with school canteen project. According to our sources, some headmasters do not give unbiased data to their seniors to show that they better supervise children.

1.5. RIGHT TO PROPERTY

The problem of the inhabitants of Kagaragara site still unresolved, in province Bubanza

Information received by office on 4 March 2017 indicates that the inhabitants of Kagaragara, Bulinga zone, Gihanga commune, Bubanza province live in very difficult conditions since the governor of Bubanza, Tharcisse Niyongabo, has expelled them from their site. Many of them live in the open and many children are hospitalized because of hunger and cold. Leopold Ndayisaba, administrator of Gihanga commune said that no donor is available yet and that the matter was being handled. The same source says that more than 2000 people are already chased from this site.

1.6. GENDER BASED VIOLENCE

A person raped in Muramvya province

Information received by the Iteka League on February 28, 2017, on 24 February 2017, Gahaga hill, Bukeye commune, Muramvya province, an EP teacher named Emile Nshimirimana raped her house worker, KN, aged 15 years.

A girl raped in commune and province Bubanza

On 27 February 2017, on the hill and Mitakataka zone in Bubanza commune and province, Thierry Niyonkuru raped Bella Kadacika, a 15-year-old pupil of 7th form native of Kanyosha commune. Thierry Niyonkuru was arrested and taken to Bubanza police station cell.

II. SECURITY FACTS

II.1. THE PHENOMENON OF CORPSES

A dead body found in Ruyigi province

A dead body of a plumber working at Regideso in Ruyigi province was found on March 2, 2017 in a house where he lived whose owner is Clavera Ntakarutimana. According to sources on the spot, the victim was buried on 3 March 2017 by his family from Rwanda. The same source indicates that Clavera Ntakarutimana was afterwards threatened by the Imbonerakure of the area because they saw Rwandans at home. In addition, they accused her of continuing to collaborate with Maggy Shalom, as she was a Shalom House employee.

A corpse found in Gitega province

A dead body of Thacien Bahuta, aged 68, a retired of REGIDESO residing in Rango quarter of Gitega zone and commune was found hanging on a tree at Ruvubu River. According to sources from his family, this father of six children was last seen on 26 February in Rango quarter of commune and Gitega province. He told his neighbors that he was going to see his sick son.

A dead body found in Nyabikere commune, Karusi province

A dead body of Désiré was found in his house on Ruvumu hill, Gatonde zone, Nyabikere commune, Karusi province on 1 March 2017.

II.2. ARMED ATTACKS

One person killed in Bukemba commune, Rutana province

Emmanuel Dushime, residing in Gihofi, Bukemba commune, Rutana province, succumbed to his injuries at Kibuye hospital where he was being treated on 27 February 2017. The victim had been seriously wounded, shot by armed men in the night of 25 February 2017 when he left the pub Chez "Nondo" in Gihofi, Bukemba commune, Rutana province.

Two persons killed in commune and province Kirundo

Information received by our office on March 4, 2017 indicates that as of February 26, 2017, two people were killed during an armed robbery in the home of Ezekiel Cishahayo on Rambo hill Commune and province Kirundo. According to relatives, Cishahayo succumbed to his injuries after being taken to the hospital. He was wounded while attempting to prevent individuals to rob in his home. One of the alleged thieves was also killed by his companions who would have confused him with Cishahayo, according to sources on the spot. Three other households on the same hill were also attacked.

A child killed in Rugombo commune, Cibitoke province

On the night of March 4, 2017, around 10:00p.m., at the 9th transversal, in Rusiga sector of Cibitoke zone, Rugombo commune, Cibitoke province, a child named Ciza was murdered by unidentified men.

II.3. OTHER FACTS REPORTED

Four people found dead in Kirundo province

Information received by the Iteka League on 5 March 2017 indicates that four dead bodies of a man named Venant Gasasira, aged 50, his wife, Nzeyimana, aged 35 and his two children, one of 7 years and the other of 3 years were found in their house on Gisitwe hill, Ntega commune, Kirundo province on 1 March 2017. The Venant's body had a rope on the throat and that of his wife was cut with a machete.

One person killed in Muyinga commune and province

On March 3, 2017, Moussa Ntakarutimana, 65, residing on Nyamirambo hill in Cumba zone, commune and Muyinga province was killed by his son in complicity with his wife and thrown into a toilet.

Demonstration of CNDD-FDD members in Muyinga province

The CNDD-FDD regime organized on Saturday 4 February 2017 demonstrations in various parts of Muyinga province. The purpose of the demonstrations was to reject the role of Tanzania, which welcomed the so-called "coup plotters" in the recent negotiations in Arusha and denounced the decision to reject the access of Burundi to SADC, still on the initiative of Tanzania, according to CNDD-FDD officials. Our reporters on the spot denounced slogans and insults in these demonstrations, which incited hatred and revolt against opposition parties and human rights organizations.

The chair of the Imbonerakure youth League in Muyinga province, Shabani Nimubona, who is also the head of Cumba zone, commune and Muyinga province, held a meeting this week in Munagano zone where he warned who will be denounced or suspected of being against President Nkurunziza 3rd term, his

fate will be like that of those who attacked the Mukoni military camp, publicly asserting that they have corrected them.

Imbonerakure march in Rutana province

On the morning of 4 March 2017, Rutana Province city, Imbonerakure youth of Rutana commune, chanted slogans glorifying President Pierre Nkurunziza. According to sources on the spot, these young people also had writings on banners expressing support of the regime and denouncing the UN reports, which they consider biased.

High food prices in Gitega province

One kg of locally produced rice goes from 1,700 francs to 2,000 francs, the one from Tanzania goes from 2,000 francs to 2,500 francs, a five-liter can of cotton oil goes from 18,000 francs to 23,000 francs, Banana goes from the simple to the double of 5000 francs to 10000 francs.

It is for the first time that cassava flour is not available in markets in Gitega. One kg of the first quality cassava flour commonly known as "Ikivunde" goes from 1,000 francs to 1,500 francs, one kilogram of second quality flour known as "Inyange" goes from 800 francs to 1,300 francs.

On the other hand, there is a slight better for beans. The one produced locally increases from 1,800 francs per kg to 1,600 francs, yellow beans increase from 2,300 francs to 2,000 francs per kg. One kg of potatoes goes from 800 francs to 700 francs, the traders say that this drop in prices for beans and potatoes is due to production this season.

In general, people are growling and say that if nothing is done they risk starving. These populations are asking the authorities concerned to find solutions to this problem.

The information received by our office on February 6, 2017 indicates that the fuel problem is reported in this Gitega province where long queues are numerous in different oil stations.

Excavation of a mass grave in Mwaro province begins

Information received by our office indicates that on 27 February 2017, the CVR began a scientific work to exhume bones in Makamba in Rusakacommune, Mwaro province. A team of experts is at work. It began demarcating the area where the bones were found. This technical team is accompanied by a French forensic anthropologist. Tania Delabarde is consultant to the International Committee for the Red Cross. The Rusaka mass grave was discovered during the construction of the foundations of a handicraft school. According to Clotilde Niragira, general secretary of the CVR, excavations will also be carried out in other provinces like Rumonge and Muramvya.

Residents concerned about forced contributions in Buyengero commune, Rumonge province

Ordinary populations must pay 2,000 francs per household, each civil servant must pay a sum of 5,000 francs and 10,000 francs for a merchant. Inhabitants of this commune denounce enforced recoveries from which they are victims every marketday.

They assert that access to the market of Buyengero and Kabumburi is conditional upon the presentation of a receipt for the payment of the money. Communal agents are mobilized in these markets to compel the population to pay these contributions.

Administrative authorities of this commune recognize this contribution but the technical adviser of the administrator of Buyengero commune in charge of development denies the compelling of the

administration. Laurent Nduwayo says that Buyengero commune had a promise of a handcraft school in Muzenga zone whose participation in its construction is a duty for all the population of this commune.

According to communal forecasts, the population of Buyengero commune must contribute a total of 26,000,000 francs. The Presidency agreed to offer sheets, cement and concrete irons. Currently, many households in this commune are facing unnamed poverty. It is difficult for them to pay for this contribution and face the recent increase in taxes on agricultural products, their main source of income.

Teachers' enforced contribution, Kirundo Province

All the teachers of Kirundo DPE were forced to pay enforced contributions of 5000 Bif for the construction of CNDD-FDD party office. According to local sources, it is the principals of schools who collect this amount with threats that those who do not pay the contribution will not be entitled to administrative documents. The same sources indicate that in February 2017 there was enforced contribution of 5000 Bif to teachers in support of hungry people but the money raised was to pay the Imbonerakure of the province.

III. CONCLUSION AND 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, arbitrary arrest and imprisonment that are the daily lot of Burundians allegedly against President Pierre Nkurunziza's regime.

The Iteka League deplors the behavior of the Imbonerakure youth affiliated to CNDD-FDD party, which spread terror in the country but remain unpunished while alleged opponents to the ruling party are subjected to merciless punishments.

The Iteka League is also concerned about the context of repressive violence against citizens, FNL members of Agathon Rwasa's wing and ex-FAB soldiers alleged to be against CNDD-FDD regime.

It is concerned about the state of fundamental rights and freedoms and the security of Burundian citizens, which is constantly deteriorating in the country.

The Iteka league finds anomalous the treatment of the population of Kagaragara in Gihanga commune chased unjustly out of the land without any other reintegration alternative.

Therefore, 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;
- To stop dividing the defense and security corps
- To ensure compliance with the CCP for cases of arrests currently being committed and/or dealt with by persons who are not competent to do so;
- To put an end to the injustice and politics of terror, the source of all the evils experienced by the Burundian people since its independence;
- To punish the perpetrators of human rights violations that have become almost daily in the country;
- To choose the way to peace and the search for a lasting peace at the risk of setting fire on the country, which endangers all the Burundian people including some members of the ruling party who believe they are safe from evil;
- To find lands for the residents of Kagaragara, unjustly chased out of their properties
- To find an urgent and adequate solution to drop-outs;

B) To the AU

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

C) 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

D) 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;
- Knowing that political conflict requires a political solution.

E) 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.

E) 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

F) To the ICC

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