

BURUNDIAN LEAGUE OF HUMAN RIGHTS "ITEKA"

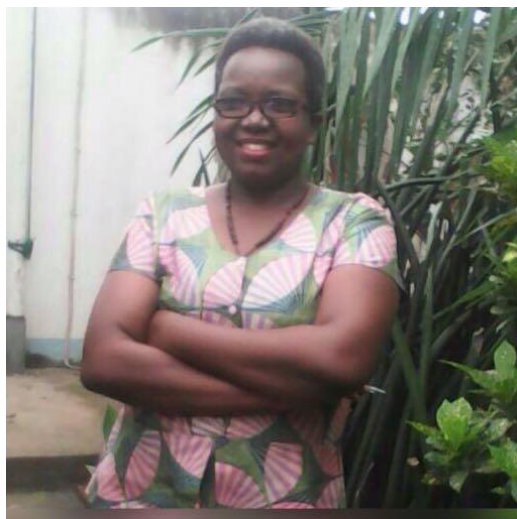
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Weekly bulletin « ITEKA N'IJAMBO » n° 52 of the Burundian League of Human Rights "ITEKA"

Week from 27 March to 2 April 2017



In memory of Madam Marie Claudette Kwizera, Treasurer of Iteka, reported missing since December 10 2015. From December 2015 to 2 April 2017, Iteka has documented at least 410 cases of enforced disappearances.

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ACRONYMS

AMISOM: *African Union Mission In Somalia*

CDS : *Heath Center*

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

CPI: *National Identity Card*

CPP: *Code of Criminal Procedure (CCP)*

CVR: *Truth and Reconciliation Commission*

EAC: *East African Community*

ECOFO: *Fundamental School/Ecole Fondamentale*

FAB: *Burundi Armed Forces*

FNL : *National Liberation Front*

MSD: *Movement for Solidarity and Democracy*

OPJ: *Police Judicial Officer*

PAIVA: *Support to Intensification and Agricultural Recovery Project*

PJ : *Judicial Police*

PSR: *Traffic Special Police*

RDC: *Democratic Republic of Congo*

SNR : *National Intelligence Service*

UA: *African Union*

UB: *University of Burundi*

UE: *European Union*

UPRONA: *Union for National Progress*

VBG: *Gender Based Violence*

0. INTRODUCTION

Allegations and violations of human rights were recorded during this reporting period: at least 5 persons killed, 2 reported missing, 12 tortured, 50 arbitrarily arrested and 2 persons was 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 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 ABDUCTION FOLLOWED BY ENFORCED DISAPPEARANCES

One person abducted and then reported missing in Muramvya province

As of 30 March 2017, around 5:00 pm, Adrien Nkurikiye, a native of Karusi Province and working as an agronomist at PAIVA in Rutegama was arrested by the SNR in Rutegama, Muramvya province. He was imprisoned in Rutegama cell before being taken on 31 March 2017 to an unknown destination.

A soldier reported missing in Bujumbura mayorship

As of March 27, 2017, Corporal Vianney Manirambona was abducted by unidentified persons in Bujumbura mayorship. A member of his family reported that he was heading to Bujumbura from Kirundo for the withdrawal of his AMISOM salary. Information from the area indicates that Vianney Manirambona, registration number 49101 was of 420th brigade in Busoni, Kirundo province. The same sources indicate that he lives in Bukeye commune of Muramvya province and that he had been granted special leave. His family, not knowing his place of detention, said it was worried about his security.

I.2. CASES OF TORTURE AND ILL-TREATMENT

One person arrested and tortured in Kanyosha commune, Bujumbura rural province

The information reached Iteka League indicates that Jérôme Bapfumukeko, FNL member of Agathon Rwasa's wing, a motorcyclist residing on Buzige hill, Ruyaga zone, Kanyosha commune, Bujumbura

rural province was beaten up by a policeman nicknamed Musatirizi on 25 March 2017. The victim was accused of not doing community work. He was taken to Kanyosha commune police cell. He was released on 27 March 2017 after paying a fine of 5,000 Bif.

Two people tortured in Muhanga commune, Kayanza province

On March 28, 2017, a former soldier named Muswi and a person named Ngabire were beaten up by Imbonerakure in Muhanga commune, Kayanza province, in complicity with the head of Rugamba hill, who accused them of having stolen from a shop of a trader named Ndereyimana. They were beaten by this shopkeeper. They were evacuated to a hospital in a critical state.

One person tortured in Kabarore commune, Kayanza province

Information received by Iteka League on March 28, 2017 indicates that Siridiyo was beaten on 25 March 2017 at about 5:00 pm by Jérôme Manirafashwa, a young Imbonerakure from CNDD-FDD party in Kabarore commune, province Kayanza, until he vomited blood because he did not want to buy him a beer.

Four CNDD party members arrested and tortured in Nyanza-Lac commune, Makamba province

As of March 30, 2017, four people were arrested by police on Kazirabageni hill, Nyanza-Lac commune, Makamba province. According to local sources, two of them were accused by the local administration of being rebels. It is Bede Nahayo, member of CNDD party of Léonard Nyangoma and a nicknamed Petit from Rumonge province. A woman who was supplying them with food would have informed the police to arrest them. The same source said that four Kalashnikov rifles, 5 chargers, 264 bullets and a few bottles of medicine were seized. They were taken to Makamba prosecutor's office cell.

Four persons arrested and tortured in Makamba commune and province

As of March 30, 2017, four alleged thieves were arrested by Imbonerakure on a night patrol in Makamba commune. They were taken to a CNDD-FDD office in Swahili quarter where they were tortured. According to sources on the spot, the persons tortured were not in possession of stolen objects.

1.3. CASES OF ARBITRARY ARRESTS AND ILLEGAL DETENTION

Three people arrested in Nyanza-Lac commune, Makamba province

As of March 31, 2017, the Imbonerakure dug out three Kalashnikov-type rifles in a cassava field and shot at people at point blank range without causing casualties. According to sources on the spot, three people were arrested by these Imbonerakure on Buheka hill, Nyanza-Lac commune, Makamba province. They were detained at Nyanza-Lac police station.

A person arrested in Gihanga commune, Bubanza province

On March 30, 2017, in Gihanga commune, Bubanza province, Bujumbura PSR agents arrested a young boy named Alain Nirera, a native of that commune. The latter was from the DRC. In the evening he was taken to Gihanga Post Police cell. According to our sources, visits were banned to the victim.

Two FNL members of Agathon Rwasa's wing arrested in Isare commune, Bujumbura rural province

As of March 30, 2017, around 8:00 pm, on Karunga hill, Benga zone, Isare commune, Bujumbura rural province, Isidore and Fabrice members of FNL of Agathon Rwasa's wing were arrested by the police. According to our sources, they were accused of working with rebels. They were taken to an unknown destination.

A student arrested in Mukaza commune, Bujumbura Mayorship

As of 2 April 2017, around 7:00 pm, Dieudonné Bigirindavyi, a student at the UB and a Bac III delegate, faculty of economics was arrested by the police and boarded in a SNR vehicle registered HA 2432 in Nyakabiga quarter III, 4th avenue close to SOS CDS, Mukaza Commune, Bujumbura mayorship. He was taken to the SNR cell, close to Regina Mundi Cathedral.

One person arrested in Kabarore commune, Kayanza province

On March 28, 2017, a policeman named Pascal Nsengiyumva was arrested by policemen in Kabarore commune, Kayanza province. He was imprisoned at Kayanza police station. He was accused of having a Rwandan employee in his pub. According to a source on the spot, Pascal Nsengiyumva was reportedly taken from his cell by SNR agents who took him to an unknown destination.

A chairman of UPRONA party of Charles Nditije's wing arrested in commune and province Kirundo

On 27 March 2017, Veterinary Doctor Juvénal Karagira, chairman of UPRONA of Charles Nditije's wing in Kirundo province was arrested by Imbonerakure youth of the ruling party on patrol in Murehe natural reserve and then handed over to the SNR in Kirundo before being taken to the PJ Kirundo cell. According to our source, he was accused of helping a woman and her children to cross to Rwanda through an unofficial way. The same source indicates that this woman is the widow of the late Calixte Ntwaramiheto, a police officer and responsible for the SNR in Mwaro province who had just died mysteriously. His wife, feeling threatened opted to flee with all the children. The next day, Nadine Kabatoni, lawyer in Ngozi and Jeanne Alice Mbazumutima, a teacher at Don Bosco School in Ngozi, both sisters of the late Calixte Ntwaramiheto were abducted by unidentified persons and taken to an unknown location. The information reaching our office indicates that the two women were released and returned to their families.

A soldier arrested in Bujumbura mayorship

On March 28, 2017, Warrant Officer Dieudonné Magwayintore was arrested by the SNR at Bujumbura International Airport from a peacekeeping mission in Somalia. According to sources on site, other soldiers were arrested. His family members are concerned about his security considering the way he was mistreated when he was arrested.

Eight people arrested in Bujumbura mayorship

As of March 31, 2017, eight secondary school pupils were boarded in police vehicle registered PNB 273 on 8th Avenue, Nyakabiga III in Nyakabiga urban zone . These young students were drinking in one of the

local pubs and the police confused them with the UB students as confirmed by our source. These pupils were taken to one of the SNR offices.

Eight students arrested at Mutanga campus, Bujumbura mayorship

As of April 1, 2017, heavily armed policemen aboard a tinted glass pickup arrested 8 students from Mutanga campus in Bujumbura mayorship. According to sources on the spot, these arrests would be linked to the notice of strike on the loan-grants. They were taken to an unknown destination.

Four students arrested, Bujumbura Mayorship

As of March 29, 2017, around 2:00 pm, four students were arrested by the police on November 28 boulevard, Bujumbura mayorship. The deputy secretary general of the student representation and his three companions were arrested while the first one was heading to Mutanga campus to respond to a summons. According to sources on the spot, students are worried about these repeated arrests and threats of no longer responding to the summons of the security officer at the UB until the liberation of their comrades.

A student representative arrested in Bujumbura mayorship

On March 28, 2017, Élysée Dushime, a student to the Faculty of Economics, Department of Finance and Accounting at the UB was abducted close to Mogas gas station on University Avenue and then taken to one of the SNR cells. According to sources on the spot, he was from BBCI bank for internship.

A member of FNL, Agathon Rwasa's wing arrested in Bujumbura mayorship

On March 27, 2017, Philbert Mbonihankuye alias Kabila, a member of FNL of Agathon Rwasa's wing was abducted by an SNR agent named Félicien Mbonihankuye. According to the FNL spokesman Aimé Magera, Philbert is one of the FNL executive members in Karusi province. He was allegedly accused of forging documents and was reportedly imprisoned in one of the cells of the capital, police spokesman Pierre Nkurikiye said.

A Sheikh from a mosque arrested in Gitaba, Makamba province

Information reached Iteka League on 28 March 2017 indicates the Sheikh of Murenge mosque in Gitaba zone of Makamba province was arrested by the police in Bujumbura on 24 March 2017. Suspected of PBA, he was transferred to Makamba police cell.

1.4. RIGHT TO EDUCATION

Suspension of courses at the UB, Bujumbura mayorship

As of March 30, 2017, the students of the UB suspended the courses. The examinations of the BAC III students and other classes did not take place. Sources say they are demanding the release of the two comrades in custody to resume classes. The detained students are Élysée Dushime, delegate in the Finance and Accounting Department of the Faculty of Economics and Audace Nkuzimana, Deputy General Delegate of the IPA. They are held in one of the SNR cells, police sources said.

I.5. GENDER BASED VIOLENCE

A person raped in Mbuye commune, Muramvya province

M.N, 8th form student at ECOFO Gasura, Mbuye commune, Muramvya province was raped by Siméon Bandyurumbugunya, of over 50 years old. He is married and resides in Murehe, commune Mbuye, province Muramvya. The complaint was filed on 21 March 2017 and the author was arrested. Simeon accepted the facts and support for the girl.

A girl raped in Gisozi commune, Mwaro province

Information received by Iteka League on 2 April 2017 indicates that on 26 March 2017 a 4.6-year-old girl old was raped by Venant Nkurunziza on Mugeru hill, in zone amd Gisozi commune, Mwaro province, according to sources on the spot. The alleged author is Joseph Sindayigaya's servant, living on Mugeru hill, Mwaro province. He was arrested the same day of the rape and led to the PJ Mwaro, specifies our source.

II. SECURITY FACTS

II.1. THE PHENOMENON OF CORPSES

A corpse found in Mubimbi commune, Bujumbura rural province

As of March 31, 2017, an unidentified corpse was found in a bag near Nduwayo's home one, on Muyabaga hill, Mubimbi Commune, Bujumbura Rural Province. According to our sources, "Mujeri Intumva" (wandering deaf dog) was written on the bag. Nduwayo was taken to Mubimbi police cell.

A dead body found in Kibago commune, Makamba province

On March 30, 2017, a dead body of François Sagahutu was found on Murambi hill, Kibago commune, Makamba province. The victim was UPRONA member not recognized by the authorities and was assassinated by unidentified persons when he returned from a pub.

A dead body found in Gihanga commune, Bubanza province

As of March 27, 2017, a dead body of a person known as Innocent Niyongabo alias Maso was found in Village III, 7th Avenue, Zone and Commune Gihanga, Bubanza Province. According to our sources, the victim was a guard of a shop in this area and was murdered by a blow in the head.

Burial of two corpses in Mutimbuzi commune, Bujumbura rural province

As of March 29, 2017, around 5:00 pm, in Muzinda zone, Rugazi commune, Bubanza province, two corpses of young people packed in a tarpaulin were taken by a pick-up vehicle without registration plate from the capital of Bujumbura. According to our source, they were buried by the police of Rugazi in complicity of a colonel nicknamed Gica and an OPJ named Berchmans in the cemetery of Mutara in Mutimbuzi commune, province Bujumbura rural. According to the same source, at the burial of these two bodies, 8 people from Rugazi commune, including a mother named Bernadette and her daughter Mariam Ndayishimiye were arrested because they witnessed the scene. They were taken to Muzinda zone cell,

Rugazi commune, Bubanza province. According to the same sources, in this vehicle, there were also people in civilian clothes.

A corpse found in Rugombo commune, Cibitoke province

As of March 25, 2017, a dead body of an unidentified man was found in Dogodogo Lake, the 3rd transverse in Rugombo Commune, Cibitoke Province. According to our source on the spot, this body was taken to the morgue of Cibitoke hospital for the identification of the victim.

A dead body found in Butaganzwa commune, Kayanza province

According to information received by Iteka Legue on 27 March 2017 indicates that on March 25, 2017, a dead body of Jeanine Niyonzima, a farmer and mother of two children was found around 2:00 pm in Butaganzwa commune, Kayanza province.

II.2. ARMED ATTACKS

Wounded in Mpanda commune, Bubanza province

As of 26 March 2017, around 8:00 pm, on Mugaruro hill, quarter V, Mpanda commune, Bubanza province, one person known as Karenzo was seriously wounded by unidentified gunmen armed with pistols. According to our sources, the victim was taken to Mpanda hospital.

A soldier Wounded in Gihanga commune, Bubanza province

Information reached to Iteka Ligue on 28 March 2017 indicates that a soldier was seriously wounded by a group of armed men who had just robbed 50 cows on hill and Karwema zone, Gihanga commune, Bubanza province on 26 March 2017. According to our sources, soldiers who were on a position in this place prevented them. This group of bandits retreated to Rukoko reserve forest.

II.3. OTHER FACTS REPORTED

A person murdered in Cankuzo province

A girl named Rukundo, aged about 30 from Nyuro hill in Gisagara commune, Cankuzo province was murdered in Ruzira quarter of Cankuzo urban center on March 26, 2017. According to Henri Frere Manisha, OPJ and Leonard Sindayigaya, prosecutor in Cankuzo, the alleged perpetrator would be a non-commissioned soldier of Mutukura camp. They relied on the fact that the soldier was together with the girl on 26th of March, 2017, and that the soldier's ID was found the next day in that quarter. The girl was reportedly killed after acts of rape, according to the authorities.

One person killed in Mbuye commune, Muramvya province

On the night of March 29, 2017, a woman named Concilie Mvuyekure was killed with a machete on Murehe hill, commune Mbuye, province Muramvya. People including Pacifique Munezero were arrested for investigation reasons.

One person killed in Mishiha commune, Cankuzo province

A 97-year-old man Ndarangavye was killed by her neighbors with clubs and sticks on Mugeru hill, Mishiha Commune, Cankuzo Province on March 13, 2017. As a result of this incident, two sons of the victim Ndarurerere and Nyandwi were arrested and detained in Mugeru cell for investigation reasons, according to our sources. Stany Nahimana, Mugeru hill head was dismissed, accused of failing to rescue the victim and not reporting the case to a security meeting every Monday. The communal administrator of Mishiha demanded his replacement by another who was in fifth position on the list of elected councillors.

Two persons beaten in Cankuzo province

As of March 31, 2017, Albéric, a 13-year-old miner and his mother were beaten up by MP Anglebert Ngendabanka accusing the child of stealing concrete irons. The child was caught in the market.

Impunity of crimes committed by SNR agents in Rutana province

Information received by Iteka League on 29 March 2017 indicates that Gordien Nzeyimana and Bosco Kwizera, bodyguards of Jovin Cishahayo SNR responsible in Rutana were acquitted by Rutana prosecutor's office while their leader was transferred to Makamba Province, according to our sources. These same sources indicate that the aforementioned persons caused death of Zachée Niyomwungere, aged 34, an SNR agent in Bukemba and Rutana communes, teaching at ECOFO Bukemba and died at Gitega hospital in March 14, 2017 following the tortures by his boss and these two bodyguards. The alleged perpetrators of this assassination enjoy the protection of CNDD- FDD ruling party.

The Wife of the journalist Jean Bigirimana under threats, in Bujumbura mayorship

On March 27, 2017, the wife of the late journalist Jean Bigirimana of Iwacu newspaper reported missing since July 22, 2016, awoke with a message written in blood "Keba" (cut in French) on the wall of her house in Kamenge urban zone , Ntakangwa commune, Bujumbura mayorship.

Speeches to violence and mob justice in Cankuzo province

Information received by Iteka League on 28 March 2017 indicates that Désiré Njiji, governor of Cankuzo province, delivered a speech encouraging violence and appealing to mob justice system. During several visits through all the communes of the province, he said: "Whoever is caught stealing, or accused of sorcery or rainmaker, kill him, do not bring him to the communal administrator or to the governor's office". This speech is often repeated and supported by the administrator of Mishiha commune, Anaclet Bizimana and also by the administrator of Cendajuru commune, Beatrice Nibitanga, according to our sources.

According to the same sources, this could degenerate cases of settling of accounts on the basis of a mere suspicion or pretext against any person suspected to be the CNDD-FDD regime opponent.

Laments on the activities of the CVR in Cankuzo province

As of March 30, 2017, complaints from opposition parties members were made for they were not involved in the CVR activities in Cankuzo province. Only CNDD-FDD party members and those of UPRONA close to the ruling party, as well as associations set up by them, according to our sources.

Forced Contribution to Muramvya Province

In Muramvya province, since March 27, 2017, Kiganda communal administrator Céline Ndabubaha, in complicity with the deputy of the representative of the ruling party in Muramvya province named Daniel, are compulsorily collecting from the local shopkeepers for the construction of a hall. The amount required is 10 000 Bif. Anyone who refuses to pay this amount will be obliged to stop his business.

A magistrate victim of a disciplinary sanction in the province Makamba

On 1 April 2017, Célestin Ndiokubwayo, a magistrate suspended at Makamba prosecutor's office, received a letter of transfer to Cankuzo prosecutor's office. He had been suspended since January 2017 after releasing an ex-FAB pensioner named Savin Nsavyimana.

A house of alleged rebels destroyed in Nyanza-Lac commune, Makamba province

On 31 March 2017, under the command of the administrator of Nyanza-Lac commune and the commander of Nyanza-Lac camp have ordered the destruction of Bede Nahayo's a house on Buheka hill, zone Kazirabageni, commune Nyanza-Lac, province Makamba. Irons sheets, windows, doors and furniture were removed and taken to Nyanza-Lac camp by these authorities.

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, 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 ICC

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