

BURUNDIAN LEAGUE OF HUMAN RIGHTS "ITEKA"

Approved by Ministerial Order n ° 530/0273 of 10 November 1994 revising Order No. 550 /029 of 6 February 1991



"Is a member of the Inter-African Union of Human and Peoples' Rights (UIDH), is an affiliate member of the International Federation for Human Rights (FIDH), has observer status to the African Commission on Human and Peoples' Rights and has special consultative status to the ECOSOC"

***Weekly bulletin « ITEKA N'IJAMBO » n° 53 of the Burundian League of Human Rights
"ITEKA"***

Week from 3 to 9 April 2017



In memory of Madam Marie Claudette Kwizera, Treasurer of Iteka, reported missing since December 10 2015. From December 2015 to 9 April 2017, Iteka has documented at least 419 cases of enforced disappearances.

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 ABDUCTION FOLLOWED BY ENFORCED DISAPPEARANCES</i>	4
<i>I.2. CASES OF TORTURE AND ILL-TREATMENT</i>	5
<i>I.3. CASES OF ARBITRARY ARRESTS AND ILLEGAL DETENTION</i>	7
<i>I.4. GENDER BASED VIOLENCE</i>	9
<i>II. SECURITY FACTS</i>	9
<i>II.1. ARMED ATTACKS</i>	9
<i>II.2. OTHER FACTS REPORTED</i>	10
<i>III. CONCLUSION AND RECOMMENDATIONS</i>	13

ACRONYMS

CDS: *Health Center*

CHUK: *Kamenge Hospitalo-University Center*

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*

ENS: *Higher School*

EP: *Primary School*

FNL : *National Liberation Front*

MSD: *Movement for Solidarity and Democracy*

PBA: *Participation to Armed Gangs*

PJ : *Judicial 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, 9 reported missing, 11 tortured, 101 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.

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.

The phenomenon of mob justice once again demonstrates a direct consequence of the speeches of incitement to hatred pronounced by high personalities of the country as well as the impunity that takes place from time to time before justice values.

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 in Kayanza province

On 6 April 2017, Ngabirano Bosco from Gatozo hill, Muhango commune, Kayanza province was removed by SNR agents from the commune cell where he had just spent three days, accused of having demonstrated against President Pierre Nkurunziza's 3rd term. He had fled the area and had just returned two weeks earlier.

A pastor abducted in Mutimbuzi commune, Bujumbura rural province

Information received by Iteka League on 7 April 2017 indicates that on 30 March 2017 in the village of peace in Maramvya zone, Mutimbuzi commune, Bujumbura rural province, a pastor named Javye of the "Holy temple" church located at the 16th Avenue in the village of peace and at the same time customs attendant at the port of Bujumbura was abducted by SNR agents. According to our sources, the family has sought everywhere in vain.

One person arrested and then reported missing in commune and Bubanza province

As of 4 April 2017, around 12:00 am, on the hill and in Mitakataka zone, commune and Bubanza province, Juvent Ntarugera, native from Mugongo-Manga commune, Bujumbura rural province was arrested by police and taken to the police station cell in Bubanza province. According to our sources, the reason of his arrest would be the participation in armed groups that would be in the DRC. Towards the evening of the same day, SNR agents from Bujumbura took him to an unknown location, according to the same sources.

Two people abducted in Gihanga commune, Bubanza province

On the night of 7 April 2017, armed men attacked village VI, in Gihanga commune, Bubanza province. According to our sources, four people were abducted by these men and taken to Rukoko forest. According to the same sources, 2 of those abducted escaped these armed men on 8 April 2017.

Two persons tortured and then reported missing in Kayanza province

The information reached to our office indicates that as of March 31, 2017, Claude, from Karinzi hill, Gahombo commune, Kayanza province was beaten up by an Imbonerakure named Juma who accused him of being a thief.

On 6 April 2017, Nkore from Rukago hill, Gahombo commune, Kayanza province was beaten up by an Imbonerakure who accused him of being a thief.

The same source indicates that the police refused to receive the two victims to the cell due to their critical condition. The Imbonerakure then took them to an unknown destination.

1.2. CASES OF TORTURE AND ILL-TREATMENT

A person arrested and tortured by the SNR chief, Muyinga province

On April 4, 2017, Alexis Nibaruta, a former soldier and driver at Gisanze High School in Muyinga province was arrested and tortured to death by Gérard Ndayisenga, the SNR officer in Muyinga province. The family said he was taken the provincial police station cell. Our source indicates that he was arrested on the evening of 4 April 2017 on Muzingi hill, Gashoho commune, near his workplace as he was going to take his cell phone charging. Our source indicates that the SNR official in Muyinga accused Alexis Nibaruta of giving information on Burundi to his niece Odette Murekerisoni who used to be a student at Gisanze High School, currently in exile in Rwanda. The family said that Alexis Nibaruta was urinating blood in the police station cell where he was detained before being transferred to Ngozi hospital after the intervention of HRDs. Our source indicates that the state of his health is critical.

A person arrested in commune and province Muyinga

On 7 April 2017, Jean Paul Yamuremye, a teacher at ECOFO Kayenzi, was arrested by the PJ in Muyinga commune and province. According to sources on the spot, he was accused of having crossed RN6 when the police secured the passage of the 2nd vice-president of the Republic. The same source said Jean Paul Yamuremye was released for a ransom of 10,000 Bif he gave to Brigadier Charles Ndayavurwa.

A person arrested and tortured in Kayanza province

On April 2, 2017, at around 7:00 pm, a farmer named Albert Nduwayo from Nyabibuye hill, Butaganzwa commune Kayanza province was beaten by policemen who then took him to the cell. He is accused of insulting the CNDD-FDD party representative of this hill, Epitace Nduwimana.

Five people tortured by the head of Imbonerakure in Makamba commune and province

During a security meeting held on Monday 3 April 2017 on Buheka hill, Kazirabagena zone, Nyanza Lac commune, Makamba province, the Makamba province governor, Gad Niyukuri and CNDD-FDD party chairman in that province delivered a speech encouraging physical removal of anyone who is suspected of being a rebel in these terms: "Mufashe uwitwa umuroberi, muri babiri canke batatu, ntimuze musubire kuzana ngo muriko mubaha abajejwe umutekano, camubagirwako ntagusubira kubanza guturira Igitiro mubaha umunyenga. "(If you catch a suspect, being two or three, do not think of handing over him to the security corps, kill him directly without wasting fuel). It was after this speech that Shumbusha was arrested on April 3, 2017.

On 3 and 5 April 2017, Mr. Bigirimana, head of Imbonerakure in commune and Makamba province, tortured five people from the provinces of Rutana and Muramvya who accused them of not being native to the province. The scene took place in the presence of Makamba II quarter head without being worried.

According to an on-site source, a speech inciting hatred was also made in Nyanza-Lac commune of Makamba province on 7 April 2017 by Reverien Ndikuriyo, President of the Senate, in the following terms: "... *any person wandering in Nyanza Lac palm trees must be arrested and have his fate discreetly* ".

A person tortured in Buhiga commune, Karusi province

On April 7, 2017, a young man named Gédéon was beaten up by the head of the police station in Buhiga, named Gilbert. According to sources on the spot, he found him in possession of 14 liters of gasoline and accused him of fraudulent sale of gasoline. This young man, who had just left the mental hospital to "Le Gentil", is currently in crisis because of the blows he received. His family complained that they had no means of getting him back to the hospital.

1.3. CASES OF ARBITRARY ARRESTS AND ILLEGAL DETENTION

One person arrested in Mukike commune, Bujumbura rural province

As of 8 April 2017, around 4:00 pm, in Mayuyu zone, Mukike commune, Bujumbura rural province, a hill-elected official named Alexis Ndiokubwayo was arrested by the police and then taken to Mayuyu police cell. According to our source, he was accused of collaborating with "the Mujeri", a term given to CNDD-FDD regime opponents (wandering dogs).

Two people arrested in Gihanga commune, Bubanza province

On 7 April 2017, in the evening in Gihanga commune Bubanza province, two people Ndereyimana and David accused of PBA were arrested by the police in collaboration with Gihanga administration and taken to Gihanga police cell.

A person arrested in Muramvya province

The information received by our office on 3 April 2017 indicates that an Imbonerakure named Herman Niyonkuru, nicknamed "Assassin" was imprisoned in Rutegama commune cell, Muramvya province, on 2 April 2017. His imprisonment reason is that he would have leaked a secret held by the Imbonerakure that the SNR official and the governor of Muramvya province have plotted to kill Vivine Ndayambaje, Rutegama communal administrator.

A person arrested and tortured in Karusi commune and province

As of April 4, 2017, a trader named Bigirimana, Mugende hill, Ntunda zone, Gitaramuka Commune, Karusi Province was arrested by an Imbonerakure known as Sidoru. He was later handed over to the provincial police commissioner in Karusi, named Jerome. According to sources, he was accused of selling agricultural inputs and was taken to the police station with his hands tied on his back to such an extent that blood could not circulate. He was released on 5 April 2017 after paying 500 000 Bif.

Eighty-seven people arrested in Gitega province

As of April 6, 2017, Gitega police raided the market and 87 people were arrested. The Governor of Gitega said that these people rape women and steal passers-by. Twenty-nine of them who had CNIs were released but 58 people largely house workers were kept at Gitega police station.

The governor of Gitega added that these people will be returned to their provinces of origin. According to the same authority, the next target will be street children and prostitutes.

A delegate of the UB arrested in Nyakabiga urban zone , Bujumbura mayorship

On April 9, 2017, Jean Bosco Bakanibona, a delegate and student at the UB, Faculty of Law was arrested by SNR agents when he came from the church at the Pentecost Church in Nyakabiga. He was taken aboard a vehicle registered B2756A in Nyakabiga III, Mukaza commune, Bujumbura mayorship. He was taken to the SNR cell, close to Regina Mundi Cathedral.

One person arrested in Nyanza-lac commune, Makamba province

On April 3, 2017, Esta Niyukuri's husband, accused of PBA was arrested by Kabonga zone head named Rénovat in Nyanza-Lac commune, Makamba province. According to our source, Esta Niyukuri had been arrested with her child under two years as of March 30, 2017.

A person arrested by the governor in Makamba province

On April 3, 2017, a person named Shumbusha was arrested by the Governor of Makamba, Gad Niyukuri when he was attending a security meeting on Buheka hill, Kazirabageni Zone, Nyanza-Lac commune, Makamba province. He is detained at Nyanza-Lac police station.

A person arrested in Gihanga commune, Bubanza province

On 6 April 2017, around 7:00 am, on the hill and Buringa zone, Gihanga commune, Bubanza province, Claude Nshimirimana, FNL member of Agathon Rwasa's wing was arrested by policemen in complicity with a trader named John of Buringa market. According to our

sources, he was accused of collaborating with rebel groups and was first taken to a secret cell by Ndomboro, a former SNR agent in Buringa who was cited in several abuses. Then he was transferred to Gihanga Brigade. Finally, Claude Nshimirimana was released on 7 April 2017 around 5:00 pm, according to the same sources.

Three people arrested in Gihanga commune, Bubanza province

On the morning of 8 April 2017 on the hill and Buringa zone, Gihanga commune, Bubanza province, Manyenye, youth leader of FNL wing of Agathon Rwasa in Buringa, Emery Badogo and Felix, UPRONA party members of Charles Nditije's wing were arrested by the police. According to our sources, they have been accused of collaborating with rebel movements. They were taken to a secret cell to Ndomboro's in Buringa before being transferred to Gihanga Brigade. The information received by our office indicates that the three persons were released on April 9, 2017.

A doctor of King Khaled hospital arrested in Bujumbura mayorship

On April 5, 2017, Dr. Gaspard Marerwa, a doctor at King Khaled Hospital was arrested by the police at his workplace. Our sources say that this doctor was taken to the PJ cell located in Jabe in Bwiza urban zone. According to the same sources, he is accused of not having produced autopsy results of the late Charles Ndiokubwayo, a policeman whose body was found more than two weeks ago in quarter IX of Ngagara urban zone. King Khaled hospital staff qualifies these charges as unfounded because the hospital does not have appropriate equipment for this medical expertise. The CHUK staff and Dr. Gaspard Marerwa's family demanded his unconditional release.

I.4. GENDER BASED VIOLENCE

A person raped in Muramvya province

On the night of April 2 to 3, 2017, a 14-year-old girl E.N, from Cumba hill in Rutegama commune, Muramvya province was raped by Georges Nzeyimana, a 40-year-old man, guard at EP Munanira of Nyarunazi hill, Rutegama commune.

II. SECURITY FACTS

II.1. ARMED ATTACKS

One person killed and two others abducted in Mutimbuzi commune, Bujumbura rural province

As of 9 April 2017, around 8:00 pm on Bujumbura-Gatumba road, in Rukaramu zone, Mutimbuzi commune, Bujumbura rural province, a coaster bus was ambushed by armed men who opened the fire on the bus. According to a source, one person was shot dead during the ambush and two others were abducted, Father Adolphe Ntahondereye of Gatumba parish and Mathias, a traditional musician.

One person killed and one wounded in Gihanga commune, Bubanza province

On the night of 6 April 2017, on Buhandagaza hill, Rugunga hill, Gihanga commune, Bubanza province, a shepherd named Kadogo was killed and another named Emile was wounded in an attack by unidentified armed men. According to our sources, these criminals stole cows.

Two people wounded in Ndava commune, Mwaro province

On the night of 4-5 April 2017, a group of unidentified men that the police described as bandits entered the house of a soldier on leave named Evariste Nzobonimpa, on Murago hill zone Buziracanda, in Ndava commune, Mwaro province. When this soldier's sister named Languide Ntirampeba came for rescue, these men cut off his finger before taking off to Kaniga hill. Evariste Nzobonimpa came out and ran behind them and the latter threw a grenade to prevent him from pursuing them.

In the same night, around 1:00 am, a group of men armed with knives and grenades invaded Sophie Nizigiyimana's home, on Nyagatovu hill, Rango hill, in Buziracanda commune of Ndava, in Mwaro province. According to sources on the spot, the latter injured her in the face. According to police sources, these armed men stole a loincloth and an amount of 6,000 Bif before taking off.

II.2. OTHER FACTS REPORTED

Mob justice in commune and province Rutana

On April 8, 2017, around 2:00 pm, on Jobe sub-hill, Mika hill, commune and Rutana province, a man named François Sindayigaya was caught stealing potatoes in a field. He was executed by the population using machetes.

Mob justice in commune and province Gitega

On the night of 4-5 April 2017, a 35- year old unidentified person was killed on Munyinya sub-hill, Mugoboka hill, Mungwa zone, commune and Gitega province. He was victim of mob justice, accused of robbery. The inhabitants of this hill say that the number of robberies is worrying and that when thieves are taken to the police or administration, they are released without spending a night in prison. Chrysostome Dushime, the head of Mungwa Zone deplores the fact that the population be judge by killing thieves.

Mob justice in Gitaramuka commune, Karusi province

As of April 9, 2017, a person named Thérance Ndayikengurukiye from Ngayane hill, Ntunda zone, Gitaramuka commune, Karusi province was killed by the population, accused of stealing a goat from Ntakarutimana. The same sources indicate that his family refused to bury him requiring investigations but the administrator ordered the head of the hill to bury him.

One person killed in commune, Ndava, Mwaro province

On 7 April 2017, a man named Jeremie Bukuru killed his wife named Noémie Bizumukama. According to sources, it was around 5:00 am on 7 April 2017 that Jeremie Bukuru asked his wife to go together to the CDS in Buziracanda with her child. Arriving near Kaniga River,

separating Ndava commune and Rutegama commune from Muramvya province, he bound his wife's face and mouth with a scarf so that she cannot call for help. He then stabbed her in the heart and neck in the presence of the child with whom they were together before taking off. On the evening of the same day, the alleged author was arrested by the provincial commissioner. He was taken to the PJ Mwaro cell.

A person suicide in Kayanza province

On the night of April 2 to 3, 2017, Melchior Minani, from Ruharo hill, Muruta commune, Kayanza province, wanted to kill his wife named Violette Hakizimana with an axe. After failing, he committed suicide. It seems that land conflicts are the reason. The woman is being treated in a hospital.

One person injured by grenade in Mabanda commune, Makamba province

As of April 8, 2017, a 60-year old widow was injured by grenade thrown by unidentified persons in Mabanda commune, Makamba province. According to sources on the spot, land conflicts were in the heart of this attack. A watchman from Econet-leo telecommunication company was arrested for investigation reasons.

Threatened in Kiganda commune, Muramvya province

As of April 6, 2017, an OPJ named Urbain Baranyizigiye of Kiganda commune, Muramvya province was threatened by the SNR head in that area named Anicet, accompanied by CNDD-FDD party secretary in Kiganda commune at the same time Principal of Renga Communal Lycee named Rémy. He was forced to release a prisoner named Ngiga on 6 April 2017 when he was imprisoned on 5 April 2017. Ngiga is a trader who works with SNR. He was imprisoned because he promised money to people to cut trees of his uncle's property.

Paramilitary training in Rumonge province

In Nkayamba, a few kilometers from Rumonge city, in a natural reserve area on Dama River, Imbonerakure young people are carrying out paramilitary training for months. Every Friday evening, the latter learn the use of guns. These young people who follow these instructions are 60, 2 from each hill that CNDD-FDD party calls "Inama nshingiro", as our source testifies. The former combatants act as instructors, one among them being a policeman named Mwarabu, assigned to Bujumbura municipal police station, Kamenge post. These young people gather every Saturday at Nkayamba party office for sport.

Terror spread by Imbonerakure in Kayanza province

As of 1 April 2017, demonstrations by Imbonerakure took place in Kayanza province city. They went via the quarter called "Ku Mukoro", where many people of Tutsi social group live and 2 Imbonerakure stood in front of each house to prevent them from going out.

Gunfire heard in commune and province Bubanza

Information received by Iteka League on 4 April 2017 indicates that in Bubanza province city, much gunfire was heard in that area on 2 April 2017 at around 11:00 pm. According to our sources, a policeman on leave named Elissa Ndabarushimana alias Baryimpere, on his way from pub, met patrolling policemen led by the deputy provincial commissioner known as

Tharcisse. They began threatening him and beat him. Seeing that he was in danger, the policeman Elissa Ndabarushimana disarmed one of the team on patrol and started shooting in the air to create a passage. He was stripped of 550,000 Bif, his shoes, his pants and his mobile phone by these policemen on patrol, according to the same sources. After handing over the weapon, Elissa Ndabarushimana was arrested and taken to Bubanza provincial police station cell.

Forced contribution in Cibitoke province

The population of Cibitoke province is obliged to contribute an amount from 2 000 Bif and more for the constructions of CNDD-FDD party hill offices in Cibitoke province. According to our sources, a trader has to pay more than 100 000 Bif. Anyone who does not pay this contribution is threatened by Imbonerakure who considers him as a political opponent. Many people give this contribution unwillingly to save their lives. Some contributors receive receipts and others do not, according to the same sources.

The prisoners of Murembwe mistreated by the authorities of this prison

A kiosk of Nathal Ndayongeje, a prisoner in Murembwe Prison and MSD member party was destroyed and his properties looted by security officers in the prison. Murembwe sources say that Nathal Ndayongeje is accused of being behind incitement to uprising. This MSD activist was arrested on 8 March 2014 during clashes between the police and this party members at the national office. Information leaking from Murembwe prison says there would be other prisoners who would be targeted in this plan to mistreat opponents. These are some soldiers arrested after December 11, 2015. This includes major Vital Ndiokubwayo alias Ruhiza, Colonel Kadende and Nzisabira. All are accused of intending to rise up prisoners. The information from this prison indicates that this would be a pretext for SNR agents to enter this prison in order to murder some of them. The same sources add that there would be a plan to transfer some prisoners to kill them along the way.

Some prisoners of Murembwe prison in Rumonge province alert that they are threatened by the management of this prison. Those targeted are President Pierre Nkurunziza third term protesters especially MSD party members. Others are soldiers accused of participating in the attacks on different military camps as of December 11, 2015.

Two ENS students suspended for 2016-2017 academic year

As of April 6, 2017, Epipode Niyongabo and Eric Nirera, all representing students at ENS, were suspended for the 2016-2017 academic year while they were defending the interests of students on strike ten days ago.

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 mob justice once again demonstrates a direct consequence of the speeches of incitement to hatred pronounced by high personalities of the country as well as the impunity that takes place from time to time before justice values.

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 the Government of Burundi

- 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;
- Put forward the principle of equality of all citizens before the law
- To put immediately an end to state violence and human rights violations by ensuring the security and protection of the population and the protection of human rights in accordance with national, regional and international documents on human right protection it has ratified;
- 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;
- To punish policemen, soldiers, Imbonerakure League youth and administrative agents involved in human rights violations;
- To stop uttering incendiary speeches and incitement to hatred encouraging mob justice.

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 in distress.

E) To the Mediation

- Not to minimize 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 person 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, 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.