

***BURUNDIAN LEAGUE OF HUMAN RIGHTS "ITEKA"***

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***Weekly bulletin « ITEKA N'IJAMBO » n° 55 of the Burundian League of Human Rights  
"ITEKA"***

**Week from 17 to 23 April 2017**



***In memory of Madam Marie Claudette Kwizera, Treasurer of Iteka, reported missing since December 10 2015. From December 2015 to 23 April 2017, Iteka has documented at least 424 cases of enforced disappearances.***

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## **ACRONYMS**

**CDS** : *Health Center*

**CECAD**: *Cooperative for savings and Loans for self-Development*

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

**CNPK** : *Neuro Psychiatric Centre of Kamenge*

**CPI** : *International Criminal Court (ICC)*

**CPP**: *Code of Criminal Procedure (CCP)*

**EAC**: *East African Community*

**FAB**: *Burundi Armed Forces*

**FNL**: *National Liberation Front*

**OPJ**: *Judicial Police Officier*

**PAM** : *World Food Programme (Programme Alimentaire Mondial)*

**SNR**: *National Intelligence Service*

**UA**: *African Union*

**UB**: *University of Burundi*

**UE**: *European Union*

## ***0. INTRODUCTION***

Allegations and violations of human rights were recorded during this reporting period: at least 5 persons killed, 3 reported missing, 7 tortured and 31 arbitrarily arrested

The phenomenon of corpses is also reported in this bulletin. At least 5 corpses are recorded in this reporting period.

Policemen, soldiers, 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 3<sup>rd</sup> term.

Speeches of hatred and incitement to violence pronounced by some authorities of the country as well as the impunity enjoyed by young Imbonerakure are also the source of many cases of murder where the people respond to these speeches by acts of mob justice.

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. ALLEGATIONS OF VIOLATIONS OF THE RIGHT TO LIFE***

#### **One person killed in Marangara commune, Ngozi province**

Information received by Iteka League indicates that on April 18, 2017, a young man named Ndacayisaba, aged 17 residing on Musama hill, Marangara commune, Ngozi province was killed on April 14, 2017 by Imbonerakure youth headed by Masama hill head, Abraham Ndayisenga. According to a source on the spot, Ndacayisaba and his friend were arrested by young Imbonerakure accusing them of stealing bananas. Instead of taking them to the police, they were severely beaten. According to the same source, the victims' relatives demanded that the alleged thieves be presented to the hill head. Once they arrived at the latter's home, the two victims had no respite. The young person who had been arrested with Ndayisaba was

released in a serious condition. A few hours later, Ndacayisaba died as a result of torture and Abraham Ndayisenga, the hill head, hid his body before telling the relatives of the deceased that their son was released and exiled to Rwanda. After deepened investigations, the dead body of Ndacayisaba was found on April 17, 2017 by the police.

## ***1.2. CASES OF ABDUCTIONS FOLLOWED BY ENFORCED DISAPPEARANCES***

### **A student abducted and reported missing in buyenzi urban zone, Bujumbura Mayorship**

As of April 20, 2017, Egide Nimenya students' delegate of second year in Psychology at the University of Burundi was abducted by unknown people. On-site sources say that a group of people in a vehicle arrested the student Egide Nimenya as he arrived close to Prince Regent Charles Hospital in Buyenzi zone. The same sources add that the plate number of this vehicle was not identified. Egide Nimenya was taken to an unknown destination. His comrades and his family fear for his security and demand that he be released without delay.

### **A person abducted and reported missing in Bujumbura mayorship**

As of the 20 April 2017, Oscar Ntasano, NONARA Beach Hotel owner was reported missing. His family said Oscar Ntasano responded to a phone call when he was at home. Our sources add that the one who called him told him that he wanted to rent part of his Hotel NONARA Beach. Gone to his office to meet this person, he did not returned, said the same sources. Hia family members sought in all the cells without success. Neighbors, family and friends are worried about his disappearance because, they add, some time ago there was a climate of disagreement between Oscar Ntasano and some authorities in Bujumbura. This disagreement might reside in the fact that his hotel was rented by United Nations observers, which was not appreciated by Bujumbura authorities. His family and neighbors ask the police to help him find theirs.

### **One person and reported missing abducted in Ngozi commune and province**

The information received indicates that Pacifique Birikumana on 17 April 2017, driver at Ngozi diocese was abducted by SNR agents in Ngozi on 8 April 2017. His family members are afraid that he is already dead because there is no trace of him in all the prisons and cells of the province. Information from his family told that Pacifique Birikumana was abducted by SNR in a pub near Ngozi central prison in Kinyami quarter. After he replied a call, he left and did not come back. His family had received information that he would have escaped from SNR agents. But two weeks later, his phone rang and was picked by an SNR agent. The latter told them that they should not ask anything related to Pacific Birikumana. The SNR officials in Ngozi have indicated that they are not aware of this disappearance.

### ***I.3. CASES OF TORTURE AND ILL-TREATMENT***

#### **Former ex-FAB soldier arrested and tortured, Muyinga province**

On 18 April 2017 Dieudonné Kwizera, former CECAD employee and ex-FAB was arrested by the SNR official in Muyinga Gérard Ndayisenga at his home in Mukoni quarter in Muyinga city. According to our source, police and Imbonerakure carried out a search at his home that came to nothing compromising. The family fears for his security given the dead bodies found here and there in this province. Our sources say that Dieudonné Kwizera was tortured by the SNR official in Muyinga Gérard Ndayisenga. He is accused of having transported those who attacked Mukoni camp late January 2017. The same sources add that the SNR official in Muyinga also seized his vehicle and motorcycle which were at his home. His friends and family request he is not killed as it is often the case for people arrested by Gerard Ndayisenga.

#### **One person beaten in Rugombo commune, Cibitoke province**

On April 17, 2017, in Rugeregere sector, zone and Rugombo commune, Jado, a dump truck driver was beaten up by a CNDD-FDD party influential member named Elias Bizimana in complicity with young Imbonerakure. The driver is accused of whipping Elias' child who was swinging a truck in high speed.

#### **A person tortured in Gatara commune in Kayanza province**

Information received by Itaka League on 21 April 2017 indicates that on 16 April 2017, Julien Manirakiza the head of Imbonerakure in Gatara commune, Kayanza province, was beaten in Mbirizi zone of the same commune by Imbonerakure who accused him of having hidden a person who had disputed with his wife. This leader of Imbonerakure had imprisoned him in the zone cell to keep him safe from these Imbonerakure. They were unhappy with that because they wanted to beat him to get money from him.

### ***I.4. CASES OF ARBITRARY ARRESTS AND ILLEGAL DETENTION***

#### **Six persons arrested in Mutimbuzi commune, Bujumbura rural province**

The information received by Itaka League on 20 April 2017 indicates that on 11 April 2017, at about 10:00 am, pillar 14 in Gatumba zone, Mutimbuzi commune, Bujumbura rural province, the SNR head in Mutimbuzi and Mubimbi communes, Jérémie, arrested 6 persons including Destin, Mabwa and Mahuba. According to our sources, Mabwa and Mahuba were imprisoned in Maramvya zone cell, Destin and another unidentified person in Rubirizi zone cell and the two others in Gatumba zone cell of Mutimbuzi commune. All were accused of collaborating with rebels.

### **A student arrested in Mukike commune, Bujumbura rural province**

On April 18, 2017, in Mayuyu zone, Mukike commune, Bujumbura rural province Alexis Ndiokubwayo, a student to Mukike Communal High School in 3<sup>rd</sup> Modern Arts from exile was called by an unidentified man at around 4:00 pm when he was at home. According to our sources, the man said the school prefect needed him at school. Alexis returned to school and then boarded forcibly a vehicle of Mujejuru military camp. He was taken to Nyabiraba commune cell.

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

On 19 April 2017, around 3:00 pm, in Burima zone, Mutambu commune, Bujumbura Rural province, Thaddee Ngomirakiza and Dieudonné Nitunze FNL members of Agathon Rwasa's wing were arrested by an Imbonerakure named Eddy Bukeyenze. They are accused of holding an illegal meeting. They were taken to Mutambu commune police cell.

### **Two persons arrested in Rutana province**

The head of Rutana Central Prison, Jonas Nimbona and Brigadier Egide Nzeyimana, who was guarding the prison were arrested and detained on 17 April 2017 in Bururi Central Prison under the warrant of the prosecution to the Court of Appeal of Bururi following the escape of two prisoners Kenny Stone Bayishingize of Rwandan origin accused of involvement in armed gangs and Charles Nzeyimana, accused of rebellion, escorted by two policemen, one of whom was J.Pierre and a nicknamed Buyengero from Rutana police station to Rutana Hospital on April 13, 2017, according to our sources.

### **Sixteen persons arrested in Rutana province**

On 18 April 2017, on Gihofi hill, accused of "breaching internal State security ", the police arrested a group of 16 persons, consisting of 8 men and 8 women praying and from different provinces. They are: Isaac Nduwayezu 24 years old from Mutambu commune, Bujumbura rural province, Nshimirimana Rose 40 years old from Bukemba commune, Rutana province, Elie Niyibitanga 29 years old from Butaganzwa commune Ruyigi, Marthe Nzirubusa, aged 59 from Giharo commune, Rutana province, Cornalie Ndayongeje, 41 years old, from Mbuye commune, Muramvya province, Lea Nibaruta, aged 37, from Mpinga-Kayove commune, province Rutana, Alice Niyonzima 21 years old from Butaganzwa commune, Ruyigi province, Ildephonse Tuyisenge 27 years old from Butaganzwa commune, Kayanza province, Emmanuela Ndayishimiye 32 years old from Ndava commune, Muramvya province, Tharcisse Niyungeko aged 54 from Musongati commune, Rutana province, Gerard Singirankabo aged 42 from Mpinga-Kayove commune, Rutana province, Audace Ndayishimiye 22 years old from Butaganzwa commune, Ruyigi province, Joël Miharugwa aged 59 from Matana commune, Bururi province, Alice Ndizeye 30 years old from Bukemba commune, Rutana province, Elysa Niyoyibuka, aged 30, from Butaganzwa commune, Kayanza province and Serges Minani 25 years old from Kayanza commune, Kayanza province. They were taken to the public prosecutor's office cell for investigation because they

have gathered without the authorization of Rutana comunal or provincial administration, according to our sources.

## ***1.5. RIGHT TO HEALTH***

### **Shortage of reagents for malaria testing in Cibitobe province health centers**

Information received by our office on 17 April 2017 indicate that some nurses in complicity with Cibitoke province health centers managers no longer do malaria tests due to lack of reagents, only administering antimalarial drugs.

As illustration, at Murambi health center in Buganda commune, nurses take blood from patients while they are aware that there are no reagents for thick smear. After instruction, the blood is taken to the laboratory indicating to patients to wait for 30 minutes. Then the laboratory clerk locks in doing nothing. Afterwards, he goes out with the imagined results he gives to the patients then the amodiaquine is distributed. According to our sources, the code in this Murambi health center for this despicable act is "system". None of the nurses working there can denounce this abuse for fear of being transferred or dismissed.

### **A sick prisoner in Mpimba Central Prison, Bujumbura mayorship**

Bertrand Niyongabire arrested 11 December 2015 and tortured in SNR cell, was afterwards transferred to Mpimba central prison. He was then hospitalized at NNPK following depression linked to torture he suffered namely his two fingers cut off. After 8 months of hospitalization at CNPK, he was handed over to police and Mpimba Central Prison authorities on 21 April 2017 whereas he was not recovered. Unable to speak following torture inflicted by SNR agents, the prisoner had been hospitalized for more than 8 months to the CNPK. Bertrand still needed health care.

### **Deteriorating health of a prisoner in Makamba province**

On 20 April 2017, Juvénal Ndayishimiye, a 60-year old ex-FAB was tortured by a policeman on 16 April 2017 and was still in Kibago police station cell in Makamba province. According to sources on the spot, this prisoner suffers from injuries received from his torturer. The family is worried about the health of this old man.

## ***II. SECURITY FACTS***

### ***II.1. THE PHENOMENON OF CORPSES***

#### **A corpse found in Nyanza-Lac commune, Makamba province**

As of April 18, 2017, a decapitated corpse of an unidentified person was discovered near a shop in Nyanza-Lac commune, Makamba province. Cell phones, radio sets and solar panels were stolen. According to sources on the spot, the victim is a watchman of this shop.



### **A dead body of a newborn found in Ndava commune, Mwaro province**

As of April 19, 2017, a corpse of a newborn was found on the hill, zone and Ndava commune Rusengo sub hill. According to sources on the spot, the child was killed by her mother after childbirth. According to police sources, the mother of this child is a 7<sup>th</sup> form student aged 17. The girl said it was an abortion due to a health problem. The OPJ investigating on the case recommended that the girl be taken to the health center for confirmation of the facts by the doctors.

### **A corpse found in Gitega town**

A dead body was found on 17 April 2017 between the 3<sup>rd</sup> and 4<sup>th</sup> avenues of Nyamugari quarter of Gitega town. The person was not identified. Some sources say of a thief killed by the inhabitants of the quarter but others think that it would be a corpse dropped in this quarter.

## ***II.2. ARMED ATTACKS***

### **A person injured in Butaganzwa commune, Kayanza province**

As of 20 April 2017, around 10:00 pm, on Nyabibuye hill in Butaganzwa commune, Kayanza province, Cyriaque Mpawenayo was attacked by men armed with machetes. He was treated at Musema hospital in the same commune. These armed men were arrested and imprisoned in Butaganzwa commune cell. Among them are Niyibizi Ferdinand and Ntirampeba Paul. Justice has not spoken yet.

### **Armed attack in Gitega province**

Shots were heard around 10:00 pm at Gikobe hill, Gitega commune and Gitega province in the night of 22 April 2016. According to sources on the spot, a group of 10 armed persons in police uniform attacked shops and pubs of the area. In all, 10 shops were vandalized and looted as well as two pubs. Mobile phones and an amount of money were stolen during this armed attack. While leaving the place, two people were wounded by these armed men.

## ***II.3. OTHER FACTS REPORTED***

### **One person killed in Kanyosha commune, Bujumbura rural province**

On the night of 18-19 April 2017, on Mwico hill, Ruyaga zone, Kanyosha commune, Bujumbura rural province, a person named Minyoro from Kabumba hill, Ruyaga zone, Kanyosha commune was killed by the population, accused of being a thief.

### **Massive arrests in Kayanza province**

In Kabarore commune, Kayanza province, people are massively arrested by the Imbonerakure and the police. The latter say that people are selling coffee in Rwanda. People are arrested without evidence.

As illustration, on 14 April 2017, a girl named Ngabire and a boy named Nijebariko were arrested by the police and the Imbonerakure on Rukere hill, Kabarore commune, Kayanza province, and they were imprisoned in Kayanza. They were tied together.

As of 18 April 2017, four other people were arrested, from Manga hill, Kabarore commune, Kayanza province, some were imprisoned in Ngozi and others in Kayanza.

### **A young Imbonerakure wounded in Buganda commune, Cibitoke province**

Information received by Iteka League on 21 April 2017 indicates that on 14 April 2017, Hermès, a young Imbonerakure from Murambi in Buganda commune, Cibitoke province was injured by machete on the head by other young Imbonerakure of this same area drunk in night patrol. According to our sources, these Imbonerakure had met him in a pub and had obliged him to buy banana wine for them.

### **CNDD-FDD party members demonstration in Ruyigi province**

On Saturday 22 April 2017, community works were organized throughout the country. The watchword was to denounce and refute the “pardon for putschists” requested by the co-facilitator Benjamin Mkapa.

As illustration, in Ruyigi province, community work were carried out at stadium was closed by a demonstration enhanced by the Governor of the province and songs glorifying the ruling party were heard. In a loudspeaker we could hear "no pardon for putschists, they should be condemned... They were all CNDD-FDD party members. One of the inhabitants was worried about how community development activities have become activities of the party.

In kayanza, the same activities were organized and enhanced by the general secretary of CNDD-FDD party. Terrifying songs were chanted.

In Cankuzo, after community work to build the fence of Cankuzo stadium, the residents of the area were all mobilized to demonstrate where chants of hatred and violence were sung. They said: *“We support the government of Burundi that refused to negotiate with putschists, enemies of democracy. We denounce Belgium and any foreign force, anyone who will invade our country will be captured”*. After the demonstration, the governor of Cankuzo province Desiree Njiji had speech repeating the same words.

### **Appearance of 5 students of the UB, Bujumbura mayorship**

On 19 April 2017, five UB students appeared before the TGI chambers of Mukaza, Bujumbura mayorship. All were interrogated on the preparation of the insurrectional

movement against the decree on the loan-grant. One of the students was accused of rebellion and spent two weeks in the SNR cell before being transferred to Mpimba central prison.

#### **Weapons discovered in Bisoro commune, province Mwaro**

On 19 April 2017, 197 bullets, 8 chargers and 2 bayonets were discovered on Kariba hill, Kanka zone, Bisoro commune, Mwaro province. According to sources on the spot, these weapons were discovered in a field belonging to Fabien Nziguheba.

#### **WFP convoy blocked at Gasenyi border, Kirundo province**

As of 21 April 2017, since the morning, more than 20 WFP trucks from Rwanda were blocked at Gasenyi border between Burundi and Rwanda. According to sources, trucks had parked at the border since 9:00 am. They contained food for Congolese refugees and Burundians experiencing a food crisis and the latter carried about 300 tons of food, says our source. According to the same source, these trucks were refused cross into Burundi because "Made in Rwanda" was written on the bags containing the food.

#### **A child burnt in Busoni commune, Kirundo province**

As of April 21, 2017, a 4-year-old child named Irishura, living on Nyabisindu hill was burned by her stepmother. According to sources on the spot, she would have plunged his hands into fire. The little boy was punished after eating without his permission. The child received care and his stepmother was arrested.

#### **A victim of mob justice in Butaganzwa commune, Kayanza province**

Samson Ndayikengurukiye was burnt by his father on 20 April 2017, on Gatabo hill, Butaganzwa commune, Kayanza province, around 7:45 pm, accused of robbery. He wanted to do revenge. The administration is aware but has not reacted yet.

#### **Forced contribution in Gihogazi Commune, Karusi Province**

As of April 22, 2017, the Imbonerakure of Gihogazi commune rushed in the households of the hills of this commune by imposing an amount of 500 Bif per household. According to an on-site source, they explained that they provide security and that every population must contribute. The same source indicates that although the population is angry, it does not dare to denounce this forced contribution fear for being killed by these Imbonerakure.

### **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 3<sup>rd</sup> 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.

Speeches of hatred and incitement to violence pronounced by some authorities of the country are also the source of many cases of murder where the people respond to these speeches by acts of mob justice.

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 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;
- Stop hatred speeches inciting to violence;
- Respect right to health of prisoners;

#### **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 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 the ICC :**

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