

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



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Weekly bulletin « ITEKA N'IJAMBO » n° 56 of the Burundian League of Human Rights "ITEKA"

Week from 24 to 30 April 2017



In memory of Madam Marie Claudette Kwizera, Treasurer of Iteka, reported missing since December 10 2015. From December 2015 to 30 April 2017, Iteka has documented at least 422 cases of enforced disappearances.

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ACRONYMS

AT: Transmitting Agent

CNDD-FDD: National Council for the Defense of Democracy

CNI: National Identity Card

CNTB: National Commission for Land and Other Property

CPI : International Criminal Court (ICC)

CPP: Code of Criminal Procedure (CCP)

CVR : Truth and Reconciliation Commission

EAC: East African Community

ECOFO : Fundamental School/Ecole Fondamentale

ECOSAT: Supervision of Social Constructions and Land Developments

ENS: Higher School

EP: Primary School

FDN: National Defense Force

FNL : National Liberation Front

FRODEBU: Front for Democracy in Burundi

ISABU : Institute of Agronomic Sciences of Burundi

ONG : Non-Governmental Organization

OPJ: Judicial Police Officier

PJ : Judicial Police

SNR: National Intelligence Service

UA : African Union

UE : European Union

0. INTRODUCTION

Allegations and violations of human rights were recorded during this reporting period: at least 7 persons killed, 1 tortured, 127 arbitrarily arrested and 2 victims of gender based violence.

The phenomenon of corpses is also reported. At least 3 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 3rd term.

Members of Agathon Rwasa's FNL wing and of FRODEBU have 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 ARBITRARY ARRESTS AND ILLEGAL DETENTION

One person arrested in Ngozi commune and province

On 30 April 2017, around 9:00 am, a young man named Bonfils, aged 25, from Kirundo was arrested and handcuffed by Ngozi SNR agents. According to our sources on the spot, he was abducted from "Bon berger" church of Ngozi while in church service by SNR agents. They informed him that he was needed urgently. He was suddenly arrested and embarked in a double cabin vehicle from Ngozi SNR.

Christians of Ngozi "Bon Berger" church who witnessed the scene find it incomprehensible that a person is arrested without a warrant from the prosecutor of the republic. Bonfils was a laureate of Alexandre Ross Technical High School of Ngozi. The same source indicates that Bonfils was released in the afternoon of April 30, 2017.

A soldier arrested in Buhiga commune, Karusi province

On April 29, 2017, a soldier named Prosper Rwazindutse was arrested at home on the hill, zone and commune of Buhiga, Karusi province. He woke up finding his house encircled by the police. According to a source on the spot, Prosper Rwazindutse was accused of desertion and then taken to Karusi police station.

A person arrested in Buraza commune, province Gitega

On 26 April 2017, one person named Vianney Ndayiragije was arrested by police on Mugano hill, Buraza commune, Gitega province. He was accused of illegal possession of weapons and belonging to a gunmen group plundering in the communes of Buraza, Ryansoro and Rutovu. According to the administrator of Buraza commune Didace Rutotsi, a Kalashnikov rifle was seized at his home. Sources on the spot indicate that Vianney Ndayiragije would be a victim of his political affiliation of Agathon Rwasa's FNL wing.

Two people arrested in Bururi province

From 17 to 25 April 2017, Emmanuel Nimenya and Arstide Munezero, all from Vyanda commune were arbitrarily detained in Bururi police cell. The reason for their arrest remains unknown because no charge is mentioned in the prison register. The police authorities questioned on this case say that they would have disrupted the order and security in Vyanda commune.

A person arrested in commune and province Kirundo

As of April 28, 2017, a person named Timothée working for Caritas NGO in Kanyinya Parish, Muyinga Diocese in the Hearing and Healing of memories Program, was arrested by SNR agents in Kirundo province. According to sources on the spot, the SNR accused him of having taken photos and audios of the expelled from Rwanda who are arrested by the SNR. The same sources indicate that Timothée used to be a member of FNL political party of Agathon Rwasa's wing but that he no longer militated for this party 5 years ago.

Eighty-one people arrested in Kirundo province

From 26 to 29 April 2017, eighty-one returnees from Rwanda were already arrested by SNR agents at the Rwando-Burundian border of Gasenyi-Nemba and were detained at the reconciliation center of the commune and Kirundo province. According to sources on the spot, these people were expelled because they were without administrative documents. The Burundian police suspected them of being rebels, arguing that this is a way that Rwanda has found to enter them into the country.

One person arrested in Mukike commune, Bujumbura rural province

At about 4:00 pm on 28 April 2017 on Kanyunya hill, Rukina zone, Mukike commune, Bujumbura rural province, Rusigamigazo, father of Jean Claude Bashirahishize, killed on 22 April 2017 at around 6:00 pm by the soldiers of Nonoka position commanded by Major Marius Gahomera alias Gakoryo of Mujejuru camp was arrested by policemen from Rukina position. According to our sources, the reason of his arrest remains unknown.

Five people arrested in Kayanza province

On April 28, 2017, five people, Richard, Fanuel, Noel, Tamali and Ndayisenga were arrested by the police and then imprisoned in Muhanga commune police cell, Kayanza province. According to one source, the reason for their arrest is that they are among 28 people from the displaced people site of Gashibuka in Muhanga commune who have wrote a letter to the communal administrator asking him to prepare the elections of those who will represent the CVR on Gashibuka hill because those who represented it had been appointed by the head of the hill. The same source indicates that others have run away.

A person arrested in Makamba province

On 26 April 2017, Nestor Nduwamungu, nurse at Makamba hospital was arrested by the police. According to sources on the spot, he was victim of a setup by his colleague named Nahigombeye, young Imbonerakure from CNDD-FDD after a drugs robbery perpetrated in Makamba hospital by Nahigombeye. According to sources on the spot, investigations proved his guilt but this Imbonerakure was not worried.

Twenty-seven people arrested in Ntakangwa commune, Bujumbura mayorship

As of April 24, 2017, 27 people were arrested in a search by policemen and soldiers to check household records and CNIs in Cibitoke quarter on avenues 11, 12 and 13 from N ° 60 to 120, in Ntakangwa commune, Bujumbura mayorship. They were taken to Cibitoke zone office and then released after paying a ransom ranging between 2000 and 5000 Bif.

Four people arrested in Cibitoke urban zone , Bujumbura mayorship

On April 25, 2017, four people were arrested during a search in Cibitoke from 16th to 18th Avenue, from number 60 to 90 by policemen and soldiers. The latter controlled household records and CNIs. These persons were accused of being in household records without the signature of the quarter head and were taken to Cibitoke urban zone cell where they were kept for 2 hours before one of the victims collapsed. Afterwards, two of them were released while two others paid 5,000 Bif each to leave the cell.

1.2. RIGHT TO HEALTH

Health of inmate at risk in Ngozi province

The life of a young girl named Emilienne Vyukusenge, from Kabezi commune Bujumbura rural province detained in Ngozi prison is in danger. She was arrested in October 2015 in Gitega while studying at Gishubi Communal School. Emilienne was shot and wounded by policemen who accused her of belonging to a rebellion. She was first imprisoned in Gitega police station cell before being transferred to Ngozi Central Prison. Her health deteriorates increasingly. She has no right to go for care. Her relatives say Emilienne also does not have right to visit and food is not enough while she has a stomach problem, according to sources on the spot. They demand that her rights be protected.

1.3. RIGHT TO EDUCATION

Expulsion of three students' representatives of the Ecole Normale Supérieure.

On April 24, 2017, three students, Syldie Nduwimana, Vice-President of the ENS Student Association "ASEFED IMBONEZA", Aaron Nduwayezu, Delegate and Chairman of the Executive Committee of the same association, and Gustave Ndenzako, chairman of the Committee of Social and Disciplinary Council of that association were excluded. The same day, the director general of this institution suspended the students' association "ASEFED Imboneza". ENS students are asking the Government and competent authorities handle this issue and the Director General of this school to stop these intimidation acts.

1.4. CASES OF GENDER BASED VIOLENCE

A young girl raped in commune and province Kirundo

On 22 April 2017, J. Dieu Habimana, a motorcyclist in Kirundo province was caught raping A., a 5th form pupil of EP Bushaza. The alleged perpetrator was arrested and detained at PJ Kirundo after being tortured by the Imbonerakure of this area.

A girl raped in Muha commune, Bujumbura mayorship

On 28 April 2017, around midnight, a girl named A. of the 3rd Avenue, Kinanira I was raped by Major Clowen, a military position head at ECOSAT near Musaga urban zone, in Bujumbura mayorship. According to sources on the spot, the FDN soldier was arrested by local residents and released after his AT shot in the air to disperse the crowd. After rape, the victim was arrested and imprisoned in Musaga zone cell, Muha commune, Bujumbura mayorship since 28 April 2017 instead of being taken to hospital for health care.

II. SECURITY FACTS

II.1. THE PHENOMENON OF CORPSES

A dead body found in Bisoro commune, Mwaro province

On April 28, 2017, a dead body of 63-year-old Antoine Kabondo, a shepherd of cows at ISABU Gisozi in daytime was found in the forest around 9:00 am on Maramvya sub hill, Kiriba hill, Rorero zone, Bisoro commune in Mwaro province. According to sources on the spot, his body was tied with ropes on a cut tree in this forest. According to the same sources, the body was found by cow guards in this forest. According to police sources, Kabondo was may have been killed around 5:00 on 27 April 2017 from work. Land conflicts may be the cause of the incident, the same police sources said. Two people from Kabondo's family were arrested for investigation reasons.

A dead body found in Songa commune, Bururi province

On 24 April 2017, a dead body of François Hatangimana from Musagara hill, Songa commune, Bururi province was found in Jiji River, Songa commune near Gikokoma Primary School, Ndago hill. On-site sources indicate that this person was slaughtered. The same sources indicate that this person was Sahwanya FRODEBU party member. The authors of this despicable act remain unknown.

A corpse found in Muramvya province

On 24 April 2017, a corpse was found in Nyarucamo, Bukeye commune, Muramvya province. It was a newborn buried by his mother Jeanine Niyonkuru, 18 years old. According to a source, she slaughtered him after the child's father refused to acknowledge him.

II.2. ARMED ATTACKS

One person killed in Bugarama commune, Rumonge province

On April 26, 2017, Salvator Harindavyi was killed with a machete in an attack by armed men against his home on Mugendo hill, Magara zone, Bugarama commune, Rumonge province. According to sources on the spot, these armed men wore long coats. The victim was beheaded while dinning with his family. The latter shouted for help and the people intervened after the criminals had already run away.

One person killed and three wounded in Isare commune, Bujumbura rural province

As of 28 April 2017, around 8:00 pm, in Rushubi zone, Isare commune, Bujumbura rural province, unidentified gunmen attacked the home of Senator Pascal Ntahonzigamiye alias 'Homme fort'. According to our sources, these men threw grenades at the senator's house. One policeman was killed and three others were injured, according to the same sources.

One person killed and four others wounded in Ntakangwa commune, Bujumbura mayorship

On 25 April 2017, in Heha quarter, Kamenge zone, Ntakangwa commune, Bujumbura mayorship, around 7:0 pm, unidentified persons aboard a motorcycle threw a grenade into a vehicle belonging to Mr. Marc Ndagijimana. According to sources, five people were seriously injured. Mr. Marc Ndagijimana succumbed to his wounds.

II.3. OTHER FACTS REPORTED

One person killed in Songa commune, Bururi province

On April 23, 2017, Rose Nizigiyimana was savagely murdered by her husband, Etienne Nyabenda in collaboration with unidentified people on Musumba sub hill, Taba hill, Songa commune in Bururi province, according to sources. The alleged perpetrators of the crime have run away.

One person killed in Murwi commune, Cibitoke province

On April 25, 2017, Paul Ntizizakumwe, aged 60, was shot and killed at home on Mahande hill, Murwi Commune, Cibitoke Province. According to our sources, the murder was committed by a group of unidentified persons. According to the same sources, the victim would be accused of sorcery.

One person killed in Mugina commune, Cibitoke province

On April 30, 2017, a 40-year-old James, known as Mpongo was killed on the night of April 30 to May 1, 2017 in Bwayi zone, Mugina Commune, Cibitoke Province. According to sources on the spot, the victim would be accused of sorcery.

Construction of CNDD-FDD party monuments in Bujumbura

On Bujumbura capital streets, monuments are built by the ruling party members. On several avenues, there is at least 1 monument. Locals regret that these monuments are built in front of houses without consulting the owners.

"I saw young people in CNDD-FDD party uniform around 6:00 pm with hoes and machetes in front of my house and started digging as if they wanted to make a foundation for a house, I was afraid and I approached them to ask them what was going on. " They answered me in kirundi: "Wa mutama ushaka kugwanya umugambi wa leta?" (You old man, do you want to oppose the government's plan?), indignant one owner of a house in Buyenzi.

The CNDD-FDD party says that the purpose of these constructions is to find an assembly point for the party members on each street. The Home Affairs Ministry indicates that it is normal to build these monuments. Each party is free to choose the place where its members meet. This ministry adds that these monuments are sometimes found in public squares, sometimes on properties belonging to the ruling party members.

Five families chased from their land in Nyanza-Lac commune, Makamba province

Five families from Buheka hill, Kazirabageni sub hill, Nyanza-I Lac commune in Makamba province were expelled from their land on 27 April 2017. The CNTB had come to enforce its decision, according to some local administrative officials in Nyanza-Lac. All the parties had agreed to share their property in disputes, under Father Astère Kana, CNTB chairman of the time. Among the families in conflict, 4 of the 5 heads of families chased are widows and say they have nowhere to go. They spend the night outside since the morning of April 28, 2017, in front of Nyanza-Lac commune office to request the intervention of the administration.

The Imbonerakure demonstrate in Rutana province

Information received by our office on April 30, 2017 indicates that as of April 22, 2017, in Rutana province city, CNDD-FDD party young members, the Imbonerakure, organized a demonstration to support the President of the Republic and his Government. During the demonstration, they chanted slogans insulting the Rwandan President Paul Kagame and the United Nations accusing them of interfering in Burundi's affairs relying on false reports on human rights situation in Burundi.

Crimes committed by Imbonerakure in Marangara commune, Ngozi province

According to information received by Iteka League on 25 April 2017, two youth Imbonerakure Isaac Nakintije and Jean Bosco Nduwayezu from CNDD-FDD party are imprisoned in Mugina commune cell, Cibitoke province since 20 April 2017. According to our sources, they run away to Mugina commune after killing one person at home in Marangara commune, Ngozi province.

Firearms in Mutimbuzi commune, Bujumbura rural province

On April 24, 2017, Gaston Singora, head of Imbonerakure in Maramvya zone, Mutimbuzi commune, Bujumbura rural province was arrested by soldiers of AVICOM position. According to our sources, Singora had a gun during the day. He was taken to Gakumbu military camp.

Paramilitary training organized in Karusi province

In Karusi province, the Imbonerakure organize paramilitary training in all communes in complicity with local authorities from CNDD-FDD. According to on-site source, every Saturday, Imbonerakure armed with clubs training on all the hills chanting hate songs against opponents to the ruling party.

Some top organizers have been identified per commune.

In Bugenyuzi commune, it is Jacques Mucowera, Salvator alias Mucopa, J. Nepomscene, Faustin Manirakiza.

In Buhiga commune, Nestor Bashingwanubusa alias Irambire, Jimmy Niyonkuru, Faida (taximan), Landry (Principal of ECOFO Bugwana), Jean Marie (motocyclist), Saidi (motocyclist), Mabosi alias Muganwa (demobilized) Eric, Buyondo and Nzobera.

In Gitaramuka commune, Manassé Bazishaka, Innocent (Principal of ECOFO Rubuga), Angélique (Principal of ECOFO Ruhata), Sidoru Cimana Issa and Muvoma

Return of four people abducted in Mutimbuzi commune, Bujumbura rural province

On April 26, 2017, four people, including Father Adolphe Ntahondereye, Mathias Mijuriro, Pierre Butoyi and Ramadhan Barakamfitiye, were abducted on 9 April 2017 at around 8:00 pm during an ambush on a public transport bus on Bujumbura-Gatumba road in Rukaramu zone, Mutimbuzi commune, Bujumbura rural province, have returned to their families. They had been taken to the DRC by persons in military and police uniforms.

A judge humiliated and intimidated in Gitaramuka commune, Karusi province

On 24 April 2017, in Gitaramuka commune, Karusi province, the judge of Gitaramuka residence court was insulted by a woman named Kamanzi, a CNDD-FDD Women's League member residing on Ngayane hill, Ntunda zone, Gitaramuka commune, Karusi province. According to sources on the spot, this woman came to file claims before this Tribunal and the Presiding Judge, after assessing the case, referred her to an OPJ. Not satisfied with the judge's decision, Kamanzi insulted the Presiding Judge in public and intimidated him that she will show him that the "Bakenyerarugamba" from CNDD-FDD Women's League are to be as respected as Imbonerakure. On April 25, 2017, the prosecutor of the Republic in Karusi province came to arrest personally the Presiding Judge. But his colleagues resisted. As Karusi prosecutor did not have jurisdiction, only the prosecutor's office of Gitega Court of Appeal could issue a warrant. The same source adds that the presiding judge is afraid and is expecting a possible arrest or repression.

Night patrols in Makamba province

Information received by our office on April 28, 2017 indicates that the Imbonerakure youth are creating fear in Makamba province city. A strategy to bring Imbonerakure from other areas scares the population. They conduct night patrols with clubs. This is obvious since the preparations to welcome the head of state in Makamba province for the International Labor Day celebration.

Two WFP staff arrested in Ngozi province

On April 28, 2017, Salusi and Sadake, Ugandan WFP drivers were arrested by policemen after hitting the Burundian Ombudsman's vehicle. Accused of wanting to kill the Ombudsman, they were imprisoned in Ngozi province city.

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 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;
- 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.