

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° 57 of the Burundian League of Human Rights "ITEKA"

Week from 1 to 7 May 2017



In memory of Madam Marie Claudette Kwizera, Treasurer of Iteka, reported missing since December 10 2015. From December 2015 to 7 May 2017, Iteka has documented at least 422 cases of enforced disappearances.

CONTENTS	PAGES
<i>ACRONYMS AND ABBREVIATIONS</i>	3
<i>INTRODUCTION</i>	4
<i>I. ALLEGATIONS AND VIOLATIONS OF HUMAN RIGHTS</i>	4
<i>I.1. ALLEGATIONS OF VIOLATIONS OF THE RIGHT TO LIFE</i>	4
<i>I.1.1. PERSONS KILLED BY IMBONERAKURE, POLICEMEN AND/OR SOLDIERS</i>	4
<i>I.1.2. PERSONS KILLED IIN ARMED ATTACKS</i>	4
<i>I.1.3. A CORPSE FOUND IN BUSH</i>	5
<i>I.2. PERSONS TORTURED BY IMBONERAKURE, POLICEMEN AND/OR SOLDIERS</i>	5
<i>I.3. PERSONS ARRESTED BY IMBONERAKURE, SNR AGENTS, POLICEMEN AND/OR SOLDIERS</i>	5
<i>II. CASES OF GENDER BASED VIOLENCE</i>	7
<i>III. ECONOMIC AND SOCIAL RIGHTS</i>	8
<i>III.1. RIGHT TO HEALTH</i>	8
<i>IV. INTIMIDATION FROM CNDD-FDD PARTY MEMBERS</i>	8
<i>V. OTHER FACTS REPORTED</i>	9
<i>VI. CONCLUSION AND RECOMMENDATIONS</i>	10

ACRONYMS AND ABBREVIATIONS

CDS: *Health Center*

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

CNTB : *Commission Nationale des Terres et autres Biens*

CPI: *International Criminal Court (ICC)*

CPP: *Code of Criminal Procedure (CCP)*

EAC: *East African Community*

ECOFO: *Fundamental School/Ecole Fondamentale*

FNL: *National Liberation Front*

MSD: *Mouvement for Solidarity and Démocracy*

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 are recorded during this reporting period: at least 6 persons killed, 1 corpse, 5 tortured, 10 arbitrarily arrested and 1 person was a GBV victim.

The Imbonerakure CNDD-FDD ruling party's youth, SNR agents, policemen, , 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.

Agathon Rwasa's FNL wing members 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, ongoing acts of terrorism organized by the Imbonerakure youth against alleged opponents to the regime.

This bulletin recommends 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

I.1.1. PERSONS KILLED BY IMBONERAKURE, POLICEMEN AND/OR SOLDIERS

One person killed in Rugombo commune, Cibitoke province

On the night of May 3, 2017, on Mparambo II hill, at the 2nd avenue, zone and commune Rugombo, Cibitoke province, Nyabenda, a palm oil trader and native of Ngozi province was whipped to death by Ezéchiél the head of the Imbonerakure on Mparambo II hill.

I.1.2. PERSONS KILLED IIN ARMED ATTACKS

One person killed in Isare commune, Bujumbura rural province

On May 2, 2017, around 7:00 pm, in Rushubi zone, Isare commune, Bujumbura province, Gilbert Ndayisaba was shot dead by unidentified men. According to sources, the victim was in a bar not far from her home sharing a drink with friends.

One person killed and one wounded in Ntakangwa commune, Bujumbura mayorship

As of May 4, 2017, Jean Claude Bararufise aged 38, native of Kamenge zone was shot dead by an unidentified armed group while returning home. Sources on the spot indicate that this man was working as a bus conductor at 'Gare du nord' parking located in this zone. The incident occurred in Mirango I quarter of Kamenge, near Nyabagere bridge, down Ntakangwa commune office. The same sources indicate that Nadine Tumberayezu who was with the victim was also injured.

Two people killed in Busoni commune, Kirundo province

Information received by Iteka League on 7 May 2017 indicates that on 26 April 2017, a 70-year-old lady Régine Citegetse and her daughter Ndagijimana, aged 14 were killed by machetes by unidentified men on Burara hill, Gatara zone, Busoni commune, Kirundo province, according to sources on the spot.

I.1.3. A CORPSE FOUND IN BUSH

A dead body found in Ruyigi province

On May 3, 2017, a dead body of an unidentified person was found on Kigamba hill, Ruyigi Province. According to sources on the spot, this corpse was buried by the local administration assisted by Red Cross. According to police sources, it was an unknown person who had been hit on the head. It is a second unidentified person dead on this hill within less than 2 months.

I.2. PERSONS TORTURED BY IMBONERAKURE, POLICEMEN AND/OR SOLDIERS

A teacher beaten in Mpanda commune, Bubanza province

As of May 2, 2017, at ECOFO Rubira, Musenyi zone, Mpanda commune, Bubanza province, Majariwa, 6th form teacher was beaten by young Imbonerakure known as Jérôme Nkurunziza and Neto in complicity with the Director of this school Désiré Sindayigaya. According to our sources, the victim would be accused of not teaching well and is FNL member of Agathon Rwasa's wing. Following this incident, activities were suspended by teachers and pupils on 3 May 2017. The students' parents in this area are indignant at the behavior displayed by this director and the Imbonerakure.

One person arrested and tortured in Ngozi commune and province

On May 5, 2017, around 3:00 pm, a young man known as Dieudonné Nsabiandemye, finalist at Ngozi University, Faculty of Economics was arrested by an Imbonerakure named Manwangari. According to sources on the spot, the young man from Matongo commune, Kayanza province, and MSD party member was accused of photographing Ngozi central market and was taken to Ngozi SNR cell where he was threatened.

According to the same sources, as soon as he arrived at Ngozi SNR office, his smartphone was immediately confiscated by SNR agents. They asked him who gave him authorization to photograph the market. Dieudonné Nsabiandemye spent the night of May 5, 2017 in the the SNR cell where he was tortured because Radio Inzamba and Humura broadcasts were found in his cell phone the. He was transferred to Ngozi PJ cell.

Two persons tortured in Ruyigi province

On May 4, 2017, on Nyarumanga hill, commune Gisuru, province Ruyigi, Methode, an Imbonerakure of this area and Director of ECOFO Nyarumanga beat two students, Corneille Niyondiko and Diomedé Niyonzima. According to sources on the spot, he accused them of throwing stones to his house's roof while the latter were hunting birds with a sling. They were taken to Gisuru Hospital for health care. Methode refused to appear before the Gisuru OPJ, according to the same sources.

Torture in Kiganda commune, Muramvya province

On May 7, 2017, around 2:00 pm, Niyubahwe, a teacher at ECOFO Cumba in Rutegama commune, Muramvya province was arrested by Léonidas Nzoyihuki, head of Rutegama police station. He was tortured by the head of SNR in Kiganda-Rutegama named Anicet in his cell accusing him of insulting MPs.

1.3. PERSONS ARRESTED BY IMBONERAKURE, SNR AGENTS, POLICEMEN AND/OR SOLDIERS

An ex- FAB soldier arrested in Mabanda commune, Makamba province

As of 2 May 2017, around 8:00 pm, Déo Niyonzima alias Kimito, a retired ex-FAB was arrested on the order of Kigwati quarter head named Dieudonné alias Manyengeti in Mabanda commune, Makamba province. Felicien Bucumi, brigadier at Mabanda post often cited in arrests of political opponents executed the order and imprisoned this retiree. The latter is accused of insulting institutions, voluntary bodily harm and nightly noise.

A person arrested in commune and province Muramvya

As of May 4, 2017, in Muramvya commune, Muramvya province, a person named Eric was arrested by Muramvya SNR. He was taken to Muramvya police station. He had been denounced by the Imbonerakure that he had come from Rwanda. According to investigations, he was not in Rwanda but at the Martin Luther King University in Bujumbura. According to the same source, Eric was released the same day evening.

Three persons arrested in Butaganzwa commune of Kayanza province

On May 4, 2017, about 5:00 am on Nyabibuye hill in Butaganzwa commune, Kayanza province, three persons Samugere, Philibert and Onesphore were arrested pay police during a search. The arrested persons were farmers. The reason of this search and their arrest remains unknown.

Three people arrested in Giharo commune, Rutana province

Information received by Iteka League on 3 May 2017 indicates that on 29 April 2017, on Gatonga hill, in Muzye zone in Giharo commune of Rutana province, at Maragarazi River bordering Burundi-Tanzania, 3 persons, Samuel Sindayigaya, aged 24, from commune and

Rumonge province; Jackson Misago, aged 23, from commune and Rumonge province and Samson Nduwayezu, aged 26, from Songan commune and Bururi province were arrested by local Imbonerakure accusing them of joining rebel groups in Tanzania. These Imbonerakure called the police and the 3 persons were detained in Giharo police station cell. They were transferred to Rutana police station cell next to Rutana prosecutor's office for the investigation on 4 May 2017. The victims say they were going to Tanzania to look for work in tobacco and cassava fields.

One person arrested in Butaganzwa commune, Ruyigi province

Reverien Hakizimana, Agathon's Rwasa FNL party wing representative on Burenda hill, Biyorwa zone, Butaganzwa commune, Ruyigi province was arrested on 6 May 2017. According to Severin Nitunga, Agathon Rwasa's FNL wing chairman in Butaganzwa commune, the reasons of this arrest are not yet known. According to the same source, Reverien Hakizimana was arrested on a warrant from the prosecutor's office in Ruyigi province by policemen who were aboard a SNR vehicle. Séverin Nitunga, believes he was arrested for his political affiliation and deplores that CNDD-FDD Imbonerakure youth make night patrols around pro-Rwasa militants households in almost all Butaganzwa commune. The Biyorwa zone head, Severin Nzikwirinda said he was unaware of the arrest. The public prosecutor in province of Ruyigi, Nigaba Edouard also said he was not aware of the arrest but that he was arrested by one of his deputies and promised to inquire on the situation, our source said.

A person arrested in Ntakangwa commune, Bujumbura mayorship

On May 3, 2017, Rémy Ndagijimana, a bus driver from Sororezo hill in Muyira zone of Kanyosha commune, Bujumbura rural was arrested in Gihosha urban zone in Rohero quarter by Joe Dassin, SNR agent. His family is worried about his arrest for the reason is unknown.

A person arrested arbitrarily in Kirundo province

Information received by Iteka League on 7 May 2017 indicates that Emmanuel Coyitungiye, aged 30, Agathon Rwasa's FNL wing member, a native of Mukerwa hill, Kirundo Province, was imprisoned since 19 April 2017 in Busoni commune cell. According to sources on the spot, Coyitungiye was arrested by the Imbonerakure for refusing to join CNDD-FDD party. The administration and CNDD-FDD party chairman in the province obliged him to pay a ransom of 320 000 Bif to be released, specifies our source.

II. CASES OF GENDER BASED VIOLENCE

A girl raped in commune and Bubanza province

As of 7 May 2017, around 6:00 pm, on Kanama sub-hill, Shari I hill, zone, commune and Bubanza province, a girl known as FN aged 16 was raped by a 18-year old boy named Samson Barutwanayo. The victim was guarding goats and was later taken to the CDS of the area for health care.

In this province, children between one to 15 years are at risk of rape. According to data from Bubanza Family and Community Development Center (CDFC) in 2016, 40 girls victims of rape were registered. Among them, two are under 5 years, 11 are under 15 years, 13 are under

20 years and 5 are over 45 years. In the first quarter of 2017, cases appear to be serious: ten cases of rape are recorded at CDFC Bubanza. 7 of them are under 15 years.

III. ECONOMIC AND SOCIAL RIGHTS

III.1. RIGHT TO HEALTH

Prisoners at Gitega Central Prison are denied health care

Soldiers and policemen imprisoned at Gitega central prison accused of having participated in the May 2015 failed coup are afraid. This is after a security meeting in Gitega province denied these soldiers and policemen to leave this prison, even if they need to go for treatment. During this security meeting, the regional commissioner Thaddée Birutegusa was entitled as the only one to deal with these prisoners' health. This commissioner vowed to no longer waste time transporting these prisoners to hospital, according to sources on the spot.

IV. INTIMIDATION FROM CNDD-FDD PARTY MEMBERS

Intimidation from Imbonerakure in Cankuzo province

On May 3, 2017, around 10:00 am, the Imbonerakure of the 21 hills of Cankuzo commune, with CNDD-FDD party uniform, some with rifles and others with clubs, all met on Gatungurwe hill, 7 km from Cankuzo. They ran singing and dancing along the way to the province under the control of MP Anglebert Ngendabanka, the people who saw them were afraid, according to our sources.

Confrontations between CNDD-FDD party Imbonerakure youth and the opposition parties' members in Mpanda commune, Bubanza province

As of 2 May 2017, around 12:00 am on Rubira hill, Musenyi zone, Mpanda commune, Bubanza province, non-members of CNDD-FDD party are afraid following clashes that occurred between young Imbonerakure and those of the opposition. Some opposition members hid in the bush while others fled, the sources said. The authors leading this incident are the Imbonerakure known as Desire Sindayigaya, Jerome Nkurunziza, Hakiza and Eric. Among the opposition members is Adolphe Nizigiyimana, whose motorcycle, and 520 000 Bif were robbed and his wife also beaten by these Imbonerakure from Mpanda commune with some others from Rugazi commune with police uniforms and firearms.

Clash of Imbonerakure in Mutimbuzi commune, Bujumbura rural province

As of May 3, 2017, the CNDD-FDD party Imbonerakure in Maramvya zone, Mutimbuzi commune, Bujumbura rural province clashed after sharing money stolen from Zacharie Gahungu while returning home to Kirekura, 14th avenue. They were subdivided into two groups. The 1st group leader is a nicknamed Mapfyeri who allegedly participated in the assassination of Mathus Nshimirimana, Agathon Rwasa's FNL wing member. The 2nd group leader is Gaston Singora, also leader of Imbonerakure on Maramvya hill at the 15th avenue. The latter had been arrested on April 24, 2017 in possession of a gun. He was taken to Gakumbu military camp and then released. According to sources on the spot, the two team leaders possess illegally. During this clash, a nicknamed Bayore, the head of the 15th avenue

Maramvya zone and CNDD-FDD representative on this hill shouted for help. Soldiers intervened and disarmed these two leaders. On May 4, 2017, a reconciliation meeting was organized by Léonard, head of Imbonerakure Youth League in the province, Nepo Dusengumuremyi, head of Imbonerakure Youth League in the commune, Elysé, the CNDD-FDD Party representative in commune Mutimbuzi and his deputy Jean Paul Ndikumana, Pelagie Mayabu the head of CNDD-FDD party Women's League and the MP from CNDD-FDD Sauda Mboneko elected in Bujumbura rural province. The decision from the meeting was that their firearms that had been seized be given back, according to sources on the spot.

Imbonerakure paramilitary training in Makamba province

On May 6, 2017, about fifty CNDD-FDD youths undertook paramilitary training as part of community service. Songs hostile to the opposition were chanted "we will dig a 100-meters deep hole for opponents to Pierre Nkurunziza and bury them with their reliable partners." In chorus, "Abagwanya Pierre Nkurunziza tuzokwimba ikinogo c'imetero 100 tubahambemwo does not ababasha babo bese". The same scenario occurred in Gatabo zone, Kayogoro commune, Makamba province, during a visit of the Imbonerakure from Giharo commune, Rutana province to those of Kayogoro commune.

Two students beaten in commune and Kayanza province

On the night of 1-2 May 2017, at Kayanza High School, Kayanza commune and province, two students Samson Manariyo and Abel Ndiokubwayo were beaten by a group of 8 students from the same Lycée because they were not members of the ruling party. These are Holides Nshimirimana of 1st Modern Arts, Cyriaque of 1st Science, Jovial-Freddy, Jean Nsabimana of 2nd Modern Arts, Anicet of 1st Pedagogy, Fabrice, Cedric-Gyslain of Economics II and Kwizera Régis of 1st Modern Arts. The Disciplinary Board decided that these 8 pupils should be external until the end of the year.

V. OTHER FACTS REPORTED

People injured following land disputes in Nyanza-Lac commune, Makamba province

Information received by our office on 1 May 2017 indicates that a widow, Capitoline Hamenyayo residing in Nyanza-Lac was seriously injured, beaten by members of the returnee families. A group of residents have avenged the widow wanting to take justice into their own hands. A man repatriated named Nduwamungu and his wife were also wounded in the clashes. According to local sources, it all started with fights that occurred when a returnee's family went to harvest palms and cut trees from one property among those of the five families of residents that the CNTB had expropriated on 27 April 2017.

Armed attack in Kayokwe commune, Mwaro province

On the night of 6-7 May 2017, about 1:00 am, on Rutyzozo hill, in Mwaro zone in Kayokwe commune, an unidentified group of gunmen attacked Kazirukanyo's home, wounding a woman named Mediatrice who came to the rescue, according to sources on the spot. They stole a mattress, cell phones and an amount of money received in mourning held on May 6, 2017 of a member of Kazirukanyo's family. They took off to Fota, in Ndava commune, Mwaro province.

Generalized fuel scarcity across the country

As of May 4, 2017, Daniel Mpitabakana of the Ministry of Energy and Mine took measures to manage the quantity of available fuel. According to the same source, the distribution of fuel is allowed in daytime between 7:00 am and 6:00 pm. No one is allowed to buy fuel in a can except with a 48-hour permission of the Director of Fuel or the Governor. Trucks carrying fuel are not allowed to leave oil warehouses after 6:00 pm. Despite these measures, fuel remains a scarce commodity and transport prices have been revised upwards.

For example, for trips to the provinces of Gitega and Ngozi, the ticket went from 5,000 to 10,000 Bif for car taxis. Bus ticket for Gitega increased from 4,500 to 8,000 Bif.

In Rutana province, throughout the period from May 1 to 5, 2017, there was a fuel shortage (gasoline) in all the communes, leading to higher travel costs and prices for other essentials.

Hard living conditions of persons expelled of Tanzania, Makamba province

As of May 5, 2017, eighty returnees from Tanzania have spent nearly two weeks in Mabanda commune, Makamba province without any assistance. According to sources on the spot, these persons expelled ask to return to their native provinces because the commune is unable to assist them. They ask the benefactors to help them by giving them transport fees to go back home.

VI. 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 illegal possession of weapons by the Imbonerakure youth is still source of insecurity in the country.

Targeted arbitrary and illegal arrests to opponents in general and Agathon Rwasa's FNL wing members in particular continue in different parts of the country.

Intimidation by young Imbonerakure during paramilitary training, public demonstrations and night patrols are a source of threats to anyone non-member of the ruling party.

Given the continuously serious situation of human rights situation in Burundi, Iteka League recommends:

A) To the Government of Burundi :

- To dismantle and disarm the Imbonerakure militia which spread terror in the country and which has replaced the administration and security corps;

- To ensure compliance with the CCP for cases of arrests currently being committed dealt with by persons who are not competent to do so;
- To punish policemen, soldiers, Imbonerakure League youth and administrative agents involved in human rights violations;
- Respect detainees' right to health.

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.