BURUNDIAN LEAGUE OF HUMAN RIGHTS "ITEKA"

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Weekly bulletin « ITEKA N'IJAMBO » n[•]58 of the Burundian League of Human Rights ''ITEKA''



Week from 8 to 14 May 2017

In memory of Madam Marie Claudette Kwizera, Treasurer of Iteka, reported missing since December 10 2015. From December 2015 to 14 May 2017, Iteka has documented at least 424 cases of enforced disappearances.

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ACRONYMS AND ABREVIATIONS

AT: Transmitting Agent BRARUDI: Beverage Company of Burundi/Brasserie et Limonaderie du Burundi **CFP** : Professional Training Center **CNDD-FDD:** National Council for the Defense of Democracy CNI : National Identity Card **CNTB:** National Land Commission for Burundi **CPI:** International Criminal Court (ICC) **CPP**: Code of Criminal Procedure (CCP) DCE: Communal Direction of Education **DPE**: Provincial Direction of Education EAC: East African Community **ECOFO** : Fundamental School/Ecole Fondamentale FNL: National Liberation Front **OPC**: Chief Police Officier **PMPA**: Parties and Armed Political Movements SNR: National Intelligence Service **SOMIPONAR:** Ruyigi Policemen and Soldiers Natives Solidarity **UA:** African Union **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 6 persons killed, 2 reported missing, 11 tortured, 68 arbitrarily arrested and 3 people were GBV victims.

The phenomenon of corpses is also reported. At least 2 corpses were recorded in this reporting period.

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

AMIZERO Y'ABARUNDI coalition members (Agathon Rwasa's FNL wing members and UPRONA Charles Nditije's wing) 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 CNDD-FDD members 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 FOLLOWING MOB JUSTICE AND/OR SETTLING ACCOUNTS

One person killed in Muhuta commune, Rumonge province

Information received by Iteka League on May 12, 2017 indicates that at about 7:00 pm on 7 May 2017 Daniel Ciza, Imbonerakure, from Rubura hill, Busenge zone, Muhuta province Rumonge commune was killed by the population of Gabaniro hill, Gitaza zone, Muhuta commune. He would be accused of being a thief. He died in Gitaza hospital after the beatings. According to an analyst, this is a consequence of speeches made by authorities calling on the people to take justice.

A child killed in Ndava commune, Mwaro province

On 14 May 2017, around 12:00 pm on Kabogi hill in Buziracanda zone of Ndava commune, Rose Irakoze killed a 7-day-old child her husband Jean Marie Ntahokagiye had with her concubine named Capitoline Hatungimana. According to sources on the spot, the alleged perpetrator is in the hands of the police in Fota in Ndava commune.

I.1.2. PEOPLE KILLED BY UNIDENFIED PERSONS

One person killed in Vugizo commune, Makamba province

On May 12, 2017, in the morning, 74-year-old Bernadette Baragengana was found beheaded by unidentified persons at her home on Rabiro hill, Vugizo commune, Makamba province. The victim was the wife of Pierre Mukorukarabe, brother of Oscar Ntasano, a former CNDD-FDD senator elected in Makamba province who was reported missing a month ago. According to sources on the spot, two servants of the same household have run away and the police and administration are hunting them down.

One person killed in Butaganzwa commune, Kayanza province

On May 14, 2017, at about 10:00 pm, a trader of the area, Léandre Niyonsavye was murdered by unidentified people on Mufumya hill in Butaganzwa commune, Kayanza province.

I.1.3. CORPSES FOUND IN THE BUSH

A corpse found in Kayanza province

On May 8, 2017, a dead body of Lydie was found on Ruzingati hill, Gahombo commune, Kayanza province. At the hospital, it was found that she was raped and strangled. The perpetrators were not identified. Lydia was a student to CFP Gahombo.

A dead body found in Ndava commune, Mwaro province

On 13 May 2017, around 10:00 am, on Matongo hill, Ndava zone, Ndava commune, a dead body of Cyprien Gahungu was found in his house. According to sources on the spot, the victim would be killed with an ax. Some people in his neighborhood say he would be have been killed by thieves. The dead body is at the morgue of Kibimba.

I.1.4. PERSONS DIED IN POLICE CELLS

One person killed in Muramvya province

On May 11, 2017, Yvan Nsanzerugeze, OTB Teza accountant, Bukeye commune, Muramvya province, died in Muramvya provincial police station cell. The circumstances of the death of Yvan Nsanzerugeze remain unknown. According to sources on the spot, Yvan Nsanzerugeze was accused of a customs issue. Police say to be waiting for a government doctor for autopsy. He was arrested on May 9, 2017 at Foresta Hotel in Bukeye in Muramvya province with a girl named Emelyne. The same source indicates that Emelyne was released on May 12, 2017.

1.2. PERSONS ABDUCTED AND REPORTED MISSING

Two people abducted and reported missing in Bujumbura Mayorship

Two people were reported missing on May 8, 2017 in Taba quarter, Kamenge urban zone, Bujumbura mayorship. Their families say they have no news of theirs. One of these two people is Chanel Ndikuryayo living in Kinama zone of Muha commune, an ex-FAB Tutsi soldier working in Muha camp. This 34-year-old soldier is from Busiga commune, Ngozi province.

According to sources on the spot, he was a guard of an officer known in various human rights violations committed in Burundi named Pascal Minani alias Mababa, commander of the first Muha support battalion. Information from his family says that Chanel Ndikuryayo received a phone call from his engineer Christophe Ndabagoye early in the morning of May 8, 2017. Chanel Ndikuryayo had a building site in Gasenyi quarter of Gihosha zone. His engineer lived in Taba quarter of Kamenge zone. All were in a carina-type car registered A0695 belonging to Christophe Ndabagoye. The source close to Chanel's family said he would have been abducted by SNR agents under the order of Mababa. Chanel Ndikuryayo is a witness to various crimes committed by his boss. Even Christophe's car cannot be found.

1.3. PERSONS TORTURED BY IMBONERAKURE, POLICEMEN AND/OR SOLDIERS

A soldier arrested and tortured in Mwaro province

On May 9, 2017 at about 3:00 pm, Ndayishimiye Pacifique alias Muhongo, an ex-FAB soldier of Mwaro artillery brigade was arrested and tortured in military uniform by the commander of this brigade accompanied by his ATs all in military uniform. According to sources on the spot, this incident occurred on Gitwa hill, Gihinga hill, very close to his home. Pacific Ndayishimiye was from the brigade with a backpack and returned home as usual 1 km from the brigade. Arrived halfway, he took a motorcycle and arriving close to his home, he saw a pickup of the brigade commander rushing behind him with many other soldiers armed with guns and rockets. They arrested him and began beating up him in the presence of the population and his family members.

According to the same sources, Pacifique Ndayishimiye was brutally embarked in the pickup then taken to the brigade. The soldiers who arrested and tortured him are ex-PMPA soldiers. The reason for his arrest was that his backpack contained 40 cans of canned beef, according to a Mwaro brigade soldier. He was taken manu militari to Mwaro brigade cell.

Three persons tortured in commune and province Makamba

On May 13, 2017, Nkeshimana, a shopkeeper was tortured by a group of young Imbonerakure of CNDD-FDD ruling party members in Matonge quarter of commune and Makamba province. He was accused of not partaking in the celebration of the anniversary of the failed coup of May 13, 2015. Among these young people were Shabani, head of Imbonerakure at the commune level accompanied by François and Toyi. The same day, Vianney and Cimpaye were severely beaten by a team of young Imbonerakure including Yamuremye, Nintunze Cassien and Havyarimana. They were accused of being General Godefroid Niyombare's supporters.

Two persons tortured in Kayogoro commune, Makamba province

As of May 10, 2017, Édissa Nyandwi was the victim of an attack by young Imbonerakure. The facts occurred on Kibara hill, Kayogoro commune, Makamba province. He was accused of sorcery and was beaten, according to sources on the spot. The Imbonerakure cited in this attack are Niyonzima, Musenga and another nicknamed Gipomozi. The victim is living underground ever since.

On May 11, 2017, about 1:00 am, in the same commune, on Butare hill, a 80-year-old woman was beaten with a nailed club by an Imbonerakure named Isaac Minani after bursting into her house. This Imbonerakure would be about to be released according to sources from the victim's family.

Four detainees tortured in Mpimba Central Prison

Aimable Manirakiza, a University of Burundi student, Fulgence Bizoza, Placide Muganga and an unnamed old man are held in poor conditions in Mpimba Central Prison. According to sources on the spot, they were beaten and wounded by Imbonerakure detainees on 11 May 2017 on order of the prison director OPC2 Déo Bigirimana. The same source indicates that this director refused them any visit ordering policemen to eat whatever will be brought by visitors for the 3 above mentioned detainees.

One person arrested and tortured in Kabarore commune, Kayanza province

On May 10, 2017, on Karama hill in Kabarore commune, Kayanza province, Michel alias Gasongo was beaten up by policemen and then taken to Kayanza cell. He is accused of trafficking coffee to Rwanda.

I.4. PERSONS ARRESTED BY IMBONERAKURE, SNR AGENTS, POLICEMEN AND/OR SOLDIERS

A person arrested in Rutana province

As of May 8, 2017, Cyriaque Nyandwi, teacher at ECOFO Mutwana and communal council member in Giharo, from AMIZERO Y'ABARUNDI (UPRONA–Nditije's wing) was arrested by Imbonerakure on Mutwana hill, Butezi zone, Giharo commune, Rutana province. He was taken to the police station cell accused of resupplying BRARUDI drinks to rebels in Tanzania, according to our sources. As for him, he says that the administration of Giharo is plotting against him.

One person arrested in Kibago commune, Makamba province

On May 11, 2017, Oscar Nibaruta, a fish trader at Kiyange market was arrested at his home by Kiyange hill head named Anicet in Kibago commune, Makamba province. He was detained in Kiyange zone. On the same day, around 10:00 pm, Anicet, head of Kiyange hill, Gaspard, head of the Imbonerakure and Chadrack, head of Kiyange zone, searched Oscar's house and took iron sheet while the victim was imprisoned in the zone cell. Oscar spent two days in the zone cell and then transferred to Kibago police station.

Thirty people arrested in Mukaza commune, Bujumbura mayorship

As of May 11, 2017, 30 people were arrested by the police during a search at the 4th avenue of quarter III, Nyakabiga urban zone, Mukaza commune, Bujumbura mayorship. Those arrested did not appear in household notebooks or did not have them. They were taken to the zone cell.

Twenty-eight people arrested in Ntahangwa commune, Bujumbura mayorship

As of May 8, 2017, eighteen people were arrested during a search to control household notebooks and CNI, carried out by policemen and soldiers on avenues 15 and 18 of Mutakura quarter, Cibitoke urban zone , Ntahangwa commune, Bujumbura. According to on-spot sources, they were taken to Cibitoke urban zone office . According to the same sources on the spot, they were released after paying a ransom ranging between 2,000 and 5,000 Bif. On May 10, 2017, for the same charges as those of May 8, 2017, the police arrested and released, under the same conditions 10 people on avenues 9 and 10 from n° 90 to 120 of Cibitoke urban zone.

Six people arrested in Ngagara urban zone, Ntahangwa commune, Bujumbura

On May 12, 2017, six people were arrested by policemen and soldiers during a search and control of household notebooks in quarter IV, in Ngagara urban zone, Ntahangwa commune, Bujumbura mayorship. Their release was conditional upon payment of a ransom of 5,000 to 10,000 Bif. According to sources on the spot, these people were accused of various irregularities in the household notebooks or not having them.

II. GENDER BASED VIOLENCE

One person raped in Muramvya province

R.I, aged 6, from Kabuye hill, Mbuye commune, Muramvya province was raped three times on 28 April 2017, 4 May 2017 and 17 May 2017 by a 24-year-old man Mathias Ndikumana. He fooled her by giving her an amount of 100 Bif, according to sources on the spot.

A person raped in Gitanga commune, Rutana province

As of May 9, 2017, a 6-year-old girl I.A. was raped by her paternal uncle named Lazare Budenengo on Samahuge hill, Nyakuguma zone, Gitanga commune, Rutana province. The victim was rushed to Makamba Hospital for health care and the alleged perpetrator was arrested and imprisoned at Rutana police station cell.

A student violated in commune and province Bubanza

On 10 May 2017, at about 10:00 am on Muyange II hill, commune and Bubanza province, Jean Marie Nzisabira, a 30-year-old single man, director of ECOFO Muyange II was arrested by Bubanza police and imprisoned in Bubanza provincial police station cell. He is accused of impregnating J.N aged 18 years, pupil in 7th form at ECOFO Mitakataka.

Unwanted pregnancy and early marriage in Makamba province

As of May 10, 2017, at a meeting with the administration, DPE, DCE, teachers, the head of staff at DPE Makamba warned teachers who will be involved in the acts of impregnating pupils. This is due to alarming figures of unwanted pregnancy and early marriage of the Ministry of Education report.

In Makamba DPE, 2016-2017school year, 143 cases of unwanted pregnancy and 52 cases of early marriage were recorded. The most affected pupils are those in the first cycle of ECOFO. The perpetrators of these pregnancies include teachers. According to this report from the Ministry of Education, Bururi Province tops the list with many unwanted pregnancies and early marriages among girls at school, followed by Makamba province.

III. ECONOMIC AND SOCIAL RIGHTS

III.1. RIGHT TO PROPRIETY

Expropriation of a plot by CNTB in Kirundo province

As of May 9, 2017, CNTB granted to Karima, a CNDD-FDD party member, a property belonging to Kagara's family, a UPRONA political party member. According to sources on the spot, Kagara had moved in 1993 to the displaced persons site of Rusarasi.

The latter is currently in exile in Mahama refugee camp in Rwanda. They are all from Buraza hill, Gatare zone, Busoni commune. There is fear and ethnic disagreements to these displaced persons of Rusarasi site, clarifies our source.

IV. INTIMIDATION BY CNDD-FDD PARTY MEMBRES Demonstration by CNDD-FDD party members across the country

As of 13 May 2017, demonstrations were organized throughout the country by CNDD-FDD party. According to sources on the spot, this was the 2nd anniversary of the failed coup of May 13, 2015. Some Imbonerakure paraded in possession of guns, bayonets, clubs and small hoes. They chanted slogans to insult and intimidate opponents or alleged opponents.

Some illustrative cases:

In Cankuzo province, all the communes were mobilized. The number of CNDD-FDD demonstrators was between 1500 and 2500. Two people were carrying guns, including Gabriel Baravungwa. Another person had a bayonet while others had small hoes and clubs. They commemorated the 2^{nd} anniversary of the failed coup of May 13, 2015, according to sources on the spot. The day before, they danced before alleged opponents in a bar. They had a vehicle with loudspeakers and said, *« ya coup d'État iri he?"(What about the coup)?* "The owners of one of the bars were afraid to open this day of protest because the day before during the mobilization, CNDD-FDD members had told them that they would dance in this bar. The latter would be the dancing place for those who would have supported the coup in 2015.

In Rutana province, Imbonerakure began demonstrating from 5:00 am in celebration of the 2^{nd} anniversary of the failed coup. They chanted songs to support President Pierre Nkurunziza and castigated Niyombare and those who supported him.

In Ruyigi province, CNDD-FDD party members demonstrated against the coup leaders on this 2nd anniversary of the failed coup, according to sources on the spot. Imbonerakure provided security. In the Ruyigi Governor's speech, he cited chronologically the bloody events that characterized Burundi from 1961 until May 13, 2015 when the enemies of Burundi plunged the country into a bloodbath. He congratulated the neighboring countries for their moral support, regretting instead the behavior of Rwanda which gave refuge to the enemies. The countries hosting the enemies should extradite them for trial, he added. According to him, the date of 13 May will be dedicated to Democracy. This speech was sent by the Home Affairs Minister. Even though many participants were not in uniform, there were ruling party flags everywhere, which annoyed some during community work. There were so many even those from other communes, MPs and senators of Ruyigi. A minute of silence was observed in memory of the disappeared including Colonel Darius Ikurakure, a native of Ruyigi. Soldiers and policemen gathered in SOMIPONAR were present at this demonstration.

In Bujumbura province, the Home Affairs ministry called on the Burundian population to demonstrate to celebrate the second anniversary of the coup attempt of 13 May 2015. Several

people demonstrated and chanted anti-Kagame slogans who is accused of sending Rwandan spies to collaborate with coup plotters.

In Kirundo province, similar demonstrations organized by CNDD-FDD took place. According to sources on the spot, the non-party population was afraid to leave their homes to avoid mistreatment by these demonstrators.

In Karusi province, similar demonstrations took place. Slogans insulting coup plotters, civil society organizations, Rwanda and President Kagame, and UN organizations were chanted. The provincial governor publicly declared in his speech that those who did not respond to these demonstrations are supporting the putschists and should be followed closely. According to a political analyst, this kind of speech is a call for the violence and incitement to hatred of any non-member to CNDD-FDD, apolitical or political.

A member of a political party threatened in Kayanza province

Oswald Manirakiza, a supervisor at Kayanza High School is threatened by the Director of Kayanza High School, Kayanza commune, Kayanza province. He accused of being FNL member of Agathon Rwasa's wing and he asked him to join CNDD-FDD party if he wishes to keep his job.

Forced contribution to build a CNDD-FDD party monument.

As of May 12, 2017, residents of Gitaramuka commune in Karusi province were forced to pay 5,000 Bif per citizen and 10,000 Bif for every trader. According to sources on the spot, this money is to build a CNDD-FDD party monument. In almost all the country, on these monuments, it is written: "Caratuvunye ntiturota turekura igihugu (we have suffered a lot for the country, we are not intending to free the power)". The same source indicates that there is a person who has been forced to pay an amount of 60,000 Bif since he is engaged in the extraction of pebbles, sand and gravel. The population of Gitaramuka is exhausted of these forced contributions while living in poverty.

Confrontation of Imbonerakure in Cibitoke province

On May 9, 2017, at Cibitoke High School in Cibitoke Province, a young Imbonerakure named Charles Niyongere was definitely expelled from Cibitoke High School after attempting to kill another young Imbonerakure named Thierry Niyongere. According to our sources, he tried to stab him with a knife he had in the dormitory. The victim was slightly injured on the hand. Both were in 2nd Modern Arts. The origin of the dispute was the theft of a mobile phone that Charles Niyongere accused the victim, according to the same sources.

Paramilitary training in Rango commune, Kayanza province

Paramilitary training by Imbonerakure continues on Gatare, Nteko and Cari hills in Rango commune, Kayanza province. These exercises are done in small forests of these hills towards dawn.

V. OTHER FACTS REPORTED

Release of two prisoners in Gitega prison

As of May 12, 2017, Gitega police released two FNL activists of Agathon Rwasa's wing. They are Colonel Edouard Sabukwigura of Bugendana commune and Colonel Edouard Nzambimana of Gitega commune. Both were demobilized from FNL. They were arrested by Gitega police seven months ago, all accused of ambushing the police. The Gitega justice decided to release them because they had no file even if they had just spent 7 months in prison.

One person injured in Buterere urban, Ntahangwa commune, Bujumbura mayorship

As of 9 May 2017, unidentified armed men shot and wounded a person in Buterere urban zone, Ntahangwa commune, Bujumbura mayorship. According to sources, the victim was hit in the head and evacuated to the hospital.

Fuel shortages across the country

Information received by Iteka League on May 14, 2017 indicates that in different provinces of the country, different gas stations have not been supplied with fuel for more than two weeks.

In Bururi province, all gas stations have no fuel, according to our source. As a result, prices of essentials are rising steadily. For instance, the price of beans is 1500 Bif per kg, rice at 2200 kg, cassava flour at 1500 Bif kg, etc., says our source. In general, food prices have increased by more than 60% compared to the previous month. The population does not know what to do. It lives in poverty.

In Gitega province, due to fuel shortage, some young Imbonerakure are involved in fuel sale. They are supervising fuel distribution in gas stations and took advantage of requesting bribes to facilitate access to the pumps. Motorcyclists pay between 2,000 to 4,000 Bif to be served. This interference of the young Imbonerakure is done in the presence of the police and administration.

In Makamba province, fuel has become a rare commodity. Several gas stations have suspended their activities. According to local sources, gas station owners are facing a big loss because they keep paying employees who scarcely work. Following this shortage, a black market took place. For example, the liter of gasoline that cost 2100 Bif, is today sold between 3500 Bif and 4 000 Bif.

In Bujumbura mayorship just as in the country, the serious lack of fuel has been observed for three weeks. Queues in front of gas stations have increased. According to oil traders, the government would have given the import license to a single company unable to satisfy home market. According to Energy and Mining Minister Come Manirakize, this fuel shortage is due to a lack of foreign currency.

Illegal collection of funds in Makamba commune and province

On May 11, 2017, in Makamba commune, an Imbonerakure named Sakubu assumed the right to compulsory collection of the contribution for the construction of a provincial property. The latter pretexted to doing so on behalf of the province while in fact he was systematically robbing.

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.

Torture, targeted arbitrary and illegal arrests to opponents in general and members of AMIZERO Y'ABARUNDI coalition (Agathon Rwasa's FNL wing and UPRONA wing of Charles Nditije) are still recorded 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.

The phenomenon of mob justice is also a consequence of the hate speech pronounced by some authorities of the country.

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;

B) To the AU

Implement its decision to send a military force to protect the Burundian population in distress.

C) 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.