

BURUNDIAN LEAGUE OF HUMAN RIGHTS "ITEKA"

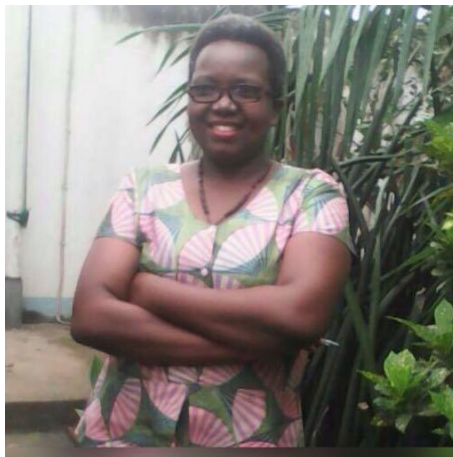
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Weekly bulletin « ITEKA N'IJAMBO » n°59 of the Burundian League of Human Rights "ITEKA"

Week from 15 to 21 May 2017



In memory of Madam Marie Claudette Kwizera, Treasurer of Iteka, reported missing since December 10 2015. From December 2015 to 21 May 2017, Iteka has documented at least 424 cases of enforced disappearances.

<i>CONTENTS</i>	<i>PAGES</i>
<i>ACRONYMS AND ABBREVIATIONS</i>	<i>3</i>
<i>INTRODUCTION.....</i>	<i>4</i>
<i>I. ALLEGATIONS AND VIOLATIONS OF HUMAN RIGHTS</i>	<i>4</i>
<i>I.1. ALLEGATIONS OF VIOLATIONS OF THE RIGHT TO LIFE</i>	<i>4</i>
<i>I.1.1. PERSONS KILLED BY IMBONERAKURE, POLICEMEN AND/OR SOLDIERS ...</i>	<i>4</i>
<i>I.1.2. PERSONS KILLED FOLLOWING ARMED ATTACKS AND/OR AMBUSHES.....</i>	<i>5</i>
<i>I.1.3. CORPSES FOUND IN BUSH</i>	<i>6</i>
<i>I.1.4. PERSONS KILLED FOLLOWING MOB JUSTICE AND/OR SETTLEMENT OF ACCOUNTS</i>	<i>6</i>
<i>I.2. PERSONS TORTURED BY THE IMBONERAKURE.....</i>	<i>7</i>
<i>I.3. PERSONS ARRESTED BY IMBONERAKURE, SNR AGENTS, POLICEMEN AND/OR SOLDIERS</i>	<i>9</i>
<i>II. GENDER BASED VIOLENCE</i>	<i>11</i>
<i>III. INTIMIDATION BY CNDD-FDD PARTY MEMBERS.....</i>	<i>11</i>
<i>IV. OTHER FACTS REPORTED</i>	<i>12</i>
<i>V. CONCLUSION AND RECOMMENDATIONS.....</i>	<i>13</i>

ACRONYMS AND ABBREVIATIONS

BRARUDI: *Beverage Company of Burundi/Brasserie et Limonaderie du Burundi*

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)*

EAC: *East African Community*

EP: *Primary School*

FAB: *Burundi Armed Forces*

FDN : *National Defense Force*

FNL : *National Liberation Front*

OPJ: *Judicial Police Officer*

PAFE: *Immigration Police*

RDC: *Democratic Republic of Congo*

REGIDESO: *Water Supply Company*

SNR: *National Intelligence Service*

SOSUMO: *Moso Sugar Company*

UA: *African Union*

UE: *European Union*

UPRONA: *Union for National Progress*

VBG : *Gender Based Violence*

INTRODUCTION

Allegations and violations of human rights were recorded during this reporting period: at least 12 persons killed, 7 tortured, 56 arbitrarily arrested and 2 people were GBV victims.

The phenomenon of corpses is also reported. At least 3 corpses were recorded in this reporting period.

The Imbonerakure CNDD-FDD ruling party's youth, SNR agents, policemen and soldiers 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 BY IMBONERAKURE, POLICEMEN AND/OR SOLDIERS

One person killed in Rutegama commune, Muramvya province

On May 17, 2017, on Nyarunazi hill, Rutegama commune, Muramvya province, Audace was beaten to death by Imbonerakure, Eric and Emile. According to sources on the spot, he was accused of stealing a small hoe. The alleged perpetrators are imprisoned in the Rutegama police cell.

One person killed in Muyinga commune and province

As of 21 May 2017, a 40-year-old man Habimana alias Kagemeri was killed on Mwurire hill, Rugari zone, commune and Muyinga province. According to sources, he was shot by a soldier from a position in the area. The same sources indicate that Kagemeri was with the head of Mwurire hill who managed to escape. The soldier who was about to arrest a wanted fraudster would have been mistaken.

A person killed in Kirundo commune and province

As of 21 May 2017, around 10:00 pm, on Gahosha hill, commune and Kirundo province, Rwagara, aged 60 was killed by members of the Imbonerakure Youth League. The 60-year-old man is accused of stealing crops. Next to his body, his alleged executioners had placed a pot containing avocados and a few feet of climbing bean, according to a witness.

1.1.2. PERSONS KILLED FOLLOWING ARMED ATTACKS AND/OR AMBUSHES

One person killed in Mutimbuzi commune, Bujumbura rural province

On 20 May 2017, around 7:00 pm on Bujumbura-Gatumba road, in Kajaga, Rukaramu zone, Mutimbuzi commune, Bujumbura rural province, Hilali Mohamed was killed by an unidentified armed group. According to our sources, the victim lived in Kajaga quarter. He was returning from Uvira in DRC where he was working on a gas station.

Four people killed and one wounded in Musaga urban zone , Muha commune, Bujumbura mayorship

On 17 May 2017, Audifax Ndayizeye, trainee at REGIDESO, Cedric Kwizera, a transport bus conductor, Reagan Harerimana, trader were killed by unidentified persons in a grenade attack in Gikoto quarter, Musaga urban zone, Muha commune, Bujumbura mayorship. Ladouce Iradukunda, a pupil at Musaga Crafts School, succumbed to her injuries and Nice Shurweryimana, a student at Kanyosha Technical College was seriously injured.

According to the Municipal Police Commissioner, Monfort Ndoreraho, all the victims were Imbonerakure. The same source said more than 30 people mostly young people were arrested by the police for investigation reasons. Some of them were released. The current record shows that there are 15 imprisoned people, some in Musaga zone cell while others are detained in the national intelligence service cells. Jean Bosco Mugiraneza chairman of FNL of Agathon Rwasa's wing in Musaga urban zone and his brother were arrested by SNR police. Antoine Hakizimana, who was an ex-FAB soldier and his two children were taken aboard an unpatched pic up vehicle to an unknown destination. The population of Musaga zone is

concerned about untimely arrests of people, especially young people, some of whom have already fled the area fearing for their safety.

1.1.3. CORPSES FOUND IN BUSH

A dead body found in Bururi commune and province

As of May 17, 2017, a dead body of Jean Claude Niyongabo, a 23-year-old servant to Nyandwi's was found on Gisanze hill, commune and Bururi province. According to sources on the spot, the corpse of Jean Claude Niyongabo had injuries in the neck. According to information gathered from Nyandwi and the neighbors, Niyongabo was in fine and had no problems on the evening of May 16, 2017. Three people were arrested for investigation reasons and the reason and circumstances of the incident remain unknown.

A dead body found in Gihosha urban zone , Bujumbura mayorship

On 16 May 2017, a corpse of an unidentified man of at least 30 years was found in a gutter near the PAFE offices in Kigobe quarter of Gihosha, Ntahangwa commune, Bujumbura mayorship. According to police deputy spokesman Moise Nkurunziza, the victim had injuries to the head.

A corpse found in Muramvya commune and province

On May 19, 2017, a corpse of Canesius Nibizi was found on Murinzi hill, Shombo zone, commune and Muramvya province.

1.1.4. PERSONS KILLED FOLLOWING MOB JUSTICE AND/OR SETTLEMENT OF ACCOUNTS

One person killed in Butezi commune, Ruyigi province

Information received by Iteka League on 17 May 2017 indicates that Minani of the Twa social component, of Nyankanda sub-hill, Munyinya hill, Bwagiriza zone, Butezi commune, Ruyigi province succumbed to his injuries as of May 14, 2017. According to sources on the spot, he was beaten by the population of this area, accused of robbery in a field. Seven people were arrested for investigation reasons including Kana, Ferdinand alias Dina who was director of Nyankanda E.P and the hill councilor of this hill. Ferdinand is also among the leaders of the Imbonerakure Youth League in the commune. They were imprisoned in Bwagiriza police cell. According to information received by our office on May 19, 2017, Kana was released. Following the death of Minani, the Twa of Kireka hill where the victim lived started fleeing and the inhabitants of the Hutu and Tutsi social groups feared the retaliation of the Twa.

One person killed in Bweru commune, Ruyigi province

Information received by Iteka League on May 20, 2017 indicates that on May 8, 2017, Marcelline Kagaruro from Gasenyi hill, Busoro zone, Bweru commune, Ruyigi province was almost lynched by his neighbors who accused him of killing Denise Barakamfitiye by poisoning. The alleged perpetrators have run away, according to our source. Similarly, on Busūma hill, Mubavu zone, Bweru commune, another person named Goreth accused of sorcery was killed, according to the same sources.

1.2. PERSONS TORTURED BY THE IMBONERAKURE

One person tortured in Rutegama commune, Muramvya province

On May 16, 2017, on Nkonyovu hill, Rutegama commune, Muramvya province, Christiane was beaten by the Imbonerakure of this area. Her husband, Eric, had tasked them accusing her of stealing his crops. According to sources on the spot, Binito and Majiridi are mentioned among these Imbonerakure.

One person tortured in Kiganda commune of Muramvya province

On May 16, 2017, on Kiganda hill and commune, Muramvya province Etienne Metuye beat up his child accusing him of stealing an amount of 70,000 Bif. He then asked the Imbonerakure to beat him too for cash. This child was taken to Kiganda hospital in a critical situation.

A person tortured in Giheta commune, Gitega province

Information received by Iteka League on May 18, 2017 indicates that Dr Zacharie Iryumugabe alias Juma, a FDN soldier, was beaten up by the Imbonerakure youth of CNDD-FDD party on 14 May 2017 on a military position at Muryanyoni on Rweru hill, Giheta Commune of Gitega Province. On-site sources indicate that Dr Zacharie Iryumugabe was tied up before being beaten. Names cited among these Imbonerakure are Achille, a demobilized, accompanied by his friends Vincent Nizigiyimana, Felix Kezimana. The same sources indicate that they found him in Philippe's bar of Rweru hill. The soldier filed a complaint on 16 May 2017 to Giheta commune. Three Imbonerakure were arrested by the OPJ and then imprisoned in the commune cell, the same sources said.

A person arrested and tortured in Gitaramuka commune, Karusi province

On 19 May 2017, on Rubuga hill, in Gitaramuka zone and commune, a young motorcyclist nicknamed Cinjire was arrested, tied up and beaten up before being taken to the commune cell by his colleagues on the order of the zone head at the same time chairman of the CNDD-FDD ruling party in this commune. He was accused of betraying the regime by uttering that the fuel shortage is caused by the 3rd term. But according to our sources, the reason of his arrest is that he is a FNL member of Agathon Rwasa's wing.

A person tortured in Kibago commune, Makamba province

On May 16, 2017, on Murambi hill, Kibago commune, Makamba Province, a 70-year-old man Vital Buhororo was seriously injured on the head by an Imbonerakure on patrol when he returned home. According to sources on the spot, Vital Buhororo is a UPRONA party member of Charles Nditije's wing. Despite the efforts of the victim's neighbors who were able to arrest this Imbonerakure, the old man filed a complaint but the OPJs of Kibago position refused proceeding the case. On the same day and in the same commune, a secret meeting chaired by Phénias Nyandwi, Kibago zone head for the Imbonerakure was held on Kivoga sub-hill, Kibago hill. This created panic among Kibago commune inhabitants, considering the blunders committed by these Imbonerakure.

A person tortured in Kibago commune, Makamba province

On May 20, 2017, on Rubimba hill, a nicknamed Mugamba was ambushed by Imbonerakure on a night patrol headed by Ciza. According to sources on the spot, he was beaten and injured at the head. These Imbonerakure were from Jimbi hill border with Rubimba hill. Names cited among these Imbonerakure are Ciza and Bahati.

A person tortured in Kayogoro commune, Makamba province

In Kayogoro commune, Malaisie Hakizimana, a native of Bujondi hill in Kayogoro commune, was beaten, tied up and then tied to a tree by a group of young Imbonerakure. According to sources on the spot, they suspected her of being involved in arson to her neighbor's kitchen. The names mentioned among these Imbonerakure who tortured Hakizimana are Aloys Ndikumwenayo, Nderayahaga alias Matsitsi, Nestor Ndabazaniye, Jeremie, Celestin and Gilbert Kabura. After discovering the true perpetrator, they have ordered the victim to keep secret except otherwise she will suffer serious consequences. A fine equivalent to local beer can was also imposed on the victim despite his innocence.

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

Five people arrested in Cibitoke urban zone, Ntahangwa commune, Bujumbura mayorship

On May 20, 2017, five people were arrested by policemen and soldiers during a search, household notebooks and CNI check in Mutakura quarter from 0 to 3rd Avenue, Cibitoke urban zone, Ntahangwa commune, Bujumbura mayorship. They were released after paying a ransom ranging between 3000 and 5000 Bif.

Thirty-four people arrested in Musaga urban zone , Muha commune, Bujumbura mayorship

As of 18 May 2017, thirty-four people were arrested by policemen and soldiers during a search in Gikoto quarter, Musaga urban zone, Muha commune, Bujumbura mayorship. These arrests were made after a grenade exploded in the same area. They were released after paying fines, according to administrator of Muha commune, Daniel Kabura.

Five people arrested in Rugombo commune, Cibitoke province

Information received by Iteka League on May 15, 2017 indicates that as of May 7, 2017, in Cibitoke province, in a bar called 'chez Coppens', Jean Baptiste Habumuremyi alias Mpagaze, Police head in Rugombo has arrested Violette Ndayishimiye, Azela Mukeshimana, Consolator Ndoricimpa, Angélique Irankunda and Belyse Ndayikengurukiye. They were released on May 9, 2017 on the intervention of the public prosecutor in Cibitoke. According to the same sources, this police head is cited in many cases of violations.

One person arrested in Ngagara urban zone , Ntahangwa commune, Bujumbura mayorship

On May 17, 2017, a house worker was arrested by police during a search and control of household notebooks in quarter III, Ngagara urban zone, Bujumbura mayorship. The person arrested was not registered in the household notebook. He was afterwards released.

Eight people arrested in Cibitoke urban zone, Bujumbura mayorship

On May 15, 2017, eight people were arrested and taken to Cibitoke urban zone office by policemen and soldiers during a search and control of household notebooks operated from 2nd

to 4th avenue in Cibitoke urban zone . All of these people were accused of not having household notebooks while these notebooks are no longer available in the zone. They were released after showing the payment slips of 2000 on the mayorship account to buy these household notebooks.

Two FNL members of Agathon Rwasa's wing arrested in Gitega province

On May 15, 2017, Ladislas Sabukwigura and Edouard Nzambimana, two FNL members of Agathon Rwasa's wing were arrested by SNR agents on Rutegama hill, Gitega province. Police sources say they were arrested for investigation reasons. They had just spent six months in prison accused of ambushing. After 6 months in detention, they were released by the prosecutor's office at Gitega Court of Appeal on 11 May 2017. These FNL members are currently detained in Gitega police cell. Ferdinand Misigaro, chairman of Agathon Rwasa's FNL in Gitega province is concerned about the arrest of their members who have become quasi-daily and asks for their release.

One person arrested in Bukemba commune, Rutana province

On 18 May 2017, at about 1:00 am, Engineer Boniface Nibigira of the SOSUMO Agricultural Service was arrested by the SNR officer in Rutana named Jovit and was taken directly to Rutana police station cell.

Police sources on the spot say he is accused of breaching state security. The victim's relatives say he was arrested because of his membership to UPRONA party of Charles Nditije's wing. Boniface Nibigira is suspected by SNR services of digging a mass grave in the sugarcane plantations to bury people during the 2015 demonstrations. However, according to a source close to the victim contacted on 19 May 2017, Engineer Boniface Nibigira was commissioned by SOSUMO authorities in 2013 to dig a hole to be used for the destruction of expired medications from SOSUMO health center. According to the same source, this pit was dug in sugarcane fields but never served. The provincial physician of the day would have found another place to destroy these drugs. His colleagues at SOSUMO denounce a setup against this staff and fear for his safety. They call on SOSUMO officials to intervene for his release.

Five people arbitrarily imprisoned in Bururi province

Information received by our office on May 18, 2017 indicates that 5 people including Nicaise Niyongabo, Monalie Ndayizeye, Elvis Niyondavyi, Ferdinand Ntisinzira and Godefroid Manirakiza, all from Kivumu and Donge-Burasira hills were arbitrarily imprisoned in Bururi police cell from 29 April 2017 till 18 May 2017. According to these detainees, the public prosecutor's office and the police excessively delays investigating on this case. The reason for

their arrest was related to the theft of cows on Nyarurambi sub-hill, Kivumu zone in Mugamba commune, Bururi province.

Two persons arbitrarily detained in Mabanda commune, Makamba province

In Mabanda commune, Alexis Sibomana and Mapine, both traders of this area were arrested and then imprisoned for one week on order of the administrator of this commune Leatitie Niyonkuru. According to sources on the spot, they were imprisoned without files and were accused of leading an insurrectional movement among traders to solicit the harmonization of the prices of BRARUDI products in all the communes.

II. GENDER BASED VIOLENCE

A person raped in Kiganda commune of Muramvya province

On May 15, 2017, H. from Ruvumu hill, Kiganda commune, Muramvya province was raped and stabbed by unknown persons when she returned home. She was rushed to Kiganda hospital.

III. INTIMIDATION BY CNDD-FDD PARTY MEMBERS

Ethnic stigma in Busoni commune, Kirundo province

On May 16, 2017, Busoni administrator Marie Claudine Hashazinka, a CNDD-FDD party member has expelled her 17-year-old daughter named Élysée Irankunda, throwing her affairs in the toilets, accusing her of "Mujeri", the name given to all President Nkurunziza's 3rd term opponents, sources said. Hashazinka had this child with a Tutsi when she was still at school. She loudly shouted before the population that she cannot raise a "Mujeri", says our source.

Night patrols of Imbonerakure in Cankuzo province

As of 20 May 2017, four Imbonerakure youth armed with sticks, in night patrols around Bishop Joachim Ruhuna Muyaga High School in Cankuzo commune were seen by a teacher and the pupils of this school. One of them was caught and disarmed with his truncheon. According to sources on the spot, on this truncheon was marked in large print "IMBONERAKURE" and was beaten by the students while 3 others were able to flee. The police soon got involved in this situation and this Imbonerakure was released on the spot.

Forced money and food collection to pay the Imbonerakure in Kirundo province

Information dated 20 May 2017 indicates that since December 2016, heads of hills and heads of quarter require Kirundo inhabitants to pay a amount of 2000 Bif to pay the Imbonerakure of the area . According to sources on the spot, these authorities explain to the population that Imbonerakure do night patrols to ensure the population safety. They explain that the latter also watch over their fields to prevent thefts at night while it is the same Imbonerakure who are at the origin of these robberies. In Kirundo commune, before harvesting, one should pay this amount if not one is not allowed to harvest, precise our source. In addition to this amount, which the inhabitants pay by force, the same people return to households after the harvest to collect 2 kg of beans or maize per household but also in offices to ask civil servants a contribution of 5000 Bif, according to the same sources. All these costs are in addition to forced contributions demanded by administrative authorities pretexting the construction of public infrastructures in this period of crisis in the country.

Forced contributions in Makamba province

As of May 19, 2017, the Imbonerakure had blocked all the roads to Makamba province city. Any passing pedestrians or moving by any other means of transport were disembarked to be checked whether or not they have receipts proving their 5th installment of contribution. This happens in Makamba commune as in other communes of the province. In all the communes, adults no longer have right to go to public places such as markets before paying all the contribution.

IV. OTHER FACTS REPORTED

One person injured in Bweru commune, Ruyigi province

On 19 May 2017, around 10:00 pm, on Nzozi hill in Bweru commune, Ruyigi province, Lazare Baranzira, aged 69 was wounded by a grenade thrown into his house by unidentified criminals. The victim was accused of sorcery. He was taken to Kibuye hospital.

Tensions caused by CNTB in Makamba province

Tensions between residents and returnees resurfaced wounding people on Buheka hill, Nyanza-Lac commune and Butare in Kayogoro commune. Agents of this commission are threatening the residents. The most recent case is the one that occurred on Mara hill in Mabanda commune. Two resident families were expropriated from their land. These are the families of Mujinya and Barashirukanya. These residents say they are threatened during the execution by the commission agents that they are opposed to the enforcement. The case went

even further to call them insurgent supporters against the regime. In these threats the chief advisor to the governor is pointed by many residents.

V. 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.

Armed attacks and ambushes by unidentified armed men continue in different parts of the country.

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

Intimidation by young Imbonerakure, forced contributions as well as 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 and the impunity observed from the young Imbonerakure.

Considering 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) 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.