

BURUNDIAN LIGUE OF HUMAN RIGHTS "ITEKA"

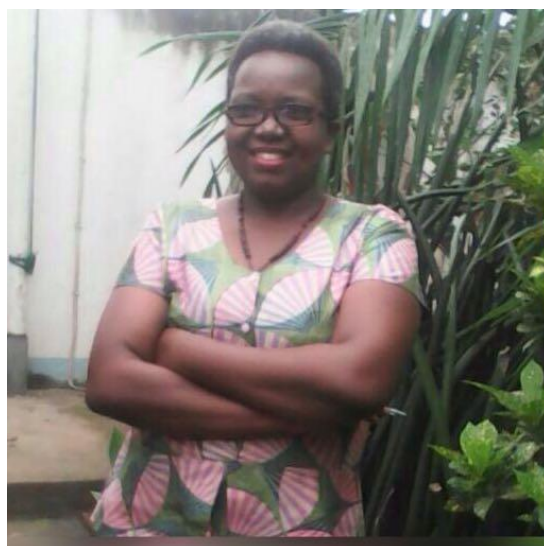
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***Weekly bulletin « ITEKA N'IJAMBO » n°226 of the Burundian Ligue of Human Rights
"ITEKA"***

Week from 3 – 9 August 2020



In memory of Madam Marie Claudette Kwizera, Treasurer of Iteka, reported missing since December 10 2015. From December 2015 to 9 August 2020, Iteka has documented at least 557 cases of enforced disappearances.

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ACRONYMS

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|-----------------|--|
| CDS | : <i>Health Center</i> |
| CECI | : <i>Communal Electoral Independent Commission</i> |
| CEPI | : <i>Provincial Electoral Independent Commission</i> |
| CNDD-FDD | : <i>National Council for the Defense of Democracy</i> |
| CNL | : <i>National Congress for Liberty</i> |
| OPJ | : <i>Judicial Police Officer</i> |
| OPP | : <i>Principal Police Officer</i> |
| PJ | : <i>Judicial Police</i> |
| SNR | : <i>National Intelligence Service</i> |
| UPRONA | : <i>Union for National Progress</i> |
| VSBG | : <i>Sexual and Gender Based Violence</i> |

0. INTRODUCTION

Over the reporting period of this bulletin, allegations of violations and human rights violations were recorded as follows: at least 27 persons killed including 14 corpses and 10 persons burnt in their houses, 2 persons victims of GBV and 4 persons victims of arbitrary arrests.

Among these victims are 3 women killed and 7 minors as well as a new born killed.

Police, administration officials and SNR agents are singled out as alleged perpetrators of most of these human rights violations.

This bulletin also notes cases of killings, GBV and arbitrary arrests in the country.

Cases of people killed and burnt in their homes were recurrent in this bulletin.

This bulletin also reviews cases of economic, social and cultural rights, security facts, members of CNL party removed from the lists of candidates for the hill elections, the establishment of members of the office of the National Assembly, breaches in the Covid-19 management and the way to the fight against impunity.

I. ALLEGATIONS OF VIOLATIONS, VIOLATIONS AND VIOLATIONS OF HUMAN RIGHTS

I.1. THE RIGHT TO LIFE

I.1.1. PERSONS KILLED BY POLICE

A person killed in Cankuzo commune and province

Information received by Ligue Iteka on August 5, 2020 indicates that on August 2, 2020, around 1:00 p.m., in the commercial quarter, in Cankuzo province city, Jean de Dieu alias Mubarak, aged 38 years old, father of 2 children, son of Alfred Mutabazi, living in Ruzira quarter, Cankuzo urban center, from Rusagara hill, Kigamba commune, was shot by a police officer, when he tried to escape his arrest. According to sources on site, accused of the theft, he was shot by a police officer under the order of Deputy Commissioner PJ Henri-Frère Manisha. According to the same sources, on August 1, 2020, he was accused of having stolen a phone from Esperance, wife of the prosecutor, Ferdinand Bazikwankana living in the commercial quarter.

The victim was taken to Cankuzo hospital mortuary while awaiting his father to arrive, who resides in Muyinga province, for burial.

I.2. RIGHT TO PHYSICAL INTEGRITY

I.2.1. SEXUAL AND GENDER-BASED VIOLENCE

A woman beaten and injured in Rutana commune and province

On August 8, 2020, around 7:00 p.m., on Rutana hill, commune and province, Concilie Niyonzima was beaten and injured in the head and mouth by her husband Pontien Ndyabayingwa, accusing her of cohabitation. According to sources on site, the victim was taken to CDS Rutana for medical treatment. The alleged perpetrator fled the area.

A woman beaten in Kayanza commune and province

On August 5, 2020, at night, on Ruhisha sub-hill, Kirema hill, Kayanza commune and province, Florida, Nshimirimana, aged 27, was beaten and wounded in the nose by her husband, Fulgence Ndayungeko, a driver. According to sources on site, her husband had sent her to buy beer at a shop for a visitor and the shopkeeper did not give her the full amount because she had bought beer without having an empty bottle. When she got back home, her husband asked her to hand over the money to him and when he found that 500 Bif was missing, he demanded her to return to the shop to be given the full amount. Since the shop was already closed and Florida could not get that amount. Her husband started beating her and their neighbor intervened and took her to Kayanza Hospital because she was in critical condition.

I.3. RIGHTS TO FREEDOM

I.3.1. PERSONS ARRESTED BY IMBONERAKURE AND POLICE

Two young Imbonerakure arrested in Bukinanyana commune Cibitoke province

On August 7, 2020, around noon, on Rusenda hill and zone, Bukinanyana commune, Cibitoke province, Japhet Ndikumana and Nsengiyumva, both Imbonerakure, were arrested and taken into a vehicle by Venant Miburo, SNR head in Cibitoke province. According to sources on site, they were

accused of disseminating on social media information on the bodies found on Gafumbegeti hill. According to the same sources, these two Imbonerakure were with others in Kibira nature reserve to bury 12 corpses found in this reserve on August 6, 2020, in Barikore valley, Gafumbegeti hill, Butahana zone, Mabayi commune, Cibitoke province.

A person arrested in Ntakangwa commune, Bujumbura Mairie

On August 8, 2020, in Kigobe quarter, Gihosha zone, Ntakangwa commune, Bujumbura Mairie, Pierre Basore, teacher at Lycée Kayanza, was arrested and jailed in Gihosha police cell, accused by the OPJ of Gihosha zone of having stolen the State Examination then was transferred the next morning to the Judicial Police cell in Jabe. According to sources on site, he was called by the head of the commission to explain the letter he had sent to the commission in charge of preparing the State Examination 2019-2020 edition dated August 3, 2020. In this letter, he had denounced irregularities in the choice of an exam of the telecommunication and audiovisual course, of which he is professor because there were questions that were not part of the program. According to sources site, he was required to write a letter to deny the previous one, but he refused.

A person arrested in Ntakangwa commune, Bujumbura Mairie

On August 6, 2020, in quarter IV, Ngagara zone, Ntakangwa commune, Remy Nsengiyumva, residing at the 11th avenue in Cibitoke urban zone, was arrested on the order of the Ngagara zone head, Imelde Ndikuriyo and jailed in the zone cell. Ngagara. According to sources on site, this authority telephoned Rémy using Déo Nibitegeka's phone, owner of the premises hosting the "Ocapu" bar located in Ngagara II quarter and asked him to meet him in his office. Arrived at the office, he was accused of denigrating her in a talk with a person who informed her. According to the same sources, the victim was jailed without a case or trial. On August 7, 2020, during a visit to this cell by the deputy prosecutor of Ntakangwa, he was released.

1.4. RIGHT TO BE ELECTED AND TO BE ELECTED

Eleven members of CNL party deleted from the lists of candidates for the hill elections in Nyarusange commune, Gitega province

Information received by Ligue Iteka on August 8, 2020 indicates that eleven members of CNL party including Audace Gahungu from Bihonvora hill, Chrysostome Manirakiza from Bikingi hill, Pascal Harerimana from Masare hill, Simeon Bandyatuyaga and Désiré Manirakiza from Jurwe hill were removed from the lists of candidates for the hill elections by CECI Nyarusange. According to CEPI Gitega, the reason for their exclusion will be communicated to them after the hill elections.

Election of the National Assembly bureau members

As of August 4, 2020, the 1st day of the MP's session, journalists were not allowed to follow the analysis activities of the draft internal regulations that will govern the National Assembly as well as the implementation of its bureau. The reason to keep journalists away was that they were going to consult. The second point was the election of the bureau but did not request the anonymity of the participants and was postponed for August 7, 2020.

On August 7, 2020, the 32 MPs from CNL party did not partake in the implementation of the bureau because they did not accept the proposal made which granted a place to a UPRONA MP who has only

2 % to the detriment of CNL party representing more than 30%. All 32 MPs from this party left the room and the bureau made up of the president and his first vice from CNDD-FDD party and the 2nd vice-president from UPRONA was voted in their absence.

1.5. JUSTICE

1.5.1. THE RIGHT TO FAIR JUSTICE

Flagrance trial in Kayanza commune and province

On August 9, 2020, in the afternoon, at Kayanza High Court, Augustin Manirishura, Baririmana Chadia, all pump attendants at Engen gas station in front of Kayanza market as well as Christophe Ndayishimiye, mechanic of this station, were accused of breach of public security, non-information to security agents, non-security of the Head of State and his escort, by the public prosecutor in a flagrance trial n ° 10/482. The Prosecutor to the high court accused them of complicity with the people who threw stones to the presidential motorcade during his passage in Kayanza town on the evening of August 5, 2020, because the stone throws were from this Engen gas station. The defendants rejected the charges altogether, Chadia and Augustin said they did not see the people who threw stones and Christophe said that he remained at home that day. The public prosecutor requested a prison sentence of 7 years and 6 months. After the deliberation of this trial, the High Court reclassified the nature of the offense and accused those appearing of "attacks and conspiracy against the Burundian Head of State" and imposed them 30 years' imprisonment.

1.5.2. WAY TO THE FIGHT AGAINST IMPUNITY

Detention of a police officer at Makamba prosecutor's office

On August 6, 2020, OPP 2 Gilbert Ngendankazi, communal police commissioner in Giharo commune, was arrested and jailed in Makamba prosecutor's cell. According to sources on site, this commissioner was accused of extortion and murder of Burundians from the United Republic of Tanzania. He joined eight civilians arrested last week in Gihofi, Bukemba commune, Rutana province on the same charge. According to the same sources, 18 others including the communal police commissioner in Kayogoro and a head of police station in Gihofi had been arrested since mid-July 2020. Twelve were transferred to Murembwe prison on August 1, 2020 while another team made up of four police officers including the communal commissioner, two brigadiers and a police officer were transferred to Murembwe prison on August 6, 2020.

Appearance of two administration officials in Kayogoro commune, Makamba province

On August 4, 2020, Decho Nyandwi, Dunga zone head and Costave Niyokwizera, Kigaza hill head of Kayogoro commune appeared before an OPJ in Kayogoro for non-assistance to a person in danger. According to sources on site, they were arrested after Silla Sakubu, from Rwoma sub-hill, Kigaza hill, Dunga zone, had his arm amputated with a machete and injured in his legs by Célestin after being surprised in his eggplant field on the night of August 2, 2020. According to the same sources, these local administration officials are being prosecuted for not having alerted on this case and reporting to the hierarchical authorities by wanting to cover up the one who has amputated the arm of this alleged thief. The latter was taken to Makamba hospital for intensive health care.

As a reminder, three out of five of the zone heads of Kayogoro commune are prosecuted for various crimes. Paul Rwajekera, Bigina zone head was arrested along with several hill heads in his zone and

Gervais Habonimana, Gatabo zone head has been living in hiding since the hunt for administrations officials accused of extortion and murder of Burundians from the Republic United Tanzania.

I.5.3 MANAGEMENT OF DETENTION PLACES

A prisoner like no other in Gitega province

Since May 2020, at the start of the electoral campaign, Jackson Nzoyikeza, jailed at Gitega prison since 2016, regularly goes out and can spend several days outside and return there. According to sources on site, he travels in SNR and police vehicles. Jackson Nzoyikeza has been a prisoner at Gitega prison since 2016 after a search of his home where police found a pistol. He was arrested for theft, attempted murder and illegal possession of a weapon. According to the same sources, he was among the intelligence agents of the late Adolphe Nshimirimana and the court ordered him to be sentenced to 5 years. As of August 16, 2016, he had escaped from prison and was caught after two weeks and then another offense was added to his sentence but he continued to serve his 5 year sentence.

Prison situation in Muramvya prison, Muramvya commune and province

Information received by Ligue Iteka on August 3, 2020, indicates that Muramvya central prison, which can accommodate 100 people, had 783 prisoners. According to sources on site, Muramvya prison is one of the prisons that contains large numbers of political prisoners, especially demonstrators against the violation of the Arusha Accord.

As a reminder, out of a capacity of 4,000 prisoners from all the country's prisons, the number of detainees is 11,618, roughly triple the capacity¹.

I.6. THE RETURN OF REFUGEES

Repatriation of refugees in Makamba province

As of August 4, 2020, four hundred and fifty Burundian refugees composed of 163 families have been repatriated from refugee camps in the United Republic of Tanzania. Having entered the Mugina border, the Covid-19 tests followed just after their arrival at Gitara transit center, Mabanda commune, Makamba province. The transfer to their native communes was made on August 5, 2020.

II. ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Water shortage in Gihanga and Mpanda communes, Bubanza province

Information received by Ligue Iteka on August 9, 2020 indicates that since mid-July 2020, water shortages have been observed in several corners of Gihanga and Mpanda communes, Bubanza province. According to sources on site, the population fears being attacked by dirty hands diseases such as cholera, dysentery and also from the covid-19 pandemic.

In Gihanga, a bicycle taxi charges 500 Bif to 700 Bif to carry a 20 liter can to villages far from the center. Most of the population relies on dirty water from irrigation canals.

However, the President of the Republic had announced the reduction of the price of water by half.

¹ <https://www.acatburundi.org/cloture-de-la-campagne-de-lacat-burundi-de-desengorgement-des-prisons/>

Teachers claiming to be reimbursed for their contributions

On August 4, 2020, teachers from various provinces of the country besieged the office of the teachers' housing fund located in Bujumbura. According to sources on site, for some, they had come to claim their rights to be refunded contributions since they broke the contract which linked them with this fund and for others, the cessation of withdrawal of contributions on their salaries because they are not adhered to this fund.

According to Emmanuel Mashandari, member of the board of directors of this fund, for those to whom the withdrawal of contributions continues after their disengagement, it will stop from August 2020 but the reimbursement will be progressive.

Demarcation of the buffer zone of Lake Tanganyika in Nyanza-lac commune, Makamba province

On August 6, 2020, Emmanuel Ndorimana, Permanent Secretary to the Ministry of Environment launched activities for the demarcation of the buffer zone of Lake Tanganyika in Nyanza-lac commune, Makamba province. So the length of 20 km from Kabondo hill located in Nyanza-lac commune city to Kabonga hill is planned for the digging of a canal separating the properties of the private ones with this prohibited zone in this Nyanza-Lac commune. The riverside population, whose crops and properties are in this prohibited zone, have been informed that this property is directly becoming a public hydraulic zone. However, this does not prevent them from continuing to go about their activities there as long as they respect the protection of Lake Tanganyika.

III. THE COVID-19 PANDEMIC MANAGEMENT

Speculation on the price of soap in Bubanza province

Information received by Ligue Iteka on August 6, 2020 indicates that the measure taken by the President of the Republic to lower the cost of blue soap called "Bururu" to 150 Bif to fight against covid-19 is not yet implemented in Bubanza province. According to local sources, in this province, this soap is sold by traders at 200 Bif per piece and 500 Bif for three pieces. According to the same sources, local soap makers have produced similar and branded soaps in the same way but small in size compared to the one made by Savonor.

IV. SECURITY FACTS

IV.1. PERSONS KILLED BY UNIDENTIFIED PEOPLE

Twelve bodies found in Mabayi commune, Cibitoke province

On August 6, 2020, around 5:00 p.m., in Barikore valley, Gafumbegeti hill, Butahana zone, Mabayi commune, Cibitoke province, twelve unidentified bodies were found by residents of this locality. According to sources on site, among these bodies, some were in military uniform, others in civilian clothes, shot, covered with blood, tied up and grouped in two tarpaulins. According to the same sources, four days since the local population heard shooting in Kibira nature reserve on the side of Gafumbegeti hill, Mabayi commune and Twinyoni sub-hill, Rusenda zone, Bukinanyana commune. According to military sources, these shooting were due to clashes between Burundian soldiers based in Kibira nature reserve and an unidentified armed group speaking Kinyarwanda. On August 7, 2020,

around 12 noon, these 12 bodies were buried by the population on the order of the communal administration and security authorities.

A person killed in Bugendana commune, Gitega province

On August 3, 2020, at night, on Nyakibingo hill, Cishwa hill, Bugendana zone and commune, Gitega province, Juvenal Bampamirubusa, aged 47, was killed and stabbed in the back by unidentified people. According to sources on site, the victim was attacked when he was returning to his home from a local bar and the killers stabbed him in the head with clubs. According to sources there, his two sons Fulgence Nsavyumwami, aged 18, and Lewis Niryumwami, aged 15, were arrested by police for investigation.

Three people killed in Isare commune, Bujumbura rural province

On August 4, 2020, around 8:00 p.m., on Ndagano sub-hill, Nyambuye hill and zone, Isare commune, Bujumbura rural province, 11-year-old Emissé Niyonyishu, 8-year-old Benilson Mugishawimana and 4-year-old Duke Niyomuco, all from the same family were killed and burned by unidentified people. According to sources on site, a bamboo and tin-covered house belonging to Pascal Ndarwarukanye was burnt and the children were inside. According to the same sources, the reasons for this fire are not yet clarified and four people including Pascal Ndarwarukanye, father of the three victims and his wife were arrested by the police for investigation reasons.

A body found in Muramvya commune and province

Information received by Ligue Iteka on August 6, 2020 indicates that on July 10, 2020, on Gatwaro hill, Muramvya commune and province, a body of Anitha Nsavyimana, aged 27, married and mother of three children was found in a wheat field not far from her home. According to sources on site, the corpse had nail scratches on the neck. According to the same sources, the reason for her death remains unknown and five persons, Elie Niyoyitungira, Jonas Kwizera, Cédric Mutoniwabo, Jean Marie Nshimirimana and Eric Ndayishimiye were arrested and jailed in Muramvya prison for investigation.

Two people killed in Kiremba commune, Ngozi province

On August 8, 2020, around 1:00 a.m., on Canamo hill, Musasa zone, Kiremba commune, Ngozi province, Côme Macumi, 68 years old, his son Zabulon Nimpaye, aged 12, were killed and burnt in home by unidentified people. According to sources on site, her goat and other household items were also burnt and the reasons for the tragedy were not known. According to the same sources, Côme Macumi had just spent 7 years in this locality and had come leaving his wife and his other children on Nkanda hill, Tangara commune in the same province. Four victims' neighbors, Joseph Nzambimana, Ezéchiel Ncamubansi, Jean Hatungimana and Salvator Gapindo were arrested by the police accused of not having intervened and taken to the communal police station for investigations.

IV.2. PERSONS KILLED FOLLOWING ACCOUNT SETTLEMENT

Five people killed in Muyinga commune and province

On August 5, 2020, around 11:00 p.m., on Mugongo sub-hill, Rugari hill and zone, Muyinga commune and province, Zéphérin Ntirandekura, aged 45, his wife Constance Nyambere, and her 3 children Claudine Ahishakiye, aged 14 Chanella Akimana, aged 7, and Alexandre Nininahazwe, aged 4, were

killed and burned by unidentified people. According to sources on site, the victims were tied up and grouped in a room before burning the house. According to the same sources, the head of the household, who was born with his grandparents and founded his home there, was in land disputes with his maternal uncles. Two maternal uncles of Zéphyrin, Alphonse Cishahayo and Romuald were arrested by the police and jailed at P.J Musinga for investigation reasons.

A woman killed in Bugabira commune, Kirundo province

On August 3, 2020, on Nyakarama hill, Bugabira commune, Kirundo province, Kamurera, mother of 4 children, was murdered with a knife by her husband Bernard Gatabazi. According to sources on site, the woman was attacked at home by her husband after two months away with the family. According to the same sources, Kamurera was the victim of having lodged a complaint with the administrator that her husband Bernard married another woman, leaving her without support and that he sold all the crops to make this cohabitation. The alleged perpetrator is being jailed at Kirundo prosecutor's office.

IV.3. INFANTICIDES

A body of a newborn found in Gashoho commune, Musinga province

On August 6, 2020, on Burambira hill and zone, Gashoho commune, Musinga province, a body of a newborn baby was taken out into a toilet where it had been thrown by his mother Jacqueline Nikoyaremye. According to sources on site, as of August 4, 2020, Jacqueline's neighbors noticed that she is no longer pregnant and alerted the police who arrested her for questioning. According to the same sources, during questioning, Jacqueline confessed that she threw her newborn baby in a toilet in her home and was then taken to the communal police cell in Gashoho. As the mother's health in the cell deteriorated, she was bedridden to Munagano hospital, guarded by police.

IV.4. ARMED ATTACKS

A member of CNDD-FDD party injured in Giteranyi commune, Musinga province

On August 6, 2020, around 2:a.m., on Murago sub-hill, Mugano hill and zone, Giteranyi commune, Musinga province, Gérard Ntirampeba, member of CNDD-FDD party and candidate for the hill elections, was injured on the belly by unidentified people. According to sources on site, the latter broke down the door of his house and entered and stabbed him. The victim was bedridden in Mugano hospital.

V. CONCLUSION

Over the reporting period of this bulletin, allegations and political and civil rights violations, continue to be recorded across the country.

This bulletin reports cases of killings, SGBV and arbitrary arrests.

This bulletin reports cases of CNL party members deprived of their right to be elected, shortcomings in the covid-19 management, irregularities in the implementation of the bureau of the National Assembly and the way to the fight against impunity enjoyed by some public service officials and CNDD-FDD party officials. Cases of security incidents were also noted in this bulletin.

Ligue Iteka protests against the impunity of crimes which is attributed to those close to CNDD-FDD party. Members of this party involved in various crimes enjoy impunity with a complicity of public authorities.