

BURUNDIAN LIGUE OF HUMAN RIGHTS "ITEKA"

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Weekly bulletin « ITEKA N'IJAMBO » n°427 of the Burundian Ligue of Human Rights "ITEKA"

Week from 17 – 23 June 2024



In memory of Madam Marie Claudette Kwizera, Treasurer of Iteka, reported missing since December 10 2015. From December 2015 to 23 June 2024, Iteka has documented at least 693 cases of enforced disappearances

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ACRONYMS

ASBL	: <i>Non Profit Organisation</i>
BRARUDI	: <i>Breweries and Lemonaderies from Burundi</i>
CDS	: <i>Health Center</i>
CNDD-FDD	: <i>National Council for the Defense of Democracy</i>
OPJ	: <i>Judicial Police Officer</i>
OLUCOME	: <i>Organization for the Fight against Corruption and Economic Embezzlements</i>
OTB	: <i>Burundi Tea Board</i>
REGIDESO	: <i>Burundi Water and Electricity Production and Distribution Authority</i>
SNR	: <i>National Intelligence Service</i>

0. INTRODUCTION

This bulletin covers the political and security context that marked this period. It also deals with civil and political rights; economic social and cultural rights as well as categorical rights and ends with a conclusion.

Therefore, over this reporting period, the human rights and security situation was reported as follows: at least 4 people all found dead, 1 tortured and 1 victims of abduction.

Among the victims are 1 newborn killed.

Members of political parties were not spared. Thus, 1 member of CNDD-FDD party was killed, 1 tortured and 1 abducted.

Administrative officers, police officers and Imbonerakure are singled out as the alleged perpetrators of most of these human rights violations and assassinations.

I. POLITICAL AND SECURITY CONTEXT

I.1. POLITICAL CONTEXT

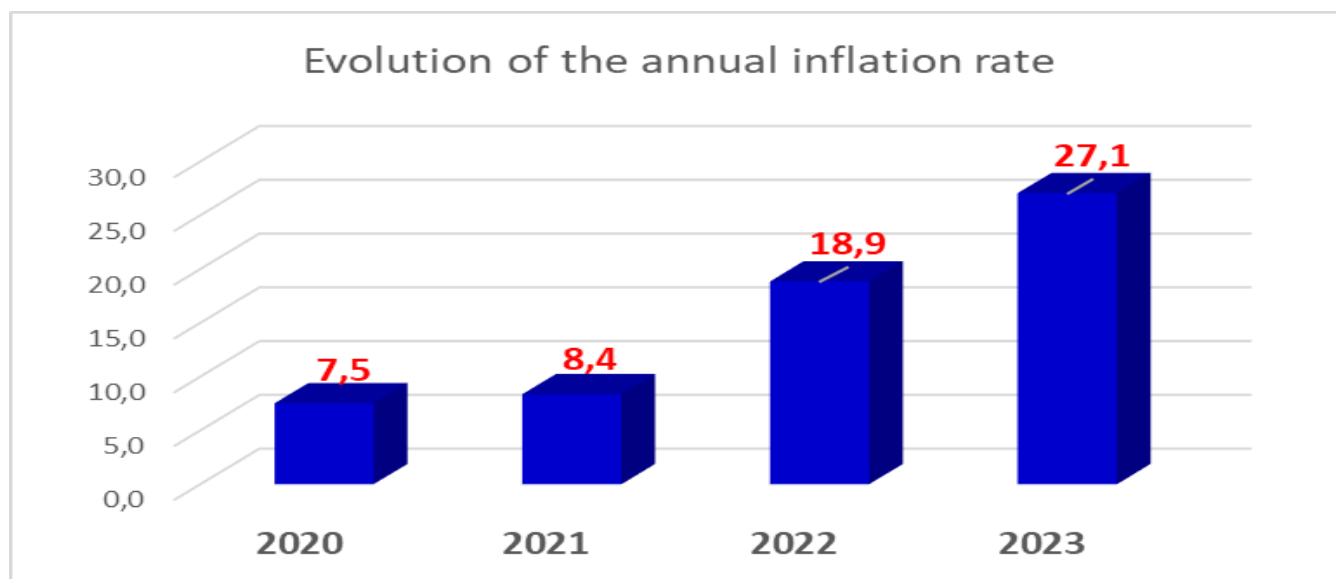
Celebration of the 4th anniversary of the inauguration of President Evariste Ndayishimiye

The President of the Republic, Evariste Ndayishimiye celebrated, on June 18, 2024, the fourth anniversary of his inauguration.

In his speech to the nation, he declared that considering the current boom in agriculture and livestock, every mouth has something to eat and every pocket is filled with money. The Head of State is delighted that although laments are perceptible among the population, they are less focused on the lack of money than on the shortage of basic necessities. He indicated that the Burundian people could be wrongly accused of being ungrateful since they are first busy fighting to free themselves from the abyss in which they have been stuck for decades and then want to have everything at the same time. From 2020, priorities have been established, namely the strengthening of State power to preserve peace and security, the fight against injustice as well as the protection of the public purse. The great responsibility for the protection of the public purse and development requires the protection of the Burundian currency through the output growth to allow the government to have foreign currency for the acquisition of imported products.

However, the facts observed in the country contrast with the glowing speech of President Evariste Ndayishimiye. The period of his regime was strongly marked by repetitive shortages of essential products such as petrol products, Brarudi drinks, pharmaceuticals, sugar and fertilizers. The shortage of petrol products has had significant repercussions on several aspects of the population's daily life, including a huge rise in transport fares and the costs of basic necessities. The consequences observed on transport include a significant reduction in bus traffic leading to an exorbitant increase in transport fares, making travel expensive and complicated for residents across the country.

Concerning the protection of the Burundian currency mentioned by the President of the Republic in his speech, the figures available at the Bank of the Republic of Burundi since 2020 on the annual inflation rate¹ are very alarming as illustrated in the graph below.



The period of President Ndayishimiye's regime was also strongly marked by promises or warnings which were not followed by the expected effects. We can mention symbolic facts including the declaration of the assets of high State dignitaries and the embezzlement of funds intended for the construction of Mpanda dam.

Upon his accession to power, President Ndayishimiye called on members of the government to declare their assets in accordance with article 95 of the Constitution of the Republic of Burundi and article 29 of the law on the prevention and repression of corruption requiring the country's top leaders to declare their assets upon taking office. President Ndayishimiye subsequently paradoxically indicated that this declaration of assets proved impossible since some would spend a week listing their assets and that a person's wealth is secret.

As for the Mpanda dam, around 54 billion Burundian francs were embezzled. In view of this, the Head of State ordered the Minister of Energy and Mines to do everything within two weeks to specify the losses and therefore establish the responsibilities of each participant in the project. From then on, the announced bringing to justice of those responsible for this embezzlement remained no more than a simple announcement.

Human rights were not spared under President Evariste Ndayishimiye's regime. In fact, assassinations, abductions and acts of torture have been observed. In its analysis report² on assassinations by unidentified people produced in April 2024, Ligue Iteka has documented 2,291 people killed including 1,188 persons killed by unidentified people for the period from July 2020 to April 2024. The government has made no effort to identify the reasons for these assassinations or their perpetrators. On the other hand, most of the bodies of the persons killed by unidentified people were hurriedly buried under administrative orders without carrying out investigations.

¹<https://www.brb.bi/fr/content/taux-dinflation>

²<https://ligue-iteka.bi/wp-content/uploads/2024/04/RAPPORT-ANALYTIQUE-SUR-LES-CORPS-SANS-VIE-RETROUVES.pdf>

Ideological education of the ruling party to schoolchildren in Kayanza commune and province

On June 22, 2024, on Kirema hill, Kayanza commune and province, young Imbonerakure affiliated with the ruling party met at Kamotel hotel to close 2023-2024 school year. While the school is supposed to be an apolitical environment, in different schools in Kayanza province, there are representative bodies of Imbonerakure which are recognized by the school authorities from the school to the level of communal education direction “DCE” and the provincial one “DPE”. These Imbonerakure behave as if they are not governed by school regulations. Their mistakes are often tolerated and they often even lack respect for school authorities. In this activity, they were accompanied by their supervisors, CNDD-FDD party members and Gervais Rurimwabagabo, secretary of CNDD-FDD party in Kayanza commune in the new province of Butanyererera was also there. In his speech, he reminded the students to massively look for identity cards which will allow them to vote in the next elections and he also urged the young Imbonerakure students to continue raising awareness among other students to join CNDD-FDD party. Parents lament on the organization of such activities, complaining that students come home late at night in a drunken state. In the surroundings of Kamotel room, young students were seen drinking some highly alcoholic drinks known as Kick and others smoking cigarettes and cannabis, which is worrying for parents.

1.2. SECURITY CONTEXT

1.2.1. PERSONS KILLED BY UNIDENTIFIED PEOPLE

A body found in Bugabira commune, Kirundo province

On June 17, 2024, in the waters of Lake Gacimirindi, on Nyabikenke hill, Bugabira commune, Kirundo province, a body of Stany Minani, age 31, trader, member of CNDD-FDD party, was found floating on the waters. According to witnesses on site, the victim's body had injuries to the head. On June 15, 2024, Kandinga, his wife alerted Nyabikenke hill head that Stany Minani did not return as usual and one of his friends with whom he was together in the evening was consulted by the head of Nyabikenke hill but provided nothing. Innocent Majambere and André Niyomukiza were arrested by Bugabira communal police station because they were the ones who were together the day before his disappearance. The burial took place the same day as the discovery of this body.

A body found in Gitega commune and province

On June 23, 2024, around 7 a.m., in the valley of Rukoba hill, Gitega commune and province, a body of Lionel Bizoza, 1st Police Sergeant Major, aged 34, from Bururi commune and province, residing with his wife in Gitega town, was found on the roadside by passers-by who were going to morning mass. The victim carried out his duties as a Judicial Police Officer “OPJ” in Kiriba zone, Giheta commune, Gitega province. The administrative and police authorities say without explanation that the deceased was the victim of a road accident. The only justification these authorities give is that his motorcycle was found next to the body. According to a witness who went to the scene and spoke with those around the area, the information provided by the authorities is incorrect because one cannot say that he was the victim of an accident while there was no trace of an accident on site and even the motorcycle had no damage. The body was evacuated to Gitega Regional Hospital mortuary while awaiting burial. The Rukoba hill head, Modeste Ngendakumana, asks the neighboring population to be vigilant so that the criminals who commit crimes and come to dump the bodies in this valley are apprehended.

A body found in Muha commune, Bujumbura Mairie

Information received by Ligue Iteka on June 17, 2024 indicates that on June 12, 2024, in the Gisyo quarter, Kanyosha zone, Muha commune, Bujumbura Mairie, a body of Nolis, mason, was found. According to sources on site, Nolis was building Liévin's house with other masons and were arrested by the police from Kanyasho police station. These victims were building a house on a plot of land in conflict between Liévin and Mutanzaniya. On June 11, a man named Vianney had gone to the zone to pick up Nolis and

then they left together for home around 8 p.m. Arriving at Vianney's house, he did not accept that Nolis could sleep in his house due to the dirty work clothes he wore during the day. He closed the door leaving Nolis outside then the next morning June 12, 2024 Nolis' body was found in a gutter. The body of the victim was buried in Kanyosha cemetery by the population on the orders of Olivier Karabagega, head of Gisyo quarter.

1.2.2. OTHER SECURITY FACTS

An Imbonerakure lays down the law in Kirundo commune and province

On June 22, 2024, in Kavogero quarter, Kirundo commune and province, Yusufu, Imbonerakure, prohibited women selling avocados in front of Abdelaziz's restaurant from selling them after 5 p.m. According to witnesses, he threatened to throw them away and distribute them to street children. According to witnesses in Kavogero quarter, on June 20, 2024, at the time of fuel distribution at the gas station, the same Imbonerakure came with a Motorola radio and forced each motorcyclist to give him 10,000 Bif to approach the gas station. According to the same witnesses, he always does it in front of the provincial police commissioner, the head of SNR and the governor but has never been worried or arrested even though these administrative officials often receive complaints in different organized meetings.

II. CIVIL AND POLITICAL RIGHTS

Burundi is one of the countries adhering to the international covenant on civil and political rights (1965) and its optional protocol (1976) without any reservation on May 9, 1990, which as part of its implementation, Burundi took measures in domestic legislation in particular in its constitution of June 7, 2018 (Main Law) in its article 19 which guarantees that all the rights proclaimed and guaranteed by regularly ratified international texts are an integral part of this constitution, implementing texts are put in place, namely the penal code of December 29, 2017 and the criminal procedure code of May 11, 2018 and other institutions for the protection of human rights in Burundi have been created. However, in reality, respect for human rights is a long and difficult path based on the volatile Burundian political and security context that undermines the rights and fundamental freedoms of the population.

II.1. THE RIGHT TO PHYSICAL INTEGRITY

II.1.1 TORTURE

As part of compliance with the texts of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984) and its protocol, Burundi in its internal measures specifies in its constitution in its article 25 that every human being has the right to the freedom of his person and his physical and psychological integrity, as well as the freedom of his movement; any person will be punished who uses torture or other treatment to make an accused confess to acts that he did not or even committed.

A member of CNDD-FDD party tortured in Bugabira commune, Kirundo province

On June 18, 2024, around 10 p.m., on Kazorusenga sub-hill, Rubuga hill, Bugabira commune, Kirundo province, François Karenzo, aged 45, farmer, member of CNDD-FDD party was beaten up by Imbonerakure from the aforesaid hill including Dieudonné Habimana, leader of Imbonerakure in Rubuga, who ambushed him. According to witnesses on site, the victim's body was covered with blood and the genitals injured as confirmed by the head CDS Ruhehe, Médine Gahongayire. The same witnesses add that the victim had just harvested corn on Kironza hill, bordering Rubuga hill and these Imbonerakure looted him of everything he had, a bag of corn and 13,000 Bif. Ruhehe hill head took care of him for first aid and was transferred to Kirundo hospital for intensive and specialized care. On June 19, 2024, Dieudonné Habimana was arrested by Bugabira communal commissioner.

II.2. RIGHT TO THE FREEDOM OF MOVEMENT

II.2.1. ABDUCTIONS AND/OR DISAPPEARANCES

The constitutional law of Burundi guarantees in article 38, to every individual, the benefit of a fair trial and that their case is heard and judged within a reasonable time. However, on the ground, alarming irregularities in this aspect are noticeable.

A member of CNDD-FDD party abducted in Rutegama commune, Muramvya province

Information received by Ligue Iteka on June 17, 2024 indicates that on June 12, 2024, around 2 p.m., on Kaniga hill, Rutegama commune, Muramvya province, Edouard Ndayisenga aged 37, temporary teacher at the Communal high school Hosanna of Kaniga, member of CNDD-FDD party, was abducted while returning home. According to eyewitnesses, while he was returning from school, he was abducted by police officers accompanying Nicaise Mugande, head of SNR in Muramvya province. He was put on board the Hilux double cabin vehicle with tinted windows. According to the same witnesses, he was accused of having uttered comments the day before in a bistro which criticized the current regime. He was taken to an unknown location according to his family.

II.3. RIGHT TO FREEDOM OF EXPRESSION

The right to the freedom of expression and opinion

On June 18, 2024, OLUCOME organized a press conference marked by unusual events at the OLUCOME office located at Chaussée du Prince Louis Rwagasore, Rohero I zone, Mukaza commune, Bujumbura Mairie. According to our sources at SNR, Gabriel Rufyiri, president of this organization, received a call on the morning of June 18, 2024, from SNR agents who required him to first give the content of what he will say in this press conference, which he refused because he specified that he had organized this conference in accordance with the legislation in force and that what he is going to say must be broadcast and listened to by everyone.

Afterwards, he received an instruction to wait for some officials so that they could come and follow this press conference, an unusual thing because in a press conference only journalists are invited to collect information. Two officials from the Ministry of Interior, one in charge of non-profit organizations and the other from the communications department, two women arrived at the conference venue. Apart from the two, even the information services at the office of the presidency of the Republic sent two representatives to this conference, a man and a woman and the press conference began. Gabriel Rufyiri speaks of a violation of the law on holding meetings of approved non-profit organizations and deplores the intimidation to some opinions and asks that this attitude to be stopped so that non-profit organizations operate in freedom and full independence. As for journalists side, they deplore the interference of public authorities in the organization of press conferences and indicate that this is the way to silence any dissenting voice and intimidate journalists to exercise their professions independently and demand that the Constitution and the law on non-profit organizations be respected and that freedom of the press be guaranteed.

This press conference hosted by the Organization for the Fight against Corruption and Economic Embezzlements focused on President Evariste Ndayishimiye's 4 years in power, *what are the results?* And OLUCOME indicates that the content of this conference was even given to the Presidency of the Republic.

III. ECONOMIC SOCIAL AND CULTURAL RIGHTS

Although Burundi approved accession to the International Covenant on Economic, Social and Cultural Rights on March 14, 1990, adopted in New York on December 16, 1966, its compliance in operational facts leaves much to be desired.

Electricity problem in Burundi : a key question among the oral questions of the Senate to the Minister in charge of energy

On June 19, 2024, Senators addressed oral questions including the shortage of electricity and drinking water in Burundi to the Minister of Hydraulics, Energy and Mines, Ibrahim Uwizeye. He responded to the senators that the issue of drinking water is a major concern of the government. He indicated that currently there are 912 hills that have not yet been served. In addition, drinking water connections are made regularly depending on means in urban centers. However, he stressed that there are big challenges in financial resources which are slowing down projects.

As for the issue of electricity shortage seriously paralyzing development projects, he reassured that there are hydroelectric power stations under construction and which are in the final phase. These plants will allow the national grid to increase by 92 MW at the end of 2025. In the meantime, the electricity produced by Kabu 16 plant is being injected because, for now, tests are promising as the technical errors that were recorded are being corrected by experts recruited for this purpose. The replacement of obsolete lines is currently a priority to get ready accordingly.

However, although these responses from Minister Ibrahim Uwizeye bring hope for the population in desperate search for energy, on the ground we observe untimely electricity cuts punctuating the daily lives of residents of urban centers. Some centers have remained in the dark for months while others get a very irregular supply of electricity, night and day. Note that only 5% of the population has access to electricity and around 30 kWh/person/year compared to an African average of 150 kWh/person/year³. The country's authorities should resolve this electricity issue as soon as possible, especially since without electricity, there are no prosperous economic activities.

Untimely power cuts in Makamba province

Untimely power cuts cause shortfalls in income for public and private companies. Services that require electricity are stopped during the day. According to some managers of public and private companies, untimely power cuts cause shortfalls in income. Some managers of public and private structures say that they are no longer supplied with electricity during working hours even though the services offered require electricity. A source from Makamba hospital says that this hospital currently spends more than 19 million each month following these power cuts. This source adds that all the services of this hospital are computerized which makes it impossible to work if it does not have electricity while these expenses had not been planned.

In addition to these cuts they say that they cannot find fuel to power the generators which creates temporary work stoppages and as a result patients lack health care. The situation is similar for banks and microfinance of all the communes of Makamba province. Customers coming for withdrawals or deposits can spend the whole day waiting for electricity so that they can get services. Bank and microfinance managers say this is all due to the lack of electricity and fuel, which makes their work difficult. They add that this state causes huge losses to their institutions.

³Multi-annual Indicative Programme 2021-2027 for Burundi

Even managers of mobile phone company agencies say they are affected. They explain that the networks are almost non-existent because they cannot find fuel for their generators to replace direct current, which is hurting their customers. Everyone is asking for the regulation of these cuts, especially since the ministry in charge of energy recently said it had integrated 20 mgw of electricity produced by Kabu 16 dam.

The effects of fuel shortage in Bururi, Makamba and Rumonge provinces

Information received by Ligue Iteka on June 17, 2024 indicates that since early May 2024, there have been many disruptions, especially the rise in basic necessities, food products which are expensive despite the harvest season and compared to the prices before the scarcity of this petrol product. Some of the cafés and other shops selling dairy or frozen products have temporarily stopped this business. According to bus drivers, the transport fares have also increased if ever fuel is available. The power cut has caused the disruption or total lack of internet connections following the repetitive power cut, the antennas facilitating connections do not have fuel to address this lack of electricity by using their generators. Electric power cuts also affect patients in Rumonge hospital because the generator is no longer turned on immediately because the little fuel in the group is reserved for emergency cases in the operating room.

In Bururi province, recently, gas stations in the province are empty since June 2, 2024. Prices have generally doubled. For example, Bururi-Matana fare is currently 10,000 Bif whereas it was 5000 or 4000 Bif. Matana-Bujumbura fare is between 20,000 Bif and 30,000 Bif while the official tariff is 10,000 Bif, Bururi-Rumonge tariff is 10,000 Bif. Drivers say that fuel is supplied on the black market for 25,000 Bif per liter and a half.

In Makamba province, specifically in Nyanza-Lac commune, the problems of energy sources including electricity from REGIDESO and fuel are lacking. This is a phenomenon that was observed about 5 months ago and the consequences are very remarkable in some areas of life, particularly in the field of health where mortuaries of hospitals in the health districts of Nyanza-Lac and Makamba are not functioning anymore and the families keeping theirs while awaiting burial use special mechanisms to carry out the act because the bodies are significantly damaged. In some cases, they are obliged to use much closed bags for successful burial. Managers of these hospitals report an inability to address this problem and residents of Makamba province are very worried about the situation.

Stoppage of activities at OTB Buhoro in Cibitoke province

Information received by Ligue Iteka on June 17, 2024 indicates that since June 13, 2024, the activities of Buhoro tea factory have been paralyzed following the dramatic lack of electricity and fuel. The employees of this company are lamenting this stop of activity. According to an internal source from this tea production factory, the machines are idling while most of the staff remains stuck at home. As indicated by an agronomist, this situation occurs during this period of tea picking. The big risk that cannot be ruled out is the drying out of the tea in the fields, which will not be harvested without processing it.

The other major challenge concerns the lack of fuel. It has become almost impossible to transport large quantities of tea loaded on trucks to the economic capital, due to lack of fuel. Concerns are beginning to appear among workers. The latter risk not being paid because their salaries are conditioned by the sale of tea, the money from which is also used to run the factory. An urgent appeal is being made to the government to address this problem of both lack of electricity and fuel.

Nine days without electricity in Karuzi province

Information received by Iteka Ligue indicates that since June 15, 2024, Karuzi province has just spent more than a week without electricity. According to witnesses in Karuzi province, nine days without electricity have meant that activities using electricity no longer work and those seeking documents in the administration no longer obtain them. The prices of foodstuffs such as rice and cassava flour or corn have risen because these products have become rare in Karuzi province. The administrators say nothing about this lack of electricity.

IV. CATEGORICAL RIGHTS

IV.1. CHILDREN'S RIGHTS

The International Convention on the Rights of the Child, ratified by Burundi on October 19, 1990, guarantees the child the right to be protected from violence, mistreatment and all forms of abuse and exploitation. The Burundian constitution also states in Article 44 that “*every child has the right to special measures to ensure or improve the care necessary for their well-being, health, physical security and to be protected against ill-treatment, abuse or exploitations*”.

A body of a newborn baby found in Nyabiraba commune, rural Bujumbura province

On June 18, 2024, around 6 p.m., very near Nyabiraba river, Nyabiraba hill and commune, Bujumbura rural province, a body of a newborn was found. According to eye sources, this body was lying very close to the river and was without clothes. The body was buried by Red Cross agents at Nyabiraba cemetery on the orders of the administrator of Nyabiraba, Michel Mpitabakana.

A minor imprisoned in hospital in Rumonge commune and province

Information received by Ligue Iteka on June 17, 2024 indicates that since April 14, 2024, Jean Marie Nibigira, aged 15, from Makombe hill, Vumbi commune, Kirundo province, arrived at Rumonge hospital and returned from Kamenge neuropsychiatric center. According to eyewitnesses, the child had a mental disorder after being beaten by his employer, Juma Gasama, CNDD-FDD party member. The victim was beaten while demanding his 10-month salary. This 15-year-old child was not allowed to go home by Rumonge hospital authorities after his recovery following an unpaid bill including catering costs, travel costs, and costs of his care at the hospital. He was employed as a cow herder. On December 12, 2023, when he tried to claim for his salary, his employer did not pay him but accused him of a thief before beating him and throwing him in a gutter far from his home located in Gihwanya quarter, in the urban center in Rumonge town. The residents of this hill who saw the victim in a state of unconsciousness evacuated him to Rumonge hospital for treatment and to be taken care of by the psychologist of this hospital. For the moment, the child is cured but the hospital authorities ask him to pay the bill before leaving the hospital. The alleged perpetrator was arrested by the police and then released a few days later. Police sources refer to his health status, arguing that he also had a mental disorder.

V. CONCLUSION

Ligue Iteka notes a continued deterioration of human rights situation across the country.

It protests against the impunity of the crimes observed and asks the Minister of Justice to ensure the strict application of the law against the perpetrators of the crimes.