

BURUNDIAN LIGUE OF HUMAN RIGHTS "ITEKA"

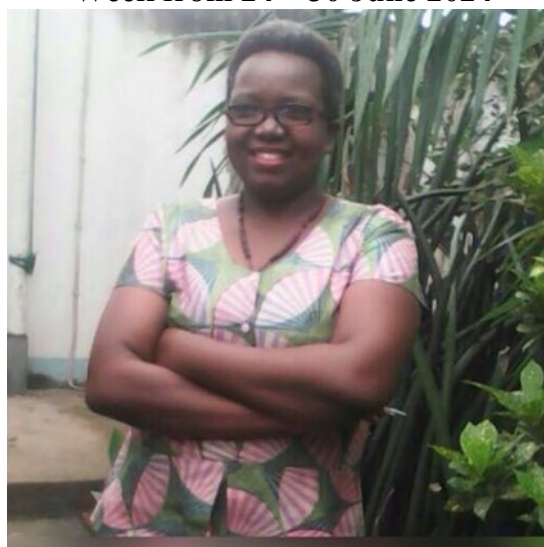
Approved by Ministerial Order n ° 530/0273 of 10 November 1994 revising Order No. 550 /029 of 6 February 1991



"Is a member of the Inter-African Union for Human and Peoples' Rights (UIDH), is an affiliate member of the International Federation for Human Rights (FIDH), has observer status with the African Commission of Human and Peoples' Rights under the reference number OBS.236 and is a member of ECOSOC. Ligue Iteka is decentralized into 17 federations and 32 sections"

Weekly bulletin « ITEKA N'IJAMBO » n°428 of the Burundian Ligue of Human Rights "ITEKA"

Week from 24 – 30 June 2024



In memory of Madam Marie Claudette Kwizera, Treasurer of Iteka, reported missing since December 10 2015. From December 2015 to 30 June 2024, Iteka has documented at least 694 cases of enforced disappearances

CONTENTS	PAGES
ACRONYMS.....	3
0. INTRODUCTION.....	4
I. POLITICAL AND SECURITY CONTEXT.....	4
I.1. POLITICAL CONTEXT.....	4
I.2. JUDICIAL CONTEXT.....	5
I.3 SECURITY CONTEXT.....	6
I.3.1. PERSONS KILLED BY UNIDENTIFIED PEOPLE.....	6
I.3.2. PERSONS KILLED FOLLOWING SETTLING OF SCORES.....	6
I.3.3. OTHER SECURITY FACTS.....	7
II. CIVIL AND POLITICAL RIGHTS.....	8
II.1. THE RIGHT TO PHYSICAL INTEGRITY.....	8
II.1.1 GENDER BASED VIOLENCES.....	8
II.2. RIGHT TO THE FREEDOM OF MOVEMENT.....	9
II.2.1. ABDUCTIONS AND/OR DISAPPEARANCES.....	9
II.2.2. PERSONS ARRESTED.....	9
II.3. RIGHT TO FREEDOM OF EXPRESSION.....	10
III. ECONOMIC SOCIAL AND CULTURAL RIGHTS.....	10
V. CONCLUSION.....	11

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, judicial and security context that marked this period. It also deals with civil and political rights; economic social and cultural rights and ends with a conclusion.

Therefore, over this reporting period, the human rights and security situation was reported as follows: at least 11 people including 3 corpses, 3 victims of GBV, 1 victim of abduction and 4 persons arrested arbitrarily.

Among the victims are 4 children killed.

Members of political parties were not spared. Thus, 1 member of CNL party was abducted.

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

1. POLITICAL AND SECURITY CONTEXT

1.1. POLITICAL CONTEXT

Organization of a thanksgiving prayer crusade by the presidential family

From June 20 to 22, 2024, the presidential family organized in Nyabihanga, in Mwaro Province, Nyabihanga a thanksgiving prayer crusade for 4 years in power. He indicated that this crusade is an opportunity to thank God for the important step already taken by Burundi and then implore divine fortification to get down to work for the development of the country.

The President of the Republic Evariste Ndayishimiye called on Burundians to put an end to lamentations about the economic challenges of the moment but rather to look back to admire the work of God in Burundi. Thus, Evariste Ndayishimiye compared the history of the Burundians to that of the people of Israel who did not know how to appreciate the grace of God and who consequently perished in the desert. President Évariste Ndayishimiye compared the challenges of Moses, God's messenger to his own, and the behavior of the children of Israel to that of the Burundians, and realized many similarities as it is written in the Old Testament.

President Ndayishimiye asked the public to observe a minute of silence for all those who lost their lives due to human disobedience, and encouraged the people of Burundi to remain calm because God is with them and the vision of Burundi is emerging in 2040 and developed in 2060 is promising.

In addition, before the end of this crusade, the young people were invited to the teachings given by the President who urged them to make the most of their strength and their intelligence to begin building the Burundi of 2040. The Burundian President nevertheless deplores that some civil servants of the State hampers their development by relying only on monthly salaries. Despite the very weak socio-economic situation and exacerbated by the lack of basic necessities, the presidential couple received several gifts from activists and members of the government, without wondering if they did it for love or protectionist hypocrisy of positions occupied, hundreds of baskets traditionally called “Inkangara” were awarded as congratulations.

Note that before the holding of this crusade, the inhabitants of the communes of Mwaro province complained of having been forced by the administrative authorities of Mwaro to pay money to welcome the presidential family and to pay for uniform that participants had to wear.

1.2. JUDICIAL CONTEXT

Sentence of General Alain Guillaume Bunyoni to life imprisonment

On June 27, 2024, the Supreme Court of Burundi sentenced General Alain-Guillaume Bunyoni to life imprisonment.

Indeed, in May 2024, Alain Guillaume Bunyoni and his co-defendants, Colonel Destin Bapfumukeko, Colonel Désiré Uwamahoro and Côme Niyonsaba, head of Bunyoni construction sites, were heard on appeal before the Supreme Court in the prison of Gitega. In this trial, the 4 defendants were accused by the Public Prosecutor of conspiracy against the Head of State to overthrow the constitutional regime; attempted assassination of the head of State using fetishes; contempt of the Head of State and the Prime Minister; attacks on the internal security of the State as well as illicit enrichment and the destabilization of the national economy.

At the end of this hearing, the public prosecutor requested life imprisonment for Bunyoni. In addition to this sentence, the public prosecutor had requested the seizure of his 153 houses and plots of land, 43 vehicles as well as more than 24 billion fines. The case had been adjourned.

Thus, on June 27, 2024, the Supreme Court confirmed the judgment of the first judge for General Bunyoni and was imposed a fine of more than 22 billion Burundian as well as the immediate confiscation of his undeclared assets while his co-defendants were sentenced to 15 years in prison.

This is not far from a mock judgment according to the circumstances which have surrounded the debates from the beginning until today and at a time when the Burundian people remember the major acts of human rights violations perpetrated by the forces of security for which this police general was primarily responsible, this affair looks a lot like an internal personal score settling at a time when the country's justice system also suffers from a lack of independence.

Trial of 274 Burundian soldiers deserted in the Democratic Republic of Congo

On June 23, 2024, the military prosecutor in Rutana prison sentenced 274 Burundian soldiers accused of having refused to fight the M23 Movement in the Democratic Republic of Congo.

At the end of this sentence, accusing them of insurrection and refusal to fight, only 2 soldiers were acquitted while the others were divided into 3 categories. One party was sentenced to 20 years in prison and a fine of 500 USD. The second group was sentenced to 25 years in prison and a fine of 500 USD. The third category was sentenced to 30 years of imprisonment and a fine of 500 USD. This sentence follows a public hearing which was held in May 2024 at the same prison where none of the soldiers was assisted by a lawyer. The convicted soldiers rejected the Court's decision, arguing that it emanates more from the military hierarchy than from the military penal code.

Recall that these soldiers were deployed in a secret military cooperation agreement called TAFOC between Burundi and the Democratic Republic of Congo while Burundi had also deployed other soldiers in North Kivu within the EAC Regional Force¹ with other soldiers from South Sudan, Uganda and Kenya.

¹The mission of the EAC regional force has officially ended in December 2023.

1.3 SECURITY CONTEXT

1.3.1. PERSONS KILLED BY UNIDENTIFIED PEOPLE

A body found in Murwi commune, Cibitoke province

On the night of June 25 to 26, 2024, on Ngoma hill and zone, Murwi commune, Cibitoke province, a body of Gabiola Nsanzimana, an old man, aged 65, was found in his house. According to eyewitnesses, the victim's body was decapitated. Three men, Kadi Nizeye, Etienne Twagirimana and Mukeshimana, brothers of the victim, were arrested and jailed in Cibitoke police station cell for investigation purposes. These three men were in land disputes with the victim. Nsanzimana had just won a land dispute over a 3 hectare plot of land between him and these three brothers for a long time.

A body found in Rumonge commune and province

On June 25, 2024, on the waters of Lake Tanganyika, side of Kanyenkoko hill, Rumonge commune and province, a body of Emmanuel Nduwimana, aged 46, from Songa hill, Bururi province, was found floating on the waters of this lake. According to witnesses in Rumonge, the victim worked as a volunteer in a hotel called “Banda Jaz” located in Rumonge town. The same witnesses indicate that this body was dressed only in panties and the victim had a mental problem. A source among hotel workers indicates that the deceased had left the hotel on June 24, 2024. The circumstances and reasons of his death remain unknown.

A body of a child found in Rumonge commune and province

On June 29, 2024, on the 2nd avenue, on Mbuga sub-hill, Mwange hill, Kizuka zone, Rumonge commune and province, a body of a child of at least 5 years old was found in an unused latrine. According to the head of Mwange hill, Léonidas Hakizimana, the child had been missing since June 28, 2024 and his parents had searched for him everywhere without success and had been strangled because there was a piece of loincloth on his mouth. This hill head also indicates that investigations will be carried out to find out the reason and the perpetrators of this crime.

1.3.2. PERSONS KILLED FOLLOWING SETTLING OF SCORES

One person killed in Bururi commune and province

On the night of June 26, 2024, on Mugozi hill, Bururi commune and province, Clovis Muhirwe, aged 28, was beaten with clubs to death by residents of this hill. The victim was allegedly accused of stealing property from Nyawakira's family who lives in this locality of Mugozi and his sons Côme and Fabrice, CNDD-FDD party members, grabbed him and began to beat him. According to witnesses, the next day, Clovis died and the police arrested the two alleged perpetrators and were jailed in Bururi provincial police station cell.

One person killed in Bururi commune and province

Information received by Ligue Iteka on June 24, 2024 indicates that on June 21, 2024, on Rwankona hill, Muzenga zone, Bururi commune and province, Désiré Ntiranyibagira, watchman at Minevam church, aged 34, died following whippings by a group of people from this hill. According to witnesses, the victim was caught while stealing beans located on the aforesaid hill and the residents beat him, he later was taken on a motorcycle to judicial police office in Bururi. The OPJ, noting that his health status is critical, ordered Ntibambona and Alfred, CNDD-FDD party members who had taken him to the police, to first take him to the hospital. Instead of taking the victim to the hospital, they took him back to his home where he died a few hours later. Ntibambona and Alfred who had fled the locality were arrested in Kirembe on June 25, 2024 by the police who took them to Bururi provincial police station cell.

1.3.3. OTHER SECURITY FACTS

Three gold miners dead in Rugombo commune, Cibitoke province

On June 28, 2024, around 2 p.m., on Rusororo site, on the 7th street, Rusororo hill, Rugombo commune, Cibitoke province, Gabriel Ndayahoze, aged 37, Papy Ruzovayo, aged 25, natives of Gisaba hill, Buhindo zone, Murwi commune and Jérôme Ndagijimana, aged 28, native of Rusororo hill, Cibitoke zone, Rugombo commune, all gold miners died following a landslide. According to sources on site, seven other gold miners were injured and were transferred to a local care facility. The victims were looking for gold outside of any legal framework. This category of gold miners operates at night outside of legally registered cooperatives but this time, the accident took place in day time. They are not covered by any health insurance and work without protective equipment or adequate equipment. The managers of the gold ore extraction cooperatives on different sites are calling for order and, if necessary, sanctions against the recalcitrant. The governor of Cibitoke, Carême Bizoza recognizes the facts and advises gold miners to join cooperatives to benefit from both insurance schemes and protection in the event of an incident while warning all speculators.

A gold miner dead in Gitobe commune, Kirundo province

Information received by Ligue Iteka on June 24, 2024 indicates that on June 20, 2024, on Baziro hill, Gitobe commune, Kirundo province, Alexis Nimbona, aged 17, mineral extractor, native of Mukenke I sub-hill, Bwambarangwe commune, Kirundo province died in unclear circumstances when he was doing this work. According to witnesses, the victim worked on the mineral extraction site of Baziro cooperative whose leader is Issa Ndacayisaba, CNDD-FDD party activist and the victim's family was informed that Alexis died around 9 p.m. His parents alerted the communal administrator Georgine Dusabe but to no avail. The deceased was buried on June 23, 2024, after his removal from Gitobe Hospital mortuary. The head of this site Issa Ndacayisaba remains free and nothing has been done to investigate on the reason and circumstances of the death.

Two children dead in Muramvya commune and province

On June 25, 2024, around 5 p.m., in Kinyovu quarter, Muramvya hill, commune and province, Eddy Kanenza, aged 10, and Alain Bigirimana, aged 7, were found dead in their room. Their mother Candide Niyonzima, aged 39, is illegally married to Anicet Karorero, aged 47, who divorced his first wife. The latter married the mother of these children when they were 6 and 3 years old respectively. He had 5 other children he abandoned with his first wife, who live at Biganda hill, Muramvya commune. On the day of June 24, 2024, the two children went to school as usual, Eddy was studying in 4th year and Alain in 2nd year at ECOFO Muramvya III. They spent the evening playing with other neighborhood children. According to Candide, on the morning of June 25, she accompanied her husband to Muramvya Hospital for treatment and when they returned home, they found the children dead in their beds. They alerted the neighbors. They took the dead bodies to Muramvya Hospital mortuary. On June 26, 2024, the Muramvya prosecutor's office took action and the prosecutor Jean Paul Bigirindavyi arrested the children's mother and her husband, suspected of being the alleged perpetrators by poisoning. They are at Muramvya police cell for investigation.

A fire devastates all the health district offices in Nyanza-lac commune, Makamba province

Information received by Ligue Iteka on June 24, 2024 indicates that on the night of June 22, 2024, around 11 p.m., a fire ravaged all the offices of the Nyanza-Lac health district. Not all office equipment and archives could be saved according to sources in Nyanza-Lac district. Emergency assistance is necessary for work to resume according to the staff of this health entity. According to the staff of this district, had it not been for the intervention of firefighters from Makamba provincial police station, soldiers from Nyanza-

Lac Camp and the surrounding residents, even the stock of medicines in the district pharmacy would catch fire. All the four offices of this district were reduced to ashes by this fire which is believed to be due to the short circuit triggered in the ceiling and consequently all the machines, archives and other documents not yet identified are burned. This fire is believed to be due to poor electrical installation, as reported by some staff from the Nyanza-Lac health district. This problem had been reported but nothing was done to protect these buildings according to the employees of this health entity. The fire started around 11 p.m. and was brought under control around 3 a.m. according to sources in Nyanza-Lac commune. This is while the only firefighter vehicle from Makamba provincial police station should leave Makamba more than 50 km from Nyanza-Lac, a distance considered too long to intervene in real time. Police say they are still evaluating the damage. However, the staff of this district are asking benefactors to help rehabilitate the offices of this district and the equipment for an immediate resumption of activities because only the pharmacy remained intact.

A woman beaten in Gatara commune, Kayanza province

Information received by Ligue Iteka on June 29, 2024 indicates that on June 22, 2024, around 9 p.m., on Gihororo hill, Gatara commune, Kayanza province, Madeleine Manirakiza, aged 52, farmer, was beaten with a hoe handle by her daughter Fabiola Niyokindi. According to the victim, she insisted on asking her daughter to present the birth certificates of the four children that Fabiola gave birth to while not married. Fabiola Niyokindi, a CNDD-FDD party activist, has not been arrested and her mother Madeleine Manirakiza is receiving traditional care from healers at home for the fracture of her right foot following the beatings by her daughter.

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.

II.1. THE RIGHT TO PHYSICAL INTEGRITY

II.1.1 GENDER BASED VIOLENCES

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 girl raped in Ngozi commune and province

On June 27, 2024, on Kinyami-Bitanga hill, Ngozi commune and province, K. N, aged 7, was found in a ditch located on this hill, raped and thrown there by unidentified people. According to witnesses in Ngozi, she was abducted on June 26, 2024 and was found with damaged genitals. The victim is hospitalized at Mivo hospital, Ngozi commune.

A little girl raped in Gatara commune, Kayanza province

On June 25, 2024, around 4 p.m., at Munini hill, Gatara commune, Kayanza province, B. N, aged 5, was raped by Gilbert Niyonkuru, aged 24, shopkeeper. According to the victim, her mother sent her for some shopping and Gilbert tricked her into giving her a donut and a juice called “Fursana”. The victim indicates that the perpetrator took her to a room in the shop and raped her. Arriving home, the victim said she felt burning in her genitals and informed her parents what happened to her. The victim was taken to Gatara health center for treatment and the perpetrator of the rape was arrested and taken to Gatara communal cell.

A woman beaten in Kayanza commune and province

On June 28, 2024, around 9 p.m., on Kirema hill, Kayanza commune and province, Violette Niyibizi, a farmer, was beaten by her husband Claude Hasabumutima, a biker. According to the victim, Claude came home and found his wife in bed and he started beating her, he injured her leg and genitals using his hands. The woman screamed and neighbors rescued her and found the woman bleeding. According to the same victim, she no longer got along with her husband, which lead to separation because the woman was sleeping with children. Neighbors with Munkazi quarter head, Fidèle Singirankabo, forced Hasabumutima to take his wife to the health center and he refused, insulting his wife. Neighbors took Violette to the private Peka health center for treatment and the bill was given to her husband Claude.

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.

A member of CNL party abducted in Giteranyi commune, Muyinga province

Information received by Ligue Iteka on June 26, 2024 indicates that on June 22, 2024, in Ruzo zone, Giteranyi commune, Muyinga province, Alexis Tuyishime, member of CNL party, from Kijumbura hill, Masaka zone, Giteranyi commune, Muyinga province, was abducted by Shabani Nimubona, head of Imbonerakure youth league in Muyinga province in complicity with Isaac Nemeyimana, also Imbonerakure. According to witnesses in Ruzo, they took him into a Probox car that Shabani had parked very close to this abduction location and the victim's family is in total desolation because they do not know where theirs is. According to the same witnesses, the victim had gone to visit his uncle Samuel Nyandwi. Alexis Tuyishime left for exile in 2015 and returned from exile in 2021 where he continued to campaign for his party.

II.2.2. PERSONS ARRESTED

Journalist manhandled and arrested in Gitega town and province

On June 30, 2024, around 12 p.m., in Gitega city and province, Gérard Nibigira, journalist of Radiotélévision Isanganiro, was manhandled by police officers. The incident took place in Gitega town in front of Murisanze gas station commonly called “Kwa Philipo” when this journalist was among the other customers waiting to fill up. According to an eyewitness, this journalist took photos of the police officers who were beating a person who was also looking for gasoline. Believing that this journalist was trying to report the situation, the communal commissioner in Gitega, Jean Prime Ndikubwayo tried to beat Gérard and through resistance he ordered him to give him his phones. According to the same eyewitness, after some disputing, these police officers led by this communal commissioner forcibly took this journalist to the provincial police station cell where he spent more than 2 hours. After 30 minutes, the other journalists headed to the cell to demand the release of their colleague. After 2 hours of interrogation with these police officers, the provincial police commissioner decided to release this journalist while the two phones are currently at the SNR in Gitega.

A doctor arrested in Ngozi commune and province

On June 24, 2024, at Germain Martin polyclinic hospital, in Kinyami quarter, Ngozi zone, commune and province, Guy Iriba, doctor at this hospital, was arrested by prosecutor Alfred Franck Ngomanziza with a warrant for one charge. “He did a C-section wrong.” According to witnesses in Ngozi, the Ngozi doctors' board chaired by Dr Guillaume Ntawukuriryayo, the governor of Ngozi and various human rights associations condemned this arbitrary arrest. On June 28, 2024, in the afternoon, Guy Iriba was released by the decision of the Attorney General at Ngozi Court of Appeal, after paying 5 million Bif as bail. On June 29, 2024, the Attorney General of the Republic ordered the restitution of this sum to Mr Guy Iriba.

Two people arrested in Ruyigi commune and province

On June 30, 2024, around 4 p.m., in the bar called “Carama”, in Sanzu I quarter, Ruyigi commune and province, Bangirinama and Ndikumana coming from Tanzania, all from Rutimbura hill, zone, commune and Ruyigi province, were arrested by the provincial police commissioner of Ruyigi. According to eyewitnesses, these victims were arrested due to misunderstanding between them and another person, neighbor of these victims because the latter bought a drink called Kick costing 15 thousand and the person did not have the opportunity to share this drink with the victims and called the police who then took them in and sitting on them, in the commissioner's vehicle.

II.3. RIGHT TO FREEDOM OF EXPRESSION

The offices of the Iwacu newspaper attacked in Mukaza commune, Bujumbura Mairie

On June 25, 2024, from 8 p.m. to 2 a.m., the offices of Iwacu newspaper located in INSS quarter, Rohero zone, Mukaza commune, Bujumbura Mairie were the target of a stone throwing attack. According to sources on site, the security guards had to call the police who intervened. The management of Iwacu newspaper speaks of an act of intimidation of the journalists of this newspaper who continues to be mistreated by security forces agents and state bodies such as the national communications board. According to the security guards on site, the police officers and the quarter head even witnessed this throwing of stones to the point of waking up the residents of the surrounding areas of these offices, mainly guarded by security agents, without success in knowing and identifying the origins and the perpetrators of these acts of domestic violence. Journalists from Iwacu newspaper have sometimes been the target of threats and intimidation in recent days. The Iwacu correspondent in Gitega was beaten up by the provincial commissioner and his equipment seized while another journalist of the political section was almost abducted by men in police uniforms and after these incidents, the CNC issued a warning message to this journal for its publications, in particular the opinions and analyzes of experts.

III. ECONOMIC SOCIAL AND CULTURAL RIGHTS

Burundi ratified accession to the international covenant on economic, social and cultural rights dated March 14, 1990, adopted in New York on December 16, 1966.

Lack of water and food in the men's prison in Ngozi

Inmates at Ngozi men's prison are complaining over food and water shortages. According to these prisoners, since early June 2024, there has been a severe lack of water and they can spend two weeks without having a drop of water in the prison. Hygiene leaves much to be desired according to these prisoners and fear illnesses linked to unsanitary conditions. Likewise, these prisoners, around 1850, are threatened by hunger because since early June 2024, they have only eaten 350 grams of beans per day and per person. According to witnesses in Ngozi, they no longer receive 350 g of cassava flour usually received per day. Some of the staff at this detention center do not completely reject these facts. They say that the problem of water shortage has been common to all residents of Ngozi town for about 4 months. But workers at the men's prison say they use police fire trucks to supply the prison. They also explain that there is a tap located outside this prison which always has water but that the pressure is very low to bring the water up to

the water tanks located at around twenty meters high next to the prison.

Concerning food, these employees of Ngozi men's prison say that cassava or corn flour has been lacking for two weeks. According to them, in recent times, the management of Ngozi men's prison has resorted to the production of maize sown and harvested from the fields of this prison but say that is already over. These prisoners demand that they be supplied with water and food as soon as possible in order to stop the deterioration of the situation which is getting worse.

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.