

BURUNDIAN LIGUE OF HUMAN RIGHTS "ITEKA"

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Weekly bulletin « ITEKA N'IJAMBO » n°441 of the Burundian Ligue of Human Rights "ITEKA"

Week from 23 to 29 September 2024



In memory of Madam Marie Claudette Kwizera, Treasurer of Iteka, reported missing since December 10 2015. From December 2015 to 29 September 2024, Iteka has documented at least 706 cases of enforced disappearances

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ACRONYMS

CDS : *Health Center*

CNDD-FDD : *National Council for the Defense of Democracy*

CNL : *National Congress for Liberty*

DRC : *Democratic Republic of Congo*

ECOFO : *Fundamental School*

FNDB : *Burundi National Defense Force*

GBV : *Gender Based Violence*

OPJ : *Judiciary Police Officer*

SNR : *National Intelligence Service*

0. INTRODUCTION

This bulletin covers the human rights, justice, diplomatic, governance and security context that marked this period. It also deals with civil and political rights as well as categorical rights and ends with a conclusion.

Thus, during this reporting period, the human rights and security situation was reported as follows: at least 4 people killed, including 2 found dead, 3 victims of GBV and 1 person tortured.

Among the victims are 6 children victims of human trafficking. A member of CNDD FDD party was tortured.

Imbonerakure, administration officials, police officers and SNR agents are singled out as the alleged perpetrators of most of these human rights violations.

1. HUMAN RIGHTS, DIPLOMATIC, JUSTICE AND SECURITY CONTEXT

1.1. HUMAN RIGHTS CONTEXT

Presentation of the report on human rights in Burundi by the Special Rapporteur on Burundi

On 23 September 2024, during the 57th session of the United Nations Human Rights Council, the Special Rapporteur on the situation of human rights in Burundi, Fortuné Gaetan Zongo, presented his report.

The report highlighted persistent human rights violations in Burundi, including extrajudicial executions, enforced disappearances, arbitrary arrests and detentions, and torture. It also noted a shrinking civic space and a crackdown on political opponents, media professionals, and civil society organizations.

The Special Rapporteur highlighted widespread impunity for the perpetrators of these violations and the Burundian government's lack of cooperation with international human rights mechanisms.

Political intolerance and the exclusion of opposition political parties in the 2025 electoral process, which suggests that these elections will not be free and fair. The current regime has focused on the fragmentation of opposition political parties with a view to going it alone in the 2025 communal and legislative elections.

This report is crucial in drawing attention to the persistent human rights challenges to guide future actions aimed at improving the situation in Burundi.

Fortuné Gaetan Zongo called on the international community to maintain close monitoring of the situation in Burundi and to support national reconciliation efforts.

It should be noted that in August 2024, Burundian and international civil society organizations as well as international human rights organizations sent a letter to the permanent representatives of member and observer States of the United Nations Human Rights Council to advocate for the renewal of the mandate of the Special Rapporteur on the situation of human rights in Burundi.

1.2. DIPLOMATIC CONTEXT

Participation of the Burundian Minister of Foreign Affairs and Development Cooperation in the 79th session of the United Nations General Assembly

Ambassador Albert Shingiro, Burundian Minister of Foreign Affairs and Development Cooperation, represented Burundi at the 79th session of the United Nations General Assembly. He left Burundi on 19 September 2024 to meet with Heads of State and Government and other national delegates.

During this session, Ambassador Shingiro reaffirmed Burundi's commitment to effective, inclusive and equitable multilateralism, including at the Summit on the Future entitled "Leaving no one behind: acting together for peace, sustainable development and human dignity for present and future generations".

The Heads of State and Government highlighted the current impasse in the world in the face of geopolitical divisions, global warming, wars and nuclear threats. Ambassador Shingiro and other representatives called for Security Council reform, including reserving a permanent seat for Africa.

The UN Secretary-General called the lack of an African seat a "global injustice." The President of Brazil called for a permanent seat for Latin America, while the President of Sierra Leone called for two permanent and two non-permanent seats for Africa.

Ambassador Shingiro also held bilateral meetings with foreign ministers from several countries, resulting in the signing of joint communiqués and agreements for the establishment of diplomatic relations and the granting of scholarships.

This session was chaired by His Excellency Philémon Yang, former Prime Minister of Cameroon, elected on 6 June 2024.

1.3. JUSTICE CONTEXT

Poor detention conditions at Makamba prosecutor's office

At Makamba prosecutor's office, 24 people, including 20 women and 4 children, have been subjected to deplorable detention conditions for several weeks. Due to the lack of cells reserved for women, these detainees are crammed into two cells at the communal police station, with 10 women and 2 infants per cell, while the capacity is 5 people. This prison overcrowding leads to difficult living conditions, particularly at night when the detainees have to take turns to sleep.

Delays in pre-trial instructions and late inspections, as well as minor offences not resolved by Makamba prosecutor Claver Sabushimike, contribute to this situation. The families of the detainees are demanding the release of the alleged perpetrators of minor offences so that they can appear in court in freedom. Four women are detained for infanticide, while others are accused of minor offences, such as fuel trading.

It is important to note that this situation is not isolated. In previous reports by Ligue Iteka and organizations such as Human Rights Watch have already reported similar problems in Burundian prisons, including overcrowding, harsh living conditions, and abuse on detainees, especially children and women.

1.4. SECURITY CONTEXT

1.4.1. PERSONS KILLED BY UNIDENTIFIED PEOPLE

Two bodies found in Rugombo commune, Cibitoke province

On September 24, 2024, around 5 p.m., less than 500 meters from Rusizi River separating Burundi and the DRC, between the 11th and 12th streets of Rusiga hill, Rugombo commune, Cibitoke province, two

unidentified bodies of young men, freshly decapitated, were seen by farmers returning from the fields. According to eyewitnesses, these farmers quickly alerted the police authorities including Police Colonel Jacques Nijimbikira, provincial police commissioner, who went to the scene. According to the same witnesses, the vehicle of the head of the intelligence service in this province of Cibitoke, Félix Havyarimana was seen on the night of September 23 to 24 in the surrounding area. According to sources in the locality, each time the intelligence vehicle is seen at night, dead bodies are recovered the next day in this place, which has become like a cemetery. At least 7 dead bodies have been found and buried in this same place in 8 months. The two bodies were buried on the spot in the same evening, on the orders of the communal administrator of Rugombo Gilbert Manirakiza and the provincial commissioner, Colonel of Police Jacques Nijimbere. The administrator of Rugombo commune confirms that these corpses are regularly discovered on this passage towards the DRC and that their immediate burial is motivated by the wish to protect the population against possible diseases.

1.4.2. PERSONS KILLED FOLLOWING SETTLING OF SCORES

A person killed in Bugabira commune, Kayanza province

On September 26, 2024, on Gahise hill, Butaganzwa commune, Kayanza province, Vincent Ntirambaba, aged 47, was killed by Béatrice Yamuremye, his wife, at night. According to sources on site, the alleged perpetrator had rented a plot of land for an undisclosed sum of money, without informing her husband and Vincent Ntirambaba ordered his wife to return the sum of money received from the tenant of this land property. On September 25, 2024, Vincent sold banana and used the money obtained to buy alcoholic beverages. Around 7 p.m. on September 25, 2024, Vincent Ntirambaba returned home from a bar and found that his wife and children were not at home. He entered and slept after closing all the doors. When they arrived home, Béatrice Yamuremye, helped by her children, broke down the door of the house before going inside. Beatrice took a pestle and hit her husband on the head and the victim lost consciousness. The neighbors evacuated the victim to a nearby health facility which was unable to intervene, arguing that the person's condition was very serious. The victim was transferred to Musema hospital but, still without success. It was decided to transfer him to Roi Khaled hospital, Bujumbura mairie where he died. The alleged perpetrator of the crime was arrested on the night of September 25, 2024 and detained in Butaganzwa communal cell then transferred to the police station cell in Kayanza on September 27 for the constitution of the judicial file where she is being jailed. Boniface Nduwimana, president of the association of men in distress, demands justice and that Béatrice Yamuremye be punished in accordance with the law.

1.4.3. OTHER SECURITY INCIDENTS

More than a hundred cows from the DRC crossing the Rusizi River in Cibitoke province

Information received by Ligue Iteka on September 23, 2024 indicates that on September 22, 2024, at night, at least 107 cows under escort by Burundian soldiers deployed in the East of the DRC crossed the Rusizi border on the 6 and 7 streets of Kaburantwa hill, Buganda commune in Cibitoke province. Residents near this river speak of cattle thefts from Congolese populations. The communal administrator denies these allegations. According to eyewitnesses, these cows are the result of operations by Burundian soldiers located in the DRC in the Rusizi plain, Sange group. Local sources mention at least twenty cows or more arriving daily on Burundian soil accompanied by heavily armed FDNB soldiers. These cows have no supporting papers from the source and are taken to Bujumbura by Fuso-type vehicles. Local witnesses acknowledge that Congolese residents criticize the behavior of Burundian soldiers who, according to them, sow terror and desolation among peaceful populations by committing blunders in this vast Rusizi plain and even in the highlands. The same residents indicate that the Burundian soldiers, instead of ensuring peace and security, have become the source of their poverty and demand their withdrawal to Congolese territory.

Acts of intimidation by Imbonerakure in Bugabira commune, Kirundo province

Since early September 2024, on Rugasa hill, Bugabira commune, Kirundo province, the hill secretary of CNDD-FDD party, Jean Chrysostome Ruremesha in collaboration with Imbonerakure of Rugasa hill intimidate members of other parties and displaced persons that once the year 2025 begins without having joined CNDD-FFDD party, they will face difficulties to apply for membership in this party because the list of opponents would already be well developed to differentiate them. On September 10, 2024, Chrysostome held a meeting for Imbonerakure at ECOFO Rugara to tell them to start identification little by little and has prohibited CNDD-FDD members from no longer buying goods in shops owned by members of opposition parties. For example, a man named Gad, a trader and member of CNL party, was the victim of nonpayment of an amount of 6,000 Bif by an Imbonerakure François and was intimidated that he would be paid at the end of the election campaign but if he did not join CNDD-FDD party, not to ask for anything. The victim asked the hill head to help him recover the sum but in vain and complained to the communal administrator. The displaced persons who have returned home and who have cows grazing in Ruvubu plain are intimidated that these cows will be confiscated if they do not join. The communal administrator Eric Twizerimana is aware of this situation but has done nothing to prevent this secretary from spreading such information.

Voluntary abortion in Kabezi commune, Bujumbura rural province

Information received by Ligue Iteka on September 23, 2024 indicates that on September 22, 2024, on Kabezi hill, Kabezi commune, Bujumbura rural province, Annick Bigirimana, aged 22, voluntarily aborted her 5-month pregnancy. According to Albert Ndayizeye, Kabezi hill head, this child was the victim of non-recognition by the boy who impregnated his mother. After becoming pregnant, the girl went to her boyfriend Stany Nibizi to tell him that she was pregnant, but Stany did not accept it and Annick took medication to induce the abortion. Neighbors and local authorities after learning what happened called the police and took her to Kabezi police station for investigation and the police ensured her safety at Kabezi hospital so that she doesn't escape while waiting for her to recover. As soon as she was released from the hospital, the police interrogated her and she confessed to everything she had done. The victim is being jailed in Kabezi communal cell.

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 LIFE

II.1.1. PERSONS KILLED BY OFFICERS

A person killed by the police in Gitega commune and province

On the morning of September 26, 2024, in Musinzira quarter, Gitega commune and province, Stéphane Ndatiyimana, aged 44, was shot dead by Corporal-Chief of Police Léonidas Manirakiza, one of the police officers working at Gitega commune office. According to eyewitnesses, the incident occurred in the fence of mobile phone antenna premises installed around Gitega commune and province city center. The victim had climbed the fence of this antenna and the police officer shot him as he climbed and the body fell inside the fence. According to OPJ 1st Sgt Major of police Sébastien Nsengiyumva who went to the scene to

make the report, the victim was a thief and ordered that the body be evacuated to the mortuary of Gitega Regional Hospital while waiting for the family to be identified and then proceed with the burial.

II.2.1. GENDER-BASED VIOLENCE

The law on gender-based violence adopted in Burundi in 2016 was a major step forward. It ensured better protection, notably by providing a definition of rape that took into account the issue of consent and by prohibiting harmful traditional practices.

A girl raped in Rumonge commune and province

Information received by Ligue Iteka on September 23, 2024 indicates that on September 11, 2024, on Mugara hill, Rumonge commune and province, I. C, aged 13 and a schoolgirl at ECOFO Mugara, was the victim of attempted rape by the alleged perpetrator Joffrey Bakanibona, aged 52, a member of CNDD-FDD party and a biker, known by the nickname Duma. The latter called her and took her to an uninhabited house, when he started tickling her, she screamed loudly and those around her intervened. The alleged perpetrator was arrested and taken to Rumonge police station where he is imprisoned. The girl was taken to Humura center in Rumonge for appropriate care.

A girl raped in Rumonge commune and province

Information received by Ligue Iteka on September 23, 2024 indicates that on September 21, 2024, on Gihwanya hill, Rumonge commune and province, C.I, a 17-year-old schoolgirl was raped by Bienvenu, a biker. The latter invited her to come to his house saying that he had his message from Matana commune. The girl accepted and then the biker committed the crime. It was passers-by who came to her rescue. She was taken to Humura center for holistic care. As for the alleged perpetrator, he fled and the police are looking for him.

A woman beaten in Buhiga commune, Karuzi province

On September 25, 2024, around midnight, on Rwingoma hill, Buhiga zone and commune, Karuzi province, Nshimirimana Jacqueline, a 37-year-old member of CNDD-FDD, was beaten by her husband Ira-koze Lucien, a 40-year-old member of CNDD FDD, until she aborted a 7-month-old fetus. According to witnesses on the scene, this man had sold a bag of dried cassava and came home late at night and when the woman asked him where he put the money, he beat her up before the neighbors intervened. They took her to Buhiga hospital where she was admitted in critical condition and had an abortion on September 26, 2024. The imbonerakure of the hill looked for this man but he had already fled and remains untraceable.

II.2.2. PERSONS TORTURED

A person tortured in Bugenyuzi commune, Karuzi province

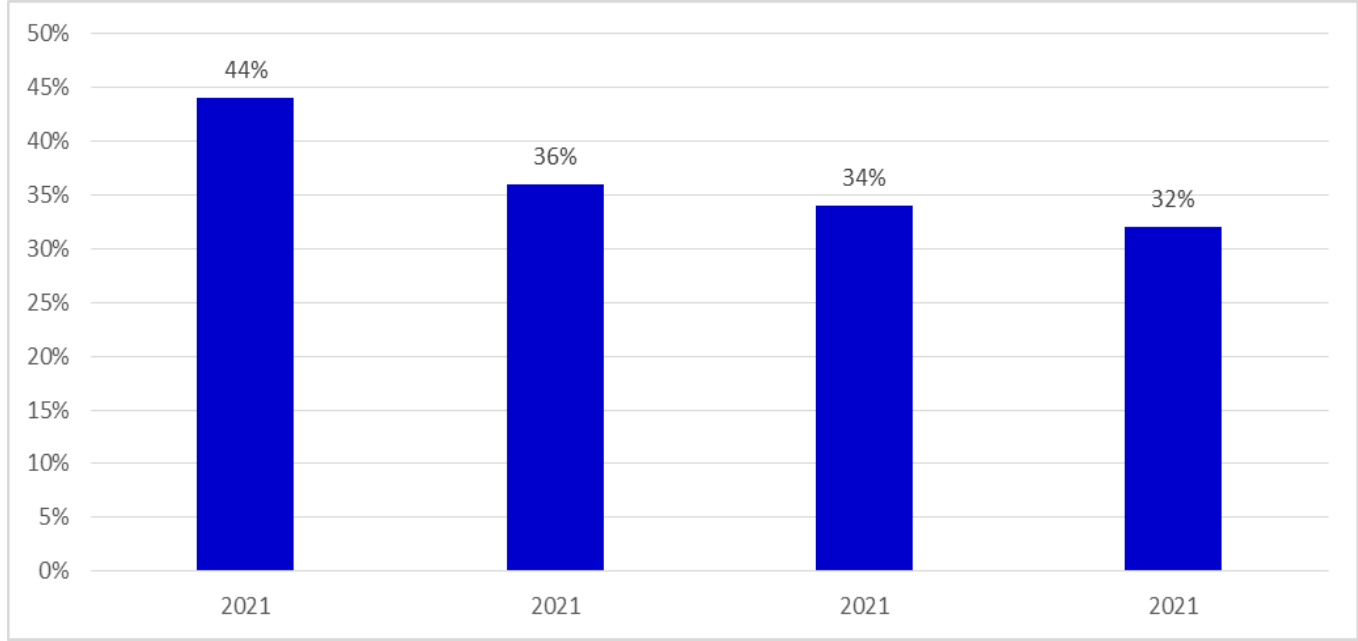
On September 24, 2024, around 4 p.m., on Gashanga hill, Bugenyuzi zone and commune, Karuzi province, a man named Bampabaseka, a member of CNDD-FDD, aged 50, was beaten up by Hasabimana, the hill head, accompanied by Imbonerakure led by Nepomscene, the head of Imbonerakure on this hill. According to eyewitnesses, they accused him of stealing a sum of 350,000 Bif from a truck driver who had given him a job from 9 p.m. to guard his broken down vehicle on the road passing over this hill. According to the same witnesses on site, the money was in the box of the dump truck cabin and the victim said that the driver had locked all the doors so that he remained outside. The alleged perpetrators hit him on his testicles which are currently damaged and the victim is admitted at the Cinquantenaire Hospital in Karuzi where his relatives say he is in critical condition. The perpetrators are still free.

II.3. RIGHT TO EDUCATION

Burundi’s school education quality declines

The Burundi Ministry of National Education and Scientific Research announced on September 2, 2024, a minimum score for entry into post-basic education, while students admitted to boarding schools must obtain 50.5%. This decision raises concerns about the quality of education, as the minimum score has declined since 2021. Students admitted with low scores risk not being prepared for the requirements of the post-basic curriculum, which could lead to inequalities, academic failure, and higher dropout rates.

Since 2021, the minimum score for access to post-basic education has continued to decline, as illustrated in the graph below.



This decision could also create additional challenges for teachers, who will have to harmonize the proficiency levels of students in their classes. Burundi’s Vision 2040-2060, which aims to transform the country into an emerging nation, seems hypothetical in the field of education¹.

To remedy this, the government should review admission criteria and hold regular consultations with teachers, parents and students to adjust education policies. This would ensure quality and inclusive education, essential for the development of an active and intelligent youth, the future pillar of the country’s growth.

III. CATEGORICAL RIGHTS

III.1. CHILDREN’S RIGHTS

Six children victims of human trafficking in Bukemba commune, Rutana province

As of September 28, 2024, in Bukemba commune, Rutana province, 6 children all from Musongati commune, Rutana province including Evariste Niyongabo, aged 16, from Mabawe hill; Jean Claude Iranezezeza, aged 14, from Mabawe hill; Albert Ndagijimana, aged 14, from Mabawe hill; Leonidas Igiraneza, aged 13, from Nyanza hill; Thérence Nishimwe, aged 14, from Nyanza hill, Ezéchiel Niyomwungere, aged 13, from Mabawe hill and brokers including Sylvère Sibomana, aged 28, from Mabawe hill, all from Musongati commune, Rutana province, were arrested in Bugiga zone by the police in Bukemba

¹<https://vision-burundi.gov.bi/>

commune, Rutana province. According to sources on site, they were heading to Tanzania in search of job and were in a Probox vehicle with registration number JA0382, coming from Gitega province side towards Rutana province, upon arriving in Gitaba, the police tried to stop this vehicle in vain. That vehicle was later stopped in Bugiga in Bukemba commune and they were taken to Gihofi police station cell. The trafficker was arrested and taken to Rutana prison and the children were returned to their respective families.

IV. CONCLUSION

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

It protests against the impunity of the crimes observed and demands:

- ⇒ The Minister of Justice to ensure compliance with the law against the perpetrators of crimes;
- ⇒ The Minister of the Interior, Community Development and Public Security to inclusively guarantee public rights and freedoms to all Burundian citizens.