



## **REPORT No. 115 OF SOS-TORTURE / BURUNDI ISSUED 24 FEBRUARY 2018**

This report of SOS-Torture covers the period from 17 to 24 February 2018 concerning cases human rights violations in Burundi.

At least four (4) persons were murdered during the period in different locations, among them three (3) victims of grenade attacks. The life of a man whose identity has not been communicated is also in danger since his abduction by agents of the national intelligence service in Cibitoke province. His relatives have no news of the victim.

The report also lists about twelve (12) arbitrary arrests. Among these are two magistrates from Gitega, including the president of the Gitega Court of Appeal; as well as a human rights activist who was finally released a few days after his arrest. Several people also continue to be arrested and accused of raising awareness of the "no" vote for the constitutional referendum of the Burundian government of May 2018.

### **1. Violations of the right to life and to physical integrity**

- An inmate named Jean Bosco Nibigira was found dead in his solitary confinement cell in Bururi Central Prison (south of the country) on 17 February 2018. Witnesses report that the detainee was segregated as a correction, while he was suffering from injuries received during a collision with his co-prisoners. .

Sos-Torture Burundi notes that the administration of the penitentiary center declared the death of the detainee as "suicide", stating that a rope was in his cell for this purpose. However, no medical expertise was conducted to determine the exact causes of the inmate's death, which had been weakened as a result of beatings received prior to being placed in solitary confinement. Mr. Nibigira had spent about ten days in prison, and had not yet been presented to the magistrate for confirmation of detention. .

- National Intelligence Service agents kidnapped Thaddee Mbarushimana in Rugombo commune, Cibitoke province (north-west of the country) on 18 February 2018. Witnesses report that agents Anaclet Bikorimana and another nicknamed 'Maboulo' went to find the victim at his workplace at the

Rugombo market where Mr Mbarushimana is a butcher. Since that day, this man is missing in all the official cells of Cibitoke province.

Sos-Torture Burundi notes a forced disappearance, orchestrated by agents of the State. There is a risk to the safety of the victim, since the NIS does not report on this arrest of Mr. Mbarushimana. The NIS must clarify the situation of this man, since his kidnappers were identified by witnesses.

- Unidentified individuals murdered Julienne Barakamfitye on Murambi hill, Gitaba zone, Makamba commune and province (south of the country) on 19 February 2018 in the evening.

Sos-Torture Burundi notes that the police have not identified any suspects to date. The victim's husband was seriously injured during the attack.

- Unidentified individuals murdered with grenade Maurice Ntahokaraja (65 years) and Marie Ntakarutimana (45 years) on Muhenga hill, Buyuko zone, Bubanza commune and province (west of the country) on February 20, 2018 in the evening. Witnesses report that the couple was attacked with two (2) grenades.

SOS-Torture Burundi notes that the police arrested Niyongabo as suspected of attack.

## **2. Violations of the right to liberty and physical security**

- Police agents arrested Jean Claude Nduwayo on Rugoti hill, Butezi commune, Ruyigi province (East of the country) on February 16, 2018. Relatives report that Mr. Nduwayo is accused of raising awareness of the "no" vote during the constitutional referendum planned in May 2018 by the Burundian government. He is a teacher at the fundamental school of Rugoti.

Sos-Torture Burundi notes an arbitrary arrest, orchestrated by a member of the imbonerakure militiamen of the ruling party CNDD FDD following a court case in which Mr. Nduwayo is the witness against the director of the school (the latter being a member of the ruling party). The police must release this teacher.



## SOS – Torture/Burundi

*Monitoring sur les cas de torture, les arrestations arbitraires, les disparitions forcées et les exécutions sommaires au Burundi*

- National Intelligence Service agents arrested Luc Ndayiragije in Cendajuru commune, Cankuzo province (north-east of the country) on 16 February 2018. Witnesses report that Mr. Ndayiragije was arrested during his service as an agent of the organization SOPRARD (Solidarity for the promotion to the development), accused of sensitizing the inhabitants whom it frames to the vote of the "no" during the constitutional referendum.

SOS-Torture Burundi notes an arbitrary arrest, following false accusations related to the work of Mr. Ndayiragije as a manager in a community development project and also in a referendum raising awareness to reject the draft constitution does not constitute an offense according to Burundian law. The NIS must release the victim.

- National Intelligence Service agents arrested Aloys Habimana on the border between Burundi and the Democratic Republic of Congo (DRC) in Gatumba, Mutimbuzi zone, Bujumbura province on February 17, 2018. This is the Protection Coordinator Africa within the Front Line Defenders human rights organization. Relatives report that he was sent directly to the NIS cells in the city of Bujumbura.

Sos-Torture Burundi notes that Mr. Habimana was released on 19 February 2018, two days after his arrest. NIS failed to report on the reasons for the detention of the human rights defender, who works to protect human rights activists at risk in Africa.



**Mr. Aloys Habimana spent 2 days in the cell of Burundian National Intelligence**

- Police agents arrested Claver Ninganza in Kinyinya commune, Ruyigi province (East of the country) on February 17, 2018. Relatives report that he is accused of not having registered as a voter for the constitutional referendum.

Sos-Torture Burundi notes an arbitrary arrest, linked to the ongoing crackdown against anyone suspected of not supporting the ruling power. Relatives also report that the victim is a teacher at the Ruveri Basic School in Kinyinya commune.

- Police agents arrested several people during a search of households in the Quarer IV of Ngagaga zone, Ntangwa commune (north of Bujumbura town) on 19 February 2018. Witnesses report that police agents Requested the presentation of the household notebook that contains all the names of the occupants of this household.

Sos-Torture Burundi qualify it arbitrary arrests, as this householder is still not yet governed by any law in Burundi. However, it has been widely used since the beginning of the crisis as a pretext for multiple arrests.

- National Intelligence Service agents arrested Claude Niyongere in the town of Karusi province on February 20, 2018. Relatives report that he is a doctor from Karusi Hospital(Center-Est of the country ; who shared on social

networks (whatsapp) a photo of the president of the ruling party CNDD FDD wearing a hut calling to vote "no", with reference to the constitutional referendum of May 2018. Dr. Niyongere is not the author of the picture edition, which has circulated on all social networks especially Burundian.

Sos-Torture Burundi also notes an arbitrary arrest, linked to the repression of those suspected of not supporting the party in power. Dr. Niyongere was transferred on February 22 from Karusi to Gitega prison (center of the country).



**Dr. Niyongere (left) arrested for sharing the photo of ruling party president CNDD FDD (right) wearing a cap calling for a "no" vote (photo montage)**

- Police agents arrested Desire Ndayiragije on Kesha hill, Burambi commune, Rumonge province, southwest of the country, on 20 February 2018. Relatives report that Mr. Ndayiragije was arrested on the mandate of the Rumonge prosecutor.

Sos-Torture Burundi notes that Mr. Ndayiragije was put in jail without knowing the reasons for his arrest or the possible offenses against him despite the existence of a warrant.

- Police agents arrested Thomas Ntimpirangeza and Prime Habiyambere in the center of Gitega province (center of the country) on 21 February 2018. The first is the president of the Court of Appeal of Gitega, and the second one of the counselor of this same court. Witnesses report that they were arrested on the mandate of the Attorney General of the Republic.



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Sos-Torture Burundi was informed that the two magistrates would be victims of a court decision rendered in favor of a prisoner, who was acquitted by the Court after accusations of diversion of bags of cement. These bags of cement had been granted by the Office of the Presidency of the Republic of Burundi for the construction of a stadium in Karusi. The two magistrates were sent directly to the central prison of Mpimba in Bujumbura.

The Attorney General of the Republic issued a press release to clarify that this arrest was made after the opening of an investigation into certain facts that may constitute acts of corruption against these magistrates arrested.

Sos torture Burundi hopes that the Prosecutor General can demonstrate evidence that this is not a strategy to dismiss the magistrates who do not accept to be manipulated, if not, the public prosecutor had other legal remedies to challenge the judgment of the Court.

- Police agents arrested two (2) men including the director of Bubanza Technical School (west of the country) on February 22, 2018. Witnesses report that they are accused of having given an interview to a media outlet on the content of a meeting that Burundian President Pierre Nkurunziza hosted on 20 February 2018 in Bubanza, content that they had been asked not to communicate.

Sos-Torture Burundi notes arbitrary arrests, the media did not mention the names of the sources interviewed. The content of their remarks does not contain any material to justify any offense. The police and the public prosecutor of Bubanza must release these two persons.

- Police agents arrested Dismas Irakoze in the Gitaza zone, Muhuta commune, Rumonge province (south-west of the country) on February 23, 2018. He is an activist of the opposition party FNL faithful to the deputy Agathon Rwaswa. Relatives report that he is accused of campaigning "no" for the next constitutional referendum.

Sos-Torture Burundi also notes an arbitrary arrest guided by a desire to repress anyone suspected of opposing power, especially at this time when it is preparing to amend the Constitution to lift the term of presidential term.



SOS-Torture / Burundi was initiated with the objective to inform national and international opinion about the serious human rights violations under way in Burundi through monitoring reports, particularly on torture, arbitrary arrests, forced disappearances, sexual violence and summary executions.

This initiative to inform about the realities of the country followed the slaughter period of a hundred people killed during the day of December 11 and 12, 2015 orchestrated by the National police and soldiers on the pretext of pursuing rebels who came to attack military camps on the outskirts of the capital Bujumbura.

The affected zones are said to be contesting President Nkurunziza's third term which are Musaga, Mutakura, Cibitoke, Nyakabiga, Jabe, the last two being located in the center of Bujumbura City Hall.

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