

REPORT N ° 97 OF SOS-TORTURE / BURUNDI RELEASED ON 21 OCTOBER 2017

This SOS-Torture report covers the period from 14 to 21 October 2017 concerning human rights violations in Burundi.

At least eight (8) persons were murdered during the period. Among the victims a child murdered during a grenade attack in Mugina commune, Cibitoke province, where all the other members of his family were seriously injured. Four (4) victims were also murdered and thrown into different rivers.

The report also mentions ten (10) cases of arbitrary arrests listed. Of these cases, two (2) men have not been found since their arrest by the Deputy responsible of National Intelligence service in Cibitoke. Another victim was also tortured by imbonerakure militiamen in Rumonge while he was held illegally by soldiers; to be arrested again after hospitalization.

The prosecution Service of Makamba holds into detention six (6) men, however, acquitted for a month by the Court of Appeal of Bururi. The prosecution refuses to execute the judgment of the court without legal reason.

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

- Unspecified individuals have murdered Frédiane Kankindi whose body was found floating in the Jiji River in Bururi commune and province (south of the country) on October 15, 2017.

SOS-Torture Burundi notes that the police arrested the husband as an alleged perpetrator, but has not yet confirmed his direct involvement or the motives behind the assassination. Ms. Kankindi's husband is a serving soldier who had just returned from a mission from Somalia where he participated in the Burundian peacekeeping contingent in that country. This is the second body of a woman found floating in this river Jiji within two months. The previous victim is Noëlla Masabarakiza whose body was found on August 19, 2017 (see **Sos-Torture Burundi report N ° 89**: <http://sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-num%C3%A9ro-89.vdocx-1.pdf>).

- Individuals murdered two (2) men whose bodies were thrown into the Rusizi River, Buganda Commune, Cibitoke Province (north-west of the country) on 14 October 2017. Eyewitnesses report that the two men have been reported missing since October 11, 2017, in Rugombo commune on their return from Kamanyola camp in the Democratic Republic of Congo, and last seen on October 14, 2017, in the vehicle of Cibitoke's national intelligence Service Athanase Gahungu.

SOS-Torture Burundi also learned from several witnesses that an army officer named Major Pascal Hekenya made threats of retaliation to residents of Rukana Hill, Rugombo commune on 17 October 2017, who reportedly gave information regarding this probable execution. .

- Unidentified individuals attacked Ishmael Ntacobita's home on Rugajo hill, Mugina commune, Cibitoke province (north-west of the country) on 16 October 2017 in the evening. Relatives report that Mr. Ntacobita, his wife Diane Nsabimana and their five children were all in the house at the time of the attack. One of the children died as soon as he arrived at the hospital, and the other members of the family were seriously injured.

SOS-Torture Burundi notes that the attacked family had received death threats two weeks ago in the form of leaflets, but no follow-up had been given to these threats. The police announced the arrest of two suspects, without indicating their identities. Witnesses report that the two suspects are members of the imbonerakure militia.

- Individuals murdered another young woman whose body was found on Rushemeza Hill, commune and Bururi province (south of the country) on October 17, 2017.

SOS-Torture Burundi notes the arrest by the police of two suspects for motives related to land disputes, but the police have not confirmed the charges so far.

- Unidentified individuals murdered a man whose body was found floating in the Nyawisesera River, Matongo Commune, Kayanza Province, northwestern on 17 October 2017.

SOS-Torture Burundi notes that the victim was buried, but did not carry out a prior identification or investigation to determine the circumstances and perpetrators of his death.

- Police officers tortured Lewis Nyandwi on Muguruka Hill, Mukungu Zone, Nyanza Lac Commune, Makamba Province (south of the country) on October 17,

2017 in the evening. Relatives report that the victim is a physically disabled person working as a night watchman at Muguruka fishing port.

SOS-Torture Burundi notes that the torturers are police agents who acted on the orders of the Mukungu zone chief Audace Ndayitwayeko, and that they stole more than a hundred thousand francs from the victim of torture. No investigation has been conducted by the police to date, which asks Mr. Ndayitwayeko to file a complaint. This attitude reinforces impunity and can not guarantee security for the victims, because they are afraid to lodge a complaint against their attackers with the police, because the people accused in this case are precisely their colleague's policemen.

- Unidentified individuals murdered Charles Ndaruzaniye on Bwoga hill, Gitega commune and province on October 17, 2017 in the evening. Witnesses report that the victim is a sentry guarding a private shop.

SOS-Torture Burundi notes that police have not identified any suspects to date.

2. Violations of the right to liberty and physical security

- Imbonerakure militiamen of the ruling party CNDD FDD kidnapped almost ten residents of Gatwaro Hill, Kirambi zone, Bweru commune, Ruyigi province (East of the country) on October 13, 2017. Witnesses report that these militiamen came from the neighbor hill of Bigombo and began to accuse these inhabitants of having grazed their cattle in a marsh. The imbonerakure militiamen imposed one hundred thousand francs (100,000) on each resident sequestered to be released.

SOS-Torture Burundi notes that a group of other imbonerakure militiamen has intervened to put an end to these illegal extortions. This intervention is, however, beneficial to these people only because the two groups of imbonerakure militiamen fought and denounced a violation of their territory by another group on the nearby hill.

- The head of the national intelligence service of Rumonge province (south-west of the country) arrested Térence Nicimpaye on Musave hill, Kizuka zone, Rumonge commune and province on October 14, 2017. He is a soldier retired from the former Burundian Armed Forces (ex-FAB) who lives in this locality.

Relatives report that a few days before his arrest, Mr. Nicimpaye was tortured by youth Imbonerakure militiamen in complicity with local soldiers who maintained him during his torture. He showed signs of injury to his face, arms and legs when he arrived dying at the hospital.

SOS-Torture Burundi notes that the police accused him of illegal possession of weapons, but no search showed any seizure of firearms. Relatives report that he is reported to be in conflict with Musave hill Chief Jean Bosco Ndayiragije, who tried to force him out of money before being arrested for refusing to pay it. The police and the prosecution must indicate the reasons for the arrest of this man and bring to justice the perpetrators of these torturers so that Mr Nicimpaye recover his rights.





Mr Terence Nicimpaye hospitalized following wounds inflicted by militiamen Imbonerakure, now in detention

- Imbonerakure militiamen illegally arrested and kidnapped Pascal Bizumuremyi on Rushwahunga Hill, Bweru Commune, Ruyigi Province (East of the country) on October 14, 2017. He is a member of parliament elected in the Ruyigi constituency of the Coalition of opposition Amizero y'Abarundi. Witnesses report that the MP was insulted and humiliated by the ruling party's imbonerakure militiamen.

SOS-Torture Burundi notes that the deputy Pascal Bizumuremyi was rescued by local residents. The victim lodged a complaint against his attackers whom he identified: Thadée, Abraham Bangurambona, Tumiro Fipius and Munyati; but the Ruyigi prosecution service has not yet responded to the complaint.

- The head of the national intelligence service of Cibitoke province arrested five (5) men in Mabayi commune, Cibitoke province (north-west of the country) on October 15, 2017. They are militants of the opposition party FNL (National Front for the Liberation) that the SNR accuses of having organized a meeting during the night.

SOS-Torture Burundi notes abusive and unproven arrests as well as harassment related to the political convictions of the victims.

- National Intelligence Service agents arrested Ms. Rogatienne Niyonzima on Kibumbu Hill, Mbuye Commune, Muramvya Province (center of the country) on October 16, 2017 in the evening. Witnesses report that Ms. Niyonzima lives in Mbuye displacement site where she was arrested before being taken to the police cell in Muramvya.

SOS-Torture Burundi notes that the police accused him of attacking the internal security of the State. Relatives report that these charges are linked to the departure of several occupants of the site who have fled the country. These charges, however, do not justify an arrest, because the choice of exile does not depend on a third person. The police must release Ms. Niyonzima who is the victim of arbitrary and abusive detention.

- The deputy head of the national intelligence service in the northwestern province of Cibitoke arrested Joseph Nahinkuye and Nkurikiye on Buganda Hill, Buganda Commune, Cibitoke Province on 16 October 2017 in the evening. Witnesses report that Anaclet Bikorimana had them on board of the official vehicle registered D3978A of his superior, the head of the SNR Cibitoke.

SOS-Torture Burundi notes that the SNR has not confirmed the arrest and the whereabouts of the two men, which gives rise to fears of an enforced disappearance of the victims.

- Police officers arrested Bosco on Kirungu hill, Nyabitsinda commune, Ruyigi province (East of the country). Witnesses report that the man had just returned from Tanzania where he worked for a year before being left without work.

SOS-Torture Burundi notes that relatives do not know his place of detention, which gives rise to fears of enforced disappearance.

3. Makamba Prosecution Illegally Hold in detention Six Prisoners

At least six (6) detainees are illegally held in prison, while they have been acquitted since 20 September 2017 by the Bururi Court of Appeal (south of the country). These detainees are among others Fidèle Nsabumukiza, Austère, Salèze, Joséphat and Eliézel Ndayambaje who were arrested in Makamba province on December 2016



SOS – Torture/Burundi

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

imprisonned and sentenced at 15 years of imprisonment by the High Court of Makamba for participating in armed gangs and undermining the internal security of the State.

The six (6) men were imprisoned in Rumonge prison (south-west of the country). Since their acquittal decided a month ago by the Bururi Court of Appeals, the Makamba Procuration service opposes their release by refusing to execute the judgment of the Court. This is necessarily a violation of the law and especially of Article 203 of the Code of Criminal Procedure, which provides: "The accused who, at the time of the judgment is in a state of preventive detention and who is acquitted or sentenced to a simple fine, is immediately in liberty, notwithstanding appeal, unless he is detained for another cause".

These persons are victims of illegal detention, the Court of Appeal must order the prosecution to execute its judgment.

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

This initiative to inform about the realities of the country followed the carnage of a hundred people killed during the day of December 11 and 12, 2015 by the police and soldiers on the pretext of tracking rebel groups which came to attack military camps on the outskirts of the Bujumbura capital city.

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