

## **REPORT No. 103 OF SOS-TORTURE / BURUNDI PUBLISHED ON 2 DECEMBER 2017**

This report of SOS-Torture covers the period from between 25 November and 2 December 2017 concerning human rights violations and abuses in Burundi.

At least seven (7) persons were murdered during the period. Among the victims is a political leader belonging to the opposition party Uprona in Kirundo province, Serge Barutwanayo. This opponent, threatened several times before this deadly attack, suffered many knives.

A young man was also tortured by the head of the National Intelligence Service of Muyinga Province. The latter has already committed several acts of human rights violations, including an attempted murder in Gitega, but has never been prosecuted.

The report also mentions about 30 persons arrested in Rumonge province. These persons are accused to have tried to go to the Democratic Republic of Congo (DRC) to seek asylum. The local administration has announced its intention to return them to their places of residence against their will.

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

- A young woman Valérie Ndikuriyo was murdered on Mabanza hill, Muyama zone, Buyengero commune, Rumonge province (south-west of the country) on November 17, 2017. Police announced a few days after to have arrested the victim's husband, Pascal Murekambanze, as the main suspect.

Sos-Torture Burundi notes that the principal defendant was sentenced on 28 November 2017 to life imprisonment by Rumonge Intermediate Court in the context of a trial held following the flagrancy procedure.

- Individuals murdered Isidore Bararwandika in Giharo commune, Rutana province (south-east of the country) on November 19, 2017. Witnesses report that the victim was beheaded, and part of his body (head) thrown into the commune Nyabitsinda in Ruyigi province. Mr. Bararwandika was a resident of Titi Hill, Mugege zone, Butaganzwa commune, Ruyigi province.

Sos-Torture Burundi notes that three (3) persons were arrested after the assassination: Janvier and his two brothers. The arrest was, however, unlawfully led by members of the imbonerakure militiamen, who also beat the three men.

Sos-Torture Burundi learned of the escape of the Butaganzwa police cell of the three alleged criminals, who allegedly benefited from the complicity of a police agent.

- Unidentified individuals murdered Serge Barutwananayo on Nyange-Bushaza Hill, Kirundo commune and province (north of the country) on November 28, 2017 in the evening. He is the first Secretary of the opposition party Uprona (Union for National Progress) in Kirundo, Uprona party wing led by Charles Nditije forced into exile following his opposition to the Burundian President's third term. Witnesses report that Mr. Barutwanayo was attacked by two men ambushed near his home as he was returning home, and assaulted him nine times with knives. The victim was evacuated to Kirundo Hospital and then to the neighboring province of Ngozi; but he did not survive the mortal blows.

Sos-Torture Burundi notes that the police have not identified any suspects to date. Serge Barutwanayo, who was also communal administrator of Kirundo, was often threatened for his political convictions. His family is also living in exile following the ongoing crisis. There is a strong fear that the crime may be related to the political beliefs of Mr. Barutwanayo and the support of Uprona Party President Charles Nditije, who lives in exile for refusing to endorse the third illegal mandate of Burundian President Pierre Nkurunziza. Sos-Torture Burundi also notes that several crimes are not resolved by Burundian police, particularly in rural areas and urban centers in the interior of the country.



### **Mr.Serge Barutwanayo received nine knives, and died after hours of care**

- Individuals murdered Niyongabo on Mirango Hill, Gitsiro Zone, Vyanda Commune, Bururi Province, (South of the country) on November 26, 2017. Relatives report that the victim was tortured to death, and hastily buried by his executioners.
- Sos-Torture Burundi notes that the police announced the arrest of two suspects, without revealing their identities.
- The head of the National Intelligence Service (NIS) in Muyinga province tortured a young man in Muyinga central province (north of the country) on November 28, 2017 in the evening. The victim is accused to have watched the SNR chief's vehicle as he passed through the center of the city. The NIS leader, Gérard Ndayisenga stopped his vehicle to beat up the victim.
- Sos-Torture Burundi notes that the head of NIS Muyinga has already committed several human rights violations, without ever being prosecuted by the courts. Gérard Ndayisenga had already tried to slaughter a man in Shatanya quarter,

Gitega commune and province (center of the country) on August 28, 2017 in the evening. The victim was a handler who unloaded goods from a truck. Gérard Ndayisenga, who was not in his territorial jurisdiction, asked for the identity documents of the handlers present and took out his weapon to shoot at the victim without explanations (cf report SOS-Torture Burundi N ° 90: <http://sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-nums%CC%81ro-90-en-FR.pdf>).

- Unidentified individuals murdered a man whose body was found on Mirundi Hill, Bukinanyana commune, Cibitoke province, north-west of the country, on November 29, 2017. Witnesses report that the victim had his arms tied behind his back, sign of an execution.

SOS-Torture Burundi notes that the local administration immediately ordered the burial of the victim, without prior identification or investigation to determine the circumstances of his death and the possible perpetrators of this murder.

- Armed individuals murdered one man and wounded another on Teza Hill, Bukeye Commune, Muramvya Province (center of the country) on November 30, 2017. Victims are cow traders from Bubanza province (west of the country), ambushed in part of the Kibira Forest.

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

- Police agents shot and killed Fabien in Gasekebuye quarter, Musaga zone (south of Bujumbura city) on November 30, 2017 at night. They were guards of a high-ranking police officer who shot him, evoking the victim as a thief.

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

- Members of the imbonerakure militia, young members of the ruling party CNDD FDD , illegally arrested Vanadius on Mubira hill, Butezi commune, Ruyigi province (East of the country) on November 25, 2017. Witnesses report that they then tortured him with clubs, until his losses consciousness.

Sos-Torture Burundi also learned that the torturers are local administrative officials, in this case the Mubira hill chief as well as one of his deputies. Before taking him to the hospital for treatment, the torturers demanded that he pay

them 60,000 francs. To date, none of the alleged torturers are investigated by the police.

- Police agents arrested thirty-five (35) persons in the southwestern town of Rumonge on November 26, 2017. Witnesses report that it is five (5) men, six (6) women, two (2) young and twenty-two (22) children who had spent the night in Rumonge center, and were from Kizuka zone, Rumonge commune. All these persons wanted to go to the Democratic Republic of Congo (DRC) to seek refuge.

Sos-Torture Burundi notes that the police detained them to prevent them from fleeing the country, which is a violation of their freedom of movement. Families have the right to settle where they feel their safety is assured, contrary to what the administration of Rumonge says that wants to force them back to their locality. The police have no legal reason to detain them.

Sos-Torture Burundi also notes that the Rumonge administration has always been active in preventing any attempt to exile abroad, just as it has illegally repressed several asylum seekers fleeing the DRC (see Sos-Torture Burundi report). N ° 85: <http://sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-nume%CC%81ro-85-English.pdf>).

### 3. Ngozi Court of Appeals refuses to recognize acts of torture

Sos-Torture Burundi learned of the case of the military and police pursued for an attack on Mukoni military camp in Muyinga by the Ngozi Court of Appeal after a hearing on November 30, 2017. The Public Prosecution services maintained the same charges and required 30 years of prison for soldiers and police arrested the day after the attack on January 24, 2017; and 25 years in prison for the military and police arrested in the days following the attack (see **Sos-Torture Burundi report N ° 59**: <http://sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-nume%CC%81ro-59-en-Fr.pdf>).

Sos-Torture Burundi notes, however, that the judges refused to analyze the charges of torture carried out by several of the prisoners against the intelligence agents who extorted by torture the so-called confession. The prosecuted prisoners, however, had evidence of these tortures, including photos of the wounds. Ngozi Court of Appeal judges said they lacked the expertise to review medical documents attesting to torture.



Sos-Torture Burundi recalls that these cases of torture on soldiers and police arrested in cascade in various communes were listed in the reports, including the cases of Master Corporal Fulgence Ndayikengurutse and Master Corporal Eric Ndagijimana without forgetting the Warrant Officer François Nkurunziza executed after his arrest (cf report **Sos-Torture Burundi N ° 60**: <http://sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-nums%CC%81ro-60-en-en.pdf>).

SOS-Torture / Burundi was initiated with the objective of informing 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 carnage of a hundred people killed during the day of December 11 and 12, 2015 by the police and soldiers on the pretext of pursuing rebels who came to attack military camps on the outskirts of the capital city.

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