



## **REPORT N ° 119 OF SOS-TORTURE / BURUNDI RELEASES ON 24 MARCH 2018**

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

The report mentions the death of a man after being tortured in police cells at Cankuzo for a month. The police denied his responsibility and tried to drown the circumstances of his death by publishing a medical certificate justifying a death following an illness. However, a video shows that the victim was filmed under interrogation on the reasons for his refusal to register as a voter, before his arrest and torture.

Almost five (5) persons were arrested in various localities, some by members of the imbonerakure militiamen. Among them are activists of the FNL opposition party of Agathon Rwasa.

SOS-Torture Burundi is also worried about the release of some proven criminals; who benefited from the presidential pardon when they were sentenced for acts of torture, a serious and unforgivable offense according to the law and the decree n 100/003 of 18/01/2018.

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

- National Intelligence Service (NIS) agents and police brutally tortured Simon Bizimana, who died on 17 March 2018 as a result month-long beatings. Relatives report that Bizimana (30, father of 3) was arrested on 14 February 2018 in the province of Cankuzo (northeastern of the country) for refusing to enlist as a voter for the next constitutional referendum. According to a video taken by a local administrative authority, the latter questioned Mr. Bizimana (on his knees in front of his interlocutor) on the reasons for his refusal to enlist. The victim explains in the same video and bible in hand that he has religious beliefs that do not allow him to enlist or to vote.



Mr. Simon Bizimana, explaining his religious beliefs before his arrest in Cankuzo (the video seems to have been made public by his author himself).

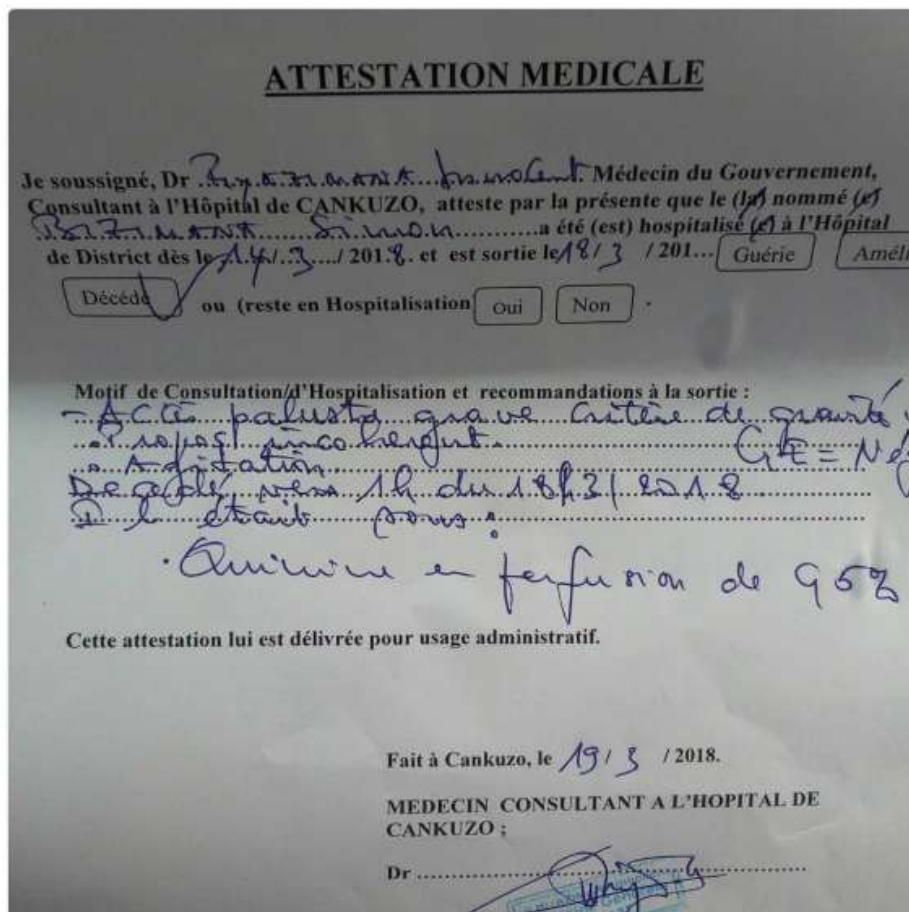
After a month suffering from torture and cruel inhuman or degrading treatment for 'obstruction of the electoral process' (official accusation by the police), witnesses report that Mr Bizimana was deposited by police agents at the Cankuzo hospital, unconscious and dying on March 14, 2018; before dying on March 17, 2018. Sos-Torture Burundi notes that the police denied any responsibility for the tortures suffered by the victim, claiming that Mr. Bizimana had been released and was in good health. The police published a 'medical certificate' on their twitter account to try to explain to the public that Mr. Bizimana died of malaria, while the medical document attests a negative result in the checkup:



**Burundi Police**  
 @BurundiPolice

Abonné

Simon Bizimana de @CankuzoProvince est mort de la malaria. Il était en liberté provisoire chez lui depuis près d'une semaine. Il avait été arrêté par @BurundiPolice pour entrave au processus électoral le 14/2/2018. Il n'a jamais été torturé et était sorti de prison en bonne santé



02:55 - 19 mars 2018

The tweet of the police published the day after the death of Mr. Bizimana

Mr. Simon Bizimana is a new victim of serious abuses committed by members of the Burundian security services. The prosecution in Cankuzo, which is accomplice with the police and questions its independence, has opened no investigation.

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

- Police agents arrested Léa on Nyamiyaga hill, Muriza zone, Butaganzwa commune, Ruyigi province (East of the country) on March 5, 2018. Relatives report that Ms. Léa was beaten beforehand by youth of the imbonerakure militiamen, accusing her of praying in an unauthorized church that would have urged his followers not to enlist as voters for the constitutional referendum next May.

Sos-Torture Burundi notes an arbitrary arrest and detention, and violation of the victim's belief rights. Ms. Lea remains detained without a record, given the total lack of charges against the victim. Sos-Torture Burundi learned from several witnesses that all Nyamiyaga Hill residents of voting age actually enlisted for this referendum, with the exception of Ms. Lea. Her prolonged detention is a rage against her, for the simple fact of not wanting to vote following her religious beliefs.

- Members of the Imbonerakure militiamen tortured a young man (son of Mr. Fyenywa) on Kirungu Hill, Nyabitsinda Commune, Ruyigi Province (East of the country) on March 11, 2018 in the evening. Witnesses report that the militiamen caught the victim during their night rounds, and attacked him by accusing him of not belonging to the CNDD FDD ruling party. The group of militiamen was led by Nyabitsinda chief zone, Nyabitsinda imbonerakure militiamen leader Viateur Nizigama, and Nyabitsinda chief district Emmanuel Ntibayazi.

Sos-Torture Burundi takes note of a new case of violence attributed to members of the imbonerakure militiamen, but also of the comatose state in which the victim was left behind by his executioners.

The same group of militiamen continued to roam the hills of Kirungu and Nyagitika in Nyabitsinda commune; and those of Nyagasha and Karindo in Kinyinya commune to apprehend in their wake those suspected of not joining the ruling party. Witnesses report that militiamen are wearing police raincoats and plastic clubs stuffed with metal wire that they use on their victims. The police have not opened any investigation to date, leaving the perpetrators to enjoy impunity.



## SOS – Torture/Burundi

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

- A group of imbonerakure militiamen arrested and assaulted a police agent named Mathieu on Kirungu hill, Nyabitsinda commune, Ruyigi province on March 11, 2018 in the evening. Witnesses report that the victim was able to call for help from his fellow police agents near the area of aggression.

Sos-Torture Burundi notes the arrest of the attackers the same night; and their release without further action the next day due to administrative pressure. This interference of the administration in the work of the police confirms the impunity enjoyed by members of the ruling party, and particularly those of the imbonerakure militiamen who commit human rights violations.

- Police agents arrested Herman Ntakarutimana and Anatole Bayubahe in Musigati commune, Bubanza province (west of the country) on 19 March 2018. Relatives report that the two young men are brothers; and militate for the FNL opposition party faithful to the deputy Agathon Rwasa.

Sos-Torture Burundi notes the arbitrary arrests and detention of the two young men, accused of campaigning for the "no" vote in the constitutional referendum scheduled for 17 May 2018 by the Burundian government; according to relatives of the same party FNL. The arrests of these activists constitute acts of intimidation of any discordant voice, or of any other person suspected of opposing the amendment of the Constitution in favor of the President Pierre Nkurunziza.

- Police agents arrested Nehemiah Omboni on Mugeni Hill, Kayogoro Commune, Makamba Province (southern part of the country), on 20 March 2018. Relatives report that he was accused of stealing a weapon at a police station of the same locality. The police, however, announced the arrest of the real author of the robbery, a member of the imbonerakure militiamen Samuel Ndayacako who still had the weapon in his possession.

Sos-Torture Burundi notes a continued arbitrary detention of Mr. Omboni, while other suspects arrested in the aftermath after the robbery were released. Relatives of the victim also report that Omboni is a member of the FNL opposition party faithful to Agathon Rwasa. There is a fear that this continued detention might be caused by the political affiliation of the victim, as there are no charges against him.





The person responsible for the theft of a police weapon (Samuel Ndayacako) arrested in possession of it.

- Soldiers arrested Eliudi Kubwimana on Nkurubuye hill, Gisuru commune, Ruyigi province (East of the country) near the border with Tanzania on March 23, 2018. Witnesses report that Mr. Kubwimana (teacher) had just returned from exile for 2 days, after fleeing the country in 2016.

SOS-Torture Burundi notes that Mr. Kubwimana was handed over to Gisuru police, which has not yet communicated the reasons for this arrest.



The civil service registration card and the identity card of Mr. Eliudi Kubwimana

### 3. Jean Marie Vianney ARAKAZA, kidnapped since March 3, 2018

Jean Marie Vianney ARAKAZA has been missing for almost three weeks after being kidnapped by individuals identified as National Intelligence Service agents. Witnesses say that the young ARAKAZA was kidnapped on March 3, 2018, around 9 am and boarded to an unknown destination. He was reportedly answered by his friend before being abducted just when he arrived near the Brarudi company in Bujumbura Town Hall. ARAKAZA worked as a security guard of the PSG company at the red cross located in district 7, Ngagara zone of Ntakangwa commune in the town of Bujumbura. Born in the municipality of Bisoro Mwaro province (center of the country), ARAKAZA lived in Mutakura 12th avenue n ° 3, a district of Ntakangwa commune in Bujumbura town hall. The family of the victim notes that the young man is nowhere to be found in the cells and official places of detention.

SOS-Torture / Burundi fear a forced disappearance and a high risk of execution of the victim.



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[Jean Marie Vianney ARAKAZA, kidnapped since March 3, 2018](#)

#### **4. The fear and panic of political authorities lead to victims of accident**

- SosTorture Burundi learned of the death of one person and nearly 10 seriously injured in an accident of the vehicle that transported them on Rukonwe in Mabanda commune, Makamba province (south of the country) on 22 March 2018. Witnesses report that the vehicle was propelled against the side of a hill, because of a police vehicle that was traveling at high speed to clear the road in the convoy of the Burundian Minister of Finance.





Police agents intervene after the fatal accident

This is not the first time that motorists are victims of accidents because of the convoys of some Burundian officials. Some of these victims were beaten and accused of wanting to kill the lives of these authorities; as was the case for a bus driver violently beaten on the public highway by police agents from the custody of the Burundian Minister of Public Security on July 14, 2016 (see **Sos-Torture Burundi report No. 31**: <http://sostortureburundi.org/wp-content/uploads/2016/10/SOS-TORTURE-BURUNDI-RAPPORT-N%C2%B031.pdf>). This recklessness on the roads denotes a fear and a panic of Burundian officials who no longer travel without convoys of heavily armed police and ignoring other motorists on public roads.

### 5. The release of proven criminals under the shadow of the end of the year presidential Grace

Before the start of the human rights crisis in Burundi, independent civil society organizations had campaigned and obtained the incarceration of some repeat torturers such as Patrice Mazoya, former Nyabitare zone chief, Gisuru commune, Ruyigi province (East of the country) who had been sentenced in 2014 to fifteen (15) years of penal servitude and damages.



This was also the case for police officer Jean Bosco Cishahayo nicknamed "Kabanda", also convicted in 2013 of acts of torture and sentenced to five (5) years of penal servitude by the High Court of Ruyigi and the Court of Appeal of Gitega.

SOS-torture Burundi was informed with astonishment that these criminals were released at the same time as other detainees pardoned by the President of the Republic. Former zone chief Patrice Mazoya was released a few weeks ago, while former police officer Jean Bosco Cishahayo, known as 'Kabanda', was granted the same release by a pardon in 2016 (see **Sos-Torture report Burundi N ° 33**: <http://sostortureburundi.org/wp-content/uploads/2016/10/SOS-TORTURE-BURUNDI-RAPPORT-N%C2%B033.pdf>).

However, Decree No. 100/003 of 31/01/2018, a measure of pardon, makes it clear that the prisoners concerned are only those whose judgments were final, but also sentenced to sentences of five years or less of all offenses, with the exception of genocide, crimes against humanity, war crimes, armed robbery, illegal possession of firearms, attacks on internal and external security of the State, rape, intentional homicide, mercenarism, terrorism, corruption and related offenses, torture and cruel, inhuman or degrading treatment and trafficking in human beings.

Sos-torture Burundi protests against this cheating of the officials responsible for the implementation of this measure and recommends the immediate and unconditional arrest of these perpetrators of crimes unamendizable and imprescriptible.

SOS-TORTURE



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 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 Bujumbura capital city.

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

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