

REPORT No. 102 OF SOS-TORTURE / BURUNDI RELEASED ON 25 NOVEMBER 2017

This report from SOS-Torture covers the period from 18 to 25 November 2017 concerning human rights violations and abuses in Burundi.

At least six (6) persons were murdered during the period, and their bodies were thrown into the Rusizi River at Buganda and Rugombo communes. Several sources report that three (3) victims were recovered without being identified. Local authorities did not order the rescue operation of the other victims seen. The report also mentions a retired soldier of the ex FAB (Burundian Armed Forces) murdered at his work place. Several cases of torture are also listed, including activists of the FNL opposition party and a judicial police officer.

Two (2) young children were also severely amputated for still maizes in a private field and guarded by watchmen.

The report also mentions nearly 15 arbitrary arrests during the week, including a former representative of the APRODH civil society organization in the Central-East region. Nestor NIBITANGA is accused of undermining state security for his past activities with APRODH before the suspension of the organization.

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

- A young man in the ruling party's imbonerakure militia is jailed for raping a 16-year-old underage girl on November 19, 2017 in Makamba. Relatives of the victim report that the girl was in very bad health during her hospitalization, requiring a blood transfusion to revive her.

Sos-Torture Burundi notes that the alleged rapist named Fabien Niyogakiza was arrested by the police. Sources in Makamba report, however, that negotiations are aimed at freeing the young man without any answer to his actions in court. The Makamba prosecutor tried to put pressure on the judicial police officer in charge of the case to release the alleged rapist, who would be related to influential members of the ruling party. The police and the prosecution must remain neutral in the investigation of this case, in which case they will have confirmed the impunity enjoyed by members of the imbonerakure militia and helped to encourage them to commit crimes.

- Police chief of Kibago commune named Jean Bosco Hatungimana tortured Niyonkuru on Jimbi hill, Kibago commune, Makamba province (south of the country) on November 22, 2017 in the evening. The victim is the youth representative of the imbonerakure militia on



Jimbi Hill. He had just given a report on the actions of the police officer to his superiors, which led to the retaliation of the officer in question.

SOS-Torture Burundi notes that no prosecution has been initiated against Kibago Commune police chief.

SOS-Torture Burundi has learned from several witnesses the discovery of three (3) bodies floating in the Rusizi River, at the Nyamitanga hill, Buganda commune, Cibitoke province (north-west of the country) on November 22, 2017. Fishermen alerted the local administrative and military authorities to retrieve the bodies. Witnesses report that a few days earlier, other bodies had been seen floating in the same river at the commune Rugombo, but no operation was conducted at that time to fish them.

These discoveries are very disturbing, and the inertia of the local authorities to allow the rescue of the victims, to identify them and to know the circumstances of their deaths is equally reprehensible.

- Buhiga zone chief named Phocas Sindaruhuka arrested and tortured Aimé Ndikumagenge, Dieudonné Ndayiziga, Abdul Niyonkuru, Filoz Hazimana, Onésime Bitangimana and Jean Claude Irakoze in Buhiga commune, Karusi province (center-east of the country) on 19 November 2017. Witnesses report that all are activists of the opposition party Front National de Libération "FNL".

The Chief zone was not prosecuted for these acts, which continues to confirm the political intolerance of ruling party members, many of whom abuse their power against opponents. The six (6) men have been detained without a physical record since that day.

- Two (2) young children were wildly amputated hands with knives and machetes on Karemba hill, Itaba commune, Gitega province, in the center of the country on November 22, 2017 in the evening. The two children aged 5 and 9 were stilling maizes in a private field, and were surprised by two field watchmen. The watchmen immediately amputated the two children with their left hands.

SOS-Torture Burundi notes that the police arrested the perpetrators of this crime, and that the children were immediately taken to the hospital for treatment. Administrative authorities must ensure that these children are provided with adequate psychological and medical care and appropriate support.



The two young children savagely amputated



They immediately received first aid at the hospital



The perpetrators of the crime were arrested by the police

The lifeless body of Serges Ndikumagenge, retired from the former Burundian Armed Forces (ex FAB) and from Mudahandwa hill, Bururi commune, Bururi province (south of the country) was discovered on November 24, 2017 in a bistro where he was doing his work. local beer trade, Makamba II district, capital of Makamba province. According to sources on site, the door was open during this macabre discovery and his body lying on the ground. A sum of money not yet identified would have been stolen according to the neighbors. Police say they have found the facts and attributed his death to illness.

2. Violations of the right to liberty and physical security

- Members of the imbonerakure militiamen accompanied by the administrator of Makamba commune (south of the country) Japhet Ntungwanayo assaulted Edouard Ndizeye and his family on November 17, 2017. Relatives report that Mr. Ndizeye was beaten and forced out of his house with the well ransacked. During the attack, police agents attended the scene, refusing to enter the house without a warrant.

SOS-Torture Burundi notes a complicity of the police who did nothing to put an end to the aggression of Ndizeye family. The victim is a former civil status officer in Makamba, who is in dispute with the commune over the rent of a house belonging to Makamba administration. Mr. Edouard Ndizeye was also illegally arrested the day before his attack by the same communal administrator of Makamba and spent a few hours in jail.



SOS-Torture Burundi recalls that in Burundian law, a municipal administrator does not have the status of Judicial Police Officer and therefore could not arrest a person. The municipal administrator of Makamba must be prosecuted by the courts for these acts of aggression and abuse of power.

- Police agents arrested three (3) leaders of the Burundi Scouts movement in the central region of the country, on Bungere hill, Makebuko commune, Gitega province on November 17, 2017 in the evening. This is the regional chief commissioner, Justin Niyongere called brave Jaguar and a third Scout leader. Witnesses report that the arrest was carried out without a warrant, and without the persons concerned being informed of the reasons for the arrest, and this happened at the time when the Scout General Assembly of the Central Region was to begin.

- Police agents beat up a judicial police officer (OPJ) Ferdinand Nkurunziza in Bweru commune, Ruyigi province (East of the country) on November 18, 2017 in the evening. Witnesses report that a non-commissioned officer called « De corps » was leading the caning, under the command of the police chief of Bweru commune Privat Nininahazwe.

SOS-Torture Burundi also learned that the JPO is the victim of having opened an investigation into members of the imbonerakure militiamen of the ruling party CNDD FDD that orchestrated the unlawful arrest of three (3) members of the opposition (Martin Kayimba, Thacien Igirivyiza and Adrien Bavugamenshi) on the basis of false accusations of illegal possession of weapons. These three victims of the FNL (National Front for Liberation) party were arrested in Bweru on 1 November and released by the prosecution on 7 November 2017 (see **Sos-Torture Burundi report No. 100**: <http://sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-nums%20ro-100-1-in-En.pdf>). During the caning, his police colleagues told the victim that he should not have taken the statements of the three opposition activists considered as enemies (abakeba in national language)

The JPO of Bweru commune was saved by the police commissioner of Ruyigi province who ordered the end of the torture.

- Imbonerakure militiamen assaulted Bizoza Fifi nicknamed Maman Belle on Gasanda Hill, Ruyigi commune and province (East of the country) on November 18, 2017. Witnesses report that the militiamen were led by Fabrice Emerusenge nicknamed Kibaya, and the husband. The victim was part of the group of militiamen to whom he had appealed following a bad cohabitation with his wife.



SOS-Torture Burundi notes that the young woman managed to flee her tormentors, but feared for her life and new aggression. The police must act to protect the victim from further attacks.

- The head of Bigina zone, Kayogoro commune, Makamba province (south of the country) Paul Rwajekera illegally arrested Patricie on November 18, 2017 and had him incarcerated in Gatwe police cell in the same commune. Relatives report that Mrs. Patricie is the second wife of Bigina zone chief, who wanted to put her in jail so that she does not harvest in their maize field.

SOS-Torture Burundi notes an illegal and arbitrary detention on the basis of marital conflict. The police were accomplices in the district chief's abuse of power by agreeing to put the woman in jail.

- Police officers detained Balthazar Misago in Butihinda commune, Muyinga province (north of the country) on 18 November 2017. He is the communal representative of the opposition party Sahwanya-Frodebu Nyakuri, whose president Jean Minani has been living in exile since the beginning of the crisis.

SOS-Torture Burundi notes that the police mention the attempt to the Head of State to justify the arrest, but relatives evoke political motives.

- National Intelligence Service agents arrested Nestor Nibitanga in Gitega commune and province (center of the country) on November 21, 2017. He is the former head of the regional center of APRODH association in the central East (Association for the Protection of Human Rights and Detained); an association suspended by the Burundian government and whose leaders live in exile.

SOS-Torture Burundi notes that the National Police has formally confirmed his arrest for breach of state security.



Burundi Police
@BurundiPolice

Following

Nibitanga Nestor arrêté par @BurundiPolice chez lui à Gitega pour atteinte à la sûreté de l'Etat. Plusieurs documents de preuve saisis sur lui.

Translate from French

5:20 AM - 21 Nov 2017



Official Police Tweet on the arrest of a civil society activist

Relatives report that the police justified the arrest by seizing documents at his home. It turns out that these working documents belong to the association APRODH, since Mr. Nibitanga was staying in the house rented by the association well before the beginning of the crisis and the suspension of APRODH by the Ministry of Internal Affairs. After a night in the SNR prison in Gitega, Mr. Nibitanga was transferred to Bujumbura in the premises of the SNR.

SOS-Torture Burundi notes that these allegations of breach of state security are unfounded. Mr. Nibitanga is the victim of arbitrary arrest and detention, along with Mr. Germain Rukuki, a former member of ACAT-Burundi organization who has been detained since July 2017 for the same allegations.

- Imbonerakure militiamen members tortured Emmanuel Gasago in the center of Kinyinya commune, Ruyigi province (East of the country) on November 19, 2017. Relatives report that the victim is the representative of the wing of the pro-government party FNL from Nyabitsinda commune (neighboring Kinyinya commune) who had gone to Kinyinya commune to recruit a new activist. The person to be recruited was a member of the CNDD FDD ruling party, and called on the local imbonerakure militiamen to hunt down and correct Mr. Gasago.

SOS-Torture Burundi notes that the victim was subsequently incarcerated in the police cell in Kinyinya commune without a warrant, and no physical file was opened on this case.

- The Muyinga prosecutor's office had an alleged rapist named Afizi released on November 19, 2017. The release provoked the anger and indignation of several dozen women from Muyinga who protested against the man's release. The alleged rapist was prosecuted for several acts of rape committed in Muyinga.

The prosecution and the Tribunal must ensure that they do not allow the release of a man who has committed such crimes, and provide justice to the victims.



Several women demonstrated against the release of an alleged multi-recidivist rapist in Muyinga

- The police chief of Buganda commune arrested Venant Ndayegamiye and Ndinzahaya on Cunyu hill, Gasenyi zone, Buganda commune, Cibitoke province (north-west of the country) on November 21, 2017. Witnesses report that the two men are activists the opposition party FNL (National Front for the Liberation) faithful to deputy Agathon Rwaswa.

SOS-Torture Burundi also learned that the two men are accused of wanting to form a rebellion. These charges are unsupported by any evidence, and their place of detention was not disclosed.

3. Burundian President announces a purge of members of his party

SOS-Torture Burundi is concerned about the clear threats made by the Burundian President against the militants of his party CNDD FDD who do not support his continued unlimited power. The speech that President Pierre Nkurunziza held on November 18, 2017 in Cibitoke province during the celebration of the Majority Combatant's Day is addressed to possible rebels.

SOS-Torture Burundi notes that the Burundian President has expressed his regret at having lost his time giving advice to rebels against the third illegal mandate in 2015; and kicked off a witch hunt or rebellious hunt in early 2018. He urged rebels who would oppose his continued leadership of the country "to see themselves in the sky". These are very specific death threats that target both ruling party members and opponents who do not support his continued incumbency to unlimited term.



SOS – Torture/Burundi

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

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 reporting 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 11 and 12 December, 2015 by the 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 mandate namely Musaga, Mutakura, Cibitoke, Nyakabiga, Jabe, the last two being located in the center of Bujumbura City Hall.