

## **SOS-TORTURE /BURUNDI REPORT NO. 66 PUBLISHED ON MARCH18TH 2017**

This report of SOS-Torture covers the period from 11<sup>th</sup> to 18<sup>th</sup> March 2017 on human rights violations that continue to be committed with impunity in Burundi.

The report refers to arbitrary arrests of twelve persons (12) during the period mentioned above and in different localities. Among these arrests are representatives of students from the University of Burundi and the Ecole Normale Supérieure (ENS) held for hours by the national intelligence service.

A man was also abducted in the Buringa zone, Gihanga commune, Bubanza province. The armed group that kidnapped him gave no sign of the victim's life and did not even claim that act.

During the period, SOS-Torture Burundi reported (10) cases of murder. Among the victims is a teacher of Bukemba (Rutana) who is also an informant of the national intelligence service. The man was arrested by the head of the Rutana SNR and tortured for four (4) days and died following torture acts. The Rutana SNR officer is a recidivist torturer who enjoys total impunity.

The report also refers to the refusal of the Director of Mpimba Prison to execute a judicial decision. Eight prisoners acquitted by the judges since February 3<sup>rd</sup> 2017 are still languishing in jail without just cause.

### **1. Arbitrary arrests, kidnappings and forced disappearances continue**

- Unidentified armed individuals kidnapped Félix Ndayizigiye in the village IV of the Buringa zone, Gihanga commune, Bubanza province (west of the country) on 14<sup>th</sup> March 2017 in the evening. The victim was intercepted during an ambush while in her vehicle. The perpetrators of the forced disappearance have given no sign of Mr. Ndayizeye's life any claim yet.

SOS-Torture Burundi notes that the police arrested three persons during the investigation: a man named Baregensabe who accompanied the victim during his abduction and two girls, Chantal and Emelyne; But has not shown any link to date between the arrested and the kidnapping. Several kidnappings have already taken place in Gihanga commune for several months by groups of armed men. On 16<sup>th</sup> March 2017, Mr. Baregensabe was transferred from his cell to the premises of the National Intelligence Service in Bujumbura.

- Police agents arrested Joseph Mpawenayo and Méthode Twagirayezu in Masango zone, Bukinanyana commune, Cibitoke province (northwestern part of the country) on 14<sup>th</sup> March 2017. Witnesses report that the two men are victims of not being Militants of the ruling party CNDD FDD. This is an arbitrary arrest; The two men must be released.

- National Intelligence Service agents arrested Daniel Nsengiyumva in the town of Rumonge, Rumonge province, on 15<sup>th</sup> March 2017. This is an agent of a mobile phone company, Econetleo, based in Rumonge who was arrested at his place of work by the SNR manager of the Rumonge province. The fault of this young man would be to receive money from abroad.

SOS-Torture Burundi notes that this is an arbitrary and far-fetched arrest. Telephone money transfer services are authorized and verifiable; And do not constitute an offense. Mr. Nsengiyumva must be released immediately



**Daniel Nsengiyumva arrested by National Intelligence Service (NIS) at Rumonge**

- National Intelligence Service agents arrested Jérémie Ndikumana on Nyamitanga Hill, Buganda commune, Cibitoke province (north-western part of the country) on March 15<sup>th</sup>, 2017. SNR agents were accompanied by Imbonerakure militiamen from the ruling CNDD FDD.

SOS-Torture Burundi notes that after one night in the SNR cell in Buganda, where he was tortured, Mr. Ndikumana was transferred to the cell of the Cibitoke police station. The SNR accuses the man of having traveled to the Democratic Republic of Congo (DRC) to enlist in armed movements; But there is no evidence to support these accusations.

- National intelligence agents arrested Dieudonné Bigirindavyi, Prosper Niyitungira, Patience Mbonabuca, Eric Niyirera and Epipode Niyongabo in Mukaza commune, city of Bujumbura on 16<sup>th</sup> March 2017. The five persons (5) arrested are representatives of students from the University of Burundi and the Ecole Normale Supérieure (ENS). They had responded in good faith to a summons by the Mukaza public prosecutor's office (for the first three listed above) as part of an investigation into an alleged student strike attempt.

SOS-Torture Burundi notes that the student representatives were shipped by SNR agents without the Mukaza prosecutor's office intervening, while the magistrate was investigating their case, although their summonses did not mention any file number, they were released by the SNR after several hours of detention.

SOS Torture insists on this attitude of intimidating students, a strike does not in any way constitute an offense foreseen and repressed by the Burundian penal code.

### **2. Assassinations, summary executions and armed attacks**

- Unidentified individuals murdered a man in the town of Gitega (center of the country) on 10<sup>th</sup> March 2017 in the evening. The victim was a night watchman. Witnesses report that he was beaten to death by two men who were traveling in a vehicle. They left him dying on the road linking the Gitega-Ngozi-Karusi provinces. The police arrested a suspect but did not determine the circumstances of the crime.

- The bodies of two men were found on Mutara Hill, Kirundo province (north of the country) on 10<sup>th</sup> March 2017. They were two summary executions: the two victims had their arms tied and were completely naked at the time of their assassination.

SOS-Torture Burundi notes that the local administration again ordered the two victims to be buried without the police investigating the two men and the alleged perpetrators of the double murder. This practice has been regularly observed by local administrative officials, who want to hide the truth by ordering the hasty burial of victims of executions. This also leaves in the fear and uncertainty many families who have no news of their disappeared under mysterious circumstances, not knowing if they are still alive or dead.

- Individuals armed with machetes murdered Jonathan Nsaguye on Rushiha Hill, Musigati commune, Bubanza province (western part of the country) on 11<sup>th</sup> March 2017 in the evening. The seriously wounded victim succumbed from his injuries some time after the attack. Witnesses reported that Nsaguye had alerted the local police authorities after receiving threats from persons accusing him of practicing witchcraft. The police did not act to protect him. Bubanza province and Cibitoke province (north-western) are experiencing several cases of targeted killings, which the police explain by suspicions of witchcraft. The police should, however, conduct thorough investigations, as witchcraft cannot explain this kind of crime; But is becoming more and more an argument to explain the targeted assassinations and hide the real motives of these crimes.

- The bodies of two persons were found and recovered from the Siguvyaye River on Buta Hill, commune and Bururi province (south of the country) on 13<sup>th</sup> March 2017. One of the victims is a young child named Fabrice Niyonkuru from the Batwa community of Mututu, who had disappeared since the day before; As well as Désiré Nzisabirané in Songa of Gitega province. His body was in advanced decomposition. The circumstances surrounding the death of these two persons have not been clarified by the police at this time.

SOS-Torture Burundi fears that this is execution with an attempt to hide the bodies by throwing them into rivers. It is not the first time that murdered bodies have been found in rivers during this crisis.

- National Intelligence Service agents executed Zachée Niyomwungere in Bukemba commune, Rutana province (southeast of the country) on 14<sup>th</sup> March 2017. The victim was a teacher in the basic school of Bukemba, but also worked as an SNR in this province. Witnesses report that he was arrested on 9<sup>th</sup> March 2017 by the intelligence service official in Rutana named Jovin Cishahayo who unlawfully detained him at his home. Mr. Niyomwungere was tortured for days in this house by order of the provincial SNR official, his employer, since the victim regularly provided him with information.

SOS-Torture Burundi notes that Jovin Cishahayo is still free to move, while orchestrated the arrest and execution of a man. In his attempt to relieve himself of his actions, Rutana's intelligence officer transported the victim in a state of agony to be handed over to the police on 13<sup>th</sup> March 2017, who refused to accept

him while the victim was vomiteing blood. Mr. Niyomwungere died the next day after a transfer to the hospital.



Zachée Niyomwungere died following torture acts at Rutana

The SNR officer Jovin Cishahayo must be held accountable quickly, in which case the police and prosecution will act as complicity in assassination of a citizen by a State security officer. SOS-Torture Burundi wishes to emphasize that this Rutana intelligence officer is not in his first case of torture. This is a case of recidivism since Jovin Cishahayo tortured Mr. Benoit Sindayigaya on Mwayi Hill in Rutana commune on December 25<sup>th</sup>, 2016. This man was embarked after his arrest on grounds of possession of a weapon to an unknown destination. The young father was subsequently brought back to a very critical state after a torture session by agents of the National Intelligence Service led by officer Cishahayo (see **SOS-Torture Burundi Report No. 55**: [http:// Sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-nume%CC%81ro-55-version-](http://Sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-nume%CC%81ro-55-version-)

[francaise.pdf](#)). The mother of the victim Leonie Manisha and her children and wife were beaten by the same agents while the family tried to rescue Benoit after he had noticed his critical condition due to the torture.

Since the beginning of the crisis in April 2015, several SNR agents have been regularly cited in torture and extrajudicial executions; But the perpetrators were never prosecuted.

- The body of a murdered man was discovered on the Kigamba hill, commune and Ruyigi province (East of the country) on March 14<sup>th</sup>, 2017 in the afternoon. The victim was not identified, and the administrative and police authorities decided to bury the body despite the fact that the identification did not take place.



**The victim at the time of discovery in Kigamba**

- An armed group attacked the area of Warubondo, Gatumba zone, Mutimbuzi commune, Bujumbura province on 15<sup>th</sup> March 2017 in the evening. These unidentified men shot Elias Nyandwi and Jimmy. Witnesses report that the two victims are members of the Imbonerakure militia of the ruling CNDD-FDD party in Gatumba.



Dead bodies of two Imbonerakure assassinated in Gatumba

### 3. The management of the Mpimba prison rejected a judicial decision

The Mpimba prison in the Musaga zone (southern Bujumbura ) refuses to release eight detainees who have been acquitted by the Mukaza Intermediate Court since 3<sup>rd</sup> February 2017. The detainees are Eric Bavugamenshi, Emmanuel Habarugira, Sadiki Nahimana, Dieudonné Niyonkuru, APC Tharcice Ndikumana (a policeman), Jean Flory Ndizeye, Nicaise Iradukunda and Carlos Kubwimana.

SOS-Torture Burundi notes that the eight persons were arrested in July 2016 in the town of Rumonge (south of the country) in a bus with dozens of other persons; And imprisoned for "illegal possession of weapons, participation in armed bands and interference with the internal security of the State". The judges of the Mukaza Tribunal did not find the charges convincing and ordered the acquittal of the eight men mentioned above.

The director of the Mpimba prison, OPC2 Déogratias Bigirimana, however, refuses for more than a month and a half to execute the decision of the judges, arguing having received the order of the national intelligence service to keep the 8 men in prison.



## SOS – Torture/Burundi

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

#### **4. The Commission of Inquiry on Burundi presented its briefing to the 34th Session of the Human Rights Council.**

At the 34th Session of the UN Human Rights Council in Geneva, the Commission of Inquiry on Burundi nominated at the previous session and has the mission to establish the responsible of for serious human rights violations, presented its first briefing. The President of the Commission expressed the wish that the Government of Burundi should cooperate with the commission.

The Burundi Government, represented by its Ambassador in Geneva, continues to refuse to cooperate with the Commission. The Government has also suspended its cooperation with the Office for Human Rights in Bujumbura since the appointment of the Commission of Inquiry.

Civil society and other international human rights organizations reaffirmed their support for the Commission of Inquiry. During this session, the Director of SOS-Torture Burundi presented a statement on behalf of his organization but also of OMCT and FIACAT, on the alarming report of human rights violations in 2016.

*The SOS-Torture / Burundi campaign was initiated with the objective of informing national and international opinion on the serious human rights violations that continue to be committed in Burundi through monitoring reports particularly based on torture, Arbitrary arrests, forced disappearances, sexual violence and summary executions. This initiative to inform about the realities of the country followed the slaughter of a hundred persons killed during the day of 11<sup>th</sup> December and that of 12<sup>th</sup> December 2015 by the police and military personnel under the pretext of pursuing rebels groups that came to attack military camps on the outskirts of the capital. The affected quarters are said to be challenging the third term of President Nkurunziza which are the following Musaga, Mutakura, Cibitoke, Nyakabiga and Jabe, the last two being located in the center of Bujumbura.*