



## SOS – Torture/Burundi

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

### **REPORT N ° 68 OF SOS-TORTURE / BURUNDI PUBLISHED ON 1<sup>st</sup> APRIL 2017**

This SOS-Torture report covers the period between 25<sup>th</sup> March and 1st April 2017 on human rights violations which continue to be committed with impunity in Burundi.

The report refers to arbitrary arrests of nineteen persons (19) during the period mentioned above and in different localities. Among these arrests we find numerous opposition activists belonging to the FNL party (National Front for Liberation) loyal to Agathon Rwasa, and the CNDD (National Council for the Defense of Democracy) led by Leonard Nyangoma in exile and a provincial official in charge of " UPRONA (Union for National Progress) faithful to Charles Nditije also in exile. SOS-Torture Burundi has identified eight (8) FNL militants, six (6) CNDD militants and a UPRONA representative in Kirundo province.

The arbitrary arrests also involve two representatives of students of the University of Burundi, victims of having affixed their signatures on a notice of strike addressed to the Burundian President Pierre Nkurunziza.

During the period, SOS-Torture Burundi reported three (3) cases of murder and an assassination attempt. Among the victims is a man whose body was recovered from a river without being identified.

SOS-Torture Burundi also devotes a paragraph on the abuse of power of the judges of the Intermediate Court of Gitega who dispatched the trial of seven militants of the pro-Rwasa FNL opposition party accused of assassination. The judges assume the prerogatives to decide according to the famous procedure of flagrance, to condemn the persons arrested separately outside the legal framework governing this procedure. This expeditious justice feeds the repression of the power with regard to any discordant voice.

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

- The chief of Mago Hill Nyabitsinda commune, Ruyigi province (East of the country) Gérard Ngarama set fire to Mr. Nyamvura's house living on the same hill on 22<sup>nd</sup> March 2017 in the evening. Despite witnesses from the scene, the administrative official in question was not arrested or interrogated by the police. Following this notorious impunity, the inhabitants of Mago Hill are afraid of reprisals in case of testimony against the elected hill.

SOS-Torture Burundi recommends that the police leave the silence to do justice to the owner of the house destroyed by fire.

- Imbonerakure militiamen of the ruling CNDD-FDD party illegally arrested two young militants loyal to the FNL party of Agathon Rwasa on Kiramira hill, Rugombo

commune, Cibitoke province (north-west of the country) on March 24<sup>th</sup>. They are Ferdinand Ndihondi and Jacques Nizeyimana. The militiamen took them to a police station in the Kiramira zone without any explanation before the vehicle of the head of Cibitoke National Intelligence Service came to embark them to the chief town of Cibitoke.

SOS-Torture Burundi notes that SNR agents regularly complicit in arbitrary and illegal arrests, when they are not directly abusing them. Without explanation or warrant, they embarked two persons arrested by militiamen who are not allowed to carry out arrests. The Prosecution service of Cibitoke remains silent in front of these arbitrary arrests.

- Police agents arrested five (5) activists of FNL opposition party led by Agathon Rwasa, current deputy speaker of the Burundian National Assembly, in Gisuru commune, Ruyigi province (east of the country) on March 26<sup>th</sup>, 2017. The detainees are: Deo Niyondemera (from Bururi province and teacher in Gisuru), Berchmas Kayira (from Rukobe Hill in Gisuru and unemployed), Didace Rufyikiri (from Gahinga Hill); Athale Ntagisigaye (from Munyinya Hill, aged 60) and Serge Bucumi Ruvugo (teacher in Gisuru and leader of the FNL party in Gisuru).

Witnesses reported that police officers arrested them at Bucumi Ruvugo's home, accusing them of holding a meeting illegally. SOS-Torture Burundi notes that no evidence of these accusations was provided by the police, who were also without warrant. The five supporters of Mr. Rwasa are incarcerated in the Gisuru police station without reasonable cause.

Police agents arrested six persons on Kazirabageni hill, Nyanza-lac commune, Makamba province (south of the country) on March 26<sup>th</sup>, 2017. All these persons are activists of the opposition party CNDD led by Leonard Nyangoma who lives in exile. The police suspect them of participating in armed gangs.

Relatives reported to SOS-Torture Burundi that the six men were tortured by the police during their detention. Arrested without warrants, police have yet to prove their alleged involvement in armed gangs, as no weapons have been found on them.

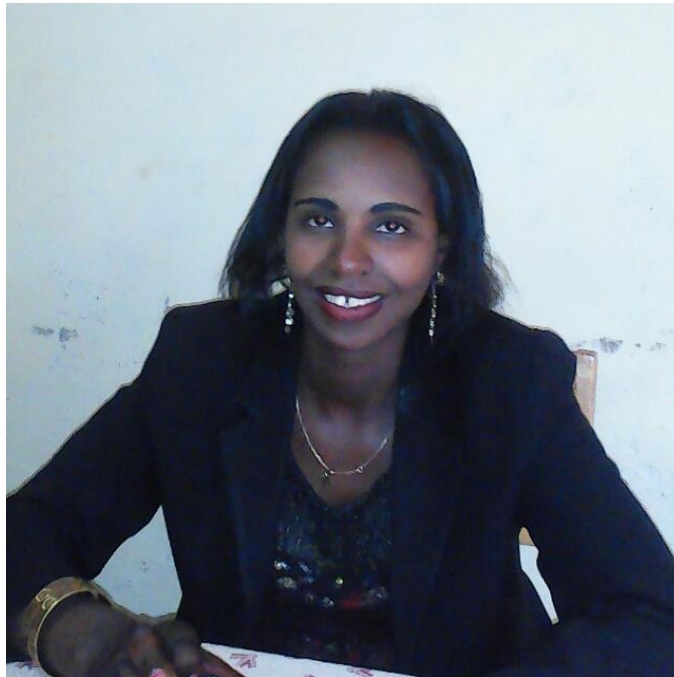
- Imbonerakure militiamen illegally arrested Dr Juvénal Karagira in the province of Kirundo (north of the country) on 27<sup>th</sup> March 2017. This doctor works in Kirundo. After this illegal arrest, Kirundo's National Intelligence Officer arrived to board to Kirundo center in the police cell.

Witnesses report to SOS-Torture Burundi that Dr. Karagira is suspected of facilitating exile to Rwanda (bordering Kirundo province) a family from the city of Bujumbura, whose father was executed. This cannot in any way constitute an offense, if this is true; what SNR has not demonstrated. With the repression committed by the government, anyone who does not feel safe is also entitled to leave to ensure his or her family's survival.

It also turns out that Dr. Karagira is an opposition political leader, because he represents the Uprona party faithful to Charles Nditije, current president of the platform of the opposition denominated CNARED. Apart from the fact that the Imbonerakure militiamen are constantly violating the law by making illegal arrests, the SNR, the police and the prosecution must clearly explain the reasons for Dr. Karagira's incarceration.

- Two young women were abducted on 27<sup>th</sup> March 2017 in the town of Ngozi. They are two sisters: Nadine Kabatoni a lawyer in Ngozi and Jeanne Aline Mbazumutima, a teacher at Don Bosco School in Ngozi. The relatives tried to find them in different cells, in case they were in the hands of the police without success.

After three days of concern, the platform of journalists SOS-media reports that they reappeared on March 30<sup>th</sup>, 2017; without, however, testifying for the moment what happened to them.



**Counsel Nadine Kabatoni, kidnapped together with her sisters in Ngozi for 3 days**

- National Intelligence Service agents arrested Elysee Dushime on the University Avenue between Nyakabiga and Rohero zones (central Bujumbura) on 28<sup>th</sup> March 2017. He is a student in Accounting and Finance at University of Burundi, who was returning from an academic internship.

SOS-Torture Burundi notes that, initially, the police and the SNR were silent about the place of detention and the reasons for his arrest; which caused warnings among his relatives including students. Several hours later, the police spokesman announced that Mr. Dushime was detained at the SNR in Bujumbura, and accused of revolting the other students in preparing an insurrectional movement.



**Student Elysée Dushime arrested by NIS**

Elysée Dushime is the victim of a written strike notice signed and sent to the Burundian President Pierre Nkurunziza to protest against a new system of awarding the scholarship to students. Since the representatives of the students have affixed their signatures on the document, they are hunted by the agents of the SNR to force them to reverse their decision. This has also pushed many other students to hide, fearing for their safety.

Two other students were abducted in Bujumbura in similar circumstances on 29<sup>th</sup> March 2017 by agents of the National Intelligence Service: Audace Nkunzimana, who is Deputy General Delegate of the Applied Pedagogical Institute (IPA) and Fabrice Manirakiza. The latter was released in the evening while Mr. Nkunzimana remained in the SNR cell.





**Students Fabrice Manirakiza (left) and Audace Nkunzimana (right) also arrested by NIS**

The strike is a peaceful means recognized by the laws to claim its rights and this should in no way be subject to repression and terror by the agents of the state security forces. Instead, the government must engage with the student community to find common ground.- National Intelligence Service agents arrested Philbert Ndiokubwayo in Kigobe district of northern Bujumbura on 29<sup>th</sup> March 2017. Witnesses reported that Ndiokubwayo was at his workplace at the office of the Burundi Revenue Authority (BRA) when these agents appeared to take him without a warrant and without giving him the reasons for his arrest. Mr. Ndiokubwayo is also a member of executive bureau of the FNL opposition party of Agathon Rwasia in Karusi province. The NIS shall indicate his place of detention and the reasons for his arrest at the time of removal



**Philbert Ndhokubwayo, officer at l'OBR et militant of opposition party FNL arrested by NIS**

- Police agents arrested Adrien Nkurikiye in Rutegama commune, Muramvya province (centre of the country) on 30<sup>th</sup> March 2017. This man works for a project in charge of the management of the marshes and watersheds called PRODEFI in Rutegama. Witnesses reported that the order to arrest him came from the head of the national intelligence service of Muramvya province.

SOS-Torture Burundi notes that no reasons or a warrant were mentioned during the arrest, which is in addition to the many cases of arbitrary arrests committed by agents of the State security services.

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

- Individuals attacked Nicodemus Karenzo at his home on Mugaruro Hill, Mpanda Commune, Bubanza province (west of the country) on March 26<sup>th</sup>, 2017 in the evening. The victim was seriously injured.

SOS-Torture Burundi notes that the police announced the arrest of Mr. Gustave Sinzotuma, considered suspect in the armed attack.

- Unidentified individuals assassinated Innocent Niyongabo in village III of Gihanga commune, Bubanza province (west of the country) on March 26<sup>th</sup>, 2017; But the body of the victim was found the next day. Mr. Niyongabo was a watchman in a local shop. The police have not found the perpetrators of the murder at the moment.

- A man's body was recovered from an irrigation canal connected to the Dogodogo River on Kagazi hill, Rugombo commune, Cibitoke province (north-western) on 27<sup>th</sup>

March 2017 in the afternoon. The police agents who recovered the body have not yet been able to identify him for the moment. The victim carried a fatal wound due to a blow to the head.

- Individuals armed with machetes murdered Concilie Mvuyekure on Murehe Hill, Mbuye commune, Muramvya province (center of the country) on 28<sup>th</sup> March 2017 in the evening. Ms. Mvuyekure was attacked while she was returning home.

### 3. The Gitega Tribunal dispatches the trial of political opponents

The Intermediate Court of Gitega (center of the country) handed down heavy sentences against seven (7) opposition activists loyal to FNL of Agathon Rwaswa, in a verdict rendered on 30<sup>th</sup> March 2017. Two militants are sentenced to life imprisonment and five others to 20 years of criminal servitude.

These activists were arrested on 23rd March 2017 after the assassination of a man named Jacques Bukobero, who proves to be the father of an influential CNDD-FDD leader (see **SOS-Torture Burundi report No. 67**: [Http://sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-nume%CC%81ro-67-en-En.pdf](http://sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-nume%CC%81ro-67-en-En.pdf)).

SOS-Torture Burundi notes that the judges expedited the trial, giving no chance to the accused and their lawyers to prepare their defense. These expeditious trials for which Burundian justice has found a new form "Flagrance" to deal with a case in an unprecedented haste, in flagrant violation of the most elementary rights of defense enjoyed by any accused person. This procedure, often used in politically motivated trials, does not honor the body of the judiciary. This procedure is currently a means for the power to get rid of political opponents or any other discordant voice, especially since the seven convicted men were not caught red-handed but arrested on different premises a few days after the crime. Burundian justice is becoming increasingly a tool of repression by depriving the accused of his constitutional rights. Among those sentenced to these heavy sentences are Mperabansi Jean, Simbagije Sylvere, Nibogora Damas and Mukeshimana Appolinaire.





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### 4. Court convicted soldiers to life imprisonment

SOS-Torture Burundi also learned of the sentence to life imprisonment of three Burundian soldiers by the Intermediate Court of Muha (City of Bujumbura) on 28<sup>th</sup> March 2017. They are Jean Marie Vianney Nzoyihera, Elvis Nkunzimana and Pascal Dombori, who are accused of attempting to assassinate the Chief of Staff of the Burundian army, Lieutenant-General Prime Niyongabo on September 11th, 2015. They were also charged with the illegal possession of arms and attempted overthrow of the institutions of the Republic. The court sentenced two civilian security guards to 10 years' imprisonment: Pancrace Ntamatungiro and Léonard Nizigiyimana for complicity.

*The SOS-Torture / Burundi campaign was initiated with the aim of informing national and international opinion on the serious human rights violations which continue to be committed 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 slaughter of a hundred persons killed during the days of 11th and 12th December 2015 by the National police and military under the pretext of pursuing rebel groups that came to attack military camps on the outskirts of the Bujumbura capital city. The affected quarters are said to be the challengers of the third term of President Nkurunziza which the following: Musaga, Mutakura, Cibitoke, Nyakabiga and Jabe, the last two being located in the center of Bujumbura.*