



SOS – Torture/Burundi

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

REPORT NO. 69 OF SOS-TORTURE / BURUNDI PUBLISHED ON 8 APRIL 2017

This report of SOS-Torture Burundi covers the period from 1st to 8th April 2017 concerning the human rights violations that continue to be committed with impunity in Burundi.

The report firstly mentions scandalous slogans by the imbonerakure militiamen of the ruling party CNDD FDD in Ntega commune of Kirundo province in the north of the country. These songs incite the rape of girls and women close to the opposition, whom they call adversaries, so that they give birth to imbonerakure.

During the period, sixteen (16) arbitrary arrests were recorded. These include other students from the University of Burundi who have joined their comrades already detained. Some students ended up being released after a few days but without explanations. Others remain detained by the intelligence service for having claimed the repeal of a decree considered unfair by the students.

Six (6) cases of torture are also listed, including three (3) involving persons arrested a few days ago in Kazirabageni in Makamba province (South of the country); And a fourth case of a retired soldier in Muyinga, tortured by an SNR agent.

Armed attacks have also been recorded and at least two cases of assassination are reported during the period.

1. Imbonerakure militiamen call for rape among opponents

Since the publication of its reports, SOS-Torture Burundi has reported systematic human rights abuses and violations committed by the imbonerakure militias of the ruling party CNDD FDD. These abuses include summary executions, torture, gender-based violence (GBV), unlawful arrests and other forms of aggressions.

A video that has been in circulation for a few days confirms SOS-Torture Burundi's fears about the danger of these young militiamen trained, mentored and supported by the ruling party CNDD FDD and the highest authorities in the country who boast of having Active youth. In this video taken at a gathering to celebrate the New Year in the Ntega commune, Kirundo province (north of the country) according to the official statement of the ruling party, these young people sing songs inciting rape of girls and women to give birth to imbonerakure. "Tera inda abakeba bavyare imbonerakure", which translates as "engross our opponents so that they give birth to imbonerakure", is the refrain intoned by these militiamen.



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This is an appeal for systematic rape, and it is certainly not the fruit of few young militiamen since they all chorus a refrain apparently learned in advance. Despite the condemnations of the leadership of the CNDD FDD party, the judicial authorities empowered remain silent whereas this is necessarily a crime that falls under international criminal law and the Burundian penal code.

SOS Torture-Burundi informs the public that the elements of the crime against humanity are gender-based violence. According to the Statute of Rome establishing the International Criminal Court in Article 7 (g), "Rape, sexual slavery, forced prostitution, forced pregnancy, forced sterilization or any other form of sexual violence of comparable gravity"

Burundi foresees and punishes this crime in its criminal code, but today the silence of justice shows how far it is no longer able to render it fairly or to prevent the irreparable, Intervention of the International Criminal Court.

It is not the first time that similar acts of threats have been reported by witnesses, the chance being this time that irrefutable images prove that these are movements well framed; But the public authority has always denied these accusations by protecting those militias who are becoming increasingly uncontrollable.

The complete video can be viewed on this link:

<https://twitter.com/ThierryU/status/849015712479838208>.

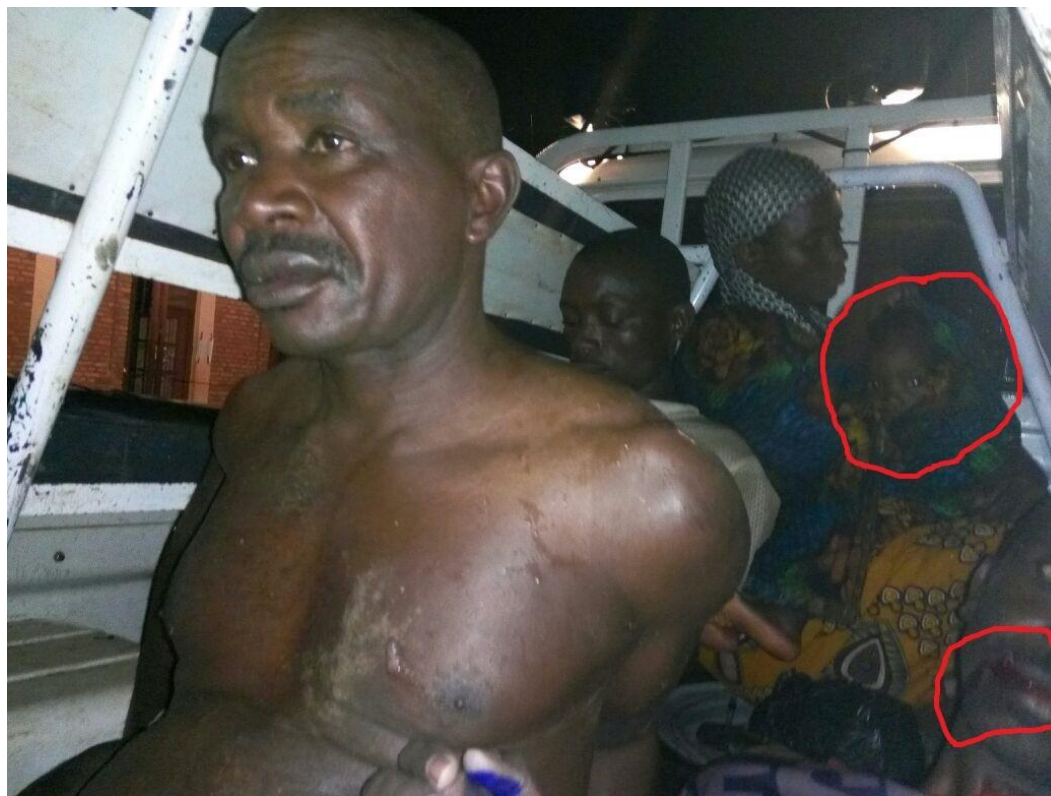
2. Arbitrary arrest, kidnappings and forced disappearances continue

- In our previous report, it was mentioned an arrest of six (6) persons on Kazirabageni hill, Nyanza-Lac commune, Makamba province (southern part of the country) on 26th March 2017. All these persons are opposition party activists CNDD led by Leonard Nyangoma who lives in exile. The police suspect them of participating in armed gangs (see **SOS-Torture Burundi Report No. 68**: <http://sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-nums%CC%81ro -68-en-Fr.pdf>).

As of 1st April 2017, four of the persons arrested in this locality were transferred by the police to the cells of the National Intelligence Service in Bujumbura.

SOS-Torture Burundi confirms however the physical abuse suffered by the persons arrested in Kazirabageni. These tortures reported by relatives are underlined by the images of the detainees in a police van: arms violently tied behind his back, but also a prisoner who still carries traces of blood on his mouth and all around his mouth. An

inmate carries her little child with her, trying to cover her with cold; While another prisoner is tied bare-chested:



At the bottom right of the photo, a detainee has traces of blood on his mouth; In the upper right a little child wrapped up by his mother in a loincloth.

SOS-Torture Burundi also notes that only the inmate with an infant who is not tied her arms in the back. This is a form of torture that does not allow blood to flow normally. Only the handcuffs are regulated within the police, the ropes used thus being not allowed:



Tied arms in the back slow down normal blood circulation.

- Police arrested eight students on 1st April 2017 in different homes on the Mutanga campus of the University of Burundi. These arrests are the consequence of another wave of arbitrary arrests targeting representatives. In our previous report, we have mentioned arrest of three representatives of students detained in the national intelligence service, only one of them was released (see. report No. 68: <http://sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-ume%CC%81ro-68-en-En.pdf>).

These students are victims of having addressed a correspondence to the Burundian president to challenge a decree reforming the system of awarding the scholarship into a loan-grant deemed discriminatory by students of the University of Burundi. On April 6th,

2017, the eight (8) students were released, without the police or SNR explaining the real reasons for their detention. Students are still detained include Elysée Dushime, a student in Accounting and Finance; Audace Nkunuzimana, deputy general delegate of the students of the Applied Pedagogical Institute (IPA) and Dieudonné Bigirindavyi, class delegate in Bac III in the Department of Economic and Administrative Sciences, arrested on 2nd April 2017 by agents of the national intelligence service.

These students must be released because their claims follow a legal procedure that has nothing to do with the insurgency that the police and the SNR want to attribute to these claims.



Students Elysée Dushime (left) and Audace Nkunuzimana still held by SNR



Dieudonné Bigirindavyi, another student retained at SNR

Two teachers of Rusagara basic school in Gitaramuka commune Karusi Province (Central East of the country) are detained at Gitaramuka police station. They were arrested on April 1st, 2017 by the Police, which accused them of having maltreated the Director of this school. Sources on the premises say that these teachers are victims of having refused to pay a forced contribution of 3% of their net salary for 12 monthly payments. Measures initiated by the provincial authorities to have the money necessary for the construction of a modern stadium in this province. School officials have been ordered not to issue administrative documents such as certificates of service to teachers who have not paid these fees. Two teachers' union officials in the province denounce this detention and arbitrary status, demanding the release of their colleagues and respect for their rights.

- Police agents arrested Anaclet Magemanya on Mubavu Hill, Bweru commune, Ruyigi province (east of the country) on 2nd April 2017. This is the representative of the FNL (National Front for the Liberation) opposition party led by Agathon Rwasa in Bweru commune .

SOS-Torture Burundi notes that the police accused him of organizing an illegal meeting, but no evidence was added. This arrest follows another wave of arrests of FNL militants loyal to Rwasa reported in our previous report.

-The head of the National Intelligence Service of Muyinga province (northern) named Gérard Ndayisenga arrested Alexis Nibaruta on Muzingi Hill, Gashoho commune, Muyinga province on 4th April 2017. Relatives reported that the head of the police station had no warrant and did not serve the reasons for the arrest.

Mr. Nibaruta is a retired member of the former Burundian Armed Forces (FAB) who has been tortured by the SNR official. The intelligence service must promptly release Mr. Nibaruta and give him treatments; and the justice to prosecute the perpetrator of his torture.

- A Burundian lawyer denounced on 5th April 2017 on the bar at the High Court of Mukaza (City of Bujumbura) that his clients were tortured during their detention. Mr. Elysée Ndiokubwayo testified before the judges that Mr Félix Ndayisenga and Eric Ntakarutimana were subjected to torture during their stay in the National Intelligence Detention Cell, before being transferred to Gitega Central Prison. These two men are being prosecuted for attempting to assassinate the governor of Bujumbura province, Zenon Ndaruvukanye on 25th November 2015.

SOS-Torture Burundi supports the defense's request to the tribunal to acquit the two victims for lack of evidence provided by the public prosecutor's office based on

confessions extracted under torture, which becomes null and void under the Code Of criminal procedure.

- Police agents arrested Dr. Gaspard Marerwa at his place of duty at the King Khaled Hospital in Kamenge (Northern Bujumbura) on 5th April 2017. The doctor is the head of the pathology department. Witnesses report that he was charged with conducting the autopsy of OPC 1 police officer Charles Ndiwokubwayo found dead in unclear circumstances in a parish church on 20th March 2017 (see SOS-Torture report Burundi N ° 67: <http://sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-nume%CC%81ro-67-en-En.pdf>). Dr. Marerwa cited a lack of adequate equipment to conduct the autopsy in question

SOS-Torture Burundi notes that Dr. Marerwa was taken to the jail in Jabe (central Bujumbura), but has not been charged at this time. The lack of material for an autopsy cannot justify an arrest by the police. If it even turns out that this is a failure of the practitioner, the hospital that employs him has a hierarchy that has to take action in this kind of cases. SOS-Torture Burundi fears rather an arbitrary arrest in order to hide the truth about the circumstances of the death of OPC 1 Charles Ndiwokubwayo.

- The National Intelligence Service summoned and interviewed the Editor-in-Chief of the independent radio station Isanganiro in Bujumbura on 5th April 2017. Relatives and colleagues reported that Joseph Nsabayabandi was questioned for his alleged links with journalists exiled following the Crisis and which animate programs on the radios RPA and Inzamba; As well as a violation of the editorial line of the radio for giving voice to political opponents.

SOS-Torture Burundi notes that this is nothing more than intimidation and harassment aimed at muzzling the few independent journalists who still work in Burundi. Several dozen of journalists have been forced into exile since May 2015 and the destruction of the media. Radio Isanganiro was allowed to reopen in 2016, but journalists are constantly being watched and threatened.

3. Assassinations, summary executions and armed attacks

- Unidentified individuals murdered François Sagahutu in Kibago commune, Makamba province (south of the country) on March 30th, 2017 in the evening. The victim was returning home at the time of his assault. The police have not arrested any suspects at the moment. M. Sagahutu avait 56 ans, il était marié et père de trois enfants.



Mr. Sagahutu, murdered near his home in Kibago

- Armed individuals murdered a shepherd on Rugunga hill, Gihanga commune, Bubanza province (western part of the country) on 6th April 2017. Another shepherd was wounded during the attack. Witnesses report that the armed group was trying to steal cows.
- In the same commune of Gihanga, Bubanza province, in village six (6), residents heard many shots during the night of 7th April 2017. Sources on the place indicate that armed men robbed three shops of this Village during the night of April 7th, 2017. They took away all the merchandise and kidnapped three shopkeepers. The army intervened but these armed men managed to enter the Rukoko natural reserve with all the stolen goods.



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The SOS-Torture / Burundi campaign was initiated with the aim of informing national and international opinion on 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 on the realities of the country followed the slaughter of a hundred persons killed during the day of 11th December and that of 12 December 2015 by the police and military under the pretext of pursuing rebels who came to attack military camps on the outskirts of the capital city. The affected quarters are said to be challenging the third term of President Nkurunziza among others Musaga, Mutakura, Cibitoke, Nyakabiga and Jabe, the last two being located in the center of Bujumbura.

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