

REPORT NO. 70 OF SOS-TORTURE/BURUNDI PUBLISHED ON APRIL 15, 2017

This report of SOS-Torture covers the period from 8 to 15 April 2017 concerning human rights violations that continue to be committed with impunity in Burundi.

The report mentions five arbitrary arrests (5). Among these arrests are two students whose process resembles more like forced abductions. Among these arbitrary arrests there is a case of torture of a retired military.

Three (3) cases of murder were recorded during the period. For one of the victims, the judges sentenced the alleged murderer in less than 24 hours, although the alleged perpetrator admitted the crime, SOS Torture Burundi believes that investigations should have been carried out far to determine the real motives behind this Murder and analyze if there were any accomplices or authors.

1. Arbitrary arrests, kidnappings and forced disappearances continue

- Ferdinand Vyimana has been missing since March 23, 2017. Sources close to his family say his wife has no traces of her husband since that day. Mr Vyimana went to the SOSUMO (Sugar Company of Moso) in Rutana (East of the country), he had an appointment with the director of this company before disappearing. He was with a soldier close to the FNL political party at the time of his disappearance. His family is desperate and fearful for his safety. Mr. Ferdinand Vyimana lived previously in the Gihosha district, Ntakangwa commune (north of Bujumbura). His relatives say that he had recently moved to Nyakabiga after repeatedly receiving intimidation and death threats. He was a sympathizer of the MSD party according to the same sources. The perpetrators of his abduction are still unknown, but sources in Rutana suspect the head of the national intelligence service in Rutana.

- In our previous report, we mentioned the case of Mr. Alexis Nibaruta, a retired soldier arrested on 4th April 2017 on the Muzingi hill, Gashoho commune in Muyinga by the head of the national intelligence service of Muyinga province (North of the country) named Gérard Ndayisenga. This intelligence officer tortured Mr. Nibaruta atrociously, also held in an unauthorized secret place (see SOS-Torture Burundi Report No. 69: <http://sostortureburundi.over-blog.com/2017/04/rapport-n-69-de-sos-torture/burundi-published-le-8-april-2017.html>).

SOS-Torture Burundi notes that after this alert on the prisoner's precarious health, the head of the Muyinga SNR, Gérard Ndayisenga, transported Mr Nibaruta to the Muyinga hospital on 8 April 2017. The doctors of the hospital of Muyinga had to

transfer the victim of torture to the regional hospital in Ngozi because of the seriousness of his state of health. Witnesses report that Mr. Nibaruta suffers severe internal bleeding, and urinates blood.

SOS-Torture Burundi calls for the prosecution and immediate arrest of the head of the Muyinga NIS, Gérard Ndayisenga, as well as all his agents who participated in the torture sessions. The Muyinga prosecutor's office remained silent in the face of the case, instead of ordering the arrest of those responsible for the torture inflicted on Mr. Nibaruta. Unfortunately, this is not the first time that NIS agents have been responsible for torturing innocent citizens, and they get away with impunity every time. The failure of the Burundian judiciary, and above all the public prosecutor's inertia in the face of acts of torture, proves sufficiently the dysfunction and incapacity of the judiciary to live up to its mission (see SOS-Torture report Burundi No. 66 on the case of the head of the SNR of Rutana: <http://sostortureburundi.over-blog.com/2017/03/rapport-n-66-de-sos-torture/burundi-publie-le-18-mars-2017.html>).

- Members of the Imbonerakure militia of the CNDD FDD party arrested Moise Nimbona on Bwome Hill, Nyabitsinda commune, Ruyigi province (East of the country) on 8 April 2017. They accused him of holding arms, in this case a Kalashnikov rifle and its loaded magazine. Mr. Nimbona was handed over to Nyabitsinda commune police and then to Ruyigi police station the next day.

SOS-Torture Burundi notes that the police, without conducting its own investigations, has put the man in custody. Neutral witnesses, with the exception of the imbonerakure militia, corroborated these weapon possession charges, a weapon that was not even shown to legitimize the charge. Mr. Nimbona is a member of the Organization for the Development of the Catholic Diocese of Ruyigi (SOPRAD) and works in the Gisuru commune. The judges of the High Court of Ruyigi condemned him in a judgment of flagrante to 5 years of prison.

- Police agents arrested Adrien Nsengiyumva on Mubavu Hill, Bweru commune, Ruyigi province, on 12 April 2017. He is a teacher practicing in Mubavu but is also a member of the opposition party FNL (National Front for the Liberation) of the faithful of Agathon Rwasa.

Mr. Nsengiyumva is accused of planning the assassination of a person; But the police have not proved these charges at the moment. SOS-Torture Burundi fears rather an arbitrary arrest on the basis of political motives, as has been the case since the

beginning of the crisis related to the controversial third mandate of Burundian President Pierre Nkurunziza.

- Two policemen on duty at Rutana prison in the east of the country are still missing since Tuesday, 13 April 2017. They escorted anti-third-term prisoners to the Rutana hospital, but sources in Rutana say that there is no longer any trace of the police or the detainees. One of the policemen is known as Prime, the other under the name of Jean Pierre, and the two detainees they accompanied are Stone Keny Bashirahishize of Rwandan nationality, accused of participating in the armed bands, and Charles Nzeyimana, MSD party accused of rebel member.

- Unidentified individuals abducted a student from the University of Burundi, Jean Claude Hatungimana, in the Rohero zone, Mukaza commune (center of the city Bujumbura) on 14 April 2017. Witnesses report that Mr. Hatungimana was embarked in a civilian vehicle plate number D4930A.

These kidnapping practices are similar to those experienced by other students of the University of Burundi since the announcement of a strike to protest the change in the scholarship system. This is done by the National Intelligence Service. Without a warrant, without stating the grounds for arrest or the place of detention. Other students are already in the hands of the national intelligence service since the call for a general strike (see SOS-Torture Burundi No. 68 and 69).



Jean Claude Hatungimana, student in Bac II Rural economy kidnapped

Beyond the arbitrary arrests of students of the public higher institutions, the authorities decided to chase other students in retaliation for claiming the cancellation of the fellowship system in place. Two students of the Ecole Normale Supérieure were thus suspended for one year: Epipode Niyongabo and Eric Nirera.

Another similar decision concerns eight (8) students of the University of Burundi (UB), who signed the call to strike, also chased for a year: Pacific Ndayishimiye, Evrard Gashirahamwe, Epimede Kwizera, Patience Mbonabuca, Aloys Bikorimana, Jean Bosco Bakanibona, Désiré Havyarimana and Emery Ncutinamagara. Public authority, instead of creating a soothing climate of dialogue to analyze claims, fosters threat and terror within the student community. Among these 8 expelled students is Jean Bosco Bakanibona who was abducted on 9 April 2017 in the Nyakabiga zone of Mukaza commune by men traveling in a civilian vehicle registered B2756A.



Jean Bosco Bakanibona, student of Bac II in Law

SOS-Torture Burundi protests against the involvement of Intelligence agents in purely academic matters, this shows the gradual establishment of a dictatorial regime that uses terror and bayonet to solve a simple academic question.

2. Assassinations, summary executions and armed attacks

- An armed group attacked village VI in Gihanga commune, Bubanza province (western part of the country) on 7 April 2017. The unidentified attackers wounded a shopkeeper in the locality and tried to kidnap him together with another vendor. Witnesses report that security agents intervened to prevent kidnapping.

- Residents of Kivubo Hill, Condo zone, Rutovu commune, Bururi province (south of the country), assassinated a man named Ntakarutimana with a club. This man is a member of the local Batwa minority. These persons killed him, accusing him of stalling cows.

SOS-Torture Burundi notes that the police invoke self-defense. However, in the case of a suspected thief caught, popular justice should not be supported by even less judicial state institutions, but rather this practice must be repressed. The victim could have been handed over to the competent authorities so that the public prosecutor could deal with the case.

- A man armed with a dagger assassinated Mrs. Evelyne Nizigiyimana in the town of Ngozi (north of the country) on 11 April 2017. The victim was a credit officer of Ngozi's micro-finance COOPEC.



Ms. Evelyne Nizigiimana, assassinated on her way home

SOS-Torture Burundi notes that the police arrested the alleged killer, Zénon Ndayavugwa, with the weapon that served for murder. However, despite the non doubtful presence of evidence, the judges hastened to pronounce sentence in less than 24 hours, citing flagrancy. Justice must give time to investigations to determine if there are any possible accomplices or sponsors of such crimes.



The alleged murderer presented by the police, and sentenced to life imprisonment

- Unidentified individuals assassinated Stany Niyonizigiye in the Kinanira III Quarter, Musaga zone (south of Bujumbura) on 11 April 2017 in the evening. The victim was returning from work at Giriyuja association, which supervises children in difficulty, including street children. The killers attempted to conceal Mr. Niyonizigiye's body under his vehicle. SOS-Torture Burundi notes that the police have for the moment not identified any suspects, or the motives behind the assassination.



Mr. Stany Niyonizigiye, assassinated in Kinanira

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, in particular 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 11 and 12 December 2015 by police and military under the pretext of tracking rebels groups which came to attack military camps on the outskirts of the capital City. The affected quarters are said to be challengers to 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