



SOS – Torture/Burundi

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

REPORT NO. 71 OF SOS-TORTURE / BURUNDI PUBLISHED APRIL 22, 2017

The report of SOS-Torture Burundi covers the period from 15 to 22 April 2017 concerning human rights violations that continue to be committed with impunity in Burundi. In this report it is mentioned five arbitrary arrests (5). Among these arrests are two former soldiers who were tortured after their arrests in Muyinga and Makamba. In the case of Muyinga, the torturer is the head of the national intelligence service, which is his second known victim of torture during the month of April. The Muyinga public prosecutor's office, however, remained an accomplice and did not open any investigation file on the serious acts of the SNR chief of Muyinga.

SOS-Torture Burundi also reports two cases of kidnappings in Bujumbura: a businessman and a student. The method used for kidnapping is similar to that used by SNR agents. The report also mentions the death of a prisoner in prison because he was denied the right to go to an appropriate health facility.

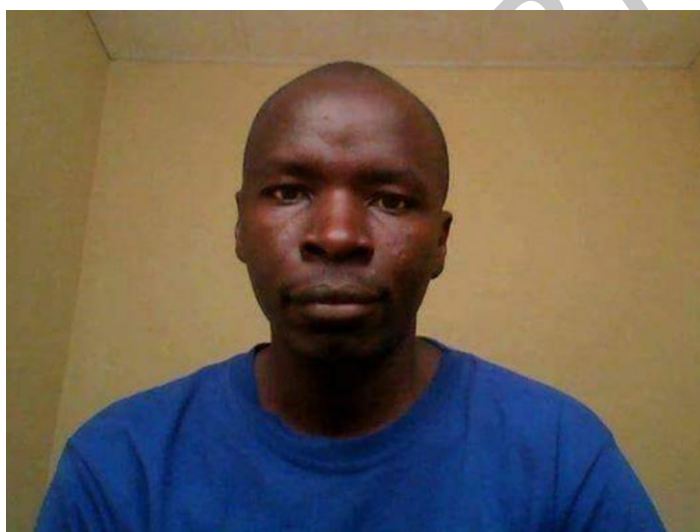
The last point concerns the continued detention of five (5) students of the University of Burundi who's only wrong is to have addressed a correspondence to the Burundian President asking him to cancel a decree on a new form of grant of scholarships in public universities in Burundi, which is judged discriminatory by students.

1. Arbitrary arrests, kidnappings and enforced disappearances continue

- The head of Kibago commune police station in southern Makamba province arrested Juvénal Ndayishimiye on 16 April 2017 in Kibago in the evening. He is a retired soldier, formerly of the Burundian Armed Forces (ex-FAB), who was in a bar at the time of his violent arrest. Witnesses report that the Kibago police chief ordered the bar to be closed for no reason and started beating Mr. Ndayishimiye, who refused to leave the bar. SOS-Torture Burundi later learned that Mr. Juvénal Ndayishimiye was handcuffed to the Kibago police station, where he was subjected to torture by the head of the Kibago commune police station. In a very critical state, Mr. Ndayishimiye was evacuated to the Makamba hospital on April 19, 2017, three days after his arrest and the beginning of his ordeal. Since the beatings, the chief of the police station in Kibago has not been prosecuted. Neither his superiors nor the Makamba prosecutor's office seized the case to arrest and prosecute the police officer. Once again, this is the incapacity, or a complicit silence of Burundian justice, which leaves the police to use torture in flagrant violation of the laws, including the constitution of the Republic of Burundi, which Formally prohibits torture especially in Article 25 c.

- The police arrested the head of the prison in Rutana (south-east of the country) and the head of the prison police station in charge of the security of the same prison on April 17, 2017. The arrest of Jonas Mbonimpa and Eugene Nzeyimana is the result of the escape of two detainees on 13 April 2017: Charles Nzeyimana, a member of the opposition MSD (Movement for Solidarity and Democracy) party, convicted of rebellion; and Stone Keny Bashirahishize of Rwandan nationality, accused of participating in the armed bands and two police officers escorting them for treatment outside the prison (see **SOS-Torture Burundi Report No. 70**: [http://sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-CC% 81ro-70-en-Fr.pdf](http://sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-CC%2081ro-70-en-Fr.pdf)).

SOS-Torture Burundi notes that the Rutana prison governor and the security officer have not violated any law by allowing prisoners to go to appropriate health facilities to receive care. The procedure was also respected as police officers were assigned to the custody of the prisoners, which officers did not reinstate their service after the escape. The police must ensure that innocent persons are not found and that the prison director and the security officer are complicit in the escape; otherwise they must be released if no proof is provided to legitimize these arrests.



Mr. Jonas Mbonimpa, Director of Rutana Prison

- National Intelligence Service agents arrested a Burundian soldier named Master Corporal Dieudonné Kwizera in Mukoni, Muyinga commune, Muyinga province (north of the country) on April 18, 2017. The soldier was arrested by the SNR official of Muyinga Gérard Ndayisenga. Relatives reported that the soldier, who was also a member of the former Burundi Armed Forces (formerly FAB), had been subjected to torture during his incarceration at the SNR.

SOS-Torture Burundi notes that the Muyinga public prosecutor subsequently filed

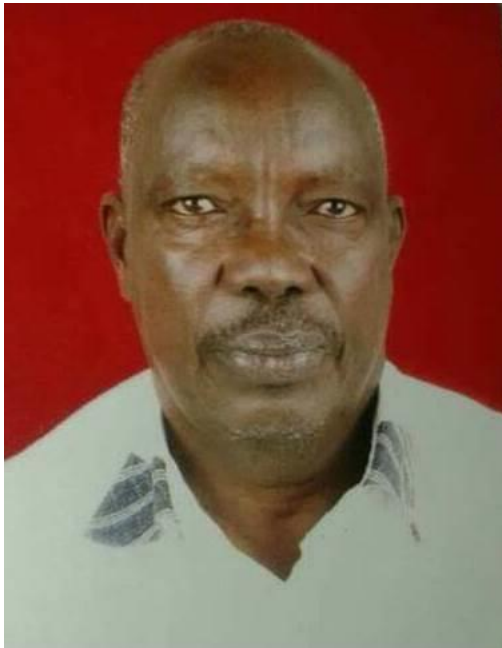
charges for involvement in armed groups and attempted robbery (File RMP 1683 / N.J.C.). Relatives reported that the SNR and the prosecutor's office were trying to accuse him of having participated in the attack on the Mukoni military camp in Muyinga in January. After this attack, several ex-FAB soldiers were arrested, tortured and sentenced in cascades.

SOS-Torture Burundi also notes that the head of the Muyinga SNR, Gérard Ndayisenga, is not being prosecuted for the acts of torture inflicted on Master Corporal Dieudonné Kwizera. However, this is a second victim of torture by the same SNR officer during the month of April. On April 4, 2017, he arrested Mr. Alexis Nibaruta, a retired soldier, and tortured him for four days until he evacuated the dying victim to the hospital (see **Reports No. 69 And 70**: <http://sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-ume%CC%81ro-69-en-En.pdf> and <http://sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-ume%CC%81ro-70-en-Fr.pdf>).

Mr. Nibaruta had to undergo surgery at the Ngozi Regional Hospital because of hemorrhage following the torture; and was released from hospital on April 20, 2017 for convalescence. This inertia of the public prosecutor in the face of acts of torture and cruel, inhuman or degrading treatment is unacceptable and proves the instrumentalisation of the judiciary in Burundi.

- Unidentified individuals abducted Oscar Ntasano on the Bujumbura-Gatumba road not far from the delimitation between the city of Bujumbura and the Mutimbuzi commune of Bujumbura province on 20 April 2017. Mr. Ntasano is a businessman, owner of a real estate complex called 'Nonara' where he was going at the time of his abduction. Family members report that Mr. Oscar Ntasano has suffered several threats to persuade him to cancel his contract with the United Nations Office in Burundi (BNUB).

SOS-Torture Burundi notes that this process of removal is similar to the practices of the National Intelligence Service observed throughout this crisis. Mr. Ntasano's security is at risk given the continuing threats to his business.



Mr. Oscar Ntasano, victim of forced disappearance

- Unidentified individuals also kidnapped Egide Nimenya in the city of Bujumbura on 20 April 2017. He is a student of the Faculty of Psychology and Education Science, Bac II at the University of Burundi who is at the same time delegated by his comrades. Again, this process is the same as other students of the University of Burundi, arrested for having asked the Burundian president to cancel his decree on a new measure of grant of the bursary, judged Discriminatory by the persons concerned. The students who had been arrested before Mr. Nimenya had been abducted by agents of the National Intelligence Service.



Egide Nimenya, student in Psychology and Education Science Bac II

2. Assassinations, summary executions and armed attacks

- Inmate Armel Ndacituma ('Mentu') died on 18 April 2017 in prison, while demanding an exit permit to visit an appropriate health facility. Prison officials denied him this basic right, claiming to wait until the next day to go out. Inmate Ndacituma did not survive. Former employee of the BBCI bank, he was detained since 2016.

SOS-Torture Burundi notes that this behavior of penitentiary officials to deny access to health care for ill prisoners every time until death ensues, necessarily constitutes an offense of failure to provide assistance to a person in danger and asked the Public Prosecutor's Office to take these cases immediately and to sue those prison officers. Similar cases of refusal of authorization to receive appropriate care have already caused deaths of other detainees; yet prison officials continue to display such negligence.



Armel Ndacituma, who died in prison because he was refused permission to exit despite suffering

- The body of an unidentified man was found and recovered from the Mutsindozi River in Bukemba commune, Rutana province (southeast of the country) on 19 April 2017. The identity of the victim is not known for the According to the police.

SOS-Torture Burundi fears that it is an extra- judicial execution with the objective of hiding the body and any evidence by dropping the victim into a river. This macabre practice has been observed since the beginning of the crisis in several localities of the country; the victims who could be identified were persons arrested or abducted some time before their execution.

- A child was burned terribly at the hands by his father's wife (mother-in-law) on Nyabisindu hill, Busoni commune, Kirundo province (north of the country) on April 19, 2017. Witnesses report that the child was looking for something to eat in a saucepan before he was forcibly taken by his mother-in-law, who put his hands to the fire as a punishment.

SOS-Torture Burundi notes that the police apprehended Consolate Mukantwari, the one who committed this despicable act. Kirundo province is severely affected by famine due to poor harvests; the young child should under no circumstances be subjected to such punishment by a parent in spite of the difficult times experienced by households because of this famine. Kirundo administration officials should assist

in the medical care of the victim, while waiting for the court to rule on the perpetrator of this child crime.



Young boy burned to death in Busoni

3. Students are kept in prison by the Tribunal

Five (5) students from the University of Burundi arrested on various dates during the last few weeks appeared on 19 April 2017 before the counseling chamber of the Mukaza High Court in central Bujumbura. These students spent several days in the prison of the National Intelligence Service (SNR) before being placed under arrest warrants and taken to Mpimba in the Musaga area. They are accused of planning an insurrectionary movement.

SOS-Torture Burundi underlines that these cascading arrests took place after the call for a general strike launched by the delegates and student representatives to challenge the new measures for granting the scholarship through a letter addressed to Burundi's President Pierre Nkurunziza. Public authority, instead of engaging in dialogue, preferred to use threat and terror by arresting students in order to stifle any legal and peaceful demands (see **SOS-Torture Burundi N ° 68 and 69**: <http://sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi->

[nume%CC%81ro-68-en-Fr.pdf](#) and <http://sostortureburundi.Org/wp-content/uploads/2016/08/SOS-Torture-Burundi-CC%81ro-69-en.pdf>).

SOS-Torture Burundi calls for the unconditional release of those students who have committed no offenses by raising their concerns to the President.

Among the students incarcerated in Mpimba are Elysée Dushime, student in Accounting and Finance arrested on March 28, 2017; Audace Nkuzimana, vice-delegate general of the students of the Applied Pedagogical Institute (IPA) arrested on 29 March 2017; Dieudonné Bigirindavyi, a class delegate in Bac III in the Department of Economics, arrested on 2 April 2017 by agents of the National Intelligence Service and Jean Bosco Bakanibona, a student of Bac II in Law arrested on 9 April 2017.

The student Jean Claude Hatungimana of Bac II Rural economy arrested on 14 April 2017 was the only one to be released by the same national intelligence service on 19 April 2017 (see report N ° 70: <http://sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-nume%CC%81ro-70-en.pdf>)



The five representatives of students incarcerated for writing to the President of the Republic



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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, in particular on torture, arbitrary arrests , forced disappearances, sexual violence and summary executions. This initiative to inform about the realities of the country followed the slaughter period of a hundred persons killed during the day of 11 December and that of 12 December 2015 by police and military under the pretext of prosecuting rebels who came to attack military camps on the outskirts of the capital City. The affected areas are said to be challenging the third term of President Nkurunziza which are Musaga, Mutakura, Cibitoke, Nyakabiga and Jabe, the last two being located in the center of Bujumbura.

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