



SOS-TORTURE / BURUNDI REPORT NO. 72 PUBLISHED ON 29 APRIL 2017

This report of SOS-Torture covers the period ranging from 22 to 29 April 2017 on human rights violations which continue to be committed with impunity in Burundi.

The report first mentions the existence of more than twenty (20) cases of victims of sexual violence already recorded among Burundian girls and women in neighboring countries. SOS-Torture Burundi intends to transmit the complete files of the victims and their testimonies to the lawyers' collective, which represents the families of the victims before the International Criminal Court; because rape is a weapon of war, otherwise advocated by the imbonerakure militias, as evidenced by a shocking video put online a few weeks ago.

At least nine (9) arbitrary arrests are recorded during the period and in different localities. Among these arrests there is Belly Bertrand Niyongabire, a young man interned at the neuropsychiatric center of Kamenge "CNPK" following torture suffered in December 2015. He was forcibly transferred and against the advice of CNPK doctors to the prison of Mpimba. The report also refers to the forcible disappearance of Mr. Oscar Ntasano for more than a week, as well as the inconsistencies of the police declarations on the alleged abductor of the businessman and former senator. The alleged abductor was executed, and presented as dead in a mock car accident.

The report lists six (6) murdered persons. Among the victims a young man shot dead by soldiers and a Burundian lawyer killed in a grenade attack.

The last point concerns the prison situation in Burundi in this month of April. The number of detainees increased from 8,683 (mid-March) to 8,611 inmates currently. However, prisoners are twice as large as prison facilities, and there are still more prisoners than convicts.



1. SOS-Torture Burundi has recorded about 20 cases of victims of sexual violence

SOS-Torture Burundi has identified about 20 victims of sexual violence between 2015 and 2016. The perpetrators are police agents, the national intelligence service "SNR" and the militia imbonerakure, affiliated youth of the ruling party CNDD FDD. These identified victims have fled Burundi to seek refuge in neighboring countries.

SOS-Torture Burundi intends to transmit with these victims, the complete files and their testimonies to the lawyers' collective, which represents the families of the victims before the International Criminal Court. For their security, this report does not include here the identities of the victims of sexual violence linked to the crisis, which turns out to be mainly of Tutsi ethnicity. The girls and women who testified have been raped by their torturers: some of these victims have been infected with HIV-AIDS after medical checking; others had unwanted pregnancies and raised their children in spite of the trauma experienced while another category concerned victims who had suffered other bodily harm after the rape.

The testimonies also reveal that victims were humiliated because they were raped in front of their children, others were forced to witness the rape of their daughters, but also women raped after being forced to attend the «Assassination of their husbands.

The monitoring of these inhumane acts also demonstrates that some of these victims have been subjected to these abuses at their homes; but another category of victims was raped during their incarceration by the SNR, in police cells or after illegal arrests by the imbonerakure militia.

SOS-Torture Burundi would like to emphasize that rape is a weapon of war which is also advocated by the imbonerakure militia, as evidenced by a video put online a few weeks ago. This shocking video shows young militiamen singing songs inciting the systematic rape of girls and women of the opposition, so that they give birth to Imbonerakure (see **SOS-Torture Burundi report N ° 69**: <http://sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-nums%CC%81ro-69-en-En.pdf>). Despite the communiqué issued by the ruling party CNDD-FDD condemning these songs as "slippery", no investigation was carried out to establish



responsibility for each other; it is clear that the victims of this sexual violence are real and describe with Horror what they have suffered.

2. Arbitrary arrest, kidnappings and forced disappearances continue

- Oscar Ntasano, a businessman who owns the complex property 'Nonara', has been reported missing since his abduction on 20 April 2017. He was abducted on the Bujumbura-Gatumba road before the border between the city of Bujumbura and the Mutimbuzi commune of Bujumbura province while he was going to his office with his vehicle to respond to a call from a client (see **SOS-Torture report No. 71**: <http://sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-nums%20CC%2081ro-71-en-Fr.pdf>). Mr. Ntasano was also threatened to persuade him to terminate his lease agreement with the United Nations Office in Burundi (BNUB).

SOS-Torture Burundi fears that the threats have finally been implemented, given the very contradictory and disturbing statements of the police. The deputy police spokesman announced on 23 April 2017, three days after the abduction, that Mr. Oscar Ntasano's vehicle had been found on the Ngozi-Muyinga road (north of the country) with the Driver of the businessman. However, the police changed the version two days later, announcing that the man who died in the accident of the vehicle of the victim was the abductor of Mr. Ntasano and his two (2) employees known as Mr. Lambert Bitangimana .

This turnaround hides the desire to conceal the truth about the circumstances of the forced disappearance of businessman Oscar Ntasano, and former Burundian senator. Meanwhile, Lambert Bitangimana's photos of the social networks, presented by the police as having died in a car accident with Mr. Ntasano's car, show clear traces of strangulation with a rope or a similar object at the throat. SOS-Torture Burundi fears summary execution with attempts to disguise the crime, to eliminate a potential witness or accomplice in the forced disappearance of Mr. Ntasano.



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Mr. Lambert Bitangimana, presented by the police as dead in an accident; But his neck shows a clear trace of strangulation (picture on the right)

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The vehicle pick-up of Mr. Oscar Ntasano, in which would have died "by accident" Lambert Bitangimana

- Police officers forcibly transferred a patient from the neuropsychiatric center of Kamenge "CNPK" (north of Bujumbura) to the central prison of Mpimba in the Musaga zone (south of Bujumbura) on 21 April 2017. Belly Bertrand Niyongabire, a young man suffering severe trauma since December 11, 2015, when he was arrested in Kinanira following attacks on military camps. After his arrest by the National



Intelligence Service, the young man suffered long torture sessions in an unidentified place; so that his family mourned, believing that he had been murdered during the retaliatory massacres that followed the attacks.

Prior to his transfer on April 21, 2017, witnesses to the CNPK reported that a first attempt to transfer it took place on April 19, 2017; but nurses intervened to prevent the young man from being taken away while still under treatment. The director of the Mpimba prison and senior police authorities, with the complicity of agents working at the CNPK, uttered threats against the director of the neuropsychiatric center to force him to let the police take him away.

SOS-Torture Burundi has learned that the young man still fails to feed properly, not to speak, and still less to stand up because of the abuse he has suffered. The health of Belly Bertrand Niyongabire is likely to deteriorate; but the main fear is for the safety of the young man in prison. As a victim and witness of the torturers who tortured him and witnessed the perpetrators of the massacres in the neighborhoods in December 2015, the young man's life must be protected quickly. His place is not in jail, but in a center like the CNPK that previously provided care to Belly Bertrand Niyongabire.



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Belly Bertrand Niyongabire, the young man abducted at the CNPK to be forcibly transferred to prison

- Police agents arrested four militants of the FNL (National Front for the Liberation) opposition party loyal to Agathon Rwaswa on Gihungwe Hill, Gihanga commune, Bubanza province (western part of the country) they are Jean de Dieu, Bigirimana, Jonas Harimenshi, Emmanuel Bigirimana and Stève Gashinge. Relatives report that the opponents are accused of holding an unauthorized meeting the day before.

SOS-Torture Burundi notes that the opposition activists, in particular the FNL, are regularly arrested, accused of having met without authorization; which is a hindrance to their freedom of movement. There is also nothing to prevent militants from joining a political party.



- The chief of police in Buganda commune, Cibitoke province (northwest of the country) arrested another FNL activist named Claude Kwizize on 26 April 2017. Witnesses reported that the police chief was accompanied by young Imbonerakure militiamen Party in power CNDD FDD who designated the victim of this arbitrary arrest.

SOS-Torture Burundi notes that complicity between police officers and Imbonerakure militia persists in several localities of the country. Mr. Kwizize's misconduct is that he refused to join the ruling party.

- In our previous report, mention was made on the arbitrary arrest of a former soldier named Dieudonné Kwizera, arrested by the head of the national intelligence service in Muyinga on 18 April 2017 (see **SOS-Torture report No. 71**: [://sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-nums%CC%81ro-71-en-En.pdf](https://sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-nums%CC%81ro-71-en-En.pdf)). This SNR officer, Gérard Ndayisenga, tortured Mr. Kwizera during his detention.

SOS-Torture Burundi notes that the the Intermediate Court of Muyinga hastened to hold a hearing on 26 April 2017 to try the former soldier of the Burundian Armed Forces (ex-FAB) in a flagrant judgement. During the hearing, the public prosecutor's office (File RMP 1683 / N.J.C.) Requested 30 years of imprisonment against Mr. Kwizera, for participation in armed groups and attempted robbery; accusations related to the attack on the Mukoni military camp in Muyinga last January.

This procedure of flagrance currently used by Burundian justice has become a form of repression pure and simple because no justification can be brought to demonstrate this practice of judging a person four "4" months after this act.

It is a masquerade of justice with no tangible evidence provided by the public prosecutor's office and where the judges of the Muyinga Intermediate Court acted in complicity with the public prosecutor's office and the SNR which arrested Mr. Kwizera. The same judges did not give to the accused, who was also a victim of torture, to prepare his defense when they were about to pronounce the sentence on 3 May 2017. It should also be noted that the SNR officer in Muyinga, Gérard Ndayisenga, has never been concerned to this day for the acts of torture inflicted.

- Police agents arrested three men, all militants of the FRODEBU opposition party, on Mahande hill, Ngoma zone, Murwi commune, Cibitoke province (north-western part of the country) on 28 April 2017. Witnesses report that these persons were accused of murdering a resident of the hill three days earlier (see point 3 of this report).

SOS-Torture Burundi notes, however, that relatives report arbitrary arrests, since the four men are all members of the opposition.

3. Assassinations, summary executions and armed attacks

- Soldiers killed Jean Claude Bashirahishize in the Rukina zone of Mukike commune, Bujumbura province on 22 April 2017. Witnesses reported that the victim was in a Probox car from Bujumbura. This car was stopped by soldiers positioned in Rukina, for an identity check of the passengers.

Relatives of the young man shot down claim that the soldiers shot at the victim at that time. SOS-Torture Burundi notes that the army explains for its part that Jean Claude Bashirahishize fled hastily to escape the control, reason that would have pushed the soldiers to shoot the young man to stop it.

This explanation of the Burundian army is not convincing because, unarmed, the young man presented no danger to the soldiers who should have caught up with him without killing him. Relatives of the victim also report fears that he was shot dead as suspected of having participated in demonstrations against the third term of Burundian President Pierre Nkurunziza in April and May 2015.



- Individuals murdered Mamerthe Nifasha on Musenyi Hill, Cankuzo Province, on 23 April 2017. The victim was seriously injured but subsequently succumbed to his injuries.
- Unidentified individuals murdered Paul Ntizizakumwe (60) on Mahande Hill, Murwi Commune, Cibitoke Province (northwestern part of the country) on April 25, 2017. The victim was attacked at his home and shot dead. Local administrative officials said that Ntizizakumwe would be the victim of suspicions of witchcraft. SOS-Torture Burundi notes however that these are hasty conclusions that cannot explain the increased crime in this Cibitoke province. On the contrary, the fear is that these false accusations of witchcraft are a way of hiding the real motives behind these targeted assassinations. It should also be noted that the police do not hurry to investigate and identify criminals in cases where victims are accused of practicing witchcraft.
- Unidentified individuals attacked a vehicle and its passengers in the Heha quarter, Kamenge zone, Ntahangwa commune (north of Bujumbura) on 25 April 2017 in the evening. The persons targeted were Mr. Marc Ndahakeshimana who was driving the vehicle and his family (his wife, two children and a servant). The lawyer was severely hit, but died some time later while the other members of his family were injured.



Counsel Marc Ndahakeshimana, died in a grenade attack

- Unidentified individuals were also murdered with machetes Salvator Harindavyi on Mugendo hill, Bugarama commune, Rumonge province (south of the country) on 26 April 2017. The police have not identified any suspects at the moment nor the motives.

4. Prison situation in April 2017

The analysis of the prison situation in April 2017 shows a slight decrease in the number of prisoners compared to the prison situation in mid-March and February 2017. Thus, in three months the number of prisoners has changed from 8.757 (February) and 8.683 (mid-March) to 8.611 inmates in April 2017 (see **SOS-Torture Burundi report N ° 67**: <http://sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-nums%CC%81ro-67-en-En.pdf>).



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Between March and April, there are 72 fewer prisoners. SOS-Torture Burundi notes, however, that the prison population remains very high in comparison with the capacity of 4.194 prisoners in Burundi (double the number of prisoners); But that it is a slight improvement compared to the explosive situation at the end of December 2016 when 10,051 detainees were recorded in all prisons in Burundi (see [SOS-TortureBurundi report N°55: http://sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-ume%CC%81ro-55-version-francaise.pdf](http://sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-ume%CC%81ro-55-version-francaise.pdf)). As of April 2017, the number of defendants still exceeds the number of convicted persons, as has been noted in all previous reports on the prison situation in Burundi: there are 5.194 defendants and 3,349 convicted prisoners.

The table summarizing the prison situation also shows that there are many more infants in prison with their mothers than before: the report counts 64 infants forced to remain in prison due to the lack of appropriate reception facilities for them.

PRISONS	ACCOMMODATION CAPACITY	PENITENTIAL POPULATION	NUMBER OF DEFENDANTS		NUMBER OF CONVICTED		MINOR DEFENDANTS		MINOR CONVICTED		EVADED	DEAD	INFANTS		OCCUPATION RATE
			M	W	M	W	Boys	Girls	Boys	Girls			Boys	Girls	
BUBANZA	100	394	231	12	141	10							2	6	394.00%
BURURI	250	241	144	5	82	10							1	1	96.40%
GITEGA	400	900	506	33	343	18							2	4	225.00%
MPIMBA	800	3,163	2,460	84	577	42					3	1	9	5	395.38%
MURAMVYA	100	425	201	5	205	14								3	425.00%
MUYINGA	300	414	154	5	242	13							1	3	138.00%



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NGOZI (W)	250	113		25		82		3		3			12	11	45.20%
NGOZI (M)	400	1,143	577		566										285.75%
RUMONGE	800	1,022	399	5	604	14							1	1	127.75%
RUTANA	350	241	99	4	127	11							1		68.86%
RUYIGI	300	493	240	5	235	13								1	164.33%
RUYIGI CENTRE	72	27					3		24						37.50%
RUMONGE CENTRE	72	35					12		23						48.61%
TOTAL	4,194	8,611	5,011	183	3,122	227	15	3	47	3	3	1	29	35	205.32%
			5011 + 183 = 5194		3122 + 227 = 3349		15 + 3 = 18		47 + 3 = 50				29 + 35 = 64		



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The SOS-Torture / Burundi campaign was initiated with the aim of informing national and international opinion about serious human rights violations ongoing in Burundi via 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 carnage of a hundred persons killed during the day of 11 and 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. 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.

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