



REPORT NO. 89 OF SOS-TORTURE / BURUNDI PUBLISHED 26 AUGUST 2017

This SOS-Torture report covers the period from 19 to 26 August 2017 concerning human rights violations in Burundi.

At least seven (7) persons were assassinated during the period. Among the victims is a widow woman coldly executed and thrown into the Jiji River in Bururi province. The victim, Noëlla Masabarakiza, was not identified by her relatives until four (4) days after the discovery of her body. Almost nine (9) persons were also injured: some were victims of grenade attacks, while at least three (3) children were injured by a grenade they used as a toy.

The report also refers to six (6) arbitrary arrests in various localities, including an anesthetist technician arrested on the orders of the governor of Makamba (south of the country). This man was also the victim of an expeditious justice, because he was sentenced to 13 years of imprisonment 24 hours after his arrest, and following the famous procedure of flagrante.

SOS Torture Burundi wishes to emphasize that the procedure carried out by the Makamba High Court was illegal because the person was arrested by a person who does not have the prerogatives but also the requirements of articles 110 and 208 of the Code of Criminal Procedure which speak of the conditions necessary for the application of the flagrante breach procedure.

The young militiamen imbonerakure of the CNDD FDD party continue to commit human rights violations with impunity. At least six (6) persons were beaten by the militia on different hills in Ruyigi province (eastern DRC) without police intervention.

Sos-Torture Burundi also mentions the precarious security conditions of Burundian refugees from the Lusenda refugee camp in the Democratic Republic of Congo.

1. Violations of the right to life and physical integrity

- Unidentified individuals murdered Noëlla Masabarakiza, whose body was found near the bridge of the Jiji River separating Bururi and Songa communes, Bururi province (south of the country) on August 19, 2017. The victim was naked with the arms tied in the back with a rope, a sign of an execution.

Sos-Torture Burundi notes that the police and administration ordered the evacuation of the body to the mortuary and not the burial in haste as was observed for several victims executed and found in rivers. This made it possible to identify the victim by his relatives on August 23, 2017 after the macabre discovery and the uncertainty related to the fact that the family had no news of the victim since the day before the discovery of his body.

Mrs. Masabarakiza was a widow and lived in the province of Gitega with her child. She was also the manager of a bar called Circle, located in the compound of the SOSUMO (Sugar Company of the Moso) in Rutana (south-east of the country) where the marital home was before the death of her husband. Bururi police and prosecutor have not arrested any suspects to date.



The victim's body at the time of its discovery in the Jiji River



The victim had his arms tied behind his back



Mrs Noëlla Masabarakiza in her lifetime

- - Unidentified individuals attacked a bistrot called 'Butezi' in the Gitega City Center (center of the country) on 19 August 2017 in the evening. The attackers injured three (3) persons.
- - Unidentified individuals assassinated Ananie Habonimana on Rusengo Hill, Gashikanwa commune, Ngozi province, on August 19, 2017. The victim is a young student. Relatives reported that he was allegedly eliminated by local militiamen imbonerakure for having refused to patrol their side at night. The police have not identified any suspects to date.
- - An unidentified individual thrown a grenade in the center of Rusaka commune, Mwaro province (center of the country) on 20 August 2017 in the evening. Witnesses reported that nearby policemen responded with sharp shots and wounded two persons who tried to escape after the explosion of the grenade.
- - Unidentified individuals murdered by machete René Ntahompagaze in the central province of Muramvya on August 20, 2017. Relatives reported that the victim had narrowly escaped a grenade attack. No suspects have been arrested by the police to date.
- - Unidentified individuals murdered Rogatien Gahungu, whose body was found on Gitongo Hill, Mutaho commune, Gitega province, on August 21, 2017. Witnesses reported that the victim had traces on head, stomach, neck injuries and his testicles had been cut off. Mr. Gahungu lived as a bicycle taxi in the community.
- Sos-Torture Burundi notes the arrest of four (4) suspects, but the police did not communicate their identities.
- - Imelde Mbabarempore was murdered in Dusozi, commune of Butaganzwa, Ruyigi province, on August 21, 2017. Relatives reported that her husband Leonidas Barendayabo was the author of the crime. He was alleged to have acted following a dispute related to the presence of the mistress of the alleged offender.
- Sos-Torture Burundi notes that after the crime, residents of the locality, including young members of the imbonerakure league of the ruling party, prosecuted the alleged criminal and tortured him to the point of losing consciousness and falling into a coma. The police have not arrested any suspects linked to killings.
- - Unidentified individuals stabbed a certain Joseph Karikuru on Gabiro Hill, Ruvyagira zone, Rugombo commune, Cibitoke province (northwest of the country). Witnesses report that the victim was working as a lemon field watchman.

- A grenade seriously injured three (3) children on Gishubi Hill in Butaganzwa, Ruyigi Province, on August 23, 2017. Relatives report that the children Alexis Niyokwizera, Hafashimana Tresor and a third accompanied a herd of Goats when they found the grenade. Not knowing what it was, they played with the craft that exploded.
- The police have yet to determine how the explosive device ended up in the wild.
- SOS Torture Burundi finds urgent the disarming of the civilian population to avoid these serious incidents.
- An individual murdered a 14-year-old child on Mukungu Hill, Nyanza Lac commune, Makamba province (south of the country) on 24 August 2017 in the evening. Relatives report that the paternal uncle of the victim was arrested by the police as the main suspect; but the police have not yet communicated the motives of this assassination.
- Unidentified individuals attacked with machetes Pascasie Karabagega on Mparambo hill, Rugombo commune, Cibitoke province (northwestern part of the country) on August 24, 2017. The victim was seriously injured and stolen from his possessions and reported that his executioners were five in number (5). The police have not yet identified a suspect.

2. Violations of the right to liberty and physical security

- Police agents arrested ninety-eight (98) persons in the compound of Mutanga university campus, Mukaza commune (central Bujumbura) on 19 August 2017. These arrests took place after a search operation and very early morning searches by numerous heavily armed policemen including agents of the Anti-Riot Brigade (BAE) regularly involved in human rights violations since the beginning of the crisis.

Sos-Torture Burundi notes that all those arrested are students of the University of Burundi and their comrades from other higher institutions who were staying in the Mutanga campus; with a predominance of university graduates (totaling 78 students) who wrote their dissertations. These arrests also occur after days of tension caused by the nocturnal rounds of students from the ruling CNDD FDD party, who attacked their non-party comrades. The police must clearly indicate the charges against these students, and release them in the contrary case.



BAE policemen during operation at Mutanga campus

- - On 19 August 2017 in the evening Imbonerakure militiamen illegally arrested and beaten Richard Ntakarutimana and Jean Marie Ndayishimiye on Mwumba Hill, Mutaho commune, Gitega province (center of the country). Witnesses report that the imbonerakure militiamen accused the two young men of having lowered the flag of their party CNDD FDD from its mast.
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- - Police agents arrested Donatien Bihumugani and Salvator Budigoma in the center of Rusaka commune, Mwaro province (center of the country) on 20 August 2017. Both are teachers, and the police carried out the arrests after a grenade attack in the Rusaka commune (see point 1 of this report).
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- Sos-torture Burundi has learned from relatives that Bihumugani is also a member of the opposition party FRODEBU (Front for Democracy in Burundi), and denounces arbitrary arrests.
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- Imbonerakure militiamen beat up Triphonie Muhayimana (38 years) on Kirasira Hill, Butezi commune, Ruyigi province, on 20 August 2017. Witnesses report that the group was headed by Mabuye. The militiamen also threw stones at the victim, wounding a two-month-old baby that Ms. Muhayimana wore on her back.
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- Sos-Torture Burundi noted that the police had not opened any investigations, while two (2) persons, including one baby, almost died. The fault of Triphony Muhayimana is to have denounced the illegal trade of prohibited alcoholic beverages.
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- Police agents arrested Thomas Harerimana in the center of Makamba commune, Makamba province (southern part of the country) on 21 August 2017. He is an anesthesiologist at the hospital in Makamba. Relatives reported that the arrest was ordered and directed by the governor of Makamba province Gad Niyukuri, after surgery on a patient who he died after.
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- Sos-Torture Burundi notes that Mr. Harerimana is accused of not providing assistance to a person in danger. However, no medical expertise was provided to support these charges. There is also inappropriate involvement of the provincial governor, who fears an arbitrary arrest given the governor does not have the prerogatives to arrest a person...
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- In addition, an expeditious justice was applied in this case, with a sentence of 13 years in prison decided by the judges of the Makamba Intermediate Court against Thomas Harerimana in less than 24 hours (22 August 2017). In addition to this prison sentence, the judges imposed an indemnity of 5,200,000 francs to be paid by the person concerned to the patient's family, or an additional 25 years in the event of insolvency.
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- Soldiers arrested Innocent, Emery Niyongere and a woman identified as the boss of the first two in downtown Bujumbura on 21 August 2017 in a public secretary's office. Witnesses report that the work equipment was seized and taken away during the arrest. The army did not communicate the reasons for the arrests.

Sos-Torture Burundi a cependant appris de certains témoins que les militaires seraient à la recherche de documents dérobés à l'état-major de l'armée, et qui auraient été utilisés dans ce secrétariat public par l'auteur du vol.

- Imbonerakure militiamen have beaten Nizigiyimana mediatrice (17 years) on Muyange hill, Mubira zone, Butezi commune, Ruyigi province (East of the country) on 22 August 2017 around 6 am. The group was led by Elie (20 years). Witnesses report that the harm of this minor girl is to have declined the advances of a member of the militiamen imbonerakure who was requesting her hand.

Sos-Torture Burundi notes that the imbonerakure militiamen imposed by force and violence their good will on the hills. The administration and the police remain silent in case of violations involving these militiamen.

- On 22 August 2017 the chief of police in Mabanda commune in southern Makamba province arrested Salvator. Witnesses reported that the officer accused the man of throwing stones at his neighbor's house. The same officer also ordered the arrest of Mr. Salvator's daughter.

Sos-Torture Burundi notes that the judicial police officer in charge of the case found the charges insufficient and decided to release them. However, Salvator and his daughter remain subjected to arbitrary arrest since they are kept in detention by the head of the post in Mabanda.

- Imbonerakure militiamen arrested and beaten Ngarama and his wife Minani on Ruharo Hill Nyabitsinda commune, Ruyigi province, on 22 August 2017. Witnesses reported that the militiamen group was led by Ferdinand Kanani, accused the couple for having quarreled with one of their brothers-in-law. The same militiamen demanded that the couple pay them 15,000 francs to stop their torture.

Sos-Torture Burundi notes an increase of cases of violations committed in Ruyigi province by imbonerakure militiamen who enjoy complete impunity. Ferdinand Kanani is regularly quoted in cases of torture, but has never been investigated despite the many victims under his responsibility (see **Sos-torture Burundi report No. 86**: <http://sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-ume%CC%81ro-86-en-En-1.pdf>).

- - Police agents arrested Edouard Nkunzimana on the Ruhinga hill, Nyagasasa zone, Mugamba commune, Bururi province (southern part of the country) on 24 August 2017. Relatives reported that these agents did not give the reasons for the arrest.

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- **3 . Situation of Burundi refugees in the camps**
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- Burundian refugees based in Lusenda camp Democratic Republic of Congo report very difficult living conditions in the camp. The Lusenda camp is located in South Kivu Province (eastern DRC), in the territory of Fizi in the Tanganyika zone. The camp is built within 2 km of the shore of Lake Tanganyika serving as a border between Burundi and the DRC. Lusenda camp is also 65 km from the Kavimvira crossing border. To the west of the camp are the high plateaus overlooking the camp, an environment sheltering many rebel groups. To the south of the camp there are the localities of Sebele, Baraka (22km) and Malinde which are also environments sheltering the group Mai Mai Yakutumba.
- - The geographical situation is already a major challenge for the security of the refugees who live in a zone of conflict, with the presence of several armed bands and rebel groups of parts and others of the camp of Lusenda.
- Burundian refugees were also forcibly deported to Burundi. These refugees are arrested by the intelligence services and the Congolese police without warrants, who accuse them of attacking the security of the State before handing them over the Burundian police. Before being deported, Burundian refugees arrested in Lusenda are detained and sometimes beaten in the custodies. Some refugees reported that they had been threatened and intimidated by Congolese police agents who told them they would return to Burundi by force and under bullets. Burundian refugees should be relocated to another camp because Lusenda is far too close to the border with Burundi and the refugees do not feel safe.
- The same testimonies of the refugees reveal a corruption maintained by the Congolese police. Thus, to provide food and water for a detained Burundian refugee, his relatives must each pay 500 francs to the guard. To get out of the custodies, you have to pay between 10,000 and 100,000 francs.
- - The education system in Lusenda camp also does not allow an evolution of Burundian children. Pupils are thus expelled from school when humanitarian organizations are slow to pay operating costs to local schools. They also do not receive education in a language they understand, despite the demands to integrate Burundian teachers into the camp's schools. Graduate studies are non-existent in



Lusenda, leaving many young Burundian refugees idle due to Lack University. This situation risks jeopardizing the future of Burundian youth.

The Congolese authorities must review the situation of Burundian refugees in Lusenda in order to create a climate of trust between the refugees and the day-to-day managers of the camp in terms of security, education, social and health care.

SOS-Torture / Burundi was initiated with the aim to inform national and international opinion on serious human rights violations underway in Burundi through monitoring reports, including 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 people killed during the day of 11 and 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 quarters are said to be challenging the third term of President Nkurunziza Musaga, Mutakura, Cibitoke, Nyakabiga, Jabe, the last two being located in the center of the city of Bujumbura.