

REPORT N ° 90 OF SOS-TORTURE / BURUNDI PUBLISHED 2 SEPTEMBER 2017

This report of SOS-Torture covers the period from 26 August to 2 September 2017 about human rights violations in Burundi.

At least eight (8) persons were murdered during the period. Among the victims are at least six (6) cases that the police have not elucidated to date including bodies found in fields or valleys. During the same period, several people including policemen were wounded with machetes by a member of the imbonerakure militiamen in Ruyigi. A man National intelligence officer attempted to shoot a man in Gitega.

The report also refers to fifteen (15) arbitrary arrests in various localities, including twelve (12) young people disembarked from a transport bus from Uganda. The police have not communicated their place of detention, which raises fears of enforced disappearances.

SOS-Torture Burundi also mentions testimonies of victims of rape and sexual exploitation still ongoing after their arrests by members of the militia imbonerakure and police officers. The testimonies are being collected from the women and girls who have managed to take refuge in the countries of the sub-region.

1. Violations of the right to life and physical integrity

-On August 26, 2017 in the evening Unidentified individuals assassinated Bonheur Girukwishaka on Rukana Hill, Rugombo commune, Cibitoke province (northwestern) . Relatives report that the victim was killed by a group of young people on night patrol.

SOS-Torture Burundi notes the arrest of a suspect by the police. Night patrols of men in civilian uniforms are often reported by members of the imbonerakure militiamen who justify these patrols for security reasons in order to support security agents. The findings, however, is that criminal acts are increasing, and most often without the identification of the perpetrators.

- A member of the CNDD FDD militiamen attacked with a machete eight (8) persons, among whom five (5) police agents and three civilians in Gasanda district, Ruyigi commune and province (eastern part of the country) on August 8, 2017, . The author of the attack was identified as Reverien Manirakiza.

SOS-Torture Burundi notes the arrest of the alleged perpetrator of the attack, although he was in turn seriously wounded by police agents in retaliation. He must be adequately cared for in order to be held accountable for his actions. This rapidity in arresting the perpetrator of the attack should also be seen in several other acts of aggression where imbonerakure militiamen regularly attack civilians in Ruyigi province and with impunity.

- Individuals attacked by machete Bonith Habonimana in his house on Nyempundu Hill, Mugina commune, Cibitoke province (north-western) on 27 August 2017 in the evening. The victim is a local trader who claims to have identified his attackers as members of the imbonerakure militia who were patrolling illegally.

SOS-Torture Burundi notes the arrest of a suspect by the police.

- The head of the national intelligence service in the northern province of Muyinga attempted to shoot a man in Shatanya quarter and Gitega province in the center of the country on 28 August 2017 in the evening. The victim is a material handler who unloads goods from a truck. Witnesses reported that this SNR agent known as Gérard Ndayisenga who was not in his circumscription asked for the identity documents of the handlers present and took his weapon to shoot the victim without explanation.

SOS-Torture Burundi notes that the victim was seriously injured and evacuated for treatment. However, the police and the prosecution are once again exemplified by impunity, leaving the author of the assassination attempt free.

- Unidentified individuals murdered a man whose body was found on the Mbizi hill, Kibago commune, Makamba province (south of the country) on August 29, 2017. SOS-Torture Burundi notes that the victim was not identified, but the administration ordered his burial without further investigation.

- Police agents used real bullets during clashes with local traders at Kiyange market in Kibago commune, Makamba province (southern part of the country) on August 29, 2017. Witnesses report that traders were trying to shoot to oppose seizure of their goods by agents of the Burundian Office of Revenue (OBR). A shopkeeper and a policeman were injured.

SOS-Torture Burundi notes the disproportionate use of armed force to try to control the protests of unarmed populations.

- Unidentified individuals murdered a man whose body was found on Kagazi Hill, Rugombo commune, Cibitoke province (northwestern part of the country) on August

29, 2017. The victim was slaughtered, but the police did not identify the perpetrator (s) of the assassination.

- The body of a young boy was found on Mbizi Hill, Kibago commune, Makamba province (southern part of the country) on August 29, 2017. The body was laying near the Maragarazi River which crosses the locality.

SOS-Torture Burundi notes that the young boy was not identified, nor the circumstances of his death determined.

- Individuals assassinated Thomas Minani nicknamed Ganda on Kiyabu Hill, Muriza District, Butaganzwa Commune, Ruyigi Province (East of the country) on August 30, 2017 in the evening. Relatives reported that the victim was strangled and robbed of his goods.

SOS-Torture Burundi notes the arrest of three (3) suspects, including one who confessed to guilt. However, the police did not provide the identity of the alleged perpetrators.

- Unidentified individuals killed Gaspard Niyokwizera on Donge-Burasira hill, Mugamba commune, Bururi province (south of the country) on 30 August 2017 in the evening. The victim is a demobilized soldier of the former Burundian Armed Forces (FAB) before the creation of the present merged army called FDN including former rebels.

SOS-Torture Burundi notes that the police have not identified any suspects to date, and that the robbery as a motive for the assassination is not convincing.

- Unidentified individuals murdered Athanase Manirakiza whose body was found on Mwanda hill, Bubanza commune and province (western part of the country) on August 30, 2017. Witnesses report that the victim is a former detainee who benefited a measure of enlargement by presidential pardon there only few months.

The police have not yet identified suspects.

- Unidentified individuals murdered Abel Ciza on Kiyabu Hill, Butaganzwa commune, Ruyigi province, on August 31, 2017. Witnesses report that the victim was slaughtered.

SOS-Torture notes arrest of three (3) suspects by police, but their identity is not known.

2. Violations of the right to liberty and physical security

- The chief of police at the Ruhwa border crossing, Rugombo province, Cibitoke province, (northwestern of the country) arrested two (2) men of Tanzanian nationality on 28 July 2017. Witnesses reported that the two (2) were returning to Rwanda for a family visit. They were then handed over to the head of the Cibitoke National Intelligence Service.

SOS-Torture Burundi learned from the same witnesses that the two men were tortured at their arrival to the SNR cell in Cibitoke. To this day, apart from these tortures, the intelligence service did not communicate the reasons for these arrests and detention. The public prosecutor also did not indicate any charges. These are undoubtedly arbitrary arrests, and the victims are kept under these conditions despite the tortures they have suffered.

- Police agents arrested Francine Nishimwe in the center of Rugombo commune, Cibitoke province (north-western part of the country). Relatives reported that the young woman was the victim of refusing to send her to Oman where she feared she would be exploited. Ms. Nishimwe received money from a nurse named Irene Irakoze to help her quickly buy a passport that would allow her to leave for a promise of paid work in Oman. It was after the young woman's discontinuance that the nurse used her influence to have her arrested and imprisoned.

SOS-Torture Burundi notes an arbitrary and unlawful arrest without a warrant. The public prosecutor must show his independence and order his release without any preconditions.

- Police agents arrested 68 youths in the Nyabugogo quarter of Gitega province on August 25, 2017. Witnesses and relatives reported that these young people were meeting to discuss their unemployment problems, and the arrest was ordered by the chief of this district.

SOS-Torture Burundi notes that the chief of quarter accused them of organizing an illegal meeting. However, mentioning unemployment problems is not an infringement, especially since the persons concerned did not hide. These are arbitrary arrests and violations of the right to freedom of movement and assembly. The young people are from the provinces Muramvya, Karusi, Ngozi and Cankuzo.

SOS-Torture Burundi also notes their release on 28 August 2017 after three days of illegal detention.

- Police agents in civilian clothes arrested twelve (12) young men in a bus in the Kamenge zone, Ntakangwa commune (north of Bujumbura city) on 30 August 2017. Witnesses reported that the bus came from Uganda, and the police agents screened the passengers to target these young people before they beat them and take them on board.

SOS-Torture Burundi also learned from witnesses that the victims were accused of staying for several days in Uganda to join rebel groups. However, these charges have not been proved to date, and the police have also not communicated the place of detention of these young people. These are arbitrary arrests with fear of enforced disappearances, as several people were reported missing after their arrest at the entrance to the town by Kamenge. This is the case of Fiston Nsengiyumva arrested on 18 August 2017 in Kamenge, and reported missing since that day (**see Sos-Torture Burundi Report No. 88:** <http://sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-numsos81ro-88-en-Fr.pdf>).

3. Muyinga Prosecution Office refuses to enforce judicial decision

The Muyinga Provincial Prosecution service refuses to comply with a decision of the Muyinga Intermediate Court on the release of two soldiers acquitted by the judges. They are Officer Moise Nimubona and non-commissioned officer Antoine Nizigiyimana. However, the Muyinga intermediate Court delivered its judgment on 4 August 2017 ordering the release of these two incarcerated soldiers in the case of the attack on the Mukoni camp since January 2017 (**see Sos-Torture Burundi report N ° 86:** <http://sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-numsos81ro-86-en-Fr-1.pdf>).

SOS-Torture Burundi notes that Muyinga Public prosecution service has appealed against this decision, but must execute the judgment in accordance with the law, and in particular Article 203 of the Code of Criminal Procedure, which stipulates "An accused who, at the time of judgment in preventive detention is acquitted or sentenced to a simple fine, shall be released immediately, notwithstanding appeal, unless he is detained for any other cause".

These two soldiers have been illegally detained for more than four weeks.

Five other soldiers detained in the same case were sentenced to various sentences ranging from 6 months to 5 years in prison for interfering with the internal security of the state and complicity in armed robbery against the Mukoni military camp. The convicted soldiers were arrested at their duty stations in various provinces such as Kirundo, Mutukura and Mukoni in Muyinga province.

Some soldiers had been tortured in the wave of arrests after the attack, and were dispersed in various prisons in the country (see **Sos-Torture Burundi No. 59 and 60**: <http://sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-nums%CC%81ro-59-en-Fr.pdf> and <http://sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-nums%CC%81ro-60-en-En.pdf>)



Moise Nimubona, an officer acquitted by the Tribunal but still detained

4. Refugee victims of sexual violence testify

Imbonerakure militiamen members of the ruling CNDD FDD party and police agents raped and sexually exploited women and girls after their arrests since the beginning of the crisis. Some victims were raped in eyes of their children and / or husbands before their husbands were executed on the pretext that they were members of the opposition parties.

Survivors whom SOS-Torture Burundi has encountered in their countries of refuge in the sub-region have not only immediate wounds, but also long-term consequences such as depression. SOS-Torture Burundi was able to document and meet at least twenty (20)

victims of sexual violence, including twelve (12) perpetrated by the imbonerakure militiamen and eight (8) by men in police uniforms. Authors have been identified but are still free due to the climate of impunity that covers the perpetrators and the silence of many victims.

The illustrative case is that of K.G. She testifies that she was arrested at her home by persons in police uniform and taken to the National intelligence office where she was interrogated (for her safety, the place of arrest and detention is not mentioned in this report) in 2016. These men in police uniforms accused their father, who was a military man, of possessing weapons and training young people from the so-called quarters which protested against Nkurunziza's third term. They wanted to know where his father hides the weapons. K. G. was raped in turn for three successive days.

The last day was the worst case. Six people raped her successively with slogans such as "at all costs, you have to give birth".

SOS-Torture Burundi is concerned about the situation of victims of sexual violence. Many of them did not go to the hospital for health care after suffering this violence, fearing that the staff can be friends or close to their abusers. SOS-Torture Burundi also fears unwanted pregnancies and sexually transmitted diseases, and calls on victims of sexual violence or their families to overcome this fear and at least go to the hospital for emergency first aid or to detect and know if they have not caught sexually transmitted diseases.



SOS – Torture/Burundi

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

SOS-Torture / Burundi was created 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 carnage of a hundred people killed during the day of 11 and 12 December 2015 by the police agents and soldiers under the pretext of tracking rebel groups which came and attack military camps on the outskirts of Bujumbura capital city. The affected quarters were said to be challenging the third term of President Nkurunziza, namely Musaga, Mutakura, Cibitoke, Nyakabiga, Jabe, the last two being located in the center of Bujumbura

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