



SOS – Torture/Burundi

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

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This report of SOS-Torture covers the period from 7th to 14th January 2017 and focus on serious human rights violations that continue to be committed with impunity in Burundi.

At least thirteen (13) persons were murdered in various areas of the country. Among them are recently eight bodies without lives found in a bush in the Kanyosha zone south of the capital Bujumbura. The local administration hastened to bury the victims without any attempt to identify them or investigate the circumstances in which the murders were committed. In Cibitoke province, targeted assassinations based on allegations of witchcraft have been increasing for several weeks. SOS-Torture Burundi reports two new cases this week.

The report also refers to the arbitrary arrests of an officer still at work in the Burundian army. The National Intelligence Service regularly conducts military arrests when it is not empowered to question in service military personnel because only the military police and the general auditorate or auditorate according to the category and grade of the member concerned have the prerogatives to carry out this operation. Military judicial authorities remain silent in the in front of procedural flaws.

1. Arbitrary arrest, kidnappings and forced disappearances continue

- Police officers arrested Alexis Hamenyimana in Kigwena zone, Rumonge commune and province (south of the country) on January 7th, 2017. Relatives reported that the decision to arrest him came from the governor of Rumonge. Mr. Hamenyimana is accused to oppose the expropriation of his lands and other inhabitants in the Kagwena zone

SOS-Torture Burundi notes that this is an arbitrary arrest whose sole purpose is to prevent inhabitants from freely asserting their property, a right recognized by the Constitution of the Republic of Burundi in its article 36 which provides.

"Everyone has the right to own a property.



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No one may be deprived of his property except on grounds of public utility in the cases and in the manner established by law by means of a just and prior indemnity or in execution of a judicial decision which has the force of res judicata” .

Sos torture asks that this constitutional provision be respected by the provincial authorities in their plans for expropriation.

- National Intelligence Service agents arrested Major Elie Niyonkuru, an officer of the Burundian army, at his home in the Kajiji quarter, Kanyosha zone, Muha commune (south of Bujumbura) on 12th January 2017. No grounds for " Arrest was mentioned during the operation. Relatives reported that Major Niyonkuru was assigned to the Burundi peacekeeping contingent in Somalia (AMISOM) and was on special leave following the death of his mother and sister.

SOS-Torture Burundi notes that he was released the next day after one night in the custody of the same intelligence service "SNR", the attack on the internal security of the State is the burden that burdened him before being released of irrefutable evidence of this accusation that SOS Torture deems fanciful. The SNR agents continue to violate the law, since they are not authorized to carry out arrests militaries in active service. Only the military police or the military auditorate are authorized to carry out such arrests. Since the beginning of the crisis, several active military personnel (officers, non-commissioned officers and troop men) have been arrested and detained illegally by intelligence agents without any intervention on the side of military authorities in front of these serious and systematic violations of Procedures.



Major Elie Niyonkuru, arrested by SNR and detained for 24 h

- The police arrested a retired soldier, Savin Nsavyimana, in Gitunda, Nyanza Lac commune, Makamba province (southern part of the country) on 12th January 2017. The decision came from the prosecutor's office, which issued a warrant for the illegal possession of Weapons".

SOS-Torture Burundi notes, however, that Mr. Nsavyimana was arrested for the first time on 25th December 2016 and released by the same prosecution for lack of evidence (only a cartridge and a magazine had been found during a search of some households in the neighborhood). No new charges justify this second arrest.

2. Assassinations, summary executions and armed attacks

- Several bodies have been found in the Ruziba district, Muha commune (south of Bujumbura) on 7th January 2017. The local administration immediately ordered the burial of the victims without any will to identify them. Witnesses mention the presence of six to eight bodies, all victims murdered. The administrative authorities who hastened their burial didn't explain the circumstances of these assassinations and the manner in which these bodies arrived at their discoveries.

SOS-Torture Burundi notes that this is not the first time victims of assassinations have been hastily buried by the administration without prior investigation and identification of the victims. This was the case in September 2016 with bodies of two persons murdered and then thrown into the Mubarazi River; the administration hastened to burial them before the doctors had completed their expertises. (cf. report **SOS-Torture Burundi No. 36**: [http://sostortureburundi.org/wp-content/uploads/2016/10/SOS-TORTURE-BURUNDI-REPORT-N% C2% B036.pdf](http://sostortureburundi.org/wp-content/uploads/2016/10/SOS-TORTURE-BURUNDI-REPORT-N%20C2%B036.pdf)). The victims are certainly the kidnapped persons, whose families have no news. By doing so, the administration knowingly wipes out any possible paths leading to the perpetrators of these despicable acts. This is also a culture of impunity that is gradually taking hold with the administration's blessing.

- Unidentified individuals murdered Cyril Habonimana nicknamed 'Mujos' in the Musaga zone (south of Bujumbura) on the first avenue; His body was found hanged with traces of physical abuse on January 8th, 2017 in a house under construction. Relatives reported that Habonimana had not been seen four days before his body was discovered.



The body of Mr. Habonimana after being discovered in a construction site

- Unidentified armed individuals murdered Charles Ndizeye on Bihanga hill, Matana zone and commune, Bururi province (south of the country) on 8th January 2017 in the evening. The victim was in his shop at the time of the attack.

- A young child died as a result of the explosion of a grenade on Gishubi hill, Muramvya commune and province (center of the country) on 9th January 2017. The child had in his hand the grenade belonging to his father, one Former peacekeeper at the time of the Civil War (1993-2002).

SOS-Torture Burundi regrets the irresponsibility of parents who possess weapons and leave them within reach of their children. It is not the first drama that carries the lives of young children. This again demonstrates the emergency of disarming the civilian population in order to save the lives of the victims of this crisis, which means that the civilian population still holds firearms.

- Individuals armed with pangas assassinated Felix Ntukamazina and Onesphore Marondereye on Mageyo Hill, Butahana zone, Mabayi commune, Cibitoke province (northwest of the country) on 9th January 2017 in the evening. Witnesses report that they are victims of revenge after the unexplained death of a woman the two men had met. The head of the national service arrest two young men, Claude Nsabimana and Ferdinand Nizigiyimana, who were found with bloody machetes.

SOS-Torture Burundi notes, however, that several cases of crimes are committed on allegations of witchcraft in Cibitoke province. The police fail to cope with this new form of criminality to identify the perpetrators and determine the motives, but merely advances that these crimes are related to witchcraft.

3. Discovery of human bones in Mwaro

Human bones were discovered on a site for the construction of a school trades on the Gasenyi hill, Makamba zone of Rusaka commune, in Mwaro province (center of the country) on January 10th, 2017. Bones of at least six persons according to the remains discovered, notably the number of skulls, and which would date from several years.

SOS-Torture Burundi is pleased that the Truth and Reconciliation Commission has taken responsibility for the management of the site to bury the remains and to try to determine the circumstances in which these persons were killed and buried in a mass grave. .



View of mass grave on Makamba hill at the time of discovery

The SOS-Torture / Burundi campaign was initiated with the aim of informing national and international opinion on serious human rights violations ongoing in Burundi through monitoring reports, particularly about torture, Arbitrary arrests, forced disappearances, sexual violence and summary executions. This initiative to inform about the realities of the country followed the slaughter of a hundred people killed during the day of December 11th and that of December 12th, 2015 by the national police and military under the pretext of pursuing rebels who came to attack military camps on the outskirts of Bujumbura capital City. The affected areas are said to be challenge to third term of President Nkurunziza among others Musaga, Mutakura, Cibitoke, Nyakabiga, Jabe, the last two being located in the center of Bujumbura City Hall.