



SOS-TORTURE/BURUNDI REPORT NO. 55 PUBLISHED ON 31TH DECEMBER 2016

This SOS-Torture report covers the period from 24th to 31th December 2016 and highlight violations of human rights in Burundi.

The report first of all refers to the alarming situation in Burundi, with ten thousand (10,000) detainees having been reached in December 2016. Among those detainees, the accused are far superior to those convicted, confirming the various allegations SOS Tortures and other human rights organizations have reported arbitrary arrests since the beginning of the crisis. In addition to violations of prisoners' rights, their health conditions are exposed to the risk of disease and other nutrition problems.

At least seventeen (17) persons were arrested during the week in various areas. Among them is a trade union leader, Mr. Tharcisse Gahungu, who was arrested while holding a trade union meeting in Ijenda. Activists from the opposition party FNL are also among those arbitrary arrested, including two forced disappearances in Murwi. The majority of the arrests recorded were carried out by agents of the national intelligence service.

SOS-Torture Burundi also reports seven (7) persons murdered in various areas, including three persons from the same family. A grenade held by civilians also exploded, causing death to a child playing with it in Songa commune, Bururi province.



1. Prison situation: the bar of 10,000 detainees exceeded

SOS-Torture Burundi regularly reports on the prison situation in Burundi, a sign that shows the gravity of arbitrary arrests in Burundi, serious overruns of pre-trial detention and other violations of the rights of persons deprived of their liberty.

The prison situation published previously (see **SOS-Torture Burundi Report No. 50**: <http://sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-ume%CC%81ro-50.pdf>) Showed that Burundi's prisons were full of 9,815 detainees (including 5165 defendants and 4,521 adult convicts, 129 minors in the same situations as well as infants forced to stay with their imprisoned mothers).

The situation at the end of 2016 shows that the number of detainees reached 10,051 (including 5,067 prisoners and 4,869 convicts, 108 minors and 73 infants kept with their mothers). This number is very alarming given the prison capacity unchanged for years, ie 4.194 places. The inhumane living conditions of prisoners in these penitentiaries are necessarily inhuman and degrading treatment.

SOS-Torture Burundi notes that the accused are far superior to those convicted, which tends to confirm the arbitrary arrests in large numbers regularly recorded. In addition, the Minister of Public Security announced in his annual report on 21th December 2016 that more than 7,000 persons had been arrested during the year.

SOS-Torture Burundi calls on the judicial authorities and prison officials, in the absence of speeding up trials, to consider the implementation of alternative sentences such as community service provided by the law governing penitentiary systems in order to reduce the number of detainees.



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The following is a summary of the prison situation at the end of December 2016:

| PRISONS | ACCOMMODATION CAPACITY | PRISONS' POPULATION | NUMBER OF ARRESTS | | NUMBER OF CONVICTED | | MINORS ARRESTED | | MINEURS CONVICTED | | EVADED | DECEASED | INFANTS | | RATE OF OCCUPATION |
|----------------|------------------------|---------------------|--------------------------|------------|--------------------------|------------|--------------------|----------|--------------------|----------|----------|----------|----------------------|-----------|--------------------|
| | | | H | F | H | F | G | F | G | F | | | G | F | |
| BUBANZA | 100 | 409 | 176 | 7 | 217 | 9 | | | | | | | | 4 | 409.00% |
| BURURI | 250 | 272 | 167 | 7 | 88 | 10 | | | | | | | 2 | 1 | 108.80% |
| GITEGA | 400 | 919 | 443 | 29 | 423 | 24 | | | | | | | 2 | 6 | 229.75% |
| MPIMBA | 800 | 3,578 | 2,425 | 100 | 1,008 | 44 | | | | 1 | | | 9 | 10 | 447.25% |
| MURAMVYA | 100 | 620 | 292 | 12 | 304 | 12 | | | | | | | | 3 | 620.00% |
| MUYINGA | 300 | 504 | 191 | 12 | 290 | 11 | | | | | | | | | 168.00% |
| NGOZI (F) | 250 | 125 | | 25 | | 89 | | 6 | | 5 | | | 1 | 11 | 50.00% |
| NGOZI (H) | 400 | 1,455 | 553 | | 902 | | | | | | | 1 | | | 363.75% |
| RUMONGE | 800 | 1,177 | 288 | 9 | 863 | 17 | | | | | | | 2 | 2 | 147.13% |
| RUTANA | 350 | 299 | 107 | 2 | 177 | 12 | 1 | | | | | | | 2 | 85.43% |
| RUYIGI | 300 | 591 | 216 | 6 | 353 | 16 | | | | | | | 2 | 1 | 197.00% |
| CENTRE RUYIGI | 72 | 65 | | | | | 8 | | 50 | | | | | | 90.28% |
| CENTRE RUMONGE | 72 | 37 | | | | | 22 | | 15 | | | | | | 51.39% |
| TOTAL | 4,194 | 10,051 | 4,858 | 209 | 4,625 | 244 | 31 | 6 | 65 | 6 | 0 | 1 | 3 3 | 40 | 239.65% |
| | | | 4858 + 209 = 5067 | | 4625 + 244 = 4869 | | 31 + 6 = 37 | | 65 + 6 = 71 | | | | 33 + 40 = 73 | | |

If authorities do nothing to relieve congestion, the health situation of prisoners is likely to become very difficult. The figures in the table reflect only prisoners in official prisons. The number of persons detained in police cells, in the custody of the national intelligence service, without mentioning persons held in unofficial places of detention, certainly aggravated the situation.

2. Arbitrary arrest, kidnappings and forced disappearances continue

- The head of the national intelligence service of Rumonge province arrested Omar Ntambara on December 21th, 2016 in the Gatete zone, commune and province Rumonge (south of the country). Relatives say that this man is a militant of the FNL opposition party led by AGathon Rwaswa, the deputy speaker of the National Assembly. Mr. Ntambara was arrested after his return from exile in Tanzania. The fault of this opposition activist is that he demonstrated against the third term of Burundian President Nkurunziza in April and May 2015. The police and the SNR is seeking to charge him for armed robbery in Lake Tanganyika and illegal detention of weapons.

- Over a two-week period head of the national intelligence service in northern Kirundo province arrested around ten young people from Rwanda (a neighboring country and bordering with Kirundo province). These young people had taken exile in Rwanda because of the crisis. Witnesses reported that they were being screened among the passengers from Rwanda and taken to the Kirundo police station.

No warrant was presented to the concerned young people who returned of their own free will after a period of exile. Relations between Burundi and Rwanda have been deliorated since the beginning of the crisis, and people who took refuge there are perceived as enemies by the Burundian authorities. The identity of the young men arrested is not yet known.

- The head of the national intelligence service in Rutana Province (south-eastern of the country) arrested Benoit Sindayigayas on Mwayi Hill in Rutana commune on December 25th, 2016. Witnesses testified that he was taken after arrest for detention. He was then taken to an unknown destination. The young father was subsequently brought back to a very critical state after a torture session by the National Intelligence Service.



SOS-Torture Burundi notes that the young man, whose charge of illegal weapons has not been proved, was tortured by state agents instead of being presented to a judicial police officer to investigate his case. He was also taken to an unrecognized place as an official custody. The young man was not the only victim of torture that day because his mother named Leonie Manisha and his children and his wife were beaten by the same agents while his family tried to rescue him after finding his condition. Criticism due to torture. SOS-Torture Burundi finds that the agents responsible for torture have not been investigated. They illegally keep the young man who also failed to receive appropriate care.

- National intelligence agents arrested Elie Bizabishaka in the Bukeye commune, Muramvya province (centre of the country) on 26th December 2016. He is a militant of the FNL (National Front for the Liberation) opposition party, Faithful to Agathon Rwasa, the deputy president of the Burundian National Assembly. Witnesses report that he was disembarked from the vehicle carrying him and taken by the Muramvya SNR officer without a warrant. The young man is one of the youth leaders of the FNL party. He was transferred to the Muramvya Police Station on 28th December 2016.



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Elie Bizabishaka, arrested by SNR Muramvya

- National Intelligence Service agents arrested Tharcisse Gahungu in the Ijenda zone, Mugongo Manga commune, Bujumbura province, on 28th December 2016. The president of the Confederation of Trade Unions of Burundi (COSYBU) held a trade union meeting with the Employees of the tea sector in Burundi. No reason was given during his arrest or any warrant presented to the person concerned. His relatives said that the decision to arrest him came from the Director-General of the Burundi Tea Office (OTB) who had opposed the holding of this trade union meeting.

SOS-Torture Burundi notes that in the absence of sound reason, Mr. Gahungu is a victim of his trade union activities, yet guaranteed by the laws in Burundi. This confirms the measures to block any area of public freedom to trade union organizations in Burundi.



M. GahunguTharcisse, leader of trade union detained by SNR

Mr. GahunguTharcisse was then released by the national intelligence service on the evening of December 30, 2016.

- The head of the national intelligence service in Murwi commune, northwestern Cibitoke province, arrested Felix Nzeyimana and Jean Petit Miburo in the Bukirasazi Zone of Murwi commune on 28th December 2016. Witnesses indicate that the two men are Of Agathon Rwasa FNL opposition party activists. They were trapped, by invitation to share a drink with friends. A vehicle of SNR with the registered number I6392A was waiting for them immediately and took them to an unknown destination.

SOS-Torture Burundi notes a new upsurge in the arrests of FNL militants. The Murwi SNR official denies his involvement in the arrest. This is a forced disappearance by state agents. The SNR must indicate where these two men are kept, their security is not guaranteed as long as the local head of this security service denies knowing the fate of these men.



- Police agents carried out a search and seizure operation in the Musaga zone (south of Bujumbura) on 29th December 2016. As usual, the police routinely quadrille this area with excavations and sometimes round-ups without a valid reason, the police pretending to be in search of combatants who conceal themselves in the civilian population.

SOS-Torture Burundi notes however that no week passes without this kind of operation being carried out in Musaga, one of the quarter whose inhabitants were active in the demonstrations against the third term of the Burundian president Pierre Nkurunziza. This constitutes necessarily a way that the power found to sanction those peaceful citizens who demanded only the respect of the democratic values enshrined in the Burundian constitution.

- National intelligence agents arrested Frédéric Nzokira on Rugeregere Hill, Rugombo commune, Cibitoke province (north-western part of the country) on December 30th, 2016. This is another militant of the opposition FNL party of Agathon Rwaswa. Witnesses reported that he was boarded in the Rugombo police chief's vehicle to the Cibitoke SNR cell before being embarked again to the capital Bujumbura in a vehicle this time from the SNR. Without a warrant, SNR agents accuse her of collaborating with rebel groups operating from the DRC.

SOS-Torture Burundi notes that Mr. Nzokira has returned from exile for two months after taking refuge in the Democratic Republic of Congo at the beginning of the crisis.

3. Assassinations, summary executions and armed attacks

- An individual murdered Evelyne Nshimirimana on Rushubi Hill, Muhanga commune, Kayanza province (north of the country) on 25th December 2016 in the evening. Witnesses report that the girl (15 years) was victim of a notorious bandit known in the locality that she had find red handed in their house. The police have not arrested him yet.

- Individuals murdered three members of the same family on Murera hill, Mitakataka Zone, commune and province Bubanza (western part of the country) on 25th December 2016. The victims are Claver Bizimana, his wife Aline Bizimana and Kerry Irishura. Police arrested three suspects.

- A young schoolboy named Jean Claude Bukeyeneza was killed by explosion of a grenade on Taba Hill, Songa commune, Bururi province (south of the country) on December 26th, 2016 in the evening. Relatives say that the grenade exploded while the victim and his brother Eddy Emerimana were playing with the gun in their grandmother's home raising the two children. The second boy was injured.

SOS-Torture Burundi notes that civilians still hold weapons illegally, without visible effort by the authorities to disarm them. In our weekly report No. 50, the case of another young child killed by a grenade illegally held by his father on the Rubira hill, Mpanda commune, Bubanza province, was also mentioned (see SOS-Torture Burundi Report No. 50: [Http://sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-nume%CC%81ro-50.pdf](http://sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-nume%CC%81ro-50.pdf)).

- Prosper was murdered with machetes on Ntunda hill, Gitaramuka commune, Karuzi province on 27th December 2016. The victim was stealing food from the fields.

SOS-Torture Burundi notes the persistence of cases of popular justice that end in lynching of alleged thieves, without the police being able to intervene.



- Armed individuals shot and killed Jean Bosco Havyarimana in the Mushasha quarter, commune and province Gitega (center of the country) on 28th December 2016. The victim was a motorcycle taxi driver, but the police have not yet identified the perpetrators of the crime.

4. SOS-Torture Burundi is concerned about Degrading Treatment of Carama Homeless

Police agents demolished the makeshift shelters of more than 260 carama homeless households in the Kinama zone of northern Bujumbura on 29th December 2016. The police ordered the families to destroy their own shelters themselves. No reason was given; the police simply ordered those evicted from the camp to board chartered trucks and be returned to their provinces of origin.

SOS-Torture Burundi notes that this procedure is hasty, since the administration has not prepared the places of reception where these families will have to be relocated given that they had just fled localities due to lack of housing. More than eight hundred (800) persons are concerned by this expeditious expulsion.

The previous report of SOS-Torture Burundi also reported the case of 500 families forcibly evicted by military personnel from their households on Kagaragara hill, Buringa zone, Gihanga commune, Bubanza province in the west of the country, before the national Ombudsman did rehabilitate them a few days after their expulsion (see **SOS-Torture Burundi report No. 54**: <http://sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-nums%20CC%2081ro-543.pdf>).



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The SOS-Torture / Burundi campaign was initiated with the aim of informing national and international opinion on the 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 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 police and military under the pretext of tracking 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 among others Musaga, Mutakura, Cibitoke, Nyakabiga, Jabe, the last two being located in the center of Bujumbura City.

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