



SOS – Torture/Burundi

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

SOS-TORTURE / BURUNDI REPORT NO. 58 PUBLISHED ON 21ST JANUARY 2017

This report of SOS-Torture covers the period from 14th to 21st January 2017 on human rights violations in Burundi.

At least twelve (12) persons were arrested during this period in different areas. Among them are several militants of FNL opposition party (National Front of Liberation) including a woman leader of this opposition party led by Agathon Rwaswa. The arrests are all arbitrary, carried out without warrants and in flagrant violation of all procedural rules and all marked by the absence of tangible evidence in relation to the burdens on the various persons arrested.

The report also refers to five (5) murders, including three (3) in the only Kiyenzi zone of Bujumbura province. Another victim is also listed in the province of Cibitoke, a locality with a high rate of unresolved crime in the recent weeks.

The Report also talks about the recent decision of the Court of Appeal of Bujumbura to chase from Burundi Bar Association three lawyers and a fourth one which was suspended for a period of one year and prohibited from serving on as counsel for a period of five years .

1. Arbitrary arrest, kidnappings and forced disappearances continue

- The National Intelligence Service agents arrested Jean Claude Minani and Félix Ngabire in the Gatumba zone, Mutimbuze commune, Bujumbura province (west of the country) on the border of Burundi and the Democratic Republic of Congo on 14th January 2017. The Police Accused them of joining armed groups based in the Democratic Republic of Congo (DRC).

According to reliable information that SOS-Torture Burundi was able to collect, the two young men were Burundian students in the city of Uvira in the Democratic Republic of Congo bordering the city of Bujumbura. Currently these students arrested are not detained in any custody of Gatumba zone and the National Intelligence Service of Burundi has not communicated their place of detention.

SOS Torture Burundi fears a kidnapping that may end in probable extrajudicial execution.

- National Intelligence Service agents arrested five (5) persons in Jimbi locality, Kavumu hill, Muyira zone, Kanyosha commune in Bujumbura province on 15th

January 2017 the day after the assassination of three persons by an armed group Not identified (see point 2 of this report).

The arrested persons are Thierry Duhabonimana, Kigoma, Diomedé, Yves and another young man nicknamed 'Master'. Relatives report that the young men are all militants of the opposition party FNL (National Front of Liberation), branch led by Agathon Rwasa, current vice president of the National Assembly.

- Police agents arrested Thérèse Ntibarampa on Mbizi hill, Kibago commune, Makamba province (south of the country) on 16th January 2017. It is a retired soldier, from the former Burundian Armed Forces (ex- FAB). The reason for his arrest is the discovery at his home of a pair of boots and handcuffs.

These two military effects found cannot be a reason for arrest since the victim is a former soldier who served the army for several years.

- The responsible of police in Ruyigi province (East of the country) arrested Ms. Déodette Nakagoma in Ruyigi commune and province on January 17th, 2017. She is the woman's leader of the FNL opposition party in the southern region of the country. She is being prosecuted for receiving firearms.

SOS-Torture Burundi notes that its political family and relatives denounce a simple accusation aimed at intimidating political opponents. No evidence of the charges against the activist was provided by the police.

- Police agents arrested Joseph Nikobahoze in Mukaza commune down town Bujumbura on 17th January 2017. He is a student of the University of Burundi accused of trying to return to rebel groups.

No warrant was presented to him nor tangible evidence provided by the police. This is necessarily an arbitrary arrest.

- The head of police in Buganda commune, Cibitoke province, northwestern of the country arrested Philippe Hagabumutima and Marc Mpawenayo on 19th January 2017. The two young men under the age of 20 are also activists of the Opposition party FNL. The chief of police station of the Buganda commune Chief Police Officer 1 (OPC1) Jérôme Ndikumana accuses them of having participated in the demonstrations against the third mandate of the Burundian President Pierre Nkurunziza in April and May 2015.

SOS-Torture Burundi notes that this is an arbitrary arrest because the Burundian Constitution guarantees the freedom of opinion to all citizens without distinction.

The Buganda head of police didn't communicate their place of detention. This head of police must publish the place of detention of the two young men so that their families or relatives can go and see them and release them.

2. Assassinations, summary executions and armed attacks

- An armed group assassinated three (3) persons in the area of Jimbi, Kavumu hill, Kanyosha commune in Bujumbura province on the evening of January 14th, 2017. Serge Mpawenimana, Vincent and a young child. Witnesses report that the perpetrators of the attack were wearing uniforms similar to those of the Burundian police. Mr. Mpawenimana and Serge were activists of the youth league of the ruling CNDD-FDD party, the famous Imbonerakure militiamen.

- The body of a murdered man was found on the hill Ngarama, commune and province Ruyigi (East of the country) on January 16th, 2017. Witnesses indicate that the victim named Ernest was last seen, the day before in the hands of police agents who had just arrested him in the locality. The body showed traces of stabbing.

The administration immediately ordered the burial of the victim, without the relatives or relatives being informed of the death. No investigation was carried out to identify the police agents who had made the arrest and to know the circumstances of the assassination.

SOS Torture Burundi, regrets this detrimental complicity of the police and the administration which aims gradually to establish the culture of impunity in Burundi and asks the families of the victims of this crime perpetrated by the agents of the State to overcome fear so to seize the regional or international mechanisms that remain the only way to stop this human barbarity.

- Individuals murdered Joseph Maniragaba on Ruseseka Hill, Buhoro zone, Mabayi commune, Cibitoke province (north-western part of the country) on 18th January 2017. Witnesses reported that the victim was beheaded at his home.

SOS-Torture Burundi wishes to highlight the growing number of crime in the province of Cibitoke. For this case of Mr. Maniragaba, as for several other cases in recent weeks, the police failed to identify the perpetrators and motives behind these crimes.



Joseph Maniragaba, found assassinated at his home

3. Justice Affairs

The Bujumbura Court of Appeal handed down its judgment in relation to the request to strike four Burundian lawyers Arnel Niyongere, Vital Nshimirimana, Dieudonné Bashirahishize and Lambert Nigarura.

According to the information published on 16th January 2017 by Agnès Bangiricenge, spokesperson of the Supreme Court of Burundi, Mr Arnel NIYONGERE, Mr Vital NSHIMIRIMANA and Mr Dieudonné BASHIRAHISHIZE were removed from the Burundian lawyers' list while Lambert Nigarura was suspended for a period of one year prohibited from being a member of the Bar Council for a period of five (5) years.

SOS Torture informs the public that this judgment comes at a time when the Prosecutor was unable to detail the charges against each lawyer at the public hearing and the court's refusal to allow the persons concerned to be represented by lawyers of their choice. A decision which has not even been substantiated either verbally or in writing, which necessarily constitutes a serious violation of the adversarial principle enshrined in the laws, in this case the Constitution of the Republic of Burundi in article 39, paragraph 3, the Universal Declaration of Human Rights, and in particular article 10 thereof, the International Covenant on Civil and Political Rights, article 14, the African Charter on Human and Peoples rights in its article 7 and many others.

SOS-Torture notes that this judgment of the Court of Appeal demonstrates at what level Burundian justice is used as a tool of repression against all those who are fighting for the respect of human dignity and democratic values in Burundi.



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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 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 pursuing rebels who came to ttrack military camps on the outskirts of Bujumbura capital city. The affected quarters are said to have challenged the third term of President Nkurunziza ,those are Musaga, Mutakura, Cibitoke, Nyakabiga, Jabe, the last two being located in the center of Bujumbura City Hall.

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