

## **REPORT NO. 83 OF SOS-TORTURE / BURUNDI PUBLISHED 15 JULY 2017**

This report of SOS-Torture covers the period ranging from 8 to 15 July 2017 on human rights violations in Burundi.

At least eight (8) persons were murdered during the aforementioned period. Among the victims were five (5) persons killed by a grenade attack in a bistro located in Gatara Kayanza commune and province. Two (2) other persons were murdered in the province of Cibitoke, scene of isolated and disturbing assassinations in recent weeks. .

The report also refers to fourteen (14) cases of arbitrary and irregular arrests in different localities. Among these arrests a former ACAT Burundi employee, Germain Rukuki, arrested by agents of the National Intelligence Service at his home in the morning of 13/07/2017; As well as seven (7) militants of the opposition FNL (National Liberation Front).

### **1. Violations of the right to life and physical integrity**

- A young woman has murdered Juma Nshimirimana in the Kigwati quarter of Makamba province (southern province) on 6 July 2017. Relatives report that the victim was killed with machetes by her concubine.

- A man beat and injured his wife: Daphrose Kabura, on Kagoma hill, Rweza zone, Vyanda commune, Bururi province, on July 9, 2017. Witnesses report that the victim was hospitalized for appropriate care

SOS-Torture Burundi notes that the police apprehended Gérard Baryituzanye as the main suspect.

- Individuals attacked a bistro on Shinya Hill, Gatara commune, Kayanza province (north-western part of the country) on July 9, 2017. They killed five (5) persons and wounded forty others among clients..

SOS-Torture Burundi notes the arrest of four (4) persons by the police during investigations, whose names have not been disclosed. It is, however, very disturbing that these arrests were made after a security meeting of the provincial administration where witnesses (quoted by Inzamba Radio) reported that the governor had asked those present to write down on paper the names of the

perpetrators. This is likely to favor a settlement of account between inhabitants of this locality. The police must show the irrefutable evidence linking the suspects to the attack, or pursue their investigations in accordance with the criminal procedure code in force, in order to arrest the true authors, co-authors and accomplices in professional neutrality.

- The cases of unrevealed murders continue to grow in the western and northwestern parts of the country, particularly in Cibitoke. Unidentified individuals murdered a man named Nakobanfitiye (65 years old) whose body was found on Ruvyagira hill, Rugombo commune, Cibitoke province (north-western part of the country) on 10 July 2017. Sos-Torture Burundi notes an arrest of a suspect, but the police did not communicate his identity, nor the motives behind the murder.

- Individuals armed with clubs attacked and wounded Donatien Nahimana on 11 July 2017 at Mugogo Hill, Butezi commune, Ruyigi province. Relatives reported that the victim was injured in the face and on the shin, before passers-by come to his rescue.

SOS-Torture Burundi notes that the police have not arrested any suspects at the moment, despite the fact that the victim was able to identify one of his attackers named Fyiri, a young man from the locality aged 20 years.

- Unidentified individuals murdered Wilson Nahinkuye (47) on Munyika I Hill, Rugombo Town, Cibitoke Province (north-western) on July 12, 2017 in the evening. The police have not identified any suspects since that day. The victim was a father of seven (7) children.

- Unidentified individuals attacked François Bitariho's home on the Ruhehe hill, Bugabira commune, Kirundo province (north of the country) on 13 July 2017 in the evening. The result of this attack is five (5) people injured.

SOS-Torture Burundi notes that the police announced the arrest of five (5) suspects, but did not communicate their identities.

## 2. Violations of the right to liberty and physical security

- The Prosecutor's Office in Rutana illegally detains Boniface Nibigira, a senior official of the Moso Sugar Company (SOSUMO) arrested on 18 May 2017 at his workplace in Rutana province (see **SOS-Torture Burundi report No. 75** :

[Http://sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-ume%CC%81ro-75-En.pdf](http://sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-ume%CC%81ro-75-En.pdf)).

SOS-Torture Burundi notes, however, that the Court of Appeal of Bururi sitting in a council chamber has decided to release Mr. Nibigira since 5 July 2017, accused by the public prosecutor of breach of state security. Holes dug in the SOSUMO enclosures are the cause of his arrest, the public prosecutor accused him of planning to bury people favorable to the third term of Burundian President Pierre Nkurunziza.

The public prosecution refuses to enforce the court's released order, in flagrant violation of the law, and in particular Article 203 of the Burundian Code of Criminal Procedure, stipulates that "An accused who, at the time of judgment is in preventive detention and who is acquitted or sentenced to a simple fine, shall be released immediately, notwithstanding appeal, unless detained for any other cause»

The public prosecution thus prolonged the arbitrary and irregular detention by refusing to establish a release order in accordance with the court order granting a freedom to Mr. Nibigira. This also demonstrates a serious dysfunction of the organs of the Burundian judiciary with terrible consequences on the individuals concerned. In addition to Boniface Nibigira being part of a state-owned company, Sos-Torture Burundi has learned from relatives that Mr. Nibigira is a member of the opposition party UPRONA (Union for National Progress) who remained loyal to Charles Nditije Forced into exile).

- Imbonerakure militiamen of the ruling party CNDD FDD threatened the inhabitants of Nyabitare, Kibande and Migende hills of Ruyigi province in the eastern part of the country on July 8, 2017. Between two thousand and five hundred (250) and three hundred 300) militia organized a so-called 'demonstration of force' operation in these localities aimed at sowing fear among the inhabitants, especially those who are not members of the ruling party.

Witnesses report that militiamen with sticks and some firearms went door-to-door, targeting only households of residents who are not members of the CNDD FDD party. To each of these households, they required the occupiers to join the party, at the risk of suffering serious consequences.

- The head of Cibitoke Provincial Intelligence Service, Athanase Gahungu, arrested five (5) persons on Mikoni Hill, Bukinanayana Town, Cibitoke Province

(northwestern part of the country) on July 9, 2017. Witnesses reported that the Five persons were immediately boarded and taken to the road leading to the neighboring province Bubanza without being able to identify them.

SOS-Torture Burundi notes that the SNR does not communicate on these arrests, nor on the place of detention of these persons.

- The head of the national intelligence service in Makamba province (southern Sudan) arrested two (2) Rwandan nationals on July 11, 2017, who were traveling to Tanzania (a country sharing border with Makamba province). Witnesses report that he asked for their travel documents, and subsequently embarked them to be detained in the National Intelligence Service (SNR)

SOS-Torture Burundi notes that the SNR does not communicate the reasons for these arrests nor the identities of detainees.

- Police agents arrested Elie Niyonzima, Deo Ndayizeye, Anatole Karorero, Salomon Nkurikiye and Ezekiel Nduwayo in Kirundo province (north of the country) on 11 July 2017. They are members of the local opposition party FNL (National Front for the Liberation) faithful to Agathon Rwaso. These five (5) men are accused of having led unauthorized and clandestine meetings.

SOS-Torture Burundi fears again the arrests in cascade linked to political motives, in light of the charges still unproven by the police.

- The chief of the Bigina zone, Kayogoro commune, Makamba province (south of the country), has ordered the expulsion of a resident Henri Ntanyungu nicknamed "Masharabu" on 11 July 2017. Relatives report that Ntanyungu is accused by the chief of zone Paul Rwajekera to collaborate with rebel groups.

SOS-Torture Burundi is concerned about the authoritarian drift into the hands of administrative officials at the local level. A local elected official does not have the right to expel a Burundian citizen to drive him to another locality. It is not a question of expulsion, but of spoliation since Mr. Ntanyungu was not allowed to return to his property. This constitutes a serious violation of the relevant provisions of the Constitution of the Republic of Burundi.

- Agents of National Intelligence Service arrested Germain Rukuki at his home Ngagara Zone, Ntakangwa commune (northern Bujumbura) on 13 July 2017. Witnesses reported that the agent Joseph Mathias Niyonzima, nicknamed 'Kazungu' was present and led the operation. It began at four o'clock in the morning by surrounding the building where Mr. Rukuki lives, followed by a search at his home without a search warrant. Germain Rukuki is a former employee of the Action of Christians for the Abolition of Torture (Acat Burundi), and today president of the association 'Njabutsa Tujane'.

SOS-Torture Burundi noted that the SNR agents seized a computer at Mr. Rukuki's home and then demanded to be accompanied to his office for another search and seized another computer and some working papers.



**Mr. Germain Rukuki, former employee of Acat Burundi**

The police said the following day on social networks the reason for the arrest of Mr. Rukuki: He is accused of attacking the state security. This is a very common accusation used by the national intelligence service to justify the arbitrary imprisonment observed since the beginning of the crisis.





## SOS - Torture/Burundi

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



**NKURIKIYE Pierre**  
@PierreNkurikiye

Following

**#Burundi** Bujumbura : Rukuki Germain a été arrêté hier chez lui à Ngagara. Il est détenu au SNR pour atteinte à la sûreté de l'Etat

[Translate from French](#)

12:01 AM - 14 Jul 2017

**The tweet of the police spokesman published the day after the arrest**

- Police agents arrested Esperance Ndiwenumuryango 'Kinigi' in Minago zone, commune and Rumonge province (south-western part of the country) on 13 July 2017 in the evening. He is a member of the opposition party FNL (National Front for the Liberation) of the relatives of Agathon Rwasa.

SOS-Torture Burundi notes that Ms. Ndiwenumuryango is accused of organizing an unauthorized meeting. Relatives reported that she was sensitizing women on reproductive health as a community relay. The police must disclose the actual charges against Ms. Ndiwenumuryango, in which case they will be politically motivated detention.



**Ms Ndiwenumuryango Esperance**

### 3. Cibitoke Prosecutor's Office releases detainees in prolonged detention

On 10 July 2017, the public prosecutor's office in the north-western province of Cibitoke decided to release eight (8) of the eighteen (18) detainees illegally detained in police custody for nearly a month (**SOS-Torture Burundi N ° 82**: <http://sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-ume%CC%81ro-82-en-En.pdf>).

SOS-Torture Burundi notes that the two women in custody have been released, but ten (10) others remain in custody in total violation of the law, as the legal periods of custody have been largely exceeded.

*The SOS-Torture / Burundi was initiated with the aim of informing national and international opinion on serious human rights violations under way in Burundi through monitoring reports, particularly based 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 11 and 12 December 2015 by the police and military under the pretext of pursuing rebel groups which came to attack military camps on the outskirts of the capital. The affected quarters are said to be challenging the third term of President Nkurunziza which are the following Musaga, Mutakura, Cibitoke, Nyakabiga and Jabe, the last two being located in the center of Bujumbura.*