

## **REPORT NO. 92 OF SOS-TORTURE / BURUNDI PUBLISHED 16 SEPTEMBER 2017**

This report of SOS-Torture covers the period from 9 to 16 September 2017 concerning human rights violations in Burundi.

At least seven (7) persons were murdered during the period. Among the victims a man whose body was discovered in a rudimentary burial hastily done in Ruyigi province. He was not identified as living in the locality of the macable discovery. Four others were assassinated during an armed attack in Kinama.

The same report also refers to seven cases of arbitrary arrests, cases of torture and at least forced disappearance of a political opponent of the UPD zigamibanga party Leopold Habarugira. This political opponent was arrested during the day by agents in Civil clothes and others in police uniforms, but the police denied arresting him; which raises fears of a further enforced disappearance and probably the fear of execution.

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

- Unidentified individuals murdered Daniel Gahungu (over 90 years old) on Bihanga hill, Gitega commune and province (Middle country) on 9 September 2017 in the evening. Relatives reported that the victim was at home, and that the perpetrators tied him up before stabbing him.

SOS-Torture Burundi notes that the police have not apprehended any suspects to date.

- Armed individuals assassinated four (4) persons during an attack in Gikoma district, Kinama zone, Ntakangwa commune (north of Bujumbura city) on 11 September 2017 in the evening. Witnesses report that the attackers opened fire on a group of people. In addition to the murdered victims, two persons were injured.

- Unidentified and Armed individuals attacked the office of the United Nations Human Rights Office in Burundi in Rohero district, Mukaza commune (Bujumbura city) on 13 September 2017 very early in the morning. Guards testified that they were threatened by armed men who took away equipment.



SOS-Torture Burundi is concerned about such a violent intrusion just days after the publication of the report of UN experts who have concluded crimes against humanity committed in Burundi and calls on the International Criminal Court investigations.

Also, the Burundian authorities' versions of this attack are contradictory. Initially, the Burundian police denied these events; but the Attorney General confirmed the intrusion of armed men into the premises. The police is also quick to conclude that no attacks targeted the office of the United Nations Human Rights Office in Burundi as investigations continue. This rapidly way of making such statements is a cause for concern that the investigations will not lead to the identification of the perpetrators of the attack and their motivations.



**These are two successive communications of the Burundian police on the attack of the Office of the Human rights in Burundi**

Individuals murdered Bellard Ickunze, whose body was found in a rudimentary toilet hole in Makamba II quarter of Makamba province on 13 September 2017. Relatives report that the victim, a one-year-old and 8 months baby, had been missing since September 9, 2017.

SOS-Torture Burundi notes that the police announced the arrest of three suspects from the family members of the victim.

- Imbonerakure militiamen arrested and tortured Evariste Ndayishimiye on Kagazi Hill, Rugombo commune, Cibitoke province (north-western of the country) on 13 September 2017 in the evening. The online media Sos Media Burundi reports the testimony of the victim who claims to have recognized two of his attackers who were acting during their illegal activities of night patrols.

SOS-Torture Burundi notes, however, that the police have not opened any investigation on the attack to arrest the perpetrators and bring them in front of the justice. These acts, while unpunished, will further strengthen the imbonerakure militias in their human rights violations.



**Evariste Ndayishimiye, a young man tortured by imbonerakure militiamen (photo of the victim published by Sos Médias Burundi)**

- Unidentified individuals assassinated an individual whose body was found on Masazi hill, Biyorwazone, Butaganzwa commune, Ruyigi province (East of the country) on 14 September 2017. Witnesses report that the body was buried in hurry in a rudimentary grave on this hill, but the victim was not identified. It is a local farmer who alerted the neighbors and the administrative authorities after discovering the body. The victim was wearing jeans and had traces of wounds all over his body.

SOS-Torture Burundi has no doubt that the victim is one of the regularly abducted and then missing persons kidnapped by the kidnapers in the distant provinces of the kidnapping site in order to hide the body and identity of the victim. The police and the public prosecutor's office must initiate an investigation to identify the victim and the perpetrators of the assassination in accordance with the requirements of Article 71 of the Code of Criminal Procedure in case of the discovery of a lifeless body.

- Unidentified individuals attempted to murder a young man who was saved in extremis by passers-by as he lay dying on the Dogodogo River between the Kagazi

and Mparambo II hills, Rugombo commune, Cibitoke province ( North-west of the country) on 14 September 2017. Witnesses reported that the victim, who had not yet been identified, was abducted on his return from the Democratic Republic of Congo (DRC) to Gatumba border in Mutimbuzi commune (western part of the country).

SOS-Torture Burundi fears for the safety of the victim who, instead of being cared for and secured, was hidden in the Cibitoke National Intelligence Unit. The people who rescued him were also incarcerated in the police cell of Rugombo commune. This is an attempt to get rid of the light on the assassination attempt. The victim is still at risk and the National Intelligence Service did not communicate the identity of the victim.

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

- Agents of National Intelligence Service arrested Yesefu Yolamu and Amossi Paulini in Cibitoke central province (northwest) more than two months ago. They are two men of Tanzanian nationality from Rukwa and Remela communes in Tanzania. Witnesses report that they were arrested on their arrival in Burundi accused of collaborating with rebel groups.

SOS-Torture Burundi also learned from witnesses that the two men were tortured by SNR agents before they were handed over to the police to be held in jail. There is no burden on these two men, and the duration of legal pre-trial detention has been largely exceeded and violated. The police must release them.

- Bweru chief Police arrested Sylvain Kaganagiza on Kirambi Hill, Bweru commune, Ruyigi province, on 9 September 2017. Witnesses reported that he was then tortured and was held in custody while the victim was bleeding and his health deteriorated. The victim, who is a teacher, spent the night dying in the cell and was released the following day by the same police chief of Bweru following the cries of alert of other inmates of the cells.

SOS-Torture Burundi notes that this Bweru police officer is still free even though he tortured a man during the day when it is an offense provided and punished by the Burundian Penal Code. He also threatened Mr. Kaganagiza by ordering him to join the list of activists of the ruling CNDD FDD party, at the risk of suffering the same fate again. The hierarchical police and prosecutors must open an investigation to arrest the perpetrator and bring him to justice.

- Imbonerakure militiamen attacked residents of Kibago Hill, Kibago commune, Makamba province (southern part of the country) on 9 September 2017. Witnesses reported that the militiamen ordered all people encountered on their way to leave the area, imposing a curfew on them. They seriously wounded four of those residents who had refused to execute an illegal order, by beating them with clubs.

SOS-Torture Burundi notes that these illegal arrests and the imposition of force occur during patrol activities carried out by the militiamen. They also replace the security forces by using violence.

- Individuals led by Butezi Chief Zone, Butezi commune, Ruyigi province (East of the country) tortured Appolinaire Ntikazohera, Antoinette and Dominique on September 9 2017. Witnesses report that the victims were arrested and tortured the day after the assassination of three members of the same family by a machete (see point 3 of this report).

SOS-Torture Burundi notes that these victims were hospitalized but imprisoned at the police station as soon as they were discharged from hospital. The police must release these people and prosecute the Butezi chief Zone Daniel who carried out their tortures.

- Two young members of the imbonerakure militiamen attempted to kidnap Marcelline Ryuname (70 years) and Edouard Bizabigomba on Ruharo Hill, Nyabitsinda commune, Ruyigi province (East of the country) on September 11 ,2017 around 4 am. Witnesses report that these young militiamen Donatien Rujo and Ntiharirizwa demolished the enclosures of their houses. This alerted the neighbors who rushed to prevent these young people from the ruling party from forcibly taking the victims, with a risk of enforced disappearance.

SOS-Torture Burundi also learned from witnesses that the imbonerakure militiamen caught red handed said they were sent by police to arrest Ms. Ryuname and Mr. Bizabigomba. Police agents, however, denied any involvement in the kidnapping attempt. SOS-Torture Burundi notes, however, that the police officers did not question the young militia who entered the homes of two persons and tried to kidnap them.



- - Armed individuals arrested and abducted Leopold Habarugira in Mutanga North neighborhood, Gihosha zone, Ntahangwa commune (north of Bujumbura) on 12 September 2017. He is a member of the UPD-Zigamibanga opposition party and former member of the ruling CNDD FDD party. His wife, eyewitness to the kidnapping, testified that she saw three men, one of whom was wearing the uniform of the Burundian National Police and two others in plain clothes and armed.



**Mr. Leopold Habarugira, arrested and missing since 12 September 2017**

SOS-Torture Burundi notes a forced disappearance with a risk of execution of Mr. Habarugira. This fear is accentuated by statements by the police which denied any arrest of this political opponent on social media; and announced the opening of investigation two days after the disappearance of the victim.



Following

@BurundiPolice pas informée de l'"enlèvement" de Habarugira Léopold hier à Bujumbura. Pas de plainte ou arrestation par Forces de sécurité

Translate from French

11:58 PM - 12 Sep 2017



Following

Cas de Habarugira Léopold: @BurundiPolice enquête maintenant après plainte

Translate from French

1:35 AM - 14 Sep 2017

### The Burundian police communicate in a contradictory manner on the kidnapping of Mr. Habarugira

SOS-Torture Burundi also notes that the arrest, kidnapping and communication of the police on this case resemble to the case of Mr. Hugo Haramategeko, another opponent who headed the New Alliance for the Development of Burundi (NADEBU), arrested at his home and reported missing since 9 March 2016 (cf reports 13 and 14 of Sos-Torture Burundi: <http://sostortureburundi.org/wp-content/uploads/2016/10/SOS-TORTURE-BURUNDI-RAPPORT-N%C2%B013.pdf> and <http://sostortureburundi.org/wp-content/uploads/2016/10/SOS-TORTURE-BURUNDI-RAPPORT-N%C2%B014.pdf>). The police have repeatedly denied the arrest of Mr. Haramategeko, yet confirmed by his relatives and witnesses because having intervened the day; as did Mr. Léopold Habarugira.



Mr. Hugo Haramategeko, arrested and missing for over a year

### 3. An attacked victim succumbed from his injuries Mr.

Samuel Ntirambepa, a man seriously wounded with machete attack on 8 September 2017, succumbed to his wounds on 14 September 2017 in Ruyigi. This man was attacked at the same time as his son Célestin Itangakubuntu and his daughter-in-law Claudette Irankunda on the Muyange hill, Butezi commune, Ruyigi province (East of the country) on September 8 2017 (see Sos-Torture Burundi report No. 91: <http://sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-sume%CC%81ro-91-en-Fr.pdf>).

The three victims were successful in a lawsuit of land dispute between 800 families, all of them expelled by the court following the decision. SOS-Torture Burundi notes that the Supreme Court has decided to set aside the judgment. However, this



decision comes after the worst happened with the macable assassination of three members of the same family.

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

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