

## **REPORT N ° 120 OF SOS-TORTURE / BURUNDI PUBLISHED ON 31 MARCH 2018**

This report of SOS-Torture / Burundi covers the period between 24 to 31 March 2018 concerning cases of human rights violations in Burundi.

The report mentions a case of murder of a young teenager in Muramvya, a victim of rape before being murdered; but also a case of forced disappearance of an active soldier committed in Bujumbura. This disappearance suggests a risk to the safety of the kidnapped soldier.

Almost (9) people were arrested during the period. Among them are members of the political opposition, a lawyer from Bujumbura Bar Association and a serving soldier arrested in various places by agents of the national intelligence service. Cases of unlawful arrest by members of the imbonerakure militiamen

SOS-Torture / Burundi is also concerned about the fact that the legal deadlines for preventive detention of several people in the police cells of Cibitoke as well as in Rumonge prison have been exceeded. For some victims, the preventive detentions have lasted more than 6 months whereas the law requires fifteen (15) days maximum to confirm this detention or to grant a temporary liberty.

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

- Unidentified individuals attacked a house by grenade in Ngozi quarter, Kinamazone, Ntakangwa commune (north of Bujumbura town) on 23 March 2018 in the evening. Witnesses report that the grenade wounded a young man living in the house.

Sos-Torture Burundi notes that the police have not identified any suspects to date.

- Unidentified individuals murdered Bélyse Ndayikengurukiye on Muhweza hill, Bugarama zone, Muramvya commune and province on March 23, 2018. Relatives report that the victim is a 13-year-old girl, who was raped before being murdered by her abuser ( s).

Sos-Torture Burundi notes that the police have not identified any suspects to date.

- Unidentified individuals abducted Master Corporal Rubin Ndayikeza near the so-called 'Siyoni' market located in the Industrial district, Ngagara zone, Ntahangwa commune (north of Bujumbura city) on 25 March 2018. Relatives report that this soldier in activity answered a call and has never reappeared since. Master Corporal Ndayikeza is assigned to the Department of National Defense as a driver.

Sos-Torture Burundi notes a forced disappearance and a risk for the security of the soldier, former member of the Burundian Armed Forces (ex-FAB); Several soldiers from the former FAB have been victims of forced disappearances, summary executions and torture since the beginning of the crisis in 2015, whose perpetrators are members of the Burundian security services. The Burundian army did not report any investigation in progress to find Corporal Ndayikeza.



**Master Corporal Rubin Ndayikeza, victim of forced disappearance in Bujumbura**

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

- Young members of the Imbonerakure militiamen beat Emmanuela Niyonkuru in Nyabitsinda zone, Ruyigi commune and province, (eastern part of the country) on 24 March 2018 in the evening. Witnesses report that the young

woman had just received an order of the militiamen to leave the bistro where she had a drink, for curfew imposed by members of the CNDD FDD ruling party in the locality. The zone leader led the group of militiamen who forced the inhabitants to return before 8 pm.

Sos-Torture / Burundi notes the violence of the ruling party's youth towards the victim as well as other clients of the bistro. Ms. Emmanuela was then taken to Nyabitsinda police cell to be incarcerated. The young woman, teacher at Nyabitsinda Basic School, is the victim of arbitrary arrest and detention, as no charges have been brought against her so far. Sos-Torture Burundi also learned that police agents are trying to extort 50,000 francs in exchange for his release.

- Sos-Torture / Burundi learned of the unlawful prolonged detention of several detainees in Buganda commune police cell, Cibitoke province (north-west of the country) on 24 March 2018. Witnesses report that twenty (20) detainees are crammed into the same cell, normally intended to accommodate a maximum of 10 people. Among these detainees, some have just spent a month in detention without ever passing in front of a judicial police officer while the statutory period of custody can not exceed seven (7) days with the possibility of extending another seven (7) days only with the authorization of the public prosecutor in that locality.

Sos-Torture / Burundi notes a violation of pre-trial detention procedures. Relatives of the detainees also report that members of the imbonerakure militiamen in Buganda carried out some of the arrests without legal authority or warrant.

- National Intelligence Service agents arrested Jean d'Amour Nsengiyumva at Kanyaru, Burundi-Rwanda border, Busiga commune, Ngozi province, northern of the country, on 24 March 2018. Witnesses report that he has been arrested disembarked from his private transport vehicle without being notified of the reasons for his arrest.

Sos-Torture Burundi notes that the SNR has not communicated the place of detention of Mr. Nsengiyumva and fears a forced disappearance of this driver.

- Police agents arrested Donatien Minani nicknamed Kanyamuduri on Rubirizi hill, Mugina commune, Cibitoke province (north-west of the country) on March 25, 2018. Witnesses report that this man is the victim of having interpreted a

song to the past glory of the UPRONA party (Union for National Progress) during the celebration of the victory of this party in the elections of 1961. The song makes an imaginative reference to the other existing parties, but which will never reach the level of the party Uprona ('Inyundo irakura ntisumba iyayujuje'en Kirundi).

Sos-Torture Burundi notes a violent arrest, as Mr. Minani was beaten by police agents in his cell. Relatives also report that the order to arrest him was given by local leaders of the ruling party CNDD FDD, who accuse the victim of having sung for another party.

- Agents of the National Intelligence Service arrested Aloys Baricako and Pierre Kugirwa in the town of Gitega (center of the country) on March 26, 2018 in the evening. Both men are political leaders of the opposition: Mr.Baricako is the president of the National Rally for Change (RANAC) and Mr.Kugirwa is a member of the Council of Patriots (CDP). Relatives report that they were going to a burial in the neighboring province of Karusi at the time of their arrest.

Sos-Torture Burundi notes that the two politicians were released the next day. Mr Baricako was however again arrested by NIS agents in Bujumbura on 30 March 2018 and held for a few hours before being released again. NIS agents also arrested Daniel Manirakiza, RANAC representative in Muramvya (center of the country), who had come to inquire about his colleague's situation. Mr. Manirakiza was taken to one of the NIS cell in Bujumbura, without show the reasons for his arrest.





Aloys Baricako (left), president of RANAC, twice called by NIS agents; and Daniel Manirakiza (right), representative of RANAC in Muramvya detained at the NIS cell

SOS-Torture Burundi notes that the police announced the arrest of Mr Manirakiza for 'undermining the internal security of the state', an offense regularly used by the security services against political opponents.



**Burundi Police**  
@BurundiPolice

Following

Manirakiza Daniel est gardé à vue à @MairieBujumbura depuis hier pour atteinte à la sûreté intérieure de l'Etat tandis que Baricako Aloys lui est chez lui mais toujours sous enquête dans ce même dossier.

Translate from French

8:15 AM - 28 Mar 2018

The tweet of the Burundian police announcing the reasons for the detention of these political opponents

- National Intelligence Service agents arrested Mr. Ladislas Ndayiragije near his office in downtown Bujumbura on March 28, 2018. Relatives report that the lawyer was apprehended after leaving his office following a phone call .SOS-Torture Burundi notes that the police announced the arrest of Mr. Ndayiragije for

"undermining the internal security of the State", as well as two (2) other alleged "accomplices" that the police do not name in its publication. The attack on the internal security of the State is a charge regularly used by the Burundian security services to justify the arrests of alleged opponents of the regime, whether civilians or members of the security services.



**Burundi Police**

@BurundiPolice

Me Ndayiragije Ladislas a été appréhendé et est gardé à vue avec 2 autres complices pour atteinte à la sûreté intérieure de l'Etat.

17:18 · 28 mars 18

**Me Ladislas Ndayiragije (left) detained at the NIS, and the publication of the police (right) announcing his arrest as well as those of accomplices whom the police do not name**

- National Intelligence Service agents also arrested Corporal Janvier Bizimana in the city of Bujumbura on March 28, 2018. Sos-Torture Burundi notes that the police did not communicate this arrest, nor the reasons for it. Corporal Bizimana is a serving soldier assigned to the Kirundo camp currently based in Bubanza province (west of the country). There is fear of torture or enforced disappearance of the victim.



**Corporal Janvier Bizimana abducted by SNR agents in Bujumbura**

- National Intelligence Service agents also arrested Audace Butoyi at his home in the 4th Avenue, Bwiza Zone, Mukaza Commune (Bujumbura City Center) on March 28, 2018. Relatives report that they were not informed of his place of detention.

SOS-Torture Burundi also notes that the police and the SNR have not given the reasons for this arrest, nor the place of detention of Mr. Butoyi.



**Audace Butoyi arrested by NIS agents in Bujumbura**

-A member of the imbonerakure militiamen Method has assaulted and raped a 12-year-old girl on Rusunu Hill, Musongati zone and commune, Rutana province (south-east of the country) on March 29, 2018. Witnesses report that youth members of the same ruling party league caught the alleged rapist and beaten.

Sos-Torture Burundi notes that the perpetrator of this act was handed over to the Musongati police who opened an investigation file.



### **3. Victims of prolonged detention are languishing in jail**

Sos-Torture Burundi has learned from several relatives that the names Lin Niyomukiza, Claude Nshimirimana, Ildephonse Ntihebuwayo and a young miner named Trésor Nkundubumwe have been detained for more than 6 months without having been interrogated by a magistrate.

Article 111 of the Criminal Procedure Code clearly states "... The appearance before the judge must take place at the latest within fifteen days of the issuance of the warrant of arrest. After this period, the accused is allowed to seize by application the court having jurisdiction to rule on the preventive detention, all prejudice of disciplinary and penal sanctions of the investigating magistrate defaulter .... " These four (4) persons were arrested on 9 September 2017 on Kibago hill Makamba commune and province (southern part of the country) for defending against the attack of young Kibago Imbonerakure who assaulted them (see Sos report). Burundi Torture N ° 95: <http://sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-nume%CC%81ro-95-en-Fr-1.pdf>.

The four (4) persons (including a minor) are accused of undermining the internal security of the State. Their trial has been postponed several times by Makamba Intermediate court without valid reason and without communicating the date of this surrender.

SOS-Torture Burundi notes arbitrary detention of these persons, and no prosecution witness to date has been presented by the public prosecutor.



SOS-Torture / Burundi was initiated with the objective 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 on the country followed the slaughter of a hundred people killed during the day of December 11 and 12, 2015 by the police and soldiers on the pretext of pursuing rebels who came to attack military camps on the outskirts of the capital Bujumbura.

The affected zones are said to be contesting President Nkurunziza's third mandate namely Musaga, Mutakura, Cibitoke, Nyakabiga, Jabe, the last two being located in the center of Bujumbura City Hall.

SOS-TORTURE