



## **SOS-TORTURE / BURUNDI REPORT N ° 124 PUBLISHED ON APRIL 28, 2018**

This report of SOS-Torture covers the period Between 21th to 28th April 2018 on cases of human rights violations that are being committed in Burundi.

This document mentions the unfair and unjustified sentence of 32 years in prison pronounced against a human rights defender Germain Rukuki. He is convicted of serious offenses that the prosecution did not demonstrate during the public hearing, and becomes another victim of the crackdown targeting civil society activists, media professionals, opponents and others. Categories of the population.

Almost two (2) persons were murdered during the period on a grenade attack in Kayanza. Several victims were also injured during the same attack. Members of the imbonerakure militiamen kidnapped and tortured an FNL opposition party activist in Rumonge. No open investigation to arrest the alleged perpetrators.

Cases of arbitrary arrests recorded: around thirty (30) persons were arrested. Members of the imbonerakure militiamen carried out the arrests by police agents and in some cases illegally. More than one third of those arrested are victims of political motives, and accused of campaigning for the "no" vote for the constitutional referendum of May 17, 2018.

### **1. A human rights defender unfairly condemned**

Sos-Torture Burundi learned about the conviction of Mr. Germain Rukuki to 32 years in prison by Ntahangwa Intermediate Court (north of the city of Bujumbura) on April 26, 2018. Mr. Rukuki is a human rights defender, former employee of the organization ACAT-Burundi (Action of the Christians for the abolition of the torture); employee of the Association of Catholic Jurists of Burundi (AJCB), and president of the association "Njabutsa Tujane" at the time of his arrest on July 13, 2017.

Mr. Rukuki is a victim of his former job within ACAT-Burundi, an organization written off by the Burundian government and accused of being linked to the failed coup of May 13, 2015 and the insurgency movement that preceded it. He is being prosecuted for several offenses: murder, rebellion, undermining the internal security of the state, participation in an insurrectional movement, destruction of public and private

buildings and attack on the head of state. Mr. Rukuki was acquitted only of the offenses of murder and destruction of public and private buildings.

Sos-Torture Burundi notes a very heavy sentence for offenses that the public prosecutor failed to prove during the trial in open court (**see report Sos-Torture Burundi N ° 121**: <http://sostortureburundi.org/wp-content/uploads/2018/04/SOS-Torture-Burundi-num%C3%A9ro-121-en-En.pdf>). It is a judicial harassment aimed at repressing human rights defenders, many of whom have been forced into exile since 2015.



Germain Rukuki, unfairly sentenced to a heavy sentence of 32 years in prison

## 2. Attempt to the right to life and to physical integrity

Young members of the imbonerakure militiamen kidnapped and tortured Christine Tuyisenge on Gatwe Hill, Kizuka Zone, Rumonge commune and province (southwest of the country) on April 22, 2018 in the evening. Relatives report that the victim was abducted from his home and beaten several times by twenty young militiamen who left him dying.

So-Torture Burundi states a serious aggression against a political opponent, Ms. Tuyisenge being treasurer of the FNL party (National Front for the Liberation) faithful to the Member of the Parliament Agathon Rwasa. The victim was found on 23 April 2018 at his place of torture. Sos-Torture Burundi also states that no investigation is

open to allow the arrest of the attackers, which confirms the complicity of the police in the crackdown against political opponents.

-Unidentified individuals attacked with grenades residents of Kivoga Hill, Gahombo Commune, Kayanza Province (north-west of the country) on 21 April 2018 in the evening. Witnesses said that two (2) persons died following this attack, and more than thirty (30) were injured.

Sos-torture Burundi saw that police have announced the arrest of four suspects, including a police agents on leave.

- A policeagent fired Leonard Nibigira using his service weapon on Nyakibingo Hill, Ntega Commune, Kirundo Province (the north of the country) on April 22, 2018 in the evening. Witnesses said that the wounded young man is a member of the imbonerakure militiamen which group is spreading terror in the locality and imposes a curfew to inhabitants. The Police agents Jules Habarugira is the chief of the police station, and ordered the imbonerakure militiamen to stop their nocturnal noises and songs aimed at terrorizing the population.

Sos-Torture Burundi notes that the police officer justified his act in the face of the threats posed by the group of militiamen who refused to obey. The population as acts of terror routinely denounces the night patrols of the imbonerakure militiamen, and many fear that law enforcement officials may be overwhelmed by the actions of the ruling party members. Sos-Torture Burundi also notes that the police officer was disarmed and arrested.

- Individual (s) murdered Kaneza whose body was found in quarter IV , Ngagara zone, Ntakangwa commune (north of Bujumbura town) on April 24, 2018. Relatives report that the young woman has responded to a call on the phone the day before, and never reappeared.

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



*The victim found in an unexploited space located quarter IV*

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### 3. Attempt to the right to liberty and physical security

- Police agents arrested four young students on Muhwazi hill, Nyabitsinda commune, Ruyigi province (eastern part of the country) on April 21, 2018 in the evening. Witnesses say they are all students of Muhwazi high school: Reverien Mpawenayo, Elie Buzoya, Celestin Niyongabire and Pascal Ndayisaba. Sos-Torture Burundi learned from some witnesses that the students were arrested in a local bistro where they shared a drink with other classmates who had just been released after several months of detention (see report **SOS-Torture Burundi N ° 104** on these previous student arrests: <http://sostortureburundi.org/wp-content/uploads/2017/12/SOS-Torture-Burundi-nume%CC%81ro-104-in-Fr.pdf>).

Sos-Torture Burundi notes that the police accused them of having organized a meeting to conduct a "no" vote campaign against the constitutional referendum scheduled for May 17, 2018. These are arbitrary arrests and judicial harassment, given the previous arrests and detentions of their classmates.

- National Intelligence Service agents kidnapped Adrien Kadende from his cell at Mpimba Central Prison, Musaga Zone, Muha Commune (south of Bujumbura City) on April 22, 2018. Relatives said he was taken to an unidentified place, and returned to his cell the next day. Adrien Kadende is an army officer detained since September 2016 accused of undermining state security. He was seriously wounded on August 3, 2017 in Rumonge prison (south-west of the country) after a police agent fired on him at close range (cf report **Sos-Torture Burundi No. 86**: <http://sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-nume%CC%81ro-86-en-En-1.pdf>).

Sos-Torture Burundi considers abduction in a penitentiary center guarded by police agents and governed by laws regarding the authorisation of detainees to go out. Relatives also said that Colonel Kadende was forced to spend the night outside, in heavy rain and shirtless; which constitutes a form of torture on the part of these agents of the NIS. There is a risk to the safety of inmates in general and political prisoners in particular. Several army and police officers have been held in various prisons in the country since the beginning of the crisis.

- Police agents arrested Alain Jovis Dushime (15 years) and Ferdinand Niyikora (15 years) on Bikobe hills and Budaketwa, Mabanda commune, Makamba province (southern of the country) on 22 April 2018. Relatives report that both Young boys were at their homes at the time of the arrests.



Sos-Torture Burundi notes arbitrary arrests made without warrants. Both boys are accused by members of the local imbonerakure militiamen of participating in armed groups. The Police arrested two young teenagers on simple charges; no investigation was conducted to prove these allegations.

- Police agents arrested six (6) members of FNL party opposition on Kiremera hill, Giheta commune and province (central part of the country) on April 22, 2018. Relatives said that they were sharing a drink in the family following the baptism of a child.

Sos-Torture Burundi notes that the police and the local administration accused them of campaigning for the "no" vote against the constitutional referendum. The six (6) supporters of the FNL were in a bistro during the arrests.

- Police agents arrested six (6) other FNL opposition party activists in the Kiryama and Muheka hills, Songa commune, Bururi province (south of the country) on April 23, 2018. Relatives report that these persons are being charged to lead a "no" vote campaign to reject the revision of the Constitution.

Sos-Torture Burundi states arbitrary arrests, politically motivated especially as the date of this referendum approaches.

- Members of the Imbonerakure militiamen arrested Jacques Ndikumasabo on Munyika I hill, Rugombo commune, Cibitoke province (north-west of the country) on April 24, 2018. Relatives report that Mr. Ndikumasabo is a member of the opposition coalition Amizero y'Aburundi (regrouping the FNL faithful to MP Agathon Rwasa and the UPRONA of the opposition). Militants of the ruling party accuse him of undermining the security of the state.

Sos-Torture Burundi states an illegal arrest and arbitrary detention by the police. A group of Imbonerakure militiamen arrested Mr. Ndikumasabo during a night patrol. The police must release this man, a victim of his political affiliation and the illegal activities of members of the imbonerakure militiamen.

- Members of the imbonerakure militiamen arrested ten (10) teachers in Mukenke, Bwambarangwe commune, Kirundo province (north of the country) on 24 April 2018 in the evening. Witnesses report that they are accused of having met illegally to prepare an awareness campaign to vote "no" in order to reject the revision of the Constitution in the referendum of May 17, 2018.

Sos-Torture Burundi states arbitrary arrests and detentions. Relatives report that the teachers shared a drink to congratulate their colleague on the defense of his graduation thesis.

- Police agents arrested Jean Claude Nizigiyimana on Rwaniro hill, Murago zone, Burambi commune, Rumonge province (south-west of the country) on April 26, 2018. Witnesses report that Mr. Nizigiyimana was arrested when he was presenting summons from the Burambi Court of Residence to his brother for a land dispute.

Sos-Torture Burundi notes, however, that the police accused the victim of campaigning against the constitutional referendum. Relatives say that Mr. Nizigiyimana is a member of the opposition party FNL and that the administrator of Burambi commune, who is married to the victim's brother, ordered his arrest. This is an arbitrary arrest, where Mr. Nizigiyimana is a victim of his political affiliation generated by a conflict with his brother (married to the communal administrator).

SOS-Torture / Burundi was initiated with the objective of informing national and international opinion about serious human rights violations which are being committed 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 11 and 12, 2015 by policemen and soldiers on the pretext of pursuing rebels who came to attack military camps on the outskirts of the capital city.

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