

## **REPORT NO. 84 OF SOS-TORTURE / BURUNDI PUBLISHED 22 JULY 2017**

This report of SOS-Torture covers the period ranging from 15 to 22 July 2017 about human rights violations in Burundi.

SOS-Torture Burundi has investigated serious threats to certain categories of detainees in the Gitega central prison. Violent incidents occurred during the period. It seems that the director of the prison of Gitega is involved in these incidents, through a very dangerous indoctrination of the prisoner's members of the party CNDD FDD in power. The risk is that more serious incidents could occur if these indoctrinations continue.

At least thirteen (13) persons were wounded during the period, including about ten victims of grenade attacks. The report also refers to the murder of one (1) man living in the Rugombo commune by Imbonerakure militiamen of the ruling party CNDD FDD. They tortured him and left him dying, which did not save the victim in time.

### **1. Certain categories of detainees under serious threat at Gitega Prison**

SOS-Torture Burundi has investigated ongoing threats to certain categories of political prisoners held in Gitega Central Prison (center of the country).

The Gitega detainees are divided into four categories, the first two of which are the most threatened:

The alleged 'putschists' are completely isolated from other prisoners in an 'ad hoc' area. Religious worship and medical visits are carried out separately. Private visits (family members or relatives of detainees) are extremely monitored, especially for General Cyrille Ndayirukiye, who was convicted informally in solitary confinement.

The soldiers accused of the assassination of General Adolphe Nshimirimana (former chief of the national intelligence service) and those accused of the attempt assassination of General Prime Niyongabo (Chief of Staff of the Burundian army). In this group are also the opponents of the third term of the Burundian president considered as leaders. These prisoners are lodged in a separate compartmentalized block. This category is subject to special monitoring and regular searches.

The third category consists of apprehended prisoners accused of 'rebellion' and members of opposition parties accused of common crimes.

The last category consists mainly of detainees from the ruling CNDD FDD party.

Investigations revealed that the prison director, Chief Police officer "OPC" Alexis Manirakiza, particularly shows his hatred towards detainees of the first category of 'putschists'. He has been actively engaged in blocking any arrangement through which communications with other prisoners can take place. For example, a corridor between two walls allows the prison director and the police to discreetly access the first category of inmates without the other prisoners knowing. This is very worrying and does not make it possible to know with certainty what is the situation of the so-called 'putschist' detainees.

SOS-Torture Burundi notes that the incidents of 18 July 2017 at the Gitega prison demonstrate that this categorization fueled by prison management can create clashes with serious consequences. A detainee serving the 2nd category of detainees was harassed by the Prisoner Security Officer (a prisoner also called 'general' of the prisoners and chosen because of his loyalty to the CNDD FDD party). This led to tensions between this second category of prisoners and detainees close to the 'general' of detainees. The two groups threw stones at each other and launched political invectives (some of which were deemed close to the government, others in opposition) for five (5) hours.

SOS-Torture Burundi wishes to alert on this incident, which is a serious indication of what can happen in Gitega prison: a very dangerous indoctrination of the prisoners of the CNDD FDD is particularly maintained by the prison administration and the national intelligence service.

The investigations carried out also revealed that any prisoner of the 3rd and 4th categories who manages to have more than 150,000 francs can benefit from the unlimited exit rights granted illegally by the director of the Gitega prison. This group of prisoners free of movement, without a judicial decision, constitutes a dangerous group because their activities outside the prison are not controlled.

## 2. Violations of the right to life and physical integrity

- Individuals attacked a bistro in the Bwiza zone 2nd Avenue (center of Bujumbura) on 16 July 2017 in the evening. Ten persons were injured during the attack.

SOS-Torture Burundi notes that the police said they identified the perpetrator and his vehicle. This grenade attack accentuates the number of victims recorded in less than two weeks during similar attacks in Tangara, in Kayanza province and in Bwiza a few days ago (see **Sos-Torture Burundi N ° 83**: [http://Sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-  
nume%CC%81ro-83-en-En.pdf](http://Sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-<br/>nume%CC%81ro-83-en-En.pdf)).

- Imbonerakure militiamen attacked and beat Martin Kayimba on Bweru Hill, Bweru commune, Ruyigi province (East of the country) on 16 July 2017 in the evening. Witnesses report that the perpetrators of the violence live on Nzozi Hill and were led by Abraham Bangurambona.

SOS-Torture Burundi also notes that Mr. Kayimba fault is to have claimed his money after this group of Imbonerakure militiamen consumed beer without paying. The police in Bweru must investigate quickly and allow the arrest of perpetrators of the torture inflicted on Mr. Kayimba.

- Police agents fired live ammunition at Rutana prison (southeastern) on 18 July 2017. Witnesses reported that the officers wanted to search the cells and that the detainees had protested.

SOS-Torture Burundi notes that no detainees have been injured, but the use of firearms in a prison compound is illegal and could have resulted in injuries or deaths.

- Individuals armed with machetes murdered Pascal Gahitira on Muriza Hill, Butaganzwa commune, Ruyigi province, on July 19, 2017. The police have not yet identified the perpetrators of the assassination occurred at 200 meters from the Butaganzwa commune office.

- Imbonerakure militiamen tortured and murdered Jean Marie Banimba in Buhinyuza village on the 7th crossroad, Rugombo commune, Cibitoke province (northwest of the country) on 20 July 2017 in the evening. The victim came home from a bistro and was beaten by young militiamen armed with sticks who left him dying.

Relatives reported that they had evacuated Mr. Banimba to the hospital, but he died as a result of the torture inflicted. The police in Rugombo must question the perpetrators of this crime, certainly known to the forces of order since the imbonerakure militia have arrogated the right to conduct night rounds at night.

- Another group of Imbonerakure militiamen from the ruling party CNDD FDD also tortured Serge Nibizi on Mparambo I hill on the first crossroad, Rugombo commune, Cibitoke province (north-western) on 20 July 2017. Witnesses report that Mr Nibizi is a victim of fetching drinking water. SOS-Torture Burundi noted that the victim could be rescued and cared for. Mr. Nibizi is also a member of the FNL (National Front for the Liberation) opposition party faithful to Agathon Rwasa. The police have not conducted any investigation into this case, which has become a widespread impunity for human rights violations committed by the militia imbonerakure.



Mr Serge Nibizi wounded by the militiamen imbonerakure (photo taken by the journalists of SOS media Burundi)

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

- Imbonerakure militiamen of the ruling CNDD FDD illegally arrested Jean Claude Nizigiye and his son Constantin Nkamiciye in Songa commune, Bururi province, on July 15, 2017. Witnesses report that the imbonerakure militia entered the home of Mr. Nizigiye, accusing the two men of stealing money from them.

SOS-Torture Burundi notes once again that the Imbonerakure militias are replacing the police and not punished for conducting illegal searches and arrests. The Songa police is also complicit in agreeing to detain them without warrant and without cause. Police have released MM. Nizigiye and Nkamiciye on 18 July 2017, after three days of illegal and arbitrary detention.

- Muyinga Police Commissioner arrested a man on Nyamitanga hill, Buganda commune, Cibitoke province (north-western part of the country) on July 16, 2017. The commissioner Jerome Ntibibogora was visiting his family in Cibitoke

the time of arrest. Witnesses reported that he had embarked a man of Congolese origin in his vehicle plate number C5193A, without trace since the arrest.

SOS-Torture Burundi fears a forced disappearance, given that the Commissioner of Muyinga acted outside his territorial jurisdiction and did not inform anyone about the reason for the arrest or the identity of the person arrested.

- The leader of the demobilized CNDD FDD in Cibitoke province kidnapped Alain Kuriryayo and Franck Nzisabira in central Buganda commune, Cibitoke province (north-western part of the country) on 17 July 2017. Witnesses reported that the two young men were in a field searching for food. The head of demobilized soldiers Déo Nsabimana nicknamed Samuelles violently tied up and boarded in a vehicle registered I 3446A to an unknown place.

SOS-Torture Burundi notes that this is a forced disappearance with a risk to the safety of the victims of the abduction. The Buganda police must question the alleged kidnapper on the basis of testimony and conduct searches to find MM. Kuriryayo and Nzisabira.

-Rugombo Police chief arrested four (4) activists of the FNL opposition party (National Front for the Liberation) on Samwe Hill, Rugombo commune, Cibitoke province (north-western) on 17 July 2017 Jean Claude Kwizera, Claude Bigirimana, Innocent Barutwanayo and a nicknamed Demon.

SOS-Torture Burundi has learned from relatives that they are accused of burning houses. The Rugombo police chief had no warrant at the time of the arrests. The police must release these four victims of arbitrary arrests and fanciful charges.

- The head of the Ruhwa Immigration Police (PAFE) at Burundi-Rwanda border north-western province of Cibitoke arrested Nadine Ndayisenga at the border on 19 July 2017. Relatives reported that Ms. Ndayisenga was returning from Rwanda, when she was arrested by the police chief.

SOS-Torture Burundi notes that the police official accuses the young woman of having traveled to Rwanda to visit the protesters for the third term of President Pierre Nkurunziza whom the police official called 'rebels'. This is a violation of freedom of movement enshrined in the protocol of the free movement of goods and persons of the EAC which Burundi has ratified. She was transferred to Bujumbura on 21 July 2017, but the police did not disclose the charges against Ms. Ndayisenga.



## SOS – Torture/Burundi

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

- Police agents arrested two young women in Nyamurenza commune, Ngozi province, on July 9, 2017. Relatives reported that the two young women were going to Rwanda for a funeral. They are held with their babies that they carried on their backs.

SOS-Torture Burundi notes that the police accuse them of having wanted to cross the border clandestinely without papers. The police must release the two young women on bail, not only is the custody not the place for babies but also the attempt to cross a border without paper does not constitute an offense under Burundian law. Relatives of the family have seized the Independent National Commission on Human Rights (CNIDH) which has not helped them to date.

SOS-Torture Burundi has learned from relatives that since July 19, 2017, the case has been handled by the national intelligence service. After more than two weeks in detention, they have not yet been presented to a public prosecutor or a judge.

*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 centred 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 police and military under the pretext of pursuing rebel groups which came to attack military camps on the outskirts of the capital City. The affected quarters are said to be challenging the third term of President Nkurunziza which are Musaga, Mutakura, Cibitoke, Nyakabiga and Jabe, the last two being located in the center of Bujumbura.*