



REPORT NO. 85 OF SOS-TORTURE / BURUNDI PUBLISHED 29 JULY 2017

This report of SOS-Torture covers the period from 22 to 29 July 2017 concerning human rights violations in Burundi.

The report refers to a worrying prison situation, while a presidential pardon has allowed the release of more than 2,000 detainees. At the beginning of July, the detainees amounted to 9,734 persons. This number is constantly increasing, as in a month and a half more than 500 new prisoners have been registered. This confirms the big number of arbitrary arrests and detentions.

At least five (5) persons were murdered during the period and in various localities. Imbonerakure militiamen also seriously injured two (2) young men in Kanyosha zone of Bujumbura. The perpetrators are always free when they have been identified by the victims. Imbonerakure militiamen also tortured two (2) persons in Ruyigi province.

At least six (6) persons have been the victims of arbitrary arrests, including three (3) opposition activists. Among those arrested arbitrarily are also three (3) men who had been acquitted and released on a judicial decision.

1. The prison population at a worrying level

Since the beginning of the crisis triggered by the candidacy of Nkurunziza Pierre to run for a third unconstitutional mandate, prison overcrowding has been observed, exceeding double to triple the capacity of the various Burundian arrest houses. The decree granting the presidential pardon in December 2016 more than 2000 recovered their freedoms between February and March 2017. This slight decongestion had made it possible to decrease from 10,051 prisoners in December 2016 to 8,611 prisoners in April 2017 (see SOS-Torture report Burundi N ° 72: <http://sostortureburundi.org/wp-content/uploads/2016/08/SOS-Torture-Burundi-nume%CC%81ro-72-en-EN.pdf>).

NGOZI (W)	250	129		29		92		5		3			13	11	51.60%
NGOZI (M)	400	1,371	709		662										342.75%
RUMONG E	800	1,137	360	8	753	16							3	2	142.13%
RUTANA	350	283	89	7	175	12							1	3	80.86%
RUYIGI	300	535	241	6	272	16								4	178.33%
RUYIGI CENTRE	72	36					8		28						50.00%
RUMONG E CENTRE	72	58					36		22						80.56%
TOTAL	4,194	9,734	5,375	205	3,811	241	44	5	50	3	0	0	36	37	232.09%
			5375 + 205 = 5580		3811 + 241 = 4052		44 + 5 = 49		50 + 3 = 53				36 + 37 = 73		

2. Violations of the right to life and physical integrity

- A soldier was executed in Rukoko Reserve Bubanza Province on July 18, 2017. Witnesses quoted by Radio RPA in his magazine Humura indicate that Master Corporal Etienne Nzosaba was killed by soldiers in his unit after That he was abducted and released by an armed group unknown to date. After refusing to hand in the body to the family for more than a week, the army authorized the soldier's funeral on July 28, 2017. No investigation to date has been conducted into the circumstances surrounding the death of Corporal Nzosaba, killed by two bullets. The army also refused to organize the funeral, while it is a soldier still active at the time of execution.



Master Corporal Etienne Nzosaba, executed by his unit's military officers with impunity



SOS - Torture/Burundi

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

- Armed individuals attacked passengers on a transport bus on 22 July 2017 near Kagunuzi River, Ndava Zone, Buganda commune, Cibitoke province (40 km northwest of Bujumbura) . The perpetrators of the attack assassinated the bus driver named Asumani, and seriously injured a passenger. Witnesses reported that passengers were also kidnapped by the perpetrators of the attack.

SOS-Torture Burundi notes that the intensity of armed attacks in the north-western part of the country does not decrease. Security forces have not yet identified the perpetrators to date.

- Unidentified individuals murdered Ezekiel Kabwa by machetes on Kabogi hill, Ndava commune, Mwaro province (center of the country) on 23 July 2017 in the evening. Witnesses report that the victim was presented as a thief caught red handed, and killed by the angry population.

The police have not arrested any suspects at the moment.

- Unidentified individuals assassinated Vianney Niganze (30 years) on Butega Hill, Murwi Commune, Cibitoke Province (northwestern) on July 24, 2017 in the evening. Relatives reported that the victim had just left a bistro.

SOS-Torture Burundi notes that the police arrested four (4) suspects during the investigations, but did not communicate their names. Mr. Niganze was married and father of four (4) children.

- Unidentified individuals murdered a young girl whose body was found on the Kinyota hill, commune and Muyinga province on July 24, 2017. Witnesses report that the victim has also been raped. The Administration and police did not identify the victim.



The girl found murdered on the hill Kinyota

- Imbonerakure militiamen seriously wounded two (2) young men Alexis and Claude in Ruzibaquarter, Kanyosha zone (southern city of Bujumbura) on July 24, 2017. These militiamen entered the home of Tharcisse Habonimana, the father of the victims, and used machetes to attack them.

SOS-Torture Burundi notes that the father, Tharcisse Habonimana, was arrested a few days before the assault and taken to the Mpimba prison, Musaga zone. The fault of this family is that one of the brothers of the young men is a refugee in Rwanda. The Imbonerakure militiamen fought on the Habonimana family, not having found the young man who would certainly be in danger even if he had not sought asylum. Police and prosecutors are expected to release Habonimana, who has committed any offense and prosecuted the Imbonerakure militia who has attempted to kill the two young men.

- Immaculée Ngendakumana, a woman found dead on the banks of Kaburantwa River, Buganda commune, Cibitoke province (northwest of the country) on July 28th around 6pm. The victim's family said she was going to her fields and did not believe in her death and suspected she had been strangled. It claims justice be done and investigate to know the circumstances and motives of this murder. The head of the police station in Buganda said the investigations had already begun.

3. Violations of the right to liberty and physical security

- Eight (8) imbonerakure militiamen tortured Thomas Nirera (19 years) on Muyange Hill, Butezi commune, Ruyigi province, on July 18, 2017. Witnesses reported that the young man was charged without evidence of having stolen a solar plate and a radio. He was seriously injured as a result of the beatings.

SOS-Torture Burundi finds a regular violation of human rights committed by Imbonerakure militiamen and remains unpunished. An investigation was opened by a judicial police officer, but none of the perpetrators of the attack has been arrested to date.

- The leader of the leagues affiliated with the ruling party CNDD FDD has launched serious threats against former Burundian President Domitien Ndayizeye during a public demonstration by members of the Imbonerakure militiamen in the city of Bujumbura on 22 July 2017. These threats are aimed at responding to the advice given by the former president to the militiamen Imbonerakure to stop being manipulated to commit human rights violations.

SOS-Torture Burundi notes a violent and threatening language of the leader of CNDD FDD ligue, who threatens to retaliate against the former president if he continues to give such advice to the imbonerakure. The prosecution and the police have not opened any investigation, despite the serious threats.



- Imbonerakure militiamen of the CNDD FDD party beat Nyawenda on the Ruharo hill, Nyabitsinda commune, Ruyigi province, on 23 July 2017. The victim is a small vendor (originally from Musongati commune, Rutana province in the south- East of the country) that was holding a diesel can. Relatives reported that the imbonerakure militia beat him, and then stole his can and its contents.

SOS-Torture Burundi notes that the police have not conducted any investigation to date, while the victim has been able to identify his attackers. The following Imbonerakure: Dionise Nyandwi, Bunyoni, David Tuyikeze and Ferdinand Kanani who led the group.

- FNL militants are regularly the victims of politically motivated arbitrary arrests. National intelligence agents arrested Charles Bizimana, Jérémie Ndoriyobija and Christian Citegetse in Gashikamwa commune, Ngozi province (northern part of the country) on 24 July 2017 in the evening. They are three leaders of the Movement of Young Patriots (MJP) of the opposition party FNL (National Front for the Liberation) faithful to Agathon Rwas.

SOS-Torture Burundi noted that SNR agents did not have a warrant for arrest. The three (3) opponents are accused of insulting the institutions.

- Police officers arrested Theodore Nsengiyumva, Gérard Nsabimana and Aimable Nibaruta in Gihanga commune, Bubanza province (about 15 kilometers west of Bujumbura) on 24 July 2017. These three (3) persons had however been released after acquittal by the Bubanza Intermediate Court on 20 July 2017. The Tribunal's decision came after a year of pre-trial detention in Bubanza prison.

SOS-Torture Burundi notes that the police knowingly violated a judicial decision, although it also took place after a very long period of pre-trial detention (one year). The three (3) men were prosecuted for illegal detention of military effects, namely, Motorola walkie-talkies; but the court found the charges unconvincing. In less than a week they are arrested by police who were traveling in a vehicle of the Bubanza Governor's mandate and without any other court ruling contrary to the judgment that acquitted them. Relatives and families are unaware of where they were taken.



4. Burundi violates international laws on refugee protection

The Burundian government handed over fifty-seven (57) Congolese nationals to the Embassy of the Democratic Republic of Congo (DRC), who had sought asylum in Burundi. These people arrived on board transport vessels from the DRC on July 20, 2017 in the province of Rumonge (south-west of the country). SOS-Torture Burundi notes that the governor of the province Rumonge, Juvenal Bigirimana, did not want to respond to their request and handed them to their Embassy. These people were fleeing fighting between rival communities in the DRC. The Government of Burundi has refused asylum seekers in complete violation of international protection laws, and especially the Geneva Convention of 1952

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 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 rebels who came to attack military camps on the outskirts of the capital Bujumbura. 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.