

SOS-TORTURE/BURUNDI REPORT No. 284 PUBLISHED ON MAY 22, 2021

This SOS-Torture/Burundi report covers the period from 15 to 22 May 2021 concerning cases of human rights violations in Burundi.

At least six (6) people were murdered during the period in different localities of the country.

This report also deplores two (2) cases of seriously injured persons, two (2) cases of arbitrary arrest and detention and one (1) case of abduction of a retired soldier.

1. Violations of the right to life

- On the night of Saturday, May 15, 2021, around 8:30 p.m., on Ndava hill and zone, Buganda commune, Cibitoke province (northwestern Burundi), a police officer named Gérard Ndacayisaba shot at close range Festus Hakizimana, a driver in a construction company called Angelique, at the "Kab-16" project of Kaburantwa electric dam, in the same commune.

According to witnesses on the spot, three police officers, Gérard Ndacayisaba, Edouard Ndayikengurukiye and Félix Ngendabanka, accompanied by three Imbonerakure whose names are not yet known, broke into the households of the local population and indiscriminately beat anyone they found on the road.

According to the same source, Festus Hakizimana, a married father of three young children, was returning from work when he found these police officers and young Imbonerakure men beating his neighbors a few meters from his home. The victim was rushed to a nearby health facility, but succumbed to his injuries just after arriving at the emergency room. The victim's family claims that he was killed because of land disputes between him and CNTB (National Commission for Land and Other Assets).

SOS-Torture/Burundi has learned that the three police officers were arrested the same night and tried in a flagrante delicto trial by the Intermediate Court of Cibitoke on Monday, May 16, 2021. The court sentenced the main perpetrator, Gérard Ndacayisaba, to life imprisonment and his two co-defendants, Edouard Ndayikengurukiye and Félix Ngendabanka, to one year imprisonment suspended for two years. The same court collectively sentenced all the defendants to pay the victim's family the sum of twenty-one million five hundred thousand Burundian francs (21,500,000 Fbu) as damages and a fine of 200,000 Fbu each to the public treasury.

- On the night of Saturday, May 15, 2021, a certain Congera nicknamed Rasta, a young man from Murengeza hill, Mpanda commune, Bubanza province (northwestern Burundi), died as a result of the blows and wounds inflicted on him by a group of young Imbonerakure.

According to sources in this locality, the victim had been caught in a maize field by members of CNDD-FDD youth league, who severely beat him after accusing him of trying to steal maize and left him for dead in front of a police station in Musenyi, where he was taken in a very critical condition.

The same sources reveal that the police refused to keep the young man in custody, who was between life and death, and that he died on Saturday night and was buried the same night.

SOS-Torture/Burundi has learned that the police arrested the chief of Murengeza hill, Emmanuel Ndayiragije, whom they accused of complicity in the escape of Imbonerakure, the perpetrators of the crime. It regrets that members of the youth league affiliated with the CNDD-FDD party regularly commit crimes with impunity, under the complicit and encouraging eye of the judicial, police and administrative authorities.

- On the night of Tuesday, May 18, 2021, around 10:30 p.m., a group of unidentified men armed with guns attacked a police position in Fota, in the town of Ndava, Mwaro province (central Burundi), where the exchange of fire with elements of the police caused some material damage to the office of the judicial police officer, but without causing any human damage on the spot.

However, according to local sources, the gunmen shot and killed a planter at the COOPEC (Savings and Credit Cooperative) in Fota, known as Dismas Ngendakuriyo, alias Rutozi, whom they had come across on Gatsinga hill in the same commune. The same source said that no suspects have been arrested for the moment.

SOS-Torture/Burundi deplores the fact that in less than two months, at least 23 people have been murdered in the provinces of Mwaro and Muramvya in armed attacks at a time when the country's authorities have so far failed to shed any light on the identity and origin of the armed gangs responsible.

- In the afternoon of Tuesday, May 18, 2021, around 4 p.m., the lifeless body of a young man named Aulory Igiraneza (17 years), from Gisanze hill, Bururi commune and province (southern Burundi), was discovered on Karimbi sub-hill of the same commune.

Sources on the spot reveal that this young motorcyclist was killed by people he had transported to Songa commune and that his motorcycle was found on Monday night, May 18, in the valley of Siguvyaye river on Rumonge-Bururi road.

The same sources state that after police searches in the locality, four suspects were apprehended and are being interrogated at Bururi judicial police lock-up. They are Eric Mugisha, 23 years, from Nkizi hill, Buyengero commune, Rumonge province, Phalès Irangabiye, 21 years, from Rabiho hill in Makamba commune and province, Oraph Nambazimana, aged 22, from Murambi hill in Makamba commune and province of Makamba and Etienne Nshimirimana, from Kigufi hill, Bugenyuzi commune, Karusi province.

- In Muzye hill and zone, Giharo commune, Rutana province (southeast Burundi), a lifeless body identified as that of Ézéchiel Rucumuhimba, a resident of Nyembuye hill in the same zone, was discovered on Wednesday, May 19, 2021, in Muyovozi river, at the foot of Muzye hill.

According to witnesses to the discovery, the body of the victim showed signs of strangulation and was thrown into the river to distort any subsequent investigation.

- On the morning of Wednesday, May 19, 2021, the lifeless body of Adelin Mutambuka, a native of Giharo hill, zone and commune, Rutana province (southeast Burundi), was discovered under the bridge of Mukazyé river, at the foot of the same hill.

Sources on the spot reveal that the victim had disappeared since Sunday, May 16, 2021, after having shared a drink with another man in the locality of Conga, not far from the place where he was allegedly murdered.

2. Violations of the right to physical integrity

- At dusk on Sunday, May 16, 2021, around 6:30 p.m., on Masango hill and zone, Bukinanyana commune, Cibitoke province (northwestern Burundi), two young Imbonerakure men, whose names have not yet been identified, seriously injured

with stab wounds a young man known as Léonard Nsengiyumva (27 years old), a motorcyclist who was riding his motorcycle, which they also stole.

Witnesses say that the victim was first rushed to Bukinyana hospital for first aid before being transferred to one of the hospitals in Bujumbura for appropriate treatment and that the two criminals were found by the police, in collaboration with the population, in the forest where they had hidden with the stolen motorcycle.

SOS-Torture/Burundi regrets a resurgence of criminality attributable to young Imbonerakure, particularly in Cibitoke province, as a result of the impunity they enjoy and reminds the country's authorities that peace and security will never be a reality in as long as all Burundian citizens are not treated equally before the law.

- On the night of Tuesday, May 18, 2021, around 11:00 p.m., a man named Luc, a resident of Bubanza hill in the center of this northwestern province of Burundi, drove a pointed stake through his wife's throat.

According to local sources, the victim was evacuated to the hospital in Bubanza before being transferred to one of the hospitals in Bujumbura for appropriate treatment.

The same sources specify that the criminal, well known in the prison environment of Bubanza, immediately left after the crime and that the motive for the crime is not yet known.

3. Violations of the right to liberty: arbitrary arrests and detentions

- On Saturday, May 18, 2021, agent of National Intelligence Services (SNR) in Muramvya (central Burundi) arrested Adonis Butoyi, a young man from the Tutsi community, on Bwato sub-hill of Shombo hill and zone, Muramvya commune and province.

According to witnesses, the victim was taken on a motorcycle to the provincial police station in Muramvya, where he was detained without any clear reason for his deprivation of freedom.

SOS-torture/Burundi recalls that, following an ambush that cost the lives of 13 people, including a colonel of the Burundian army, a few kilometers from the town of Muramvya province, on the evening of May 9, arbitrary arrests in cascade of young Tutsis and retired military continue to be carried out by the police in various localities of this province. For example, according to the online newspaper Iwacu,

"32 people were arrested at dawn on Monday, May 10, on Murambi and Murambana hills, near the scene of the crime. Among those arrested, the majority were retired soldiers from the former Burundian armed forces.

The organization denounces the arbitrary ethnic arrests and detentions that are always carried out by the police whenever armed attacks are carried out on Burundian soil and calls on the Burundian authorities to respect the rules of criminal procedure regarding the deprivation of liberty to individuals suspected of having violated the criminal law.

- According to sources from Mwaro province (central Burundi), a former soldier of the former Burundian Armed Forces (FAB) has been in arbitrary detention for more than a month and a half in the dungeon of the provincial police station in that province. Audace Calixte Karisabiye was arrested on 6 April 2021 by SNR (National Intelligence Service) agents while having a drink in a bistro in Gatare, Mwaro urban centre.

Audace Calixte Karisabiye, a former non-commissioned officer who was voluntarily demobilized, was arrested after an armed attack on the home of Athanase Mpawenayo, the head of Makamba zone and at the same time the communal secretary of CNDD-FDD party in the commune of Rusaka; an attack that took the lives of his son and his servant.

The same sources reveal that Mr. Karisabiye, who was successively a member of MSD (Movement for Solidarity and Democracy) and CNL (National Congress for Liberty), was isolated from the other detainees in a cell in the dungeons of the provincial police station in Mwaro after having been severely tortured and deprived of any right to visit.

SOS-Torture/Burundi deplores the complacent inertia of the political and judicial authorities of Burundi in the face of a flagrant violation of the rules of the code of criminal procedure relating to the deprivation of liberty of individuals, in particular the provisions of article 34 of the code of criminal procedure in force in Burundi limiting the period of police custody to seven (7) clear days, with the possibility of extending this period up to fourteen days by decision of an officer of the Public Prosecution and recalls that the right to a visit for persons deprived of their liberty is one of the fundamental rights of detainees recorded in the same code.

4. Abduction cases

- Since the afternoon of Saturday, May 15, 2021, Charles Hamenyimana, a retired member of the former Burundian army (ex-FAB) before the integration of members of armed political parties and movements, has been nowhere to be found. A source on the spot said he was last seen in the chief town of Mabanda, in the province of Makamba (southern Burundi), at the garage located near the Catholic parish.

The same source said that his family has searched for him in all the dungeons without success and that his telephone has been unreachable since Saturday at 3:00 p.m.

SOS-Torture/Burundi was initiated with the objective of informing national and international opinion on serious human rights violations taking place in Burundi through monitoring reports, particularly on torture, arbitrary arrests, enforced disappearances, sexual violence and summary executions.

This initiative to inform on the realities of the country followed the carnage of a hundred people killed during the day of December 11 and 12, 2015 by police and military under the pretext of pursuing rebels who had just attacked military camps located on the outskirts of the capital.

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