



SOS-TORTURE/BURUNDI

"Celui qui sauve une vie sauve l'humanité toute entière"

Quarterly report on the human rights situation in Burundi from 1 April to 30 June 2021



One of the vehicles set on fire during the armed attack of 26 June 2021, perpetrated in Rutegama commune, Muramvya province. At least 21 people were killed.

Burundi: a life taken every day

Violation of the right to life continuously trivialised in Burundi

July 2021

**1. VIOLATIONS OF THE RIGHT TO LIFE: SEVERAL ARMED ATTACKS ADD TO THE TOLL ERROR!
BOOKMARK NOT DEFINED.****1.1. LIFELESS BODIES ABANDONED AND BURIED WITHOUT BEING IDENTIFIED** ERROR! BOOKMARK NOT DEFINED.**1.2. VIOLATIONS OF THE RIGHT TO LIFE ATTRIBUTED TO LAW ENFORCEMENT OFFICERS** ERROR! BOOKMARK NOT DEFINED.**1.3. ASSASSINATIONS ATTRIBUTED TO MEMBERS OF THE IMBONERAKURE MILITIA** ERROR! BOOKMARK NOT DEFINED.**1.4. ATTACKS AND MASS KILLINGS BY UNIDENTIFIED PERSONS** **10****1.5. TARGETED ASSASSINATIONS WHOSE PERPETRATORS ARE NOT IDENTIFIED** ERROR! BOOKMARK NOT DEFINED.**1.6. VIOLATIONS OF THE RIGHT TO LIFE WHOSE ALLEGED PERPETRATORS ARE PROSECUTED** ERROR!
BOOKMARK NOT DEFINED. **3****2. VIOLATIONS OF THE RIGHT TO PHYSICAL INTEGRITY ERROR! BOOKMARK NOT DEFINED. **4******2.1. VIOLATIONS OF THE RIGHT TO PHYSICAL INTEGRITY ATTRIBUTABLE TO IMBONERAKURE MILITIAMEN**
ERROR! BOOKMARK NOT DEFINED. **4****2.2. PHYSICAL ASSAULTS RESULTING FROM ARMED ATTACKS** ERROR! BOOKMARK NOT DEFINED.**3. ABDUCTION AND ENFORCED DISAPPEARANCES **166******4. VIOLATIONS OF THE RIGHT TO LIBERTY: ARBITRARY ARRESTS AND DETENTIONS **188******4.1. ARBITRARY ARRESTS ATTRIBUTED TO POLICE OFFICERS** ERROR! BOOKMARK NOT DEFINED. **8****4.2. ARBITRARY ARRESTS AND DETENTIONS ATTRIBUTABLE TO SNR OFFICIALS** **19****CONCLUSION **200******RECOMMENDATIONS **211******TO THE GOVERNMENT OF BURUNDI :** **211****TO THE EAST AFRICAN COMMUNITY COUNTRIES :** **211****TO THE INTERNATIONAL COMMUNITY :** **222**

Socio-political background

The end of the second quarter almost coincided with the completion of President Evariste Ndayishimiye's first year in office. This period was scrutinised by many observers from different backgrounds, both state and non-state. It was therefore time to assess the expectations and hopes raised by his accession to power, which for some augured positive changes compared to the governance of his predecessor, Pierre Nkurunziza.

This series of assessments was inaugurated at the beginning of the quarter by a highly critical report from the US State Department highlighting the continuation of serious human rights violations despite the change in the Burundian leadership. The report incriminates police officers and Imbonerakure militiamen who commit abuses with impunity. The bleak picture painted by this institution highlights the restrictions on freedom of expression and the press¹.

A little later at the end of the quarter, it was mainly international associations and NGOs that drew up reports that were just as gloomy. They are particularly concerned with the negotiations on Article 96 of the Cotonou Agreement, on the lifting of economic sanctions, and ask the European Union to be more demanding in terms of Burundi's respect for human rights and democratic principles.

Human Rights Watch believes that it will take more than symbolic gestures to get Burundi out of the crisis. According to the organisation, President Evariste Ndayishimiye's promises "to end impunity, promote political tolerance, and make the judiciary more impartial and fairer have not yet translated into real progress. Serious human rights violations, including extrajudicial killings, enforced disappearances, torture and arbitrary arrests, continued to occur under his presidency, albeit to a lesser extent than under Nkurunziza. Efforts to investigate the abuses committed have been insufficient. Although some agents of the National Intelligence Service (SNR) have been arrested and imprisoned, and some members of the ruling party's youth league, the Imbonerakure, have been convicted for the killings of political opponents, not a single high-level individual responsible for past abuses and killings has been held to account² ».

¹ <https://www.rfi.fr/fr/afrique/20210404-washington-dresse-un-tableau-noir-de-la-situation-des-droits-de-l-homme-au-burundi>

² <https://www.hrw.org/fr/news/2021/06/18/entretien-il-faudra-plus-que-des-gestes-symboliques-pour-sortir-le-burundi-de-la>

Subsequently, twelve human rights NGOs sent an open letter to the European Union in which they expressed their concern about the premature lifting of sanctions against Burundi "it is still early"³.

In reality, the trends of human rights violations and the impunity they enjoy have remained the same as under the power of Pierre Nkurunziza, and one may wonder whether the little progress observed cannot be read solely in terms of the Burundian government's desire to pretend to meet the demands of the European Union in the context of lifting sanctions. It is in this context that some measures of openness, particularly in favour of the media and detainees, can be placed, especially the presidential pardon granted to 5255 detainees, the lifting of the suspension measures against the British Broadcasting Corporation (BBC). Among this series of decisions, the release of Germain Rukuki is both the most emblematic and symptomatic of the fragility of the rule of law in Burundi. It totally reflects the level of arbitrariness and dependence of the Burundian judiciary on the Burundian executive, which presumably on orders, as if by a wave of a magic wand, reduced a 32-year sentence to a single year. Since his unjust detention, a campaign for Germain Rukuki's release had been launched by numerous organisations and demanded by representatives of several countries.

Furthermore, the scope of certain measures, especially the presidential pardon, was diluted by the disappearance or assassination attributed to government agents of those who had benefited from it. The case of Mr Alexis Nsabimana is the most emblematic. Released on 26 April following the presidential pardon, he had been informed that a vehicle from the Mukaza commune would take him to his place of residence in Ruziba. He remained outside the prison gates where the vehicle was to take him. Those waiting for him never saw him. In the meantime, the two phones he was using were switched off. Since then, he has been missing⁴. Others who were pardoned were able to return home but were hunted down, re-arrested or killed⁵.

This second quarter was also characterised by a resurgence of armed attacks, including a series of grenade attacks and roadside ambushes in Bujumbura city and the provinces of Mwaro and Muramvya. A common feature of these attacks during the quarter was that the victims were targeted indiscriminately, with the aim of killing and spreading desolation, apparently for greater publicity. So far, no one has claimed responsibility for the attacks and no investigation has been able to identify the motives or the perpetrators.

In general, these attacks perpetrated in Bujumbura, Rusaka, in Mwaro province, near Muramvya and in Rutegama have all been aimed at places considered safe and well protected in terms of security, the capital and the centre of the country, but have been carried out with disconcerting ease by the perpetrators and an ability to disappear as soon as their crimes are over, which raises a number of questions. Despite a heavy overall toll of around fifty dead and dozens seriously injured, the results of the investigations are still

³ Ibidem

⁴ <https://www.rpa.bi/index.php/actualites/2securite/moins-de-24-heures-apres-un-prisonnier-politique-gracie-est-porte-disparu>

⁵ <https://www.iwacu-burundi.org/muqamba-un-jeune-fraichement-sorti-de-prison-tue/>

pending. However, the government has described these acts as "terrorism with death and injury on public transport vehicles⁶".

Despite this, suspects are arrested systematically, and in cascade, near the scene of events, in the immediate aftermath. In Rutegama, for example, arrests began only a few hours before 1am. It is almost exclusively militants and cadres of the National Council for Liberty (CNL) and former members of the Burundian army (ex-FAB) who are targeted. As the identification of the perpetrators of these crimes is still awaited, and is moreover difficult in such a short period of time, some people claim that this would be an appropriate pretext for arresting political opponents and other people perceived or presented as a threat by the government. These concerns have been raised in view of the opacity of the government in the handling of these "terrorist" attacks, where all filming was prohibited at the scene of the events and even at the burial of the victims.

In terms of press freedom, the new government's signs of openness towards the media led Reporters Without Borders to rank Burundi 147th out of 180, moving it up 13 places. However, contrary to the proclaimed will for dialogue, the Burundian government pressured the Rwandan government to close three media outlets created by Burundian exiled journalists - Radio Inzamba, Radio Publique Africaine and Radio-Télévision Renaissance - broadcasting in Rwanda. The closure measure taken by the Rwandan authorities was effective from 24 March 2021.

On the human rights monitoring front, while the UN office in Burundi closed its doors definitely on 31 May following the Burundian government's decision, the UN Human Rights Council restored the National Commission for Human Rights (CNIDH) to A status. It had lost this status two years earlier. It is thus encouraged to be more independent and not to remain silent about human rights violations in Burundi.

In this area, the trends and results for the period under review remain similar to those of previous quarters and are marked by numerous violations of life and physical integrity, kidnappings and enforced disappearances, and, unusually, a remarkable decrease in arbitrary arrests. In all, 119 cases of violence against life were reported, 125 cases of violence against physical integrity, 40 arbitrary arrests and 4 cases of abduction and enforced disappearance.

These various violations are detailed below.

1. Violations of the right to life: several armed attacks add to the toll

The toll of violations of the right to life was dramatically increased by four armed attacks carried out by not yet identified groups, all of which were perpetrated in areas considered safe, the capital and the centre of the country (Mwaro and Muramvya). As a result, violations of the right to life more than doubled compared to the first quarter. In all, the number of victims taken by these killings is 49, or about 40% of the violations of the right to life

⁶ <https://www.iwacu-burundi.org/muramvya-securite-plus-de-15-morts-et-des-blesses-dans-une-embuscade-a-rutegama/>

recorded. Nevertheless, apart from these attacks, the trends remained identical to those of previous quarters, the dominant feature of which is the targeted killings of victims in their homes or near their places of residence, the perpetrators of which are not identified, thus constituting one of the characteristics of impunity and the cause of its persistence. The total number of crimes in this category is 27, i.e., one fifth of the total. The other category of violations of the right to life is manifested in the now recurrent phenomenon of lifeless bodies dumped in various places - rivers or wastelands - where their identification is problematic. Almost systematically, the administrations give the order to bury the victims without their identification, making any subsequent investigation impossible. In all, seventeen bodies were found, more than half of them in the province of Cibitoke alone, which has become the epicentre of this phenomenon.

Among the reported violence against life, many were attributable to law enforcement officers (9) and elements of the Imbonerakure militia (7). The last category consists of violations of the right to life (12), the perpetrators of which have been prosecuted. For the most part, these were assassinations committed in the context of family conflicts. They are also the result of acts of mob justice that have become frequent against people accused of witchcraft. Although still marginal (10%), the arrest of the presumed perpetrators is a signal that impunity can be eradicated, provided there is a political will.

These different categories are presented here with illustrative examples.

1.1. Lifeless bodies abandoned and buried without being identified

Over the quarters, the phenomenon of lifeless bodies abandoned far from the victims' homes, presumably to make their identification difficult, has become a recurrent trend. The province of Cibitoke is the area where the frequency of these events is the highest. During this quarter, nine bodies were discovered there out of the 17 discovered in the whole country. The other common denominator is that these bodies bear wounds, sometimes still bleeding, on their heads and necks, sometimes tied up or even hanged. Except in two cases, the administration ordered the bodies to be buried without identification. The vast majority of the victims were men, but two women were among the victims, one of whom was found naked.

Here are some illustrative examples.

On 8 April 2021, at around 5 a.m., near the Rubirizi health centre in Mugina commune of Cibitoke province, security guards of the centre discovered the lifeless body of an unidentified man, tied up and lying in a pool of blood about fifty meters from the centre.

According to witnesses of the macabre discovery, the body of the victim had many wounds and marks of blows from sticks.

On 12 May 2021, below the Nyamabega hill, in Buhiga commune, Karusi province, the lifeless body of an unidentified woman, aged around 30, was discovered floating in the Ndurumu river.

According to witnesses, the victim had been stabbed to death and her body was in a state of decomposition. The victim's body was buried on the same day on the orders of the Buhinyuza zone leader, without first having to identify it and carry out an investigation to clarify the causes and circumstances of the murder and identify its perpetrators.

On 22 May 2021, at around 5 p.m., on the 4th transversal of Nyamitanga hill, in Buganda commune, in Cibitoke province, the lifeless body of an unidentified man was discovered by fishermen less than 50 meters from the Rusizi river, which borders the Democratic Republic of Congo.

According to witnesses, the body of the victim had numerous wounds and a rope around the neck. This suggests that the victim was strangled after being tortured.

According to the testimonies received, the fishermen who discovered the body quickly alerted the soldiers from a position at the 3rd transversal in Nyamitanga who came with the Buganda communal administrator, Pamphile Hakizimana. The latter immediately gave the order to bury the body without identifying the victim and without any investigation having been opened to determine the perpetrators and the motive for the crime.

On 3 June 2021, on the 5th transversal of the Ndava hill and area, in the commune of Buganda, in the province of Cibitoke, about fifty meters from the Rusizi river between Burundi and the Democratic Republic of Congo, shepherds discovered the lifeless body of a man who has not been identified.

According to witnesses, the bound body of the victim had wounds on the head. He was buried on the spot the same day on the orders of the Buganda communal administrator. The same witnesses said that this place where bodies are regularly discovered is very close to a military position. The population of this area suspects the soldiers in this position of being the perpetrators or accomplices of these murders.

1.2. Violations of the right to life attributed to law enforcement officers

A total of nine (9) violations of the right to life attributed to elements of the security forces were reported, four (4) of which were imputed to agents of the National Defence Force and the rest to police officers. All had recourse to service weapons, most of which were used to settle individual disputes or, to a lesser extent, abused in the course of their duties.

Generally, these acts are encouraged by the impunity enjoyed by the perpetrators of crimes and abuses when they are officers who are close to the ruling party. Among the cases reported, several alleged perpetrators were apprehended and some tried in flagrante delicto. The others benefited from total impunity. Here are some examples of these violations of the right to life.

On 1 April 2021, at around 1.30 a. m., in the Kinanira II quarter of Musaga urban zone, in Muha commune, Bujumbura town hall, a senior Burundian army officer, Lieutenant-Colonel Blaise Ndayegamiye, shot and killed Lionel Nimubona, a young High School graduate, aged 24, who was working as a cashier in a bar, 'Ku Mucamo'.

According to sources on the spot, the officer first knocked forcefully on the door of the bar's waiters, asking them to offer him beer, but they refused, explaining that the bar was already closed. The said officer then returned home in a rage, took his Kalashnikov-type service weapon and then returned and shot the cashier at point-blank range. The latter died immediately, while the other waiters managed to save their lives because they were able to hide.

According to the testimonies received, the officer was arrested two hours later following the intervention of the military police, the police having failed after several attempts.

On 15 May 2021, at around 8.30 p.m., on Ndava hill and zone, in Buganda commune, in Cibitoke province, a policeman by the name of Gérard Ndacayisaba shot Festus Hakizimana, a driver in a construction company called Angélique, at the 'Kab-16' project of the Kaburantwa electricity barrage, in the same commune, at close range.

According to witnesses on the spot, three policemen, Gérard Ndacayisaba, Edouard Ndayikengurukiye and Félix Ngendabanka, accompanied by three Imbonerakure militiamen whose names are not yet known, broke into the households of the locality and indiscriminately beat all the people they found.

It was then that Festus Hakizimana, a married man and father of three young children, returned from work to find these policemen and the young Imbonerakure mistreating his neighbours. He asked why these people were being mistreated in this way, and the policeman, Gérard Ndacayisaba, armed his rifle and shot him twice in the hips at close range. The victim was rushed to a nearby health facility, but died from his injuries just after arriving at the emergency services. The victim's family claims that he was killed because of land disputes with the National Commission on Land and Other Assets (CNTB).

According to sources on the ground, the three policemen were arrested the same night and tried in a flagrante delicto trial by the Intermediate Court of Cibitoke on Monday 16 May 2021. The court sentenced the main perpetrator, Gérard Ndacayisaba, to life imprisonment and his two co-accused, Edouard Ndayikengurukiye and Félix Ngendabanka, to a one-year prison sentence suspended for two years. The same court collectively sentenced all the accused 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 29 June 2021, in Gisyo quarter, in Muha commune, south of Bujumbura town hall, a policeman by the name of Raymond Butoyi shot and killed a woman called Goreth Ntakirutimana, following a dispute over the demarcation of their contiguous plots of land.

According to witnesses, the policeman fired several bullets, about 16, at the woman's head, chest, neck and arms. The victim died on the spot.

The same sources said that although the construction work had been suspended since a month by local administrative authorities on the disputed area, the policeman resumed the work at around 2 a.m. of that fateful day, which prompted the victim's intervention.

On 30 June, at around 7 p.m., on Kivumu hill, in Mugamba commune, Bururi province, a young man named Bernardin Baserukiye (20 years old), who had just been released under the presidential pardon in April 2021, was killed, shot by individuals not yet identified.

Sources on the ground revealed that Bernardin Baserukiye had first responded to a phone call from an unknown person before being abducted and then shot dead near his parents' home.

The victim's relatives said they suspected the police commander in Mugamba, Moïse Arakaza, nicknamed Nyeganyega, of being behind the assassination. This police officer first arrested the victim's younger brother, who was in detention at the time of the events, accusing him of collaboration with rebel groups, as well as his father, who was released a few days earlier after paying money.

In such circumstances, an impartial and independent investigation is needed to find the perpetrators of this assassination. The population of Mugamba is being persecuted by the accused police officer, accusing them of being opponents or sympathisers of armed groups.

1.3. Assassinations attributed to members of the Imbonerakure militia

Six cases of violation of the right to life by elements of the Imbonerakure militia were recorded during the period under review. These different situations illustrate the enormous power granted to these militiamen, legitimised and reinforced by the impunity they enjoy, regardless of the seriousness of the abuses committed. For two cases, the militia decided to punish the victims involved by inflicting fatal blows. In the other four cases, the militiamen acted, on the one hand, for political reasons, by attacking people for their political affiliation to the CNL political party, and on the other hand, for vicious reasons, with the aim of robbing and executing the victims, even though they had asked for their help in crossing the Rusizi river from the Democratic Republic of Congo. In the last two cases, these militiamen also attacked foreigners, a Beninese living in Burundi, and a Munyamulenge who was going to Bujumbura for treatment. A few examples were chosen to illustrate these crimes.

On 22 April 2021, Eliezer Nahimana, alias Chombo (76 years old) died in the dungeon of the communal police station in Buganda, in Cibitoke province, following ill-treatment attributed to Imbonerakure militiamen.

The events took place on transversal road 3 in Gasenyi when a group of Imbonerakure at the instigation of the Buganda communal administrator, Pamphile Hakizimana, when the victim contested the layout of a rainwater drainage canal by this administrator in his plot of land.

On 27 April 2021, along the transversal 4 of Nyamitanga hill, in Buganda commune of Cibitoke province, a lifeless body in a state of decomposition of a pastor of Beninese origin known as Franck Nyandaka, who has been on an evangelisation mission in Burundi since 2019, was discovered by fishermen floating on the waters of Rusizi river.

According to testimonies collected, this evangelist pastor had travelled to South Africa and the Central African Republic with his wife and two children for an evangelistic mission. On 24 April 2021, on his way back to Burundi with his family, he wanted to cross the Rusizi river into the Democratic Republic of Congo. To do this, he resorted to the Imbonerakure

smugglers of the Nyamitanga hill who first took his wife, a Burundian, and his children across the river, whom they even accompanied to take a public transport bus to Bujumbura. Afterwards, the same Imbonerakure returned to take the pastor but, instead of taking him across, they allegedly cut his throat and threw his body into the Rusizi river, after having stripped him of his money and luggage.

To date, there has been no investigation to determine the motives and responsibilities in this crime. Thus, the crimes committed by the Imbonerakure continue with impunity because they often benefit from the support or complicity of the administrative and police authorities.

A little over two weeks later, on 14 May 2021, on the banks of the Rusizi river, in the sector of Mparambo I, Rugombo commune, Cibitoke province, farmers discovered the lifeless body of a man named Onesphore, a 50-year-old Munyamulenge.

Eyewitnesses said that the body of the victim had several wounds in the ribs. They revealed that the victim Onesphore was from Kamanyola in the Democratic Republic of Congo (DRC) and that Imbonerakure youths savagely killed him after stealing all his money amounting to six hundred dollars (USD 600).

The victim was buried immediately. To date, no investigation has been carried out to arrest the perpetrators of this assassination, although some of the suspected Imbonerakure were seen in possession of a large sum of money.

On 20 June 2021, at around 1 p.m., in the Nyabiho river in Gitaramuka commune of Karuzi province, the lifeless body of Sylvestre Bidoreye was discovered.

According to several witnesses, Sylvestre Bidoreye and his cousin Joseph Muhigirwa, both members of the National Congress for Liberty (CNL), had been called on the phone during the night of 16 June 2021 by Jean Marie Vianney Mbonimpa, the leader of the Imbonerakure on the Gasasa hill in the same commune. They accused them of being part of a group of bandits who were stealing from households on that hill. The same sources revealed that the Imbonerakure, who had gathered at the home of the leader of Gasasa hill, atrociously killed Sylvestre Bidoreye with machetes, before throwing his body into the Nyabiho river, and that they also seriously wounded his cousin, who was lucky enough to escape in extremis from his executioners.

No investigation has yet been conducted to arrest those responsible for this murder.

1.4. Attacks and mass killings by unidentified persons

Throughout the quarter, armed attacks with heavy casualties targeted the town hall of Bujumbura and the provinces of Mwaro and Muramvya, in the centre of the country, almost halfway between the economic and political capitals of the country. In view of their highly professional modus operandi, the perpetrators of these attacks probably had the objective of killing as many people as possible. Also, striking in these areas, which are supposed to be the best protected in the country, could have been aimed at showing the fragility of the current security system. The death toll from these attacks is at least 49, with dozens injured. The majority of the victims are civilians, including women and children.

The grenade attacks in Bujumbura were carried out almost simultaneously at different bus stops and at high traffic times, killing at least 7 people and injuring over 80. The ambushes in Muramvya province targeted convoys with numerous vehicles and the assailants indiscriminately burned and killed passengers. So far, the authorities have not made public any results of the promised investigations into these attacks. However, in the absence of any credible information on the identity of the perpetrators and in the freshness of the events, a cascade of arrests has been made of soldiers of the former Burundian Armed Forces (FAB) and retired police officers, as well as members and supporters of the CNL opposition party.

On the night of Friday 16 April 2021, at around 8:30 p.m., in the town of Rusaka in Mwaro province, men armed with guns burst into a bar and opened fire on people who were quenching their thirst, killing seven of them and injuring four others, two of them seriously.

During this attack, Égide Kwizera, the communal accountant of Rusaka commune, Claudine Ndayishimiye, his wife, Éric Ndayizeye, the vice-director in charge of studies at Rusaka communal high school, and his wife Fidès, the principal of Rusaka communal high school, were killed, along with their child, Liesse, a sixth-grade student at Bukwavu communal school, Astère Simbananiye, a tax collector in Rusaka, and Ferdinand, who worked at the Congregation of the Ursuline Sisters of the Sacred Heart of Jesus in Bukwavu, were shot dead, while four other people were wounded and evacuated to Kibumbu hospital.

On 9 May 2021, at around 7:30 p.m., on the Bugarama-Gitega road, at the level of the Burambana hill, in the Muramvya commune and province, unidentified men, armed with guns and grenades, ambushed four vehicles, including three Toyota Probox vehicles and a bus belonging to the Volcano transport agency. During the attack, 12 people were killed and five others were seriously injured, while an unknown amount of money and mobile phones were taken by the gunmen.

According to several witnesses, the armed men had blocked the road with a stone barricade and the first two vehicles crashed into the barricade before skidding off. They were then fired upon and completely burned. Among the victims of this attack, the vast majority of whom were civilians, which included two children, one of them a baby, and a woman.

On 25 May 2021, between 7 and 8 p.m., four simultaneous grenade attacks were carried out in the main bus parks in Bujumbura, killing at least seven people and injuring more than 80 others, some of them seriously and in critical condition.

According to corroborating sources, the first attack targeted the bus park at the Ngagara market, commonly known as "Cotebu", and resulted in four deaths. Other similar attacks were perpetrated at the bus park serving the south of the town hall, in the alleyway commonly known as "Plaza" opposite the stalls of vegetable sellers, and at the bus park known as "Permanence", on the road "Chaussée du Peuple Murundi".

The majority of those injured were treated at the Prince Regent Charles Hospital located in the Buyenzi zone.

On 26 June 2021, at around 7 p.m., on the Munanira hill, in Rutegama commune, in Muramvya province, a group of armed men set up an ambush on the Muramvya-Gitega road near the place commonly known as 'Kwa Comptable'⁷ “.

According to the information received, this attack cost the lives of at least 21 people. Among them, fourteen (14) were burnt to death in two vehicles of the Hiace and Probox type. A couple returning from a family celebration was killed on the fringes of the attack by the assailants as they fled up Gashingwa hill, one kilometre from the ambush site. The same sources report that eight people were wounded and that they were all evacuated to health facilities close to the scene of the carnage: three wounded were taken to Kibimba hospital, three others to Kibuye hospital and two wounded to Muramvya hospital. The victims were civilians, including traders, several of whom were coming from a dowry ceremony that had taken place in the province of Mwaro⁸.

1.5. Targeted killings whose perpetrators are not identified

In this category, 27 murders were recorded, representing approximately 23% of the total murders recorded during the reporting period. It is the frequency and scale of these targeted killings, whose perpetrators are not identified, that provides a breeding ground for impunity in Burundi. However, the victims are generally killed in their homes or in the surrounding area, probably by perpetrators who, according to various indications, are from the neighbourhood. This should normally guide the investigators in identifying them. But this is not the case at all.

During this period many people were attacked in their homes and killed, two times, by couples, under the suspicion of witchcraft. Clearly, the perpetrators of this type of crime can only be people from the neighbourhood, but very often no investigation is carried out to arrest those responsible for these crimes. Also, during the attacks, the assailants used grenades to dissuade any intervention. And very often the dirty work is completed with machetes or clubs. The high frequency of grenade attacks shows a high level of proliferation of small arms, some of which have been distributed by agents of the government.

Here are some examples that illustrate this category of crime.

On 5 April 2021, at around 11pm, on the Nyamihana hill, in the commune of Mugina, in the province of Cibitoke, an attack was carried out at the home of a couple, whose two spouses were killed with machetes and clubs.

Several witnesses, including the eldest son of the victims, said that the perpetrators first demolished the door of the house in order to gain access to the victims' bedroom, accusing them of witchcraft, according to the words they uttered while executing the victims. In this regard, leaflets had even been distributed before the attack.

⁷ Literally translated "At the Accountant's".

⁸ For more details: <https://sostortureburundi.org/?p=3108&lang=fr>

Some of the inhabitants of the hill regretted that the soldiers in a military position very close to the scene of the crime did not intervene despite the cries for help from the victims' children.

On 24 April 2021, at around 1 a.m., on the Nyagutoha hill in the commune and province of Ruyigi, Melchiade Bihomvore (70) and Véronique Munanage (64) were attacked in their home and killed with machetes.

According to sources on the spot, a grenade was first thrown to dissuade possible intervention by neighbours and then the doors of the house were broken down, before the two people inside the house were killed with machetes.

According to the same sources, the husband died immediately while his wife died at Rema Hospital in the provincial town centre at around 3 a.m. The motive and responsibility for the murder have not been established.

On 24 May 2021, near the hill of Muramba, in Kirundo commune and province, a lifeless body of a man identified as Jean Mbarubukeye, aged around 60, was discovered floating on Lake Cohoha.

Sources on the spot indicated that the victim, a member of the CNL party, was killed with a machete during the night of 23 May 2021 and his body thrown into Lake Cohoha.

The body of the victim was buried the same day on the orders of the Kirundo communal administrator, without any investigation having been opened to determine the motives and responsibilities for the murder.

On 1 June 2021, at around midnight, on the Ruzingati hill, in Gahombo commune of Kayanza province, two people, including a woman in her sixties and her grandson, were killed and another was injured in a grenade explosion.

According to witnesses, a grenade was first thrown through the window into the room where an elderly couple and their grandson were sleeping. The child and his grandmother died immediately, while the head of the household was seriously injured. The same sources revealed that this act was linked to suspicions of witchcraft.

To date, as in many such cases, no investigation has been carried out to determine the motives and responsibilities for this crime.

1.6. Violations of the right to life whose alleged perpetrators are prosecuted

The number of assassinations whose alleged perpetrators are arrested and sometimes tried is still small in relation to the total number of crimes committed. During the period under review, they represented just under 10% of the total. Their denominator is that they consist of crimes committed within the family sphere following marital or land disputes. Sometimes they are crimes attributed to people in the neighbourhood or for criminal reasons, essentially

to facilitate theft. On the whole, therefore, these are crimes that are not politically motivated, which makes them easier to prosecute. Here are some examples.

On 7 April 2021, at around 2 a.m., on Rugeregere hill, in Rugombo commune of Cibitoke province, a woman in her sixties by the name of Spéciose Ntamarerero was murdered in her home.

According to witnesses, the perpetrator was her son, Emmanuel Ngendanzi, aged 35, who broke into his mother's bedroom and killed her with a machete to the head.

The killer was apprehended by the police. The motive for the crime is said to be related to a land dispute, according to the confession of the alleged perpetrator to the police.

On 18 May 2021, at around 4 p.m., on the Karimbi sub-colline in Bururi commune, the lifeless body of a young man called Aulory Igiraneza (17 years old), from Gisanze hill in Bururi commune and province, was discovered.

Sources on the spot revealed that this young man, a motorbike taxi driver was killed by people he had transported to the commune of Songa and that his motorbike was found in the night of Monday to Tuesday, May 18 in the valley of the Siguvyaye river on the Rumonge-Bururi road.

The same sources said that after police searches in the locality, four suspects were apprehended and subjected to interrogation at the Bururi judicial police station. They are Eric Mugisha, aged 23, from Nkizi hill in Buyengerero commune of Rumonge province, Phalès Irangabiye, aged 21, from Rabiro hill in Makamba commune and province, Oraph Nambazimana, aged 22, from Murambi hill in Makamba commune and province and Etienne Nshimirimana, from Kigufi hill in Bugenyuzi commune of Karusi province.

On 9 June 2021, on Ruhinga hill, in Mugamba commune, Bururi province, the lifeless body of a woman called Ndayisaba was discovered at her home.

According to sources on the spot, neighbours were alerted by the cries of her baby. Suspicions were raised about the father-in-law, Apollinaire Kadidambari, who was arrested by the police along with two of his daughters for investigation.

2. Violations of the right to physical integrity

During this quarter, attacks against physical integrity were dominated by inhuman and degrading treatment by elements of the Imbonerakure militia, who have progressively acquired almost unlimited power, with the right of life and death over citizens, and to act in all areas of life. Other cases of physical harm are caused by attacks with firearms, grenades or knives on individuals, families or groups. A few cases of mob justice have been reported and the victims are people suspected of witchcraft. Here are some examples.

2.1. Violations of the right to physical integrity attributable to Imbonerakure militiamen

The most frequent motivations that seem to guide the Imbonerakure in their choice of victims are essentially political. Members of the CNL political party are their favourite targets, and this manhunt seems to extend beyond election campaign periods. In other situations, inhuman and degrading treatment was inflicted on people with the aim of "correcting" them, with the complicity or instigation of some local authorities. Finally, sometimes the militiamen decided to attack their victims for villainous reasons in order to rob them of their property. The inhuman and degrading treatment often inflicted is disabling, causing serious injuries, fractures or other physical disorders requiring hospital treatment. In general, these acts go unpunished. Here are some examples.

On 12 April 2021, at around midnight, the leader of the Teza quarter, in Kamenge zone, in the urban commune of Natahangwa, in the Bujumbura town hall, Jean Népomucène Mbanzamihigo, ordered Imbonerakure militiamen to violently beat a widow known as Suzanne Minani, her son Simon Nshimirimana, her nephew Joseph Belavista and Côme Ndabirabe. The abuse inflicted seriously injured the victims to the point that they had to be evacuated to a health care facility.

Sources on the spot indicated that the leader of Teza quarter and a group of Imbonerakure ensuring his security broke into the house of this widow located at 12th Avenue n° 216 and ordered her to open her bar and offer them beer. When she demanded that they pay cash before serving them, the leader of the quarter ordered the Imbonerakure to beat her and when the above-mentioned members of her family intervened, they were also beaten. Côme Ndabirabe was seriously injured in the head while Joseph Belavista suffered a broken leg.

According to the information received, the head of the Teza quarter and these Imbonerakure were not worried and remained free to move around.

On 17 April 2021, on Nkurye hill of Giharo zone and commune, in Rutana province, two members of the National Council for Liberty (CNL), Hilaire Niyongere and Lionel Habonimana, were violently beaten by a group of Imbonerakure.

According to local sources, Athanase Bigirimana, a member of the Imbonerakure youth league and headmaster of the Giharo communal high school, arrested the two CNL activists and took them to the bush in that locality where three other Imbonerakure named John, Napoleon and Anaclet were waiting for them. They gave them several blows with sticks, particularly on their feet. Following this, the two victims were admitted to the Giharo health centre for appropriate treatment.

On 16 May 2021, at around 6:30 p.m., on the Masango hill and zone, in Bukinanyana commune, in Cibitoke province, two Imbonerakure youths whose names are not yet known seriously injured with stab wounds a young man known as Léonard Nsengiyumva (27 years old), a motorcyclist who was moving them on his motorbike, which they then stole.

Witnesses say that the victim was first urgently evacuated to Bukinanyana hospital for first aid before being transferred to one of the hospitals in Bujumbura for proper care. The two criminals were found by the police, in collaboration with the population, in the forest where they had hidden with the stolen motorbike.

On 3 June 2021, Imbonerakure on patrol on Mihigo hill in Busiga commune of Ngozi province injured a 43-year-old CNL party activist known as Emmanuel Nyandwi.

According to witnesses, Emmanuel was returning from a drinking shop where he had spent the evening with friends when he came across Imbonerakure who severely beat him. The attack followed threats that the activist had received from the Imbonerakure, who had vowed to 'correct' him for refusing to join their party.

2.2. Physical assaults resulting from armed attacks

The violations of physical integrity reported here are mainly due to armed attacks. In two cases, a grenade attack was launched in a bistro and in the other a house was targeted. A Burundian military patrol was also ambushed in the Kibira forest, attributed to a group of armed men speaking Kinyarwanda. Also, a woman in her sixties was seriously injured when her house was set on fire. Here are a few examples of these various events.

On 27 May 2021, at around 9:00 p.m., near the central market of the town of Muramvya, a grenade was thrown into a bistro belonging to a certain Pierre. The explosion of this grenade injured five people, some of them being evacuated to the hospital in Muramvya and others to hospitals in Bujumbura town.

According to witnesses, the grenade was thrown just 10 minutes after a power cut in Muramvya town. The police arrested ten (10) suspects in the same night who were detained in the cells of the provincial police station in Muramvya.

While the prosecution of the alleged perpetrators is essential, it is necessary for investigators to act quickly but carefully to avoid keeping innocent people in detention and to identify the perpetrators.

On 2 June 2021, on Rusunu hill in the zone, commune and province of Rutana, a woman in her sixties was seriously burned inside her house, which was set on fire. She was taken to Rutana hospital where she was admitted for intensive care. The motives and responsibilities for this act have not been determined.

On 5 June 2021, at around 4 p.m., on Rutorero hill, in Mabayi commune of Cibitoke province, four Burundian soldiers on patrol in the Kibira forest were seriously wounded in an ambush by a group of men who, according to sources on the ground, spoke in Kinyarwanda.

3. Abduction and enforced disappearances

During the period under review, abductions and enforced disappearances were attributable to SNR agents identified either through their now known modus operandi or because they

were seen by witnesses. The motives for their actions are political or security-related. The victims include two people released following the presidential pardon, including a member of the CNL, a supposed opponent of Pierre Nkurunziza's third term, an ex-FAB, a returnee from Rwanda and two people accused of collaboration with armed groups. Here are some examples.

On 26 April 2021, at 1:00 p.m., in the Bujumbura town hall, Alexis Nsabimana, a member of the National Congress for Liberty (CNL) and beneficiary of a presidential pardon, was reported missing just after his release from the central prison of Mpimba. The victim is an engineer by training, born in the sub-colline of Kinama, Nyamaboko hill, Kanyosha commune, in Bujumbura province.

According to sources from his family, around midday, Alexis Nsabimana had received a phone call from one of his friends who was planning to go and meet him as soon as he was released from prison, but shortly after 1:00 p.m., both of his phone lines were switched off and the victim has not been found to this day.

Since the afternoon of 15 May 2021, Charles Hamenyimana, a retired member of the former Burundian army (ex-FAB), has not been found in the centre of Mabanda commune in Makamba province. A local source said he was last seen at the garage near the Catholic parish.

According to the same source, his family searched all the dungeons without success and his phone has remained unreachable since the day of his disappearance at 3:00 p.m.

On the night of Saturday 22 May 2021, at around 11:00 p.m., on the Ruzibazi hill, in Mukike commune, Bujumbura province, police officers of the 3rd Mobile Rapid Intervention Group (GMIR), from Nyabisaka position, abducted Egide Nizigiyimana from his home.

Sources on the ground revealed that Egide Nizigiyimana, a farmer and cow trader, is allegedly accused of having participated in the 2015 demonstrations against the third term of President Pierre Nkurunziza. He was taken to an unknown destination in a jeep belonging to Commissioner Désiré Uwamahoro, who is known for his numerous human rights violations.

In view of the circumstances, there is reason to fear that this abduction could later turn into an enforced disappearance, given that OPC1 Désiré Uwamahoro has been cited in several reports by national and international human rights organisations as the perpetrator of several cases of abductions followed by enforced disappearances, assassinations and other similar evils.

On 2 June 2021, SNR agents abducted Ernest Bagayuwitunze, a retired policeman suspected of collaboration with armed groups based in the South Kivu highlands in eastern DRC.

According to eyewitnesses to the scene, these agents broke into the victim's bedroom and directly brutalized and tied him up, without a warrant and any explanation as to the reason for his arrest. These SNR agents drove him to a destination so far unknown, in their vehicle.

The same sources revealed that the team that abducted the victim was led by OPC1 Alexis Ndayikengurukiye alias Nkoroka in the company of a local Imbonerakure, nicknamed Nyika.

There is a strong risk that the abduction of Ernest Bagayuwitunze, a native of Buganda commune and former combatant of the National Liberation Front-Party for the Liberation of the Hutu People (FNL-PALIPEHU), a rebel movement formerly led by Agathon Rwasa, will turn into an enforced disappearance because of the bad record of the abductor who is cited in several reports by Burundian civil society organisations and the United Nations Commission of Inquiry on Burundi.

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

Compared to previous quarters, the number of arrests and detentions decreased significantly during the period under review. The number of arbitrary arrests, around 40, was further amplified by the cascade of arrests following the armed attacks that occurred during the quarter. In such circumstances, members of the CNL and ex-FAB were the preferred target of police and SNR agents, sometimes with the support of local elements of the Imbonerakure militia. Only one illegal arrest was attributed to an Imbonerakure leader in the province of Bubanza. The latter subsequently benefited from the complicity of the police who placed this person in detention, thus legitimising this illegal act and the authority of this militiaman.

4.1. Arbitrary arrests attributed to police officers

In addition to the arbitrary nature of arbitrary arrests driven by political and security motives, these are frequently carried out at late hours of the night, which constitutes an aggravating factor of irregularity. In fact, in addition to the fact that officers or agents of the Judicial Police may only enter the homes of private individuals on presentation of a search warrant duly signed by the competent authority (art. 123), visits to the premises and searches may not take place before six o'clock in the morning or after six o'clock in the evening (art. 126). The following are some illustrative examples.

On 14 April 2021, on Mirwi hill, in Burambi commune, Rumonge province, elements of the Mobile Rapid Intervention Group (GMIR) police stationed in Burambi arbitrarily arrested Gaspard Nzosaba, a man over 75 years old, at his home during a search operation.

According to witnesses on the spot, the police accused him of collaborating with rebel groups, although nothing incriminating was found in his house. The same sources added that he was instead accused of having hosted, at the beginning of March, a member of his family considered by the administrative authorities to be a rebel and on the run.

On 23 May 2021, on Kinyami hill, in Giteranyi commune of Muyinga province, police officers arrested four members of the CNL party as they were on their way to an activity organised at the party's headquarters and detained them at the communal police station in Giteranyi. They are Jean Marie Muhigirwa, Jean Nzitunga, Alexis Rwasa and the hill leader named Radjabu Ndaruvunikiye.

Sources on the ground revealed that this arrest followed an attack carried out on the night of 22 May 2021 against the property of the leader of the National Council for the Defence of Democracy - Forces for the Defence of Democracy (CNDD-FDD) party on the Kinyami hill where banana and coffee fields had been vandalised. Suspicions, without any material evidence, had been directed at members of the CNL. The hill leader was released the next day on the decision of the communal police chief in Giteranyi, after questioning.

On 18 June 2021, on Rutegama hill, in Vugizo commune of Makamba province, two retired ex-FAB soldiers, Rénovat Barateganya and Sylvestre Minani alias Runzanga, and a civilian known as Désiré Nkuzimana alias Maso, were arrested by police officers from the Makamba provincial police station in collaboration with the head of the SNR in Makamba province, Méroé Ntunzwenimana.

The first two were arrested at their homes while the third was arrested at his workplace in Makamba in a Memento transport agency on the same day. They were then placed in detention in the Makamba police station. This triple arrest took place one week after the arrest of another ex-FAB, Zénon Kabura, accused of being the perpetrator of a grenade attack that targeted the Mpinga zone leader in the same commune.

During the night of Saturday to Sunday, 27 June 2021, at around 2:00 a.m., in Rutegama centre and on the Gashingwa, Cumba and Munanira hills of the same commune, in Muramvya province, seven (7) local leaders of the CNL party and one (1) member of UPRONA, named Dieudonné, were arrested at their respective homes by police officers and Imbonerakure. According to sources from the CNL leaders in Rutegama, the arrested persons were taken to the dungeon of the provincial police station in Muramvya where they were imprisoned. They are Olivier Irangarukiye, CNL communal secretary in Rutegama, Camille Irampezagiye, member of the CNL provincial committee in Muramvya in charge of youth, Gaëtan Niyongere, member of the CNL provincial committee in Muramvya, Jean Claude Nkuzimana, head of the CNL in Rutegama zone, a certain Jacques, member of the CNL committee in Rutegama zone and Anthère, head of the CNL on Cumba hill. Fiacre Niyokindi, CNL communal leader in Rutegama, was arrested on Monday 28 June 2021 and detained in the said jail.

Subsequently, four (4) other CNL activists were arrested during the same night in the locality of Gashingwa and detained in the same place, thus totalling twelve (12) people arbitrarily arrested and detained following the attack in Rutegama.

4.2. Arbitrary arrests and detentions attributable to SNR officials

The arbitrary arrests and detentions attributable to SNR officials during the period under review illustrate once again the fact that these officials act above the law, thus totally ignoring all the laws and regulations in force in this field. Several reported cases are emblematic of this situation. For example, two women were arrested and detained in an undisclosed location because one of them is the brother of a teacher who fled the persecution of the Imbonerakure and the agents of SNR, and the other is the wife of a former FAB soldier. As the reasons for the arrests are never known, questions remain regarding the profile of some of those targeted. These include, in particular, a scout leader, a young girl

who was in the final stages of her secondary education, a young worker in a cafeteria, a young Tutsi man and frequent targets of ex-FAB soldiers. Here are some illustrative examples.

On 12 May 2021, at around 5:00 p.m., agents of the National Intelligence Service (SNR) arrested a young girl, Belyse Dusabe, a student in her final year of secondary school in the science section at the Lycée Sainte Famille in Minago, in the commune and province of Rumonge, and a native of the Gishiha hill in Burambi commune of the same province. Another young girl who works in a cafeteria in Minago, whose identity is not yet known, was arrested the next day by the same agents.

According to local sources, the motives for the arrest of these girls are not yet known. They were all detained at the provincial police station in Rumonge.

On 18 May 2021, on Shombo hill, in the commune and province of Muramvya, agents of the National Intelligence Service (SNR) in Muramvya arrested Adonis Butoyi, a young Tutsi. He was taken by motorbike to the provincial police station in Muramvya where he was reportedly detained without any specific reason for his deprivation of liberty.

On 1 June 2021, SNR agents arrested Alexis Hamenyimana, a native of the Maramvya zone of the Burambi commune, in Rumonge province. He was taken directly to the SNR cell in Rumonge before being transferred the next day to the police custody in the same province.

Sources close to him said that the victim had gone to the public prosecutor's office in Rumonge as a witness in a case of armed attacks in the Maramvya zone, but also to clarify several death threats he had received for some time.

In addition, following his threats, Alexis Hamenyimana had decided to send a letter to the provincial authorities, a copy of which was sent to the provincial police, the prosecutor's office and the National Intelligence Service in Rumonge.

On 24 June 2021, in Mabanda commune of Makamba province, the provincial head of the SNR, Méroé Ntunzwenima, and the head of the Gitara zone, Serges Nibayubahe, arrested two women, Antigone Sindayiganza and Francine Niyonsaba, respectively on the Budaketwa hill in Mabanda commune and in the centre of the same commune.

According to information received on the spot, Antigone Sindayiganza was arrested in place of her brother, a teacher from the locality who fled the country following persecution by young Imbonerakure and SNR agents, while the reason for the arrest of Francine Niyonsaba, wife of an ex-FAB soldier, is not yet known. The two victims were taken on board the vehicle of the SNR official to an unknown destination.

Conclusion

The successive and very deadly attacks in Bujumbura and in the provinces of Mwaro and Muramvya show that the situation in Burundi remains fragile. Even if the motives of the perpetrators remain unknown, it is difficult to hope for lasting peace and security without

the rule of law. However, the change at the head of the State, in which some had placed great hopes, has been slow to show any real willingness to establish a new dynamic of respect for human rights and democratic principles. On the contrary, the regime is content with the status quo, softened by presidential rhetoric full of promises, but which is contradicted by the facts, as trends in human rights violations remain unchanged. Even the significance of gestures such as presidential pardon is undermined by the enforced disappearance or assassination of those who have benefited from them.

Real change can only be measured by the practices of breaking with the status quo and not by speeches whose promises remain unfulfilled.

Recommendations

To the Government of Burundi:

The willingness increasingly expressed through declarations by Burundi's highest authorities to re-engage with its partners is difficult to reconcile with the continued practices of Pierre Nkurunziza's regime in terms of respect for human rights and democratic principles. Any resumption should be conditional on concrete acts of real openness and tangible changes towards the construction of the rule of law.

In this regard, the Government of Burundi should:

- Release all political prisoners and civil society activists detained illegally and arbitrarily. Specifically, Fabien Banciryano;
- Remove all obstacles to the exercise and enjoyment of the rights and freedoms recognised by the country's constitution and the relevant conventions that Burundi has ratified, especially the freedoms of opinion, association, press, peaceful assembly, etc.;
- Guarantee the right to life and liberty to all persons confronted with the multiple human rights violations whose perpetrators often go unpunished;
- Take urgent and firm measures to dismantle all criminal networks and the Imbonerakure militia and prosecute those who are guilty of acts against the law;
- The people recently released as a result of the presidential pardon must be specially protected and rigorous investigations must be carried out to determine the perpetrators of enforced disappearances and assassinations of some of them;
- Stop the persecution of Burundian refugees in neighbouring countries, especially in Tanzania;
- Cancel all politically motivated arrest warrants unjustly issued against human rights activists, journalists and other civil rights activists;
- Resume cooperation with international bodies, and allow for further investigation of crimes committed since 2015, and monitoring of the human rights situation in the country.

To the East African Community countries:

- Respect the rights of Burundian refugees on their territory in accordance with the relevant international conventions;
- Relaunch the initiatives of inclusive dialogue allowing the return of the rule of law and democracy in Burundi.

To the International Community :

- Base the political dialogue on concrete and verifiable commitments by the Burundian authorities to human rights and democracy. In particular, demand the release of all political prisoners and respect for civil and political rights (association, expression, etc.), based on a timetable and verification indicators;
 - Require the suspension of acts that can lead to ethnic stigmatisation and discrimination, such as ethnic labelling on official documents, of employees and economic actors, in the public and private sectors; selective work of the CVR, etc.;
 - Maintain support for the work of the International Criminal Court (ICC) on Burundi to continue investigations and prosecutions in order to end impunity in Burundi.
-