



SOS-TORTURE/BURUNDI

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

**Quarterly report on the human rights situation in Burundi from
1st October to 31 December 2021**



Gitega prison on fire (Image Arthémon NDAYISABA/BBC)

Burundi: Empty Promises

January 2022

SOCIOPOLITICAL CONTEXT **3**

1. **VIOLATIONS OF THE RIGHT TO LIFE**

6

- 1.1. THE RECURRING PHENOMENON OF BODIES BEING ABANDONED IN THE WILD 7
- 1.2. VIOLATIONS OF THE RIGHT TO LIFE LINKED TO SUSPICIONS OF WITCHCRAFT 8
- 1.3. TARGETED KILLINGS WITH UNIDENTIFIED PERPETRATORS 9
- 1.4. VIOLATIONS OF THE RIGHT TO LIFE FOR WHICH THE ALLEGED PERPETRATORS HAVE BEEN PROSECUTED 10
- 1.5. VIOLATIONS OF THE RIGHT TO LIFE BY LAW ENFORCEMENT OFFICIALS 11
- 1.6. VIOLATIONS OF THE RIGHT TO LIFE BY ELEMENTS OF THE IMBONERAKURE MILITIA 13

2. **ATTACKS ON PHYSICAL INTEGRITY**

14

- 2.1. ABDUCTIONS ATTRIBUTED TO SNR AGENTS 14
- 2.2. ABDUCTIONS BY NATIONAL POLICE AGENTS 15
- 2.3. KIDNAPPINGS BY UNIDENTIFIED INDIVIDUALS 16

3. **VIOLATIONS OF THE RIGHT TO PHYSICAL INTEGRITY**

17

- 3.1. ATTACKS ON THE PHYSICAL INTEGRITY OF CNL MEMBERS BY IMBONERAKURE MILITIAMEN 17
- 3.2. PHYSICAL HARM AS A RESULT OF DOMESTIC VIOLENCE 18
- 3.3. PHYSICAL INJURIES CAUSED BY THE EXPLOSION OF GRENADES 18

4. **VIOLATIONS OF THE RIGHT TO LIBERTY: ARBITRARY ARRESTS AND DETENTIONS**

19

- 4.1. ARBITRARY ARRESTS OF CNL MEMBERS BY SNR AGENTS 19
- 4.2. ILLEGAL ARRESTS ATTRIBUTABLE TO CNDD-FDD MEMBERS AND IMBONERAKURE 20
- 4.3. ARBITRARY ARRESTS ATTRIBUTED TO POLICE AGENTS IN COLLABORATION WITH IMBONERAKURE MILITIA 21

CONCLUSION **22**

RECOMMANDATIONS **23**

- TO THE GOVERNMENT OF BURUNDI : 23
- TO THE COUNTRIES OF THE EAST AFRICAN COMMUNITY : 23
- TO THE INTERNATIONAL COMMUNITY : 23

SOCIOPOLITICAL CONTEXT

In the fourth quarter of 2021, as in previous periods since General Evariste Ndayishimiye came to power, Burundi remains torn between two antagonistic trends. On the one hand, the new President, eager to make his mark and improve the country's image, and whose visible objective is to loosen the stranglehold of the sanctions against Burundi, is characterised by speeches of openness marked by a desire for change through criticism, sometimes acerbic, of the system and the country's poor institutional practices and of some of the officials within them. On the other hand, with the exception of a few rare presidential measures, the State remains, as usual, mired in human rights violations and other bad practices as in the past and sometimes with episodes of aggravation as shown by a report on the resurgence of enforced disappearances published in November 2021¹. The latter evokes this contradiction in an emblematic way: *“While President Evariste Ndayishimiye continues to make speeches and promises to put an end to exactions and injustices, detainees are tortured, particularly at the headquarters of the National Intelligence Service. Others are abducted by agents of the security forces. And these trends have been increasing in recent months².”*

One extremely serious incident has laid bare the persistence of criminal practices by the Burundian state and belies the rhetoric of covering up unspeakable acts with secrecy and impunity. This is the way in which the fire at Gitega prison and its consequences, which occurred on 7 December 2021, were handled. It is one of the most emblematic of this contradictory way of doing things. In this regard, several disturbing facts have raised questions about the responsibility of the state in this disaster:

- The first question is linked to the slowness of the fire brigade's intervention, which is said to have taken four hours, even though the fire engine was only a few yards from the prison. During this time, instead of opening the various dormitories whose entrances were locked, police and military personnel cordoned off the area around the prison, officially to prevent any escape.
- The second controversy concerns the death toll. Government officials, including the Vice President and ministers, went immediately to Gitega and a death toll of 38 and 69 injured was announced. Members of the Red Cross, initially involved in collecting the burnt bodies, were later dismissed and kept away along with journalists. Only police and army personnel were allowed to put the bodies in body bags³. The burial of the victims took place the same day, at nightfall, in secret, without identification of the bodies. On 29 December 2021, the official death toll was revised to 46 and

¹ IHRI, https://burundihri.org/english/november_2021.php

² Ibidem.

³ <https://www.rfi.fr/fr/afrique/20211207-burundi-un-incendie-%C3%A0-la-prison-centrale-de-gitega-fait-des-dizaines-de-morts>

announced by the President of the Republic during a public broadcast⁴. Several NGOs, including the Human Rights League Iteka, have claimed that the death toll is over 300⁵.

- Finally, the last disturbing fact is the way in which the victims were buried in an "express and furtive" manner without the knowledge of the families but, paradoxically, President Evariste Ndayishimiye affirms that "*everyone knows that they were buried and in a decent manner. There was even a prayer*"⁶. Finally, the last disturbing fact is the way in which the victims were buried in an "express and furtive" manner without the knowledge of the families but, paradoxically, President Evariste Ndayishimiye affirms that "everyone knows that they were buried and in a decent manner. There was even a prayer. Some relatives of the victims who tried to inquire about their dead relatives learned this the hard way, they were threatened or imprisoned, showing that a certain omerta had been decreed on this fire by the Burundian government and reinforcing the doubts expressed about both the causes of the fire and the number of victims.

The actions and speeches of the highest Burundian authorities have had contrasting effects on the various actors. NGOs, especially human rights NGOs, have continued to advocate for the maintenance of sanctions and the monitoring of the human rights situation in the country. On 18 November 2021, the United States of America decided to end "*the state of national emergency declared over Burundi in Executive Order 13712 of 22 November 2015*", as well as the end of the "*targeted sanctions*" that targeted four former high-ranking army and police agents involved in violence in 2015.

According to the US Presidency, the situation that led to the declaration of a state of national emergency "*has improved considerably since last year after the transfer of power following the 2020 elections and the continuation of reforms by the new President, Evariste Ndayishimiye*"⁷.

In contrast to the United States, a few days later the European Union renewed targeted sanctions against four personalities, including three high-ranking officers who are in the circle of power in Burundi, accused of having ordered acts of violence, acts of repression and human rights violations. The fourth is a former general, in exile, who is accused of grenade attacks and incitement to violence against the regime of Pierre Nkurunziza⁸. Also, the extension of economic sanctions until October 2022 was announced shortly afterwards, on 1 December 2021. This provoked the wrath of the Burundian authorities. Unexpectedly, three weeks later, the EU announced that it had found a solution to the legal problem blocking the

⁴ <https://www.burundidaily.net/post/des-questions-qui-derangent-et-revelent-letat-desprit-du-regime-de-gitega-le-president-burundais-pete-les-plombs-suite-a-une-question-osee-sur-les-calclines-de-la-prison-de-gitega>

⁵ <https://www.msn.com/fr-fr/actualite/monde/au-burundi-des-ong-soup%C3%A7onnent-une-v%C3%A9ritable-h%C3%A9catombe-dans-l-incendie-de-la-prison-de-gitega/ar-AAS2mr9>

⁶ <https://www.iwacu-burundi.org/neva-face-aux-citoyens/>

⁷ <https://www.aa.com.tr/fr/afrique/levee-des-sanctions-americaines-contre-le-burundi/2425190>

⁸ <https://afrique.lalibre.be/65769/burundi-lue-renouvelle-ses-sanctions-pour-un-an-contre-4-burundais/>

lifting of the sanctions, which were hampered by the difficulty of transposing the sanctions provided for in the Cotonou Agreement to the agreement that will replace it⁹.

Like Washington, Brussels also highlighted the resumption of political dialogue with the Burundian government since February of this year, after five years of total breakdown, emphasising "*the gestures of openness of President Evariste Ndayishimiye and his desire to turn the page*"¹⁰.

Despite numerous appeals based on well-documented reports of human rights violations and the lack of change in practices and real openness on the part of the Burundian authorities, the United States and the European Union have decided to take a different path, presumably guided by geopolitical interests¹¹. In a somewhat contradictory manner, on 8 October 2021, the Human Rights Council, in which these States have a great deal of influence, decided to appoint a Special Rapporteur on Burundi to monitor the human rights situation in Burundi. While these decisions to lift sanctions had already been announced, counting on the openness of the Burundian authorities, the Burundian Minister of Foreign Affairs announced before the diplomatic corps gathered in Bujumbura that the Special Rapporteur, whose appointment was expected in March 2022, would not be welcome in the country because his adoption had been made, he said, "by forcing".¹²

During the period under review, the country was also marked by the continuation and acceleration of the work of the Truth and Reconciliation Commission ("TRC") in an asymmetric manner. As a result, the TRC is constantly accused of bias in the direction of these investigations for having concentrated its research on sites where Hutus were buried and ignored those where Tutsi victims were located¹³. During the period under review, the country was also marked by the continuation and acceleration of the work of the Truth and Reconciliation Commission ("TRC") in an asymmetric manner. As a result, the TRC is constantly accused of bias in the direction of these investigations for having concentrated its research on sites where Hutus were buried and ignored those where Tutsi victims were located. It moved on to the final phase by qualifying the crimes committed in Burundi in 1972 and 1973 before the two chambers of Parliament meeting on 20 December 2021. After adopting the proposals, the Parliament asked the State of Burundi to recognise these crimes as genocide committed against the Hutus¹⁴. The TRC also stated in its report that at the same time, crimes against humanity were committed against some members of the Tutsi community.

⁹ <https://www.rfi.fr/fr/afrique/20211224-l-union-europeenne-s-apprete-a-lever-ses-sanctions-economiques-contre-le-burundi>

¹⁰ Ibidem.

¹¹ <https://afrique.lalibre.be/66040/burundi-rdcongo-droits-de-lhomme-lambassadeur-americaain-roule-pour-les-terres-rares/>. For the US, François Misser mentioned the interest in rare earths from Burundi, while many sources spoke of the EU's embarrassment at seeing Russia and China become more and more important.

¹² <https://www.rfi.fr/fr/afrique/20211213-le-burundi-refuse-d-accueillir-un-rapporteur-special-de-l-onu-avant-meme-sa-nomination>

¹³ <https://www.lefigaro.fr/flash-actu/burundi-pour-la-commission-verite-les-massacres-de-hutu-en-1972-etaient-un-genocide-20211220>

¹⁴ <https://www.iwacu-burundi.org/la-cvr-qualifie-les-crimes-de-1972-1973-de-genocide-contre-les-hutus/>

The social side was globally dominated by a new wave of the Covid-19 pandemic with an explosion of cases that the health authorities put at the beginning of December. The management of this pandemic by the authorities remains catastrophic. Even if waves of the pandemic are observed elsewhere, in Burundi, the increase in cases is due in part to the lack of rigour in the imposition of barrier measures and the absence of political will to vaccinate, placing Burundi at the bottom of the league in terms of the vaccination rate, which was far below 1% before the end of the year. This can be explained in part by the lack of will on the part of the country's leaders to encourage the population to get vaccinated; instead, they stated that the side effects of vaccines were not the government's responsibility, but rather the responsibility of the vaccinated.

Compared to the previous quarter, the number of violations of the right to life almost tripled, with a total of 164 people killed, or about 3 people killed in two days. Enforced disappearances also increased by 50%, from 24 to 36, or an average of 12 enforced disappearances per month. Physical attacks remain numerous and total 113 cases. Only the number of arbitrary arrests and detentions decreased. It totals 23 cases.

The details of these violations are presented below with a few emblematic examples.

1. VIOLATIONS OF THE RIGHT TO LIFE

The last quarter of 2021 saw a sharp increase in the number of violations of the right to life, with an average of three lives taken in two days. There has been no change to reverse the heavy trends of previous quarters or even years. Impunity remains the rule. Indeed, as in previous periods, the phenomenon of bodies abandoned by the murderers has continued. The theatre of this macabre spectacle remained globally in the province of Cibitoke in the communes of Buganda and Rugombo, near the Rusizi River. However, the phenomenon has spread to the commune of Kanyosha in Bujumbura province, where several bodies have been found. The common denominator is that the two provinces border the city of Bujumbura, reinforcing the suspicion that these bodies were dumped there by agents of the National Intelligence Service and could be those of many people who disappear without trace. Consistently, when bodies are found, the administration gives orders to bury them without identification and without investigation. Also, despite numerous appeals from several human rights organisations to the Burundian authorities to carry out an investigation into these crimes, to date nothing seems to have been done, or if it has been done, the results have not yet been made public.

The other emblematic trend of impunity in Burundi is the high number of unsolved targeted assassinations. The circumstances and responsibilities are never established, leaving the perpetrators unpunished.

Violations of the right to life linked to suspicions of witchcraft are a phenomenon that is becoming persistent and worrying in its scope. What is serious is that the perpetrators of these killings are not prosecuted, even though they can easily be identified. It is as if they benefit from the complicity of the administrative and police authorities.

During the quarter under review, several crimes were attributable to law enforcement officials, especially agents of the National Intelligence Service, who, after arresting people, mainly members of the CNL, tortured them to death with complete impunity.

These various violations are presented below with a few illustrative cases.

1.1. THE RECURRING PHENOMENON OF BODIES BEING ABANDONED IN THE WILD

A total of 28 bodies were found in the wild, of which about 9 out of 10 were found in the communes of Buganda and Rugombo in the province of Cibitoke, while the remainder were generally found in the commune of Kanyosha in the province of Bujumbura. In Cibitoke province, the bodies were found floating in the Rusizi River or washed up on the riverbank. Several bodies were in plastic bags, sometimes tied up, amputated and naked. The number of victims related to this phenomenon represents approximately one fifth of all crimes committed during the quarter.

In the two communes mentioned, in just four days, between 14 and 17 October 2021, fourteen (14) lifeless bodies of men and women in a state of decomposition were discovered on the banks of the Rusizi River. Most of the victims were men, but three women's bodies were among those found. Several witnesses claimed to see regular movements of vehicles during the night, which they suspect of unloading the bodies in different places in and around the Rusizi River. However, all these areas are under the control of Imbonerakure militiamen who carry out rounds during the night, which leads them to believe that they are in collusion with the perpetrators.

Here are some examples of this phenomenon.

On 14 October 2021, at around 10 a.m., on the 6th transversal road at the foot of the Ndava-village hill in Buganda commune in Cibitoke province, farmers discovered three decomposing bodies of unidentified men in a cassava field, less than 50 metres from the Rusizi River.

According to witnesses, the three bodies were bound, tied together and wrapped in a tarpaulin. The bodies were immediately buried under the supervision of the Ndava zone chief on the orders of the administrator of Buganda commune, Pamphile Hakizimana.

On 16 October 2021, in the Maragarazi River, at the foot of the Buhemba hill, in Kayogoro commune of Makamba province, a decomposing lifeless body of an unidentified woman was found. According to sources on the spot, the victim's body was wrapped in a plastic bag. It was buried the same day on the orders of the Kayogoro communal administrator.

On 31 October 2021, at around 9 a.m., on the 3rd transversal road of the Mparambo II hill in Rugombo commune of Cibitoke province, shepherds discovered four unidentified bodies, including that of a woman.

According to sources on the spot, two bodies of men dressed in sports clothes and tied together and two others including that of a woman were found in a cassava field about 500 metres from the Rusizi river. The communal administrator of Rugombo, Gilbert Manirakiza, ordered the burial of the bodies without any investigation.

On 19 December 2021, at around 8 a.m., at the 12th transversal at the foot of the Rusiga hill, in Rugombo commune of Cibitoke province, near the Rusizi River, in a field, the lifeless body of an unidentified man was discovered lying in a pool of blood.

According to witnesses to this macabre discovery, passers-by saw the naked body of the victim lying in a pool of fresh blood with several gaping wounds from knife and club blows all over his body.

According to these witnesses, while the identity of the victim and the perpetrators of the crime, as well as the circumstances of his death, had not yet been determined, the zone chief of Cibitoke, sent by the communal administrator, ordered Imbonerakure militiamen from the ruling party, the National Council for the Defence of Democracy-Forces for the Defence of Democracy (CNDD-FDD), who had come with him, to bury the body immediately. According to the information gathered, local residents suspect that the provincial head of the National Intelligence Service (SNR) in Cibitoke province was responsible for the murder of this man because they saw his vehicle and four policemen on board making suspicious movements at the place where the body was found before driving off in a hurry after a short time.

1.2. VIOLATIONS OF THE RIGHT TO LIFE LINKED TO SUSPICIONS OF WITCHCRAFT

During the period under review, six people, mostly elderly men and women, were killed because of suspicions of witchcraft in their neighbourhood. The recurrence of these crimes is increasing throughout the country without the authorities taking appropriate action to stop them. However, the perpetrators of these crimes are people from the neighbourhood who are easy to identify because often these lynchings are carried out by a crowd of people, in the form of mob justice, sometimes even fundraising is done for the killing of the stigmatised people. Such accusations may conceal other motives which may be political or related to personal conflicts, including land disputes. The lack of consistent and forceful action by the authorities to counter these summary executions amounts to a form of support that can only encourage the repetition and multiplication of such crimes.

Here are some examples to illustrate this.

On 8 October 2021, on the Kiderege hill in Nyanza-Lac commune of Makamba province, a girl named Francine died of an illness that had broken out a few days earlier. But the members of her family believed that she had been bewitched by a man from the neighbourhood.

According to local sources, Francine revealed during her death that she had been bewitched by her neighbour, Stéphane, who had predicted her probable death before the celebration of her wedding, scheduled for 16 October. After her death, the neighbours threw stones at Stéphane and his wife in retaliation and set fire to their house. Stéphane succumbed to his injuries the following day.

On the night of Thursday 25 November 2021, at around 7:30 pm, on the Gakerekwa hill in Mabayi commune of Cibitoke province, a man known as Jean Rudakemwa, aged over 70, was murdered by unknown individuals as he was returning home after finishing his day's work at his commercial kiosk.

According to local sources, Jean Rudakemwa was killed on suspicion of witchcraft. A few days earlier, he had narrowly escaped death following an attack by an unidentified person armed with a gun who wanted to assassinate him.

On the night of Tuesday 14 December 2021, on the Nyabikaranga hill in the commune and province of Kayanza, an 80-year-old woman known as Félicité Ndudo succumbed to her injuries after being stoned to death in the afternoon of the same day by an enraged population.

According to witnesses, Félicité Ndudo was attacked with stones by a crowd of people who accused her of witchcraft after she was found at the home of her neighbour Jean-Marie with a bag containing some objects that they took as grigris.

According to the same sources, the police and the local administration intervened late and found the victim in a precipice covered with stones and clods of earth before evacuating him to a nearby health facility where he died a few hours later.

1.3. TARGETED KILLINGS WITH UNIDENTIFIED PERPETRATORS

The other recurring sign of the impunity that plagues Burundi is the high number of attacks on the right to life of well-known, targeted individuals, but whose perpetrators are not identified, allowing the executioner to benefit from total impunity and the encouragement to reoffend. During the period under review, 25 such killings were reported, the victims of which were men as well as girls and women. While the motives for these killings can be gathered from the vicinity of the victims, it is difficult to understand the reasons for the lack of investigation or the failure to investigate. Increasingly, reported killings are likely to be faked as suicide by hanging.

Here are some illustrative examples.

On 10 October 2021, on the Busangana hill in Bukeye commune of Muramvya province, two soldiers of the 110th Reinforcement Battalion based in Bugarama, namely the Battalion Commander, Lieutenant-Colonel Jean-Marie Nkurunziza alias Matwi (matricule SS1300), an officer of the 34th promotion of the Institut Supérieur des Cadres Militaires (ISCAM), and his transmission agent, Corporal Fidèle Ndayitwayeko, were shot dead by unidentified individuals ambushed in the Teza forest.

According to local sources, Lieutenant-Colonel Jean-Marie Nkurunziza, a native of the Murago hill of the Ndava commune, in Mwaro province, succumbed to his wounds at the Giko hospital in Bukeye, where he had been evacuated, while Corporal Fidèle Ndayitwayeko, a native of the Kibago commune in the Makamba province, died immediately. The circumstances and responsibilities of these two assassinations have not yet been clarified.

On 23 November 2021, on the hill of Mparambo I in the Rugombo commune, in Cibitoke province, the decomposing body of Christian Ndayiziga was discovered by fishermen near the Rusizi River.

According to witnesses, Christian Ndayiziga's body showed wounds probably caused by machete blows.

The same sources stated that Christian Ndayiziga had disappeared since Friday 19 November 2021 after answering a phone call from an individual who invited him to collect his parcel from the Democratic Republic of Congo. The local administrator of Rugombo ordered the burial of the victim's body without opening an investigation to identify the perpetrators of his murder.

On the evening of Saturday 27 November 2021, at around 6 p.m., on the hill of Mugitega, in the zone and commune of Bugendana of Gitega province, the lifeless body of a young man of 27 years old who was known as Jean-Marie Ndiokubwayo was found hanged with a rope on the frame of a house under construction.

According to witnesses to the discovery, the body of Jean-Marie Ndiokubwayo, son of François Baryungure and Consolate Ntakarutimana, who lived on the same hill, was suspended on a rope, with his feet on the ground, suggesting that it was a fake suicide to conceal a murder. The local residents suggested that the young man had been killed elsewhere and that his murderers had brought his body to simulate a suicide.

The same sources said that the motive and circumstances of the killing have not been clarified.

On 3 December 2021, at around 7.30 p.m., in the Mahoro neighbourhood on Bibate hill, in the chief town of Rutovu commune, in Bururi province, Pélégie Rugoke (aged 57), a secretary at Rutovu secondary school, was shot dead by unidentified criminals.

According to witnesses, Pélégie Rugoke, a native of Kigamba commune in Cankuzo province, was in her shop selling products from Brarudi (Breweries and lemonades in Burundi) when she was attacked by men armed with guns who shot her at close range, killing her instantly.

The same sources claim that the killers only took the victim's two mobile phones before fleeing.

On the night of Friday 17 December 2021 at around 9.30 p.m., on the Muzingi hill in Gashoho commune of Muyinga province, a woman known as Jeanine Kabagabirwa and her little girl, whose name was not revealed, were murdered with a machete by unidentified criminals.

According to local sources, the perpetrators found the two victims in their house and killed them before fleeing. The motive for the double murder and the perpetrators are not yet known.

1.4. VIOLATIONS OF THE RIGHT TO LIFE FOR WHICH THE ALLEGED PERPETRATORS HAVE BEEN PROSECUTED

During the period covered, there were even fewer violations of the right to life whose perpetrators were arrested than in previous periods. There were only three such cases, consisting almost entirely of crimes committed in the family. In another case, the perpetrator himself confessed. These are the three cases reported.

On the night of Saturday 9 October 2021, at around 10 p.m., at the Nyagatovu health centre located in Tangara commune in Ngozi province, André Seruganda, a 70-year-old, was murdered with a dagger stuck in his throat while he was on his sick bed.

According to witnesses, André Seruganda, originally from the Mashitsi hill in the same commune of Tangara, was first seriously wounded on his native hill by a certain Rémégie Nyabenda and then evacuated to the Nyagatovu health centre, where he found him and finished him off. The victim was suspected by those around him of practising witchcraft.

The same sources said that the perpetrator confessed after being arrested by the police and claimed that he had acted to avenge his sister who had just been struck by lightning.

On the evening of Wednesday 27 October 2021, on the hill of Gitumba, in Mugina commune of Cibitoke province, Gloriose Zayina (40 years old) was killed.

According to the information received, Gloriose Zayina was killed by her husband Cyprien Nyandwi (46 years old) on the way from a bar near their home. After an argument between the couple, the husband kicked his wife several times in the abdomen and she died on the spot. The same sources said that the murderer was arrested by the police for investigation.

On the morning of Wednesday 10 November 2021, at around 9 a.m., on the Butihinda hill in the commune of Gitobe, in province Kirundo, a 12-year-old girl named Géraldine Niyonsenga was killed.

According to eyewitness accounts, the victim died of injuries inflicted by his uncle Bonaventure Miburo who accused him of damaging his bean field. The same sources said that the perpetrator was arrested by the police for investigation.

1.5. VIOLATIONS OF THE RIGHT TO LIFE BY LAW ENFORCEMENT OFFICIALS

In all, eight violations of the right to life were attributed to law enforcement officials, one of which was attributed to a soldier, acting alone. Four others were attributed to police agents and were perpetrated under the guise of law enforcement duties, but had all the characteristics of summary executions because they had executed harmless persons. In three of the cases, the violations of the right to life were attributed to SNR agents who, after arresting the victims, two of whom were CNL members, tortured them to death. Some of these cases, such as that of Augustin Matata and Gérard Bukuru, have made headlines. All these crimes have gone unpunished. Here are some examples.

On the morning of Sunday 24 October 2021, on the hill of Jimbi in the commune and province of Gitega, the lifeless body of a young man selling clothes at the central market of Gitega who was known as Gérard Bukuru, aged 28, was found in a small bush.

According to eyewitnesses, Gérard Bukuru was first slightly injured in the feet along with 6 other people in a grenade explosion thrown the day before by an unidentified person at around 8.30 p.m. in a restaurant located at 2nd avenue n° 32 in Nyamugari quarter (commonly known as “Quartier Swahili”) of the Gitega city and had himself gone to the “Notre Dame d’Afrique” health centre for treatment. A few minutes later, his employer and brother-in-law, Prosper Niyonizigiye, came to see him at the health centre. At that very moment, the provincial head of the National intelligence Service (SNR) in Gitega, OPC1 Zabulon Mfuranzima (OPN 0864), in the presence of the provincial police commissioner in Gitega, OPC1 Évariste Habogorimana (OPN 1251), abducted the two men and took them away in his service van, registration number E0524A, to an unknown destination.

The next morning, the body of Gérard Bukuru, his head smashed by bullets with a cartridge next to it, was found in a small bush on the Jimbi hill, 8 kilometres from the city of Gitega. His brother-in-law Prosper Niyonizigiye, who was in the same vehicle, has been missing since their abduction.

Despite the fact that the two men were abducted in the presence of numerous witnesses, no action has been taken to prosecute the perpetrator of this enforced disappearance. The police and judicial authorities should immediately launch an investigation to find the perpetrators and determine the circumstances.

On the morning of Wednesday 10 November 2021, in the locality called 'Kumateka' in the commune of Matongo, of Kayanza province, on the edge of the Kibira forest, three unidentified young men were killed by policemen and soldiers.

According to local sources, the police and the local administration presented these men as terrorists who were four in number, one of whom detonated a grenade that injured the Ruganza zone chief and a policeman, while another was captured alive.

On the afternoon of Wednesday 15 December 2021, Augustin Matata, treasurer of the CNL (National Congress for Freedom) party in the commune of Isale, in Bujumbura province, died at the Prince Louis Rwagasore Clinic as a result of atrocious acts of torture allegedly suffered at the National Intelligence Service (SNR), after having been hospitalised the previous week at the said hospital located in the town of Bujumbura. One month before his death, on 16 November 2021, he had been violently abducted and tortured on the 6th transversal of the hill and zone of Buringa, in the commune and province of Bubanza, by OPC1 Venant Miburo, the provincial head of the SNR in Bubanza, accompanied by police agents, and had taken the victim by force on board a SNR white double-cabin vehicle with the registration number E0540A towards an unknown destination.

According to sources close to the family, they were not allowed to visit him throughout his hospitalisation when he was in a coma and his hospital room was under police guard. In addition, apart from the fact that the SNR refused the victim's family access to the mortal remains, they were not informed either of the place of detention or of the offences against him.

On the night of Friday 3 December 2021, Innocent Barutwanayo, another activist of the National Congress for Freedom (CNL) party in Matongo commune of Kayanza province, died as a result of atrocious acts of alleged torture suffered at the SNR a few days before his transfer to the Prince Louis Rwagasore Clinic.

According to local sources, on 16 November 2021, a little over two weeks before his death, Innocent Barutwanayo was arrested at his home on the Kivumu hill in the commune of Matongo, in Kayanza province, by an OPJ (judicial police officer) named Gilbert, accompanied by James Niyitunga (president of the Imbonerakure youth league in the commune of Matongo) and the chief of the hill and the Imbonerakure on the same hill. After a search session at Innocent Barutwanayo's home, the OPJ ordered him to follow them after having told him that he was being questioned in the context of an investigation into suspected collaboration with armed gangs, although no compromising objects were found. He spent his first night in the cell of the police station in Matongo before being dragged out the next day by the provincial intelligence officer in Kayanza, OPC2 Léonard Ngendakumana (OPN 1266), who took him to his office for excruciating torture sessions. According to witnesses, Innocent Barutwanayo was violently beaten with concrete iron and wire to extract a confession from him about his alleged collaboration with assailants and his refusal to join the CNDD-FDD party.

After four days of torture, Innocent Barutwanayo was evacuated on 20 November in a very critical state to Kayanza hospital, from where he was transferred on 26 November without having recovered to the SNR headquarters in Bujumbura for further torture sessions. On 4 December 2021, the victim's family received the bad news of his death from the administrator of the commune of Matongo, Alice Nsabiyumva, who asked them to go to Bujumbura to recuperate the body.

1.6. VIOLATIONS OF THE RIGHT TO LIFE BY ELEMENTS OF THE IMBONERAKURE MILITIA

Strengthened by the impunity that protects them, the Imbonerakure, acting in groups or in isolation, have come to believe that everything is permitted to them, which, in certain circumstances, leads them to commit the irreparable. Here are some examples of crimes attributed to these militiamen.

On the evening of Saturday 30 October 2021, on the hill of Gahongore, 5 kilometres from the town of the Bubanza province, a group of Imbonerakure affiliated to the CNDD-FDD party assassinated an unidentified individual and buried him in a cemetery.

According to the testimony of a passer-by who witnessed this macabre scene and identified one of the Imbonerakure known as Dieudonné Hakiza, the perpetrators first tied up the victim and then beat him to death. They then dragged the body into the cemetery to bury it in a shallow hole dug on the sly and left without realising that they had also damaged a water pipe of the Burundi Water and Electricity Production and Distribution Board (REGIDESO) tapped in the Kivoga valley, supplying the village of Kagwema in the commune of Gihanga in the same province, which caused a "flood". This had the effect of digging up the body they had buried and damaging the neighbouring graves. The same source specifies that the Imbonerakure, the perpetrators of the assassination, waited until the following night, around 9 p.m., to recover the body and bury it in another grave in the same cemetery.

On 19 November 2021, on the sub-hill of Rubwika-Kagundu in the commune and province of Bubanza, the lifeless body of a 19-year-old girl known as Libéline Kamikazi was discovered after 3 days of disappearance.

According to witnesses, the decomposing body of the girl was dug up after being hastily buried by an Imbonerakure named Marc Ndayisenga, a married man and father of 3 children, of whom she was pregnant and the victim's family had demanded that he take care of her, which he accepted. The body was buried with dignity by the family members supported by Red Cross and police agents from the civil protection

According to the same sources, on 16 November 2021, this Imbonerakure had offered to take the victim to a health centre for a prenatal consultation, but her relatives had not seen her again. Since that day, Ndayisenga, the alleged perpetrator, has been on the run.

On the night of Monday 29 November 2021 at around 8 p.m., on the hill of Rubuga in Bugabira commune of Kirundo province, a young activist of the UPRONA party (Union for National Progress) known as Jean Pierre Ndayishimiye, alias Mukristu, was murdered by four militants of the CNDD-FDD party.

According to local sources, the young man was killed by four watchmen from the Basic Scholl (ECOFO) in Rubuga who ambushed him and attacked him with machetes as he was returning home from a local bar. The same sources revealed that the body of the victim was moved by the killers to lie in front of the door of the food stock of the school canteen of the Rubuga ECOFO in order to simulate an attempted robbery and thus confuse the search for the motives and circumstances of the crime.

Subsequently, all four watchmen and CNDD-FDD activists were arrested and detained for investigation at the communal police station in Bugabira and one of the alleged perpetrators confessed to killing Jean Pierre Ndayishimiye with a machete.

2. ATTACKS ON PHYSICAL INTEGRITY

Abductions followed by risks of enforced disappearance increased by 50% compared to the previous quarter and despite the speeches of the President of the Republic condemning this type of practice. According to all the available evidence, including the modus operandi, the alleged perpetrators of these crimes are SNR and national police members and, from time to time, imbonerakure militiamen acting alone or in collusion with the former. While some officials and agents acted openly, in full view of everyone, and in military or police uniform, others operated in disguise, kidnapping the victims and loading them into vehicles with tinted windows, cars or pickups to take them to unknown destinations. After the arrest, the families' search for the victims remained fruitless.

The people who have been most targeted are firstly members of the CNL and then ex-FAB. In view of these profiles, it becomes clear that most of these acts are politically motivated and potentially constitute enforced disappearances. This presumption is reinforced by the fact that the families of the victims are systematically not informed of the fate or whereabouts of their loved ones, in violation of the rules of the code of criminal procedure in force in Burundi and the international human rights instruments to which it is a party. This increases the fear that such arbitrary arrests and abductions are a prelude to other human rights violations such as torture and enforced disappearance.

2.1. ABDUCTIONS ATTRIBUTED TO SNR AGENTS

From the profiles of those abducted by SNR officials and agents, it is clear that these acts are politically or security motivated. The abducted persons are mainly members of the CNL and elements of the ex-FAB or other persons supposed to represent a political threat to the government. In one case, a young student was arrested and questioned about his communications, followed by three members of his family, including his father and uncle, all ex-FAB. Béatrice Nyamoya, sister of François Nyamoya, Secretary General of the opposition Movement for Solidarity and Democracy (MSD), was arrested as she got off the plane at Bujumbura airport and illegally detained in the SNR jails in Bujumbura. Following a multiform pressure from national and international organisations, she was released after six days. This is a rare occurrence, as in the vast majority of cases, abduction by SNR agents has become synonymous with enforced disappearance.

Here are some illustrative cases.

On 1st October 2021, at around 10 a.m., in front of the communal office of Mugina, in Cibitoke province, OPC1 Ahmed Nabil Sindayigaya (OPN 0916), the provincial head the National Intelligence Service (SNR) in Cibitoke, abducted Désiré Ndayishimiye, the chief of Luberizi hill.

According to the testimonies received, Mr Désiré Ndayishimiye was called by the administrator of the commune of Mugina, Madame Julienne Ndayihaya, to attend a service meeting and, as soon as he arrived, she ordered him not to leave his office. After a few minutes, the provincial SNR official came and took him away in his service vehicle to an unknown destination, without any communication about the reason for his arrest.

Désiré Ndayishimiye was reportedly arrested for pretending to join the CNDD-FDD party when in fact he continued to support the ideology of his original party, the National Congress for Freedom (CNL).

The risks of Désiré Ndayishimiye's enforced disappearance are enormous, especially since the head of the SNR in Cibitoke, OPC1 Ahmed Nabil Sindayigaya, who was seen by many witnesses taking the victim away in his vehicle, denied any knowledge of the abduction of this hill leader.

Also in the province of Cibitoke, on 1st November 2021, at around 5.30 p.m., on the hill of Mparambo I, in Rugombo commune, a member of the CNL party, known as Abdoul Ndayishimiye alias Sheik, was abducted from his home on the sub-hill of Rubuye by the provincial head of the National Intelligence Service (SNR) and was taken to an unknown destination.

According to witnesses, in the pouring rain, individuals including young Imbonerakure came on board the Toyota Hilux double cabin vehicle with the registration number D3984A of the provincial intelligence officer in Cibitoke, OPC1 Ahmed Nabil Sindayigaya (OPN 0916) and broke into Abdoul Sindayigaya's home, tied him up and then took him away in the vehicle to an unknown destination.

Prior to this incident, Abdoul Sindayigaya had received numerous threats and warnings of possible trouble if he did not leave the CNL to join the CNDD-FDD. This information supports the view that the abduction was politically motivated.

On 17 November 2021, at around 8.30 a.m., a CNL party official known as Mathias Ruramusura, who was also a teacher at the Centre for training and professional development (CFPP) in Nyakabiga in the Bujumbura city, was abducted from his home by an SNR agent called Joseph Mathias Niyonzima, alias Kazungu, and taken to an unknown destination.

2.2. ABDUCTIONS BY NATIONAL POLICE AGENTS

Kidnappings by police agents aim the same targets, and generally follow the same modus operandi as those of SNR agents, using vehicles with tinted windows, without informing the victim of the reason for the arrest, without a warrant and often with violence. In cases reported during the period under review, police agents repeatedly extracted victims from places of detention and drove them to unknown destinations.

Some examples are given below.

Since 19 October 2021, in the commune of Kiganda of Muramvya province, a member of the Movement for Solidarity and Democracy (MSD) party, known as Christophe Ndayiragije, has been missing after being abducted from a police cell.

According to local sources, Christophe Ndayiragije (43) was first arrested without a warrant at his home in the chief town of Kiganda by policemen, in the company of young Imbonerakure. On the day of his arrest, he was questioned by an OPJ (judicial police officer) from the Kiganda police station and placed in custody for two days in a cell before being taken away to an unknown location.

The same sources said that Mr Christophe Ndayiragije had benefited from a presidential pardon, and had been released in April 2021 from Bujumbura central prison. He was accused of "participating in an insurrectionary movement" linked to the demonstrations against the late Pierre Nkurunziza's third term in 2015.

On 8 November 2021, at around 1 p.m., in the centre of Bujumbura in the Rohero zone, on Avenue de l'ONU, near the hospital called "Chez Binagana", Innocent Girukwigomba, a former OPJ (Judicial Police Officer) at the Musaga police station in the Bujumbura city, was brutally abducted by men in police uniforms on board a Toyota TI car with the registration number IA 3077, who took him away to an unknown destination.

According to the testimonies received, Brigadier Innocent Girukwigomba, a member of the ex-FAB (Burundi Armed forces) and a native of the commune of Buraza in the province of Gitega, was on his way to an appointment with a person who had called him on the telephone to meet at the same place where he was abducted.

A few years earlier, on 14 September 2016, Innocent Girukwigomba had already been abducted by unknown persons, while he was still in office, to end up in Ngozi Central Prison, from where he had just been released last April as part of the presidential pardon measure decreed in March 2021.

2.3. KIDNAPPINGS BY UNIDENTIFIED INDIVIDUALS

Many abductions are carried out by unidentified individuals acting in total anonymity. Their targets are the same as in the previous cases. Sometimes these individuals are armed, in civilian clothes, or wearing police or army uniforms, or a mixture of both. Sometimes these abductions have been carried out near police positions that have allowed them to do so. The abductors also use vehicles with tinted windows. The lack of investigation into these crimes and the modus operandi used suggest that these are protected individuals who can only be agents well mandated by the various intelligence services characterised by their omnipotence and the impunity that follows.

Here are some examples to illustrate this.

On the night of 12 to 13 October 2021, at around 2 a.m., on the Muhuzu hill in the commune of Muhuta of Rumonge province, Alexis Nimubona, two of his sons, Eric Nduwamungu and Gabriel, and their domestic were abducted by unidentified men in Burundian army uniforms and taken away in a van without number plates.

According to local sources, the kidnapers forced the head of the household, Alexis Nimubona, to open the door of his house and immediately jumped on him, his two sons and

their employee and threw them into the van before storming off. The same sources revealed that on the way, the same soldiers abducted another person whose identity remains unknown and that the vehicle headed for the economic capital Bujumbura.

On 23 October 2021, at around 6.30 p.m., Rémy Niyonsaba, a teacher at Ruhanza primary school in the commune of Giheta of Gitega province, was abducted by men in military and police uniforms and taken away in a double-cabin vehicle with tinted windows to an unknown destination.

According to the testimonies obtained, the kidnappers of Rémy Niyonsaba, a CNL party activist, were very close to the Mbuye commune office. Subsequently, the victim's relatives said that they had searched for him in all the dungeons in the provinces of Gitega and Muramvya and even in those of the economic capital Bujumbura, in vain.

What is worrying is that this is the second abduction of Rémy Niyonsaba, the first having taken place on 29 September 2020 at around 2 p.m. not far from the Giheta Communal High School, at a place called 'Kukirato', when he was kidnapped by armed men in police uniforms who took him away in a black Toyota Carina type TI. He was then held in Bujumbura Central Prison before being released in June 2021 after spending ten months in arbitrary detention.

On Thursday 30 December 2021, at Avenue de l'Amitié in the Rohero zone, in the Mukaza commune of Bujumbura city, Isaac Bamporubusa (a soldier in the former Burundian Armed Forces [FAB]), aged 40, was abducted by unidentified men who put him on board a pick-up van and drove him to an unknown destination.

According to witnesses, Isaac Bamporubusa (known in the army as Gédéon Karikurubu alias Tango) had just returned from Rwanda on 15 December 2021 where he had taken refuge since 2017 following several threats from his colleagues. He was then the driver of the former Minister of National Defence, Emmanuel Ntahomvukiye.

3. VIOLATIONS OF THE RIGHT TO PHYSICAL INTEGRITY

A total of 113 attacks on physical integrity were reported during the period covered. There were three main categories of violations of the right to physical integrity: those that were probably political in nature and attributed to elements of the imbonerakure militia against members of the CNL, followed by those linked to domestic violence and those resulting from the accidental or intentional explosion of grenades. Other attacks were due to varying interpersonal motives or were not clearly identified. Among these is a case emblematic of the impunity and dysfunctions characteristic of Burundi, where police agents attacked a judge and roughed him up and beat him up even though he had, at their request, shown his service card. A few examples are presented to illustrate these categories.

3.1. ATTACKS ON THE PHYSICAL INTEGRITY OF CNL MEMBERS BY IMBONERAKURE MILITIAMEN

Two cases were reported where the victims, all members of the CNL, and the attackers as members of the imbonerakure militia, were clearly identified. Despite the high level of violence perpetrated against the victims, which left them in a critical condition, none of the attackers were prosecuted for their actions.

In the afternoon of Wednesday 27 October 2021 at around 4 p.m., on the hill of Yaranda in the commune and province of Kirundo, a 31-year-old member of the CNL party known as Alexis Rutayisire was seriously injured by a group of Imbonerakure led by a certain Jean-Bosco Kanyeshamba.

According to local sources, as he was returning home, Alexis Rutayisire was violently attacked with clubs by these Imbonerakure of the ruling CNDD-FDD party, who accused him of refusing to join their party. The same witnesses said that the victim was evacuated in critical condition to the Kigozi health centre before being referred to Kirundo hospital where he was hospitalised.

On 17 November 2021, at around 5 a.m., on the hill of Ruyobera in the commune of Muhuta of Bujumbura province, a CNL party activist known as Bahufise (65 years old) was violently beaten with clubs by Imbonerakure.

According to witnesses present, the 60-year-old was on his way to his rural activities when he came across a group of young Imbonerakure armed with clubs in the shape of guns who had just finished their paramilitary training session. These Imbonerakure, led by a man called Vital alias Muyeyeto, and among them some could be identified as Côme Ndayiragije, Busama and a certain Célestin, beat the old man and pierced him with a spear before leaving. The victim was evacuated to the Muhuta health centre for emergency treatment and hospitalised there.

3.2. PHYSICAL HARM AS A RESULT OF DOMESTIC VIOLENCE

Two cases of domestic violence were reported. The alleged perpetrators were prosecuted.

On 8 November 2021, on Nyarubere hill, in Rutana commune and province, a woman known as Claudine Nemerimana (28 years old) was beaten with a club by her husband Elias Minani (34 years old). According to local sources, the victim was admitted to Rutana hospital while her husband was arrested by the police and detained at Rutana police station. The same sources said that Elias Minani beat his wife for refusing to sell the family property.

On 25 December 2021, in the quarter of Kanyenkoko, in the commune and province of Rumonge, a woman known as Penina Nshimirimana, aged 25, was seriously injured with a dagger by her ex-cohabiting partner, Jackson Bigirimana.

According to local sources, the victim was stabbed four times in the ribs, stomach and head and was evacuated to Rumonge hospital in a critical condition, while the alleged perpetrator was immediately arrested by the police and taken to the police station in Rumonge for investigation.

3.3. PHYSICAL INJURIES CAUSED BY THE EXPLOSION OF GRENADES

The reported cases illustrate the seriousness and scale of the proliferation of small arms, with the possibility that a minor student could be going to school with grenades taken from home.

On 18 November 2021, at around 10 a.m., at the Basic School of Muramba III in the commune of Buhinyuza of the Muyinga province, 15 pupils were injured, five of them seriously, following the explosion of a grenade in a 1st year primary.

According to witnesses at the school, a pupil known as Schadrack Mugisha, whose father is a former CNDD-FDD fighter, had brought two grenades to the school and placed them at the back of his classroom, away from his desk. During break, while he was playing in the courtyard, some pupils started playing with one of the grenades, which exploded, injuring 15 children, five of whom were in a serious condition. They were evacuated to Muyinga hospital for treatment.

The same sources said that Schadrack Mugisha found the two explosive devices at his parents' home and that his father fled immediately after learning of the incident. The schoolboy was arrested by the police for investigation and the second unexploded grenade was taken away by the same police.

On 12 December 2021, on the hill and zone of Gatete, in the commune and province of Rumonge, four members of the same family, namely Suzanne Bapfumukeko (aged around 60), her two daughters Clairia Kezimana (aged 9) and Ayisetu Nshimirimana (aged 13) and Emmanuel Ndayisenga (aged 25), were injured by the explosion of a grenade thrown by unidentified criminals. Suzanne Bapfumukeko and Ayisetu Nshimirimana, who were seriously injured, were transferred to one of the hospitals in the economic capital Bujumbura, while the other two people, Emmanuel Ndayisenga and Clairia Kezimana, were treated at Rumonge hospital. The perpetrators and motive for the attack remain unknown.

4. VIOLATIONS OF THE RIGHT TO LIBERTY: ARBITRARY ARRESTS AND DETENTIONS

During this quarter, the main victims of violations of the right to freedom were mainly members of the CNL. They were arbitrarily arrested by SNR agents, members of the ruling party, acting as such, in the form of joint security committees or by imbonerakure alone and sometimes in support of police agents. More than a year after the elections, the hunt for politically motivated CNL members continues in the country.

SNR agents also arbitrarily arrested other people in violation of the law, including one person who had already been released by the court or another under the pretext of a charge of undermining state security, usually political, because of frequent travel to Bujumbura. In Bubanza, a lady nurse was arrested and arbitrarily detained in SNR cells because she had spoken out about the death of a member of the CNL, Augustin Matata, following torture inflicted on him by SNR agents. Here are some illustrations of these violations.

4.1. ARBITRARY ARRESTS OF CNL MEMBERS BY SNR AGENTS

SNR agents have been active in hunting down and arbitrarily arresting CNL members. Numerous cases were reported during the period under review, including the following.

On 16 November 2021, at around 5 a.m., in the Ngagara zone of Ntahangwa commune, in Bujumbura city, Jean-Baptiste Mpawenayo, the brother-in-law of Agathon Rwaso, president of the CNL party, was arrested at his home.

According to witnesses, SNR agents led by OPC1 Alexis Ndayikengurukiye alias Nkoroka broke into Jean-Baptiste Mpawenayo's home and searched every nook and cranny of the house, but found nothing incriminating. No reason for his arrest was given to his family members.

On 16 November 2021, at around 8 p.m., on the hill and in the Buringa zone, in the commune and province of Bubanza, the treasurer of the CNL party in the commune of Isale in the province of Bujumbura, Augustin Matata, was arrested without a warrant in a bistro belonging to a certain Gordien.

According to testimonies received, Augustin Matata was violently arrested and tortured on the 6th transversal of the hill and zone of Buringa by OPC1 Venant Miburo, the provincial head of the SNR in Bubanza, accompanied by police agents, and was taken away manu militari on board a white double-cabin vehicle registered E0540A of the SNR towards an unknown destination. The same sources said that Mr Augustin Matata was arrested with the complicity of Léonard Ndayishimiye, the leader of the CNDD-FDD party on the Buringa hill, and young Imbonerakure from the same party.

On 17 November 2021, at around 6 a.m., on the hill of Muyange I in the commune of Mutimbuzi of Bujumbura province, an SNR agent known as Mathias Nduwimana, nicknamed Athia, and three police agents arrested Emmanuel Matata, a leader of the CNL party in the province of Bujumbura, a few metres away from his home.

According to information received, Emmanuel Matata was arrested on his way to work. He was taken away in a blackish double-cabin van, registration number D3974A, believed to be from SNR, to an unknown destination.

The same sources confirmed that a few minutes later, policemen returned in the same vehicle and a pick-up van to Emmanuel Matata's home for a search and seizure session lasting about an hour, at the end of which they also took away his wife, Joselyne Inamahoro.

4.2. ILLEGAL ARRESTS ATTRIBUTABLE TO CNDD-FDD MEMBERS AND IMBONERAKURE

Members of the CNDD-FDD and elements of the imbonerakure militia, alone or in cooperation through the mixed security committees, have engaged in illegal arrests of citizens, most of whom are members of the CNL and others called criminals and accused of collaborating with armed groups. These illegal arrests are almost always legitimised by police officials who detain those arrested. Here are some illustrative cases of these abuses.

On 9 October 2021, at around 9.30 p.m., on Busangana hill of Bukeye commune, in Muramvya province, a widow known as Sylvie Bucumi and an unidentified man were arrested and taken to the provincial police station in the same province.

According to witnesses, the two people were arrested during an operation to track down "criminals" that was jointly organised by local administration and members of the mixed security committees, which are mainly made up of Imbonerakure affiliated to the ruling

CNDD-FDD party, and were accused of collaborating with armed movements, in particular by collecting food for the fighters.

This characterisation of criminals without prior investigation and trial opens the way to various abuses and persecution of anyone suspected of not supporting the regime in power.

On 31 October 2021, on the hill of Rusi in the commune of Shombo of the Karusi province, thirteen (13) members of the CNL party were arrested by the chief of the hill in the company of Imbonerakure at their party's headquarters. These people are Baudouin Nzitonda, provincial youth leader of the CNL party in Karusi, Sylvestre Sinzobakwira, his deputy, Bernard Ntangivyoguta, Thérèse Uwimana, Emelyne Ziragaba, Claudine Nahayo, Sylvestre Ciza, Raphaël Bararuzeza, Déo Saganga, Dominique Kamana, Sylvestre Ndayisenga, Banyikwa and Akimana.

According to local sources, the thirteen members of the CNL were accused by the CNDD-FDD communal secretary, Désiré Ndahabonimana, of holding an unauthorised meeting. They were handed over to the police who took them to the police cells in Shombo for detention.

On 15 December 2021, at around 5 p.m., at the Gatonde Communal High School in Nyabikere commune, in the province of Karusi, Joris Bukeyeneza, a CNL party activist and teacher, was illegally arrested by the head of the Imbonerakure youth league of the CNDD-FDD party in the commune of Nyabikere.

According to witnesses, Joris Bukeyeneza was arrested on his way home from school and was handed over to the police after his arrest for detention in the dungeons of the Shombo police station.

According to the information received, this CNL activist was suspected of spreading false information on social networks and on the media in exile (African Public Radio and Radio Inzamba-Agateka kawé). In particular, he was suspected of having accused certain heads of services working in the commune of Shombo of forcing their staff to give contributions to take charge of Imbonerakure doing paramilitary training in a forest located on the mountain range called Gihinga c'inka.

4.3. ARBITRARY ARRESTS ATTRIBUTED TO POLICE AGENTS IN COLLABORATION WITH IMBONERAKURE MILITIA

Cooperation between police agents and imbonerakure militiamen has become permanent in order to track down people undesirable by the regime, usually CNL activists or other people who do not belong to the ruling party or who are suspected of being political opponents. A few examples are offered to support this close cooperation.

On 12 November 2021, at around 10 p.m., on the hill of Gahweza in the commune of Kiganda of Muramvya province, a man known as Gabriel Manirambona was violently arrested at his parents' home by police agents accompanied by Imbonerakure.

According to the information collected, the victim was taken to the provincial police station in Muramvya, without being told why he was arrested.

The same sources said that Gabriel Manirambona had come to visit his family from Kenya, where he had been living for some years.

On 19 November 2021, in the Mukenke quarter of the Bwambarangwe commune, in Kirundo province, Adrien Nayubusa alias Mukizwa and Jean-Marie Nsengiyumva, two CNL party activists, were arbitrarily arrested by the police, together with members of the Imbonerakure youth league, on the orders of CNDD-FDD party officials, and were taken the same day to the cells of the local police in Bwambarangwe commune for detention.

According to local sources, Adrien Nayubusa, the chief of the Mukenke quarter, had been invited the day before to the closing ceremonies of the week dedicated to CNDD-FDD combatants, during which local CNDD-FDD officials declared that he had just joined their party. However, when he took the floor, Adrien Nyayubusa publicly stated that he had only come to the ceremonies in his administrative role, but that he did not intend to abandon his CNL party. This attitude reportedly did not please local CNDD-FDD officials, who ordered his arrest and that of Jean-Marie Nsengiyumva, his political colleague, on the pretext that they had exchanged Whatsapp messages.

The same sources said that the two men were taken to the Kirundo prosecutor's office where they have been arbitrarily detained since 23 November 2021.

On 11 December 2021, in the commune of Kayogoro of Makamba province, a CNL party activist was arrested by police agents in complicity with the Imbonerakure and taken manu militari to the dungeon of the communal police station in this commune. The motives for his arbitrary arrest were not revealed.

CONCLUSION

The numerous declarations of the Burundian Head of State on his desire for change have remained a dead letter. The system's bad human rights practices continue as before, with numerous victims of violations of the right to life, characterised in particular by the now recurrent phenomenon of lifeless bodies abandoned and found in waterways and in the wild, which have so far not been investigated, thus leading to impunity for the perpetrators of such crimes. Political intolerance has never ceased, with members of the CNL and others considered a threat by the government, such as ex-FAB elements, still being targeted by the government's repressive bodies, namely the SNR and the police, as well as by elements of the imbonerakure militia and, increasingly, by other local CNDD-FDD leaders.

The lifting of sanctions by various partners should be conditional on the regime's progress in respecting democratic principles and human rights, in particular respect for the law and international conventions, as well as the resumption by the government of full cooperation with international mechanisms for the protection and promotion of human rights. The lifting of sanctions without substantial progress risks sounding like an encouragement to others to defy international law and as a premium for impunity for crimes committed since 2015.

In short, since his accession to power, President Evariste Ndayishimiye has multiplied declarations of goodwill castigating the bad practices of the system. But acts in this sense are rare. The partners with whom he has begun to negotiate should measure his real will against real changes in terms of democratic openness and the improvement of the human rights situation in Burundi.

RECOMMANDATIONS

TO THE GOVERNMENT OF BURUNDI :

- Release all illegally and arbitrarily detained political prisoners and civil society activists;
- 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;
- Prosecute the perpetrators of killings of people accused of witchcraft and put an end to the phenomenon of abandoned bodies and forced abductions and disappearances by initiating investigations to identify and punish the perpetrators of these crimes;
- Take urgent and firm measures to stop the abuses of the Imbonerakure militia and prosecute those of them who are guilty of acts against the law;
- Protect those recently released following the presidential pardon and conduct rigorous investigations to determine the perpetrators of enforced disappearances and killings of some of them;
- End the persecution of Burundian refugees in neighbouring countries, especially in Tanzania and the Democratic Republic of Congo;
- 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 the continuation of investigations into crimes committed since 2015, and for visits to Burundi by the Special Rapporteur once he is appointed.

TO THE COUNTRIES OF THE EAST AFRICAN COMMUNITY :

- Respect the rights of Burundian refugees on their territory in accordance with the relevant international conventions;
- Relaunching inclusive dialogue initiatives to allow 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;
- Demand the suspension of acts that orient 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 TRC, etc.

- Maintain support for the work of the International Criminal Court (ICC) on Burundi to continue investigations and prosecutions to end impunity in Burundi.
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