

SOS-TORTURE BURUNDI REPORT N° 360 PUBLISHED ON 05 NOVEMBER 2022

This report by SOS-Torture Burundi covers the period from 29 October to 5 November 2022 concerning cases of human rights violations in Burundi.

At least, one (1) pupil known as Alain Franck Niyigaba lost his left eye as a result of torture inflicted on him by the director of the Basic school (ECOFO) of Maramvya II in the Mutimbuzi commune of the Bujumbura province.

The report also deplores the cases of six (6) people who are illegally detained in Ngozi and Muyinga central prisons and one (1) minor child victim of child trafficking.

1. Violation of the right to physical integrity

- Information received by SOS-Torture Burundi reveals that on 15 September 2022, Alain Franck Niyigaba, a pupil of grade 9 at the ECOFO of Maramvya II located in the Mutimbuzi commune of the Bujumbura province (western Burundi), was seriously injured to the point of losing his left eye in a torture session conducted by the headmaster of the school, Jean Marie Bigirimana. Indeed, the injury was so severe that surgery was needed to remove the eye.

According to witnesses, Alain Franck Niyigaba, aged 15, was violently beaten with a stick by the headmaster of this school to punish him because of the bad mark he had just received in an exam for the preparation of the national examination. It had become a habit for the headmaster to beat up all students who failed any exam.

It is deplorable that instead of supporting the victim, his parents claim to be threatened by the deputy prosecutor of the Kabezi High Court, in complicity with the director's family, in order to accept that the loss of the victim's eye was a

simple unintentional incident and thus obtain the release of the alleged perpetrator.

SOS-Torture Burundi calls on the judiciary to investigate the case independently and impartially in order to punish the perpetrator in accordance with the law.

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

- Since 28 October 2022, three men, including Charles Mbonankira, a modern farmer and stockbreeder from the commune of Kabarore in the Kayanza province (northern Burundi), have been incarcerated in the Ngozi central prison after spending more than twenty days in the dungeons of the National Intelligence Service (SNR) in Bujumbura and the provincial police station in Kayanza. They had been arrested, on the orders of the alleged victim, since 6 October 2022 by SNR agents.

According to local sources, the three men are accused without evidence of having tried to kill a certain Vincent Ndagijimana from the commune of Kabarore, who even had them arrested after boasting that he had the power to imprison whoever he wanted and whenever he wanted.

SOS-Torture Burundi asks the judicial authority to conduct an independent and impartial investigation in order to find out the truth about this grotesque case and thus to free the innocent and condemn the slanderous denouncer.

- On Thursday 3 November 2022, Vincent Nzambimana, Désiré Bizimana and Hassan Rashid were imprisoned in the central prison of Muyinga after being convicted by the High Court of this province in the north-east of Burundi on the basis of a whimsical qualification of undermining the proper functioning of the national economy.

According to local sources, the three men were accused of undermining the national economy because they were caught in the middle of last week with a few kilos of beans (between 80 and 500 kg) that they wanted to sell in the United Republic of Tanzania. Vincent Nzambimana and Désiré Bizimana were each sentenced to one year's penal servitude and a fine of three hundred thousand Burundian francs (300,000 Fbu), while Rashid Hassan, after being arrested by Imbonerakure in the commune of Muyinga, was sentenced to six months' penal servitude and a fine of one million Burundian francs (1,000,000 Fbu) with the accessory penalty of confiscation of his Probox car that was carrying the 500 kg of beans.

SOS-Torture Burundi deplores this arbitrary conviction as the acts prosecuted do not fall within the legal framework of the provisions of Articles 428 to 435 of the Penal Code relating to attacks on the proper functioning of the national economy and this attitude violates the freedom of movement between the partner States.

3. Violation of the rights of the child: child trafficking

- On Sunday 30 October 2022, a 14-year-old boy disappeared in the commune of Cendajuru of the Cankuzo province (eastern Burundi) and was found on Tuesday 1st November 2022 at the home of a certain Elson Nshimirimana, aged 31.

According to witnesses, the young man, Elson Nshimirimana, who according to local sources is no stranger to child trafficking, was arrested by the police in Cendajuru and taken to a dungeon for criminal investigation.

SOS-Torture Burundi calls on the judiciary to conduct a thorough investigation to uncover and dismantle this child trafficking network and to punish the perpetrators in accordance with the law.



SOS – Torture/Burundi

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

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

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

The affected areas are said to be contesting the third term of President Nkurunziza, namely Musaga, Mutakura, Cibitoke, Nyakabiga and Jabe, the last two being located in the centre of Bujumbura city.