

SOS-TORTURE BURUNDI REPORT NO. 400 PUBLISHED ON 13 AUGUST 2023

This report by SOS-Torture Burundi covers the period from 5 to 12 August 2023 concerning cases of human rights violations in Burundi.

During this period, at least one (1) person was murdered in the commune of Mabayi in the Cibitoke province and one (1) teenager was seriously injured with a machete in the province of Bururi.

The report also deplores one (1) case of arbitrary arrest and detention of a policeman who denounced corruption in Bujumbura city.

1. Violation of the right to life

- On the night of Wednesday 9 August 2023 at around 8 p.m., Isidore Niyongabo alias Maisha, leader of the Imbonerakure youth league affiliated to the ruling CNDD-FDD party¹, in the commune of Mabayi of the Cibitoke province (north-west Burundi), was murdered by unidentified individuals at his home located on the Gasebeyi hill of the Ruhororo zone in the same commune.

According to local sources, Isidore Niyongabo was shot in the head while at home with his family by individuals who immediately retreated towards the Kibira National Park. Local residents suspected Rwandan rebels from the FLN (National Liberation Front), who had been living in this immense forest for almost a decade, of being responsible for the murder. The victim was one of the people who alerted the soldiers, who quickly intervened when the rebels tried to forcibly refuel in the households on the edge of Kibira towards the end of last week. These armed clashes resulted in casualties on both sides².

¹ National Council for the Defence of Democracy-Forces for the Defence of Democracy.

² See the publication of the previous weekly report at: <https://sostortureburundi.org/wp-content/uploads/2023/08/Rapport-hebdomadaire-no-399-FR-2.pdf>.

2. Violation of the right to physical integrity

- On the night of Friday 11 August 2023, at around midnight, a young teenager known as Jean de Dieu Siryamungu, aged 16, was seriously wounded with a machete to the neck and arms by unidentified individuals on the Mahonda hill, in the commune and province of Bururi (southern Burundi).

According to local sources, the victim was quickly evacuated in a very critical condition to Bururi hospital, where he is receiving intensive care.

SOS-Torture Burundi deplores the resurgence of targeted attacks in Bururi province after a period of calm and calls on the police and administrative authorities to carry out a thorough investigation in order to identify the perpetrators and bring them to justice.

3. Violation of the right to freedom of movement: arbitrary arrest and detention

- On Saturday 5 August 2023, Police Chief Corporal Jérôme Niyonkuru was arrested by the police and taken by force to the dungeon of the Judicial Police Headquarters in Bujumbura city (western Burundi), after having publicly denounced the previous day, without targeting any specific person, the corruption that is demeaning the services of the Special Traffic and Road Safety Police (PSR) and Bujumbura town hall.

According to the spokesman for the Burundi National Police (PNB), Jérôme Niyonkuru is being prosecuted for the offences of "defamation and slanderous denunciation" that he allegedly committed in his denunciation of corruption, in the form of a sermon, at the Bujumbura police and mayor's offices on Thursday and Friday last week respectively. In a video that went viral because it was widely posted on social networks, Jérôme Niyonkuru, claiming to be the messenger of God, warned officers of the PSR and Bujumbura town hall in the following terms: "[...] You

are riddled with corruption. God has sent me to tell you this. You will not see the kingdom of God with these bribes".

SOS-Torture Burundi denounces the illegal and arbitrary arrest of policeman Jérôme Niyonkuru and calls for his immediate release. Indeed, apart from the fact that the policeman merely repeated statements regularly made by the country's high authorities, in this case the President of the Republic, who has denounced corruption in several government departments, the offences of which he is accused do not meet their constituent elements. Thus, among other constitutive elements, articles 264 and 267 of the Criminal Code in force in Burundi, which provide for and punish the offences of defamation and slanderous denunciation, require that the defamatory or slanderous statements be of such a nature as to be prejudicial to the honour or consideration of a specific person. However, in the case in point, the comments made were not directed at any specific person, which is why the policeman's detention in police custody legally constitutes unlawful and arbitrary detention.

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.