



Action by Christians for the Abolition of Torture

MONTHLY REPORT ON THE MONITORING OF HUMAN RIGHTS VIOLATIONS

APRIL 2026

17 bodies discovered across the country

“The right to life and impunity in tatters: a broken system”



Vehicle of the late Gabby Bugaga, Minister of Communication and Media (photo below), in which his body was discovered in a palm plantation: a recurring violation of the right to life that spares no high-ranking officials in the country

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EXECUTIVE SUMMARY

During the month of April 2026, ACAT-Burundi documented:

- **17** cases of murders and discoveries of dead bodies;
- **2** cases of abductions;
- **4** cases of torture;
- Several allegations of arbitrary arrests and illegal detentions.

The documented violations reveal the persistence of a climate of impunity marked by hasty burials, the absence of credible investigations, and recurring allegations involving state agents and the Imbonerakure.

I. INTRODUCTION

The political and security crisis that has gripped Burundi since April 2015 continues to result in serious human rights violations. Despite the Burundian people's deep-seated aspirations for the establishment of the rule of law, the trend documented by civil society organizations for over a decade remains alarming and virtually unchanged. The country remains structurally marked by summary executions, enforced disappearances, arbitrary arrests, and systematic acts of torture.

True to its mission of advocacy and protection, ACAT-Burundi presents its monitoring report for the month of April 2026. The data collected during this period confirm a total lockdown of civic space, a trend exacerbated by the June 2025 legislative elections, which enshrined **“the weakening and near-elimination of political parties that could challenge the ruling party,”** as highlighted by the United Nations Special Rapporteur on Burundi, Fortuné Gaetan Zongo, during the 60th session of the Human Rights Council in September 2025.

He added that **“civil and political rights have posed a real challenge for Burundians. Numerous reports have documented serious violations, including arbitrary arrests, prolonged detentions, acts of torture, and enforced disappearances attributed to the security services and the Imbonerakure militias.”**¹ Burundi's apparent diplomatic openness has not translated into any concrete improvements on the ground. The public sphere has shrunk considerably, characterized by heightened political intolerance, strict media self-censorship, and the continued exile of many opposition figures.

This report is based on a rigorous methodology: the information contained herein was gathered through a network of anonymous local observers, direct testimonies from victims and their families, as well as cross-checks conducted by our teams on the ground. In several cases, our organization faced major difficulties related to witnesses' fear, the hasty burials of victims, and the widespread lack of cooperation from local authorities.

Analysis of the data reveals a very specific profile of the victims and alleged perpetrators. The targets of this crackdown are predominantly actual or perceived opponents of the government and the ruling party (CNDD-FDD). Members of opposition parties, citizens suspected of joining armed groups while attempting to flee the country, as well as civil society actors and journalists, are particularly targeted. Conversely, the violations are mainly attributed to state agents, notably the police and the National Intelligence Service (SNR), often acting in concert with the *Imbonerakure*, the youth league of the

<https://www.ohchr.org/fr/statements-and-speeches/2025/10/declaration-du-rapporteur-special-sur-la-situation-des-droits-de>

ruling party. The widespread impunity enjoyed by these actors has become a veritable mode of governance.

II. MURDERS AND VIOLATIONS OF THE RIGHT TO LIFE

II.1. General Context and Legal Framework

More than three years after the establishment of new institutions, Burundi remains plagued by ongoing killings and abductions. Despite Article 24 of the Constitution of the Republic of Burundi, which guarantees the sacred right to life, and Articles 210 through 220 of the Penal Code, which impose severe penalties for homicide, insecurity remains a serious concern.

In the month of April 2026 alone, ACAT-Burundi documented the discovery of 17 bodies across the country. These cases are often characterized by signs of extreme violence and a systematic lack of thorough investigations.

II.2. Overview of cases documented by ACAT-Burundi

Analysis of the cases recorded during this period highlights an alarming persistence of murders. The documentation gathered by ACAT-Burundi reveals not only a variety of methods—ranging from the use of blunt objects to executions followed by staged scenes—but also a pattern of violence affecting several provinces across the country.

The summary table below summarizes data on the 17 murders documented in April 2026, specifying the victims' identities, the suspicious circumstances of their deaths, and the status (often incomplete) of the legal proceedings. Details on these cases can be found in the appendices.

Table 1: Summary of Murder Cases and Body Discoveries (April 2026)

Date	Victim	Age	Location	Circumstances / Condition of the body	Suspected motives	Legal Proceedings & Observations
1/04	Etienne SHIMIRIMANA	33	Bubaji Hill, Gishubi Commune, Gitega Province	According to corroborating sources gathered by ACAT-Burundi, several factors suggest that the victim may have been killed elsewhere before his body was moved to his home in an attempt to stage a suicide.	Suspicious circumstances	The body was reportedly buried the same day on the orders of local administrative authorities without an autopsy or prior judicial investigation, according to information gathered by ACAT-Burundi.
04/02	A young boy (name unknown)	4	Mpundu Hill, Rusaga Hill Nyabihanga commune, Gitega province	According to information gathered on site, the child was reportedly found dead while returning home. No apparent signs of violence were observed on the body.	Motive unknown	No information regarding the opening of a criminal investigation was available at the time of writing.

04/03	Bizimana Emile	Unknown	Musenga Hill, Camazi Zone, commune	According to testimonies collected by ACAT-Burundi, the body of the victim showed signs of	Suspected homicide	The body was reportedly buried the next day without an autopsy or a thorough investigation according to reports
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			Gisagara, Buhumuza Province	significant facial injury suggesting homicide.		gathered by ACAT-Burundi.
04/03	Marthe NIBIZI	80	Bumba commune, Gisagara province, Buhumuza	The victim's body was reportedly found with no apparent signs of violence.	Motive unknown	No information regarding the opening of a judicial investigation was available at the time of writing.
03/04	Pascal Nkurunziza	Unknown	Kanyami commune, Ngozi district, Butanyerera province	According to local sources, the body had injuries to the throat and head. A bloodstained knife was reportedly found near the body.	Suspected homicide	No information regarding the progress of the legal proceedings was available at the time of writing.
04/04	Nestor Nininahazwe, alias Gasazi	unknown	Kibungere Hill, Nyabihanga commune, Gitega province	According to testimonies collected by ACAT-Burundi, the victim was reportedly killed by a police officer	Alleged of force	The suspect was reportedly apprehended and then placed in custody at the Mwaro police station. No further information on the progress of the legal proceedings was available at the time of writing.

04/06	Unidentified body— Kiganda	Unknown	Hill Nkonwe , Kiganda zone, Kiganda commune, Kiganda province	According to information gathered at the scene, the body showed signs of severe mutilation, including a severed tongue and the removal of the eyes. Evidence gathered at the scene suggest that the victim may have been killed elsewhere before the body was moved.	Suspicious circumstances	According to information gathered by ACAT-Burundi, the body was reportedly buried the same day without a prior autopsy or judicial investigation
04/08	Ernest Ntibazonkiza	56	Below Ruguhu Hill, Muka Hill, Camazi area, commune Gisagara, Buhumuza Province	According to information gathered by ACAT-Burundi, the victim's body showed injuries to the throat as well as mutilations, including the removal of some teeth and a cut on the tongue.	Suspicious circumstances	No information regarding the opening of a judicial investigation or the performance of an independent autopsy was available at the time of writing.

April 16	Gabby Bugaga, Minister of Communication and Media. Gabby Bugaga	49	Kivoga Hill, Rubirizi area of the Mutimbuzi commune, in Bujumbura province	Certain collected by ACAT-Burundi suggest that the minister may have been killed elsewhere before his body was moved into his vehicle to simulate a traffic accident.	Motive remains unclear	The authorities have publicly favored the theory of a traffic accident . No official communication regarding the results of a possible independent autopsy was available at the time of writing.
04/16	Unidentified body—Muyovozi	Unknown	The Muyovozi River on the Murusabagi sub-hill, Buyaga hill, Buzye area, Musongati commune, Burunga province	Motive unknown		The body was reportedly buried the same day without an autopsy or prior judicial investigation, according to information gathered by ACAT-Burundi
04/22	Liboire Barandagiye,	44	Mahonda Hill, Gitega commune and province.	Eyewitness accounts collected on site by ACAT-Burundi suggest that Liboire Barandagiye may have been killed elsewhere before his body was hung in order to misdirect the investigation	Suspicious circumstances	No information regarding the opening of a judicial investigation or the performance of an independent autopsy was available at the time of writing.

				pointing to a suicide theory.		
4/25	Two people— Ruyigi	Unknown	Musumba Hill, Ruyigi district and commune, in Buhumuza province	According to testimonies collected by ACAT-Burundi, the victim was reportedly killed by her alleged son-in-law before he was subsequently lynched and burned alive by individuals identified as members of the Imbonerakure.	Mob justice alleged	No information regarding the opening of judicial investigations into the two deaths was available at the time of writing.
4/29	Four people— Mparamirundi/ Kayanza ²	Unknown	Mparamirundi Police Station, Kayanza Commune, Butanyerera Province	According to corroborating sources, the victims were reportedly shot by the station chief.	Alleged of force	No information regarding the opening of an independent judicial investigation or any potential legal proceedings against the officers involved was available at the time of writing.

²This case has sparked significant controversy. You will find full details and the findings regarding these four cases in the appendix on

the murders.

II. 3. Statistical Analysis of Documented Cases (April 2026)

An examination of the 17 detailed cases reveals the following trends: the statistics presented below are based exclusively on cases documented and verified by ACAT-Burundi during the month of April 2026. The organization nevertheless considers that these figures may underestimate the actual situation due to the climate of fear, difficulties in accessing certain areas, and the failure to report several cases.

1. Human Toll and Victim Profile

- **Total number of victims:** 17 people.
- **Age profile:**
 - **Children:** 1 (age 4).
 - **Adults/Seniors:** 4 identified (ages 33 to 80).
 - **Unspecified:** 12 (the majority of cases).
- **Identity:** 35% of the bodies recovered remain unidentified at the time of this report, which complicates the grieving process for families and the investigations. The significant number of unidentified victims highlights the persistent challenges related to body identification procedures, as well as the conditions under which many victims are buried quickly without thorough investigations.

2. Geographical Distribution (Analysis by Province)

Violence appears to be particularly concentrated in the central and eastern provinces:

Buhumuza Province: 5 victims (Gisagara, Ruyigi).

Gitega Province: 4 victims (Gishubi, Nyabihanga, Gitega).

Butanyerera Province: 5 victims (Ngozi, Kayanza)

Others (Bujumbura, Burunga, Kiganda): 3 victims.

The concentration of documented killings in certain provinces could indicate either an intensification of violence in these areas or a greater capacity of local observers to document violations.

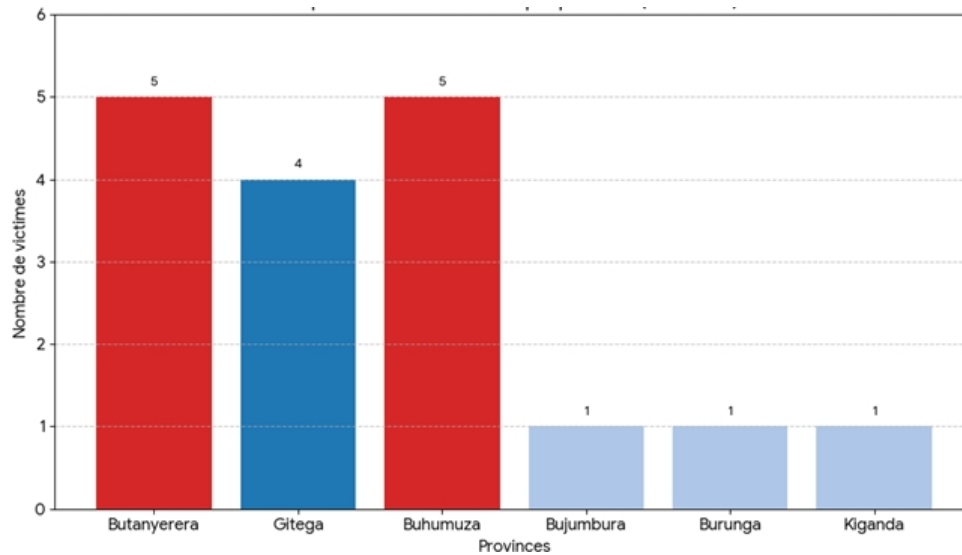


Figure 1: Geographic distribution of documented killings by province

Geographic analysis reveals that the violence is far from random, being concentrated at **60 % in the provinces of Butanyerera and Buhumuza**, the true epicenters of institutional and social insecurity. While the North (Butanyerera) suffers mainly from violence linked to abuses of authority, the East (Buhumuza) is marked by brutal crime and acts of vigilante justice. At the same time, the province of **Gitega** is characterized by systematic administrative opacity, where the discovery of bodies is almost always followed by forced burials, establishing impunity as the norm in the region.

3. Condition of the Bodies and Modus Operandi

Analysis of the circumstances reveals extreme violence and a macabre staging: Several documented cases exhibit similar characteristics, notably mutilations, suspected body movements, and hasty burials, raising concerns about the existence of recurring patterns in certain violations.

- **Severe Mutilations:** In two cases, the murdered victims had their tongues cut out and their eyes or teeth gouged out, signs of torture methods or messages of intimidation.
- **Secondary crime scenes:** In at least two cases (including that of Minister Gabby Bugaga), the report indicates that the victim was killed elsewhere before being dumped, suggesting organized logistics.

- **State Violence / Authorities:** Two major incidents involve law enforcement officers (a police officer and a station chief), potentially totaling five murder victims. Allegations involving state agents or individuals associated with security structures raise serious concerns regarding public authorities' compliance with their obligations to protect citizens.

4. Judicial Follow-up and Impunity (The Critical Issue)

The rate of impunity is alarming:

- **Immediate burials:** In **30% of cases**, local authorities ordered the burial to take place on the same day or the following day, **without any prior investigation**, thereby destroying forensic evidence. These practices appear to be inconsistent with international standards governing investigations into potentially unlawful deaths, particularly the United Nations Minnesota Principles.
- **Lack of Prosecution:** Out of 17 documented murders, **only one arrest** has been confirmed (the police officer in Mwaro).
- **Institutional denial:** The case of Kayanza illustrates a disconnect between civil society reports and official denials from the ministry, making access to the truth difficult. **The recurring absence of independent autopsies, victim identification, and effective legal proceedings significantly limits the possibilities for the families involved to access truth and justice.**

The chart below examines the state's response to these deaths. The conclusion is clear: justice is virtually nonexistent. In nearly all cases, the authorities choose to bury the bodies hastily rather than seek out the perpetrators. The chart below illustrates this wall of impunity.

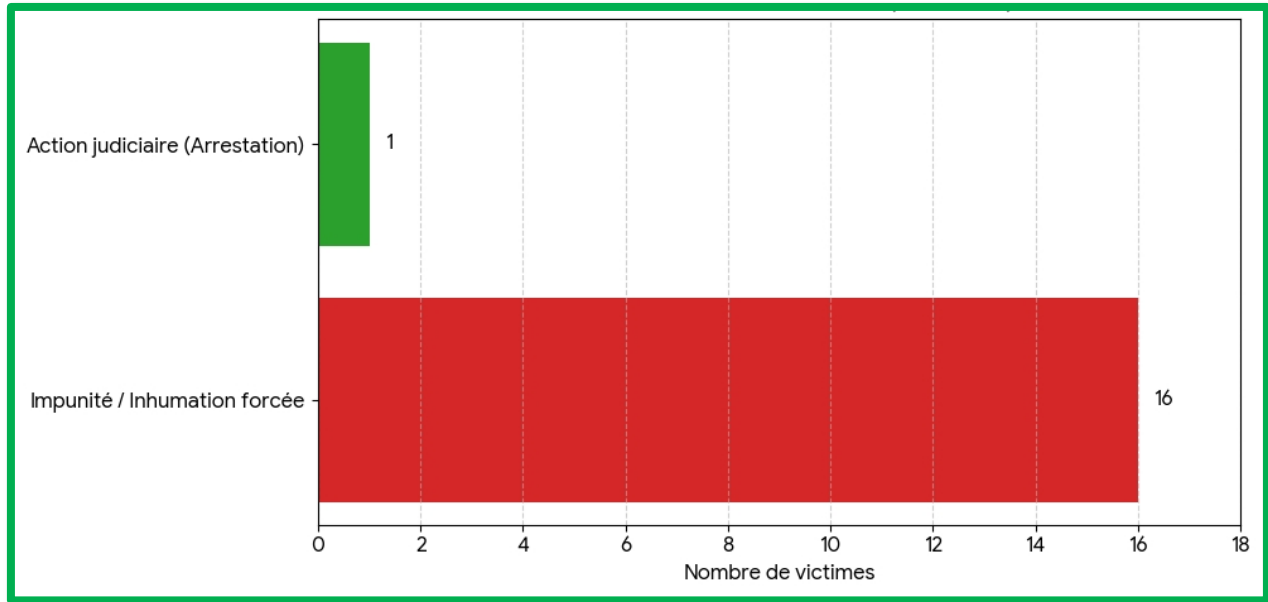
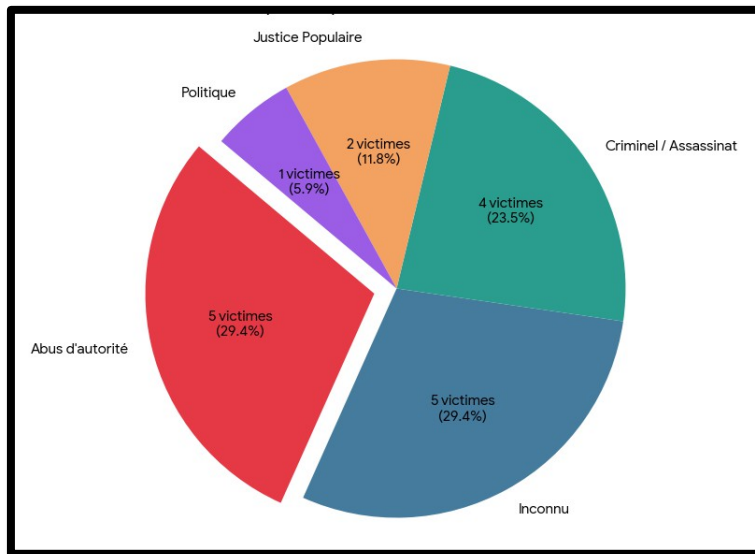


Chart 2: Judicial Follow-up on the 17 Murders

This chart shows that the probability of an assassin being arrested is practically zero (less than a 6% success rate in court). The systematic order to bury the victims without an autopsy, often issued by local authorities, is not a mere procedural error, but a method to close cases before they are even opened.

Summary of Motives

To understand what drives such acts, we have classified the victims according to the causes of their deaths. This graph reveals that violence is not random: it often stems from an abuse of power by the authorities or from the law of the jungle enforced by the population itself. But above all, it shows that a vast majority of these crimes remain without an official explanation, allowing the perpetrators to remain free. The graph below details these various motives. The high number of unexplained motives highlights the persistent shortcomings in the mechanisms for investigating and prosecuting cases of suspicious deaths.



Beyond the numbers, this chart reveals a brutal reality: human life seems to have lost its legal value. When 50% of motives are classified as “unknown” or “criminal” without further action, it means that one in two murders does not matter to the justice system. This indifference, combined with abuses by the authorities, creates a vicious cycle where impunity encourages new crimes. Ultimately, this is not just a crisis of security, but a total failure of the system designed to protect citizens.

Chart 3: Breakdown by suspected motive

Overall, the data documented during the month of April 2026 reveal a worrying persistence of violations of the right to life as well as structural weaknesses in the mechanisms for preventing, investigating, and prosecuting serious human rights violations in Burundi.

II. 4. Analysis of Legal Violations and the Practice of Forced Burials

ACAT-Burundi observes that the discovery of dead bodies in April 2026 no longer triggers a judicial process, but rather a process of cover-up.

In several documented cases, local administrative authorities reportedly prioritized the rapid burial of bodies before the competent judicial authorities had fully intervened, contrary to the requirements of the Code of Criminal Procedure and international standards regarding investigations into potentially unlawful deaths.

II.4.1. The circumvention of the legal framework (Article 109)

The law is, however, unequivocal: any suspicious death requires the intervention of the Prosecutor and a medical examination. Yet, the documented facts reveal a systematic circumvention of the justice system by local authorities.

The finding: In 94% of cases during the month under review, burial took place before the Judicial Police Officer (OPJ) could even submit a formal report.

The consequence: By burying the bodies “without delay,” the state reduces a violent crime to a mere administrative formality, making any subsequent autopsy virtually impossible.

In cases of suspicious deaths, international standards as well as the Code of Criminal Procedure require that appropriate forensic examinations be conducted prior to any burial in order to preserve evidence and establish the exact circumstances of the death.

II.4.2. The Chain of Responsibility in the Denial of Justice

The following table details how the failure of some covers up the violence of others, creating a cycle of state-sanctioned criminality. These practices appear incompatible with Burundi’s international obligations regarding the conduct of prompt, independent, and impartial investigations into serious human rights violations.

Table 2: Correlation between violations of the law and responsible actors

The cases documented by ACAT-Burundi reveal several institutional failures that may compromise the effectiveness of judicial investigations and the protection of fundamental rights.

Actors	Specific Failures	Impact on the Rule of Law	Role in the cycle of impunity
Local Administration	Administrative interference in proceedings that the jurisdiction of judicial authorities.	Destruction of evidence : The body disappears before examination.	"A factor contributing to the rapid disappearance of forensic evidence
Judicial Police (OPJ)	Presumed lack of systematic transmission of police investigation files to the competent judicial authorities	Malfunction of the criminal justice system : The case is not referred to the courts.	A factor limiting the effectiveness of judicial investigations.
Judicial System	Lack of ex officio referral by the Public Prosecutor’s Office despite the well-known facts.	Denial of justice : The families and loved ones of the victims are denied access to	Weakness of institutional mechanisms to protect against

			documented violations.
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ACAT-Burundi observes that the accumulation of these administrative, judicial, and security failures contributes to weakening human rights protection mechanisms and reinforcing concerns regarding impunity.

II.4.3. Analysis of administrative obstacles to judicial investigations.

The practices documented in several cases raise serious concerns regarding the effective preservation of evidence and the identification of those responsible:

1. **State officials:** The lack of adequate forensic documentation undermines the ability to establish potential individual or institutional liability.
2. **Affiliated groups (Imbonerakure):** Hasty burials risk limiting the ability to properly classify the facts under the law and to identify the alleged perpetrators.

The documented practices appear to undermine the effective application of Article 109 of the Code of Criminal Procedure regarding investigative obligations when bodies are discovered under suspicious circumstances. This situation contributes to reinforcing a climate of impunity that may encourage the recurrence of serious human rights violations.

ACAT-Burundi considers that the absence of systematic forensic investigations and the rapid burial of several victims seriously undermine the right to the truth, the right of families to an effective remedy, and the State’s obligations regarding the prevention and prosecution of serious human rights violations.

II. 5. Recommendations from ACAT-Burundi

In light of these serious failures, ACAT-Burundi makes the following requests:

📧 To administrative authorities (governors, commune administrators, and hill chiefs):

- Refrain from authorizing any hasty burial of unidentified bodies.
- Systematically notify the Judicial Police as soon as a body is discovered to allow for a legal report and the initiation of investigations.

📧 To the Judicial Police and the Public Prosecutor’s Office:

- Fulfil their statutory obligations in accordance with the Code of Criminal Procedure.
- Ensure that no body is buried without a **credible, impartial, and thorough investigation** being opened to identify the perpetrators of these crimes.

- Ensure the systematic presence of a Judicial Police officer or a magistrate at the scene of discovery to guarantee the thoroughness of the initial findings.

III. KIDNAPPINGS

Alongside the discovery of bodies, **ACAT-Burundi** expresses its deep concern over the persistence of cases of abductions and enforced disappearances. These acts, often carried out in the dark or out of sight, plunge families into prolonged anguish and constitute serious violations of individual freedoms. Two cases have been documented this month.

The Case of Julien Manirakiza (Bujumbura Province)

ACAT-Burundi has been informed of the alarming disappearance of Julien Manirakiza, a member of the ruling CNDD-FDD party who was elected head of the Mubone neighborhood and dismissed without cause. He was abducted from his home by a police officer named Eric, accompanied by Imbonerakures, and taken to an unknown destination.

Documented facts:

- **Date of disappearance:** April 6, 2026
- **Last known location:** his home
- **Context:** abducted from his home

Alarming details: abducted by a police officer accompanied by Imbonerakure and taken to an unknown location

Case of Jacques Baranyizigiye

Jacques Baranyizigiye, a resident of the Nyakivumu Hill area in the Cankuzo commune, is reported missing. According to his wife, Baredeka Stéphanie, Jacques Baranyizigiye left to seek medical treatment at the Cankuzo hospital but did not return.

Documented facts:

- **Date of disappearance:** April 15, 2026
- **Last known location:** not precisely known—either his home or Cankuzo Hospital
- **Context:** He left to seek medical treatment at Cankuzo Hospital but did not return.

ACAT-Burundi expresses its deep concern over these disappearances, which bear all the hallmarks of a **kidnapping**. The organization calls on the security services and the judicial police to conduct urgent investigations to locate him and ensure his physical safety.

IV. ARBITRARY ARRESTS

Although no specific cases have been fully documented during this reporting period, **ACAT-Burundi** remains concerned about the persistence of arrest procedures that do not comply with legal standards.

It reiterates that any deprivation of liberty must strictly comply with the judicial safeguards provided for by the **Constitution** and the **Criminal Procedure Code** of Burundi.

In general, the organization's observations highlight the following violations

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- **Absence of warrants:** Arrests carried out by officers of the National Police or the National Intelligence Service (SNR) without presenting legal warrants.
- **Exceeding police custody limits:** Many people remain detained in police cells beyond the legal limit of 14 days without being brought before an investigating judge.
- **Detention in unofficial facilities:** The continued practice of detaining individuals in private or unrecognized transit facilities, leaving detainees vulnerable to mistreatment.

ACAT-Burundi continues to document numerous cases of arrests carried out outside any legal framework. These deprivations of liberty, often conducted without a judicial warrant and exceeding the legal limits for police custody, violate the provisions of the Burundian Constitution and the Code of Criminal Procedure.

V. VIOLATIONS OF PHYSICAL INTEGRITY

Beyond the killings and disappearances, April 2026 was marked by a resurgence of physical violence. ACAT-Burundi points to shared responsibility between state agents and members of the youth league affiliated with the ruling party (*Imbonerakure*).

V. 1. Torture and cruel, inhuman, or degrading treatment

During April 2026, ACAT-Burundi documented **four** cases of torture, three of which occurred in Burunga Province and one in Buhumuza Province.

Legal framework and reporting:

ACAT-Burundi reiterates that torture is a crime defined and punishable under **Article 206 of Law No. 1/27 of December 19, 2017, amending the Penal Code**. It is unacceptable that state agents, who are responsible for protecting citizens, should be guilty of such acts.

Demands:

- The immediate launch of independent investigations to ensure that the perpetrators of these abuses are brought to justice.
- Compensation and care for the victims, in accordance with **Article 349 of the Burundian Code of Criminal Procedure**.

V. 2. Assault and battery

Although no specific cases of assault and battery have been formally recorded this month, ACAT-Burundi remains on alert. The climate of repression maintained by the *Imbonerakure* against members of the opposition fosters frequent physical attacks which, although not individually documented this month, contribute to a strategy of widespread terror.

VI. CONCLUSION AND RECOMMENDATIONS

VI.1. Conclusion

April 2026 continues a cycle of serious and systematic human rights violations in Burundi. Information gathered in several provinces of the country also reveals a troubling trend marked by the aforementioned burials of victims found dead under suspicious circumstances, often without a prior autopsy or thorough judicial investigation. The documentation gathered confirms that the right to life, a fundamental pillar of any rule of law, is repeatedly violated in various forms: assassinations, enforced disappearances, and torture.

The recurring phenomenon of lifeless bodies found in public spaces (rivers, bush) and hastily buried without identification or investigation attests to a deliberate intent to conceal. These practices, often carried out by local administrative officials in collaboration with state agents and members of the *Imbonerakure* youth league, reveal that the authorities have abandoned their duty to protect the population in favor of sectarian interests. These practices seriously compromise the preservation of forensic evidence, the ability to identify the alleged perpetrators, and the families' right to truth and justice.

Impunity remains the driving force behind these crimes. **ACAT-Burundi** notes with bitterness that the judicial system, far from being a bulwark against arbitrariness, too often serves as a cover for the perpetrators of violations. Systemic corruption and interference by the executive branch paralyze national institutions such as the **CNIDH** and **the Ombudsman**, rendering any hope of successful investigations illusory, particularly when the victims are political opponents or

human rights defenders. The near-systematic absence of credible, independent, and transparent investigations into documented cases contributes to reinforcing a climate of impunity that is likely to encourage the recurrence of serious human rights violations.

The current political and security context, marked by a shrinking civic space, fear of reprisals, and difficulties in accessing certain information, continues to affect the ability of victims and witnesses to cooperate freely with human rights organizations.

In accordance with its national and international obligations, the Burundian government remains bound to prevent, investigate, and punish any serious human rights violations committed on its territory. Finally, ACAT-Burundi reaffirms its commitment to continuing the independent documentation of serious human rights violations in order to contribute to the fight against impunity, the protection of victims, and the strengthening of the rule of law in Burundi.

VI.2. Recommendations

In light of the systematic violations documented in this report, **ACAT-Burundi** makes the following recommendations:

1. To the Government of Burundi:

- **Ensure the physical safety of all citizens:** Fully assume its sovereign duty to protect the population throughout the entire territory.
- **Combat impunity for violent crimes:** Conduct systematic, independent, and transparent investigations into every case of a body found, in order to identify, prosecute, and punish the perpetrators in accordance with the law.
- **Restore the monopoly of law enforcement:** Ensure that security and patrol missions are carried out exclusively by official defense and security forces.
- **Regulate youth affiliated with the ruling party:** Put an end to security abuses and acts of violence committed by the *Imbonerakure* during night patrols, and bring to justice those who illegally assume police powers.

2. With regard to national human rights institutions (CNIDH and Ombudsman):

- **Exercise their mandate with complete independence:** Use the full extent of the powers granted to them by law to document, denounce, and bring cases before the courts in response to the resurgence of human rights violations.

- **Ensure on-the-ground monitoring:** Systematically visit sites where bodies have been discovered and the SNR's detention facilities to prevent acts of torture and illegal burials.

3. To the International Community:

- **Maintain heightened vigilance:** Closely monitor developments in the security situation in Burundi, taking into account risk factors (elections, regional tensions) that could exacerbate the human rights crisis.
- **Demand accountability:** Make any institutional support conditional on concrete progress in the fight against impunity and the Burundian authorities' compliance with criminal procedures.

APPENDICES

Appendix 1: MURDER CASES CASE

№ 01

1. Profile of the main victim

- Identity: Etienne Nshimirimana
- Age: 33 years old.
- Location: Bubaji Hill, in the commune of Gishubi, Gitega Province

2. Timeline and facts

On April¹, 2026, the body of Etienne Nshimirimana, 33, was discovered inside his home on Bubaji Hill, in the commune of Gishubi, Gitega Province. According to local sources, the victim was reportedly killed elsewhere and brought to his home to make it look like a suicide. His body was buried the same day on the orders of local authorities without an investigation, so that the circumstances and perpetrators would not be uncovered

3. Modus operandi and physical findings

Testimonies collected on site by ACAT-Burundi describe extreme violence, characterized by:

- Use of blunt objects: the victim was reportedly killed elsewhere and brought to his home to make it look like a suicide

4. Contextual analysis and issues

Lack of judicial response: His body was buried the same day on the orders of the local administration without an investigation, so that the circumstances and perpetrators would not be identified.

5. Legal analysis of the case

The discovery of a body at home with suspicions of a staged scene (simulated suicide) legally obligates the authorities to open an investigation. According to Article 21 of the Code of Criminal Procedure (CCP), the judicial police are obligated to document crimes and offenses, gather evidence, and identify the perpetrators.

- **The irregularity of the burial without an autopsy:** The order issued by the local administration to bury the body on the same day without a medical examination or investigation is a flagrant violation of judicial protocols. The administrative authority is preventing the establishment of evidence, and this can be interpreted as a serious administrative offense or even complicity through the concealment of evidence.

CASE № 02

1. Victim Profile

- Identity: a 4-year-old boy
- Age: 4 years old
- Location: Mpundu Hill, Rusaga Hill, Nyabihanga commune, Gitega province
- Date of the incident: April 2, 2026

2. Facts and physical findings

On April 2, 2026, a 4½-year-old boy was killed by unidentified individuals on Mpundu Hill, Rusaga Hill, Nyabihanga commune, Gitega province, while he was returning home after leaving his father in the bush where he was tending the cows. According to local sources, no signs of violence were found on his body. ACAT BURUNDI calls on the Gitega Criminal Investigation Division and the Public Prosecutor's Office to open an investigation to determine responsibility.

CASE № 03

1. Victim's Profile

- Identity: BIZIMANA Emile
- Location: Musenga Hill, Camazi Zone, Gisagara Commune, Buhumuza Province.
- Date: April 3, 2026.

2. Facts and Physical Findings

On April 3, 2026, the lifeless body of Bizimana Emile, a native of Bumba Hill, was discovered by passersby on Musenga Hill, Camazi Zone, Gisagara Commune, Buhumuza Province. His body was found on the Camazi–Rusigabangazi road. According to witnesses at the scene, the victim's body had a large wound on the face, indicating that he was killed by unidentified individuals. The same sources indicate that his body was buried the following day, April 4, 2026, without an investigation.

3. Legal Analysis

The presence of a "large wound to the face" rules out the possibility of natural death and points to intentional homicide

- **Violation of the duty to investigate:** Burial the very next day without an investigation constitutes the most flagrant violation of the law. According to the Code of Criminal Procedure, no body may be buried before the judicial authorities have issued a burial permit, which may only be granted after the causes of death have been determined or confirmed by a physician.

- **Preservation of evidence:** The body is the primary "piece of evidence." By burying it hastily, the authorities destroyed the clues (fingerprints, DNA traces, trajectory of the blow) essential for identifying the perpetrators.

- **Liability of the local government**

An order to bury the body without an investigation may hold local authorities (municipal administrator or district chief) liable:

Obstruction of justice: By ordering the burial without an autopsy, the authority may be accused of attempting to conceal a crime or protect the perpetrators.

CASE № 04

1. Victim Profile

- Identity: Marthe.
- Age: 80 years old.
- Location: Bumba area, Gisagara commune, Buhumuza province
- Date of discovery: April 3, 2026.

2. Facts and Modus Operandi

On April 3, 2026, the body of Marthe Niyibizi, 80, was discovered on the road connecting Camazi Rusigabangazi in the Bumba area, Gisagara commune, Buhumuza province. According to sources at the scene, her body showed no signs of violence. The body was transferred to Cankuzo Hospital.

3 Legal Analysis.

Classification as a “Suspicious Death”

Even in the absence of visible injuries, unlike in the previous case, the discovery of a body on a road is legally classified as a **suspicious death**.

- **Article 31 of the Code of Criminal Procedure (CCP):** When a body is discovered and the cause of death is unknown or suspicious, the Judicial Police Officer (JPO) must immediately inform the Public Prosecutor.
- The absence of external signs of violence does not rule out a criminal act (poisoning, suffocation, or illness caused by an assault without visible marks).
- **Transfer to the hospital:** This is the proper procedure. **Unlike** previous cases where bodies were buried hastily, the transfer to the Cankuzo hospital is a crucial legal step. Storing the body at the morgue allows the burial to be postponed until the preliminary investigation is completed.
- **Medical examination:** The medical examiner or the on-call physician must issue a death certificate specifying the probable cause (natural death, cardiac arrest, or poisoning).

4. Responsibilities of the Judicial Police Officer and the Prosecutor’s Office

The judicial police officer (OPJ) of the municipality of Gisagara is required to:

- Conduct a neighborhood investigation to determine when the victim was last seen alive.
- Prepare a report of findings.
- Wait for the medical findings before authorizing the family to claim the body.

CASE 05

1. Victim Profile

- **Identity:** Nestor Nininahazwe, alias Gasazi
- **Age:**
- **Occupation:** Motorcyclist.
- **Location:** Kibungere Hill, Nyabihanga commune, in Gitega province

2. The Facts

On April 4, 2026, Nestor Nininahazwe, alias Gasazi, a motorcyclist, married and father of three children, was shot and killed by a police officer identified as Osias Irankunda in a bar in the parish of Kibungere, Kibungere Hill, Nyabihanga commune, in Gitega province. According to witnesses, the police officer asked Nestor Nininahazwe to buy him a beer, and he refused. The officer, enraged, went to his post to retrieve his service weapon and immediately returned to the bar to commit the crime. Police officer Osias Irankunda was apprehended by Imbonerakure in the parish of Kibungere, where he had taken refuge among the faithful celebrating the Easter Vigil Mass; they then handed him over to the police commissioner in Mwaro

3. ACAT-Burundi Analysis

Criminal Classification: Murder

Unlike simple murder, **assassination** is characterized by **premeditation** (Article 208 of the Burundian Penal Code).

1. Premeditation: The fact that the police officer left the bar, went to his post to retrieve his weapon, and then returned to the scene to shoot demonstrates a plan formed prior to the act. This time lapse between the outburst of anger and the act confirms the deliberate intent to kill.

2. Misuse of a service weapon: The police officer used his service weapon for personal and criminal purposes, outside any context of duty or self-defense.

3. Arrest by the "Imbonerakure" and handover to the authorities: Every citizen has the right (and the duty) to apprehend the perpetrator of a crime in flagrante delicto and hand them over to the authorities (Article 10 of the Code of Criminal Procedure). Action by Christians for the Abolition of Torture in Burundi highlights a crucial point here that alters the usual dynamics of human rights violations in the country:

- **Respect for the criminal procedure chain:** By handing over police officer Osias Irankunda to the police commissioner rather than subjecting him to abuse or a summary execution, the members of the youth league (Imbonerakure) acted in accordance with **Article 10 of the Burundian Code of Criminal Procedure**.

This article authorizes any citizen to apprehend the perpetrator of a flagrant offense, provided that they immediately bring him before the nearest judicial or police authority. ACAT-Burundi commends this behavior because it preserves the **right to a fair trial** and prevents mob justice from supplanting the rule of law.

CASE No 06

1. Victim Profile

- **Identity:** Pascal Nkurunziza
- **Location:** Kanyami, Ngozi commune, Butanyerera province
- **Date of discovery:** April 3, 2026.

2. Facts and Modus Operandi

On April 3, 2026, the lifeless body of Pascal Nkurunziza was discovered in a bush in Kanyami, Ngozi commune, Butanyerera province. According to police and administrative sources at the scene, the body showed signs of violence on the throat and a wound on the head. A large knife with blood on it was found near the body, indicating that he was killed by unidentified individuals.

Case No. 07

1. Victim Profile

- **Identity:** unidentified
- **Location:** Nkonwe Hill, Kiganda area Kiganda commune, Gitega province
- **Date of discovery:** April 6, 2026

2. Facts and physical findings

On April 6, 2026, the lifeless body of a man was discovered on Nkonwe Hill in the Kiganda area Kiganda commune, Gitega province, in a small bush near the road. According to local sources, his tongue had been cut out and his eyes removed. He is believed to have been killed elsewhere and dumped at this location, as there was not a single drop of blood. The same sources indicate that he was buried the same day without an investigation to determine the circumstances and the perpetrators

• **Flagrant violation of criminal procedure**

Burial on the same day without an investigation constitutes a major violation of the State's obligations:

• **Identification of the victim:** Burying an unidentified man without taking his fingerprints or documenting his physical characteristics permanently prevents his family from grieving and seeking justice.

• **Destruction of evidence:** The body is the primary witness to the crime. Its immediate burial destroys any chance of discovering the weapon used or the exact time of death.

• **Administrative failure:** According to the **Code of Criminal Procedure**, the Judicial Police Officer (OPJ) and local authorities may only authorize burial after a medical examination and the prosecutor's authorization in such a suspicious case.

3. Criminal liability of local authorities: Ordering a hasty burial in the context of horrific mutilations may lead to legal action against the responsible officials for:

Obstruction of justice: Deliberate concealment of criminal evidence.

Criminal negligence: Failure to act when a flagrant crime is brought to their attention.

4. The issue of ritual or symbolic crimes

Legally, the removal of the tongue (symbol of silence) and the eyes (symbol of sight/testimony) often points investigations toward **ritual crimes** or **punitive executions** aimed at terrorizing the population. The fact that the investigation was suppressed reinforces the sense of insecurity and impunity in the area.

Conclusion: This case is a textbook example of a denial of justice. Without an **exhumation ordered by the Attorney General** for a full autopsy, this crime will go unpunished, thereby protecting the perpetrators who have demonstrated extreme cruelty.

CASE № 08

1. Victim Profile

- **Identity:** Ernest NTIBAZONKIZA
- **Location:** Ruguhu Hill, Muka Hill, Camazi area, Gisagara commune, Buhumuza province
- **Date of discovery:** April 8, 2026

2. Facts and Physical Findings

On April 8, 2026, the lifeless body of Ernest Ntibazonkiza, aged 56, a returnee from the Nduta camp in the United Republic of Tanzania, was discovered very close to the home of Singenda Kubwayo Bonaventure on the Ruguhu sub-hill, Muka Hill, Camazi area Gisagara commune, Buhumuza province. According to on-site sources, the victim had injuries to the throat. His teeth had been pulled out and his tongue cut off.

• Legal Analysis

The victim was a returnee from the Nduta camp (Tanzania). This status theoretically entitles him to special protection from the Burundian state under the repatriation agreements.

Obligation to ensure safety: The state has a legal obligation to guarantee the physical safety of citizens who agree to return to the country. Such a murder, occurring shortly after a return, constitutes a failure of the system for protecting returnees.

Discrimination or targeting: The investigation must determine whether Ernest Ntibazonkiza was targeted because of his past as a refugee or his alleged activities in exile, which could reclassify the crime as a hate crime or a political crime.

CASE № 09

1. Victim Profile

- **Identity:** Gabby Bugaga
Position: Minister of Communication and Media
- **Location:** Kivoga Hill, Rubirizi area of Mutimbuzi commune, in Bujumbura province
- **Date of discovery:** April 16, 2026

2. Facts and modus operandi

On April 16, 2026, the lifeless body of the Minister of Communication and Media, Gabby Bugaga, was discovered by residents of Kivoga Hill, Rubirizi area of the Mutimbuzi commune, in Bujumbura province, inside his vehicle in a palm plantation, about ten meters from the Bujumbura-Bubanza road—which runs for several kilometers through hundreds of hectares of oil palms—not far from the Maranatha High School in Kivoga. According to witnesses, Minister Gabby Bugaga’s body had a large wound on his swollen face; there was no trace of blood inside the vehicle or on his clothing, except for two small drops on his underwear. Indeed, Gabby Bugaga’s body was lying at the wheel, half-reclined on the front seat of the vehicle, with his left leg hanging through the open door window. Furthermore, signs of a severe impact are visible on the right side of the vehicle, whose rear license plate, F6525A, had been removed. Official authorities of the Government of Burundi, namely the Head of State and the Government Spokesperson, concluded, without a prior investigation, that the Minister of Communication and Media had died unexpectedly in a traffic accident. Some sources indicate that the minister may have been murdered elsewhere before his body was placed in his vehicle to simulate a traffic accident.

Legal Analysis

A legal analysis of this case, involving a high-ranking government official, reveals major contradictions between the physical evidence and the official conclusions, raising serious questions about compliance with criminal procedures in Burundi.

Here are the key points of the analysis:

1. Classification of the events: Accident vs. Murder

The official version concludes that it was a traffic accident, but the physical evidence points legally toward a **staged crime**:

Absence of bloodstains: A “severe facial injury” with no blood spatter inside the vehicle or on the clothing is clinically and legally incompatible with a traumatic impact occurring at the scene. This suggests that the victim was killed elsewhere (primary crime scene) before being moved.

Body position: The leg hanging outside the vehicle and the body lying half-reclined are atypical positions for a driver during a frontal or side-impact collision, reinforcing the hypothesis that the body was dumped at the scene.

Concealment of evidence: The removal of the rear license plate (F6525A) is an intentional act that cannot result from an accident. Under criminal law, this constitutes tampering with evidence.

2. Violation of the duty to investigate and perform an autopsy

The authorities’ immediate declaration (death by accident) without a prior investigation violates the fundamental principles of **the Code of Criminal Procedure**:

• **Mandatory autopsy:** In the case of a high-ranking government official found under suspicious circumstances, an autopsy is a legal requirement to determine the exact time and cause of death (trauma, poisoning, asphyxiation).

• **Referral to the Public Prosecutor’s Office:** Only the Public Prosecutor, after receiving the report from the Judicial Police Officers (OPJ) and experts, is authorized to communicate the legal cause of death. A premature political conclusion constitutes an **obstacle to the discovery of the truth.**

3. State Liability and Institutional Security

Since Minister Gabby Bugaga was a public servant, his death engages the liability of the public authority:

• **Failure to provide protection:** If the assassination is confirmed, this raises the question of the failure of the security services tasked with protecting members of the government.

• **Denial of justice:** Classifying the case as an accident without a technical investigation (analysis of skid marks, impact on the vehicle, mobile phone records) deprives the family of their right to an effective remedy, guaranteed by the Constitution and international covenants.

4. The crime of staging an accident

If the investigation demonstrates that the body was placed there to conceal a crime, the perpetrators and accomplices could be prosecuted for:

Premeditated murder (Article 208 of the Penal Code).

Concealment of a corpse and tampering with the crime scene, offenses targeting those who helped transport the minister and alter the vehicle.

Conclusion: Legally, the evidence (vehicle without license plates, absence of blood, isolated facial injury) discredits the accident theory. The authorities’ haste to close the case without scientific procedures suggests a desire to cover up a matter of state, which could be classified as complicity by omission or obstruction of justice before an independent court.

CASE № 10

1. Victim Profile

- **Identity:** unidentified
- **Age:**
- **Location:** Murusabagi Hill, Buyaga Hill, Buzye area, Musongati commune, Burunga province
- **Date of discovery:** **March 16, 2026**

2. Facts

On April 16, 2026, an unidentified body was discovered by passersby in the Muyovozi River on Murusabagi Hill, Buyaga Hill, Buzye area, Musongati commune, Burunga province. According to local sources, these passersby alerted the local authorities and the Red Cross. The body was buried the same day.

Legal Analysis

The legal analysis of this discovery in Rutana Province (Burunga) confirms a troubling trend of violations of legal procedures when a body is discovered in Burundi.

Here are the key points of the analysis:

1. The classification as a "Suspicious Death "

The discovery of a body in a river (an aquatic environment) is, by definition, a suspicious death. Any death whose cause is unknown or suspicious requires the immediate intervention of a Judicial Police Officer (OPJ). The investigation must determine whether it was an accidental drowning, a suicide, or a crime (a body dumped in the water to cover up the evidence).

2. Identification: A Legal Obligation Not Fulfilled

The fact that the body remained "unidentified" and was buried the same day constitutes a serious breach of duty:

- **Fingerprinting and Photographs:** By law, the authorities are required to attempt to identify the person (examination of clothing, personal items, biometric data) before any burial.

- **Families' rights:** Burying an unidentified body without delay deprives a family in the area (or elsewhere) of the possibility of finding a missing loved one.

3. The hasty burial: An obstruction of justice

The intervention of the Red Cross and the authorities to facilitate immediate burial, although motivated by hygiene concerns (decomposition in water), must not overshadow the legal aspect:

Medical examination: Even a cursory examination by a doctor or a forensic nurse is required to check for injuries (blows, ligature marks, stab wounds) before burial.

Burial permit: The authorities cannot legally order the burial of a body found on a public road without formal authorization from the Public Prosecutor's Office.

4. Lack of investigation: A risk of impunity

By burying the body the same day without an investigation:

It prevents us from knowing whether the victim is from Buyaga Hill or was carried by the current from another municipality. It indirectly protects potential perpetrators by removing the primary evidence (the body).

Conclusion: This expedited procedure, although common in rural areas, is legally unlawful. It transforms a potentially criminal incident into a case closed without further action, violating the right to life and the right to the truth.

CASE № 11

1. Victim Profile

- Identity: Liboire Barandagiye
- Age: 44 years old.
- Location: Mahonda Hill, in the commune and province of Gitega
- Date of discovery: April 22, 2026

2. The Facts

On the morning of April 22, 2026, the lifeless body of Liboire Barandagiye, aged 44, was discovered hanging from an avocado tree by a rope on Mahonda Hill, in the commune and province of Gitega. According to witnesses, Liboire Barandagiye was reportedly killed elsewhere and was brought to the site by unknown individuals who then hung his body to mislead the investigation.

Legal Analysis

A legal analysis of the discovery of Liboire Barandagiye's body on Mahonda Hill highlights a fundamental distinction between apparent suicide and the simulation of crime (staging).

Here are the key points of the analysis:

1. Criminal classification: Murder and staging

Although the body was found hanging, witness accounts suggesting that the body was transported point to a murder staged to look like a suicide.

- Staging (Maquillage): In criminal law, staging a crime to make it appear as a suicide is a circumstance that demonstrates advanced premeditation and an intent to obstruct justice.
- Evidence of murder: If the victim was "killed elsewhere," the autopsy should reveal signs incompatible with hanging (absence of a vital groove, presence of prior injuries, or signs of a struggle).

2. The Crucial Role of Forensic Medicine

In this specific case, the investigation cannot be limited to noting the position of the body.

- Determination of hanging: Experts must determine whether it was an ante-mortem hanging (the person was alive at the time of hanging) or a post-mortem hanging (the body was suspended after death).
- The absence of vital signs in the neck area (bruising, congestion) would confirm that Liboire Barandagiye was already dead before being placed on the avocado tree.

3. Violation of the secondary crime scene

The location of the discovery (the avocado tree) is a secondary crime scene.

- Physical evidence: Judicial Police Officers (OPJ) must search for multiple footprints under the tree, non-matching rope fibers, or signs of transport (dragging marks).
- The use of a "rope" and the choice of a fruit tree (avocado tree) are classic elements used by criminals to mimic a desperate act.

4. The administration's obligation to investigate

Since the province of Gitega was the scene of several body discoveries in April 2026, the administration has a heightened obligation not to authorize burial until a

thorough investigation has been conducted. A premature burial without a medical examination would, in this case as well, constitute an obstacle to the discovery of the truth. Conclusion: Legally, the presumption of suicide must be set aside in favor of an investigation into murder whenever doubts arise regarding the location of death. The courts must determine whether this “suicide” is not a means of covering up a new violent crime in the region.

CASE № 12

1. Victim Profile

- **Identity:** two men
- **Location:** Musumba Hill, Ruyigi district and commune, in Buhumuza province
- **Date of discovery:** April 25, 2026

2. The Facts

On April 25, 2026, two people were murdered on Musumba Hill, in the Ruyigi zone and commune, Buhumuza province. According to witnesses at the scene, a man living in the village of Kigangabuko went to his mother-in-law’s house to demand the return of his dowry after learning that his wife had recently remarried another man. Upon seeing his mother-in-law, he pulled out a new machete and chased her until he killed her. According to the same sources, Imbonerakure from that locality killed him on the spot and then burned him alive

Legal Analysis

This case, which occurred on April 25, 2026, in Ruyigi, presents a dual criminal tragedy: a femicide followed by an extrajudicial execution. The legal analysis must distinguish between these two acts, as they entail different criminal liabilities.

1. The murder of the mother-in-law: An assassination

The act committed by the man from Kigangabuko is legally classified as **murder** (Article 208 of the Burundian Penal Code).

- **Premeditation:** The use of a “new machete” and the specific trip to the mother-in-law’s home demonstrate that the act was planned. The perpetrator had prepared physically to commit the crime.
- **Motive:** The dispute over the dowry and remarriage is not a legal excuse. In Burundi, matrimonial and dowry disputes fall under the jurisdiction of the courts of residence and not private justice.

2. The execution by the Imbonerakure: A lynching (mob justice)

The murder of the assailant by members of the youth league, followed by the act of burning him alive, constitutes a series of serious offenses. Even if the man had just committed a crime, no one has the right to take the law into their own hands. By killing him “directly,” the perpetrators committed homicide.

- **Violation of human dignity:** The act of “burning alive” a person (or a corpse) is considered an act of barbarism and torture, severely punished by the Penal Code and international conventions ratified by Burundi.
- **Abuse of power and usurpation:** Although Article 10 of the Code of Criminal Procedure authorizes the apprehension of a criminal caught in the act, it requires that the individual be handed over to the authorities **alive** and unharmed. In this case, there was an illegal usurpation of judicial authority.

3. Criminal and civil liability

- **Members of the group:** The individuals identified as having participated in the lynching and cremation are co-perpetrators of murder. They are individually liable.
- **State liability:** If these individuals acted based on a status or de facto authority not contested by the local administration, the beneficiaries could invoke state liability for failure to protect public order.

CASE № 13

1. Victim Profile

- **Identity:** Four men
- **Location:** Mparamirundi area, Kayanza commune in Butanyerera province
- **Date of discovery:** April 25, 2026

2. The Facts

On April 29, 2029, four people were killed by the police station chief of the Mparamirundi area, Kayanza commune, Butanyerera province, identified as Frank. According to local sources, the incident began with the arrest of two individuals attempting to transport coffee to Rwanda. Following their statements, three other suspects were apprehended; upon arrival at the police station, they reportedly refused to enter the holding cell and called for help, prompting the station chief to open fire under the pretext of an escape attempt. A fourth person brought in shortly afterward met the same fate. The bodies were buried on site by the police. Additionally, a man named Salvator was arrested at the FECABU Church, bringing the current number of detainees linked to this case to three.

Legal Analysis

This incident, which occurred in the new province of **Butanyerera** (resulting from the recent administrative reorganization), constitutes a massive violation of human rights and security procedures. It involves extrajudicial executions, abuse of authority, and the concealment of evidence.

Here is the structured legal analysis:

1. Criminal classification: Murder and Summary Executions

The use of lethal force in this context is legally indefensible:

- **Lack of necessity and proportionality:** Burundian law and (UN Basic Principles) authorize the use of firearms only in cases of imminent danger of death. Detainees who “call for help” or refuse to enter a cell do not pose a lethal threat justifying the opening of fire.

- **The killing of the fourth person:** His systematic shooting upon arrival reinforces the classification as **murder** (Article 208 of the Penal Code), as the intent to kill is clear and repeated.
- **Pretext of escape:** Legally, the allegation of “attempted escape” does not constitute a license to kill, especially for unarmed suspects already in police custody.

2. Serious violations of the Code of Criminal Procedure

The burial of the bodies by police officers at the very scene of the crime is a major offense

- **Destruction of evidence:** By burying the victims without legal documentation (investigating officer, medical examiner), the station chief “Frank” and his officers committed the offense of **obstructing the discovery of the truth**.
- **Clandestine burial:** Every death must be documented and a burial permit issued by a civil or judicial authority. Burying bodies “on site” amounts to the **concealment of corpses**.

3. Liabilities Incurred

- **Individual criminal liability:** The station chief is the principal perpetrator of intentional homicide aggravated by his status as a law enforcement officer (duty to protect).
- **State Liability:** Since the crime was committed by an officer in the course of his or her duties using a service weapon, the State is **civilly liable** for damages caused to the victims’ families.
- **Hierarchical liability:** If the Kayanza Police Department was informed and failed to intervene to stop the massacre or the burial, complicity by omission may be considered.

4. The issue of Salvator’s arrest

Salvator’s arrest at the FECABU church must be strictly regulated:

- **Right to physical integrity:** Following the massacre of the four other suspects, the lives of the three current detainees are legally considered to be “in danger.” They must be immediately transferred out of the Mparamirundi area to ensure their safety.
- **Right to legal counsel:** They are key witnesses to a state crime; their protection is a legal obligation for the Butanyerera prosecutor’s office.

5. Issues in the New Province (Butanyerera)

The fact that this incident is unfolding under the new provincial administration puts the independence of the new local judiciary to the test. The Public Prosecutor in Butanyerera has a duty to order:

1. **The immediate arrest** of Post Commander Frank.
2. **The exhumation of the bodies** for autopsy to refute or confirm the theory of an escape attempt (bullet trajectories, firing distance).

Conclusion: Legally, this is not a police incident, but a massacre of civilians in police custody. The absence of an immediate investigation would make this case one of institutionalized impunity.

CASE № 1

On April 13, 2026, Salvator Barashingwa and his wife Marcelline Itangishaka, both members of the CNDD-FDD, were tortured by Imbonerakure using a stick on Karinzi Hill, Rongero area, Rutana commune, Burunga province, for having sheltered a person without notifying the local chief. The victims were admitted to Rutana Hospital for treatment as they were experiencing pain throughout their bodies. The perpetrators were apprehended and taken to the detention cell at the Rutana police station.

1. Legal Classification of the Acts (Criminal Law)

- Acts of Torture or Cruel Treatment: If the violence was inflicted systematically to punish or obtain information (in this case, the reason for sheltering a third party), this may constitute torture (Article 204), a far more serious offense than simple assault and battery.
- Usurpation of Authority: Members of *the Imbonerakure* have no legal authority to arrest, interrogate, or punish citizens. By claiming the right to punish an administrative violation (failure to report a guest), they interfere with public functions reserved for the police or administrative authorities.

2. The question of the victims' "fault"

The obligation to notify the local chief when hosting someone is an administrative security measure (household register). However:

- Failure to comply with this measure is a minor administrative offense that can only result in a fine or a warning from a competent authority.
- Under no circumstances does Burundian law authorize a citizen (even if a member of a youth league) to inflict corporal punishment for this reason.

3. Liability and Procedure

The fact that they were taken to the holding cell at the Rutana police station is the correct legal procedure. The Public Prosecutor's Office must now classify the offense and refer them to the High Court (TGI) of Rutana.

4. International Obligations

As a State Party to the International Covenant on Civil and Political Rights (ICCPR), Burundi has an obligation to protect every citizen from physical violence, whether it comes from state agents or civilian groups acting with apparent tolerance.

CASE № 2

On April 24, 2026, Mathias Ciza, a resident of the Ndemeka Zone in the commune of Buhumuza, was brutally tortured by a member of the Imbonerakure. As he was returning from the market, he was attacked by Pascal Mateso, who left him in critical condition. Thanks to the victim's cries for help, a passerby was able to intervene to rescue him and transport him to the hospital. Despite the

seriousness of the incident, the assailant remains at large. The victim's family demands his immediate arrest and prosecution.

This situation constitutes a flagrant violation of Burundian criminal law, compounded by the apparent impunity of the assailant. Unlike the previous case in Rutana, where the perpetrators were arrested, the fact that Pascal Mateso remains at large in Buhumuza represents a failure of law enforcement.

Here is the legal analysis of this case:

Duty to intervene and prosecute

- The obligation to arrest: Since this is a flagrant and serious offense involving physical harm, the Civil Protection Police and the Judicial Police Officer (OPJ) of Buhumuza have a legal obligation to apprehend the perpetrator, even without a prior complaint (ex officio prosecution).
- Equality before the law: Article 22 of the Constitution of Burundi stipulates that all citizens are equal before the law. Pascal Mateso's status within the *Imbonerakure* does not grant him any legal immunity. His continued release may be interpreted as a denial of justice.

Rights of the victim and his family

- Right to protection and redress: Mathias Ciza has the right to be protected from his assailant. The family can, and should, file a formal complaint with a civil claim against the perpetrator with the Public Prosecutor at the competent High Court (TGI).
- Medical care: Legally, the perpetrator (or the State in the event of a failure by security services) may be ordered to reimburse Ndemeka for the full cost of hospitalization.

Analysis in light of international instruments

Burundi has ratified the African Charter on Human and Peoples' Rights. Article 4 enshrines the inviolability of the human person. The fact that the assailant is moving about freely while the victim is hospitalized constitutes a violation of the Burundian State's obligation to guarantee the safety of its citizens and to ensure justice is served.

CASE N° 3

On April 27, 2026, Corporal Albert Hatungimana, service number HR19568/56182, died at Makamba Hospital as a result of acts of torture inflicted upon him at the Mabanda camp by his comrades on April 23, 2026, under the orders of the deputy commander of the Mabanda camp, Major Gilbert Manirakiza, alias Kibogoye, service number SS1093. According to witnesses at the scene, on April 22, 2026, Corporal Albert Hatungimana, who was heavily intoxicated, entered a store where an altercation broke out with civilians, who accused him of jostling them. Police officers then intervened and arrested Corporal Albert Hatungimana, placing him in protective custody just long enough for him to sober up.

The next day, before being released, he paid for four bottles of juice and about three kilograms of rice that the customers had not paid for. Upon arriving at the camp, he was detained in the holding cell

as a disciplinary measure, where he was severely tortured by his colleagues until he lost consciousness, on the orders of the camp's deputy commander, Gilbert Manirakiza. Due to his critical condition, Corporal Albert Hatungimana was first rushed on April 24, 2026, to the camp infirmary, then to the Makamba hospital, where he died.

Legal Analysis

This situation, as described, raises serious violations of the right to life and physical integrity. The following is a legal analysis based on Burundian law and international instruments.

1. Classification of the facts under Burundian law

- Torture: According to the Penal Code of Burundi (2017), torture is defined as any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person. Article 204 severely punishes torture, especially when committed by a public official in the performance of their duties.
- Torture resulting in death: Since Corporal Hatungimana died as a result of the abuse, the offense is reclassified as torture resulting in unintentional death (or manslaughter), punishable by life imprisonment
- Criminal liability of the person who gave the order: Major Gilbert Manirakiza, as the deputy commander who gave the order, is considered the mastermind or co-perpetrator. The Burundian Penal Code stipulates that an order from a superior cannot justify an act of torture.
- Abuse of power and arbitrary detention: The use of force against a subordinate already detained in a cell for a minor disciplinary offense (drunkenness/argument) constitutes a clear abuse of authority.

2. In light of international conventions

Burundi is bound by several treaties that strictly prohibit these practices:

- The Convention Against Torture: Ratified by Burundi, it imposes on the State the obligation to prosecute and punish perpetrators of torture. Article 2 specifies that no exceptional circumstance, nor the order of a superior, may be invoked to justify torture.
- The International Covenant on Civil and Political Rights (ICCPR): Article 7 prohibits torture and cruel, inhuman, or degrading treatment. Article 6 protects the right to life, which was arbitrarily violated here by state agents.
- The African Charter on Human and Peoples' Rights: Article 5 expressly prohibits any form of exploitation and degradation of the human person, including torture.

3. Responsibility of the State and Individuals

1. Individual Criminal Liability: Major Manirakiza and the perpetrators ("the comrades") are criminally liable. The fact that they are military personnel does not exempt them from criminal jurisdiction for crimes of torture, which are often brought before the Military Court in Burundi.

2. Civil Liability of the State: As the employer of the perpetrators acting in the course of their duties (within a military camp), the Burundian State is civilly liable for damages owed to the victim's family.

Conclusion

The death of Corporal Hatungimana under the orders of a superior constitutes a serious crime. Legally, the Burundian judicial authorities are obligated to open an investigation to bring Major Gilbert Manirakiza and his accomplices to justice, in accordance with Article 12 of the Convention against Torture.