



EUROPEAN PARLIAMENT

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*Plenary sitting*

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16.9.2014

B8-0088/2014

## MOTION FOR A RESOLUTION

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 135 of the Rules of Procedure

on Burundi, in particular the case of Pierre Claver Mbonimpa  
(2014/2833(RSP))

**Louis Michel, Marielle de Sarnez, Marietje Schaake, Pavel Telička,  
Gérard Deprez, Johannes Cornelis van Baalen, Ramon Tremosa i Balcells,  
Juan Carlos Girauta Vidal, Alexander Graf Lambsdorff, Izaskun Bilbao  
Barandica, Fredrick Federley, Jozo Radoš**  
on behalf of the ALDE Group

**European Parliament resolution on Burundi, in particular the case of Pierre Claver Mbonimpa  
(2014/2833(RSP))**

*The European Parliament,*

- having regard to Partnership Agreement 2000/483/EC between the members of the African, Caribbean and Pacific Group of States of the one part, and the European Community and its Member States of the other part, signed in Cotonou (Benin) on 23 June 2000 and revised successively in 2005 and 2010,
- having regard to the second revision of the Partnership Agreement 2000/483/EC between the members of the African, Caribbean and Pacific Group of States, of the one part, and the European Union and its Member States, of the other part (the Cotonou Agreement), and to the human rights and public health clauses and commitments contained therein, particularly Articles 8(4), 9, and Article 96,
- having regard to Articles 2, 3(5), 21, 24, 29 and 31 of the Treaty on European Union and Article 10 and 215 of the Treaty on the Functioning of the European Union, which commit the EU and its Member States, in their relations with the wider world, to upholding and promoting universal human rights and the protection of individuals, and adopting restrictive measures in case of grave human rights breaches,
- having regard to the Universal Declaration of Human Rights (1948) and the International Covenant on Civil and Political Rights (1966),
- having regard to Article 3 of, and Protocol II to, the Geneva Convention of 1949, which prohibit summary executions, rape, enforced recruitment and other atrocities,
- having regard to the African Charter on Human and Peoples' Rights,
- having regard to the statement of 10 June 2014 by the spokesperson of Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security, Federica Mogherini regarding the political situation in Burundi and the detention of Pierre Claver Mbonimpa, president of the Association for the Protection of Human Rights and Detained Persons,
- having regard to the statement of 27 June 2014 of United Nations Assistant Secretary-General for Human Rights, Ivan Šimonović, where he called on authorities of Burundi to ensure that human rights are fully protected ahead of next year's presidential elections,
- having regard to the statement of 2 September 2014 of Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, Federica Mogherini regarding the recent incident involving the killing of three Italian nuns, Sister

Lucia Pulici, Sister Olga Raschietti and Sister Bernadette Boggian in the capital of Burundi, Bujumbura,

- having regard to Rule 122 of its Rules of Procedure,
- A. whereas Burundi has recently experienced rising political violence and restrictions on political rights, the press and civil liberties in the run-up to 2015 general elections,
- B. whereas earlier this year in March 8, 2014 opposition party members of the Movement for Solidarity and Democracy (MSD) were arbitrarily arrested, charged and tried by courts. Government officials claimed that MSD members were planning an insurrection and as such , 70 party members were tried en masse in one day, many of them without defence lawyers and the majority were sentenced to life imprisonment and/or prison terms of up to 10 years,
- C. whereas following the arrests of opposition party members, Interior Minister Edouard Nduwimana suspended the MSD for four months, and where the ministerial order of March 14, 2014 listed various grounds for suspension such as unauthorized public demonstrations and the seizure of weapons, ammunition, and drugs in the MSD building,
- D. whereas Burundi's 16-year civil war, which ended in 2009, had been fought mainly between Hutu rebels and a Tutsi-dominated army, and resulted in the deaths of more than 300 000 people,
- E. whereas the last elections in Burundi, in 2010, were marked by political violence on all sides, and political murders continued long after the polls had closed; while political killings have become rarer, there is fear they could resurface in the run-up to the 2015 general elections,
- F. whereas Pierre Claver Mbonimpa, president of the Association for the Protection of Human Rights and Detained Persons (Association pour la protection des droits humains et des personnes détenues, APRODH), was arrested in Bujumbura, on May 16, 2014 following remarks made on the radio,
- G. whereas the remarks related to allegations that young Burundians were being armed and sent for military training in neighbouring Democratic Republic of Congo,
- H. whereas the Mr. Mbonimpa was subsequently charged with “threatening the external security of the state” and “threatening the internal security of the state by causing public disorder” under Article 579 and Article 602 of the Burundi Penal Code,
- I. whereas Mr. Mbonimpa is currently still in detention and concern has been expressed at his deteriorating health situation,
- J. whereas in the past few weeks, government authorities have prohibited protesters from holding a peaceful march in support of Mr. Mbonimpa, as well as another rally to call for an independent justice system, and have warned a radio station to stop broadcasting

interviews with people who claim to have information backing up Mr. Mbonimpa's allegations,

K. whereas three Italian nuns, Sister Lucia Pulici, Sister Olga Raschietti and Sister Bernadette Boggian were found killed, two of them raped and decapitated, earlier this month in the north of Burundi's capital,

1. Calls upon the Government of Burundi to pursue its efforts to ensure the promotion and protection of human rights and further calls upon the Government to continue its fight against impunity and to take the necessary measures to ensure the full enjoyment of civil, political, social, economic and cultural rights as enshrined in the Constitution of Burundi and in accordance with its obligations under international law,
2. Calls on the Government of Burundi to stop any further politicization of the justice system and ensure that courts are not used to collectively punish political opponents ahead of the 2015 national elections,
3. Urges the Burundian authorities to take immediate action to ensure respect for the rule of law and for a fair trial and as such initiate independent and impartial investigations into the alleged charges against the MSD party members regarding the events of March 8 2014,
4. Stresses that the police, the intelligence services and the judicial authorities must respect procedures for arrest and legal custody as set out in the Criminal Procedure Code,
5. Urges the Burundian authorities to immediately and unconditionally release human rights defender Pierre Claver Mbonimpa,
6. Strongly condemns the killing of three Italian nuns, Sister Lucia Pulici, Sister Olga Raschietti and Sister Bernadette Boggian, early in September this year and urges judicial authorities to conduct a prompt and full investigation into the killings and prosecute those responsible,
7. Calls on Burundian authorities to refrain from intimidating human rights defenders and journalists on account of their legitimate human rights work,
8. Calls on the national authorities in the region to recognise the importance of this issue that can potentially destabilise the whole region,
9. Calls on the European Commission to immediately launch consultations under Article 96 of the Cotonou Agreement with Burundi in view of a possible suspension from the Agreement and to take any appropriate measures while they are conducted,
10. Instructs its President to forward this resolution to the European External Action Service, the European Council, the Commission, the Governments and Parliament of Burundi, the Council of Europe, the OSCE and the UN Human Rights Council.

