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*Plenary sitting*

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**B8-1355/2015**

9.12.2015

## MOTION FOR A RESOLUTION

to wind up the debate on the statement by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy

pursuant to Rule 123(2) of the Rules of Procedure

on the situation in Burundi  
(2015/2973(RSP))

**Hilde Vautmans, Louis Michel, Beatriz Becerra Basterrechea,  
Dita Charanzová, Ivan Jakovčić, Ilhan Kyuchyuk, Jozo Radoš,  
Marietje Schaake, Jasenko Selimovic, Pavel Telička**  
on behalf of the ALDE Group

**European Parliament resolution on the situation in Burundi  
(2015/2973(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on Burundi, in particular that of 9 July 2015<sup>1</sup>,
- having regard to the revised Cotonou Agreement, in particular Article 96 thereof,
- having regard to the Arusha Peace and Reconciliation Agreement for Burundi,
- having regard to the Constitution of the Republic of Burundi,
- having regard to the International Covenant on Civil and Political Rights (ICCPR),
- having regard to the African Charter on Human and Peoples' Rights (ACHPR),
- having regard to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT),
- having regard to the preliminary statement of 27 July 2015 of the UN Electoral Observation Mission in Burundi (MENUB),
- having regard to the statement of 17 October 2015 of the African Union,
- having regard to the African Charter on Democracy, Elections and Governance (ACDEG),
- having regard to the preliminary statement of the East African Community election observation mission to the presidential election of 21 July 2015 in the Republic of Burundi,
- having regard to the decision of the Bureau of the ACP-EU Joint Parliamentary Assembly of 14 June 2015 to suspend the Assembly's election observation mission to Burundi on account of the situation in the country,
- having regard to the EU Guidelines on Human Rights Defenders and the EU Human Rights Guidelines on Freedom of Expression, and to the Council's June 2014 conclusions in which it committed to intensifying its work on human rights defenders,
- having regard to the EU Council conclusions of 22 June 2015 on Burundi and to the declaration of 23 July 2015 by the Vice-President of the Commission / High Representative for Foreign Affairs and Security Policy, Federica Mogherini, on behalf of the EU following the presidential election in Burundi,
- having regard to the statement of 28 August 2015 by the Team of International Envoys

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<sup>1</sup> Texts adopted, P8\_TA(2015)0275.

and Representatives on the Great Lakes of Africa on the situation in Burundi,

- having regard to Council Decision (CFSP) 2015/1763 of 1 October 2015 concerning restrictive measures in view of the situation in Burundi<sup>1</sup>,
  - having regard to the letter approved by the Council on 26 October 2015 inviting Burundi to consultations in accordance with the procedure provided for under Article 96 of the ACP-EU Partnership Agreement (the Cotonou Agreement) in the event of failure to respect essential elements thereof, namely human rights, democratic principles and the rule of law,
  - having regard to the Council conclusions of 16 November 2015 on Burundi,
  - having regard to UN Security Council resolution 2248 (2015) of 12 November 2015,
  - having regard to Rule 123(2) of its Rules of Procedure,
- A. whereas the announcement by President Nkurunziza on 26 April 2015 that he was running for a third term has plunged the country into turmoil, triggering widespread protests and a failed coup on 13 May 2015; whereas several senior members of different institutional bodies, including the Speaker of the National Assembly, the Vice-President, two members of the Independent National Electoral Commission (CENI) and a senior judge at the Constitutional Court have subsequently fled the country, all citing fears for their own safety; whereas the political tensions have forced hundreds of thousands of people to leave the country; whereas the EU suspended its Election Observation Mission (EOM);
- B. whereas the elections were held with no regard for democratic principles and violated the spirit and letter of the Arusha Agreements, and hence were boycotted by opposition parties and civil society; whereas Nkurunziza began his third term as President of Burundi, in spite of protests from international donors and the statement by the UN Electoral Observation Mission in Burundi (MENUB) that the elections were neither credible nor free;
- C. whereas state repression and restrictions on the freedom of expression and freedom of assembly have increased sharply since the 21 July 2015 presidential elections; whereas on 28 September 2015 UNHCR reported an alarming upsurge in arrests, detentions and killings since the beginning of September and urged the country's authorities to fight against impunity; whereas the United Nations High Commissioner for Human Rights, Zeid Ra'ad, has said that 'almost every day, dead bodies are found lying on the streets of some of Bujumbura's neighbourhoods' and that 'in many cases, the victims appear to have been killed by a bullet fired at close range. The bodies sometimes show signs of torture and are typically found with their hands tied behind their backs';
- D. whereas increasing political violence and insecurity in Bujumbura has led to targeted murders of opposition party members as well as of ruling party members; whereas the situation has deteriorated as high-profile figures from both sides have been the victims of assassination attempts: General Adolphe Nshimirimana, a close aide to President

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<sup>1</sup> OJ L 257, 2.10.2015, p. 37.

Nkurunziza, was killed in a rocket attack on 2 August 2015; Pierre Claver Mbonimpa, a human rights defender, was shot and badly wounded the following day; Colonel Jean Bikomagu, former Chief of Staff of the Armed Forces, was shot dead on 15 August 2015; Patrice Gahungu, spokesperson for the opposition Union for Peace and Development (UPD) was killed on 7 September 2015; General Prime Niyongabo, the Burundian Armed Forces Chief, survived an assassination attempt on 11 September 2015; and the body of Ms Charlotte Umugwaneza, an opposition leader and anti-corruption campaigner, was found in the Gikoma river on 18 October 2015 one day after she was reported missing;

- E. whereas violence broke out again on 3 October in the north of the capital Bujumbura in the Mutakura, Cibitoke and Ngagara districts – known to have been at the heart of the opposition to President Nkurunziza’s third term – resulting in the death of eight, and possibly more, civilians; whereas the United Nations Office of the High Commissioner for Human Rights reports that 134 people have been killed and hundreds of cases of arbitrary arrests and detentions have been recorded, including 704 arrests since the beginning of September alone; whereas 215 000 people have fled;
- F. whereas various sources such as FIDH, HRW, etc. have reported that the police force has taken very brutal measures and used excessive and disproportionate force, and may even have committed summary and extra-judicial executions; whereas the UN Human Rights Council (UNHCR) adopted a resolution on Burundi on 2 October 2015 calling for monitoring of the country’s human rights situation from now on and throughout 2016;
- G. whereas the African Union’s Peace and Security Council on 17 October 2015 recommended speeding up its plans to send troops to Burundi if violence in the country should worsen, called for investigations into rights abuses in the country, and announced the opening of a comprehensive investigation into the violation of human rights and acts of violence against the civilian population in Burundi;
- H. whereas the African Union is calling for a prompt dialogue in Kampala or Addis Ababa that would involve all Burundian actors, including those living outside the country and civil society; whereas the EU supports this request for an inclusive dialogue and whereas the Secretary-General of the UN has called for the same inclusive dialogue;
- I. whereas the Burundian authorities claim to be ready to talk with the opposition, and the President signed a decree on 23 September 2015 creating a National Commission for inter-Burundian dialogue; whereas, however, most of the actors from the opposition or civil society who oppose President Nkurunziza’s third mandate are being pursued on charges of insurrection and complicity in the coup attempt of 13 May 2015; whereas the Speaker of the new National Assembly, Pascal Nyabenda, stated that ‘the people involved in the organisation and implementation of the coup (...) will not be included in the dialogue’;
- J. whereas, while the Ugandan mediators announced that the dialogue would resume in November, the Burundian authorities issued international arrest warrants against opponents, seeking their extradition from three countries – Belgium, the Netherlands and Rwanda;

- K. whereas the regional efforts to end the crisis in the country have thus far failed to bring the opposition and the government of Burundi to the negotiating table and NGOs have been prevented from doing their work; whereas clashes between the security forces and gunmen have become a near daily event and the dramatic increase in violence may put the country at risk of sliding back into civil war;
1. Expresses its deepest concern about the political and humanitarian situation in Burundi and its consequences for the stability of the entire sub-region; calls on the Burundian authorities to prevent further human rights violations; strongly condemns all acts of violence and abuses and reiterates that those responsible for such violence should be held accountable and brought to justice; supports, in this regard, the statement made by the Prosecutor of the International Criminal Court, Mrs Fatou Bensouda, on 6 November;
  2. Condemns the attempted coup on 13 May and all acts of violence or abuses of the constitutional order, whoever the perpetrator may be, and points out that the AU, the EU and the UN have stated that it is vital for all Burundian stakeholders to settle their disputes by peaceful means;
  3. Urges the Burundian Government to abide by its regional and international human rights commitments and to provide all facilities to strengthen the activities of the AU human rights monitors and the UN High Commissioner for Human Rights (OHCHR) in the country;
  4. Urges all Burundian parties – the government, opposition and civil society – to restore confidence and to engage in an inclusive dialogue in order to prevent any further deterioration of the situation in the country; recalls that it is only by seeking a consensual solution through substantive negotiations that a sustainable political outcome can be reached in the interests of the Burundian people and of democracy in order to bring the country out of the current impasse and prevent it from sliding back into civil war – a development that would undoubtedly have a negative impact on security in the wider Great Lakes region and could jeopardise the elections in the DRC and Rwanda;
  5. Reiterates the view expressed by the East African Community (EAC), the African Union (AU) and in United Nations Security Council Resolution 2248 (2015) of 12 November 2015 that a lasting political solution in the interests of the people of Burundi can only be found through dialogue and building consensus, in accordance with the Arusha Agreement and the Burundian Constitution;
  6. Calls on the EU and its Member States to act in support of efforts by the East African Community and the African Union to achieve a lasting political solution through the inter-Burundian dialogue; welcomes the sanctions adopted by the EU Council in respect of four Burundians whose activities undermine democracy and obstruct efforts to achieve a political solution to the crisis;
  7. Welcomes the EU initiative to open the Cotonou Agreement's Article 96 safeguard clause in a positive spirit with a view to achieving a positive result by inviting the Burundian authorities to participate in the consultations in order to seek a solution acceptable to all parties, to address the failure to comply with human rights and

democratic principles, as well as the rule of law, and to allow swift agreement to be reached on initial de-escalation measures which could pave the way for substantial progress towards ending the crisis and creating a climate of conciliation, thus avoiding warfare;

8. Urges the Commission and the Member States to consider freezing all non-humanitarian assistance to the Government of Burundi until such time as the excessive use of force and human rights violations by government forces, as recorded by the OHCHR, have stopped, and a political solution resulting from a genuine inter-Burundian dialogue has been found;
9. Calls on the EU and its Member States to support further measures by the United Nations, including a stronger UN presence, should the situation in Burundi deteriorate further;
10. Instructs its President to forward this resolution to the Council, the Commission, the governments of the Member States, the Government of Burundi, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the governments of the Great Lakes region, the governments of the East African Community, the Secretary-General of the United Nations, the Co-Presidents of the ACP-EU Joint Parliamentary Assembly and the Pan African Parliament.