



Plenary sitting

B8-0337/2018

3.7.2018

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
(2018/2785(RSP))

Louis Michel, Nedzhmi Ali, Petras Auštrevičius, Beatriz Becerra Basterrechea, Izaskun Bilbao Barandica, Dita Charanzová, Gérard Deprez, Martina Dlabajová, María Teresa Giménez Barbat, Charles Goerens, Marian Harkin, Ivan Jakovčić, Ilhan Kyuchyuk, Patricia Lalonde, Valentinas Mazuronis, Javier Nart, Urmas Paet, Maite Pagazaurtundúa Ruiz, Jozo Radoš, Frédérique Ries, Robert Rochefort, Marietje Schaake, Jasenko Selimovic, Pavel Telička, Ramon Tremosa i Balcells, Viktor Uspaskich, Ivo Vajgl, Johannes Cornelis van Baalen, Hilde Vautmans, Cecilia Wikström
on behalf of the ALDE Group

B8-0337/2018

**European Parliament resolution on Burundi
(2018/2785(RSP))**

The European Parliament,

- having regard to its previous resolutions on Burundi ,
- having regard to the revised Cotonou Agreement, in particular Article 96 thereof,
- having regard to the Universal Declaration of Human Rights,
- having regard to the 1966 International Covenant on Civil and Political Rights,
- having regard to the African Charter on Human and Peoples' Rights,
- having regard to the African Charter on Democracy, Elections and Governance,
- having regard to United Nations Security Council Resolutions 2248 (2015) of 12 November 2015 and 2303 (2016) of 29 July 2016 on the situation in Burundi,
- having regard to the oral update of the Commission of Inquiry on Burundi to the Working Group on the Universal Periodic Review reported to the United Nations Human Rights Council in its 38th session on 27 June 2018,
- having regard to the first UN Secretary-General's report on the situation in Burundi, published on 23 February 2017,
- having regard to the Security Council press release of 9 March 2017 regarding the situation in Burundi,
- having regard to the report of the UN Independent Investigation on Burundi (UNIIB), published on 20 September 2016,
- having regard to the resolution adopted by the United Nations Human Rights Council on 30 September 2016 on the human rights situation in Burundi,
- having regard to the Arusha Peace and Reconciliation Agreement for Burundi (Arusha Agreement) of 28 August 2000,
- having regard to the declaration on Burundi by the African Union summit of 13 June 2015,
- having regard to the Decision on the Activities of the Peace and Security

Council and the State of Peace and Security in Africa (Assembly/AU/Dec.598(XXVI)), adopted at the 26th Ordinary Session of the Assembly of Heads of State and Government of the African Union held on 30 and 31 January 2016 in Addis Ababa (Ethiopia),

- having regard to the Decisions and Declarations of the Assembly of the African Union (Assembly/AU/Dec.605-620(XXVII)), adopted at the 27th Ordinary Session of the Assembly of Heads of State and Government of the African Union held on 17 and 18 July 2016 in Kigali (Rwanda),
- having regard to the resolution of the African Commission on Human and Peoples' Rights of 4 November 2016 on the human rights situation in the Republic of Burundi,
- having regard to the declaration on Burundi by the East African Community (EAC) summit of 31 May 2015,
- having regard to the European Parliament resolutions on Burundi, notably those of 9 July 2015¹, 17 December 2015² and 19 January 2017³,
- having regard to Council Decision (EU) 2016/394 of 14 March 2016 concerning the conclusion of consultations with the Republic of Burundi under Article 96 of the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States (ACP), of the one part, and the European Community and its Member States, of the other part,
- having regard to Council Regulation (EU) 2015/1755 of 1 October 2015 and Council Decisions (CFSP) 2015/1763 and (CFSP) 2016/1745 concerning restrictive measures in view of the situation in Burundi,
- having regard to the Council conclusions of 16 March, 18 May, 22 June and 16 November 2015 and 15 February 2016 on Burundi,
- having regard to the statements of the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) of 28 May 2015, 19 December 2015, 21 October 2016 and 27 October 2017,
- having regard to the statement of 6 January 2017 by the VP/HR spokesperson on the banning of Iteka League in Burundi,
- having regard to Rules 122(5) and 123(4) of its Rules of Procedure,

A. Whereas Burundi is facing a political, human rights and humanitarian crisis since April 2015 when President Nkurunziza announced that he would run for the disputed third term, followed by months of deadly turmoil with more than 1200

¹ Texts adopted, P8_TA(2015)0275.

² Texts adopted, P8_TA(2015)0474.

³ Texts adopted, P8_TA(2017)0004.

people killed according to the ICC, and, according to UNHCR, 413000 people have fled the country since then, 174000 internally displaced people; whereas 3.6 million people in the country are in need of humanitarian assistance according to UN Office for Coordination of Humanitarian Affairs (OCHA);

- B. whereas violence and intimidation against political opponents across the country escalated ahead of the constitutional referendum on 17 May 2018 with the enforced disappearance and intimidation of opponents to the said revision that would allow president Nkurunziza to extend his stay on power and may remain for 14 years after his current term ends in 2020 ;
- C. recalls the EU's strong declaration on 8 May 2018 on the launch of the last preparatory phase of the constitutional referendum planned on 17 May 2018; regrets the lack of a consensual approach between the various societal and political groups in Burundi, the lack of official public information on the key elements of the draft Constitution and the close control of journalists and the media; whereas, according to Amnesty International, during the official campaign period, there were frequent reports of arrests, beatings and intimidations of those campaigning for a “No” vote; whereas the referendum took place in a context of continuing repression so that Burundi’s Catholic bishops have said that “many citizen live in fear, so much so that people do not dare to say what they think, for fear of reprisals;
- D. Whereas Burundi has banned six human rights organization from operating in the country between October 2016 and January 2017, whereas Burundian authorities have banned the BBC and VOA (Voice of America) as well as two local broadcasters on 7 May 2018, just weeks before the referendum, for “breaching the law governing the press and ethics”, whereas the bans fall in line with a context in which journalists are getting threatened for reporting on some of the oppression;
- E. Whereas Burundi has become the first nation to leave International Criminal Court with effect on 27 October 2017, whereas the decision of withdrawal has come at a time when the machine was continuing to kill with impunity in the country; whereas ICC officials said a preliminary investigation launched by the prosecutor in April 2016 into possible crimes against humanity in the country would continue; whereas the ICC judges in October 2017 authorised the ICC prosecutor to open an investigation regarding crimes within the jurisdiction of the Court allegedly committed in Burundi or by nationals of Burundi outside Burundi since 26 April 2015 until 26 October 2017;
- F. Whereas the presence of Burundian troops in peacekeeping missions allows President Pierre Nkurunziza’s regime to conceal the reality of internal problems and present Burundi as a stabilizing factor in other countries in crisis while this country is experiencing an unprecedented crisis marked by gross violations of

human rights; whereas Burundi is gaining huge amount of money in this way which is not redistributed in favor of the population; whereas no peaceful, free, democratic and independent election is possible as long as the imbonerakure militia is not dismantled;

- G. Whereas the African Union and the East African Community, expressed at the thirtieth African Union summit and the nineteenth East African Community summit, their commitment to a peaceful resolution of the political situation in Burundi through an inclusive dialogue on the basis of the Arusha Agreement of 28 August 2000;
- H. Whereas a number of bilateral and multilateral partners have suspended their financial and technical assistance to the Government of Burundi, in view of the situation in Burundi;
- I. Whereas the Constitutional Court has upheld the results of the referendum of 17 May 2018 and rejected a petition filed by the opposition alleging intimidation and abuse;
1. Calls on the Government of Burundi to fully respect the Arusha Agreement; Calls on the government of Burundi to respect its international legal obligations regarding the human and civil rights, to promote and protect the rights to freedom of expression and association enshrined in the International Covenant on Civil and Political Rights to which Burundi is a State party;
 2. denounces once more the intimidation, repression, violence and harassment of the journalists, opposition supporter sand human rights defenders ; calls on the Burundian authorities to respect the rule of law and fundamental human rights such as freedom of expression and freedom of the media and to immediately and unconditionally release Germain Rukuki, Nestor Nibitanga, Emmanuel Nshimirimana, Aimé Constant Gatore and Marius Nizigiyimana, five human rights defenders detained solely for their human rights work but accused of undermining the internal security of the state by the authorities;
 3. expresses its deep concern about endemic impunity and human rights violations, including summary executions, torture, enforced disappearance, and arbitrary detention; reminds Burundi its obligation as a member of the Human Rights Council to resume and fully cooperate with the Commission of Inquiry on Burundi and with the team of three United Nations experts and grant country access to the Special Rapporteur on the situation of human rights defenders;
 4. Regrets the decision of Burundi to withdraw from the ICC; supports the continuation of the preliminary investigation of the International Criminal Court

(ICC) into the extensive crimes and acts of repression in Burundi; calls on the EU to continue to push for accountability for the crimes committed in Burundi;

5. welcomes the oral update of the Commission of Inquiry on Burundi, and commends its vital work to document the ongoing human rights crisis in the country;
6. underlines its concern regarding the humanitarian situation, marked by 174000 internally displaced persons, 1.67 million people in need and 429000 Burundians seeking refuge in neighbouring countries; commends the host countries for their efforts and calls upon Governments in the region to ensure that the return of refugees is voluntary, based on informed decisions and in safety and dignity;
7. regrets that the efforts made at regional level have not brought the stakeholders together; calls for a renewed and coordinated approach between the AU, the EU, ECA and the UN; regrets that the Government of Burundi does not take into consideration the reports of the UNSG, the resolutions of the Human Rights Council in Geneva; the AU decision of January 2018 and ECA mediation efforts; encourages bilateral and multilateral partners and the Government of Burundi to continue their dialogue with a view to the Government of Burundi creating conducive conditions for resumption of the assistance; commends the assistance provided by bilateral and multilateral partners to alleviate the humanitarian situation and calls on the international community to continue to provide support to respond to the humanitarian needs in the country;
8. remains deeply concerned over the political situation in Burundi, the slow progress of the inter-Burundian dialogue led by the East African Community and the lack of engagement by the Government of Burundi in that regard and calls for all the Burundian stakeholders to participate actively and unconditionally in this process;
9. approves the decision of the EDF Committee to provide 33 million additional direct support to the population in 2018; stresses that a return to a classical mode of cooperation requires a return to the rule of law and democracy, including the fight against impunity and the protection of its citizens; calls for the withdrawal of troops and various contingents engaged in UN and AU peacekeeping missionstakes note of the announcement by President Nkurunziza that he will not run for another term in 2020, calls on the international community to closely follow the situation in Burundi despite the statement by President Kurunziza about the2020 elections;
10. reminds the government of Burundi that conditions for holding inclusive, credible and transparent elections in 2020 implies the right to freedom of expression,

access to information and the existence of a free area in which human rights defenders can speak out without intimidation and fear of reprisal;

11. Instructs its President to forward this resolution to the Government and Parliament of Burundi, the ACP-EU Council of Ministers, the European Commission, the Council of Ministers of the European Union, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the governments and parliaments of the EU Member States, the member countries and institutions of the African Union, and the Secretary-General of the United Nations.