



Plenary sitting

B8-0338/2018

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))

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on behalf of the PPE Group

B8-0338/2018

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

The European Parliament,

- having regard to its earlier resolutions on Burundi, notably those of 9 July and 17 December 2015, 18 January 2017 and 6 July 2017,
- having regard to the Statement of 8 June 2018 by the Spokesperson of the HRVP on the situation in Burundi,
- having regard to the Declaration of 8 May 2018 by the High Representative on behalf of the EU on the situation in Burundi ahead of the constitutional referendum,
- having regard to the Statement of 5 April 2018 by the President of the Security Council,
- having regard to the Report of the UN Secretary-General on the situation in Burundi of 25 January 2018,
- having regard to the Statement of 15 May 2018 by the UN Human Rights High Commissioner following an attack leaving 26 civilians dead,
- having regard to the statement by the Spokesperson of the HR/ VP on Burundi and the International Criminal Court of 27 October 2017,
- having regard to the resolution adopted by the Human Rights Council on 29 September 2017 regarding the renewal of the mandate of the Commission of Inquiry on Burundi,
- having regard to the report of 20 September 2016 of the UN Independent Investigation on Burundi (UNIIB),
- having regard to the UN Security Council Resolution 2303(2016) of 29 July 2016 requesting a police component to monitor the security situation in Burundi,
- having regard to the Council decision of 8 March 2016 concerning the conclusion of consultations with the Republic of Burundi under Article 96 of the Cotonou Agreement,
- having regard to Council Regulation (EU) 2015/1755 of 1 October 2015 concerning restrictive measures in view of the situation in Burundi, and the council decision of 23 October 2017 to renew these measures against Burundi until 31 October 2018,
- having regard to the communique by the guarantors of the Peace, Security and Cooperation Framework for the Democratic Republic of Congo (DRC) and the region (PSC Framework) 27 January 2017,
- having regard to the Arusha Peace and Reconciliation Agreement for Burundi,

- having regard to the Constitution of Burundi,
 - having regard to the African Charter on Democracy, Elections and Governance (ACDEG),
 - having regard to the Cotonou Agreement,
 - having regard to the African Charter on Human and Peoples' Rights,
 - having regard to Rule 135 of its Rules of Procedure,
- A. whereas a grave political crisis and civil unrest has plagued Burundi since the re-election to a third term of President Pierre Nkurunziza in 2015, regardless of the Burundian Constitution limiting the presidential mandate to two terms;
 - B. whereas his re-election has faced strong opposition and resulted in a massive crackdown by the government and an alarming deterioration of the human rights situation in the country;
 - C. whereas President Nkurunziza in November 2017 proposed constitutional changes, including extending the presidential mandate from five to seven years, renewable twice, leaving him eligible to contest two further mandates;
 - D. whereas the Burundian opposition coalition, the National Council for the Respect of the Arusha Accord for the peace and Reconciliation in Burundi and the Restoration of rule of law(CNARED) called on the Burundian population to boycott the vote which it deemed to be the end of the Arusha Accords; whereas a presidential decree criminalized calls to abstain from voting, with a penalty of up to three years in jail;
 - E. whereas President Nkurunziza 5 November 2017 extended by six months the mandate of the National Electoral Commission, a decision which was contested by the opposition;
 - F. whereas the proposed changes were put to a constitutional referendum 17 May 2018; whereas the National Electoral Commission announced that a majority of the people who voted supported the constitutional amendments;
 - G. whereas the Burundi government suspended operations of BBC and Voice of America two weeks before the referendum, together with two local broadcasters;
- Gbis. whereas on 7 June 2018 President Nkurunziza announced that his mandate will end in 2020 and that he will support the President which will be elected;
- H. whereas Reporters Sans Frontières ranks Burundi 159th out of 180 in their 2018 World Press Freedom Index;
 - I. whereas the report of the United Nations Independent Investigation on Burundi, UNIIB, points at the “abundant evidence of gross human rights violations and abuses” in the

country, mainly by security forces and ruling authorities; whereas none of the atrocities reported are effectively investigated and their perpetrators prosecuted;

- J. whereas the reported acts of violence include murder, abduction, enforced disappearances, torture, rape and arbitrary arrests and imprisonment; whereas corruption and the failure of the public authorities to take action is perpetuating a culture of impunity that is preventing many of those perpetrating acts of deadly violence, including members of the security forces and intelligence services, from being brought to justice;
- K. **whereas Germain Rukuki**, employed by the Association of Catholic Jurists in Burundi (AJCB) has been arbitrarily detained since July 2017; whereas on 26 April 2018 he was sentenced to 32 years in prison for ‘rebellion’ and ‘breach of state security’;
- L. whereas on 27 October 2017, Burundi became the first country to withdraw from the Rome Statute of the International Criminal Court (ICC), following the Court’s decision to open a preliminary investigation into violence and human rights abuses in the country;
- M. whereas in March 2016, the Council concluded consultations with the Government of Burundi under Article 96 of the Cotonou Agreement, concluding that the commitments proposed by the Burundian Government in terms of human rights, democratic principles and the rule of law were unsatisfactory; whereas, at the close of these proceedings, the EU set out specific measures to be taken by the Government of Burundi in order to resume full cooperation;
- N. whereas the EU has suspended direct financial support to the Burundian administration, including budget support, but is fully maintaining both its financial support to the population and its humanitarian assistance including projects aimed at ensuring access to basic services;
- O. whereas the UN Secretary-General estimated that over 400 000 people had fled Burundi at the end of 2017 to seek refuge in neighbouring countries, many of those in Tanzania, and that there are over 118 000 internally displaced Burundians; whereas this situation could endanger the stability of the region as a whole;
- P. whereas the EU and the US have adopted targeted and individual sanctions against Burundi; whereas on 23 October 2017 the Council renewed the EU’s restrictive measures against Burundi, extending them until 31 October 2018; whereas these measures consist of a travel ban and asset freeze against targeted individuals whose activities have been deemed to undermine democracy or obstruct the search for a political solution to the crisis in Burundi;
- Q. whereas the security situation in Burundi could pose a risks for the stability of the region as a whole;
- 1. Expresses its deep concern regarding the political and security situation in Burundi and is alarmed at the number of victims and cases of serious abuses reported in the last 3 years; calls on the authorities to immediately end the violence and the human rights violations; is concerned about the perception of impunity for the perpetrators of violence and human rights abuses;

2. Regrets that the Burundi government organised the constitutional referendum undermining the collective efforts to find a viable long-term solution to the crisis in the country; believes that important changes to constitutional law shall be done in an inclusive manner aiming for high participation and reaching a consensus among key stakeholders;
3. Reiterates its commitment to freedom of expression and reaffirms the key role played by the media in a democratic society and deplores the situation for journalists in the country; calls on the Burundian authorities, in this connection, to lift the prohibitions and restrictions imposed on media and ensure that journalists can operate freely and safely throughout the country;
4. Deplores the fact that the Government of Burundi as the first country ever has withdrawn from the Rome Statute establishing the International Criminal Court; calls for the start of a procedure to re-enter the Rome Statute;
- 4bis. Welcomes the announcement of President Nkurunziza that he will not seek another mandate; stresses the need to adopt also measures to establish a peaceful and consensual solution in Burundi, in particular by opening up the political and public spaces, which will be necessary to guarantee the credibility of the 2020 elections; calls for urgent and transparent measures to improve governance, respect for human rights and freedom of the press;
5. Calls on the Burundian government to comply with UN Resolution 2303 and allow the deployment of an UN Police Unit to monitor the security situation and to extend full support to the Office of the UN High Commissioner for Human Rights;
6. Emphasizes that the authorities of Burundi have an obligation to guarantee, protect and promote fundamental rights, including the civil and political rights of its citizens, as provided for in the African Charter on Human and Peoples' Rights, and other international and regional human rights instruments;
7. **Deplores that the human rights defender Germain Rukuki**, employed by the Association of Catholic Lawyers in Burundi (AJCB) has been arbitrarily detained since July 2017 and was sentenced to 32 years of prison 26 April by the Ntahangwa High Court in Burundi; urges the authorities to revoke the sentence against Germain Rukuki and release him immediately;
8. Urges the Burundian authorities to conduct a prompt, independent and impartial investigation into all human rights abuses perpetrated, included by police and state officials, and duly hold those responsible accountable;
9. Reaffirms its support of the EU's decision, following the consultation with the Burundian authorities under Article 96 of the Cotonou Agreement, to suspend direct financial support to the administration of Burundi and welcomes the adoption of travel restrictions and asset freeze measures by the European Union against those seeking to undermine peace efforts or human rights;

10. Emphasises that the EU is maintaining full financial support for the people of Burundi, including humanitarian support provided through direct channels; notes that the EU financial support to the Burundi people since 2015 is in excess of 119 mil EUR, including the 95 mil EUR project announced in October 2017;
11. Is concerned by the situation of the Burundian refugees in neighbouring countries, or who are internally displaced, but also the lack of funding and capacity to reintegrate refugees returning to their homes; urges the EU and other donors to ensure funding and humanitarian aid for Burundians who are internally displaced or refugees;
12. Is worried that the political crisis might turn into an ethnic conflict; urges all sides in Burundi to refrain from any behaviour or language that may further aggravate violence, deepen the crisis and may affect regional stability in the long run;
13. Calls on the AU and the Eastern African Community to seriously consider the regional dimension and prevent any further destabilisation of the region, in particular by maintaining a permanent political dialogue between countries of the region;
14. Instructs its President to forward this resolution to the Council, the Commission, the EEAS, the High Representative of the Union for Foreign Affairs and Security Policy/Vice-President of the European Commission, the parliaments and governments of the Member States, the Co-Presidents of the ACP-EU Joint Parliamentary Assembly, the African Union Commission and the Pan-African Parliament, and the Government of Burundi.