



Plenary sitting

1.7.2015

B8-0666/2015

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
(2015/2723(RSP))

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on behalf of the S&D Group

**European Parliament resolution on the situation in Burundi
(2015/2723(RSP))**

The European Parliament,

- having regard to its previous resolutions on Burundi,
 - having regard to the Cotonou Agreement,
 - having regard to the UN Security Council statement of 10 April 2014 on the situation in Burundi,
 - having regard to the Arusha Peace and Reconciliation Agreement for Burundi,
 - having regard to the Constitution of Burundi,
 - having regard to the statement issued by the East African Community Heads of State on 31 May 2015 in Dar es Salaam, Tanzania,
 - having regard to the decisions on the situation in Burundi adopted at the African Union summit of 13 June 2015,
 - having regard to the Council conclusions on Burundi of 22 June 2015,
 - 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 Universal Declaration of Human Rights,
 - having regard to the African Charter on Democracy, Elections and Governance (ACDEG),
 - having regard to the International Covenant on Civil and Political Rights,
 - having regard to the African Charter on Human and Peoples' Rights,
 - having regard to Rule 123(2) of its Rules of Procedure,
- A. whereas the Constitution of Burundi and Article 96 of the Arusha Peace and Reconciliation Agreement stipulate that a president can only serve two terms, whereas President Pierre Nkurunziza has been in office since 2005, having been re-elected in 2010 in an election which the opposition boycotted after accusing the government of intimidation;
- B. whereas President Nkurunziza announced on 26 April 2015 that he was running for a third term, claiming eligibility because he had been appointed by lawmakers for his first term;

- C. whereas, following this announcement, 17 officers were arrested on 14 May 2015 after a failed coup attempt led by former army Major General Godefroid Niyombare, who fled the country, in the wake of which more than 70 people have been killed in violence and a series of grenade attacks;
- D. whereas two senior members of the Independent National Electoral Commission (CENI) have fled the country, in addition to a senior judge of the Constitutional Court charged with ruling on the legality of the President's third term, and the speaker of the national assembly, all citing fears for their own safety; whereas on 25 June 2015 Burundian Vice-President Gervais Rufyikiri also fled the country after casting doubt on the President's eligibility for a third term;
- E. whereas opposition parties and civil society have boycotted the elections, citing the partisan use of state institutions, violence and intimidation by the CNDD-FDD (National Council for the Defence of Democracy – Forces for the Defence of Democracy) youth militia (the Imbonerakure), a lack of confidence in the CENI, and government strategies intended to reduce the inclusivity of the electoral process, including voter registration difficulties and the redrawing of electoral boundaries, which favour the ruling party;
- F. whereas the international community plays a significant role in the region as the guarantor of the Arusha Accords, and whereas institutions such as the International Criminal Court are of great importance in carrying out independent inquiries into the violence and crimes committed in Burundi;
- G. whereas, despite calls from the international community and from stakeholders in Burundi to delay elections, legislative elections took place on 29 June 2015 and presidential elections are scheduled for 15 July 2015;
- H. whereas, given the political and security situation in the country, the EU has decided to suspend its election observation mission;
- I. whereas the East African Community (EAC) and the African Union (AU) have declared that conditions conducive to the holding of elections are not currently in place and that it will not be possible to put such conditions in place within the time frame provided for in the Burundian Constitution;
- J. whereas the UN Refugee Agency (UNHCR) says that some 127 000 people have fled Burundi to neighbouring states, including Tanzania, where an outbreak of cholera has been reported;
- K. whereas the political deadlock in Burundi and the deteriorating security and economic situation have serious consequences for the population and pose risks for the region as a whole, with Burundi facing its gravest crisis since the 12-year ethnically charged civil war that left an estimated 300 000 people dead by 2005;
- L. whereas, in response to previous resolutions of the European Parliament and in particular the references therein to Article 96 of the Cotonou Agreement, EU representatives have insisted on the need for inclusive participation in the electoral process by all the country's political forces, in line with the election roadmap and the

- M. whereas the EU is withholding EUR 2 million in aid to Burundi amid increasing concern over the government's violent crackdown on protesters opposed to President Nkurunziza's attempts to secure a third term in office;
- N. whereas Belgium has also announced the suspension of electoral aid, opting to withhold half of the EUR 4 million it had set aside for the polls and pulling out of a EUR 5 million police cooperation deal funded jointly with the Netherlands; whereas France has also suspended security cooperation with Burundi, and Germany has announced the suspension of all bilateral cooperation involving the Government of Burundi;
- O. whereas the right to freedom of expression is guaranteed by the Burundian Constitution and by international and regional treaties ratified by Burundi, is included in the National Strategy for Good Governance and the Fight against Corruption, and is an essential condition for free, fair, transparent and peaceful elections that will enable the country, which is still in a post-conflict situation, to emerge from the political impasse it faces;
- P. whereas the EU has recently allocated EUR 432 million to Burundi from the European Development Fund 2014-2020, inter alia to assist with improving governance and civil society;
1. Expresses grave concern about the worsening political and humanitarian situation in Burundi and the wider region; calls for an immediate end to violence and political intimidation of opponents; extends its sympathy to victims of the violence and to those who have lost their lives, and calls for immediate humanitarian assistance for those who have been forced to flee their homes;
 2. Calls on all those involved in the electoral process, including the bodies responsible for organising elections and the security services, to honour the commitments made in the Arusha Agreement, and recalls that this agreement put an end to the civil war and is the foundation on which the Burundian Constitution is based; underlines the importance of a consensual agreement on the electoral calendar on the basis of a technical assessment to be undertaken by the UN;
 3. Emphasises once again that only through dialogue and consensus, involving the Burundian Government, opposition and civil society in accordance with the Arusha Agreement and the Burundian Constitution, can a lasting political solution be found in the interests of security and democracy for all the people of Burundi; calls on all Burundian stakeholders to resume dialogue on all areas of disagreement; supports, therefore, the mediation efforts being made by the AU, the EAC and the UN, and is ready to support the implementation of the specific measures recently announced by the AU;
 4. Recalls that the EU's partnership with Burundi is governed by the Cotonou Agreement, and that all parties are bound to respect and implement the terms of that agreement, in particular respect for human rights; notes that Burundi has also signed and ratified the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples' Rights, and therefore has an obligation to respect universal human rights

and freedom of expression; calls on the Government of Burundi, therefore, to allow genuine and open political debate to take place without fear of intimidation, and to refrain from misusing the judiciary to exclude political rivals;

5. Takes note of the dialogue which has taken place between the EU and the Burundian authorities under Article 8 of the Cotonou Agreement; believes, nevertheless, that there are continuing breaches of the essential and fundamental elements of the Cotonou Agreement, in particular respect for fundamental human and democratic principles, and calls on the Commission, therefore, to initiate Article 96 proceedings with a view to taking appropriate measures;
6. Calls also on the Commission, to this end, to reassess EU aid as a matter of urgency with a view to diverting it, to increasing financial support for civil society and to focusing on humanitarian aid as opposed to central budget support, while keeping in mind the highly commendable role of the Burundian army in the peacekeeping mission in Somalia;
7. Joins the Foreign Affairs Council of 22 June 2015 in calling on the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) to prepare a list of targeted restrictive measures and visa and travel bans against those responsible for acts of violence, repression and serious human rights violations, together with those who are actively impeding a political solution within the framework proposed by the AU and the EAC, and also asks the VP/HR to take the necessary measures to freeze the assets of all of these individuals in the EU Member States;
8. Expresses its deep concern at the number of victims and the number of cases of serious human rights violations reported since the beginning of the crisis, particularly those abuses attributed to members of the Imbonerakure; notes the intimidation and risks faced by human rights defenders, political activists and journalists and the arbitrary arrest of opposition party members; calls for the immediate and unconditional release of all individuals arrested as a result of exercising their right to peaceful assembly and expression;
9. Demands that the violence and intimidation exercised by the Imbonerakure be brought to an immediate end; calls on the CNDD-FDD to take immediate action to disarm the youth militia and stop its members from intimidating and attacking opponents, and to ensure that those responsible for abuses are brought to justice; calls for an independent international investigation into claims that the CNDD-FDD arms and trains its youth wing; similarly, urges the leaders of opposition parties to prevent violence being perpetrated against their opponents;
10. Reiterates that there can be no impunity for those responsible for serious human rights violations, who must be held individually responsible and brought to account in a court of law; considers that it is of particular importance that the deployment of human rights observers and military experts announced by the AU start immediately;
11. Notes that attempts by certain forces to transform the riots into an ethnic conflict are failing, and that political divisions in Burundi are not explicitly ethnic; believes that this demonstrates the success of the Arusha Accords in establishing an ethnically balanced

army and police force;

12. Reiterates, in this context, the importance of abiding by the Code of Conduct in Electoral Matters and the UN-brokered election roadmap signed by political actors in 2013, and fully supports UN and regional efforts to prevent a further increase in political violence;
13. Calls for the immediate lifting of restrictions on the media and access to the internet, and denounces once again the repeated targeting of Radio Publique Africaine, which serves as one of the country's principal news outlets; considers that legitimate elections cannot take place unless media outlets are able to operate without restrictions, and journalists to report without intimidation;
14. Commends the role of humanitarian organisations and the authorities of neighbouring countries which are addressing the needs of those fleeing the crisis and are offering protection for refugees; welcomes the Commission's announcement of an additional EUR 1.5 million to ease the humanitarian situation; warns, however, that commitments must be redoubled as a matter of urgency by both the EU and its Member States, given the huge influx of refugees into an already fragile region, reported outbreaks of cholera and alarming reports of sexual violence; underlines the importance of a long-term strategy for not only medical and nutritional assistance but also reintegration and psychological assistance for those forced to flee;
15. Calls for the EU and its Member States to deliver on all commitments to the UN Burundi Regional Refugee Response Plan, which requires USD 207 million up to September 2015 in order to assist the expected 200 000 Burundian refugees, including by topping up existing grants to the region;
16. Instructs its President to forward this resolution to the Council, the Commission, the Member States, the Government of Burundi and the governments of the countries of the Great Lakes region, the governments of the East African Community, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, Federica Mogherini, the African Union, the Secretary-General of the United Nations, the Co-Presidents of the ACP-EU Joint Parliamentary Assembly, and the Pan-African Parliament.