



Plenary sitting

B8-0082/2017

17.1.2017

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 the situation in Burundi
(2017/2508(RSP))

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on behalf of the Verts/ALE Group

**European Parliament resolution on the situation in Burundi
(2017/2508(RSP))**

The European Parliament,

- having regard to its previous resolutions on Burundi,
- having regard to the Arusha Peace and Reconciliation Agreement for Burundi of 28 August 2000,
- having regard to the Constitution of Burundi, and in particular Article 96 thereof,
- having regard to the revised Cotonou Agreement,
- having regard to the African Charter on Democracy, Elections and Governance (ACDEG),
- having regard to the African Charter on Human and People's Rights,
- having regard to the Universal Declaration of Human Rights,
- having regard to the International Covenant on Civil and Political Rights,
- having regard to UN Security Council Resolution 2248 (2015) of 12 November 2015 on the situation in Burundi,
- having regard to the Joint Statement by United Nations Deputy Secretary General Jan Eliasson, African Union Chairperson Nkosazana Dlamini-Zuma and EU High Representative/Vice-President Federica Mogherini on Burundi of 12 November 2015,
- having regard to the Decisions by the Peace and Security Council of the African Union (AU) of 13 June, 17 October and 13 November 2015 on the situation in Burundi,
- having regard to the Resolution on the Human Rights Situation in the Republic of Burundi by the African Commission on Human and People's Rights from 4 November 2016,

- having regard to the resolution adopted by the United Nations Human Rights Council on 30 September 2016 on the situation of human rights in Burundi,
- having regard to the statements issued by the East African Community on 31 May and 6 July 2015 on the situation in Burundi,
- having regard to the Statement of the Co-Presidents of the ACP-EU Joint Parliamentary Assembly of 17 June 2015 on the situation in Burundi,
- having regard to the report of the Delegation of the African Commission on Human and Peoples' Rights on its fact-finding mission to Burundi, 7 - 13 December 2015, from the 17 May 2016,
- having regard to Council Regulation (EU) 2015/1755 of 1 October 2015 concerning restrictive measures in view of the situation in Burundi,
- having regard to the Council conclusions of 8 March 2016, 16 March, 18 May, 22 June and 16 November 2015 on Burundi,
- having regard to the declarations from the EEAS spokesperson on Burundi of 6 January 2017, 29 November 2016 and 24 May 2016,
- having regard to Rule 125 of its Rules of Procedure,

A. whereas President Pierre Nkurunziza is currently serving a third presidential term, which is widely judged to be contrary to the Arusha Peace and Reconciliation Agreement and the Burundian Constitution;

B. whereas the announcement of his candidacy and the run-up to the elections went hand in hand with severe oppression of the Burundian opposition, human rights activists, civil society actors and the media, including the killing of opposition leader Zedi Feruzi;

C. whereas presidential, legislative and local elections took place in Burundi in June and July 2015, both boycotted by the opposition; whereas these elections have been considered not to be free and fair by the African Union and other international

organisations due to numerous cases of oppression of the opposition;

- D. whereas the Burundian Government disregarded the decisions and recommendations by the African Union (AU) and the East African Community (EAC) adopted on 13 June 2015 and 6 July 2015 respectively, whose full implementation would have paved the way for credible and inclusive elections;
- E. whereas President Nkurunziza made recently declarations in which he did not exclude the possibility to revise the Burundian Constitution in view of allowing him a possible fourth term from 2020 onwards,
- F. whereas killings, summary executions, arbitrary arrests, disappearances, torture, frequent use of hate speech by Government officials, and a growing number of people fleeing the country have been recurrent in the last years; whereas at least 500 people have been killed and more than 325,000 Burundians have fled the country since 2015,
- G. whereas the *Imbonerakure*, armed youth groups linked to the ruling party, systematically terrorise and threaten people believed to support the opposition or to be critical towards the government;
- H. whereas members of the *Imbonerakure* and police, sometimes armed with guns, sticks or knives, raped women whose male family members were perceived government opponents; whereas the victims often continued to receive threats after being raped,
- I. whereas many prominent critical voices have gone into exile, all of whom received threats after speaking out against President Nkurunziza's third term;
- J. whereas more than a quarter of million people have fled to neighbouring countries, which potentially affects stability in the whole Great Lakes Region,
- K. whereas the National Assembly adopted in December 2016 new laws severely restricting the action of NGOs; whereas the regime has dissolved several human rights NGOs in the last months,
- L. Whereas all radio stations that broadcast independent news have been suspended or are controlled by the government; whereas intelligence agents continue to target journalists who report on human rights abuses,
- M. whereas opposition forces have resorted to violence as well, killed a Minister, targeted other figures of the regime and attacked military facilities in December 2015; whereas the response by security forces to the latter attack resulted in often random killings of

87 people,

- N. whereas United Nations' officials have mentioned a risk of genocide in Burundi;
 - O. whereas until today little progress occurred in regional and international efforts to broker a dialogue between Burundian political actors, co-facilitated by former Tanzanian President Benjamin Mkapa; whereas the African Union abandoned its initial plan to deploy a 5,000 strong peacekeeping force,
 - P. whereas the African Union, the US and the EU have imposed targeted sanctions against all those contributing to the violence and impeding the resolution of the crisis;
 - Q. whereas the EU has imposed sanctions against Burundi for non-respect of essential elements of the Cotonou agreement by Burundi, namely human rights, democratic principles and the rule of law;
 - R. whereas Burundi has withdrawn from the Rome Statute of the International Criminal Court,
 - S. whereas Burundi has suspended all cooperation with the Office of the UN High Commissioner for Human Rights in Burundi and declared three UN independent experts persona non grata following the adoption of a critical human rights resolution on Burundi by the UN Human Rights Council,
 - T. Whereas in July 2016, the UN Committee Against Torture held a special session on Burundi and raised serious concerns about torture and other violations,
 - U. Whereas in August 2016, the UN Security Council passed a resolution calling for the deployment of 228 unarmed police officers to Burundi to support UN human rights monitors; whereas Burundian authorities rejected the deployment,
 - V. Whereas the African Union authorised the deployment of 100 human rights observers and 100 military observers, but only a small number have been deployed because of disagreements between the Burundian government and the African Union,
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- 1. Deplores the climate of fear and repression established in Burundi by the ruling regime,
 - 2. Considers President Pierre Nkurunziza to be primarily responsible for the serious

deterioration in the political situation in Burundi and invites him to engage immediately in a serious dialogue with opposition forces in Burundi in order to find a solution to the current crisis; considers that such a solution must be based on the Arusha Peace and Reconciliation Agreement and respect the Burundian Constitution;

3. Expresses strong concerns about the announcement of President Nkurunziza on 30 December 2016 that he might run for president again in 2020, risking to perpetuate the current constitutional, political and diplomatic crisis;
4. Considers that the parliamentary and presidential elections which took place in June and July 2015 were not free and fair, that the Burundian authorities systematically hampered the campaign of opposition forces by preventing public demonstrations and threatening opposition politicians and civil society actors, which led to numerous departures into exile;
5. Condemns the severe oppression against opposition forces in Burundi, the terror spread by the ruling party's Imbonerakure youth militia, including through the use of systematic raping against women, and the clampdown on the independent media;
6. Urges the Burundian authorities to take the necessary urgent measures to conduct prompt, independent, impartial and effective investigations in order to prosecute the perpetrators of these crimes; calls for the immediate disarmament of the Imbonerakure militia;
7. Recalls Burundi's obligations under the Cotonou Agreement to respect human rights, democratic values and the rule of law; recalls that such rights are also enshrined in the Burundian Constitution;
8. Calls on the Burundian authorities to respect and protect the fundamental rights of all Burundians, including freedom of speech and freedom of assembly of opposition supporters, to open up the media without delay, to allow opposition leaders in exile to return to the country, to free all political prisoners unconditionally and to end the harassment of civil society organisations and human rights defenders;
9. Urges the Government of Burundi to respect UNSC Resolution 2303 and allow the deployment of the UN Police Unit in the country to monitor the security situation and to support the Office of the UN High Commissioner for Human Rights (OHCHR),
10. Is concerned about the proposed new legislation on international NGO's and national non-profit organizations, which seems to place undue restrictions on freedom of

expression, association and assembly and provides new and sweeping powers to the government to control national and international civil society organizations and repress critical voices;

11. Considers the dissolution of several human rights organisations in Burundi a blatant violation of the freedom of assembly and expression and urges the government to authorise the unconditional resumption of the activities of all the deregistered and suspended civil society organisations,
12. Is deeply concerned about the continued exodus of refugees to neighbouring countries, reiterates its support for the humanitarian organisations present in the region,
13. Condemns the decision of the government of Burundi to withdraw from the Rome Statutes establishing the International Criminal Court and urge Burundi to revise its decision;
14. Calls on the International Criminal Court, to undertake an independent inquiry into the killings, disappearances and human rights violations which have been taking place in Burundi since 2015;
15. Calls on the European Union to consider extending its targeted sanctions to other members of President Nkurunziza's inner circle, to seriously consider stopping its financing of the Burundian contingent to AMISOM and to support all efforts of the International Criminal Court to inquire the crimes committed in Burundi and to bring the perpetrators to justice,
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.