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Plenary sitting

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<TitreType>MOTION FOR A RESOLUTION</TitreType>

<TitreSuite>with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law</TitreSuite>

<TitreRecueil>pursuant to Rule 135 of the Rules of Procedure</TitreRecueil>

<Titre>on the situation in Burundi</Titre>

<DocRef>(2017/2508(RSP))</DocRef>

<RepeatBlock-By><Depute>Pier Antonio Panzeri, Maria Arena</Depute>

<Commission>{S&D}on behalf of the S&D Group</Commission>

</RepeatBlock-By>

B8‑0075/2017

European Parliament resolution on the situation in Burundi

(2017/2508(RSP))

*The European Parliament*,

– having regard to its previous resolutions,

– having regard to the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000 (the Cotonou Agreement), and to its revisions of 2005 and 2010,

– having regard to the its report the future of ACP-EU relations beyond 2020 of 4 October 2016 and the ongoing process for the future of post Cotonou,

– having regard to the resolution of the ACP-EU Joint Parliamentary Assembly of 9 December 2015 on the situation in Burundi,

– having regard to the Statement by the EEAS Spokesperson on the banning of LigueIteka in Burundi, 6 January 2017,

–having regard to the declaration by the High Representative on behalf of the European Union on South Africa, Burundi and their withdrawal from International Criminal Court of 21 October 2016,

– having regard to Council Regulation (EU) 2015/1755 of 1 October 2015 concerning restrictive measures in view of the situation in Burundi and their renewal from the 29 September 2016,

–having regard to the African Commission on Human and People’s Rights resolution on the Human Rights Situation in the Republic of Burundi on 4 November 2016,

–having regard to the report of the United Nations Independent Investigation on Burundi (UNIIB) established pursuant to Human Rights Council resolution, on 20 September 2016,

– having regard to the Arusha Peace and Reconciliation Agreement for Burundi of 28 August 2000,

– having regard to the Constitution of Burundi, article 96,

– 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 Rule 135 of its Rules of Procedure,

1. Whereas the country was plunged into turmoil in April 2015 when President Pierre Nkurunziza announced he would seek a third term in office, prompting massive protests and a failed coup attempt; whereas the unrests has left more than 500 people dead and seen more than 300,000 flee the country ;
2. whereas political and human rights crisis in Burundi deepened in 2016, as government forces targeted perceived opponents with increased brutality
3. Whereas in 2016 the EU decided that the government of Burundi was no longer adhering to the basic principles of the partnership as defined in the agreement, and a Council Decision of 14 March 2016, under Article 96 of the Cotonou Agreement, suspended direct financial support to the Burundian administration (including budget support), although support for the public, regional aid and humanitarian aid were maintained;
4. Whereas on the 29 September 2016, the Council renewed the EU restrictive measures against Burundi until 31 October 2017; whereas these measures consist of a travel ban and asset freeze against 4 people whose activities were deemed to be undermining democracy or obstructing the search for a political solution to the crisis in Burundi;
5. Whereas the justice system in Burundi is deeply corrupt and despite hundreds of people being killed and tortured since the crisis began, many of whom by the police and intelligence services, very few have been brought to justice;
6. Whereas according to reports members of the youth league of the ruling party, the Imbonerakure, arrest, beat and steal possessions from residents; whereas they focus attacks on opposition members, especially members of the National Liberation Forces (FNL); whereas scores of opposition members and perceived opponents have been killed, detained, beaten, and tortured in recent months;
7. Whereas in January 2017 the Burundi authorities have banned the country's oldest human rights organisation LigueIteka, which had continued reporting abuses despite being suspended when political turmoil broke out nearly two years ago; whereas last October five other rights organizations had already been banned, namely the Forum pour le renforcement de la société civile (FORSC), the Forum pour la conscience et le développement (FOCODE), Action chrétienne pour l’abolition de la torture(ACAT), Association burundaise pour la protection des droits humains et des personnes détenues (APRODH) and the Réseau des citoyens probes (RCP).
8. Whereas a pervasive climate of fear and paranoia exists in many parts of Burundi and human rights activists are afraid to deeply investigate abuses and virtually all activist work underground which curtailed the amount of detailed information regarding abuses as well as many human rights violations go unreported;
9. Whereas all radio stations that broadcast independent news have been suspended or are controlled by the government and intelligence agents continue to target journalists who report on human rights abuses;
10. whereas the United Nations Independent Investigation on Burundi (UNIIB), published on September 20, found that the experts could not exclude that “some instances of these gross human rights violations amount to crimes against humanity;
11. whereas, last October, Burundi’s parliament voted overwhelmingly to withdraw from the ICC
12. Whereas the political deadlock in Burundi, marked by a lack of dialogue among Burundian stakeholders and a deterioration in the security and economic situation as a result, have serious consequences for the population and pose a serious risk for the stability of the region;
13. whereas the international community plays a significant role as the guarantor of the Arusha Accords; whereas so far all regional and sub-regional efforts aimed at addressing the crisis and restoring dialogue between all political forces have failed to produce positive results;
14. whereas mediation efforts continue, with the full support of the AU, the EU and the UN, in order to promote inter-Burundian dialogue with a view to finding a consensual and peaceful solution to the crisis in Burundi;
15. Calls for an immediate end to violence, human rights violations and political intimidation of opponents and human rights activists
16. Strongly condemns the recent violent attacks and the increased cases of human rights violations and abuses, including assassinations, extra-judicial killings, violations of people’s physical integrity, targeted violence against women including collective rapes , acts of torture and other cruel, inhuman and/or degrading treatment, arbitrary arrests and illegal detentions, and violations of the freedom of the press and of expression, as well as the prevalence of impunity; calls for a thorough and independent inquiry into killings and abuses and for the perpetrators of these acts to be brought to justice; reminds Burundi’s government of its international obligations under the International Covenant on Civil and Political Rights, in particular regarding the respect of fundamental freedoms and the rule of law and the handling of court cases, in particular the right to a fair and impartial trial;
17. Urges the African Union’s Peace and Security Council to urgently send a delegation to Bujumbura to meet with President Nkurunziza and pressure him to stop security force abuses;
18. Express strong concerns about the recently adopted legislation on international NGO’s and national non-profit organizations, which places 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;
19. Calls on Burundi's government to reverse its decision to ban the human rights organization LigueIteka; urges the Burundi's government to reconsider restrictions on other human right and civil society organizations imposed to ensure that civil society players and human rights activists are able to operate freely and safely; calls for the immediate lifting of the freeze on their bank accounts; calls for the immediate and unconditional liberation of all prisoners of conscience; calls for the EU and its Member States to redouble their efforts i supporting and protecting HRD’s and organizations at risk in the country;
20. Condemns the adoption of a new law on the creation of a national volunteer corps that would legalize the activities of the violent youth militia ‘Imbonerakure’, widely accused by international human rights organizations and the UN of grave human rights abuses and operating in a climate of impunity
21. expresses its concerns over the decision of the government of Burundi to withdraw from the Rome Statutes establishing the International Criminal Court and urges Burundi to revise its decision; calls on the government of Burundi to resume its cooperation with the OHCHR, the UN Human Rights Council and its special procedures;
22. Urge 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), and to refrain from taking further steps to isolate itself from the international community;
23. Urges all parties to establish the necessary conditions for rebuilding trust and fostering national unity and for the resumption of an inclusive and transparent national dialogue, including the government, opposition parties and civil society representatives;
24. commends the mediation efforts of the East African Community (EAC), African Union-endorsed facilitator; urges all parties to cooperate fully with the EAC;
25. Stresses that such dialogue, aimed at achieving lasting peace, security and stability, and at restoring democracy and the rule of law, in the interests of the citizens of Burundi, should be based on the Arusha Agreement, which has helped to sustain a decade of peace in Burundi, and the Burundian Constitution, which requires compliance with international law and treaties;
26. Urge the High Representative of the EU for Foreign Affairs and Security Policy to engage with Burundi’s authorities and all other relevant stakeholders and to support, renew and enhance the credibility of the regional mediation efforts by the East-African Community to find a durable solution to the crisis, which respects the constitution, the Arusha Peace Agreement and international human rights law through an open and inclusive dialogue
27. Calls on the International Criminal Court (ICC) to quickly to open a full investigation into Burundi on alleged human rights violations within its jurisdiction, committed during the recent crisis in Burundi,
28. Welcomes the targeted sanctions approved by the EU, consistent with the decision taken by the AU to impose targeted sanctions, calls to the EU and the UN to extend those sanctions to all government individuals responsible for human rights violations;
29. Expresses strong concerns about the announcement of President Nkurunziza on 30 December 2016 that he might run for 4 thpresident again in 2020 and proceed with constitutional amendments while Burundi is in a state of crisis, risking to perpetuate the current constitutional, political and diplomatic crisis and preventing a lasting political solution; condemns the frequent use of hate speech by government officials and alerts of the risk that the current situation eventually drift into massive ethnical violence;
30. Is particularly concerned by the dramatic levels of discrimination against, and criminalisation of, LGBTI people in Burundi; calls, therefore, on the National Assembly and on the Government of Burundi to repeal the articles of the penal code which discriminate against LGBTI people;
31. notes that significant progress has been made in cooperation and development in the Great Lakes Region in recent years; underlines that the crisis in Burundi calls into question recent progress; calls on countries in the region to show responsibility and contribute to a solution to the crisis, and not to support the activities of armed movements in any way;
32. Instructs its President to forward this resolution to the Government and Parliament of Burundi, the ACP-EU Council, the Commission, the Council, the East African Community and the governments of its member states, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the institutions of the African Union and the Secretary-General of the United Nations.