



Plenary sitting

B8-0089/2017

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 ALDE Group

B8-0089/2017

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

The European Parliament,

- having regard to its previous resolutions on Burundi, in particular the two last resolutions, voted on 9 July 2015 and 17 December 2015,
 - having regard to the revised Cotonou Agreement, in particular Article 96 thereof,
 - having regard to the Arusha Peace and Reconciliation Agreement for Burundi,
 - having regard to the Constitution of the Republic of 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 African Charter on Democracy, Elections and Governance (ACDEG),
 - having regard to the African Charter on Human and People's Rights,
 - having regard to the declaration by the High Representative on behalf of the European Union on South Africa and Burundi and the International Criminal Court, 21st October 2016,
 - having regards to the Resolution (357) on the Human Rights Situation in the Republic of Burundi – by the African Commission on Human and Peoples' Rights at its 59th Ordinary Session held from 21 October to 4 November 2016 in Banjul, The Gambia;
 - 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, 17th May 2016:
 - having regard to the Statement by the Spokesperson on the banning of Ligue Iteka in Burundi of 6 January 2017,
 - having regard to Article 135 of its Rules of Procedure,
- A. whereas the situation in Burundi continues to deteriorate since 2015, and the re-election of Pierre Nkurunziza, for a third mandate against Burundi's constitution;
- B. whereas Burundi is the second country to notify the International Criminal Court of its withdrawal from the Rome Statute and the ICC on 19st October 2016;

- C. whereas on 15th November 2016, Ligue ITEKA published a co-written report with FIDH, entitled Repression and Genocidal Dynamics in Burundi, after two years of investigation in the Country, which provided an update on government repression and massive violations of human rights; whereas, a few weeks later, ITEKA also published several investigative reports on the most serious crimes committed by government forces in Burundi: murders, abductions, forced disappearances, torture, rape, and large-scale detentions; whereas these crimes have gone on with absolute impunity;
- D. whereas since October 2016, the following five organisations were permanently banned from the list of authorized NGOs: the Forum pour le Renforcement de la Société Civile (FORSC), the Forum pour la Conscience et le Développement (FOCODE), Christians Against Torture (ACAT), Burundian Association for the Protection of Human Rights of Prisoners and Detainees (APRODH) and the Réseau des citoyens probes (Network of concerned citizens- RCP); whereas four other organisations were suspended: SOS-Torture/Burundi, that works in the field with OMCT, the Coalition de la société civile pour le monitoring électorale (Civil society coalition for monitoring the elections - COSOME), the Coalition Burundaise pour la CPI (Burundian Coalition for the ICC - CB-CPI) and the Union Burundaise des Journalistes (Burundi Journalists Union - UBJ);
- E. whereas in November 2016, the FIDH reported more than 1,000 deaths, 8,000 people detained for political reasons, 300 to 800 missing persons, hundreds of cases of torture, hundreds of women made victims to sexual violence, thousands of arbitrary arrests, more than 310,000 persons made refugees in neighbouring countries, and 61,000 internally displaced persons;
- F. whereas Council concluded consultations with Burundi under article 96 of the Cotonou agreement on 14 March 2016; whereas the cooperation agreement was suspended;
1. Condemns the violence occurring in Burundi since 2015, which has led to the death, torture, rape, harassment and imprisonment of thousands of people and the forced displacement of hundreds of thousands of Burundians;
 2. Condemns the systematic harassment, detention and imprisonment of political opponents, human rights activists, members of civil society and their families; demands that these political prisoners be released;
 3. is deeply worried about the adoption by the National Assembly in Burundi on the 23rd and 28th of December 2016 of two draft laws that establish tighter controls on the actions of domestic and international NGOs; those laws have led to the ban of Ligue ITEKA on 3 January 2017 to operate in the country,
 4. urges the Burundian authorities to reconsider this decision; reaffirms the essential role of civil society and human rights activists in a democratic society; calls on the local authorities to allow them to operate freely and safely;
 5. urges the government of Burundi to resume cooperation with the Office of the High Commissioner for Human Rights and the UN Human Rights Council, and provide access to staff

of the OHCHR to places of detention; urges the government of Burundi to respect and guarantee human rights and fundamental freedoms for all, in line with their international obligations,

6. firmly supports the democratic principles and values, human rights and the rule of law as essential elements of the ACP-EU Partnership Agreement and the principles set out in the Arusha Agreements,
7. notes with deep concerns that Burundi has formalised its withdrawal from the Rome Statute; recalls that the International Criminal Court (ICC) is a key institution that assists citizens achieve justice when confronted with the most serious crimes in instances where it is not possible at the national level;
8. supports the decision by the EU Council, after the failure of the discussions launched under article 96 of the Cotonou agreement, to suspended direct financial support to the Burundian administration, including budgetary support, but maintains full financial support for the population and its humanitarian aid through direct channels;
9. Welcomes the targeted sanctions adopted by the EU on October 1st 2015, consistent with the decision taken by the AU to impose targeted sanctions, including travel restrictions and asset freezes against Burundians responsible for human rights violations and those who obstruct efforts to achieve a political settlement of the crisis; calls for the EU to extend such sanctions to all persons whose actions represent a threat to the peace and stability in the region, inciting hate and violating the Arusha Agreement;
10. expresses concern that the political conflict could lead to an ethnic conflict; expresses concern over the listing of people in the Burundi administration and the army by their ethnicities, urges all parties to respect the Arusha protocol;
11. welcomes the UN Commission of Inquiry on Human Rights in Burundi to probe into human rights violations and abuses in Burundi since April 2015, established in November 2016; urges the Burundi authorities to fully cooperate with the members of the Commission;
12. supports the UN Security Council resolution of July 2016 to authorise the deployment of a UN police force to Burundi to try to reduce violence and human rights abuses in the country;
13. Calls on the UNSC, including EU member states, and the ICC to undertake an independent inquiry into the murders, detentions, torture and overall human rights violations taking place in Burundi since 2015;
14. Calls on the AU, the UN and the EU to seriously consider the regional dimension and prevent any further destabilisation in the region by increasing their presence on the ground, in particular by maintaining a permanent political dialogue between countries in the region;
15. 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.

