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*Plenary sitting*

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**B8-0333/2018**

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 the situation in Burundi  
(2018/2785(RSP))

**Charles Tannock, Karol Karski, Anna Elżbieta Fotyga, Ryszard Czarnecki, Monica Macovei, Ruža Tomašić, Notis Marias, Jana Žitňanská, Jan Zahradil, Jadwiga Wiśniewska, Raffaele Fitto, Pirkko Ruohonen-Lerner**  
on behalf of the ECR Group

**B8-0333/2018**

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

*The European Parliament,*

- having regard to its previous resolutions on Burundi, in particular those of 18 September 2014, 12 February 2015, 9 July 2015, 15 December 2015, 17 January 2017 and 6 July 2017,
- having regard to the revised Cotonou Agreement, in particular Article 96 thereof,
- having regard to the Universal Declaration of Human Rights of 1948,
- having regard to the 1966 International Covenant on Civil and Political Rights,
- having regard to the African Charter on Human and People's Rights,
- having regard to the African Charter on Democracy, Elections and Governance,
- having regard to the United Nations Convention against Torture of 1985,
- having regard to United Nations Security Council Resolutions 2303 (2016) adopted on 29 July 2016, 2279 (2016) adopted on 1 April 2016 and 2248 (2015) adopted on 9 November 2015,
- having regard to the UN Security Council Presidential Statement 7(2018) published on 5 April 2018,
- having regard to the UN Secretary-General's Reports 89 (2018) published on 25 January 2018 and 165 (2017) published on 23 February 2017,
- having regard to the Security Council Letter 779 (2017) published on 14 September 2017,
- having regard to the resolution adopted by the UN Independent Investigation on Burundi (UNIIB), published on 20 September 2016,
- having regard to decision 2015/1763 and 2015/1755 of the Council of the EU,
- having regard to the various statements by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy on the situation in Burundi of 28 May 2015, 19 December 2015, 21 October 2016 and 8 May 2018,
- having regard to the resolution of the African Commission on Human and Peoples' Rights of 4 November 2016 on the human rights situation in the Republic of Burundi,
- having regard to the declaration on Burundi by the East African Community (EAC) summit of 31 May 2015,
- having regard to the Arusha Peace and Reconciliation Agreement for Burundi (Arusha

Agreement) of 28 August 2000,

- having regard to Rule 123(2) of its Rules of Procedure.

A. whereas the Burundian constitutional referendum took place on 17 May 2018,

B. whereas, according to the UN, at least 500 people have been killed since President Pierre Nkurunziza launched the referendum designed to prolong his term in office and extend presidential power,

C. whereas the Constitutional changes voted for during the referendum include the expansion of Presidential powers, the reduction of power of the Vice-President, the appointment of the Prime Minister by the President, the introduction of a simple majority procedure to pass or change legislations in Parliament, to allow to review quota implemented by the Arusha agreement, and to include the prohibition of political parties with less than 5% of the votes to participate in government; which all endanger the Arusha Peace and Reconciliation Agreement,

D. whereas the referendum was not considered free and fair, and threatens to deepen a neglected humanitarian crisis,

E. whereas the situation in Burundi has failed to improve in recent months and the security forces are sustaining a general climate of fear and paranoia among the population while continuing to violate the human rights of Burundians in and outside Burundi,

F. whereas Imbonerakure, the youth league of the ruling political party National Council for the Defense of Democracy - Forces for the Defense of Democracy (CNDD-FDD), and police have been noted to use various intimidation tactics such as setting up roadblocks and check points in some provinces, extorting money, harassing passers-by, and arresting people they suspected of having links to the opposition, many of whom have been detained, raped, beaten and tortured, some dying from the treatment,

G. whereas the causes of this constitutional crisis are exacerbated by poor economic reform, ethnic tensions, absence of democratic constitutionalism and disregard for the rule of law,

H. whereas civil liberties and the rule of law are continuously eroded, prompting more people to join the 400.000 already seeking refuge in neighbouring countries since President Nkurunziza was re-elected in 2015,

I. whereas many human rights activists, most notably, Mr. Germain Rukuki, have been subjected to long term jail sentences, or remain detained awaiting trial such as Mr. Nestor Nibitanga,

J. whereas the government controlled National Communication Council suspended BBC for 6 months for violating press laws and unprofessional conduct,

K. whereas the next Presidential elections will take place in 2020,

1. Expresses its deep concern over the rise in human rights abuses and violence in Burundi, the widening divisions and lack of dialogue among Burundian stakeholders and the threat of a regional crisis,

2. Reminds the authorities of Burundi of their obligations to guarantee, protect and promote fundamental rights, including the civil and political rights of its citizens such as freedom of speech and freedom of assembly; reminds Burundi's Government of its international obligations, in particular regarding respect for fundamental freedoms and the rule of law and the handling of court cases, particularly the right to a fair and impartial trial,
3. Expresses deep concern over the restrictions placed on international journalists and the media of Burundi during the referendum, and calls on the Burundian authorities to remove any restrictions without delay,
4. Urges the government to allow opposition leaders in exile to return to the country,
5. Calls on the Burundian authorities to release human rights advocates and political prisoners currently held under dubious charges, with particular focus towards Mr. Germain Rukuki and Mr. Nestor Nibitanga,
6. Condemns the adoption of a new law on the creation of a national volunteer corps that legalises the activities of the violent youth militia 'Imbonerakure', widely accused by international human rights organisations and the UN of grave human rights abuses and of operating in a climate of impunity; calls for the immediate disarmament of the militia,
7. Expresses concern that the political crises could lead to an ethnic conflict; condemns the listing of people in the Burundian administration and army by their ethnicities; urges all parties to respect the Arusha Agreement,
8. Calls for the African Union, the UN and the EU to seriously consider the regional dimension and to prevent any further destabilisation in the region; urges the VP/HR 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 Agreement and international human rights law through an open and inclusive dialogue,
9. Calls on the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy to urgently prepare an expanded list of names of those who are responsible for planning, organising and executing human rights violations with a view to adding them to the list of those Burundian officials who are already under EU sanction,
10. Calls on the Commission to closely monitor the human rights situation in Burundi,
11. Instructs its President to forward this resolution to the Council, the Commission, the governments of 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 African Union, the Secretary-General of the United Nations, the Co-Presidents of the ACP-EU Joint Parliamentary Assembly and the Pan African Parliament.