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*Plenary sitting*

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**B9-0054/2020**

14.1.2020

## **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 144 of the Rules of Procedure

on Burundi, notably freedom of expression  
(2020/2502(RSP))

**Ellie Chowns, Caroline Roose, Hannah Neumann, Michèle Rivasi, Katrin Langensiepen, Henrike Hahn**  
on behalf of the Verts/ALE Group  
**Fabio Massimo Castaldo**

**B9-0054/2020**

**European Parliament resolution on Burundi, notably freedom of expression (2020/2502(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on Burundi, notably those of 4 July 2018, 6 July 2017, 19 January 2017, 9 July 2015 and 17 December 2015,
  - having regard to the Universal Declaration of Human Rights,
  - having regard to the Charter of Fundamental Rights of the European Union,
  - having regard to the African Charter on Human and Peoples' Rights,
  - having regard to the Universal Declaration of Human Rights,
  - having regard to the International Covenant on Civil and Political Rights,
  - 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 (the Cotonou Agreement), and the human rights clauses contained therein, in particular Article 9,
  - having regard to the 2019 Report by the UN Commission of Inquiry on Burundi,
  - having regard to the Human Rights Watch World Report 2019 on Burundi,
  - having regard to the 2019 World Press Freedom Index from Reporters without Borders for Freedom of Information,
  - having regard to the country profile on Burundi from the Internal Displacement Monitoring Centre,
  - having regard to Rule 144 of its Rule of Procedure,
- A. whereas President Pierre Nkurunziza's decision in 2015 to run for a controversial third term and his subsequent reelection pushed Burundi into a prolonged political, humanitarian, and human rights crisis, which has adversely impacted the economy;
- B. whereas ahead of Burundi's presidential, parliamentary and local elections in 2020, the United Nations Commission of Inquiry on Burundi (COIB) concluded in its report of 4th September 19 the existence of a climate of fear and intimidation of all persons who do not show their support to the ruling party, CNDD-FDD;

- C. whereas CNDD-FDD' youth league, the "Imbonerakure", agents of the National Intelligence Service and of the police, and local authorities continue to commit serious human rights violations against Burundi citizens, including extrajudicial executions, disappearances, arbitrary arrests, sexual violence, beatings, and intimidation of suspected political opponents; and whereas private media and journalists have been directly targeted in many of those incidents;
- D. whereas Burundi ranks 159 out of 180 countries in the 2019 World Press Freedom Index, whereas freedom of expression has been steadily deteriorating since the start of the crisis in 2015;
- E. whereas most independent radio stations are still closed, dozens of journalists are still unable to return from self-imposed exile, and those who stayed find it hard to work freely because they are often harassed by the security forces,
- F. whereas two major international radio stations, the BBC and Voice of America remain suspended since the 2018 campaign for a controversial constitutional amendment,
- G. whereas, in 2018, human rights defender Germain Rukuki has been convicted and sentenced to 32 years in prison in 2018 merely on the grounds of his human rights work,
- H. whereas, in October 2019, four journalists, Christine Kamikazi, Agnès Ndirubusa, Térencia Mpozenzi and Egide Harerimana, and a media worker from the privately-owned news outlet Iwacu were arrested as they were trying to cover unrest in the country; whereas, the four journalists were charged with endangering state security and Burundi prosecutors sought 15-year jail terms and furthermore demanded for the detained to be denied their civic rights for 20 years,
- I. whereas the Burundian authorities have never shed light on the disappearance of an Iwacu journalist, Jean Bigirirmana, three years after the events, after he was abducted by the intelligence services on 22 July 2016,
- J. whereas although President Nkurunziza said he would not run again, tensions are likely to continue to escalate ahead of the May 2020 presidential and legislative elections,

- K. whereas, the government and members of the party's youth wing, the Imbonerakure, orchestrated a national campaign to collect "voluntary" contributions from the population to help fund the 2020 elections; whereas Human Rights Watch report of 6 December 2019 found that, to that effect, members of the Imbonerakure and local government officials often used violence and intimidation, restricted movements and access to public services, and beat those who failed to comply,
- L. whereas election levies, combined with the associated extortion and other abuses by Imbonerakure members and local officials, have significantly impacted the lives of many Burundians, including over 70 percent of the population of 11 million living below the poverty line,
- M. whereas the 2019 COIB report highlights that the Imbonerakure's control over the population has become more entrenched in rural areas,
- N. whereas Burundi has suspended all cooperation with the Office of the UN High Commissioner for Human Rights in Burundi,
- O. whereas the COIB is currently the only independent international mechanism investigating human rights violations and abuses committed in Burundi, given the severe restrictions on independent media and civil society, a dysfunctional justice system, and the closure of the country office of the UN High Commissioner for Human Rights,
- P. whereas, since October 2017, Burundi has withdrawn from the Rome Statute establishing the International Criminal Court; whereas despite the call from the international community to launch a procedure to re-enter the Rome statute, no action has been taken by the Burundian government,
- Q. whereas according to UNHCR numbers there were 329,491 Burundian refugees in the neighbouring countries the Democratic Republic of Congo, Rwanda, Tanzania and Uganda in 2019; whereas the issue of Internally Displaced Persons (IDPs) as a result of the 2015 political and humanitarian crisis in Burundi are subject to risks of conflict with the local populations in the region,
- R. whereas according to the UN Office for the Coordination of Humanitarian Affairs (OCHA), around 1.7 million people facing food insecurity,

- S. Whereas the 2019 COIB report documented violations of the rights to food, health, and work,
- T. 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,
1. Is alarmed by the current political and human rights situation in Burundi; strongly condemns the climate of fear and severe oppression against opposition forces in Burundi, the terror spread by the ruling party's Imbonerakure youth militia, notably on political opposition members, and all kind of violence against journalists, human rights defenders and civil society as well as the widespread impunity that prevails;
  2. 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;
  3. Reiterates its commitment to freedom of expression, association and assembly, especially in the run-up to the 2020 elections;
  4. Calls on the Burundian government to uphold his commitment to hold free and democratic elections in 2020; welcomes President Pierre Nkurunziza's commitment not to run in the upcoming presidential elections of 2020; but deeply regrets the drastic worsening of freedom of expression since 2015 and the current state of media freedom in the country;
  5. Reiterates that Burundi is bound by the human rights clause of the Cotonou Agreement, 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, including freedom of expression;
  6. Stresses the vital role played by civil society and journalists in a democratic society, and urges Burundian authorities to stop immediately the intimidation, harassment, and arbitrary arrest of journalists, human rights defenders, and members of the opposition and to take urgent measures to guarantee the safety of journalists and human rights defenders covering or monitoring the unrest in the country; calls equally on Burundian authorities to allow opposition leaders in exile to return to the country,

and to free all political prisoners unconditionally;

7. Insists that crimes of violence against journalists - such as the disappearance of Jean Bigirimana on 22 July 2016, - be the subject of systematic and thorough investigation and prosecution leading to the conviction of those responsible by independent courts, that shall meet international standards; furthermore, calls on the Burundian authorities to drop charges and immediately and unconditionally release the recently jailed Iwacu journalists and all others arrested for exercising their fundamental rights;
8. Calls on the government of Burundi immediately and unconditionally release Germain Rukuki and urges the EU to continue to support and show solidarity with Burundian human rights defenders,
9. Welcomes the important work of the UN Commission of Inquiry on Burundi, which provides critical oversight of the human rights situation in the country,
10. Is alarmed that, while applying the “Framework of analysis for atrocity crimes”, developed in 2014 by the UN Office for the Prevention of Genocide and the Responsibility to Protect, the COIB found that the eight common risk factors for criminal atrocities are present in Burundi,
11. Reiterate its calls to the Burundian government to fully cooperate with the COIB and allow access to UN Human Rights Council mechanisms, including the Commission of Inquiry and to resume cooperation and collaboration with the Office of United Nations High Commissioner for Human Rights (OHCHR),
12. Urges the Government of Burundi to put an end to human rights violations committed by agents of the State and Imbonerakure, notably by taking prompt measures to end the abusive and forced collection by the Imbonerakure of financial and in-kind contributions (such as food donation) to fund elections and forced labour,
13. Calls on authorities to ensure that no individual should be prevented from accessing public services, such as health care, food, water, and education, based on their payment of contributions or their political affiliation and to allow humanitarian actors to operate independently and deliver assistance based on the duty to meet the most urgent needs,
14. Is strongly concerned by the appointment of Gervais Ndirakobuca as the new director of the national intelligence service, who is currently the subject of EU sanctions under Council Regulation (EU) 2015/1755 of 1 October 2015,

15. Call on the Commission and the European Union's member states to continue to uphold measures taken under Article 96 of the ACP-EU Partnership Agreement in respect of the situation in Burundi, which set out specific steps the government should take to address the human rights situation that could lead to the resumption of full cooperation; in particular, calls on EU and EU member states diplomats in Burundi to ensure the full implementation of the EU guidelines on human rights defenders,
16. Expresses its concern about the increasing tensions between Burundi and Rwanda, and the regional impact of the crisis on neighbouring countries their economy, security and internal cohesion,
17. Recognizes the primordial role of the region, namely the East-African Community and the African Union, in providing a sustainable solution for the political crisis in Burundi, in order to avoid further regional escalation;
18. Emphasizes the importance of the full deployment of the African Union's human rights observers and unfettered access to carry out their monitoring mandate in the country, including visiting detention facilities and attending judicial proceedings, particularly in the run-up to elections;
19. Calls on the EU and the international community as a whole to promote political dialogue and to pursue its humanitarian and development efforts to resolve the political and human rights crisis in Burundi, with the view to prevent a further escalation of violence and instability in the region;
20. Notes with great concern the growing amount of Internally Displaced Persons (IDPs) from Burundi; strongly condemns any threats of forced return made to Burundian refugees and asylum seekers in Tanzania to return to Burundi ahead of the 2020 elections, while UNHCR considers conditions for safe, dignified and voluntary returns are not met;
21. Reiterates that the principle of voluntary return requires that repatriation should be based on a freely-exercised choice, free from coercion or pressure; henceforth, call on governments in the region to ensure that the return of refugees is voluntary, based on informed decisions and carried out in safety and dignity;
22. Regret the continued underfunding of the Burundian refugee crisis, which is severely impacting on the safety and well-being of refugees, particularly on women, girls and children; call on the EU and its member states to substantially increase and provide predictable and consistent funding to the Burundi Regional Refugee Response.

23. 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;
24. Deeply regrets that no action has been taken to re-enter the Rome Statute; urges the Burundian government to start such a procedure immediately;
25. Calls on the European Union to support all efforts of the International Criminal Court to inquire the crimes committed in Burundi and to bring the perpetrators to justice,
26. Instructs its President to forward this resolution to the Council, the Commission, the Member States, the Government of Burundi and governments of the countries of the Great Lakes region, 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.