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*Plenary sitting*

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**B9-0057/2020**

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))

**Kati Piri, Maria Arena**  
on behalf of the S&D Group

**B9-0057/2020**

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

*The European Parliament,*

- having regard having regard to its previous resolutions on Burundi notably those of 9 July 2015 , 17 December 2015 and 19 January 2017 , July 2017 and July 2018;
- having to European Commission’s decision relating to the financing of the 2019 annual action program for the Republic of Burundi, of 30 October 2019;
- having regard to the declaration by the High Representative on behalf of the EU on the alignment of certain third countries concerning restrictive measures in view of the situation in Burundi On 24 October 2019;
- having regard to the report of the Secretary-General of the UN Security Council on the situation in Burundi, October 2019;
- having regard to the report of the UN Human Rights Council Commission of Inquiry on Burundi, September 2019;
- having regard to a letter signed by 39 Members of the European Parliament calling for the release of Iwacu journalists Brussels, 9 December 2019;
- having regard to the Declaration by the High Representative on behalf of the EU on Human Rights Day, 10 December 2019;
- having regard to United Nations Security Council Resolutions 2248 (2015) of 12 November 2015 and 2303 (2016) of 29 July 2016 on the situation in Burundi;
- having regard to the international commission of inquiry report presented to the United Nations Human Rights Council on 15 June 2017;
- having regard to the UN Secretary-General’s report on the situation in Burundi, of 23 February 2017 and of 25 January 2018;
- having regard to the UN Security Council Press Statement on Situation in Burundi 13 March 2017;
- having regard to the UN Security Council press release of 9 March 2017 regarding the situation in Burundi;
- having regard to the report of the UN Independent Investigation on Burundi (UNIIB), published on 20 September 2016;
- having regard to the Arusha Peace and Reconciliation Agreement for Burundi (Arusha Agreement) of 28 August 2000;

- having regard to the declaration on Burundi by the African Union summit of 13 June 2015;
- having regard to the resolution adopted by the Human Rights Council on 29 September 2017 (36/19) on the renewal of the mandate of the Commission of Inquiry on Burundi;
- having regard to Council Regulation (EU) 2015/1755 of 1 October 2015 and Council Decisions (CFSP) 2015/1763 and (CFSP) 2016/1745 concerning restrictive measures in view of the situation in Burundi;
- having regard to the Declaration by the High Representative, Federica Mogherini, on behalf of the European Union on the situation in Burundi ahead of the constitutional referendum 08/05/2018;
- 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);
- having regard to the African Charter on Human and Peoples' Rights which was adopted on 27 June 1981 and entered into force on 21 October 1986 and ratified by Burundi;
- having regard to the Universal Declaration of Human Rights;
- having regard to Rule 144 of its Rules of Procedure.

A. Whereas the situation in Burundi remains worrying, with many reported violations of fundamental civic and political freedoms while rising prices having an impact on economic and sociocultural rights; such as the right to adequate standard of living, the right to education, the rights to adequate food and freedom from hunger, women's rights and the right to work and union rights;

B. Whereas since the civic unrest sparked by the 2015 Presidential elections, which the United Nations Electoral Observation Mission in Burundi considered to be marked by a severe impairment of the essential conditions for the effective exercise of the right to vote and which were boycotted by the opposition, independent radio stations still remain closed, dozens of journalists still unable to return from self-imposed exile, and those who stayed find it hard to work freely, often due to harassment by the security forces, which are encouraged by an official discourse associating non-aligned media with enemies of the nation;

C. Whereas the impasse of reaching a political solution through the Inter-Burundi Dialogue severely threatens the elections scheduled for May 2020; whereas these elections may further solidify Burundi's descent into authoritarianism in the absence of meaningful political dialogue; whereas uncertainty persists over the participation of all interested stakeholders in the process, amidst shrinking political space and the need to create an environment conducive to peaceful, transparent and credible elections;

- D. Whereas tensions have continued to rise as the May 2020 polls approach, with local authorities and the ruling party's notorious youth league Imbonerakure members beating, threatening, and restricting access to the most basic services and committing rampant abuses against the opposition;
- E. Whereas more than 50% of the Burundian population suffers from chronic food insecurity, Burundi ranks 185th out of 189 countries on the 2019 Human Development Index, and almost half of the population is under the age of 15 and, in 2019 alone, over eight million people contracted malaria with over 3,000 people dying from the disease; whereas poverty, poor social services, high youth unemployment and a lack of opportunities continue to spark violence in the country;
- F. Whereas on September 27, 2018, Burundi's National Security Council announced a three-month suspension of international nongovernmental organizations and as a result, the operations of around 130 international NGOs, some of which were providing lifesaving assistance, were seriously hampered;
- G. Whereas the World Bank estimated Burundi's economic growth at 1.8 per cent in 2019, compared with 1.7 per cent in 2018; whereas the overall State budget for 2019–2020 shows a deficit of F Bu 189.3 billion (14.26 per cent), compared with a deficit of F Bu 163.5 billion for the same period in 2018–2019;
- H. Whereas Burundi is one of the world's poorest countries, with 74.7% of its population living in poverty and ranked 185th out of 189 on the Human Development Index and 159th out of 180 countries in RSF's 2019 World Press Freedom Index;
- I. Whereas on 18 July, the Government adopted two decrees creating an inter-ministerial monitoring and evaluation committee on international non-governmental organizations operating in Burundi;
- J. Whereas the Government has refused to acknowledge any human rights violations. Since the closure of the Office of the United Nations High Commissioner for Human Rights (OHCHR) in Burundi on 28 February 2019 and has shown no commitment to maintaining any form of cooperation with the Office;
- K. Whereas Burundian authorities have continued to reject the United Nations Commission of Inquiry on Burundi's work wholly and systematically, and refused to give it access to the country, deeming it politically biased, but have offered no evidence to substantiate their accusations;
- L. Whereas Tanzania and Burundi signed an agreement in 2019 to return the 180,000 Burundian refugees in Tanzania to their country of origin whether voluntarily or not, by December 31; whereas in August 2019, UNHCR reported that conditions in Burundi were not conducive to promote returns as returnees were among the main targets of human rights abuses;
- M. Whereas Burundi's public prosecutor on December 30 asked for a 15-year term for four journalist of Iwacu Press Group, Christine Kamikazi, Agnès Ndirubusa, TERENCE MPOZENZI, Egide Harerimana and their driver Adolphe Masabarakiza, who were

arrested on 22 October 2019 in Musigati Commune of Bubanza western Province while they were covering clashes between rebels and government forces in northwestern Burundi , and are charged with complicity in undermining state internal security;

- N. Whereas since July 22 2016, Iwacu reporter Jean Bigirimana went missing, he was reportedly last seen in the custody of members of the National Intelligence Service (SNR) in Muramvya, 45 km east of the capital, Bujumbura; whereas the Burundian authorities have never said anything about his disappearance;
- O. Whereas on the 13 October 2015 journalist Christophe Nkezabahizi, his wife and two children were murdered in their house in Bujumbura without real effort from the authorities to investigate this violent crime and bring the true perpetrators to justice;
- P. Whereas article 31 of Burundi's constitution guarantees the freedom of expression, including press freedom and Burundi is also a party to the African Charter on Peoples' and Human Rights, which guarantees the right of every Burundian to receive and disseminate information;
- Q. Whereas space for civil society and media has become much narrower in recent years, and many civil society activists and independent journalists remained in exile; whereas many of those who remained in Burundi face intimidation, detention, or trials on trumped up charges;
- R. Whereas human rights activist Germain Rukuki, a member of Action by Christians for the Abolition of Torture (ACAT), was sentenced to 32 years in prison in April 2019 on charges of rebellion and threatening state security, participation in an insurrectional movement, and attacks on the head of state; whereas in August, activist Nestor Nibitanga, an observer for the Association for the Protection of Human Rights and Detained Persons (APRODH), was sentenced to five years for threatening state security;
- S. Whereas the BBC and VOA were barred from broadcasting in Burundi since May 2018, when their licenses were suspended, originally for six months, as CPJ reported at the time. On March 29, Burundi's media regulator, the National Communication Council, announced that it had withdrawn the operating license for the BBC and renewed its suspension of the VOA; whereas the CNC also forbade any journalist in Burundi from "providing information directly or indirectly that could be broadcast" by either the BBC or VOA;
- T. Whereas on 25 October 2018, the European Council renewed the EU restrictive measures against Burundi until 31 October 2019; whereas these measures consist of a travel ban and asset freeze against four persons whose activities were deemed to be undermining democracy or obstructing the search for a political solution to the crisis in Burundi;
- U. Whereas efforts by the East African Community (EAC) to find a mediated solution to the political crisis sparked by the President's decision in 2015 to stand for a third term continued to stall; whereas President Pierre Nkurunziza, has reiterated on several occasions that he will not seek another term in office but the ruling party has yet to designate its candidate for the next presidential election;

- V. Whereas according to the United Nations Commission of Inquiry, serious human rights violations, including crimes against humanity continue across the country.
1. Remain deeply concerned by the human rights situation in Burundi, which undermines any initiative for reconciliation, peace and justice, in particular, the persistence of arbitrary arrests and extrajudicial executions;
  2. Condemns the current restrictions on freedom of expression in Burundi including the broader sets of limitations to public freedoms, as well as large-scale violations of human rights, the intimidation and arbitrary arrests of journalists and the broadcast bans that have reinforced the climate of fear for Burundi's media, increased the constraints on reporting and prevented proper coverage in particular in the run-up to the 2020 elections;
  3. Deeply condemns the continued deterioration of the human rights situation in the country, in particular against real and suspected opposition supporters, including Burundians who return from abroad; urge Burundian authorities to immediately revert this abusive trend and to uphold the country's human rights obligations, including those enshrined in the African Charter on Human and Peoples' Rights and other international mechanisms which the government has ratified;
  4. Call on the Burundian authorities to immediately and unconditionally release the recently jailed Iwacu journalists and all others arrested for exercising their fundamental rights and drop charges against them; stress the vital role played by civil society and journalists in a democratic society, particularly in the context of approaching elections, and call on authorities to stop the intimidation, harassment, and arbitrary arrest of journalists, human rights activists, and members of the opposition; allow human rights activists and journalists to conduct their legitimate duties of investigating and reporting human rights abuses without hindrance;
  5. Call 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;
  6. Urge authorities to conduct thorough and transparent investigations to bring to justice in fair and credible trials all alleged perpetrators of killings, disappearances, extortion, beatings, arbitrary arrests, threats, harassment, or other types of abuses and to launch an independent investigation into the disappearance of Jean Bigirimana, a journalist who has been missing since 22 July 2016; and journalist Christophe Nkezabahzi, murdered with his wife and two children on 13 October 2015;
  7. Recognises 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, and stressing the need for a more active approach and increased efforts to put an end to the crisis and protect the Burundian population, also in order to avoid further regional escalation; and calls on the African Union to urgently deploy its human rights observers

to Burundi and ensure they have unfettered access across the country to carry out their mandate;

8. Express regret over a deadlock to implementation of the Arusha Agreement and urged the Accords' guarantors to strive for reconciliation; expresses its commitment to the Inter-Burundi Dialogue; calls on the HR/VP to support the East African Community in the facilitation of the Inter-Burundi Dialogue; urges all participants in the Inter-Burundi Dialogue to collaborate constructively and allow for the unobstructed participation of opposition, human rights, and civil society organisations;
9. Urge Burundi to revert to the agenda of regional and international community meetings to agree on a compromise for the implementation of existing decisions at the UN and AU levels namely: Implementation of the resolution 2303; Signing of the Memorandum of Understanding with AU Observers; Resume cooperation with the OHCHR;
10. Regrets that Burundi persisted in its refusal to cooperate with the UN Commission of Inquiry, to consent to the resumption of the activities of the Office of the Observer for the Office of the United Nations High Commissioner for Human Rights;
11. Calls on the UN to launch a prompt, and impartial investigations of all alleged violations of human rights and humanitarian law, appropriately prosecute those responsible; criminals and killers must be brought to justice, no matter what group they belong to and provide adequate redress for victims and survivors of grave human rights violations in Burundi;
12. Urge the EU Member States to provide flexible and direct financial support to civil society and media organizations, including women's organizations, who are still working in the field but also those in exile, in particular those working for the promotion and protection of political, civil, economic, social and media rights;
13. Calls on EU and EU member states diplomats in Burundi to ensure the full implementation of the EU guidelines on human rights defenders, including in particular by attending the trial hearings of all journalists, political prisoners, and human rights defenders in Burundi, in particular the Iwacu journalists, and by visiting human rights defenders, activists and journalists in prison;
14. Calls for the expansion of the EU targeted sanctions and urge the UN Security Council to also impose targeted sanctions, including travel bans and asset freezes, against individuals responsible for ongoing serious human rights violations in Burundi;
15. Calls on the international community to closely follow the situation in Burundi about the 2020 elections;
16. Expresses deep concern about reports of increased pressure on Burundian refugees to return home ahead of the 2020 elections; calls 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;
17. Reiterates that an inclusive political dialogue, under international mediation and in compliance with the Arusha Agreement and the Constitution of Burundi, remains the

only way to ensure lasting peace in Burundi, call therefore on the East African Community as the key Convener of the inter-Burundian dialogue, to take appropriate measures to engage firmly and without delay, the Burundian government in an inclusive dialogue for a peaceful and lasting solution to the current crisis;

18. Instructs its President to forward this resolution to the Council, the Commission, and the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the President of the Republic of Burundi, the Speaker of the Burundian Parliament and the African Union and its institutions.