



---

## TEXTS ADOPTED

---

### **P9\_TA(2020)0011**

#### **Burundi, notably freedom of expression**

##### **European Parliament resolution of 16 January 2020 on Burundi, notably freedom of expression (2020/2502(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on Burundi, notably those of 9 July 2015<sup>1</sup>, 17 December 2015<sup>2</sup>, 19 January 2017<sup>3</sup>, 6 July 2017<sup>4</sup> and 5 July 2018<sup>5</sup>,
- having regard to the Commission decision of 30 October 2019 on the financing of the 2019 annual action programme for the Republic of Burundi,
- having regard to the declaration of 29 November 2019 by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) on behalf of the EU on the alignment of certain third countries concerning restrictive measures in view of the situation in Burundi,
- having regard to the reports of the UN Secretary-General of 23 February 2017, 25 January 2018 and 24 October 2019 on the situation in Burundi,
- having regard to the report of the UN Human Rights Council Commission of Inquiry on Burundi of September 2019,
- having regard to the letter signed by 39 Members of the European Parliament calling for the release of journalists from Burundian news outlet Iwacu, dated 9 December 2019,
- having regard to the declaration of 10 December 2019 by the VP/HR on behalf of the EU on Human Rights Day,
- having regard to UN Security Council resolutions 2248 of 12 November 2015 and 2303 of 29 July 2016 on the situation in Burundi,
- having regard to the report of the Commission of Inquiry on Burundi presented to the UN Human Rights Council on 15 June 2017,

---

<sup>1</sup> OJ C 265, 11.8.2017, p. 137.

<sup>2</sup> OJ C 399, 24.11.2017, p. 190.

<sup>3</sup> OJ C 242, 10.7.2018, p. 10.

<sup>4</sup> OJ C 334, 19.9.2018, p. 146.

<sup>5</sup> Texts adopted, P8\_TA(2018)0305.

- having regard to the press statement by the UN Security Council of 13 March 2017 on the situation in Burundi,
- having regard to the report by 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 adopted at the African Union Summit on 13 June 2015,
- having regard to UN Human Rights Council resolution 36/19 of 29 September 2017 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<sup>1</sup> and Council Decisions (CFSP) 2015/1763 of 1 October 2015<sup>2</sup>, (CFSP) 2016/1745 of 29 September 2016<sup>3</sup> and (CFSP) 2019/1788 of 24 October 2019<sup>4</sup> concerning restrictive measures in view of the situation in Burundi,
- having regard to the declaration of 8 May 2018 by the VP/HR on behalf of the European Union on the situation in Burundi ahead of the constitutional referendum,
- 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 (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 was ratified by Burundi,
- having regard to Council Decision (EU) 2016/394 of 14 March 2016 concerning the conclusion of consultations with the Republic of Burundi under Article 96 of the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States (ACP), of the one part, and the European Community and its Member States, of the other part<sup>5</sup>,
- having regard to the Universal Declaration of Human Rights,
- having regard to the section of the Human Rights Watch World Report 2019 on Burundi,
- having regard to the 2019 World Press Freedom Index produced by Reporters without Borders,

---

<sup>1</sup> OJ L 257, 2.10.2015, p. 1.

<sup>2</sup> OJ L 257, 2.10.2015, p. 37.

<sup>3</sup> OJ L 264, 30.9.2016, p. 29.

<sup>4</sup> OJ L 272, 25.10.2019, p. 147.

<sup>5</sup> OJ L 73, 18.3.2016, p. 90.

- having regard to Rules 144(5) and 132(4) of its Rules of Procedure,
- A. whereas the 2015 presidential elections in Burundi sparked civic unrest, were considered by the United Nations Electoral Observation Mission in Burundi to be marked by a severe impairment of the essential conditions for the effective exercise of the right to vote, and were boycotted by the opposition;
- B. whereas independent radio stations remain closed, dozens of journalists are still unable to return from self-imposed exile, and those who stayed find it hard to work freely, often as a result of harassment by the security forces, which is encouraged by official discourse associating non-aligned media with enemies of the nation;
- C. whereas the situation in Burundi remains worrying, with many reported violations of fundamental civic and political freedoms, while rising prices having a negative impact on economic and sociocultural rights, such as the right to an adequate standard of living, the right to education, the rights to adequate food and freedom from hunger, women’s rights, the right to work and union rights;
- D. whereas the stalemate on reaching a political solution through the Inter-Burundi Dialogue severely threatens the holding of 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, amid shrinking political space and the need to create an environment conducive to peaceful, transparent and credible elections;
- E. whereas the UN Human Rights Council-mandated Commission of Inquiry on Burundi (COIB) , in its report of 4 September 2019, highlighted that a few months ahead of the 2020 presidential and parliamentary elections, fear and intimidation prevailed for those who opposed the ruling CNDD-FDD party, and while tensions have continued to rise as the May 2019 polls approach, local authorities and members of the ruling party’s notorious youth league, the Imbonerakure, continued to perpetrate politically motivated violence and serious human rights abuses; whereas although the COIB has made repeated requests, the Government of Burundi has refused to cooperate with it;
- F. whereas the UN Human Rights Office in Burundi, which worked with the Government of Burundi on peacebuilding, security sector reform and justice sector reform and helped to build institutional and civil society capacity on human rights issues, was closed in March 2019 at the insistence of the Government of Burundi, which had already suspended all forms of cooperation with the Office in October 2016;
- G. whereas the World Bank estimated Burundi’s economic growth to be at 1,8 % in 2019, compared with 1,7 % in 2018; whereas the overall State budget for 2019–2020 shows a deficit of FBU 189,3 billion (14,26 %), compared with a deficit of FBU 163,5 billion for the same period in 2018–2019; whereas according to the UNHCR, 369 517 Burundian refugees were in neighbouring countries as of 30 September 2019; whereas a total of 78 000 refugees have voluntarily returned to Burundi since September 2017; whereas 130 562 Burundians were internally displaced as of 28 February 2019;
- H. whereas Reporters Without Borders ranks Burundi 159th out of 180 in its 2019 World Press Freedom Index; whereas freedom of expression and freedom of speech are vital to ensuring free and informed elections; whereas free, independent and non-partial

journalism represents an extension of the fundamental human right to freedom of speech; whereas state-controlled traditional media such as radio and newspapers remain dominant sources of information; whereas strengthening media literacy and access to the internet and social media are necessary to enable access to information and strengthen social and political stability and dialogue, and therefore ensure free, informed and just elections;

- I. whereas Burundi is one of the world's poorest countries, with 74,7 % of its population living in poverty, and is ranked 185th out of 189 on the Human Development Index; whereas more than 50 % of the Burundian population suffers from chronic food insecurity, almost half of the population is under the age of 15 and, in 2019 alone, over eight million people contracted malaria, of whom 3 000 died from the disease; whereas poverty, poor social services, high youth unemployment and a lack of opportunities continue to spark violence in the country;
- J. whereas on 27 September 2018, Burundi's National Security Council announced a three-month suspension of international non-governmental organisations (NGOs), thereby seriously hampering the operations of around 130 international NGOs, some of which were providing life-saving assistance;
- K. whereas on 18 July 2019, the Government adopted two decrees creating an inter-ministerial monitoring and evaluation committee on international NGOs operating in Burundi;
- L. 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; whereas the COIB is currently the only independent international mechanism investigating human rights violations and abuses committed in Burundi;
- M. whereas the Burundian authorities have continued to reject the COIB's work wholly and systematically, and have refused to give it access to the country, deeming it politically biased, but have offered no evidence to substantiate their accusations;
- N. whereas in October 2017, Burundi withdrew from the Rome Statute establishing the International Criminal Court; whereas despite calls from the international community to launch a procedure to accede once again to the Rome Statute, no action has been taken by the Burundian Government;
- O. 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 31 December 2019; whereas in August 2019, the UNHCR reported that conditions in Burundi were not conducive to promoting returns as returnees were among the main targets of human rights abuses;
- P. whereas on 30 December 2019 Burundi's public prosecutor asked for a 15-year sentence for four journalists from the Iwacu Press Group, Christine Kamikazi, Agnès Ndirubusa, Térance Mpozenzi, Egide Harerimana, and their driver Adolphe Masabarakiza, who were arrested on 22 October 2019 in Musigati Commune, Bubanza Province, while they were covering clashes between rebels and government forces in north-western Burundi, and charged with complicity in undermining state internal

security;

- Q. whereas Iwacu reporter Jean Bigirimana has been missing since 22 July 2016 and 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;
- R. whereas on 13 October 2015, journalist Christophe Nkezabahizi and his wife and two children were murdered in their house in Bujumbura; whereas no real effort was made by the authorities to investigate this violent crime and bring the perpetrators to justice;
- S. whereas Article 31 of Burundi's Constitution guarantees freedom of expression, including press freedom; whereas Burundi is also a party to the African Charter on Human and Peoples' Rights, which guarantees the right of every Burundian to receive and disseminate information; whereas the Burundian Government has a responsibility to promote and protect the rights of freedom of expression and association as enshrined in the International Covenant on Civil and Political Rights (ICCPR), to which Burundi is a State Party;
- T. whereas space for civil society and the media has become much more limited in recent years, and many civil society activists and independent journalists remain in exile; whereas many of those who have remained in Burundi face intimidation, detention or trials on trumped-up charges;
- U. whereas the Government and members of the ruling party's youth wing, the Imbonerakure, orchestrated a national campaign to collect 'voluntary' contributions from the population to help fund the 2020 elections; whereas the Human Rights Watch report of 6 December 2019 found that, to that end, members of the Imbonerakure and local government officials often used violence and intimidation, restricted movement and access to public services, and beat those who failed to comply;
- V. 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 2018, 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;
- W. whereas the BBC and Voice of America (VOA) have been barred from broadcasting in Burundi since May 2019 when their licenses were suspended, originally for six months, as reported by the Committee to Protect Journalists at the time; whereas on 29 March 2019, Burundi's media regulator, the National Communication Council (CNC), announced that it had withdrawn the BBC's operating licence 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;
- X. whereas on 24 October 2019, the Council renewed the EU restrictive measures in place against Burundi until 24 October 2020;
- Y. whereas these measures consist of a travel ban and asset freeze against four people whose activities were deemed to be undermining democracy or obstructing the search

for a political solution to the crisis in Burundi;

- Z. 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 have 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;
1. Strongly condemns the current restrictions on freedom of expression in Burundi, including the broader sets of limitations to public freedoms, as well as the large-scale violations of human rights, 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;
  2. Remains 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;
  3. Deeply condemns the continued deterioration of the human rights situation in the country, in particular for real and suspected supporters of the opposition, including for Burundians who return from abroad; recalls that Burundi is bound by the human rights clause of the Cotonou Agreement; urges the Burundian authorities to immediately reverse this abusive trend and to uphold the country's human rights obligations, including those enshrined in the African Charter on Human and Peoples' Rights, the ICCPR and other international mechanisms that the Government has ratified;
  4. Reminds the Government of Burundi that the conditions for holding inclusive, credible, peaceful and transparent elections imply the right to freedom of expression, access to information, freedom of the press, freedom of the media and the existence of a free area in which human rights defenders can speak out without intimidation or fear of reprisals; urges the Burundian authorities, therefore, to lift measures that limit or obstruct the work of civil society and that limit access to and the freedom of independent traditional and modern media;
  5. Call on the Burundian authorities to drop the charges against and immediately and unconditionally release the recently jailed Iwacu journalists and all others arrested for exercising their fundamental rights;
  6. Stresses the vital role played by civil society and journalists in a democratic society, particularly in the context of the approaching elections, and calls on the Burundian authorities to stop the intimidation, harassment and arbitrary arrest of journalists, human rights activists and members of the opposition; further calls on the authorities to allow human rights activists and journalists to conduct their legitimate duties of investigating and reporting human rights abuses without hindrance;
  7. Notes with great concern the growing number of internally displaced persons from Burundi and neighbouring countries; calls for the EU to step up funding and other humanitarian efforts for Burundians who are internally displaced or who are refugees;
  8. Call on the Burundian authorities to put an end to the extortion of citizens and ensure that no individual is prevented from accessing public goods and services, such as

health care, food, water and education, and to allow humanitarian actors to operate independently and deliver assistance based on the duty to meet the most urgent needs;

9. Underlines that considerable improvements to the political and human rights situation, in particular regarding fundamental freedoms such as freedom of expression, freedom of the press, and freedom of association and assembly, and progress on reconciliation are necessary to enable credible elections; calls on the Government of Burundi to ensure that violations of these rights are investigated impartially and the perpetrators prosecuted in trials that meet international standards;
10. Urges 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; expresses great concern about the continued impunity of perpetrators of human rights violations committed by the Imbonerakure; urges the Burundian authorities to launch an independent investigation into the disappearance of journalists Jean Bigirimana, missing since 22 July 2016, and Christophe Nkezabahzi, murdered along with his wife and two children on 13 October 2015;
11. Recognises the key role of the region, namely the EAC and the African Union (AU), in providing a sustainable solution to the political crisis in Burundi, and stresses the need for a more active approach and increased efforts to put an end to the crisis and protect the Burundian population, so as to avoid further regional escalation; calls on the AU to urgently deploy its human rights observers to Burundi and ensure that they have unfettered access across the country in order to carry out their mandate;
12. Expresses regret over the deadlock in the implementation of the Arusha Agreement and urges the guarantors of the agreement to strive for reconciliation; expresses its commitment to the Inter-Burundi Dialogue; calls on the VP/HR to support the EAC 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 the opposition, human rights defenders and civil society organisations;
13. Urges 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;
14. Regrets that Burundi persisted in its refusal to cooperate with the UN Commission of Inquiry and to consent to the resumption of the activities of the local office of the Office of the UN High Commissioner for Human Rights;
15. Calls on the UN to continue the impartial investigations of all alleged violations of human rights and humanitarian law, including those committed by state agents and the Imbonerakure youth league, and to prosecute those responsible appropriately; stresses that criminals and killers must be brought to justice, no matter what group they belong to, and that adequate redress must be provided to victims and survivors of grave human rights violations in Burundi;
16. Urges the EU Member States to provide flexible and direct financial support to civil society and media organisations, including women's organisations, that are still working in the field, but also to those in exile, in particular those working for the promotion and

protection of political, civil, economic, social and media rights;

17. Calls for the EU and EU Member State 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;
18. Calls for the expansion of the EU's targeted sanctions and urges the UN Security Council to impose its own targeted sanctions, including travel bans and asset freezes, against individuals responsible for ongoing serious human rights violations in Burundi; calls on the VP/HR to urgently prepare an expanded list of names of those 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;
19. Deeply regrets that no action has been taken by Burundi to accede once again to the Rome Statute; urges the Burundian Government to start such a procedure immediately; calls for the EU to support all efforts made by the International Criminal Court to investigate the crimes committed in Burundi and to bring the perpetrators to justice;
20. Regrets the continued underfunding of the Burundian refugee crisis, which is severely impacting on the safety and well-being of refugees; calls on the international community and humanitarian agencies to increase their assistance to all those who are currently refugees or displaced by the conflict; urges the EU and its Member States, as recommended by the UN Commission of Inquiry on Burundi, to grant refugee status to asylum-seekers from Burundi and to closely follow the situation in Burundi with regard to the 2020 elections;
21. 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; recalls that the UNHCR considers that conditions for safe, dignified and voluntary returns have not been met;
22. Calls on the Government of Burundi to allow political opponents in exile to return and campaign freely without intimidation, arrest or violence, and to allow external monitors to observe preparations for the polls, as well as the voting and counting procedures;
23. 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; calls on the EAC, therefore, as the key convener of the Inter-Burundian Dialogue, to take appropriate measures to engage the Burundian Government firmly and without delay in an inclusive dialogue for a peaceful and lasting solution to the current crisis;
24. Instructs its President to forward this resolution to the Council, the Commission, 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, the ACP-EU Joint Parliamentary Assembly, and the African Union and its institutions.