



To Permanent Representatives of Member and Observer States of the UN Human Rights Council

Geneva, 2 September 2015,

Re: Addressing the deteriorating human rights situation in Burundi

Your Excellency,

We urge your delegation to address the human rights situation in Burundi at the 30th session of the Human Rights Council (14 September-2 October 2015) in order to prevent further serious human rights violations. In the context of a mounting political crisis, urgent measures are required to closely monitor developments on the ground, enhance protection of human rights defenders, journalists, opposition party members and supporters, and step up public reporting of human rights violations committed in the country. The Council should adopt a resolution aimed at preventing further serious human rights violations by, *inter alia*:

- **Strongly condemning political violence and human rights violations and abuses¹ committed in Burundi, as well as the ongoing impunity enjoyed by perpetrators, and urging the Burundian authorities to address these violations as a matter of critical priority, including by conducting impartial and independent investigations with a view to bringing those responsible to justice;**
- **Urging the Burundian Government to allow private radio stations, which have been suspended for several months, to resume their broadcasts;**
- **Requesting the UN High Commissioner for Human Rights to publicly report, on a regular basis, on the human rights situation in Burundi, and to present a written report at the thirty-first session of the Human Rights Council, followed by an interactive dialogue, as well as a written report at the Council's thirty-third session, followed by an interactive dialogue; and**
- **Standing ready to convene an urgent debate on the human rights situation in Burundi and to consider taking further steps as appropriate, including the establishment of a UN Special Rapporteur mandate with full monitoring and reporting powers or requesting Human Rights Council special procedures to prepare a joint report on the human rights situation in the country.**

In June 2015, at the Council's 29th regular session, a cross-regional group of 47 States signed a joint oral statement in which they expressed concerns about human rights violations in Burundi, including excessive use of force by security forces against demonstrators and restrictions on the rights to freedom of expression, peaceful assembly and association, deplored a general climate of intimidation for opposition parties, journalists and civil society, and urged the authorities to conduct impartial and independent investigations into human rights violations and abuses in order to bring those responsible to justice. They also emphasized the need for the Human Rights Council to closely monitor the situation in Burundi and play a supportive role in preventing a worsening of the situation and contributing to a lasting political solution to the situation.

¹ We refer to the letter sent by FIDH to Permanent Representatives of Member and Observer States of the UN Human Rights Council prior to its 29th regular session: www.fidh.org/International-Federation-for-Human-Rights/Africa/burundi/open-letter-to-member-and-observer-states-on-addressing-the-human

Unfortunately, since June, the human rights situation in Burundi has continued to deteriorate. To mention but a few developments,² a day after the murder of former head of the intelligence services and close ally of President Pierre Nkurunziza General Adolphe Nshimirimana, on 2 August, one of Burundi's most prominent human rights defenders, Mr. Pierre-Claver Mbonimpa, was shot in the face and neck. He survived the attack but was seriously injured and had to be evacuated for medical treatment. On 2 August, AFP and RFI correspondent Mr. Esdras Ndikumana was arrested while he was taking pictures of the location of Mr. Nshimirimana's killing, and severely beaten by intelligence agents. President Nkurunziza only condemned the attack 11 days later, on 13 August. In his 20 August investiture speech, he addressed a warning to civil society organisations to refrain from interfering in political affairs or to commit any act or pronounce any speech that may cause divisions and incite killings, "such as those observed during the demonstrations." President Nkurunziza further committed to review the legislation governing the activities of non-governmental organizations to ensure that "the mess observed in the past is not repeated." A few days later, he announced the creation of a commission to regulate the funding of NGOs. These announcements threaten to further compromise freedom of association in a context where most human rights defenders have been forced to flee the country or go into hiding to preserve their security. At the time of writing, tensions remain high, as many opposition actors still do not recognize the legitimacy of Nkurunziza's election for a third term.

The situation could trigger further serious human rights violations, which already include widespread excessive use of force, intimidation, arbitrary arrests, torture and other forms of ill-treatment of demonstrators, suspected government opponents and other detainees.³ In the last few days, there has been an increase in targeted killings, with members of the ruling party, as well as opposition groups, among the victims – indicating a pattern of reprisal attacks.

The situation in Burundi requires the urgent attention of the Human Rights Council. The Council should fulfill its mandate to address situations of violations of human rights and to respond promptly to human rights emergencies by articulating a meaningful response to prevent further deterioration of the human rights situation and contributing to UN and regional efforts to resolve the protracted crisis in the country. It should request the High Commissioner to publicly report, on a regular basis, on the human rights situation in the country and to present a written report at the Council's thirty-first (March 2016) and thirty-third (September 2016) sessions, followed by interactive dialogues. The Council should stand ready to convene an urgent debate on the human rights situation in Burundi and to consider taking further steps as appropriate.

Sincerely,

International Federation for Human Rights (FIDH)
CIVICUS: World Alliance for Citizen Participation
East and Horn of Africa Human Rights Defenders Project (EHAHRDP)
Human Rights Watch

² For more detail, see www.fidh.org/La-Federation-internationale-des-ligues-des-droits-de-l-homme/afrique/burundi (in French); www.amnesty.org/en/countries/africa/burundi, www.hrw.org/africa/burundi (in English).

³ See Human Rights Watch press release "Burundi: Spate of arbitrary arrests, torture", www.hrw.org/news/2015/08/06/burundi-spate-arbitrary-arrests-torture Human rights defenders, journalists and ordinary citizens continue to flee the country as the authorities increase attacks on anyone who is perceived to be critical of the government (see civicus.org/index.php/en/media-centre-129/news-and-resources-127/2296-burundi-is-not-an-isolated-island-and-the-people-of-burundi-have-the-right-to-be-protected-against-dictatorship-and-oppressive-regime) As of 14 August 2015, there were 118 documented cases of human rights defenders and journalists who have been forced to flee the country, as documented by EHAHRDP and its partners (www.defenddefenders.org).