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PEACE AND SECURITY COUNCIL 551ST MEETING

ADDIS ABABA, ETHIOPIA 17 OCTOBER 2015

PSC/PR/COMM.(DLI)

COMMUNIQUE

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The Peace and Security Council of the African Union (AU), at its 551st meeting held on 17 October 2015, adopted the following decision on the situation in Burundi:

Council,

1. **Takes note** of the briefing provided by the Commissioner for Peace and Security on the evolution of the situation in Burundi, as well as of the additional information provided by the AU human rights observers and military experts in Burundi. Council **also takes note** of the statement made by the representative of Burundi;

2. **Recalls** its earlier pronouncements on the situation in Burundi, including communique PSC/PR/COMM.2(DXV) adopted at its 515th meeting held on 13 June 2015, communique PSC/PR/COMM. (DXXIII) adopted at its 523rd meeting held on 9 July 2015, and press statement PSC/BR/PR.(DXXXI) adopted at its 531st meeting held on 6 August 2015, as well as the various press releases issued by the Chairperson of the Commission on the situation in Burundi, reaffirming, in particular, the AU's commitment to the scrupulous observance of the Arusha Peace and Reconciliation Agreement of August 2000, expressing the AU's concern about the crisis that arose as a result of the differences among the Burundian stakeholders on the 2015 general elections, including President Pierre Nkurunziza's candidacy to a third mandate, calling on the Burundian stakeholders to initiate an inclusive dialogue to find a consensual solution to the issues that divide them, agree on a consensual date for the holding of the elections and create conducive conditions for the holding of free, fair, transparent and credible elections, and expressing the AU's full support to the mediation efforts of the East African Community (EAC);

3. **Further recalls** the principles enshrined in the Protocol Relating to the Establishment of the Peace and Security Council of the AU, as provided for in Article 4 of the said Protocol, including early response to contain crisis situations so as to prevent them from developing into full-blown conflicts, respect for the rule of law, fundamental human rights and freedoms, the sanctity of human life and of international humanitarian law, as well as the powers which are conferred to Council under Article 7 of the Protocol, particularly in the area of prevention. Council **reaffirms the determination** of the AU to combat impunity, in accordance with the relevant provisions of the AU Constitutive Act;

4. **Reiterates the AU's deep concern** about the continuing political impasse in Burundi, marked by a lack of dialogue among the different actors involved on the serious problems facing their country due to the non-inclusive and non-consensual nature of the June and July 2015 general elections, which were organized in spite of the request for their postponement made by the EAC and supported by the AU and the rest of the international community, and that the AU decided not to observe due to the absence of the necessary conditions for the holding of free, fair, transparent and credible elections, in accordance with the relevant provisions of the African Charter on Democracy, Elections and Governance;

5. **Also notes with deep concern** the growing insecurity and the continued rise in violence in Burundi, as well as the increased cases of human rights abuses, including assassinations, extra-judicial killings, violations of physical integrity of individuals, acts of torture and other cruel, inhuman and/or degrading treatment, arbitrary arrests and illegal detentions, violations of the freedom of press and

expression, as well as the prevalence of impunity, and the continued worsening of the humanitarian situation, marked by an increase in the number of Burundians seeking refuge in the neighboring countries;

6. **Strongly condemns** all violations of human rights and acts of violence committed in Burundi both by the security forces and by militias and other illegal armed groups, and **expresses its determination** to ensure that the perpetrators of these abuses are held accountable for their acts, including before relevant international jurisdictions;

7. **Expresses** the total rejection by the AU of the recourse to armed rebellion to resolve the current crisis and, once again, **urgently appeals** to the Burundian stakeholders to engage in dialogue and to spare their country and its people further suffering;

8. **Welcomes** the deployment by the Commission, in pursuance of the relevant provisions of communique PSC/PR/COMM.2(DXV), of human rights observers and a team of military experts to monitor the human rights situation on the ground and report violations of human rights and international humanitarian law, and to verify, in collaboration with the Government of Burundi and other concerned actors, the process of disarming the militias and other armed groups, respectively. Council **commends** the human rights observers and the military experts for their dedication in the execution of their respective mandates, **appeals for** the mobilization of additional resources in support of their activities, **reiterates its call** to the Burundian Government and other concerned stakeholders to provide full cooperation to the human rights observers and the military experts to facilitate the effective implementation of their mandate, and **stresses** the need for the urgent finalization of the discussions between the Government of Burundi and the Commission on the Memorandum of Understanding that shall govern the deployment and operations of these personnel in Burundi;

9. **Stresses** that the situation prevailing in Burundi has the potential to seriously undermine the significant gains recorded thanks to the Arusha Agreement, with devastating consequences for Burundi and the region as a whole. In this context, Council **reaffirms its determination** to fully assume its responsibilities as outlined in the Protocol Relating to the Establishment of the Peace and Security Council and in other relevant AU instruments, in cooperation with the EAC, the International Conference on the Great Lakes Region (ICGLR) and other relevant international stakeholders. Council **also underlines** the responsibility of the United Nations Security Council in ensuring that the situation does not deteriorate further, and **expresses its appreciation** to the United Nations Secretary-General and other relevant partners, including the European Union (EU) and bilateral partners, for their actions and support to the African-led efforts;

10. **Reiterates** the AU's conviction that only a genuine and inclusive dialogue, based on the respect of the Arusha Agreement, would enable the Burundian stakeholders to find a consensual solution to the crisis facing their country, preserve peace and consolidate democracy and the rule of law;

11. **Renews** the AU's full support to the mediation efforts led by President Yoweri Museveni of Uganda on behalf of the EAC, **underlines** the importance of the urgent resumption of the mediation process, and **urges** the Burundian Government and the other concerned stakeholders to extend full cooperation to the Mediator. In this regard, Council, noting the efforts deployed by the Chairperson of the Commission and by her Special Representative for the Great Lakes Region, **requests** the Chairperson

of the Commission to initiate the necessary consultations with the EAC Mediator, with a view to speedily convening, in Kampala or in Addis Ababa, at the AU Headquarters, an inter-Burundian dialogue involving all concerned stakeholders, both those who are in Burundi and those outside of the country, in order to find a consensual solution to the current crisis. Council **requests** the Chairperson of the Commission to consult with the relevant international actors, including the United Nations, with a view to mobilizing the necessary political, financial and technical support for the successful holding of the envisaged inter-Burundian dialogue and to report on the evolution of her efforts;

12. **Decides**, in support of the efforts to find an early and consensual solution to the crisis facing Burundi, to impose targeted sanctions, including travel ban and asset freeze, against all the Burundian stakeholders whose actions and statements contribute to the perpetuation of violence and impede the search for a solution, in accordance with paragraph 12 of communique PSC/PR/COMM.2 (DXV). In this regard, Council **requests** the Commission to urgently compile a list of Burundian individuals and entities to be targeted by these sanctions. Council **further**:

- (i) **requests** the Commission to take the necessary measures to ensure that the members of the defense and security forces involved in human rights violations and other acts of violence do not take part in AU-led peace support operations. In addition, Council **requests** the Chairperson of the Commission to initiate consultations with the United Nations for the adoption of similar measures;
- (ii) **decides** to increase the number of human rights observers and military experts deployed by the AU in Burundi. Council **requests** the Chairperson of the Commission to take the necessary steps to bring rapidly to a total of one hundred (100) the number of personnel deployed, including a police component, and to initiate the required consultations with the Government of Burundi. Council **demand**s that the Burundian parties fully cooperate with the human rights observers and the military experts, in order to facilitate the effective implementation of their respective mandates;
- (iii) **requests** the Chairperson of the Commission to submit to Council monthly reports on the human rights situation and acts of violence in Burundi, on the basis of the reports of the human rights observers and the military experts;
- (iv) **agrees** on the launching of an in-depth investigation on the violations of human rights and other abuses against civilian populations in Burundi, for the purposes of enabling Council to take additional measures. In this regard. Council **requests** the African Commission on Human and Peoples' Rights to urgently take the required steps to carry out this investigation and to submit to it a report within a maximum period of forty-five (45) days, from the adoption of the present communique; and
- (v) **requests** the Commission, in consultation with the EAC and the East Africa Standby Force (EASF), to expedite and finalize the contingency planning requested in communique PSC/PR/COMM.(DVII) adopted by Council at its 507th meeting held on 14 May 2015, for the purposes of the deployment in Burundi, should the situation so require, of an African-led Mission to prevent widespread violence in the country. Council **requests** the Commission to update it on the evolution of its efforts within a

maximum period of one month;

13. **Reiterates its call** for the mobilization of the necessary assistance in support of Burundian refugees in neighboring countries, and **requests** the Chairperson of the Commission to take the necessary initiatives to this effect. Council, **once again, expresses its appreciation** to the neighboring and other African countries which have received Burundian refugees, including Tanzania, Rwanda, the Democratic Republic of the Congo and Uganda;

14. **Requests** the Chairperson of the Commission to transmit the present communique to the United Nations Secretary-General and, through him, to the United Nations Security Council, and **looks forward** to the United Nations, including the Security Council and its members, fully supporting the measures provided for in the present communique, which constitute the response that Africa deems appropriate for the prevailing situation in Burundi, on the basis of a thorough analysis of the said situation and full awareness of the serious threat that it poses to Burundi and the region as a whole, as well as on the basis of the relevant AU instruments. Council **further requests** the Chairperson of the Commission to transmit the present communique to the other AU bilateral and multilateral partners;

15. **Decides** to remain actively seized of the matter.