

ACHPR/Res.309 (EXT.OS/XVIII) 2015: Resolution on the Human Rights Situation in Burundi

The African Commission on Human and Peoples' Rights (the Commission), meeting at its 18th Extraordinary Session held from 29 July to 7 August 2015 in Nairobi, Republic of Kenya;

Recalling its mandate to promote and protect human and peoples' rights in Africa under the African Charter on Human and Peoples' Rights (the African Charter);

Recalling the provisions of Article 13 (1) of the African Charter which stipulates that "every citizen shall have the right to participate freely in the government of his country, either directly or through freely chosen representatives in accordance with the provisions of the law";

Reaffirming its Resolution ACHPR/Res.293 (EXT.OS/XVII) 2015 on elections in Africa which calls on States Parties to protect the fundamental rights of all citizens, including the rights to freedom of movement, assembly, association and expression as well as equal access to the media for all stakeholders;

Bearing in mind its Statement of 3 May 2015 adopted at its 56th Ordinary Session held from 21 April to 7 May 2015 in Banjul, The Gambia, on the human rights situation in Burundi calling on the Government of Burundi to take all necessary measures to ensure a credible electoral process, in accordance with international and regional standards, and collaborate with all stakeholders for the realization of human rights in the country;

Bearing in mind the Communiqué of the Peace and Security Council, PSC/PR/COMM(DVII), of 13 June 2015 on the situation in Burundi and the Statement of the Heads of State of the East African Community of 6 July 2015;

Concerned about the deteriorating political and security situation during and after the elections, which resulted in the loss of human lives, destruction of property, police brutality against citizens and the forced displacement of populations within the country and to neighbouring countries;

Further concerned about restrictions on press freedom, and freedom of expression, association and assembly of opposition political parties and of representatives of the media and civil society organizations;

Mindful of the need to restore the rule of law and allow for the protection and full enjoyment of the rights guaranteed under the African Charter and other relevant instruments;

Conscious of the on-going efforts of the Government to restore public order in the country;

Welcoming the efforts of the Economic Community of East African States towards resolving the situation, including the appointment of a Mediator;

Taking note of the determination of the African Union and the international community to work towards restoring the rule of law, including the deployment of military experts and human rights observers;

The Commission:

1. **Strongly condemns** the various acts of human rights violations perpetrated, including violations of the right to life, acts of torture and all use of force against peaceful protesters;
2. *Invites* the Government to urgently investigate human rights violations perpetrated during this period of crisis and to prosecute the alleged perpetrators;
3. *Calls on* the Government to make every effort to restore security and the rule of law in order to enable the exercise of the fundamental rights and freedoms of populations;
4. *Further calls on* the Government of Burundi to continue dialogue with all stakeholders involved in the current crisis for a negotiated and lasting solution;
5. *Invites* the African Union and the international community to continue their efforts in support of the Government of Burundi to restore order and security throughout the country.

Adopted on 7 August 2015 at the 18th Extraordinary Session held in Nairobi, Republic of Kenya