

AFRICAN UNION

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AFRICAN UNION

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PEACE AND SECURITY COUNCIL 557TH MEETING

ADDIS ABABA, ETHIOPIA 13 NOVEMBER 2015

PSC/PR/COMM. (DLVII)

COMMUNIQUE

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The Peace and Security Council of the African Union (AU), at its 557th meeting held on 13 November 2015, adopted the following decision on the situation in Burundi:

Council,

1. **Takes note** of the briefing made by the AU Commissioner for Peace and Security on the evolution of the situation in Burundi. Council **also takes note** of the statements made by the representative of Burundi, as well as by those of the East African Community (EAC), the International Conference on the Great Lakes Region (ICGLR), the European Union (EU), the United Nations (UN) and of the following members of the UN Security Council: China, France, New Zealand, Nigeria, the United Kingdom and the United States of America;
2. **Reaffirms** its previous pronouncements on the situation in Burundi, including communique PSC/PR/COMM. (DLI) adopted at its 551th meeting held on 17 October 2015, as well as the AU's commitment to the scrupulous observance of the letter and spirit of the August 2000 Arusha Agreement for Peace and Reconciliation in Burundi, which is the cornerstone of peace, security and stability in Burundi;
3. **Notes with satisfaction** the growing involvement of the international community towards the search for a peaceful solution to the crisis facing Burundi and the support extended to the African-led efforts, including those being undertaken by H.E. President Yoweri Kaguta Museveni of Uganda, the Mediator appointed by the EAC to facilitate dialogue among the Burundian stakeholders. In this regard, Council **expresses satisfaction at** the adoption by the UN Security Council, on 12 November 2015, of resolution 2248 (2015) in which that organ welcomed communique PSC/PR/COMM.(DLI) and the proposed next steps adopted on that occasion, looking forward to their full implementation, and noted the decision of the AU to impose targeted sanctions, including travel bans and asset freezes, against all the Burundian stakeholders whose actions and statements contribute to the perpetuation of violence and impede the search for a solution. Council **also welcomes** the joint statement issued, on 12 November 2015, by the Chairperson of the Commission, Nkosazana Dlamini-Zuma, the UN Deputy Secretary-General, Jan Eliasson, and the EU High Representative for Foreign Affairs and Security Policy, Federica Mogherini;
4. **Reiterates the AU's deep concern** at the continuing political impasse in Burundi, as well as at the prevailing insecurity and violence in that country and the resulting humanitarian consequences. Council **reaffirms the strong condemnation by the AU** of all acts of violence, committed by whomsoever, as well as of human rights abuses, including killings, extra-judicial executions, violations of the physical integrity of persons, acts of torture and other cruel, inhuman and/or degrading treatment, arbitrary arrests and illegal detentions, violations of the freedom of the press and freedom of expression and the prevalence of impunity. Council **also strongly condemns** the inflammatory statements made by Burundian political leaders, which have the potential of aggravating the current tension and creating conditions conducive to violence of untold consequences for Burundi and the region;
5. **Reiterates the AU's determination** to ensure that the perpetrators of acts of violence and abuses and all those who aggravate the situation by making inflammatory statements, regardless of their affiliations, are held accountable for their acts;
6. **Reaffirms the AU's conviction** that only a genuine and truly all-inclusive dialogue, based on the respect of the Arusha Agreement, can enable the Burundian stakeholders to overcome the serious difficulties facing their country, as well as to strengthen social cohesion, democracy and the rule of law, and **rejects** any recourse to force in pursuit of political objectives. In this regard, Council **stresses the centrality** of the regional dialogue

facilitated by the EAC Mediator, and to be convened outside Burundi, in a location to be determined by the Mediation, in order to enable all Burundian stakeholders, both those within and outside Burundi, to participate in the said dialogue in the required security conditions;

7. **Notes with satisfaction** the efforts being made by the Mediation, including the recent visits undertaken to Bujumbura, Burundi, by the Minister of Defence of Uganda, Honorable Crispus Kiyonga, in his capacity as emissary of the EAC Mediator, President Yoweri Kaguta Museveni, in order to accelerate the resumption of the dialogue. Council **urges** the concerned international organizations and other relevant international actors to extend full support to the Mediation, as required. In this regard, Council **requests** the Chairperson of the Commission to urgently liaise with the Ugandan authorities to determine how best the AU can assist the mediation efforts;

8. **Demands** that the Government of Burundi and all other concerned stakeholders extend full cooperation to the Mediation and **recalls** that all those who hinder, in one way or the other, the holding of the inter-Burundian dialogue and, more generally, the efforts to put an end to the violence and to find a peaceful solution to the crisis will be targeted by the sanctions agreed upon by Council in paragraph 12 of communique PSC/PR/COMM.(DLI). In this regard, Council **reaffirms** its decision, in support of the peace efforts, to impose sanctions against the Burundian stakeholders whose actions and statements contribute to the persistence of violence and impede the search for a solution. Council **welcomes** the intention expressed by the UN Security Council to consider additional measures against all the Burundian stakeholders whose actions and statements contribute to the perpetuation of violence and impede the search for a solution ;

9. **Welcomes** the steps taken by the Commission as a follow-up to the relevant provisions of communique PSC/PR/COMM.(DLI), including:

- (i) the ongoing compilation by the Commission, for Council's attention, of a list of individuals and entities to be targeted by the sanctions decided by Council. Council **requests** the Commission to continue this work and to regularly update the list, which should include individuals who are impeding the negotiation process, committing acts of violence and violations of human rights and making inflammatory statements. Council shall, whenever it deems it appropriate, **authorize** the Chairperson of the Commission to communicate to Member States and international partners, for implementation and cooperation, the names of individuals and entities to be sanctioned;
- (ii) the generation of additional civilian, military and police personnel to reach the newly authorized strength of 100 human rights observers and military experts to be deployed in Burundi, under the authority of the Special Representative of the Chairperson of the Commission for the Great Lakes Region and Head of the AU Liaison Office in Burundi. Council **requests** the Commission to do everything possible to ensure that all these personnel are deployed in Burundi by 15 December 2015. Council, recalling the commitment of Member States, as provided for in article 7 (3) of the Protocol Relating to the Establishment of the Peace and Security Council, to accept and implement the decisions of Council, **requests** the Government of Burundi to promptly extend its full cooperation to the Commission, in order to facilitate the planned deployment. Council **also reiterates** the need for the urgent finalization of the discussions on the Memorandum of Understanding (MoU) that will govern the activities of the AU human rights observers and military experts in Burundi, on the understanding that the MoU must respect the following principles: conduct, by the human rights observers and the military experts, of their respective mandates in an independent, neutral and impartial fashion; free movement throughout the territory of Burundi; and respect of the privileges and

immunities necessary for the effective discharge of their mandates, as provided for in the relevant AU and international instruments. Council **requests** the Commission to develop a model agreement for the deployment of military and civilian personnel, for Council's expeditious consideration and approval, and should no agreement be reached with Burundi on the draft MoU within 15 days of the adoption of the present communique, **decides** that the model agreement shall apply provisionally; and

- (iii) the request sent to the African Commission on Human and Peoples' Rights regarding the launching of a thorough investigation on the violations of human rights and other abuses against the civilian populations in Burundi, in order to enable Council to take additional measures. In this regard, Council **requests** the Commission, on the basis of the AU Constitutive Act and the Protocol Relating to the Establishment of the Peace and Security Council, as well as relevant AU's experience, to identify the additional measures that could be taken on the basis of the report expected to be submitted by the African Commission on Human and Peoples' Rights;

10. **Looks forward** to the submission by the Commission, on the basis of the reports of human rights observers and the military experts, of the first monthly report on the situation of human rights and acts of violence in Burundi, as requested in paragraph 12 (iii) of communique PSC/PR/COMM.(DLI);

11. **Takes note** of the steps being taken by the Commission to expedite and finalize the contingency planning requested by Council in communique PSC/PR/COMM. (DVII), adopted at its 507th meeting held on 14 May 2015, as reiterated in communique PSC/PR/COMM. (DLI). Council, noting the affirmation by the UN Security Council, in resolution 2248 (2015), of the importance of contingency planning by the UN and the AU, to enable the international community to respond to any further deterioration of the situation, **requests** the Commission to coordinate its efforts with those of the UN;

12. **Reiterates its call** for the mobilization of the necessary assistance in favor of the Burundian refugees in the neighboring countries, and, once again, **urges** the Chairperson of the Commission to take the necessary initiatives to this effect. Council **renews its appreciation** to the neighboring countries and other African countries hosting refugees from Burundi, including Tanzania, Rwanda, the Democratic Republic of the Congo and Uganda;

13. **Requests** the Chairperson of the Commission to forward the present communique to all AU Member States, as well as to the UN Secretary-General and, through him, to the UN Security Council, and **urges** the UN Security Council and its members to fully support the African-led efforts and all the measures provided for in this communique. Council **also requests** the Chairperson of the Commission to forward the present communique to the other AU bilateral and multilateral partners and to seek their full support towards the effective implementation of the decisions contained therein;

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