



Human Rights Council**Fifty-fourth session**

11 September–13 October 2023

Agenda item 4

Human rights situations that require the Council's attention**Resolution adopted by the Human Rights Council
on 12 October 2023****54/20. Situation of human rights in Burundi**

The Human Rights Council,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and other relevant international human rights instruments,

Recalling Human Rights Council resolutions 30/27 of 2 October 2015, S-24/1 of 17 December 2015, 33/24 of 30 September 2016, 36/2 of 28 September 2017, 36/19 of 29 September 2017, 39/14 of 28 September 2018, 42/26 of 27 September 2019, 45/19 of 6 October 2020, 48/16 of 8 October 2021 and 51/28 of 7 October 2022, as well as all relevant resolutions of the General Assembly and the Security Council,

Recalling also the Arusha Peace and Reconciliation Agreement for Burundi, which is rooted in the principles of human rights and transitional justice and provides the foundation for lasting peace, justice, national reconciliation, security and stability in Burundi,

Reaffirming full respect for the sovereignty, political independence, territorial integrity and national unity of Burundi,

Reaffirming also that States have the obligation to respect, protect and fulfil all human rights and fundamental freedoms,

Stressing the primary responsibility of the Government of Burundi for ensuring security in its territory and protecting its population in compliance with international human rights law and international humanitarian law, as applicable,

Considering that the international community and the United Nations system, including the Human Rights Council and its mechanisms, can play a critical role in strengthening the protection of human rights, preventing human rights violations and abuses and mitigating the risks of escalation of conflicts and deterioration in humanitarian situations,

Welcoming the report of the Special Rapporteur on the situation of human rights in Burundi submitted to the Human Rights Council at its present session,¹

Noting with appreciation the progress made with regard to regional and international participation, the fight against trafficking in persons and the repatriation of Burundian

¹ A/HRC/54/56.



refugees, while stressing the importance of guaranteeing security and social integration to returnees as stated by the Special Rapporteur in his report,² and also noting the commitments made towards realizing further improvements in the areas of human rights, good governance and the rule of law,

Expressing deep concern about the ongoing human rights violations and abuses in Burundi, and regretting the lack of cooperation of the Government of Burundi with the Human Rights Council and its mechanisms, including the Special Rapporteur, and with the Human Rights Committee, and the lack of progress in reopening the country office of the Office of the United Nations High Commissioner for Human Rights,

1. *Strongly condemns* all human rights violations and abuses committed in Burundi, including those involving extrajudicial killing, enforced disappearance, arbitrary arrest and detention, acts of torture and other cruel, inhuman or degrading treatment or punishment, and sexual and gender-based violence, and calls for an immediate end to these violations and abuses and for the full respect of all human rights and fundamental freedoms;

2. *Urges* the Government of Burundi to guarantee the rights to freedom of opinion, expression, peaceful assembly and association, and deplores the reduced space for civil society, citizen activism, political participation and a free and fair judiciary, encourages the Government to consolidate the progress made in the field of the media, and stresses the need for the Government to provide a safe and enabling environment for civil society, human rights defenders, journalists, bloggers and other media workers, including women working in these professions, to carry out their work independently, without intimidation or undue interference, and to release all those who are still in detention for doing their work in defence of human rights;

3. *Condemns* the widespread impunity for all human rights violations and abuses, and urges the Government of Burundi to hold all perpetrators, regardless of their affiliation or status, including members of defence and security forces and of the ruling party's youth league, the Imbonerakure, accountable for their actions, and to ensure that victims can seek justice and legal redress, and encourages the Government to reconsider its decision to withdraw from the Rome Statute of the International Criminal Court;

4. *Calls upon* the Government of Burundi to guarantee the independence of the judiciary from the executive branch;

5. *Also calls upon* the Government of Burundi to provide the National Independent Human Rights Commission with all the means necessary to perform its function of promoting and protecting human rights in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), and to ensure its independence;

6. *Further calls upon* the Government of Burundi to fully implement the recommendations made by the Special Rapporteur on the situation of human rights in Burundi and the Commission of Inquiry on Burundi in their reports, as well as those accepted in the context of the universal periodic review, and to cooperate fully with the special procedures of the Human Rights Council and relevant treaty bodies;

7. *Calls upon* the Government of Burundi to refrain from all acts of intimidation or reprisal against human rights defenders, including those who are cooperating with international human rights mechanisms and the Human Rights Council;

8. *Encourages* the Government of Burundi to engage in a genuine and inclusive spirit with all Burundian stakeholders, operating from both inside and outside the country, to effectively address the multiple, deep-rooted challenges that Burundi is experiencing and to sustainably reintegrate returnees into Burundian society;

9. *Decides* to extend the mandate of Special Rapporteur on the situation of human rights in Burundi for a further period of one year, and requests the Special Rapporteur to present to the Human Rights Council, at its fifty-sixth session, an oral update on the situation

² Ibid., para. 86.

of human rights in Burundi, and also to submit to the Council, at its fifty-seventh session, and to the General Assembly, at its seventy-ninth session, a comprehensive report;

10. *Urges* the Government of Burundi to cooperate fully with the Special Rapporteur, including by permitting unhindered access to the country, providing him with all the information necessary to properly fulfil the mandate, and facilitating cooperative exchanges and synergies with the National Independent Human Rights Commission, in line with the public commitments made by the current administration to advance human rights and re-engage with the international community;

11. *Also urges* the Government of Burundi to constructively cooperate with the Office of the United Nations High Commissioner for Human Rights, in particular its Regional Office for Central Africa, and to present a timeline for the reopening of the country office of the Office of the High Commissioner in Burundi, and to continue to cooperate with the United Nations country team in Burundi;

12. *Requests* the Secretary-General to provide the Special Rapporteur with the assistance and all resources necessary to fulfil the mandate with all its functions, as outlined by the Human Rights Council in its resolution 48/16;

13. *Decides* to remain seized of the matter.

*47th meeting
12 October 2023*

[Adopted by a recorded vote of 20 to 10, with 17 abstentions. The voting was as follows:

In favour:

Argentina, Belgium, Chile, Costa Rica, Czechia, Finland, France, Georgia, Germany, Honduras, Kazakhstan, Lithuania, Luxembourg, Mexico, Montenegro, Paraguay, Romania, Ukraine, United Kingdom of Great Britain and Northern Ireland and United States of America

Against:

Algeria, Bolivia (Plurinational State of), Cameroon, China, Cuba, Eritrea, Gabon, Pakistan, Somalia and Sudan

Abstaining:

Bangladesh, Benin, Côte d'Ivoire, Gambia, India, Kyrgyzstan, Malawi, Malaysia, Maldives, Morocco, Nepal, Qatar, Senegal, South Africa, United Arab Emirates, Uzbekistan and Viet Nam]