

Item 6: Adoption of the UPR outcome of Burundi

UN Human Rights Council, 38th Session

28 June, 2018

ARTICLE 19

Statement delivered by Lucy Bye

Mr President,

ARTICLE 19 remains disturbed by the persistent, and brutal assault on human rights in Burundi and deeply regrets that gross violations of the rights to freedom of expression, assembly and association continue unabated, and in near total impunity.

In this context, we deeply regret the government's failure to accept any recommendations addressing these rights during its UPR. We recall that the credibility, and effectiveness of the UPR process relies on the constructive engagement of all those involved: this must begin with the government's acknowledgement of the existence of a human rights crisis in the country.

Since the peaceful protests sparked by President Nkurunziza's decision to seek a third term, dissent and opposition, whether real or perceived, has been met with ruthless repression. Human rights defenders, journalists, and political opponents risk arbitrary arrest and detention, enforced disappearance, extrajudicial execution, torture and inhumane treatment, including sexual violence, simply for speaking out.

In the absence of accountability for these and other egregious violations, so many others have been intimidated into self-censorship, and exile.

We remain concerned by the enforced disappearances of Marie-Claudette Kwizera, Treasurer of the CSO Ligue ITEKA, allegedly arrested on 10 December 2015, and of freelance journalist Jean Bigirimana, who disappeared on 22 June 2016. Their whereabouts remain unknown.

Legal attacks also continue: criminal defamation, possession of 'incriminating documents, 'undermining state security' and publishing information deemed 'detrimental to public safety' are just some of charges levelled against journalists and human rights defenders during the period under review, in reprisal for their work. Increasing numbers of journalists fearing for their safety, have sought asylum in neighbouring countries.

During its UPR, the Government of Burundi characterised repressive legislative reforms including those regulating demonstrations, the press, and non-profit organisations, as evidence of its efforts to protect human rights. In reality, these laws, which do not comply with Burundi's international or regional human rights obligations, have been central to the government's efforts to further choke off democratic space.

Peaceful assemblies are in effect subject to a total ban, and demonstrations have been violently suppressed in the period under review. Media freedom has deteriorated to unprecedented levels: several independent media have been forcibly closed, whilst those permitted to re-open are subject to intense state scrutiny. Radio broadcasting by the BBC and Voice of America were suspended for 6 months in May this year, for allegedly violating

'the law governing the press and ethics', further restricting access to independent sources of information ahead of the constitutional referendum.

In November 2015, the Ministry of the Interior ordered the temporary suspension of activities of the top ten Burundian human rights organisations. Several of these organisations' bank accounts, and the accounts of their directors, were frozen, preventing them from carrying out their vital work in defence of human rights.

We call on the Government of Burundi to reconsider its approach to recommendations aimed at urgently safeguarding the rights to freedom of expression, assembly and association in the country, and to seek the support of the international community to ensure their prompt and full implementation. We further call on the government to heed recommendations that it fully cooperate with all regional and international human rights mechanisms, including those mandated by this Council, and guarantee their access to the country.

Thank you.