

Advance unedited version

COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

Ninety-first session

21 November – 09 December 2016

PREVENTION OF RACIAL DISCRIMINATION, INCLUDING EARLY WARNING AND URGENT ACTION PROCEDURES

Decision 1 (91)

Burundi

The Committee on the Elimination of Racial Discrimination, meeting in Geneva, at its 91st session, from 21 November and 9 December 2016;

Acting under its early warning and urgent action procedure;

Recalling its Decision 1 (90) adopted on 23 August 2016;

Deploring the increased lack of cooperation of the Government of Burundi with the international community, including by:

- (a) Its refusal to allow entry of 228 police officers approved by the United Nations Security Council Resolution 2303 (2016) of 29 July 2016;
- (b) Its refusal to appear before the Committee against Torture to reply to the questions put to the Government during the 58th session (held from 25 July to 12 August 2016);
- (c) Declaring *personae non gratae* the three independent experts appointed by the United Nations High Commissioner of Human Rights pursuant to Human Rights Council resolution S-24/1 of 17 December 2015, following the release of their report during the thirty-third session of the Human Rights Council in September 2016;
- (d) Its refusal to cooperate with the Commission of Inquiry on Human Rights in Burundi established by the Human Rights Council during its thirty-third session in September 2016;
- (e) Its decision of 11 October 2016 to suspend cooperation with the United Nations Office of the High Commissioner for Human Rights in Burundi;
- (f) The signing on 18 October 2016 by the President of legislation to withdraw from the International Criminal Court.

1. Expresses deep concern about:

- (a) Reports of killings, summary executions, disappearances and torture, many of which appear to have an ethnic character;

- (b) Reports of the open display in the country of armed militia intimidating the population, demonstrating the unwillingness or the inability of the Government to protect civilians;
- (c) The issuing of a questionnaire by the Ministry of Civil Service on 8 November 2016 requesting all public servants to state their ethnicity which, given Burundi's history of virulent ethnic conflict, spreads fear and mistrust among the population;
- (d) The frequent use of hate speech and incitement to ethnic violence by Government officials;
- (e) The growing number of persons leaving Burundi to seek refuge in neighbouring countries.

2. Urges the Government of Burundi to:

- (a) Abide by its international human rights obligations, in particular those arising from the International Convention on the Elimination of All Forms of Racial Discrimination, and refrain from taking any action that exacerbates the ethnic tensions in the country;
- (b) Take prompt and effective action to protect civilians, including through the immediate admission of the police officers approved by the Security Council in its Resolution 2303 (2016) of 29 July 2016;
- (c) Promptly reengage with the United Nations Office of the High Commissioner for Human Rights.

3. Requests the United Nations High Commissioner for Human Rights to draw the attention of the General Assembly, the Security Council, the Human Rights Council and its relevant special procedures mandate holders, as well as the treaty bodies established under the human rights treaties to which Burundi is a party, to the grave human rights situation in Burundi.

*2497th meeting
28 November 2016*