

21 July 2015

To : Members of the PBC – Burundi Configuration

**Informal meeting of the Burundi Specific Configuration of the
PBC, New York, 8 July 2015**

Chair's Summary

On 8 July 2015, a meeting of the PBC Burundi Configuration took place under the chairmanship of H.E. Ambassador Paul Seger, who briefed about his recent trip to Bujumbura from 1 to 3 July 2015. Although initially planned as a protocol farewell visit for outgoing Ambassador Seger, who ends his assignment as Permanent Representative of Switzerland in New York, the aggravation of the recent crisis has challenged the preservation of peace and stability, which the Chair intended to address.

The Chair arrived in Burundi two days after the legislative elections of 29 June, which were held against the backdrop of a highly volatile environment, marked by violent demonstrations and a sharp polarization of the society. Moreover, the Chair indicated that it is the first time in the five year period of his tenure as Chair of the PBC Burundi Configuration that he sensed a deep desperation among opposition parties and actors, largely due to intractable positions held, and vanishing hope that the current crisis could be resolved through dialogue and negotiation.

During the Chair's visit, none of the members of the Joint International Facilitation Team (JIFT) dispatched by the AU/EAC/UN/ICGRL were in the country. He was able to meet with a broad range of interlocutors in Bujumbura, including the Ministers of Foreign Affairs and Interior; the former Minister of Foreign Affairs, the second Vice President of the CNDD-FDD; the President of the National Human Rights Independent Commission (CNIDH); various representatives of youth groups affiliated to a cross-section of political parties; senior political opposition figures; civil society; media; the diplomatic corps; PBF projects implementing partners as well as with the acting Chief of MENEUB, the Head of the OHCHR Office and the United Nations Resident Coordinator. However, the planned meeting with President Nkurunziza was cancelled because the President was campaigning in the rural areas.

In all his meetings, the Chair conveyed the PBC's great concern over the current situation and the fear of a potential deterioration, which could undo the progress and stability achieved in recent years. He urged all sides to refrain from using violent means to address grievances. In this regard, the Chair indicated that there were worrying accusations against security forces said to act with total impunity, repressing political dissent, such as the case of alleged summary execution of seven family members on 1 July in the Mutakura district of Bujumbura by the police. In this regard, the Chair called upon the competent authorities to conduct an investigation and bring the perpetrators to justice. The Chair underscored that the aforementioned case, if proven to be true, constitutes a human rights violation.

With regard to the electoral process, and more specifically to the legislative elections of 29 June, the Chair informed that according to government authorities and CNDD-FDD party officials, the recent polling was successful and showed strong popular support for President Nkurunziza's additional term aspirations. Moreover, the government and the CNDD-FDD pointed out that few security incidents had taken place prior to and during the vote. They believed that a repeat of the opposition's boycott in the 2010 electoral process demonstrated their reluctance to compete for power through the ballot boxes. Furthermore, they opined that the opposition has disrupted governance and undermined the rule of law by inciting recurrent violence against the country's security forces.

In contrast with the Government's view of the electoral process, various international partners and organizations, believed that the conditions for free, fair, open and inclusive elections were not met and that the political campaign was plagued by interference and curtailment to the rights of free speech, assembly and more worryingly, to the right to life of opponents. Interlocutors from the opposition described the situation as untenable, characterized by the Government's closure of political space and associated abuses by the security forces. They accused the Government and the ruling party of manipulation and irregularities of the legislative elections. Yet, all indications seem to show that the Government will press ahead with the presidential elections regardless of any of the objections raised.

The Chair assured all his interlocutors of the PBC's firm intent and commitment to provide political accompaniment in addressing the peacebuilding challenges in Burundi, many of which have been exposed during the current crisis. He urged all national stakeholders to adopt a cautious approach and avoid perpetrating violent acts in the lead-up to the presidential elections. He underlined the need to commit in good faith to continue the dialogue after the elections with a view to creating a national compact where all Burundians could express themselves freely, fairly and openly on their country's future in a spirit of cohesion and reconciliation. While opposition interlocutors signalled general openness for dialogue, their initial reaction rejected any possibility of a "Government of Unity" as they felt that this would legitimize the Government.

As an initial step for the resumption of the dialogue, the Chair suggested there should be confidence-building measures to re-establish trust among national stakeholders and establishing guiding principles, such as adherence to the terms of the Arusha Agreements, the national Constitution and national and international law. Moreover, with strong support from international partners, the people of Burundi will have to intensify the dialogue and re-establish confidence and trust, based on the recommendations of the EAC and the AU. Besides addressing issues of governance and political stability, as an urgent priority, the dialogue should also touch on fostering socio-economic development with equality, based on democratic principles, fundamental human rights and freedoms, rule of law. This is especially valid in relation to improving the livelihood of the population, especially employment opportunities for the youth which is the segment that is more likely to fall prey of the violence and political wrangling.

Following the Chair's briefing, the Permanent Representative of Burundi, Ambassador Shingiro explained his Government's evaluation of the outcome of the legislative elections, and insisted that the Presidential elections should not be further postponed to avoid a constitutional vacuum. Furthermore, in acknowledgement of the decisions made at the EAC summit of 6 July, he welcomed the appointment of President Museveni as regional mediator for Burundi. Ambassador Shingiro defended the actions of the security forces involved in demonstrations as acts of legitimate self-defence and informed the PBC members that investigations would take place. Ambassador Shingiro echoed the Chair in recognizing the need to re-establish trust and confidence across the Burundian society with the view of re-engaging the country along the tracks of development and stability. Finally, he affirmed that the conflict in Burundi was caused by political and not ethnic differences and in therefore there should not be any concern that old ethnic wounds from the past would be opened.

Other comments from PBC members included Kenya, which endorsed the recent EAC statement and exhorted stakeholders to make the most of the opportunity to engage in a frank dialogue. The Kenyan representative called for the swift disarmament of youth groups and the creation of conditions for the return of refugees. Furthermore, Kenya, the United Kingdom, the African Union and the International Organization of the Francophonie urged all parties to resume the dialogue under the auspices of the EAC, with the intention of building trust and national cohesion. The representative of the United Kingdom regretted that the Government of Burundi decided to pursue with the holding of legislative elections when a report by the UN prior to the elections indicated that there were no conditions to ensure their peaceful unfolding. China underscored that the electoral process in Burundi is an internal matter for which its sovereignty must be respected. In response to the UK statement, the Permanent Representative of Burundi argued that the UN

report was unduly influenced by some Member States interested in distorting the reality on the ground.

In closing the Chair bid farewell to all members of the PBC Configuration as this was the last meeting he would chair before his departure. He informed that the Government of Burundi had expressed its wish to continue collaboration with the PBC country-specific Configuration under Swiss chairmanship and look forward to working the incoming Swiss Permanent Representative to the United Nations.
