

15 March 2016

To : Members of the PBC – Burundi Configuration

**Informal meeting of the Burundi Configuration of the PBC, New York,
09 March 2016**

Chair's Summary

1. On 09 March 2016, the Burundi Configuration of the UN Peacebuilding Commission (PBC) held an informal meeting under the chairmanship of H. E. Mr. Jürg Lauber to discuss the situation in Burundi. To this end, the Chair reported on his visit to Burundi, Rwanda and Ethiopia which took place from 15 to 20 February 2016. PBC members were also briefed by Special Advisor Jamal Benomar, by Assistant Secretary-General of OHCHR, Mr. Ivan Simonovic, by the Director and PBSO Deputy Head, Ms. Mari Yamashita as well as by the Permanent Representative of Burundi to the United Nations, H. E. Mr. Albert Shingiro.
2. In his debriefing, the Chair noted that he had had the opportunity to discuss current developments in Burundi with the President, members of the Government, political parties, the opposition and various other national and international stakeholders in Bujumbura. In Kigali humanitarian and regional questions were in the focus of his conversations, whereas in Addis Ababa they were primarily devoted to UN-AU cooperation in Burundi. The Chair shared the following main conclusions on his visit to Burundi and to the region with the Configuration:
 - 1) In the last few weeks, the Government of Burundi has made a series of unilateral gestures of goodwill which could contribute to a more conducive environment for an inclusive dialogue, to a reduction of violence and to an improvement of the human rights situation. It is crucial to follow the impact of these gestures attentively.
 - 2) In view of the persisting tensions, violence and human rights violations, an inclusive and credible dialogue process involving Burundians inside and outside the country – including those with fundamentally diverging views – remains indispensable. The regional mediation process must be intensified. International, including regional, support for an inclusive and credible dialogue is essential.
 - 3) There is a considerable risk that the economic downturn becomes an additional driver of the crisis. National and international stakeholders appear to be aware of this risk. International donors seem to be ready to re-engage if

they see a more conducive environment being established. A continued systematic dialogue between the Government of Burundi and international donors can help to clarify mutual expectations. The Configuration can serve as a platform to include the socioeconomic dimension into the international debate on the crisis in Burundi. I will, on my part, continue PBC engagement with the main development partners of Burundi, including the World Bank, the IMF, the EU and the African Development Bank.

- 4) Increased international engagement and presence in Burundi can help to ease the tensions. I am therefore glad that the AU will increase the number of its human rights and military observers, while a group of independent experts has been able to travel to Burundi in early March on behalf of the Human Rights Council. Both the Government and the opposition welcomed the work of Special Advisor Jamal Benomar and expressed readiness to engage with the UN more intensively. Various interlocutors, in particular representatives of the opposition, called for a more robust international involvement and emphasized the need to protect the civilians against violence.
 - 5) It therefore remains important that UN actors, including the Security Council, continue their discussions on options of UN engagement. I will, on my part, pursue the cooperation between the PBC and the UN system, in order to encourage opportunities for the PBF to support programmatic interventions, with a special focus on the areas of cooperation outlined in the letter from President Nkurunziza to the President of the UN Security Council dated 24 January, which are dialogue, disarmament, security, human rights and development.
 - 6) In Addis Ababa, representatives of the African Union underlined the necessity of a close cooperation between the UN and the AU on Burundi. In order to ensure the success of international efforts to overcome the current crisis in Burundi, close cooperation and coordination between the UN, AU and EAC remain crucial. The PBF support for the AU human rights observers are a very valuable and concrete example of this cooperation.
 - 7) On a regional level, there is a high level of distrust between Bujumbura and Kigali and serious concern about the regional implications of the crisis. It is highly recommendable to identify ways to rebuild trust between the Governments in Bujumbura and Kigali to address the various allegations.
3. In his briefing, Special Advisor Benomar indicated that since the last PBC meeting of 10 February, the diplomatic attention on Burundi had continued, with a series of high level visits and meetings. Focusing on the recent visit of the UN Secretary-General to Burundi, he recalled that the purpose of the meetings which the SG had with President Nkurunziza, with political parties and other Burundian stakeholders was to discuss the current

situation in Burundi and to see how the UN could be helpful. The SG indicated that the current politically motivated violence and associated other violations could only be resolved through an inclusive political process that enjoys the confidence of all Burundian stakeholders. In this regards, Special Advisor Benomar highlighted the roundtable meeting the Secretary-General had convened in Bujumbura, a meeting that gathered political actors from within the Government and the opposition, including the President of the ruling party, the opposition leader Agathon Rwaso, leaders of political parties and political actors. This meeting demonstrated that it was possible for these actors to sit around a table and talk; they could discuss how to move the political process forward, how to solve political problems. This meeting also showed that a gradual opening in the political space is possible. Special Advisor noted that they would follow up with this step-by-step approach to build confidence. As part of a number of confidence building measures, the Government announced, prior to the SG visit, the lifting of arrest warrants against opposition figures; the Government authorised the reopening of 2 media outlets. During the meeting with the SG, the President announced the release of about 2,000 detainees. The Special Advisor welcomed these as encouraging signs, and he indicated that he looked forward to the implementation of these measures, and he expressed his hope for further steps in the same direction.

4. Furthermore, Special Advisor Benomar informed PBC members that his team in Bujumbura had been enjoying the full cooperation of the Government; in the spirit of the letter President Nkurunziza had sent to the President of the Security Council following the visit of the Security Council in late January. His team and himself were in the process of re-engaging with the Government stakeholders; the political actors, civil society organisations and other stakeholders who could help move forward the political process. In this regard, he suggested that many lessons could be drawn from the Arusha process and many dialogue initiatives that had followed. He noted that for the dialogue to be successful, it has to be nationally owned; no dialogue can be imposed from outside; Burundians are the ones who are responsible for their destiny. It is important to have political will from both sides, and to ensure impartiality. It is important to take into account each side's interest and aspirations, while managing expectations. This will require some support and dedicated facilitation capacity. There is also a need for regional and international partners to work together in a coherent manner. In this regards, Special Advisor Benomar informed PBC members that he would be travelling soon to Burundi and to the region. Finally, he noted that in tackling the current situation in Burundi, too much focus had been put on worst case scenarios, on contingency planning and very little had been said or invested in a meaningful conversation on how the international community can come together in supporting a viable political process. He suggested that there was a window of opportunity to support an inclusive dialogue that is nationally owned, and this should be a priority.
5. In his remarks, ASG for OHCHR Simonovic, who had also recently visited Burundi and then joined the SG's visit to Burundi, noted that recent gestures could contribute to a positive environment and reduce tensions. The Government promised to release 3-4,000

prisoners, and President Nkurunziza signed a related decree on 23 February; ASG Simonovic noted that the decree was formulated in a manner that does not appear to include the 125 opponents figuring in an OHCHR list of persons who had been arrested in connection with the political crisis and had not been involved in violent activities. The Government also lifted arrest warrants against 15 exiled political figures involved in protests against the Government. He suggested that additional measures could include the release of the 125 detainees on the OHCHR list. Other demands submitted to the Government's consideration include granting private medias outlets closed since 13 May 2015 with the authorisation to reopen, allowing resumption of activities of Civil Society Organisations that had been suspended, and cancelling the decisions to freeze their bank accounts.

6. ASG Simonovic assessed that the political and security situation remained volatile, with continued deterioration of human rights situation, including killings, disappearances, and illegal arrests. As of 29 February 2016, the Burundi Office of OHCHR reported 471 killed, 450 cases of tortures or ill treatment since April 2105; 4,800 arrests in connection with the crisis; he noted that 3,025 had been released. He also noted that since the beginning of 2016, OHCHR reports indicated a decrease in extra-judiciary executions and arbitrary arrests, and an increase in disappearances and torture. He indicated that investigations were still going on about cases of sexual & gender violence and rapes that had been reported in the aftermath of 11 December attacks. ASG Simonovic noted that indiscriminate grenade attacks were occurring; it was unclear who was responsible for these grenade attacks. Reports and allegations on mass graves were being investigated.
7. Talking about the capacity of OHCHR in Burundi, ASG Simonovic indicated that additional funds were required to maintain the office that currently counts 47 staff. OHCHR had been supporting the AU human rights observers, including through orientation and training sessions. Now that the number of AU human rights observers, was going to increase significantly, demand for OHCHR support was also going to increase; there was a need for a more comprehensive support package. ASG Simonovic further informed members of the PBC that the 3 independent experts mandated by the Human Rights Council had just completed their first mission to Burundi, from 29 February to 09 March; they would present an oral report to the Council on 21 March, and prepare a written report in September, which will be followed by a second phase of investigations that will last 4 months. He expressed the wish to have a written commitment by the Government on the cooperation with this team of independent experts.
8. In her remarks, Director and PBSO Deputy Head Mari Yamashita particularly welcomed the discussion the Chair had on the economic aspects of the crisis during his visit, following the valuable analysis from the World Bank and the IMF at the meeting of 10 February that was held in preparation of the visit. She welcomed PBC continued engagement and discussion on the impact the political crisis is having on Burundi's economy. She suggested that the upcoming spring meetings with the International

Financial Institutions and discussions on the next cycle of the Poverty Reduction Strategy Paper would provide the next important opportunities.

9. She further thanked the Chair for having given additional impetus to the development of peacebuilding projects that are a critical contribution to the response to the current crisis, and for which the PBF remained committed. She reported that following the Chair's visit, the Government of Burundi and the UN had been working together to program the remaining PBF resources within the framework of the Peacebuilding Priority Plan, approved in February 2014. The same day of the PBC meeting, 09 March, the Joint Steering Committee that oversees the Peacebuilding Priority Plan had met in Bujumbura to discuss these adjustments to the Priority Plan budget and proposed project concepts, in the following priority areas: i) Dialogue [support to the Special Advisor's team; support to women's role in the dialogue process]; ii) Promotion and protection of human rights and support to victims; iii) Youth engagement, community security and social cohesion.
10. PBSO Deputy Head further indicated that in the same context PBSO was fully prepared to support the early deployment of AU Human rights observers and we are in active discussion with the AU and colleagues on the ground in Bujumbura. Once the project documents had been finalised, in line with the meeting of the Joint Steering Committee, PBSO was committed to disburse the funds quickly to enable the Government and UN colleagues in Burundi to implement peacebuilding activities that are critical to the current situation. In concluding her remarks, PBSO Deputy Head reiterated the principle that the PBF supported projects in Burundi are not stand-alone activities, and that they were designed to complement and support the work of the PBC, the Special Adviser and the UN's collective engagement to promote and sustain peace in Burundi.
11. Ambassador Shingiro provided an update on political dialogue, on the human rights situation, on the freedom of press, on security, on reconciliation, and on socio-economic development.
12. Ambassador Shingiro indicated that the dialogue was under way, both within Burundi and with the diaspora; he recalled that President Nkurunziza had reiterated his commitment to the dialogue on numerous occasions, and that his Government had chosen the political option over the military option. He further recalled that his Government was committed to an inclusive dialogue, except with those who were clearly associated with the coup attempt of 13 May 2015. In this regard, he noted that the dialogue should not be a venue to promote the culture of impunity and to push aside the principles of democracy. He reported that the internal component of the dialogue was very well advanced. He reiterated his Government's trust in the Ugandan mediation; and he warmly welcomed the nomination by the EAC of former President of Tanzania Benjamin Mkapa to facilitate the dialogue process under President Museveni's leadership. He stated that the Government of Burundi was confident that this new actor will contribute to accelerate the dialogue process, given his knowledge of the context, his past involvement with the Arusha process, and his availability. He also thanked Special Advisor Benomar for his significant contribution to the success of the Secretary-General's visit of 22-23 February

2016. He reiterated the full cooperation his Government has offered to the Special Advisor and to his team, in order to move the dialogue forward in collaboration with the National Commission for inter-Burundian dialogue. He noted that consultations were under way with the region on 2 key points of the dialogue, i.e. who should participate to this dialogue, and what would be the agenda of this dialogue.

13. Ambassador Shingiro assessed that the overall security situation was good, notwithstanding the residual elements of the opposition who continued to throw grenades on peaceful citizens. He informed members that the Government was gradually stopping the few cases of criminality and local terrorism that had intended to draw international attention; many criminals had surrendered to the Security Forces, and the movement of renouncing to violence continued. Those people who surrendered were handed over to the National Independent Human Rights Commission, for their reinsertion within their communities. He asked the international community to condemn acts of throwing grenades in crowds as terrorism. He indicated that the Government of Burundi had welcomed the decision to deploy 100 human rights observers and 100 [non armed] military experts.
14. With regards to the human rights situation, Ambassador Shingiro restated his Government's zero tolerance policy. He acknowledged that cases of violation were occurring like in any other country, noting that human rights was a process, an ideal to be achieved, and that since no nation in the world had achieved zero cases even after 100 years of stability, Burundi should not be expected to achieve the ideal human rights situation after 10 years of stability. He reiterated that fight against impunity was at the centre of the priorities of Government and that it had been fully cooperative and opened the doors of its security services to OHCHR, to the AU observers, and to the independent human rights team that just completed a week mission in Burundi. He noted that this cooperation should be acknowledged as such. He highlighted comments made by the human rights team at their press conference that concluded their first mission, who noted that the situation was calm, that they perceived a sense of hope, a will to engage and to move forward to improve the peace and security environment in Burundi, and that the situation was not explosive.
15. Ambassador Shingiro recalled the Government decision to cancel the arrest warrants against 15 political personalities who were in exile; he expressed his hope these people will renounce to violence and contribute to building a peaceful Burundi. He further reiterated the Government's commitment to the culture of independence and freedom for the media; in this regard he recalled that 2 radios had just been authorised to reopen and broadcast: ISANGANIRO and radio-TV REMA. He further informed members that the National Communication Council had just authorised the opening of a private radio, Izere FM.
16. Ambassador Shingiro provided an update on the reconciliation process: he informed the PBC members that on Friday 04 March, President Nkurunziza had launched the operational phase of the Truth and Reconciliation Commission, CVR, noting that the

ceremony was attended by many international partners of Burundi. The CVR will prepare a program of forgiveness, of reconciliation and repairs, which it will submit to the Government, to the Parliament and to the UN. Burundians will use this phase to build a better future and avoid the tragedies of the past.

17. In the socio-economic area, Ambassador Shingiro shared his impression that too much focus on political concerns had eclipsed the economic aspects from the agenda. He therefore called for a reactivation of development cooperation in order to prevent the crisis from further escalating. In this regards, he welcomed the meeting the same day of the Joint Steering Committee for the PBF in Bujumbura, and their decision to approve a number of peacebuilding projects that would contribute to respond to the current situation. He called on international partners who are part of the Joint Steering Committee to follow suit and reactivate their development cooperation with Burundi.
18. Following the briefings, Representatives of France, Morocco, the EU, Rwanda, Kenya, Egypt, the USA, the Netherlands, Belgium, Nigeria, Tanzania, China and Russia took the floor to make comments, statements or ask questions.
19. Overall, members welcomed the recent gestures taken by President Nkurunziza as positive steps; they encouraged implementation of these measures and additional steps to reinforce the momentum created by these measures and recent high-level diplomatic engagement. PBC members reiterated their rejection of violence from either side.
20. Members welcomed the work being done by Special Advisor Benomar, the deployment of his team in Burundi, the step by step and his broad approach to a viable political process, supporting a nationally owned inclusive process, gradually building confidence among political actors, learning from past dialogue processes including Arusha, including discrete initiatives behind the screen, and ensuring a coherence between the different support initiatives/mechanisms by the AU, the EAC and the UN.
21. Members welcomed the recent appointment of former President of Tanzania, Mr. Benjamin Mkapa, to facilitate the dialogue process under the EAC mediator President Museveni. They reiterated their hope that efforts to support the dialogue would be well coordinated; some suggested that former President Mkapa could benefit from support by the UN/Mr. Benomar team.
22. PBC members further welcomed the AU decision to deploy 100 human rights monitors and 100 military experts as a positive step towards stabilisation and reduction in human rights violation. Support by the Peacebuilding Fund to the deployment of AU human rights observers was welcomed, and other partners were encouraged to consider their contributions, since the PBF support would cover 32 human rights observers for 6 months.
23. They encouraged a dual track by which socio-economic challenges would receive equal attention as the security and human rights issues. In this regard, some members who are

also development partners indicated that current discussions on the regular development cooperation would not affect their support to the people of Burundi. The PBC was also invited to continue policy discussions with the IMF and the World Bank, taking into account upcoming opportunities such as the Spring meetings and the next cycle of the Poverty Reduction Strategy Paper for Burundi.

24. In responding to comments and questions raised by PBC members, Ambassador Shingiro noted that there was a gap in the assessment of the security situation between the field and New York; listening to some members' comments, he was under the impression that some in New York overplayed the security situation and continued to refer to the numbers and situation of December 2015. He clarified that goodwill measures taken by the Government had been already implemented; outstanding was the liberation of political prisoners. He further indicated that there were credible reports on the facilitation by Rwanda of the recruitment, training and equipment of Burundian refugees with the objective of destabilising Burundi.
25. Special Advisor Benomar suggested that impartiality, personal commitment and dedication, as well as technical expertise were important for a viable political process. He noted that discrete spaces could be more efficient than large gatherings with cameras. He suggested that it was important to agree in advance on the rules of the game, to carefully select participants, a challenge in the Burundi context where the political class is fragmented with 42 political parties. He finally noted that in the context of Burundi there was already a political deal in place, the Arusha Agreement, and that the dialogue process should take into account that deal.
26. In concluding the meeting, the Chair thanked the briefers for their contributions and Member States for their active participation. He indicated that he would share the report on his visit with the Burundi Configuration of the PBC the same day afternoon. Following submission of the report to the PBC, the Chair would share the report with the Security Council as per established practice.
