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COMMISSION ON HUMAN RIGHTS
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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS
IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL
AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Gabon (on behalf of the Group of African States)*:
draft resolution 1996/... Situation of Human Rights
in Burundi

The Commission on Human Rights,

Guided by the Charter of the United Nations, the Universal Declaration of
Human Rights and the International Covenants on Human Rights,

Reaffirming its complete determination with regard to respect for the
principles of the rule of law, which involves democracy, national unity,
pluralism and respect for human rights and fundamental freedoms,

Reaffirming also that all States have the right and duty to promote and
protect human rights and to fulfil their obligations under the various
instruments to which they are parties,

* Including States represented by observers, in accordance with rule 69,
paragraph 3, of the rules of procedure of the functional commissions of the
Economic and Social Council.

Recalling its resolution 1995/90 of 8 March 1995,

Recalling also Security Council resolutions 1040 (1996), of 29 January 1996, and 1049 (1996), of 5 March 1996,

Aware of the fact that Burundi is a party to the 1951 Convention relating to the Status of Refugees, to the 1967 Protocol relating to the Status of Refugees, to the Organization of African Unity Convention governing the Specific Aspects of Refugee Problems in Africa, to the International Covenant on Civil and Political Rights and to the International Covenant on Economic, Social and Cultural Rights,

Recalling the signing of the Convention of Government on 10 September 1994,

Strongly condemning the continued violence against the civilian population, including refugees, displaced persons and international humanitarian aid workers, the murders of government officials and attempts to undermine the legitimacy of the Government,

Firmly convinced that consolidation of democratic gains helps to create a favourable environment for a lasting settlement of the political tensions which have brought bloodshed to the country over the past 30 years, and enables every Burundian to take part in the economic and social development of his country,

Emphasizing that the primary responsibility for peace lies with the people of Burundi,

Emphasizing also that the Burundian authorities are responsible for ensuring the safety of humanitarian and other aid workers, refugees, displaced persons and the civilian population,

Emphasizing further the importance of coordinating national and international measures to put an end to acts of violence and intimidation and to facilitate wide-ranging dialogue and national reconciliation,

Affirming the fundamental importance of the concerted efforts made in the field of humanitarian aid, recovery and development, and supporting the efforts of the international community to take measures to prevent any further deterioration in the situation in Burundi,

Recognizing the important role of women in society and urging the Government to improve their living conditions,

Welcoming the holding of a special meeting on Burundi during its fifty-second session,

1. Takes note of the reports of the Secretary-General on the situation in Burundi (S/1996/116), of the Special Rapporteur on the situation of human rights in Burundi (E/CN.4/1996/16 and Add.1) and of the Special Rapporteur on extrajudicial, summary or arbitrary executions on his mission to Burundi (E/CN.4/1996/4 and Corr.1);

2. Takes note with satisfaction of the efforts currently being made by the United Nations, the Organization of African Unity, the European Union and the mediators (facilitators) appointed by the Conference of Heads of State of the Great Lakes region, held in Cairo on 29 November 1995, and stresses the pressing need for better coordination, in view of the many initiatives of the international community, to achieve a lasting solution to the problems in the Great Lakes region;

3. Expresses its support for the efforts made by former Presidents Nyerere, Touré and Carter to promote dialogue and national reconciliation, welcomes the efforts undertaken by regional and other groups, in particular the Organization of African Unity and the European Union, and notes with satisfaction the appointment by the European Union of a special envoy for the Great Lakes region;

4. Commends the Organization of African Unity on its deployment of an international observer mission in Burundi and its continued efforts to develop preventive diplomacy to avoid any deterioration of the situation;

5. Welcomes with satisfaction the Tunis Declaration on the Great Lakes region, of 18 March 1996;

6. Condemns all threats to the democratic process in Burundi and demands an immediate end to violations of human rights and acts of violence and intimidation;

7. Strongly condemns the massacres of civilians that have been taking place in Burundi for the past several years;

8. Urges the authorities of Burundi to put an end to the situation of impunity prevailing in the country, takes note of the establishment of criminal courts, emphasizes its unfailing support for the International

Commission of Judicial Inquiry, requesting the national authorities to facilitate its work, and reaffirms its belief that those who are accused of acts of violence must be brought to justice in order to put an end to the impunity they enjoy;

9. Stresses its firm opposition to any change of Government in Burundi through the use of force and reaffirms its support for the legality of democratic institutions;

10. Invites all sectors of society, both civilian and military, to respect the Constitution of the country and the institutions established by the Convention of Government;

11. Condemns the murder of politicians, national officials, missionaries and journalists;

12. Strongly condemns the media which incite hatred and violence, particularly hate radio broadcasts, and invites States to cooperate in identifying and dismantling such radio stations;

13. Encourages the President, the Prime Minister and his Government and the members of the Parliament of Burundi in their efforts to restore peace in the country and invites them to pursue their efforts to create conditions conducive to reform, reconciliation and recovery in Burundi;

14. Urges the Government of Burundi and, in particular, the armed forces of Burundi, as well as the other parties involved in the hostilities, scrupulously to respect the principles and rules of international humanitarian law and to facilitate the activities of the International Committee of the Red Cross so that it might carry out its mandate;

15. Appeals to the authorities of Burundi to strengthen measures to guarantee the security and protection of the staff of international, governmental and non-governmental organizations so as to facilitate their work;

16. Makes an appeal for a constructive dialogue involving the civilian, governmental and military sectors in a broad national debate with a view to ending human rights violations and promoting national reconciliation, democracy, respect for human rights and the rule of law and invites the Government of Burundi to implement measures to make the armed forces, the police force and the judiciary more representative of Burundian society;

17. Appeals to the international community urgently to provide increased humanitarian assistance to displaced persons in Burundi and to Burundian refugees in neighbouring countries, particularly in the context of the implementation of the Bujumbura Programme of Action;

18. Welcomes the agreement signed on 22 September 1994 by the United Nations High Commissioner for Human Rights and the Government of Burundi for the implementation of a major programme of technical assistance and advisory services in the field of human rights;

19. Welcomes the proposal by the Government of Burundi for the establishment of an independent national human rights commission and urges the United Nations High Commissioner for Human Rights to provide it with the necessary support;

20. Urges States and international, governmental and non-governmental organizations to cooperate in all initiatives designed to bring about Burundi's recovery and calls on international financial institutions to support such initiatives;

21. Invites the international community to continue to lend its political, diplomatic, material and financial support to end the violence, to help the Government of Burundi find a lasting solution to political and ethnic tensions and to create favourable conditions for the reintegration of refugees and displaced persons and, in this context, requests the Secretary-General to strengthen the office of his special representative in Bujumbura;

22. Requests the Secretary-General to strengthen the office of the Centre for Human Rights in Bujumbura and to intensify cooperation between United Nations agencies in the field;

23. Urges the United Nations High Commissioner for Human Rights, in cooperation with the Government of Burundi, to increase the number of human rights observers deployed throughout the country to monitor the human rights situation and prevent violations of those rights and requests him to set up an assistance programme in the field of human rights;

24. Welcomes with satisfaction the implementation of a programme of technical assistance and invites the United Nations High Commissioner for Human Rights and the Centre for Human Rights, taking account of the

recommendations of the Special Rapporteur on the situation of human rights in Burundi, to provide ongoing technical assistance, particularly in the fields of justice, the training of members of the armed forces and the police, and human rights;

25. Also welcomes with satisfaction the recommendations contained in the report of the Special Rapporteur and decides to renew his mandate for one year;

26. Requests the Special Rapporteur to report to the General Assembly at its fifty-first session and to the Commission on Human Rights at its fifty-third session;

27. Decides to consider the situation of human rights in Burundi at its fifty-third session under the appropriate agenda item.
