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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

Egypt (on behalf of the African Group): draft resolution

1997/... 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 commitment 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 duty to promote and protect
human rights and to fulfil their obligations under the various instruments to
which they are parties,

Recalling its resolution 1996/1 of 27 March 1996,

Recalling also Security Council resolution 1072 (1996) of
30 August 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,

Noting with grave concern the serious violations of human rights and fundamental freedoms take place in Burundi,

Concerned about the coup d'état which took place on 25 July 1996 in Burundi,

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

Recognizing that effective action to prevent further violations of human rights and fundamental freedoms is indispensable in promoting the stabilization and reconstruction of Burundi and the lasting restoration of the constitutional order,

Acknowledging the efforts made by the United Nations, the Organization of African Unity and the European Union aimed at contributing to a peaceful settlement of the Burundian crisis,

Taking into account the regional summits, including those held in Arusha, Nairobi and Brazzaville, on the situation in the Great Lakes region, and in Burundi in particular,

Considering the decisions, conclusions and recommendations adopted by the Council of Ministers of the Organization of African Unity held in Tripoli,

Recognizing the important role of women in the reconciliation process and the search for peace, and urging the Government to ensure the equal participation of women in Burundian society and to improve their living conditions,

1. Takes note of the interim report of the Special Rapporteur (A/51/459, annex) on the situation of human rights in Burundi, and his second report (E/CN.4/1997/12 and Corr.1), as well as its addendum of 7 March 1997;

2. Supports the efforts made by the United Nations, the Organization of African Unity and the European Union mediators in the search for a lasting solution to the problems of the Great Lakes region;

3. Encourages the Organization of African Unity in its efforts, particularly through its Mechanism for Conflict Prevention, Management and Resolution, to remain engaged in preventing the further deterioration of the situation;

4. Encourages the countries which imposed sanctions on Burundi to continue to evaluate the effects of the sanctions on the situation in Burundi;

5. Strongly condemns the massacres of civilians, summary, arbitrary and extrajudicial executions, enforced disappearances, arbitrary arrests and detention, violence and restrictions on movement committed by all parties, and urges them to end such actions immediately;

6. Urges all parties to the conflict to end the cycle of violence and killing, notably the indiscriminate violence against refugees, women, children and the elderly;

7. Expresses deep concern at the involuntary resettlement of rural populations in regroupment camps and at the violations of human rights which occurred in that process, and calls on the Government of Burundi to dismantle these camps and allow the displaced to return to their home villages, monitored by the Human Rights Field Operation in Burundi;

8. Regrets that the changes which occurred on 25 July 1996 were unconstitutional, and calls upon the Government of Burundi, together with all components of Burundian society, to work actively for the restoration of the rule of law and constitutional order to safeguard democracy and peace for the Burundian population;

9. Strongly condemns the murder of three workers from the delegation of the International Committee of the Red Cross which took place at Mugina in Cibitoke province on 4 June 1996, and urges the Government of Burundi to publish the results of the investigations carried out in this connection and to bring the culprits to justice;

10. Emphasizes that the Government of Burundi is responsible for ensuring the safety of its population as well as that of personnel of international humanitarian organizations, refugees, returnees and displaced people;

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

12. Calls upon the Government of Burundi to make further efforts to ensure that established legal safeguards for human rights and international human rights standards are fully respected;

13. Notes the functioning of the Criminal Appeal Court and requests the Government of Burundi to do everything possible to eradicate impunity entirely;

14. Calls for the prosecution and punishment of those who are responsible for human rights violations and violations of international humanitarian law;

15. Expresses its abhorrence for the radio stations which broadcast messages advocating racial or ethnic hatred and violence as well as local newspapers pursuing the same objectives;

16. Supports all efforts to promote conditions for institutional reform and national reconciliation, in particular through dialogue among the Burundians, including armed factions, in order to end the hostilities and to reach a lasting political settlement and to promote a climate of reconciliation;

17. Calls upon the international community to continue to provide humanitarian assistance needed by displaced persons and returnees in Burundi;

18. Appeals to the Government of Burundi to continue to ensure the safety and security of United Nations staff and humanitarian personnel and individuals serving in Burundi;

19. Calls upon the Government of Burundi to continue to cooperate with the United Nations Human Rights Field Operation in Burundi and to provide it with access throughout the country;

20. Calls for the full deployment, in secure conditions, of the agreed 35 observers to the Human Rights Field Operation in Burundi;

21. Makes a strong appeal to the international community to commit itself resolutely to contributing to reconciliation and confidence-building in the Great Lakes region;

22. Welcomes the international efforts to reach a durable solution to the conflict in Burundi and calls upon all parties to work constructively with the international mediators;

23. Requests States not to allow their territories to be used as bases for incursions or attacks against another State, in violation of the principles of international law, including the Charter of the United Nations;

24. Condemns the illegal sale and distribution of weapons and related materials which disturb peace and security in the region;

25. Urges States and international and governmental and non-governmental organizations to cooperate with initiatives aimed at the reconstruction of Burundi, and invites international financial support for such initiatives;

26. Welcomes with satisfaction the implementation of a programme of technical assistance, and invites the United Nations High Commissioner for Human Rights/Centre for Human Rights to provide ongoing assistance, particularly in the field of justice and the training of members of the armed forces and the police, and to promote human rights;

27. Decides to extend the mandate of the Special Rapporteur for an additional year and requests the Special Rapporteur to submit an interim report to the General Assembly at its fifty-second session on human rights in Burundi and a report to the Commission on Human Rights at its fifty-fourth session, and requests the Special Rapporteur to apply a gender perspective in his work.
