



Reaction of the Government of Burundi over Findings of the Investigation Conducted by the UNIIB (April 2015-June 2016)

A United Nations Independent Investigation on Burundi (UNIIB) was mandated by the Council of Human Rights through resolution S-24/1 in its paragraph 17, which requested the United Nations High Commissioner for Human Rights “to urgently organize and dispatch on the most expeditious basis possible a mission by independent existing experts” to undertake swiftly an investigation into violations and abuses of human rights with a view to preventing further deterioration of the human rights situation and make recommendations on measures to be taken.” The report claims to cover the period from 15 April 2015 to 30 June 2016.

Burundi welcomes the efforts by the United Nations for the protection of human rights in Burundi by sending experts to find out firsthand and reflect the reality on the ground.

However, the Government of Burundi would like to refute not only the unfounded and serious allegations conveyed in this “report of experts” but also and especially denounce tendentious processes. The Government of Burundi finds outrageous that a UN report was written on the sole basis of anonymous testimony; a content that the experts fear to endorse due to the lack of tangible evidence. They recognize indeed in Paragraph 134 that “rumors are rife in the country” and that “accountability is impossible without reliable facts.” Nevertheless, this did not deter them from unreservedly condemning the Burundian authorities, the Defence and Security Forces of Burundi and the Youth Wing of CNDD-FDD party, just on the basis of anonymous testimonies and baseless allegations.

It is surprising that the various armed groups whose names, actions, and human rights violations are known to all and whose leaders are guilty of countless crimes are not included in a report of 25 pages supposed to assess the situation of human rights in Burundi. A report from UN Human Rights experts should *a priori* strive to ensure a minimum balance.

It is of a particular concern that the UNIIB experts have ignored the results of reports dealing notably with outside interference, namely the role of Rwanda in the destabilization of Burundi by recruiting, arming and military training Burundian refugees (including children), in flagrant violation of the principles of good neighborliness and international law.

In addition, the Government of Burundi wishes to draw the Council's attention on the "*methodology*" used by the UNIIB which built their allegations and justified recommendations on the basis of data collected especially via WhatsApp messaging with the impossibility to check the identity and truthfulness of testimonies. Findings of this report have never been checked at all.

The Government of Burundi denounces the excuse of the simplistic approach that is the standard displayed through the "*reasonable grounds to believe*" put forward by the experts. This standard does not exempt UNIIB experts from doing their job especially since these reasons cannot under any circumstances constitute irrefutable proof of any allegation.

Furthermore, this perception of the human rights situation in Burundi by UNIIB wrongly contradicted the assessment made by organs of the East Africa Community (EAC) including the Summit of Heads State of the EAC held early September 2016. UNIIB experts argue indeed that "*What is needed is not merely that the situation must be stabilized: it must be reversed.*" It is difficult for us to understand what kind of reversal they are longing for.

The Government ultimately notes that all the conclusions and recommendations of the UNIIB are almost as wrong as its non-factual analysis. Given the comments and observations issued on the allegations contained in the report, the Government of Burundi categorically refutes the findings of the investigation and asks the Council not to adopt it.

The UNIIB recognizes that "*the high levels of open violence witnessed by Burundi at the end of 2015 no longer prevail,*" but speculatively deducts that "*however this does not mean that the situation is moving in the right direction*". The fact of predicting the worst without presenting reliable indicators is not in the sense of building peace.

Stating without evidence that "*the civil society and the social fabric have been weakened*" or taking as reference the quote of a certain interlocutor results from an utmost amateurism. As a matter of fact, Burundi counts more than 6,000 civil society organizations, about fifty political parties as well as a diversified media

space. It is true; about ten organizations have been concerned by measures of the regulation authority for their alleged involvement in the insurrection and the coup attempt of 2015. Under which authority do the experts limit the whole civil society organization space to only those few organizations?

Burundi does not consider itself under attack by the international community, less than that, in conflict with the United Nations and its agencies, but it however deplores the acts of aggression and interference from some member States with a complicit silence of the United Nations.

Burundi notices that most of the recommendations formulated by the UNIIB experts are misarticulated in comparison with their analyses. Nevertheless, the Government reserves the right to consider only the recommendations it will find in line with the improvement of the enjoyment of human rights by all Burundians and inhabitants of the country.