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Burundi: Commission of inquiry calls on the International Criminal Court to investigate possible crimes against humanity

Commission of Inquiry on Burundi

Geneva, 4 September 2017 – The United Nations Commission of Inquiry on Burundi has reasonable grounds to believe that crimes against humanity have been committed and continue to be committed in Burundi since April 2015, according to the Commission's report published on Monday. These crimes are taking place in a context of serious human rights violations, including extrajudicial executions, arbitrary arrests and detention, torture, sexual violence, cruel, inhuman or degrading treatment, and enforced disappearances.

"We were struck by the scale and the brutality of the violations. We also noted a lack of will on the part of the Burundian authorities to fight against impunity and guarantee the independence of the judiciary. As a result, there is a strong likelihood that the perpetrators of these crimes will remain unpunished," said Fatsah Ouguergouz, President of the Commission of Inquiry. Among the alleged perpetrators, the Commission mentioned members, including high level officials, of the National Intelligence Services and the national police force, military officials, and members of the youth league of the ruling party, known as *Imbonerakure*.

The conclusions presented by the three Commissioners are the result of several months of investigations and interviews with more than 500 witnesses, including many Burundians living abroad as refugees and others who remain in Burundi, often at risk to their lives. The Commission gathered these testimonies in difficult conditions. "There is a climate of pervasive fear in Burundi. Victims have been threatened, even in exile. This meant that the Commission had to be extremely careful to ensure that their testimonies could not be used to endanger them," said Françoise Hampson, one of the three members of the Commission.

These accounts, whether from victims, their families or witnesses to their ordeal, were rigorously checked and corroborated. They show that serious human rights violations are ongoing. "We continue to receive reliable, credible and consistent information confirming that these violations are still taking place in Burundi today. Some of these violations are occurring in a more clandestine manner, but they are still just as brutal," stated Fatsah Ouguergouz.

The Burundian authorities rejected the Commission's repeated attempts to establish a dialogue and to request information from the government, and did not allow its members to go to Burundi. "We deeply regret the Burundian government's lack of cooperation, which, among other things, made it difficult for us to document human rights abuses committed by armed opposition groups. This is all the more regrettable given that Burundi, as a member of the Human Rights Council, has an obligation to cooperate with mechanisms set up by the Council," said Reine Alapini Gansou, a member of the Commission.

The Commission is asking the Burundian authorities to immediately put a stop to serious human rights violations by state agents and *Imbonerakure* over whom the State exercises control.

In view of the impunity protecting the perpetrators of these violations, the Commission is asking the International Criminal Court to open an investigation into the crimes committed in Burundi as soon as possible. The Commission is also asking the African Union to retake the initiative to find a lasting solution to the crisis in Burundi, based on respect for human rights, and to remain actively involved.

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Background

The Commission of Inquiry on Burundi was created on 30 September 2016 through United Nations Human Rights Council resolution 33/24. Its mandate is to conduct a thorough investigation into human rights violations and abuses committed in Burundi since April 2015, to identify alleged perpetrators and to formulate recommendations.

The three members of the Commission are Fatsah Ouguergouz (Algeria), Reine Alapini Gansou (Benin) and Françoise Hampson (United Kingdom).

The Commission of Inquiry will present its final report to the Human Rights Council during an interactive dialogue on Burundi on 18 and 19 September 2017. The 36th session of the Council will take place in Geneva from 11 to 29 September 2017.

A press conference with the three members of the Commission of Inquiry will be broadcast live from Geneva on 4 September at 10.45 am: <http://webtv.un.org/>

The report, along with questions and answers and extracts of victims' testimonies, will be available on 4 September from 10.45 am at:

<http://www.ohchr.org/EN/HRBodies/HRC/CoIBurundi/Pages/CoIBurundiReportHRC36.aspx>

For further information on the members of the Commission of Inquiry, see:

<http://www.ohchr.org/EN/HRBodies/HRC/CoIBurundi/Pages/Commissioners.aspx#Ougergouz>

A video, featuring remarks by the President of the Commission of Inquiry and Burundian human rights defenders, is available [here](#)

The text of Resolution A/HRC/RES/33/24 is available at:

http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/RES/33/24

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