

**Le Conseil National pour le Respect de l'Accord d'Arusha pour la paix et la  
Réconciliation au Burundi et de l'Etat de droit**

October 15, 2015

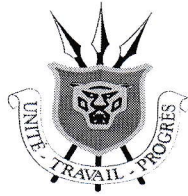
H.E. Mr. Ban Ki Moon  
Secretary-General  
United Nations  
New York

Your Excellency,

I am writing to you as the Chairman of the inclusive and broad based Burundi's opposition platform, the *Conseil National pour le Respect de l'Accord d'Arusha et de l'Etat de Droit* (Council for the observance of the Arusha Peace Accord and the rule of law - CNARED). The CNARED which is opposed to Mr. Pierre Nkurunziza's third term in office in violation of the Burundi Arusha Accords for peace includes members of Burundi's political parties and civil society organizations. We have been pushing for an inclusive, comprehensive and credible dialogue with the Bujumbura *de facto* government in order to resolve the ongoing political and security crisis in Burundi. Unfortunately, the Bujumbura regime and the ruling party have continuously rejected our overtures.

As you are aware, the Burundi crisis, which was sparked by Mr. Nkurunziza's decision to pursue a third term in violation of the Arusha Agreement and the country's Constitution, is sliding the country towards a civil war with devastating consequences to the country and the wider region. The situation is similar to that which prevailed in Rwanda at the eve of the 1994's genocide: military training and arming of the ethnic majority youth " Imbonerakure " members of the ruling CNDD -FDD , selective killing of members of the Tutsi ethnic minority , of political opponents and of moderate members of the ruling party.

Since April 2015, the Office of the United Nations High Commissioner for Human Rights (OHCHR) has documented more than 90 cases of torture, 134 killings and hundreds of cases of arbitrary arrest and detention in Burundi carried out by Burundi State agents, in connection with the on-going crisis unfolding in the country. On 28 September, Mr. Zeid

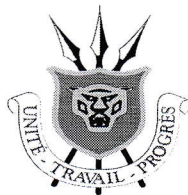


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Ra'ad, the United Nations High Commissioner for Human Rights reported of an alarming upsurge in arrests, detention and killings in Burundi where he indicated that *"almost every day, dead bodies are found lying on the streets of some of Bujumbura's neighbourhoods"* and that *"in many cases, the victims appear to have been killed by a bullet fired at close range. The bodies sometimes show signs of torture and are typically found with their hands tied behind their backs."* Reports received by OHCHR suggest that many of these people had been arrested by Burundi security agents prior to their deaths. The High Commissioner further added that the *"succession of unexplained killings, and the widespread perception that they may be linked to State institutions, is instilling a deep sense of fear within the population, especially in neighbourhoods known to be supportive of the opposition"*.

In 2013, in your letters to both the General Assembly (A/67/775) and the Security Council (S/2013/110), you formulated the UN Human Rights Due Diligence Policy (HRDDP) banning the United Nations *from employing and/or supporting forces used for the commission of grave violations of international humanitarian law, human rights and refugee law*. While the policy faces particular implementation challenges, the UN should live up to its own normative standards by guaranteeing that its peacekeeping entities adhere to the organization's *purposes and principles in the Charter and its obligations under international law to respect, promote and encourage respect for International Humanitarian, Human Rights and Refugee Law*. Unfortunately, the presence of Burundi forces in MINUSCA, MINUSTAH, UNOCI and elsewhere, is in total contradiction to UN values and principles which state that *no UN entity should support, train or finance, even indirectly, any army or police force likely to engage in serious human rights violations*.

The United Nations should comprehensively avoid complicity with the actions of human rights abusers and refrain from providing assistance, money or logistical support to armies or police forces involved in documented serious human rights violations. I am therefore calling on the United Nations to clean-up its act and significantly reduce Burundi footprint in United Nations peacekeeping operations in application of United Nations policies and principles, with a special attention to the organization's HRDDP. Any Burundi units part of United Nations forces have to be carefully screened, and officers with a track record of grave human rights abuses excluded.



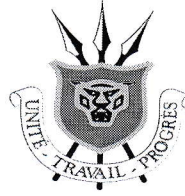
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I am of the strong view that for the organization to demonstrate it's serious about ending support to abusive forces, it should lead by example and adopt stringent standards for itself. The organization needs to ensure that its own peacekeepers can satisfy the HRDDP and do more for its implementation. The reputation and credibility of the UN are at stake!

Turning to the ongoing crisis in Burundi, you are aware that the regime in Bujumbura has continuously ignored calls for a comprehensive and inclusive dialogue to resolve the political and security crisis in Burundi. The crisis continues to deepen with the ruling party bent on pursuing its own agenda in violation of the Arusha Peace Accord. I am of the firm view that only an inclusive and comprehensive political dialogue is the only credible path to stability and sustainable peace in Burundi. Unfortunately, the Bujumbura regime has rejected the mediation efforts of the East African Community, the African Union, United Nations, and all other partners who have genuinely offered to support Burundi and its people. On the contrary, the Bujumbura regime has resorted to violence and targeted killings. It is high time to initiate this dialogue and provide all stakeholders with a peaceful path forward.

Should the Bujumbura regime fail to take part in the dialogue under the auspices of a regional or international mediator, with the affirmation of the Arusha Peace Agreement, reopen the media, release all political prisoners and swiftly disarm the imbonerakure militia, I would also request that you recommend to the Security Council to consider enforcement measures including the imposition of an arms embargo on Burundi and other targeted measures against individuals and entities responsible for, complicit in, or engaged directly or indirectly in actions or policies threatening the peace, security or stability of Burundi and the sub-region.

Based on recent statements and deeds by the regime in Bujumbura, there is a high probability of continuing serious abuses against civilians and I urge you to consider my request to reduce Burundi's footprint in United Nations peacekeeping operations and recommend that all United Nations Member States to impose a comprehensive arms embargo and target measures against individuals or entities responsible for crimes under international law and serious violations and abuses of human rights. In that regard, I comment the European Council for its 1 October decision to adopt travel restrictions and an



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asset freeze in respect of individuals whose activities are undermining democracy or obstructing efforts to achieve a political solution to the current crisis in Burundi.

Best regards,

Leonard NYANGOMA

Chairman

Cc:

- Heads of State of the great Lakes Region
- Security Council Members
- Mr. Jeffrey Feltman, USG DPA
- Mr. Hervé Ladsous, USG DPKO
- Mr. Atul Khare, USG DFS
- Mr. Said Djinnit, Special Envoy for the Great Lakes Region
- Mr. Parfait Onanga-Anyanga, SRSG MINUSCA
- Mr. Ibrahima Fall, African Union Special Envoy
- Mr. Thomas Perriello, US Special Envoy for the Great Lakes Region
- Mr. Koen Vervaeke, EU Senior Coordinator for the Great Lakes Region,
- Mr. Frank De Coninck, Belgian Special Envoy for the African Great Lakes Region