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**Human Rights Council****Fifty-first session**

12 September–7 October 2022

Agenda item 4

**Human rights situations that require the Council's attention****Resolution adopted by the Human Rights Council  
on 7 October 2022****51/28. Situation of human rights in Burundi***The Human Rights Council,*

*Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and other relevant international human rights instruments,*

*Recalling Human Rights Council resolutions 30/27 of 2 October 2015, S-24/1 of 17 December 2015, 33/24 of 30 September 2016, 36/2 of 28 September 2017, 36/19 of 29 September 2017, 39/14 of 28 September 2018, 42/26 of 27 September 2019, 45/19 of 6 October 2020 and 48/16 of 8 October 2021, as well as all relevant resolutions of the General Assembly and the Security Council,*

*Recalling also the Arusha Peace and Reconciliation Agreement for Burundi, which is rooted in the principles of human rights and transitional justice and provides the foundation for lasting peace, justice, national reconciliation, security and stability in Burundi,*

*Reaffirming full respect for the sovereignty, political independence, territorial integrity and national unity of Burundi,*

*Reaffirming also that States have the obligation to respect, protect and fulfil all human rights and fundamental freedoms,*

*Stressing the primary responsibility of the Government of Burundi for ensuring security in its territory and protecting its population in compliance with international human rights law and international humanitarian law, as applicable,*

*Considering that the international community and the United Nations system, including the Human Rights Council and its mechanisms, can play a critical role in strengthening the protection of human rights, preventing human rights violations and abuses and mitigating the risks of escalation of conflicts and deterioration in humanitarian situations,*

*Welcoming the report of the Special Rapporteur on the situation of human rights in Burundi submitted to the Human Rights Council at its fifty-first session,<sup>1</sup>*

*Noting with appreciation the progress made with regard to regional and international participation, the fight against trafficking in persons and the repatriation of Burundian*

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<sup>1</sup> A/HRC/51/44.



refugees, as mentioned by the Special Rapporteur in his report, and also noting the commitments made towards realizing further improvements in the areas of human rights, good governance and the rule of law,

*Expressing deep concern* about the ongoing human rights violations and abuses in Burundi, and regretting the lack of cooperation of the Government of Burundi with the Special Rapporteur and the lack of progress in reopening the country office of the Office of the United Nations High Commissioner for Human Rights,

1. *Strongly condemns* all human rights violations and abuses committed in Burundi, including those involving extrajudicial killing, enforced disappearance, arbitrary arrest and detention, acts of torture and other cruel, inhuman or degrading treatment or punishment, and sexual and gender-based violence, and calls for an immediate end to these violations and abuses and for the full respect of all human rights and fundamental freedoms;

2. *Deplores* the persistent restrictions on the rights to freedom of opinion, expression, peaceful assembly and association, and the reduced space for civil society and citizen activism, and stresses the need for the Government of Burundi to provide a safe and enabling environment for civil society, human rights defenders, journalists, bloggers and other media workers to carry out their work independently, without intimidation or undue interference, and to release all those who are still in detention for doing their work in defence of human rights;

3. *Condemns* the widespread impunity for all human rights violations and abuses, and urges the Government of Burundi to hold all perpetrators, regardless of their affiliation or status, including members of defence and security forces and of the ruling party's youth league, the Imbonerakure, accountable for their actions and to ensure that victims can seek justice and legal redress;

4. *Calls upon* the Government of Burundi to guarantee the independence of the judiciary from the executive branch;

5. *Also calls upon* the Government of Burundi to provide the National Independent Human Rights Commission with all the means necessary to perform its function of promoting and protecting human rights in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles);

6. *Further calls upon* the Government of Burundi to fully implement the recommendations made by the Special Rapporteur on the situation of human rights in Burundi and the Commission of Inquiry on Burundi in their reports, as well as those accepted in the context of the universal periodic review, and to cooperate fully with special procedure mandate holders and relevant treaty bodies;

7. *Calls upon* the Government of Burundi to refrain from all acts of intimidation or reprisal against human rights defenders, including those who are cooperating with international human rights mechanisms and the Human Rights Council;

8. *Encourages* the Government of Burundi to engage in a genuine and inclusive spirit with all Burundian stakeholders, operating from both inside and outside the country, to effectively address the multiple, deep-rooted challenges that Burundi is experiencing and to sustainably reintegrate returnees into Burundian society;

9. *Decides* to extend the mandate of Special Rapporteur on the situation of human rights in Burundi for a further period of one year, and requests the Special Rapporteur to present to the Human Rights Council, at its fifty-third session, an oral update on the situation of human rights in Burundi, and also to submit to the Council, at its fifty-fourth session, and to the General Assembly, at its seventy-eighth session, a comprehensive report;

10. *Urges* the Government of Burundi to cooperate fully with the Special Rapporteur, including by permitting unhindered access to the country, providing him with all the information necessary to properly fulfil the mandate, and facilitating cooperative exchanges and synergies with the National Independent Human Rights Commission, in line with the public commitments made by the current Administration to advance human rights and re-engage with the international community;

11. *Urges* the Government of Burundi to constructively cooperate with the Office of the United Nations High Commissioner for Human Rights, in particular its regional office for Central Africa, and to present a timeline for the reopening of the country office of the Office of the High Commissioner in Burundi, and to continue to cooperate with the United Nations country team in Burundi;

12. *Requests* the Secretary-General to provide the Special Rapporteur with the assistance and all resources necessary to fulfil the mandate;

13. *Decides* to remain seized of the matter.

*43rd meeting  
7 October 2022*

[Adopted by a recorded vote of 22 to 12, with 13 abstentions. The voting was as follows:

*In favour:*

Argentina, Armenia, Brazil, Czechia, Finland, France, Gambia, Germany, Honduras, Japan, Lithuania, Luxembourg, Marshall Islands, Mexico, Montenegro, Netherlands, Paraguay, Poland, Republic of Korea, Ukraine, United Kingdom of Great Britain and Northern Ireland and United States of America

*Against:*

Bolivia (Plurinational State of), Cameroon, China, Cuba, Eritrea, Gabon, Libya, Mauritania, Pakistan, Somalia, United Arab Emirates and Venezuela (Bolivarian Republic of)

*Abstaining:*

Benin, Côte d'Ivoire, India, Indonesia, Kazakhstan, Malawi, Malaysia, Namibia, Nepal, Qatar, Senegal, Sudan and Uzbekistan]