



To all Members of the African Union Peace and Security Council

17 June 2016

Your Excellencies,

RE: URGENT: Ensuring the Independence, Neutrality and Impartiality of the AU PSC Field Mission to Burundi

Your Excellencies, as Burundian and African civil society organisations, we welcome news that the Peace and Security Council of the African Union (AU PSC) will conduct a field mission to the Republic of Burundi to assess the situation later this month. This is a timely and urgently needed mission ahead of the 27th African Union Summit where Council will examine the situation in Burundi. We also welcome the steady efforts of the Facilitator of the East African Community-led mediation, President Benjamin Mkapa, to engage all Burundian stakeholders in a peaceful and inclusive resolution to the Burundi crisis and the continued support of the Council for this crucial process.

Your Excellencies, we urge Council to strongly consider the conduct of the field mission in a manner that respects the principles of **independence, neutrality and impartiality** as stipulated in the Communique of the AU PSC at its 557th meeting held on 13 November 2015. In this regard, we believe that this will not be the case if the mission is led by Burundi in their capacity as the Chair of the African Union Peace and Security Council for the month of June 2016. Section 9 of Article 8 of the Protocol Relating to the Establishment of the Peace and Security Council of the African Union also states that **any Member of the Peace and Security Council which is party to a conflict or a situation under consideration by the Peace and Security Council shall not participate either in the discussion or in the decision making process relating to that conflict or situation.**

Your Excellencies, we are concerned that Burundi's participation in and leadership of the mission will not only be in contravention of the protocol but also not conducive to an independent, neutral and impartial assessment of the situation in Burundi following **reports by the African Commission on Human and Peoples' Rights (ACHR) which have implicated Burundian security forces in serious and systemic violations of human rights with no indication of accountability.**

Your Excellencies, we urge the AU PSC as Guarantor of the 2000 Arusha Agreement for Peace and Reconciliation in Burundi to consider the following recommendations aimed at ensuring that the findings of the field mission are independent, neutral, and impartial:

1. **The Government of Burundi, as party to a conflict under consideration by the Peace and Security Council, should not participate in the planning or conduct of the mission** as stipulated in section 9 of Article 8 of the Protocol Relating to the Establishment of the Peace and Security Council of the African Union;
2. **The Council should ensure that its mission to Burundi has unhindered access to all parts of the country** including but not limited to areas where the ACHR has reported serious and systemic human rights violations;
3. **The Council should seek public assurances from the Burundian authorities that there will be no form of reprisal against any individual or groups that the mission will interact with** in discharging its mandate;
4. **The Council should endeavour to meet and consult with a broad cross-section of Burundian stakeholders** including but not limited to: government officials, representatives of political opposition groups, civil servants and state security forces, representatives of armed opposition groups, faith leaders, civil society organisations, women's platform for peace and youth representatives, political detainees, and the media;
5. **The Council is encouraged to consider the observations and reports of AU human rights observers and military advisers currently deployed in Burundi.**

Your Excellencies, we express our sincerest appreciation to the Council for its determination to fully play its role and take all necessary measures for the promotion of peace, security and stability in Burundi.

Please accept, Your Excellencies, the assurances of our highest consideration.

Signed

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| 1. ACAT – Burundi (Action des Chrétiens pour l'Abolition de la Torture) | 7. Association Burundaise pour la Protection des Droits Humains et des Personnes Détenues (APRODH) |
| 2. Africa Peace Forum (APFO) | 8. Assistance Mission for Africa (AMA) |
| 3. African Centre for Peace and Humanitarian Dialogue (ACHPD) | 9. Atrocities Watch Africa (AWA) |
| 4. African Centre for Transitional Justice (ACT-J) | 10. Burundi Women and Girls' Movement for Peace and Security (MFFPS) |
| 5. Agency for Independent Media (AIM) | 11. Center for Conflict Resolution (CECORE) |
| 6. Akina Mama wa Afrika | 12. Centre for Citizens' Participation in the African Union (CCPAU) |

13. Centre for Livelihood, Research and Poverty Reduction (CLIP-Poverty)
14. Citizens for Peace and Justice (CPJ)
15. Coalition of Civil Society for Elections Monitoring (COSOME)
16. Dialogue and Research Initiative (DRI)
17. East and Horn of Africa Human Rights Defenders Project (EHAHRDP)
18. End Impunity Organization
19. Equatorian Relief and Development Association (ERADA)
20. Forum pour le Renforcement de la Société Civile au Burundi (FORSC)
21. Forum pour la Conscience et le Développement (FOCODE)
22. Foundation for Democracy and Accountable Governance (FODAG)
23. Foundation for Youth Initiative (FYI)
24. Institute for Human Rights and Development in Africa (IHRDA)
25. Institute for the Promotion of Civil Society (ICPS)
26. International Center for Policy and Conflict (ICPC)
27. International Refugee Rights Initiative (IRRI)
28. International Youth for Africa
29. Jonglei Development Agency (JODA)
30. Juba Civic Engagement Centre (JCEC)
31. Lawyers for Human Rights (LHR)
32. Ligue Iteka
33. Organization for Non-violence and Development (ONAD)
34. Pan African Lawyers Union (PALU)
35. Peace and Development Collaborative Organization (PDCO)
36. Regional Associates for Community Initiative (RACI)
37. Regional Network on Peace and Security (RENOPS)
38. Réseau des Citoyens Probes (RCP)
39. South Sudan Law Society
40. South Sudan Network for Democracy and Elections (SSUNDE)
41. South Sudan Network for Small Arms (SSANSA)
42. South Sudan Women Lawyers' Association (SSWLA)
43. South Sudan Women with Disabilities Network (SSWDN)
44. South Sudan Youth for Peace and Development Organization (SSYPADO)
45. Soweto Community-Based Organization (SCBO)
46. Support Peace Initiative Development Organization (SPIDO)
47. Upper Nile Youth Development Association (UNYDA)
48. Voice for Change (VFC)
49. Women's Monthly Forum

Copied to:

Chairperson of the African Union, H.E. Dr. Nkosazana Dlamini-Zuma

African Union Commissioner for Peace and Security, H.E. Amb. Smail Chergui

Secretary-General of the East African Community, H.E. Amb. Libérat Mfumukeko

Facilitator of the East African Community, H.E. President Benjamin Mkapa