



Security Council

Sixty-ninth year

*Provisional***7236**th meeting

Wednesday, 6 August 2014, 3 p.m.

New York

<i>President:</i>	Mr. Wilson	(United Kingdom of Great Britain and Northern Ireland)
<i>Members:</i>	Argentina	Mr. Oyarzábal
	Australia	Ms. King
	Chad	Mr. Gombo
	Chile	Mr. Olguín Cigarroa
	China	Mr. Zhao Yong
	France	Mr. Lamek
	Jordan	Ms. Kawar
	Lithuania	Mr. Baublys
	Luxembourg	Ms. Lucas
	Nigeria	Mr. Adamu
	Republic of Korea	Ms. Paik Ji-ah
	Russian Federation	Mr. Iliichev
	Rwanda	Mr. Manzi
	United States of America	Mr. Dunn

Agenda

The situation in Burundi

Report of the Secretary-General on the United Nations Office in Burundi
(S/2014/550)

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The meeting was called to order at 3 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Burundi

Report of the Secretary-General on the United Nations Office in Burundi (S/2014/550)

The President: In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representative of Burundi to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Parfait Onanga-Anyanga, Special Representative of the Secretary-General and Head of the United Nations Office in Burundi, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I wish to draw the attention of Council members to document S/2014/550, which contains the report of the Secretary-General on the United Nations Office in Burundi.

I now give the floor to Mr. Onanga-Anyanga.

Mr. Onanga-Anyanga: I congratulate you, Sir, on your presidency of the Council during the month of August.

Members of the Council have before them the interim report of the Secretary-General on Burundi (S/2014/550) pursuant to paragraph 20 of resolution 2137 (2014). Since the publication of the report, the situation in Burundi has continued to evolve.

I would like to start by expressing my appreciation for the recent calls made by the President of Burundi to his closest advisers, in particular the Minister of the Interior, to ensure that political parties can freely undertake their activities throughout the country. Also, visibly preoccupied by the recent unlawful acts perpetrated by young people affiliated with his party, the Chairperson of the ruling Conseil national pour la défense de la démocratie-Forces pour la défense de la démocratie (CNDD-FDD) publicly condemned such acts and stated that the perpetrators would face justice.

Those are welcome and timely developments, for there should be no room for political intolerance, violence or impunity. Such steps must therefore be

sustained so that they have a lasting and positive impact and help to create a conducive environment for free, fair and peaceful elections in 2015.

Meanwhile, the sociopolitical situation in Burundi remains characterized by the deep-rooted differences and persisting mistrust between the Government and the opposition parties, and between and within opposition groups as well. There is a lack of genuine political dialogue on major national issues. In addition, the impact of a number of restrictive laws on the freedoms of expression and assembly is still a source of controversy and concern. That is disconcerting only nine months away from the 2015 elections.

Yet there is room for optimism. On 1 July, President Nkurunziza declared that the 2015 elections would be the best that the country had ever organized. Moreover, the opposition parties remain determined to stay politically engaged and not to boycott the 2015 elections. That is very encouraging, as the 2015 elections will be the real litmus test of Burundi's democratic process and stability.

The adoption of the new Electoral Code by consensus, its promulgation on 3 June and the signing of the code of conduct for the 2015 elections on 9 June, organized under the auspices of the Government and the United Nations Office in Burundi (BNUB) and in which all political stakeholders condemn political violence, as well as the announcement of the electoral calendar in July by the President of the Commission électorale nationale indépendante, the electoral management body, are all positive milestones. It is now incumbent upon all actors, particularly the Government of Burundi, to do everything possible to create a climate conducive to credible elections before they start in May 2015, and to nurture it throughout the entire electoral period. The timely deployment of electoral observers, as requested by the Government of Burundi, will be critical to the success of the elections, as is the need to secure adequate and timely funding.

(spoke in French)

The reason that the Secretary-General has stressed the need for a credible electoral process is the fact that, apart from their technical complexity, the elections in Burundi have major political significance. Ensuring their smooth conduct should therefore be part of the strategy to prevent the resurgence of conflict in Burundi and to strengthen peace and national stability.

In addition, the country will embark upon an electoral cycle that could have implications for all the countries of the Great Lakes region. I stress that point because, as the Council knows, the current political tensions are, to a great extent, due to the crisis following the boycott of the 2010 elections and to the political imbalances that resulted.

However, while it remains highly significant, the current stability in the country should not give rise to complacency. We should welcome the fact that today Burundi has become an important actor in peacekeeping in the region. Owing to the many sociopolitical challenges that Burundi continues to face, the gains of peace remain fragile and require the ongoing attention, in particular, of the entire Security Council.

That is why the country must step up its efforts to sustain the progress made by taking ownership of the recommendations of the Security Council, in particular in order to establish a lasting climate conducive to dialogue and consultation, to end impunity and to promote national reconciliation, including through the establishment of inclusive transitional justice mechanisms. In that regard, I would like to welcome the constructive role of the Speaker of the National Assembly of Burundi.

There is also a need to encourage the establishment of an independent judicial system and to promote and ensure better protection of human rights, including those of civil society and the media, not to mention the right to development and the well-being of all by further reducing the extreme poverty that continues to affect the majority of the population.

Sparing no effort to achieve the pledges made in 2012 at the Geneva Partners Conference towards the effective implementation of the second Strategic Framework for Growth and the Fight against Poverty must remain a priority on the basis of the joint commitments of Burundi and its partners. Ambassador Paul Seger continues to make significant efforts to that end.

Allow me also to launch in this body an appeal to the Burundian opposition to ensure that its efforts are sustained over time and go down in history, while resisting the temptation to once again abandon the electoral process. Today the political tensions affect both the relations between the Government and the opposition and the opposition parties. The mistrust and divisions also undermine the largest opposition

parties, such as the Union pour le progrès national, the Front pour la démocratie au Burundi and the Forces nationales de libération. That serves to perpetuate the prevailing climate of political tension. Several opposition parties have accused the Government of interfering in their internal management and of causing division within them. The Government has rejected the accusations, citing power struggles as the main cause of such disagreements.

Whatever the case, it is certain that the establishment of a more favourable political environment, as agreed in the road map and, more recently, in the code of good conduct — in particular by creating a more open political space in which all political actors would enjoy the same right to freely conduct their activities within the current legal framework, without fear of harassment or violence — would contribute significantly to building confidence, including in the institutions responsible for deciding political matters and organizing the electoral process. It would also make it possible to send a clear message as to the resolute commitment of the entire political class with regard to the need to engage in more calm and healthy competition, while guarding against troublemakers. The party in power should set an example in matters of discipline within its ranks. The warnings conveyed by the President of the CNDD-FDD in that connection are very encouraging. They show that it is possible to put a check on the scourge of violence for the forthcoming elections in 2015.

(spoke in English)

Following the submission of the joint transition plan to the Council on 14 May, BNUB, the United Nations country team, the Government and partners have moved forward with the implementation of measures to promote continuity and minimize potential gaps resulting from the closure of the mission, on 31 December. That process has been guided by regular meetings of the Transition Steering Group, which I have the honour to co-chair with the Minister of External Relations and International Cooperation. The Group enjoys broad representation from the Government and international partners. In the area of political dialogue, I have consulted numerous international partners — United Nations and non-United Nations partners — including the United Nations Office in Central Africa, the Special Envoy to the Great Lakes Region, the East African Community and, of course, the African Union. I am pleased to note that efforts are being made to step up their engagement. The role of the

European Union as a major player in the region will also be essential. It will be important to bridge any potential gaps, consistent with their respective mandates.

Similar consultations are ongoing between the Office of the United Nations High Commissioner for Human Rights and the Government to establish a stand-alone presence in Burundi, as provided for under the Joint Transition Plan and the United Nations Development Assistance Framework, bearing in mind the need to safeguard a full mandate on human rights while concomitantly building the capacity of the national human rights commission. I am pleased to report the Government's readiness to continue that important partnership, pending the necessary adjustments to reflect new developments since the 1995 memorandum of understanding. Success in that critical area will require the political and financial support of all the parties concerned, including the Government of Burundi, the office in Geneva and Member States.

In conclusion, none of those challenges are insurmountable. Further progress can be achieved by fostering a culture of inclusive dialogue and democracy, based on the principles of mutual respect and tolerance enshrined in Burundi's Constitution and the Arusha Peace and Reconciliation Agreement. In the short- and mid-terms, ensuring that the forthcoming elections take place in an enabling environment will be essential. Their credibility hinges upon the participation of all Burundians. I remain optimistic that this will be the case. Going forward, BNUB and the country team will remain engaged and continue to extend their support to the Government and the people of Burundi with a view to consolidating democracy, sustainable development and peace.

The President: I thank Mr. Onanga-Anyanga for his briefing.

I now give the floor to the representative of Burundi.

Mr. Niyonzima (Burundi) (*spoke in French*): As my term is coming to an end and this is the last time that I will address the Security Council as the Permanent Representative of my country, I would like to express my heartfelt gratitude for all that the Security Council has done for my country and for its representatives. Things have not always been easy, but the Security Council had to understand that, in a post-conflict situation, the Government faced a situation where it had to make certain choices from of a host of

options that all had their drawbacks. I very much thank the Council for its understanding.

My term of my dear friend Parfait Onanga-Anyanga is also ending very soon. He, as well as his many other counterparts along the way, has proven to be a true friend of Burundi, in addition to being the best Special Representative of the Secretary-General that the country has ever known. Although he has at times been misunderstood, he has never neglected his duty. His patience, his perseverance and, above all, his integrity have allowed him to establish dialogue among the different national stakeholders and to ameliorate a political climate that was not always conducive to the functioning of the country's institutions. That achievement required the professionalism and wisdom that those here and elsewhere are aware of. On behalf of the Government of Burundi, I would like to express to him my sincere thanks.

In his report (S/2014/550) to the Security Council, the Secretary-General rightly commends the Government of Burundi for its many accomplishments. He also refers to significant challenges as well as shortcomings, which he attributes to the Government of Burundi but primarily to the Imbonerakure and the hindering of people's freedoms.

With regard to the Imbonerakure, I would like first to welcome the formal denial as to the existence of military training offered to the Imbonerakure in the Democratic Republic of the Congo. Domestically, we also must end the political inclination to associate offences with the political parties from which offenders come. All criminals are punished individually. There is no crime perpetrated by the Imbonerakure as an organized group. That does not exist; those charges are simply unacceptable fabrications.

Where I do agree with the report is when it comes to statistics and figures. More than 85 per cent of voters in Burundi are from the Conseil national pour la défense de la démocratie-Forces pour la défense de la démocratie (CNDD-FDD), the party in power. As a result, it is perfectly natural and entirely predictable that this party includes a higher number of both criminals and honest people, both more intelligent and mediocre people, both more believers and non-believers and both more credible and dishonest people, as well as disabled persons, prisoners and so forth. There is therefore no point to be made in that regard. Making the Imbonerakure a political and security problem by

blacklisting the party in power runs the risk of raising a question about intellectual honesty. I therefore call on the Special Representative of the Secretary-General to be wary of such reports from his Office.

Turning to the issue of hindering freedoms, in the context of a country in a post-conflict situation, leadership that fails in its firmness to uphold the law and institutions would undermine its own legitimacy. Democratic elections confer constitutional legitimacy, but political legitimacy — when it comes to exercising power — is acquired through the exercise of authority. Authority that is not exercised is no longer legitimate. One does not obey authority because it is legitimate, it is legitimate because it is obeyed. That is how African societies function. The Government of Burundi believes that if one becomes too accustomed to deviations, you end up no longer knowing where the limits lie. Freedoms have their constraints. When it comes to freedom of expression, for example, as in France — a longstanding Western democracy — anti-Semitism, racism, slander and invasion of privacy are not matters of opinion. Anxious to ensure law and order, France has made those police and judicial matters.

Therefore, what the report of the Secretary-General calls obstruction of public freedoms — and perhaps the person who wrote it is correct, but he would certainly be wrong if he did not admit this — the vast majority of Burundians views such obstruction as an issue of crime prevention and preserving public order. Who is wrong, who is right? I think that this binary way of looking at

Burundi and its institutions is, from my point of view, of no interest to the Security Council. However, a factual truth exists, one resistant to different interpretations: in Burundi peace and security reigns throughout the national territory.

In the Council's aspiration to establish peace and security around the world, when it comes to Burundi and the Great Lakes region, I can affirm that the Security Council has a strong partner in His Excellency Mr. Pierre Nkurunziza, President of the Republic of Burundi. The socio-political and security resilience of Burundi, to which the international community has substantially contributed, for which the Government of Burundi is deeply grateful, is primarily due to the benevolent firmness of President Nkurunziza. And Burundians are not the only ones to enjoy its dividends, because the Somalis, the Central Africans, the Haitians, the Darfurians, the Ivorians and many others have benefited equally.

In conclusion, I would like once again to sincerely thank the Council for all it has taught me, for the excellent cooperation and for the friendship that some members have shown me. During my tenure, things have not always been easy for my country, but I am grateful to the Council for always treating us with kid gloves.

The President: There are no more names inscribed on the list of speakers. I now invite Council members to informal consultations to continue our discussion on the subject.

The meeting rose at 3.20 p.m.