

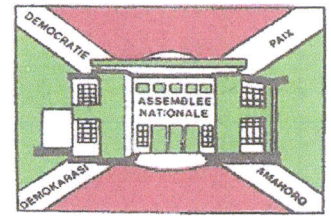


SENAT

REPUBLIQUE DU BURUNDI



ASSEMBLEE NATIONALE



PRESIDENT

Réf : SNB/CP/...436.../2021

Réf : 130/PAN/..009../2021

Bujumbura, le 20/12/2021

STATEMENT SANCTIONING THE WORK OF THE CONGRESS OF THE PARLIAMENT OF THE REPUBLIC OF BURUNDI HELD ON DECEMBER 20th, 2021 AT THE PALACE OF CONGRESS IN KIGOBE

REFERS TO: PROGRESS REPORT OF THE TRUTH AND RECONCILIATION COMMISSION, YEAR 2021

The Parliament of the Republic of Burundi gathered in Congress;

- **Considering** the Constitution of the Republic of Burundi, especially Article 168, point 8;

- **Considering** the revised law n°1/22 of November 6th, 2018 governing the creation, mandate, composition, organisation and functioning of the Truth and Reconciliation Commission (TRC), particularly in its article 69 which states that "the Truth and Reconciliation Commission shall present an annual progress report to the Parliament gathered in Congress";

A. **Considering** the progress report presented by the Truth and Reconciliation Commission on December 20th, 2021;

B. **Considering** the methodology used by the Truth and Reconciliation Commission in its work to establish the truth about the massive human rights violations in a bid to explore ways of reconciling the Burundi people and the non recurrence of the crimes committed in 1972-1973;

C. **Convinced** that the sample of exhumations of mass graves, hearings of witnesses and archives already collected and consulted is sufficiently representative;

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D. Having analysed the content of the progress report drawn up by the Truth and Reconciliation Commission;

E. Having assessed the missions entrusted to the Truth and Reconciliation Commission, which include to:

- Elucidate the violations of major political, civil, economic and social rights
- Establish the individual liabilities and those of state institutions, legal persons and private groups;
- Determine the role of the coloniser in the cyclical violence that has plunged Burundi into mourning;
- Determine the nature, root -causes and extent of the violations committed, including the antecedents, circumstances, factors, contexts, motives and perspectives that led to these violations;
- Identify and map mass graves and any other burial sites not recognised by the law, take the necessary measures to protect them, and proceed with the possible exhumation of the bodies for the purpose of a dignified burial to be carried out after the truth will have been established;
- To set up a place for the conservation of human remains before their dignified burial (art. 6, paragraph 2);

F. Considering the findings of the work of the Truth and Reconciliation Commission in carrying out its mission to investigate and establish the truth about the serious violations of human rights and international humanitarian law committed during the period from February 26th, 1885 to December 4th, 2008;

G. Considering the impact of the 1972-1973 massacres on several levels, in particular the purging of Bahutu in schools and in the teaching profession, the mechanisms for excluding Bahutu from education, their purging and their exclusion from the army the way in which the Bahutu were excluded from the political and administrative sphere, the forced exile of many people of the Bahutu ethnic group, the trauma and the impoverishment of the survivors and the families of the victims, impoverishment marked by the plundering of movable and immovable properties and bank accounts;



H. **Considering** the qualification by the Truth and Reconciliation Commission of the crimes committed in Burundi in 1972 - 1973 according to the terminology of human rights and international humanitarian law;

I. **Considering** that the asking for and giving of forgiveness are the foundations of a true reconciliation and create the necessary conditions for true peace and sustainable development;

1.The Parliament gathered in Congress on Monday December 20th ,2021 at Kigobe Palace **adopts** the content of the progress report on the establishment of the truth about the massive human rights violations committed in Burundi in 1972-1973 presented by the Truth and Reconciliation Commission;

2.The Parliament meeting in Congress **solemnly adopts** the qualification report presented by the Truth and Reconciliation Commission on this day of December 20th 2021;

3.The Parliament meeting in Congress **adopts** the solemn statement presented by the Truth and Reconciliation Commission **confirming** that the massive human rights violations committed throughout the territory of Burundi in 1972-1973 in the light of the investigations carried out constitute genocide against the Bahutu of Burundi;

4.The Parliament in Congress **adopts** the solemn statement presented by the Truth and Reconciliation Commission before the Parliament **confirming** that crimes against humanity have been committed against the Bahutu throughout the national territory of Burundi;

5.Parliament in Congress **adopts** the solemn statement presented by the Truth and Reconciliation Commission to Parliament **confirming** that crimes against humanity have been committed against the Batutsi in the south of the country, particularly on the coast of Lake Tanganyika, in the first week of the outbreak of the massacres in 1972;

6.Parliament in Congress **adopts** the solemn statement presented by the Truth and Reconciliation Commission to Parliament confirming that crimes against humanity have been committed against citizens of the Batwa community, especially in the current provinces of Muramvya and Mwaro;

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7. The Parliament gather in Congress at the National Assembly Palace in Kigobe **adopts** the solemn statement presented by the Truth and Reconciliation Commission **concluding** that no war crimes have been perpetrated in Burundi in 1972-1973;

8. The Parliament gathered in Congress **requests** the State of Burundi to solemnly recognise, through legislation, the genocide committed against the Bahutu of Burundi in 1972-1973;

9. The Parliament gathered in Congress **calls upon** the authorised institutions to adopt a memorial law based on the request and granting of forgiveness with a view to promoting national reconciliation;

10. The Parliament in Congress **calls on** the State of Burundi to put into place a mechanism for the prosecution of those alleged perpetrators who have refused to ask for forgiveness for the crimes committed and to grant forgiveness to those who request it so as not to put at stake the national reconciliation plan;

11. The Parliament in Congress **invites** the State of Burundi to establish a national day of commemoration of the genocide committed against the Bahutu of Burundi in 1972-1973;

12. The Parliament in Congress **invites** the State of Burundi to officially ask for forgiveness, in the name of the Burundian Nation, to all the families who were bereaved in 1972-1973 and to participate in the rehabilitation of the victims by proceeding in particular to the withdrawal of the infamous name of "Bamenja" given to the families of the innocent victims;

13. The Parliament in Congress **invites** the State of Burundi to ask the international community to financially support the continuation of the activities of the Truth and Reconciliation Commission;

14. The Parliament in Congress **invites** the Government of the Republic of Burundi to ask the Kingdom of Belgium to accept its liability towards the community fracture resulting from its past governance in Burundi and the sectarian laws that this country has imposed on the Burundian Nation;



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15. The Parliament gathered in Congress **requests** the Government of the Republic of Burundi to invite multilateral cooperation organizations, in particular the African Union, the United Nations and the mechanisms linked to these organisations to make their own the results of the investigations of the Truth and Reconciliation Commission;

16. The Parliament in Congress **invites** the State of Burundi to provide the Truth and Reconciliation Commission with adequate premises for the temporary conservation of human remains and other exhumed objects;

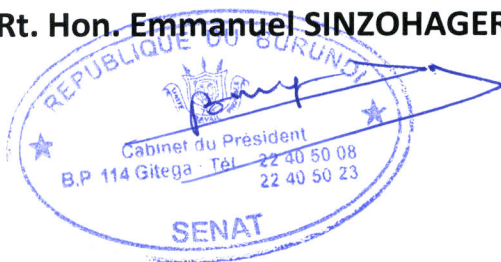
17. The Parliament in Congress **requests** the Truth and Reconciliation Commission to organise meetings at internal and external levels to disseminate the results of the progress report for the year 2021;

18. The Parliament gathered in Congress requests the Bureaux of the National Assembly and the Senate to transmit this declaration to the State of Burundi.

Signed at Bujumbura, 20 /12/2021

The Speaker of the Senate

Rt. Hon. Emmanuel SINZOHAGERA



The Speaker of the National Assembly

Rt. Hon. Gelase Daniel NDABIRABE



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