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**Speech by David MARTIN, Chief of the European Union Election Observation Mission in Burundi (EU EOM Burundi) – 11 May 2015 – Bujumbura**

Good afternoon Ladies and Gentlemen,

It is a great pleasure for me to be back in Burundi, 30 years after my first visit. Indeed, 1985, was not just my first visit to Burundi but my first visit to Africa.

I accepted to lead the European Union election observation mission with a great sense of responsibility and in response to the invitation extended by the Government of Burundi.

Our mandate, as a neutral and professional election observation mission, is to conduct an objective assessment of all the elements of the electoral process, from the legal framework to the respect of fundamental political freedoms, which are, after all, the foundation of international standards for democratic elections. These include respect for the rights to freedom of expression, of assembly and association, as well as the freedoms necessary for candidates to campaign, and for citizens to make well-informed choices, without fear of intimidation.

As part of our assessment, we must also evaluate the neutrality and independence of the judiciary and the election administration, as well as the transparency of election operations, including the publication of results, disaggregated to display figures from national to polling station level, thus enabling anyone to easily trace and check their accuracy.

As impartial election observers, we don't care who wins, we care about how they win. In this respect, I have to express some serious concerns at the end of my first visit, having had a wide range of meetings, with government bodies, the electoral commission, political parties and civil society groups.

Elections are not limited to the act of voting. To have any prospect of being credible – of offering citizens a genuine opportunity to choose – elections must be held in conditions that respect competition and pluralism. For this, it is essential that citizens, political parties and civil society alike are guaranteed space to express their opinions, to be informed, and to campaign. As I've said before, the State has a responsibility to respect freedoms of expression, of assembly, and of protest, and it has a duty to protect the right to express legitimate opinions. These are among the essential conditions of democratic elections.

In the time I have been here, I have seen that, unfortunately, these are not the conditions prevailing now, in Burundi. In this respect, I would like to take this opportunity to highlight that there is no justification for the use of force to repress legitimate demonstrations. Naturally, protesters also have a duty to remain peaceful. I take note that while demonstrations against the third mandate have been banned and met with repression, demonstrations in favour of President Nkurunziza's candidacy have been allowed and its participants protected. In democracies, the expression of opinions that diverge from or are opposed to those of the government can never be equated with insurgency.



So far, the cost of the repressive response to anti-third mandate demonstrations has been high: close to 20 fatal victims, and many injured, some of them very seriously, as well as the detention of large numbers of demonstrators. As you know, conditions on the ground and fear of violence have also led tens of thousands of Burundi citizens to leave their homes and their country. They will not be able to vote.

I would like to recall the statement made last week by Fatou Bensouda, the Prosecutor of the International Criminal Court, regarding recent pre-electoral violence in Burundi, when she emphasised that electoral competition can trigger large-scale crimes falling under the jurisdiction of the ICC. The Prosecutor also emphasised that electoral violence is by no means inevitable. I absolutely agree with her and would like to highlight that there is still time, here in Burundi, to restore the freedoms, the neutrality of public institutions and the respect for political plurality and diversity of opinion which can enable a credible process.

The closing down of media, such as RPA radio, or the limiting of media's ability to broadcast nationwide are unacceptable in terms international standards for democratic elections. In order to create conditions for these elections to take place, it is urgent that these limitations be unconditionally removed. The same applies to limitations on the functioning of social media, which play an ever-greater role in election campaigns worldwide. Equally, journalists deserve particular respect and protection by public powers, in accordance with their essential role in electoral processes. The media not only give space to political parties to convey their messages, but also need the freedom to report and analyse events and developments for their audiences. In addition, the media have a crucial part to play in communicating information to voters about the process they are participating in. At the present time, the media are unable to fulfil these critical roles.

If, in these difficult circumstances, it were necessary or useful, to delay the communal and legislative elections, we would understand this.

Thank you very much.

**Contact EU EOM Burundi** Alain CHABOD – Press officer – Mob. : +257 71 099 850 – [alain.chabod@moeueburundi.eu](mailto:alain.chabod@moeueburundi.eu)