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EALS/BNDI/12/15

15th December 2015

**The Prosecutor,
The International Criminal Court
Oude Waalsderperweg, 10 2597 AK
The Hague,
Netherlands**

Dear Madam,

**Re: EAST AFRICA LAW SOCIETY CALL ON THE PROSECUTOR OF THE
INTERNATIONAL CRIMINAL COURT TO INITIATE INVESTIGATIONS FOR
POTENTIAL CRIMES AGAINST HUMANITY BEING COMMITTED IN THE
REPUBLIC OF BURUNDI, UNDER ARTICLES 15 AND 54 OF THE ROME
STATUTE**

By way of an introduction, the East Africa Law Society is the regional umbrella Bar Association of the legal profession in East Africa, bringing together the Burundi Bar Association, the Law Society of Kenya, the Tanganyika Law Society, the Rwanda Bar Association, the Uganda Law Society and the Zanzibar Law Society; together with their individual members totalling over 12,000. The East Africa Law Society works to promote adherence to the Rule of law, good governance and the respect for Human Rights in East Africa; and has formal Observer Status with the East African Community and the African Commission on Human and Peoples' Rights.

It is upon this platform, and in accordance with Articles 15 and 54 of the Rome Statute which empowers the Prosecutor of the International Criminal Court to conduct investigations proprio Motu on the basis of information on possible crimes within the jurisdiction of the Court, that we call on the office of the Prosecutor of the International Criminal Court to commence investigations into possible commission of crimes against humanity by the government of the Republic of Burundi against its citizens.

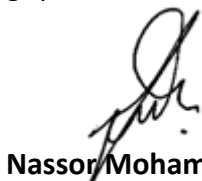
Our call is premised on the fact that since President Pierre Nkurunziza was announced winner of a disputed Presidential election in July 2015, the citizens of Burundi continue to suffer widespread and systematic

murders, torture and enforced disappearance of persons. Despite the government imposed total ban on the media in Burundi, we continue to receive gruesome pictures of bodies of persons killed and dumped on the streets of the capital city Bujumbura; and the tally of persons killed extra judicially continues to rise as per the information from both national and international organisations operating in Burundi. The situation in the country has led to thousands of Refugees fleeing Burundi to the neighbouring countries of Rwanda and Tanzania.

Madam Prosecutor, considering that the International Criminal Court has committed to ensuring that the most serious crimes of international concern should not go unpunished; and that the perpetrators of these crimes should be held accountable through a combination of national and international mechanisms, it is the hope of the East Africa Law Society that your Office shall immediately initiate investigations into the ongoing potential crimes against humanity being committed in the Republic of Burundi, and ensure that those complicit or culpable are held to account.

The investigation shall also be in line with Goal 16 of the recently adopted United Nations 2030 Agenda for Sustainable Development as highlighted in the Statement of the President of the Court commemorating the International Human Rights Day. The goal formulates a commitment to peaceful and inclusive societies for sustainable development, through enhancing access to justice for all and building effective, accountable, and inclusive institutions at all levels with a view of reducing and preventing violence through the promotion of the rule of law.

We urge the utmost urgency in this matter, in order to stem the bloodletting and violence that continues to grip Burundi today.



Nassor Mohammed
PRESIDENT

- cc. The President, United Nations Security Council.
- „ The Chairperson, African Union Commission.
- „ The Secretary General, East African Community Secretariat.
- „ The Attorney General, Republic of Burundi
- „ The President, Burundi Bar Association.

