

ANNEX 5

Under Seal

Ex Parte only available to Prosecution

ANNEX 5 – UNDER SEAL, *EXPARTE*, ONLY AVAILABLE TO THE PROSECUTION

Chronology of relevant events

1 July 1962	Burundi's declaration of independence
21 October 1993	Start of the civil war between mostly Hutu rebel movement including the CNDD-FDD and the Tutsi-dominated armed forces sparked by the assassination of Burundi's first Hutu President, Melchior Ndadaye
28 August 2000	Conclusion of the Arusha Peace and Reconciliation Agreement for Burundi setting up a power-sharing system between the Hutu and the Tutsi
1 November 2001	Creation of a transitional government in Burundi
19 August 2005	After the transformation of the CNDD-FDD armed group into a political movement, election of its leader Pierre Nkurunziza as President
28 June 2010	Re-election of President Pierre Nkurunziza
25 April 2015	Announcement by Burundi's ruling party CNDD-FDD that President Nkurunziza would be their candidate for the 2015 presidential elections
26 April 2015	Start of the demonstrations against President Nkurunziza's third term considered by opponents to be unconstitutional and in violation of the Arusha Peace and Reconciliation Agreement
5 May 2015	Validation of President Nkurunziza's candidacy by the Constitutional Court of Burundi
13 May 2015	<i>Coup d'état</i> attempt by a group of senior military and police officers led by former head of the National Intelligence Service SNR, Major General Godefroid Niyombare
29 June 2015	Legislative and communal elections (CNDD-FDD won 77 of the 100 seats in Parliament)
21 July 2015	Presidential elections (President Nkurunziza re-elected with 69% of the vote)
1 August 2015	Official establishment of the opposition platform <i>Conseil national pour le respect de l'accord d'Arusha pour la paix et la réconciliation au Burundi et de l'Etat de droit</i> (CNARED) in Brussels, Belgium

2 August 2015	Assassination of the former head of the SNR, General Adolphe Nshimirimana
1 October 2015	Decision of the Council of the EU to impose travel restrictions and asset freezes against the Deputy Director General of the National Police; the Head of Cabinet of the Presidential Administration responsible for matters relating to the National Police; an officer of the National Intelligence Service and a former army general who participated in the attempted <i>coup d'état</i> of 13 May 2015
17 October 2015	Request of the AU Peace and Security Council to the African Commission on Human and Peoples' Rights (ACHPR) to carry out a human rights investigation
12 November 2015	UN Security Council Resolution 2248 on the situation in Burundi recalling that Burundi is a State Party to the Rome Statute of the ICC, condemning violations and abuses of human rights and expressing the Council's intention to consider additional measures against all Burundians who contribute to the perpetuation of violence
22 November 2015	Decision of the US Government to impose targeted sanctions against the Minister of Public Security and the Deputy Director of the National Police and two individuals associated with the opposition
11 December 2015	Attack of four different army bases in and around Bujumbura by unidentified armed men, triggering security operations and subsequent alleged mass killings
17 December 2015	Decision of the AU Peace and Security Council to authorise the deployment of an African Prevention and Protection Mission in Burundi (<i>Mission de Prévention et de Protection au Burundi – MAPROBU</i>), of up to 5,000 military personnel and police with an appropriate civilian component, integrated human rights observers and military experts (decision was not implemented and was later reversed)
18 December 2015	Decision of the US Government to impose targeted sanctions against the Chief of Staff of the Presidential Administration responsible for matters relating to the National Police and an officer of the National Intelligence Service and two more individuals associated with the opposition
22 December 2015	Request of the UN Human Rights Council to the United Nations High Commissioner for Human Rights to organise an independent mission to investigate human rights violations in Burundi (United Nations Independent Investigation on Burundi, UNIIB)

23 December 2015	Announcement of the creation of anti-government entity <i>Forces Républicaines du Burundi</i> (FOREBU)
January 2016	Emergence of anti-government entity <i>Résistance pour l'Etat de Droit au Burundi</i> (RED-Tabara)
26 January 2016	Appointment by the UN High Commissioner for Human Rights of three independent experts to the UNIIB
26 February 2016	Agreement between the AU and Government of Burundi to deploy 100 human rights observers and 100 military observers to the country (agreement pending full implementation)
14 March 2016	In reference to the human rights situation in Burundi, decision of the EU to trigger article 96 of the partnership agreement between the EU and countries from Africa, the Caribbean and the Pacific (Cotonou agreement) suspending all financial support to the Burundian administration, including budget support, except for financial support to the population and humanitarian assistance
1 April 2016	UN Security Council Resolution 2279 on the situation in Burundi recalling that Burundi is a State Party to the Rome Statute of the ICC, condemning violations and abuses of human rights and requesting the Secretary-General to provide options for a police component to increase the UN presence in Burundi
17 May 2016	Publication of ACHPR final report
2 June 2016	Decision of the US Government to impose targeted sanctions against the deputy Joint Army Chief of Staff and a Burundian security forces member linked to President Nkurunziza's inner circle another individual associated with the opposition
28-29 July 2016	Hearings of UN Committee against Torture on Burundi following which the Committee issued a report expressing grave concern at the human rights situation in Burundi.
29 July 2016	UN Security Council Resolution 2303 on the situation in Burundi recalling that Burundi is a State Party to the Rome Statute of the ICC, condemning violations and abuses of human rights and urging Burundi to accept the deployment of up to 228 UN police (implementation pending)
20 September 2016	Publication of UNIIB final report
30 September 2016	UN Human Rights Council resolution establishing a UN commission of inquiry into human rights violations in Burundi

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| 3 October 2016 | Rejection by the Government of Burundi of the UN Human Rights Council resolution establishing a UN Commission of Inquiry as “inapplicable in Burundi”, later announcing its refusal to cooperate with the commission. |
| 11 October 2016 | Decision by the Government of Burundi to declare the three independent experts of the UNIIB <i>personae non gratae</i> and to suspend all cooperation with the OHCHR Office in Burundi |
| 27 October 2016 | Notification by Government of Burundi of its withdrawal from the Rome Statute lodged with the UN Secretary-General |
| 4 September 2017 | Publication of the Report of the UN Commission of Inquiry, dated 11 August 2017, including the commission’s finding that there are reasonable grounds to believe that crimes against humanity have been committed since April 2015 by members of the national intelligence service, the police, the military and the Imbonerakure |