

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	333
Land:	Burundi
Kilde:	Freedom House
Titel:	Freedom in the World 2019 – Burundi
Udgivet:	4. marts 2020
Optaget på baggrundsmaterialet:	19. maj 2020



Freedom in the World 2020

Burundi

NOT FREE

13
/100

<u>Political Rights</u>	3 /40
<u>Civil Liberties</u>	10 /60

LAST YEAR'S SCORE & STATUS

14 /100 Not Free

Global freedom statuses are calculated on a weighted scale. [See the methodology.](#)



Overview

Burundi has been in political and economic crisis since 2015. Democratic gains made after the 12-year civil war ended in 2005 have been undone by a shift toward

authoritarian politics and violent repression against anyone perceived to oppose the ruling party, the National Council for the Defense of Democracy–Forces for the Defense of Democracy (CNDD–FDD).

Key Developments in 2019

- The Inter-Burundi Dialogue, a mediation effort aimed at ending the political crisis sparked by President Pierre Nkurunziza’s 2015 decision to stand for a third term, ended in February without reaching a solution.
- The CNDD–FDD continued to violently repress and intimidate the population. UN investigators, in a report released in September, found that “serious human rights violations, including crimes against humanity,” had continued during the previous 15 months, in a climate of impunity. The report identified the Imbonerakure—the youth wing of the ruling party—as the principal perpetrators, but noted the role of other state agents.
- The United Nations, the International Crisis Group, and others warned of the potential for political violence ahead of the 2020 general elections if the crisis were not resolved, and if polling took place in the current climate of fear, intimidation, and impunity.

Political Rights

A. Electoral Process

A1 0-4 pts

Was the current head of government or other chief national authority elected through free and fair elections?

0/4

Burundi adopted a new constitution in 2005 after a series of agreements ended the country’s 12-year civil war. According to the charter, the president appoints two vice presidents, one Tutsi and one Hutu, who must be approved separately by a two-thirds majority in both the lower and upper houses of Parliament.

In April 2015, the ruling CNDD–FDD announced that President Pierre Nkurunziza would seek a third presidential term. Critics charged that the move contravened the constitution and would jeopardize the country’s fragile peace. Nkurunziza and his supporters argued that he was eligible to run again because he had been elected by Parliament rather than through a popular vote for his first term in office. Despite widespread public protests and international condemnation, in May 2015 the Constitutional Court ruled in favor of Nkurunziza, even as one of the court’s justices fled abroad. Days later, a group of military leaders led a coup attempt against Nkurunziza. Government forces quickly reasserted control and began a crackdown on those suspected of involvement in the plot or opposition to the president. Due to ongoing unrest in the country, the Independent National Electoral Commission (CENI) postponed the presidential poll until that July.

In the election, Nkurunziza defeated National Forces of Liberation (FNL) leader Agathon Rwasa, 69 percent to 19 percent, although the latter boycotted the poll. International observers from some organizations, including the EU and African Union (AU), refused to monitor the election, saying it could not be free or fair given the violence and climate of intimidation. A UN mission observing the poll stated that the environment was not conducive to a free and fair electoral process, and that violence had “remained an unfortunate feature of the entire process.”

In May 2018, Nkurunziza further consolidated his rule through the passage of a constitutional referendum, which, among other provisions, lengthens presidential terms from five to seven years. Nkurunziza has vowed to step down in 2020, despite the fact that the new constitution allows him to stay in power through 2034.

A September 2019 report by the UN Commission of Inquiry on Burundi described a continuing climate of fear and intimidation against anyone who did not show support for the CNDD–FDD. It added that “the theme of the divine origin of the president’s power is increasingly common in official speeches delivered by the president and his wife.”

Meanwhile, the Inter-Burundi Dialogue, a mediation effort led by the East African Community (EAC), a regional organization, ended in February 2019 without reaching a solution. The International Crisis Group, in a report on the effort, attributed the failure to an “absence of political will and divisions among [EAC]

member states, coupled with the Burundian government's intransigence." It warned that "without urgent intervention, the 2020 elections will take place in a climate of fear and intimidation," increasing "risks of electoral violence and people joining armed opposition groups." The United Nations report contained a similar warning, and stated that suppression of civil liberties was increasing ahead of the 2020 polls.

A2 0-4 pts

Were the current national legislative representatives elected through free and fair elections?

0/4

The 100 members of the lower house, the National Assembly, are directly elected by proportional representation for five-year terms. The upper house, the Senate, consists of 36 members chosen by locally elected officials for five-year terms.

Due to the unrest in 2015, the CENI postponed the year's National Assembly elections by several weeks, and they eventually took place in late June 2015. Indirect senatorial elections were held that July. The volatile environment surrounding the legislative vote prevented it from being free or fair. The opposition boycotted the polls, and the CNDD-FDD took significant majorities in both the National Assembly and the Senate. The next legislative elections are set for 2020, to be held concurrently with the presidential poll.

A3 0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?

0/4

The CENI is comprised of five members. In 2015, two CENI members who fled the country amid the year's unrest were replaced with pro-Nkurunziza appointments approved by a CNDD-FDD-controlled Parliament.

The CNDD-FDD conducted a violent intimidation campaign ahead of the May 2018 constitutional referendum, with authorities arresting perceived opponents and threatening to assassinate those who did not vote in favor of the changes. According to Human Rights Watch (HRW), at least 15 people died in violence

connected to the referendum campaign. The referendum passed with 73 percent of the vote. In addition to extending presidential term limits, the revisions further consolidate power in the executive, allow for future revision of Burundi's ethnic power-sharing system, and create new obstacles for opposition parties.

B. Political Pluralism and Participation

B1 0-4 pts

Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?

1 / 4

Legally, political party formation is allowed. In practice, the activities of parties and political leaders perceived as opposing Nkurunziza are severely discouraged by the threat of retaliatory violence, repression, or arrest. Many political parties include youth branches that intimidate and attack opponents, the most prominent of which is the ruling party's Imbonerakure.

In February 2019, the government allowed Agathon Rwasa's opposition party, the National Congress for Freedom (CNL), formerly the National Forces of Liberation (FNL), to register. However, the CNDD-FDD continued its campaign of violence and intimidation against the CNL and other opposition groups, ranging from vandalism and burning of CNL offices, to beatings, arbitrary arrest, disappearance, and murder of real and suspected political opposition members.

A new electoral code passed in 2019 prohibits coalitions of independent candidates.

B2 0-4 pts

Is there a realistic opportunity for the opposition to increase its support or gain power through elections?

0 / 4

The opposition has little realistic opportunity to increase its popular support through elections. Opposition parties, politicians, and their supporters face harassment, intimidation, and assassination in Burundi, and many opposition politicians and groups operate in exile. An opposition-in-exile group, the National Council for the Respect of the Arusha Agreement (CNARED), attempted to negotiate with the CNDD–FDD on participating in the 2020 elections; its willingness to engage the government led to the formation of a splinter opposition-in-exile group in 2019, the Coalition of Burundian Opposition Forces for the Re-establishment of the Arusha Accords (CFOR-Arusha). CNARED, for its part, was unable to reach any accord with the CNDD–FDD.

B3 0-4 pts

Are the people’s political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?	0 / 4
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The Imbonerakure, the National Intelligence Service (SNR), and the Burundian police are allies of the CNDD–FDD, and use violence and intimidation to influence people’s political choices.

B4 0-4 pts

Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities?	2 / 4
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The 2005 constitution requires power-sharing between Hutus and Tutsis in the National Assembly and Senate, and additionally stipulates that women and representatives of the Twa minority be seated in both houses. However, the constitutional revisions approved in May 2018 require that these ethnic quotas be reviewed over the next five years, opening the door for their elimination and the potential exclusion of ethnic minorities from politics.

Women face social pressure that can deter active political participation, and few women hold political office at senior levels.

The current political environment is characterized by the dominance of the CNDD–FDD and repression of its opponents, reducing meaningful openings for effective political representation of ethnic and religious minorities and other distinct groups. In addition, the ruling party apparatus has violently targeted returning refugees on suspicion of opposition sympathies.

C. Functioning of Government

C1 0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies of the government?

0/4

The ruling CNDD–FDD, which took power in 2015 elections that fell far short of international standards, controls policy development and implementation.

C2 0-4 pts

Are safeguards against official corruption strong and effective?

0/4

Corruption is endemic and unaddressed. Corrupt officials generally enjoy impunity, even when wrongdoing is exposed by nongovernmental organizations (NGOs) and other actors. Anticorruption organizations are under resourced and ineffective.

C3 0-4 pts

Does the government operate with openness and transparency?

0/4

Government operations are opaque, and government officials are generally unaccountable to voters. There are few opportunities for civil society actors and others to participate in policymaking. Due to recurrent assassinations and assassination attempts, politicians are wary of organizing town hall–style meetings or making other public appearances before voters.

Civil Liberties

D. Freedom of Expression and Belief

D1 0-4 pts

Are there free and independent media?	0 / 4
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Freedom of expression is constitutionally guaranteed, but severely restricted in practice by draconian press laws and a dangerous operating environment for media workers, who risk threats, harassment, and arrest in response to their coverage. A 2013 media law limits the protection of journalistic sources, requires journalists to meet certain educational and professional standards, and bans content related to national defense, security, public safety, and the state currency. The government dominates the media through its ownership of the public television broadcaster, radio stations, and *Le Renouveau*, the only daily newspaper. Key independent news outlets destroyed in the political violence of 2015 have yet to be reestablished. Many journalists have fled the country since 2015, and some have been forcibly disappeared.

Government harassment and intimidation of journalists continued in 2019. One official called for a ban on independent media coverage of the upcoming election. In March, the government renewed a ban on the British Broadcasting Corporation (BBC) and Voice of America (VOA), first implemented in 2018.

D2 0-4 pts

Are individuals free to practice and express their religious faith or nonbelief in public and private?	3 / 4
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While freedom of religion has generally been observed in Burundi, relations between the government and the Roman Catholic Church, of which a majority of Burundians are members, have worsened in recent years. In 2017, the government

set up a commission to monitor religious groups and guard against political subversion within them. The September 2019 report by the UN Commission of Inquiry on Burundi found that the government is exerting more control over churches, to curb any political dissent. The same month, senior government officials called for the defrocking of a group of Catholic bishops who accused the ruling party of instigating political violence.

D3 0-4 pts

Is there academic freedom, and is the educational system free from extensive political indoctrination?	1/4
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Both university students and staff who support the CNDD–FDD receive preferential treatment at academic institutions. Continued intimidation of opposition supporters has created an atmosphere of fear and limited free speech on university campuses. Reports indicate that teachers allied to the CNDD–FDD have intimidated students seen as not supporting the party, in some cases preventing them from attending school; teachers are also increasingly screened for political loyalty to the ruling party. Some schools have barred students of voting age who had not made contributions to the 2020 election from attending class, though in February 2019 the education minister prohibited the practice. In March, authorities arrested several students for allegedly doodling on a photo of President Nkurunziza in their school books, though the charges were eventually dropped.

Score Change: The score declined from 2 to 1 due to persistent reports that students and teachers face harassment, intimidation, and other forms of pressure meant to enforce loyalty to the ruling party.

D4 0-4 pts

Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?	0/4
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The SNR and the Imbonerakure actively conduct surveillance activities on private citizens. There is a reluctance to engage in speech which could be perceived as critical of the ruling party due to fears of harassment, threats of violence, and other reprisals. In 2019, the Imbonerakure continued using surveillance and

harassment tactics employed in the run-up to the 2018 referendum, such as ensuring citizens paid election taxes, and attacking those who had not, and assaulting individuals expressing opposition to the ruling party.

E. Associational and Organizational Rights

E1 0-4 pts

Is there freedom of assembly?	0 / 4
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Opposition or antigovernment meetings and rallies are usually prevented or dispersed, and participants in gatherings seen as antigovernment face harassment or arrest. Many people who participated in 2015 protests against Nkurunziza fled Burundi amid the subsequent crackdown.

E2 0-4 pts

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work?	0 / 4
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Nongovernmental organizations (NGOs) in Burundi face restrictive registration laws and persecution for activity seen as hostile to the government. A number of human rights and other groups perceived as antigovernment have been banned, and many of their members have fled the country rather than face surveillance, intimidation, arrest, or assassination in Burundi.

In 2018 the government suspended nearly all international NGOs for three months, and expelled a team of UN experts working on the Commission of Inquiry on Burundi. The government has also threatened to sever ties with the UN envoy to Burundi.

In June 2019, the government shuttered PARCEM, one of the last remaining independent human rights organizations. The group had been promoting its “Ukuri Ku Biduhande” campaign (“truth on the challenges the country faces”), which drew

attention to issues including food insecurity and the prevalence of malaria. In July, the court of appeal upheld a conviction against human rights activist Germain Rukuki, who had been prosecuted over his work with the antitorture group ACAT-Burundi, which is now banned.

E3 0-4 pts

Is there freedom for trade unions and similar professional or labor organizations?	1/4
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The constitution provides protections for organized labor, and the labor code guarantees the right to strike. However, it is unlikely that union members would feel free to exercise the collective bargaining rights guaranteed by the law in the current political climate.

F. Rule of Law

F1 0-4 pts

Is there an independent judiciary?	0/4
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Burundi's judiciary is hindered by corruption and a lack of resources and training, and is generally subservient to the executive. In 2015, justices on the Constitutional Court were reportedly intimidated into ruling in favor of Nkurunziza's decision to stand for a third term. The executive regularly interferes in the criminal justice system to protect ruling party and Imbonerakure members, as well as persecute the political opposition.

F2 0-4 pts

Does due process prevail in civil and criminal matters?	0/4
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The courts, police, and security forces do not operate independently or professionally, and constitutional guarantees of due process are generally not upheld. Arbitrary arrest and lengthy pretrial detention are common. There have

been reports that detainees' families were able to secure their release only upon making large payments to the SNR or Imbonerakure.

Defendants must provide their own legal representation, making trial rights dependent on the ability to afford a lawyer. Some detainees accused of participating in the 2015 protests or subsequent antigovernment violence did not have access to lawyers and were forced to make false confessions under threat of death.

In 2017, the International Criminal Court (ICC) opened an investigation into alleged crimes against humanity committed by government actors. Two days after the investigation's launch, Burundi left the ICC, becoming the first country ever to do so.

F3 0-4 pts

Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?	0/4
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The security situation in Burundi remains extremely poor. The September 2019 UN report found that widespread human rights violations persist; violations include forced disappearance, summary execution, sexual violence, torture, and arbitrary arrest and detention. The report identified the Imbonerakure as the principal perpetrators, but noted the role of the SNR and other state agents. A December 2018 investigative report by the BBC found that the government operated at least 22 secret facilities where political dissidents have reportedly been tortured and killed. The government responded to the report by calling it “fake” and threatening to sue the BBC. The government similarly rejects the UN report.

Given the ongoing violence, approximately 345,000 Burundian refugees remain in nearby countries as of mid-2019.

F4 0-4 pts

Do laws, policies, and practices guarantee equal treatment of various segments of the population?	1/4
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Albinos face systematic discrimination and violence in Burundi. LGBT+ people also experience official and societal discrimination. The 2009 penal code criminalizes same-sex sexual activity, and punishments include up to two years in prison.

Discrimination against women is common in access to education, healthcare, and employment.

G. Personal Autonomy and Individual Rights

G1 0-4 pts

Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?

1/4

Since 2015, concerns for personal safety have restricted free movement, particularly in neighborhoods regarded as opposition strongholds, where security forces frequently conduct search operations. The Imbonerakure continues to use checkpoints and barriers to control population movement. According to the 2019 UN report, “movement has been more strictly controlled in border areas and, in many cases, checkpoints have been the scene of acts of violence or intimidation.” Some local authorities have imposed curfews on women and girls.

G2 0-4 pts

Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?

1/4

Land conflict has been an explosive issue in Burundi for decades, which was exacerbated by the return of displaced populations after the civil war ended in 2005. Many of the returnees found new owners occupying their land, and the courts have often failed to fairly adjudicate land disputes. There are additional reports that some refugees who fled in 2015 are returning to find their land occupied.

Due to customary law, women typically are unable to inherit property. The deteriorating security situation hampers private business activity in the country, as does rampant corruption.

G3 0-4 pts

Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?	1/4
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Sexual and domestic violence are serious problems but are rarely reported to law enforcement agencies. Rights monitors continue to report sexual violence carried out by security forces and Imbonerakure, who act with impunity. Women are often targeted for rape if they or their spouses refuse to join the CNDD–FDD, and men sometimes experience sexual abuse while in government custody.

According to the Citizenship Code, a Burundian woman married to a foreign national cannot pass on her citizenship to her husband or children.

G4 0-4 pts

Do individuals enjoy equality of opportunity and freedom from economic exploitation?	1/4
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Individuals not allied with the ruling party may lose their employment. Community service requirements have taken on political overtones, such as building offices for the CNDD–FDD, amounting to what the 2019 UN report called forced labor.

Women have limited opportunities for advancement in the workplace. Much of the population is impoverished. In 2017, “vagrancy” and begging by able-bodied persons became formal offenses under the penal code. The ongoing political and humanitarian crisis has contributed to an economic decline, less access to basic services, and deteriorating living conditions.

The government has conducted some trainings for government officials on handling cases of human trafficking. However, the government has largely failed to prevent domestic human trafficking, to protect victims, and to prosecute perpetrators.



On Burundi

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Country Facts

Global Freedom Score

13/100 **Not Free**

Other Years

2019

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