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Freedom of the Press 2014 - Burundi

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2014 Scores

Press Status: Not Free

Press Freedom Score (0 = best, 100 = worst): 74

Legal Environment (0 = best, 30 = worst): 24

Political Environment (0 = best, 40 = worst): 29

Economic Environment (0 = best, 30 = worst): 21

In 2013, the press freedom environment in Burundi deteriorated due to the promulgation of a new media law that limits the ability of individuals to become journalists and practice journalism, among other restrictive provisions. Journalists also faced increasing harassment and attacks throughout the year.

The constitution guarantees freedom of speech and of the press, but the country's laws impose criminal penalties on journalists for defamation, discrediting the state, insulting the head of state, or "threatening state security." The 1997 Press Law forbids dissemination of "information inciting civil disobedience or serving as propaganda for enemies of the Burundian nation during a time of war." In June 2013, President Pierre Nkurunziza signed into law a new media bill that decriminalized media offenses under the 2003 Press Law, though the new law replaced criminal penalties with crippling fines of between \$2,000 and \$6,000, well beyond the means of most Burundian journalists. The new law also threatens to restrict the ability of media outlets to operate. In addition, the law was widely criticized for limiting the protection of journalistic sources, and requiring journalists to meet certain educational and professional standards. The law also banned the publication of stories related to national defense, security, public safety, and the economy. Finally, the law gave the National Council for Communication (CNC), a government agency, the power to issue or withdraw press cards in defamation cases.

Journalists continued to face arrests and legal harassment in 2013, and the threatening climate fostered a high degree of self-censorship. Shortly after the promulgation of the new media law in June, the intelligence services arrested Lucien Rukeyva, a journalist and television producer of the state-run National Radio and Television of Burundi, for his alleged involvement with M23 rebel movement in the neighboring Democratic Republic of Congo. Accused of breaching state security, he was held in a secret prison for the first 24 hours of his detention. Two other journalists from a private radio station were subsequently summoned by the police for questioning. In a positive development, journalist Hassan Ruvakuki – who had been jailed since November 2011 and sentenced in June 2012 to life in prison for "participating in acts of terrorism" – had his sentence

reduced on appeal in January 2013 to three years imprisonment following an international lobbying campaign; the charges against him were also lessened from that of "terrorism" to "working with a criminal group." In March, Ruvakuki was released on a provisional basis to receive medical care, and in October, the Ministry of Justice formally granted him a conditional release after he agreed to withdraw the appeal against his conviction.

The lack of a freedom of information law in Burundi facilitates arbitrary application of the press and media laws – the government frequently targets journalists for crimes related to vaguely defined state interests. Furthermore, ambiguous legal language is adjudicated by a judiciary that lacks independence and is influenced by the political agenda. In addition, the expanded powers of the CNC (due to the June 2013 amendments to the media law) may encourage capricious administration and removal of press passes due to broadly framed charges of defamation or insult against the government. The CNC is responsible for enforcing media laws; penalties can include the suspension of a media outlet's activities. Instances of content censorship in 2013 included the suspension of independent outlet *Iwacu*'s popular online readers' forum for one month in May, on the grounds that the site failed to moderate comments that allegedly disturbed national unity and incited ethnic hatred. In June, Radio Rema was suspended for broadcasting content that the CNC deemed to be libelous. Although the suspension was lifted, a lawsuit by the prosecutor general was still pending at year's end.

Meanwhile, physical attacks against journalists occurred regularly in 2013. In February, Bonesha FM radio reporter Alexis Nibasumba was assaulted while covering a local election, resulting in a head injury. Days later, the police beat and threw tear gas at a group of journalists holding a peaceful rally in solidarity with Ruvakuki. In March, a police officer shot journalist Patrick Niyonkuru without warning for seeking information about a police roadblock in Bujumbura, the capital. In a rare occurrence, the government reacted to the shooting swiftly, bringing the errant police officer to trial; he was subsequently sentenced to 15 years in prison. Nevertheless, impunity for police brutality remains widespread. In April, another radio reporter, Willy Abagenzinikindi of Radio Television Renaissance, was assaulted in his home by police looking for audio cassettes he had recorded as part of his investigative reporting on the new media law. The assailants attacked him with a machete before stealing his tapes, wallet, and cellphone.

Radio is the primary source of information for the majority of the population. The government dominates Burundi's media industry, owning the public television and radio station Radio Télévision Nationale du Burundi (RTNB), which are the sole stations with national reach, and running *Le Renouveau*, the only daily newspaper. Several private broadcast media outlets also operate, though most have a limited broadcast range. There are approximately 20 privately owned radio stations, though the law prohibits political parties, labor unions, or foreign nongovernmental organizations from owning media outlets in the country. The British Broadcasting Corporation, Radio France Internationale, and Voice of America are available on FM radio in the capital. Print runs of most newspapers remain small, and readership is limited by low literacy levels.

The number of mobile-telephone subscribers increased by 17 percent in 2012, to 2.24 million of the nation's eight million people, according to the telecommunications regulator. However, internet penetration remains very low, at 1.3 percent in 2013, due to the high cost of service, and access remains largely confined to urban areas. Online publishing remains minimal, mainly due to low literacy rates and poor internet access.

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