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Freedom of the Press 2012 - Burundi

2012 Scores

Press Status: Not Free

Press Freedom Score: 72

Legal Environment: 23

Political Environment: 28

Economic Environment: 21

Burundi's constitution guarantees freedom of speech and of the press, but these rights are not respected in practice. The press laws are harshly restrictive, imposing criminal penalties on journalists for defamation, discrediting the state, insulting the head of state, and "threatening state security." Government officials are openly hostile to critical media, and in 2011 they stepped up attacks on the independent press. Burundi's 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." The 2003 Media Law provides for harsh fines and prison terms of up to five years for the dissemination of information that insults the president or is defamatory toward other individuals. The law also prohibits racially or ethnically motivated hate speech.

In 2011, the Burundian authorities increased their harassment of critical independent media – especially Radio Publique Africaine (RPA) and Radio Isanganiro – through frequent summonses and arrests of journalists, as well as threats to close outlets. The government also arrested several lawyers, including those who defended journalists. Analysts said the judiciary's record in cases involving crimes against government critics raised questions about its neutrality. Journalists were harassed for activities including

interviewing a government opponent in exile, quoting a speech by the U.S. secretary of state in which she mentioned the uprisings in the Middle East and North Africa, and quoting the head of the law council who criticized judges for repeatedly jailing people at the behest of the prosecutor's office.

In April, the National Council for Communication (CNC), the state agency that oversees the enforcement of media laws, suspended an RPA talk show for four days based on allegations that a caller had abused the head of state. The station said phone lines to its studio were disconnected for seven days in May, apparently on the orders of the National Telecommunications Office, to prevent listeners from participating in live phone-in programs. However, the station subsequently aired several more live and taped interviews with opposition leaders without repercussions.

After a September attack by armed gunmen near the village of Gatumba that killed more than 30 people – which was blamed on the National Liberation Forces (FNL) rebel group – the government imposed a one-month ban on broadcasting or publishing any information about the incident. Communication Minister Concilie Nibigira justified the one-month ban on the grounds of "guaranteeing peace and security" and ensuring "the successful conclusion of the investigations," and said those who defied the ban would be in breach of the 2003 Media Law. A few days after the directive, most radio stations simultaneously broadcast interviews about the Gatumba massacre in a show of defiance; the government took no action against them, and the stations resumed complying with the order. In November, the public prosecutor summoned and questioned Radio Bonesha FM director Patrick Nduwimana and RPA editor in chief Bob Rugurika – who was questioned by police repeatedly in 2011 – after they broadcast reports about the Gatumba attack after the deadline had passed. The prosecutor also questioned the directors of RPA and Radio Isanganiro about suspicions that their stations' funding sources were linked to the rebel group.

In November, Hassan Ruvakuki, a reporter for Radio Bonesha and a correspondent for the Swahili service of Radio France Internationale, was arrested for interviewing an alleged leader of a new rebel group. He was charged with supporting the activities of a rebel group, and later with engaging in terrorist acts. Radio Bonesha continued to be harassed by the security services, who demanded information on the group. The CNC reportedly issued a ban on media coverage of the new group after the interview had aired. Ruvakuki remained in custody at the end of the year.

The government dominates Burundi's media industry. It runs Radio Télévision Nationale du Burundi (RTNB), the sole television and radio stations with national coverage; and *Le Renouveau*, the only newspaper that publishes regularly. RTNB broadcasts in Kirundi,

Swahili, French, and English, and boasts a wider reach than the proliferating privately owned stations, most of whose programming comprises music and entertainment. The law explicitly prohibits political parties, labor unions, and foreign nongovernmental organizations from owning media outlets.

Internet access remains very low, at 1.1 percent, due to the high cost of the service. However, the number of mobile phone subscribers grew to around 25 percent of the nation's eight million people in 2011, according to the telecommunications regulator. In May 2011, Jean-Claude Kavumbagu, the editor of the independent online newspaper *NetPress*, who had been in detention for 10 months on charges of treason and defamation, was acquitted of these charges. Prosecutors had asked judges to sentence him to life imprisonment over an opinion article that questioned the capability of the country's security forces to adequately respond to a terrorist attack. Kavumbagu was instead found guilty of publishing an article "liable to undermine the state's credibility and national economy," and sentenced to eight months in prison and a fine of 100,000 Burundian francs (\$80). He was immediately freed because he had spent more than 10 months in pretrial detention.