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Freedom of the Press 2011 - Burundi

Status: Not Free**Legal Environment:** 22**Political Environment:** 30**Economic Environment:** 22**Total Score:** 74

While Burundi's constitution provides for freedom of expression, this right is rarely respected in practice. Much of the current media legislation is vague and not favorable for a free press. The 1997 Press Law forbids the 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 also 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. In 2006, legislation was proposed that would more accurately define the responsibilities and limitations of journalists, but little progress has been made, and criminal prosecutions for libel and defamation continue to be used by the authorities to deter critical journalism. In August 2010, Thierry Ndayishimiye, editor of the newspaper *Arc-en-Ciel*, was detained on a libel charge for an article detailing alleged corruption and embezzlement of funds at the state energy company. He was released on bail two days later.

The government continued to be intolerant of criticism, leading to widespread self-censorship in both private and state-run media. During the months surrounding the June presidential election, officials often denied the media access to information. Before the election, the minister of the interior prohibited the broadcast of political debates, despite protests from the National Communications Council and party leaders. In addition, the police and political party activists routinely beat and threatened several journalists covering the elections. A journalist with the privately owned, pro-opposition Radio Publique Africaine (RPA), Emmanuel Ndayishimiye, was attacked and hit with bricks by police officers on his way home in June. Another RPA staff member, Faustin Ndikumana, in September was arrested and detained by intelligence officials for "illegally transporting weapons." In what appeared to be a pattern of harassment, several other RPA staff members were also interrogated by authorities in September.

The government dominates Burundi's media industry. It owns *Le Renouveau*, the only daily newspaper, as well as the public television and radio broadcasters, National Radio and Television of Burundi. Two private television stations also operate. The state radio outlet is the only one with national coverage; while nearly a dozen private stations provide a more balanced range of viewpoints, many of them operate across a very limited range. Radio remains the most widely used medium for information dissemination. There are up to eight private newspapers, but they do not publish regularly, their readership is limited, and they are hampered by financial and infrastructural constraints. Several dozen private internet and fax-based news sources complement the traditional media landscape.

Owing to economic and infrastructural limitations, only 2.1 percent of the population accessed the internet in 2010. There are no apparent government restrictions on internet access, although the National Communications Council bars websites from "posting documents or other statements by political organizations that disseminate hate or violence," and the government appears to be equally intolerant of criticism that appears online. In July, renowned journalist Jean Claude Kavumbagu was detained on treason charges. Kavumbagu, the editor of the online Net Press news agency, had been previously imprisoned on five occasions, most recently for seven months on criminal defamation charges. The July arrest was the result of an article

criticizing Burundi's security forces and their ability to defend the country against possible terrorist attacks. Kavumbagu remained in detention at year's end after judges dismissed a release application in September.

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