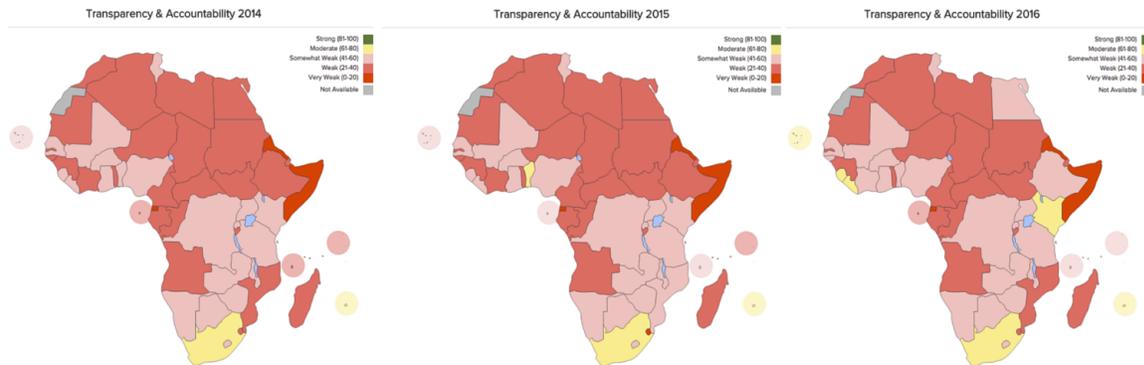


Africa Integrity Indicators – Country Findings



Who is Global Integrity?

Global Integrity supports progress toward open and accountable governance in countries and communities around the world. We focus on generating research and data, supporting the work of country-level reformers, and influencing global conversations on open governance. Our work covers a number of themes, with data, learning and citizen engagement at the core of everything we do. To know more about us, visit our website at www.globalintegrity.org.

What are the Africa Integrity Indicators?

In 2012, Global Integrity embarked on a five-year collaboration with the Mo Ibrahim Foundation to generate the Africa Integrity Indicators (AII), which assesses key social, economic, political and anti-corruption mechanisms at the national level across the continent. Global Integrity staff recruits and manages teams of in-country contributors in 54 countries to generate original governance data on an annual basis.

The questionnaire has 114 indicators and is divided in two main categories: Transparency & Accountability and Social Development. The Transparency & Accountability category consists of 59 indicators examining issues divided in the thematic areas of rule of law, accountability, elections, public management, civil service integrity, and access to information. The Social Development indicators category consists of 51 indicators about gender, rights, welfare, rural sector, business environment, health and education.

The rich data set is designed to be particularly fruitful in identifying both bright spots as well as areas for improvement at the country level. The years of data include [2013](#), [2014](#), [2015](#), [2016](#); the next round of research will begin later in 2016 and be published in April 2017. To access our data, visit our project website at <http://aii.globalintegrity.org>.

Note: Each round of research is named from its year of publication. Thus, the 2016 round of research covers the period from September 2014 to September 2015, with only sources relevant to this period of study being accepted.

Get in touch with us

Global Integrity is dedicated not only to producing high quality data, but ensuring that it is as useful as possible for reformers (both inside and outside of government) around the world. If you're interested in working with this data to identify opportunities to support open governance efforts in your country, contact us at aii@globalintegrity.org.

Burundi – Country Findings Summary

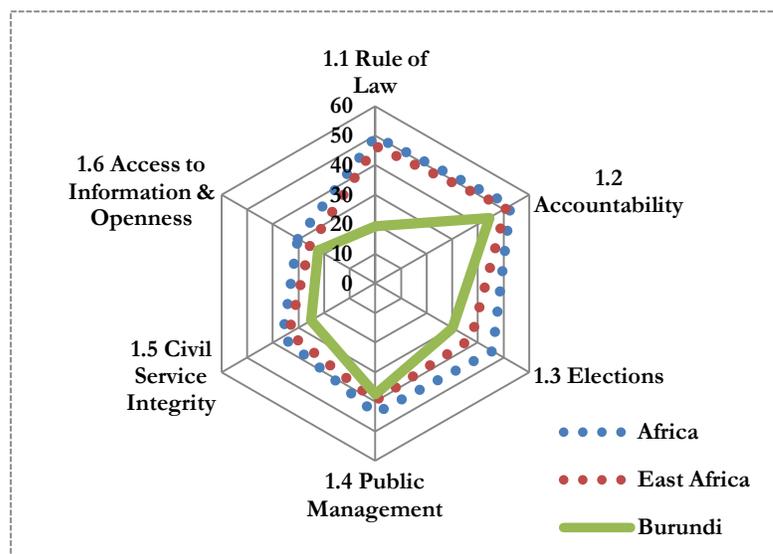
1. Transparency & Accountability

The Transparency & Accountability category consists of 59 indicators examining issues divided in the thematic areas of rule of law, accountability, elections, public management, civil service integrity, and access to information & openness. The indicators look into transparency of the public procurement process, media freedom, asset disclosure requirements, independence of the judiciary, and conflict of interest laws, among others.

The overall category score did not show any substantial change, increasing by only 1 point from 29 in 2015 to 30 in 2016. Burundi remains in the “weak” area on the Global Integrity scale.¹

On each of the [six subcategories](#), Burundi’s aggregate scores were lower than those of the East African region and the continent.

Accountability remained the highest performing subcategory with a score of 44, a 6 point increase from 39 in 2015. There were slight changes for the Public Management subcategory score, which increased from 36 in 2015 to 38 in 2016, and for the Access to Information & Openness subcategory score, which increased from 20 in 2015 to 22 in 2016. There were no changes in the scores for Elections (30) and Civil Service Integrity (25). The score for the Rule of Law subcategory decreased from 22 in 2015 to 19 in 2016. Apart from Accountability (“somewhat weak” on the Global Integrity scale), the other five subcategories remained in the “weak” area of Global Integrity scale.



< Figure 1 > Burundi’s subcategory scores in comparison to the region and the continent. The radar chart depicts the country’s aggregate scores of each of the six subcategories under Transparency & Accountability, in comparison to average scores of the continent (blue dotted lines) and the country’s region (red dotted lines).

¹ The Global Integrity scale on the Africa Integrity Indicators website is as follows: 81-100 (Strong), 61-80 (Moderate), 41-60 (Somewhat weak), 21-40 (Weak), 0-20 (Very Weak)

Selected highlights

- **The judiciary remained under the influence of the executive branch.** Laws regarding the status of judges and the operations of the judiciary establish the independence of the judicial branch from the executive and legislative branches. However, article 218 of the Constitution stipulates that the president also heads the supreme council of the judiciary (Conseil Supérieur de la Magistrature - CSM), the organ charged with the appointment, transfer and dismissal of judges. In practice, the executive exercised this authority through unwarranted, arbitrary and retaliatory transfers and removals of judges. [Indicator 2](#) reports that in 2015, there were at least 150 cases of unwarranted transfers involving about 65 judges. The high number is explained by the fact that some of them were transferred up to three times in a year. Judges are subject to negative or positive political incentives, for instance, in the appointments at the highest courts of the country. [Indicator 3](#) reports that while the law requires a 20-year judgeship experience to be considered for appointment at the Constitutional Court, the current president of the Court was appointed with only 4 years of relevant experience. Moreover, most judges appointed in 2014 at the Supreme Court for Land and Property did not meet the requirement of 10-year work experience specified by the law.
- **The country's anti-corruption body is not independent from the executive.** Seven laws provide for the criminalization of corruption in Burundi, as noted in [indicator 10](#). However, as noted in [indicator 11](#), Burundi's Special Anti-Corruption Brigade (BSAC), which is the entity established to receive and investigate cases of alleged public sector corruption, is by law placed under the authority of the executive branch via the Ministry on good governance. Likewise, the Anti-Corruption Court (CAC) which can hear corruption cases is not independent, as the president extends his influence on the judiciary by chairing the entity that manages appointments and removals of judges. By law, the BSAC is required to submit a letter of request to the CAC prior to investigating senior-level officials. [Indicator 12](#) reports that senior level politicians and/or civil servants are not investigated for allegations of corruption because they are able to influence the decisions of the CAC.
- **Burundi's national independent elections commission (CENI) remained influenced by the executive.** During the study period, Burundi organized presidential and legislative elections in July 2015, and senatorial and municipal elections in August 2015. However, [indicator 20](#) notes that because the five members of the CENI are appointed based on political affiliation, ethnic background and gender considerations, this selection is not based on merit and opens the door to conflicts of interest. For instance, two members of the CENI resigned in 2015 in protest of the controversial third term of President Nkurunziza and they were quickly replaced by commissioners who are close to the ruling party. Furthermore, members of the CENI have a 3-year tenure, but they can be replaced when a new administration takes power. Over the study period, the president's decision to renew the term of the Commission's chairman was interpreted as a positive incentive, given that that chairman had loyalties to the presidential party.

2. Social Development

This category covers seven subcategories, including rights (civil society space and minority rights), gender, business environment and infrastructure, rural sector, welfare, health, education, and civil registration. Because the Social Development portion of the research only includes a small number of questions per each topic area, we only provide the scores for each individual indicator and don't provide aggregated category or subcategory scores. However, the individual indicators themselves contain a wealth of information across a breadth of topics, a select few highlights of which are noted below.

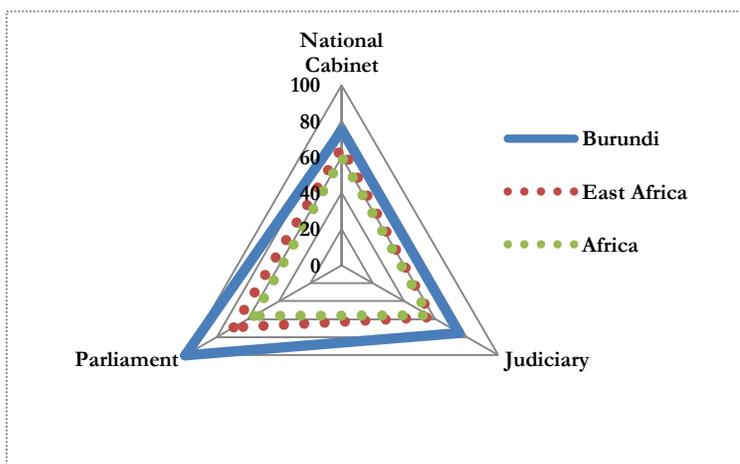
Selected highlights

- **NGOs operated in a very restricted space and citizens' rights to organize were curtailed.** While workers were able to freely organize themselves through unions in general, journalists and employees of the revenue service OBR were still unable to register their unions. Union leaders were also subject to intimidation. For instance, [indicator 65](#) reports that union leaders of Moso sugar company SOSUMO were arbitrarily fired for denouncing the mismanagement of the company, and then reinstated by judicial decision. The government also used its agents to infiltrate the magistrates' union SYMABU in order to weaken it. As the indicator reports, this practice called "nyakurisation" is widely used by the government to create dissidence within unions. [Indicator 67](#) noted that freedom of assembly was restricted in the context of protests against the controversial decision of President Nkurunziza to run for a third term. Demonstrations were severely repressed and in some cases, demonstrators were arrested or killed. Because many NGOs were active in the protests, they faced hostility from the government; [indicator 68](#) reports that the government began implementing a 2014 amendment to the NGOs law, which requires NGOs to submit reports to the line ministry, and allows government agents to conduct inspections of NGO premises. [Indicator 69](#) reports that many NGO leaders were imprisoned, interrogated, threatened or physically harmed in retribution for their work. The list includes Pacifique Nininahazwe (FOCODE), Pierre Claver Mbonimpa (APRODH), Faustin Ndikumana (PARCEM), Rufyiri Gabriel (PARCEM), and Vital Nshimirimana (FORSC). Finally, [indicator 70](#) notes that NGOs such as OLUCOME were harassed with unwarranted administrative burdens, investigations and sanctions as retribution for their work. The national intelligence service (SNR) and the militia of the ruling party imbonerakure were reported to have carried out these acts of intimidation.
- **Despite a long history of ethnic violence, there are no legal frameworks for the protection of ethnic minorities.** Burundi's history has been marked by violent conflicts between the majority group Hutu, and the minority group Tutsi. Another minority group, the Twa has not been part of the conflict but has been marginalized for most part of the country's history. Apart from general constitutional principles, which guarantee equal rights and dignity to all Burundians, no specific law protects members of minority groups from discrimination, as noted in [indicator 71](#). The Twa are even excluded *de jure*, as article 129 of the Constitution, adopted in 2005 after the civil war, only divides the representation in the national cabinet between the Hutu (60%) and the Tutsi (40%). In practice, the Twa face significant ethnic discrimination, but they have nowhere to turn to as no

mechanism exists receiving complaints of ethnic discrimination, as noted in [indicator 72](#). Neither the Human Rights Commission nor the Ombudsman receive such complaints.

- Women do not have access to inheritance, and customary laws restrict their access to land and non-land property. However, there are no restrictions to their rights to divorce petition, independent travel and access to employment opportunities.** [Indicator 79](#) reports that Burundi has no law on inheritance and for more than 10 years, a bill likely to address the issue has been dormant. As a result, inheritance rights are dealt with according to customary laws under which only men can inherit. Even in cases where women inherit land, they can only use it but not own it. Customary laws, which are widely applied in rural areas, are also interpreted to restrict women’s access to land as reported in [indicator 77](#), and to non-land property as noted in [indicator 78](#). However, regardless of whether they live in rural or urban settings, or are married under civil or customary laws, women in Burundi can petition for divorce as noted in [indicator 80](#), travel without the authorization of their husband as noted in [indicator 82](#), and engage in any type of occupation and access the benefits in the workplace without any discrimination, as noted in [indicator 83](#).

- Women’s representation in the highest echelons of the three branches of government is comparatively high.** The Constitution of 2005 provides that 30% of members of the national cabinet should be women. In practice, six out of the 20 cabinet members (30%) are women. On this [indicator 85](#), Burundi earns a score of 75, which is higher than the East African average score of 65 and the continental average score of 60. [Indicator](#)



< Figure 2 > Burundi's female representation in the three branches of government compared to the country's region and the continent.

[86](#), which assesses women’s representation in higher courts, reports that there are two women out of seven Constitutional Court judges (28%) and Burundi thus earns a score of 75, which is higher than the regional average of 58 and the continental average of 56. Finally, [indicator 87](#), which assesses women’s representation in the legislature, reports that there are 62 women out of the 164 members (38%) of the Burundi legislature; 44 women out of 121 members of parliament, and 18 women out of 43 senators. Burundi earns a score of 100, which is significantly higher than the regional average of 69 and the continental average of 56. In fact, Burundi is one of the 12 African countries which earned a score of 100 on this indicator.

The above findings capture selected highlights and are not an exhaustive analysis of the collected data. We encourage interested users to access our website [here](#) for detailed comments and sources for 114 individual indicators.