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BURUNDI

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Burundi's long history of poor relations between the government and the press continued in 2011 and 2012, with fresh attempts by the government to censor the media.

In a chilling example, in September 2011, 35 civilians were massacred in a bar in Gatumba province. According to the Committee to Protect Journalists (CPJ), two days after the incident, the National Security Council declared a media blackout, claiming the media could "sow confusion, divide the population, and incite it to confrontation." A number of journalists displayed great bravery in defying the ban; Reporters Sans Frontières and CPJ counted at least five radio stations that discussed the killings openly.

Another controversial event involved the 50th anniversary celebration of Burundi's independence. For the occasion, President Pierre Nkurunziza decreed an amnesty for 7,000 prisoners, who were subsequently released from custody. Not all Burundians appreciated the president's grand gesture, though. It left a particularly bitter taste for the MSI panelists and others in the media community, for good reason: Hassan Ruvakuki, Radio France International's Swahili correspondent, was notably excluded from the group of pardoned prisoners. Accused of terrorism after reporting from the camp of an armed rebel group in neighboring Tanzania, Ruvakuki received a sentence of life in prison on June 20, 2012. Journalists and media leaders, convinced of Ruvakuki's innocence, had been lobbying for his release.

The media's disillusionment, however, runs even deeper. Throughout the discussion, the MSI panelists identified several key obstacles that prevent Burundian media from performing their role as "the fourth estate in a democracy." First, panelists noted that the government forms media laws without consulting journalists. Journalists who dare criticize the state are accused of serving the opposition. The National Communication Council (commonly known by its French acronym, CNC), which is intended to regulate the media, has surrendered to those in power and suppresses the independent media. Finally, panelists said that Burundian public media are public in name only, serving the regime and not the people.

The panelists agreed that the media operate in a hostile environment where press freedom is constantly tested: threats, blackmail, and intimidation are commonplace. There are glimmers of opportunity, though: the journalists who stood up to the government's ban on covering the Gatumba bar incident; and the perseverance of community radio stations that help bring peace to the country, ensured accountability during the elections of 2005, and continue to give ordinary citizens a voice.

BURUNDI AT A GLANCE

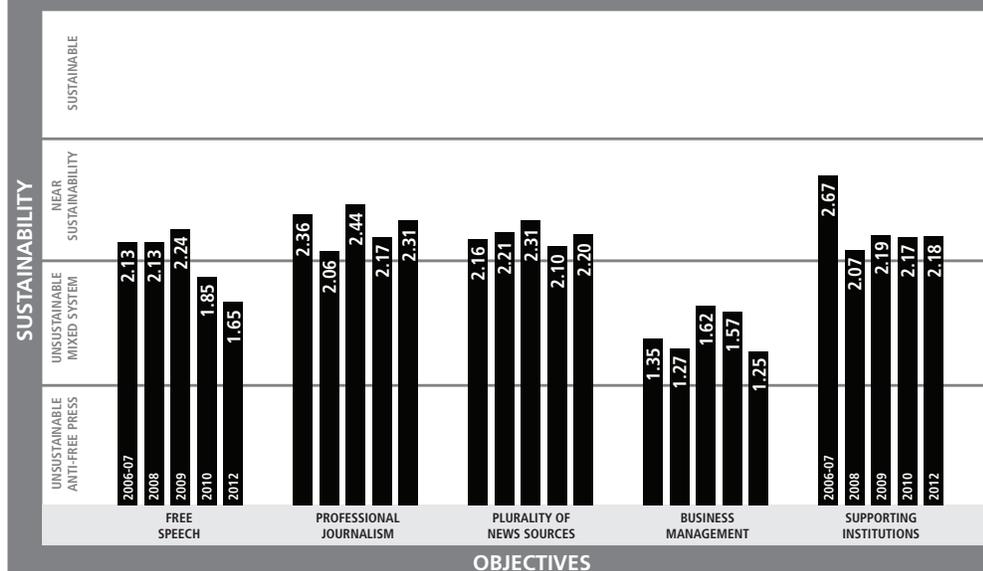
GENERAL

- > **Population:** 10,557,259 (July 2012 est., *CIA World Factbook*)
- > **Capital city:** Bujumbura
- > **Ethnic groups (% of population):** Hutu (Bantu) 85%, Tutsi (Hamitic) 14%, Twa (Pygmy) 1%, (*CIA World Factbook*)
- > **Religions (% of population):** Christian 67%, indigenous beliefs 23%, Muslim 10% (*CIA World Factbook*)
- > **Languages (% of population):** Kirundi (official), French (official), Swahili (along Lake Tanganyika and in the Bujumbura area) (*CIA World Factbook*)
- > **GNI (2011-Atlas):** \$2.158 billion (World Bank Development Indicators, 2012)
- > **GNI per capita (2011-PPP):** \$610 (World Bank Development Indicators, 2012)
- > **Literacy rate:** 59.3% (male 67.3%, female: 52.2%) (2000 est., *CIA World Factbook*)
- > **President or top authority:** President Pierre Nkurunziza (since August 26, 2005)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:**
Print: regular newspapers include *Le Renouveau du Burundi* (state-owned), *L'Avenir* (private), *Ubumwe* (state-owned), *Ndongozo y'Uburundi* (Catholic Church-owned); Radio Stations: 7 main stations including Radio-Culture, Radio-Umwizero or Radio de l'Espoir, Radio-CCIB FM+, and African Public Radio; Television Stations: 1, National Radio Television of Burundi
- > **Newspaper circulation statistics:** N/A
- > **Broadcast ratings:** N/A
- > **News agencies:** Burundi Press Agency (public), Net Press Agency, Infop Agency, Expresso Agency
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 157,000 (2009 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: BURUNDI



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Burundi Objective Score: 1.65

The panelists agreed that Burundi has codes regarding the freedom of the press, and that the government has ratified international laws such as the Universal Declaration of Human Rights.

Article 26 of the constitution sets the foundation for free speech and gives everyone the right to freedom of opinion and expression in accordance with public order and the law. The press law passed in 2003 was considered an important step forward for the media, incorporating the fundamental rights of journalists and ensuring greater freedom for journalists and media managers. The law guarantees the protection of sources, eliminates pre-publication censorship, and guarantees the conscience clause, allowing journalists to resign in case of conflict with their employers.

However, panelists said that the existence of laws does not guarantee their application. Felix Nzorubunanya from Radio Publique Africaine (RPA) emphasized that journalists do not participate in the drafting of press laws in Burundi, and as a result, the areas of great concern to journalists are ignored. "Our country is going backwards in terms of democracy, as illustrated by the lack of respect for freedom of speech," he said.

The panelists also revealed that CNC maintains a "black list" and discriminates in favor of the media that side with the government. As proof, some panelists pointed to the Radio

Télévision Nationale du Burundi, which has a reputation for full support of those in power—the station has never had to renew its license, as required by the law.

The government runs the only license-granting agency, and previous MSI panelists said that the agency is vulnerable to political pressure. Erneste Nkurunziza, who also served as a panelist on last year's MSI, shared two examples of licensing bias in the 2010 MSI study: RPA's difficulty securing licenses for community radio stations, and the relative ease that Star FM in Makamba experienced securing a license because of its closeness to the government.

Fabrice Niyorunku of the African Great Lakes Initiative said that, in theory, the law places no limits on creating a media company. But, just as individual journalists feel mistreated by the government, media owners complain that they are constantly threatened and harassed by the treasury. The Burundian tax system is harsh on the media. "In spite of the absence of direct or indirect support for the press, there is no exemption from customs duties for the media. Equipment and revenues are taxed in painstaking detail," Niyorunku said.

As for crimes against journalists, the panelists said that politicians are hostile and discriminatory toward journalists and accuse them of being at the service of the opposition. "Those who value their professional independence are often victims of attacks that force them at times to choose a clandestine path to protect themselves," Niyorunku said. "Poverty pushes journalists to the politicians, who manipulate them for propaganda reasons."

Amnesty International's 2012 country report on Burundi chronicles the increasing containment of journalists, detailing various forms of pressure: "Independent journalists were repeatedly summoned before judicial authorities to respond to questions about their work. There was an increasing trend of magistrates equating criticism of the government with inciting ethnic hatred. Summonses rarely resulted in prosecutions, but were intimidating and time-consuming. Intelligence agents regularly threatened journalists and human rights defenders by telephone."

Amnesty International also reported that the government has consistently harassed and threatened RPA staff. On November 14, RPA received a letter from the Interior Minister that stated that the radio station was being used "to discredit institutions, undermine the legitimacy of the judiciary, and accuse individuals gratuitously, inciting the population to hatred and disobedience and promoting a culture of lies," according to the country report. The report also detailed that RPA was ordered to provide the government with financial and activity reports within 10 days of the letter.¹

¹ Amnesty International. "Burundi," *Annual Report 2012: The State of the World's Human Rights*. 2012. www.amnesty.org/en/region/burundi/report-2012

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

In considering indicator 5 (whether the law protects the independence of the public or state media), the panelists said that state media are totally at the service of the authorities, and failing in their duty to serve the public. Also according to the panelists, CNC is not decentralized and its presence is seemingly only symbolic. Denise Mugugu, from National Television, commented: “The subjugation of the CNC to the political powers clearly explains the mistreatment suffered by journalists. While we expect from the CNC a fair arbitration of the media, it reveals the political control it is under, so that even for malpractice, journalists are directly brought before the courts.”

The Burundian courts tend to be biased against journalists, and government authorities are known to intervene in cases involving journalists. Previous MSI panels have also underscored the lack of clarity surrounding libel laws.

Concerning journalist access to sources of official information, panelists said that Burundi has no legislation that grants journalists the right to access public information. Therefore, it is difficult for them to publicize information related to management of enterprises and state institutions. Private media are excluded from official events frequently.

On the other hand, all panelists noted that the public has easy access to local and international news sources, given today’s technological advances—particularly the Internet and social networking sites like Facebook, Twitter, etc.

Entry into the journalism profession remains free, although the panelists expressed misgivings over the fact that many journalists do not have official cards to identify themselves as professionals.

Another panelist defended journalists. “Despite the fact that there is no school of journalism in Burundi, media professionals do their best,” he said. That sentiment echoes last year’s panelists, who maintained that Burundi has some honest journalists that perform their jobs admirably, despite poor conditions and pitiful salaries.

In Burundi, self-censorship is pervasive both in public and private media. Journalists from the public media service, and media outlets with close ties to the government, do not have the independence needed to deal objectively with information. Furthermore, newspapers do not address key issues.

The Burundian media sector does not operate using employment contracts, nor does it have any strong or capable union structures to speak for media employees. This lack of protection, panelists expressed, drives journalists to accept remuneration from their sources of information, but at the significant cost of their credibility.

Anaclet Hakizimana, a journalist at *Syfia Grands Lacs*, said that the poor journalist pay at the province level has a negative impact on the quality of work and causes excessive professional turnover, driving journalists to other media outlets that offer more substantial salaries.

In most Burundian media, the balance of news and entertainment is not a major concern. But according to Erneste Nkurunziza, a few outlets are at the opposite extremes: some media bore listeners by not including enough entertainment, while others focus almost exclusively on entertainment at the expense of news and current affairs programs.

Operating in such a resource-poor setting, Burundi’s media outlets are lacking proper equipment. Some media outlets

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Burundi Objective Score: 2.31

The panelists recognized some efforts toward the professionalization of journalists. According to Mugugu, perceived improvements are due mainly to the plurality of the media, which helps to encourage constructive criticism; and the professional organizations working to help ensure compliance with the 2004 Code of Ethics and Practice of the Press in Burundi. The code and the press law are the mandates that spell out the country’s professional standards. However, there are still deficiencies in complying with these standards. Some media members attempt to rationalize by placing blame on the poverty of that plagues the profession. According to Erneste Nkurunziza, a human rights advocate and media expert, Burundian journalists try to be professional and ethical, but the low pay negatively affects journalists’ mentality and pushes them adrift. The constant temptation of corruption counteracts efforts to build a responsible press in Burundi.

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

still do not have Internet access. Previous MSI studies have chronicled the bleak situation faced by field correspondents in particular, who sometimes operate without computers or even recorders, and have been forced to produce soundless reports.

While investigative reporting is fraught with difficulties in Burundi, there are exceptions. One of last year's panelists described RPA's new investigative reporting, and how it is daring to foray into human rights and political and economic crimes by powerful figures.

The panelists also said that Burundi's lack of dedicated journalism schools hinders investigative reporting. The poor resource situation has a minimizing effect on editorial teams as well, and journalists are forced to perform several functions—making it even more difficult for them to pursue in-depth investigative reporting. Media outlets also lack the funds to report on the whole of Burundian territory; instead, they often cover just the capital.

OBJECTIVE 3: PLURALITY OF NEWS

Burundi Objective Score: 2.20

Burundi has many sources of news, including radio stations, television channels, and newspapers. Considering that for many years the press was exclusively state-run, this is a notable improvement. The Internet and social networking sites like Facebook and Twitter are also expanding the options for people to gain information.

Still, not all citizens are benefiting from the plurality, given such obstacles as cultural barriers, very limited points of distribution of newspapers, widespread illiteracy, and weak purchasing power. In addition, poor distribution of electricity hinders the use of radio and television as well as new media. Nevertheless, radio is by far the most accessible source of news, as many consider print and television the domain of elites. Last year's panelists estimated that Burundi has about 20 radio stations. Community radio stations have given many ordinary citizens the opportunity to share their voices—so the strides made by community radio are all the more meaningful in this country. However, the national radio, RTNB, is the only station capable of reaching a large portion of the country.

Despite the good number of information sources and the community service functions of many outlets, the panelists again leveled harsh criticism at the public media in particular for serving the interests of the ruling party. Last year's panelists said that RTNB is utterly failing in its mission to inform the public, and labeled it a mere conduit of the government.

As noted in last year's MSI, the clear preference for radio has led to a strikingly sparse print landscape. There are two public newspapers, *Le Renouveau* and *Ubumwe*, and the Catholic paper *Ndongozi*. Only one private weekly, *I'Arc-en-Ciel*, carries any weight in the print sector. Circulation is restricted to urban areas generally.

Internet use has expanded to more than 150,000 citizens, according to the 2009 CIA World Factbook. While this is a weak number in proportion to the total population of Burundi (now approximately 10,557,000), it is an improvement from the CIA's previous estimate of 8,000 registered users.

Independent news agencies exist, but they lack expertise and resources and do not provide proper services. Last year's MSI study noted that in addition to the official state-funded press agency, Agence de Press Burundaise, the country has private agencies including Net Press, Aginfo, and Zoom.net. However, these agencies are largely dependent on the Internet to distribute their content, and Internet use is still extremely limited. Also, managing editors do not always have the support of the media bosses in publishing material that could prove controversial.

Independent broadcast outlets do produce original content and programs, often partnering with foreign media, but they are inhibited somewhat by a lack of funding. According to Ernest Nkurunziza, some private media outlets have made remarkable efforts to find information and produce their own news broadcasts.

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

Several panelists indicated that transparency of media ownership is not a major concern in Burundi at this time. Many of the private media are genuinely community media. However, in the private media, the hand of the owners is sometimes felt, influencing editorial directions and obstructing journalists that aim to produce objective news. Foreign investment in the media is considered insignificant.

The media are free to cover local and international issues, but social issues linked to health, education, economy, justice, and the environment receive scant coverage in Burundi. Instead, media stuff their program schedules with political, security, and government matters.

Previous MSI studies noted that the media can broadcast freely in any language, and journalists are not to be prosecuted for writing or reporting on minority issues. Swahili is the most significant minority language, yet Burundi has only one newspaper in Swahili and English.

OBJECTIVE 4: BUSINESS MANAGEMENT

Burundi Objective Score: 1.25

Finance and business management continue to be significant weaknesses of Burundi's media sector. Recruitment, business management, and financial accounting are typically non-transparent and do not adhere to professional standards.

The panelists said that overall, Burundian media companies do not generate high profits, because most of them are community media. The panelists have also found that more and more community radio stations are forced to close

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

their doors over lack of funds. Those that survive find it challenging to pay staff salaries and acquire good material.

Most citizens are unable to buy newspapers or access the Internet, and this weak purchasing power means that a media advertising market essentially does not exist. As previous MSI studies noted, this has created an unhealthy dependency on donors. Most media outlets rely on the government, NGOs (especially foreign NGOs), or the Catholic Church for survival.

Knowing that the main funding source for media is usually advertising, the panelists lamented the lack of a coherent policy or stable practice in this area. They deplored the nearly complete absence of advertising, and of the regulations necessary for the definition and standardization of advertising rates. They realize that without advertisers, they have little hope of becoming self-sufficient. In addition, politicians sometimes fuel discrimination, steering what advertisers exist to the outlets sympathetic to government interests.

In one positive development, some Burundian media are beginning to self-finance through production initiatives. For example, *IWACU* has a project to install its own printing press to produce its publications on time and at a lower cost.

The panelists also lamented the lack of state subsidies and tax breaks to improve the quality of journalists' work. They did not address the possibility that state funding could compromise journalistic integrity.

In Burundi, market studies that could help illuminate the needs of the public are non-existent, while strategic plans are not even established in most media. Ratings of listenership and circulation for media are still in their infancy.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Burundi Objective Score: 2.18

As mentioned in previous MSI studies, Burundi has no associations for publishers, although an association for radio broadcasters is in operation. Burundi also has professional journalism associations that operate within their means. The Burundian Journalists Union (known by its French acronym, UBJ) has tackled a number of issues affecting its members, most notably the collective agreement and cases of wrongful arrests. Notwithstanding the scarcity of donors to support their efforts, these groups manage to work for journalist interests. Last year's panelists praised UBJ for its efforts, in conjunction with the International Federation of Journalists, to meet with Burundi's vice president to plead for Kavumbagu's release.

Some international NGOs and donors are present in Burundi, helping to strengthen the capacity of journalists to improve their services, and sometimes providing equipment grants. Local media assistance organizations include Observatoire de la Press Burundaise (Burundian Press Observatory), which serves as a peer tribunal; and the Organisations Médias de l'Afrique Centrale (Media Organization of Central Africa), which monitors media production quality. However, only Journaliste en Danger and Human Rights Watch tend to get involved when the rights of journalists are violated. International organizations that assist Burundi's media include Institut Panos Paris, which is very involved in Burundi. Other international organizations that have conducted programs in the country include Groupe de Recherche et d'Echanges Technologiques (Group for Research and Technological Exchange) and USAID. The panelists recognized the work of the groups in defending and promoting freedom of the press. "Were it not for these organizations, Burundi would have already caved into disaster," said Ernest Nkurunziza.

A major constraint, however, is the complete lack of any official institution to train journalists. There are short-term journalism classes taught at the private universities that offer some technical training for journalists, and international and regional partners hold informal courses and workshops. As noted in last year's MSI, in the wake of the conflicts that tore the country apart, NGOs and international partners have implemented "peace journalism" training projects—opportunities that private and community radio journalists have embraced more readily than their counterparts in print and television. Still, there is not enough training to meet the need, particularly for practical and technical skills. Last year's panelists highlighted the need for better hands-on training for radio journalists and technicians.

Furthermore, the panelists noted that education overall in Burundi is of poor quality, and journalists lack even the basic linguistic skills needed to provide quality service.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

With no established media distribution network, most services are apolitical and protective of their own business interests. Although newspaper printing houses are run privately and independently, the authorities have been known to interfere with print runs.

Given the severe technical limitations and constraints, the panelists judged it unrealistic to speak of modern infrastructure. Newspapers use old printers, while audiovisual media use small frames to transmit content; the digital age has not yet come to Burundi's media.

List of Panel Participants

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The Burundi study was coordinated by, and conducted in partnership with, Journaliste en Danger, Kinshasa, Democratic Republic of Congo. The panel discussion was convened on August 10, 2012.