



## EAST AFRICAN COMMUNITY

### **PRELIMINARY REPORT OF THE EAC ELECTION OBSERVATION MISSION FOR THE LEGISLATIVE ELECTIONS IN THE REPUBLIC OF BURUNDI**

#### **1.0 INTRODUCTION**

At the invitation of the National Independent Electoral Commission of Burundi (CENI), the Secretary General of the East African Community (EAC) appointed a Mission to observe the Legislative Elections in the Republic of Burundi that were held on 23 July 2010. The Observer Mission, which arrived in Burundi on 17<sup>th</sup> July 2010 and will stay up to 26<sup>th</sup> July 2010, is led by Hon. Lydia Mutende-Wanyoto, Member of the East African Legislative Assembly (EALA). The other members of the Mission are:

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|-----|----------------------------------|---------------------------------------|
| 1.  | Hon. Gervase Akhaabi             | Member EALA                           |
| 2.  | Hon. Straton Ndikuryayo          | Member EALA                           |
| 3.  | Hon. Augustine Lotodo            | Member EALA                           |
| 4.  | Hon. Dr. George Francis Nangale  | Member EALA                           |
| 5.  | Hon. Valerie Nyirahabineza       | Member EALA                           |
| 6.  | Hon. Janet Mmari                 | Member EALA                           |
| 7.  | Hon. Dan Kidega                  | Member EALA                           |
| 8.  | Mr. Ahmed Maamun Ali             | Private Sector, Kenya                 |
| 9.  | Mr. David Njoka                  | Ministry of EAC Affairs, Kenya        |
| 10. | Hon. Harriet Sebera Mukamurangwa | Parliament of Rwanda                  |
| 11. | Ms. Hope Tumukunde               | Human Rights Commission, Rwanda       |
| 12. | Mr. Pacifique Nduwimana          | Electoral Commission, Rwanda          |
| 13. | Hon. Zahoro Juma Khamisi         | Human Rights Commission, Tanzania     |
| 14. | Mr. Mashaka T. Chikoli           | Ministry of Foreign Affairs, Tanzania |
| 15. | Mr. Aman Mwatonoka               | Ministry of EAC Affairs, Tanzania     |
| 16. | Hon. David Guma Gumisiriza       | Parliament of Uganda                  |
| 17. | Hon. Steven Ongaria              | Electoral Commission, Uganda          |
| 18. | Mr. Willy Agirembabazi           | Human Rights Commission, Uganda       |
| 19. | Mr. Joseph Birungi               | EAC Secretariat                       |
| 20. | Mr. Charles Kadonya              | EAC Secretariat                       |

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| 21. | Mr. Owora Richard Othieno | EAC Secretariat |
| 22. | Ms. Neema Mnzava          | EAC Secretariat |

## **2.0 OBJECTIVES OF THE MISSION**

The deployment of the EAC Observer Mission to Burundi Legislative Elections was made within the context of Articles 3 (b), 6 (d) and 7 (2) of the Treaty for the Establishment of the EAC (the Treaty) which provides for ‘...adherence to universally acceptable principles of good governance, democracy, the rule of law, observance of human rights and social justice’. Furthermore, the EAC Partner States have agreed under Article 123 to cooperate in the specified areas for the purpose of achieving the objectives of the Community as provided for under Article 5 of the Treaty.

### **Specific objectives of the Mission were to:**

- Assess whether conditions exist for the conduct of elections that allow the people of Burundi to freely express their will;
- Assess and determine whether elections were conducted in accordance with the legal framework for elections in Burundi;
- Assess whether the conduct of the electoral processes was consistent with the provisions as set out in the African Charter on Human and Peoples Rights, the AU Declaration on the Principles Governing Democratic Elections in Africa, the UN Declaration on Human Rights and the International Covenant on Civil and Political Rights; and
- Determine whether the final results of the electoral process as a whole reflect the wishes of the people of Burundi.

## **3.0 METHODOLOGY**

In carrying out its mandate, the Mission employed various methods that included:

- review of literature and media reports including radio, print and electronic;
- meetings and interactions with the various stakeholders including the CENI; local and international election Observers, attending political campaign rallies; and,
- field observations.

## **4.0 DEPLOYMENT**

The Mission was deployed in eleven out of the seventeen Provinces of Burundi covering the geographical representation of the country thus: Bujumbura Urban; Bujumbura Rural; Bubanza; Ngozi; Makamba; Kayanza; Muyinga; Gitega; Bururi; Muramvya; and Rutana.

## **5.0 OBSERVATIONS AND/OR FINDINGS**

### **5.1 Pre-Election period**

The Mission noted the following:

- Although there are over 40 (forty) registered parties, only the following parties participated in the legislative elections: CNDD-FDD; UPRONA; SHWANYA-FRODEBU NYAKURI IRAGI RYA NDADAYE; KAZE-FDD; PTD; FROLINA and the parties SONOVI, INKINZO, PRP, PIEBU, PMP which jointly presented their candidates under a coalition under the name “CELAT”. In addition, there were two independent candidates, namely: Mr Deo Hakizimana and Mr Patrick Hamenyimana;
- Not all the political parties and the independent candidates presented their candidates in all the provinces;
- Professionalism and impartiality of the CENI officials at the national, provincial and communal level;
- Extensive coverage of the electoral processes by the media through the “media synergy” initiative;
- No political violence and intimidation of the voters;
- Few political rallies by the political parties;
- Prevalence in all the provinces of the flags for CNDD-FDD and UPRONA while those for the other political parties were few;
- Civic and voter education mainly through the media and at the polling stations on the polling day;
- Some Electoral Commission offices were not adequately manned on the eve of the polling day on the grounds that officials were distributing election materials.

### **5.2 Election Day**

The Mission noted that:

- The set up of the Polling Stations was conveniently arranged to allow smooth flow of the voting process and ensure secrecy of the ballot;
- The election materials were available and in sufficient quantities including in areas where there were candidates from many political parties and independent candidates;
- Most polling stations opened between 06:00 and 06:30am;
- The Electoral Officials were present at the opening and voter briefing before the start of the voting, although there were few voters at the time of opening;
- Gender representation amongst elections officials at national, provincial and local levels was good;
- Although all parties were free to be represented at all the polling stations, only the CNDD-FDD and UPRONA agents were present in most polling stations;
- Some parties disclosed that they lacked the financial capacity to run their offices and reach out to the people;

- Some polling centres were far apart and voters had to travel long distances to vote;
- The presence and active participation of several national observers and other international observer teams;
- The active involvement of the media especially through the media synergy;
- Security was prevalent on all stations but their presence was reassuring and not intimidating the voters;
- The use of two different types of envelopes and a multiplicity of ballot papers seemed cumbersome to the voters;
- Voter turnout was generally lower than during Communal and Presidential elections;
- Polling closed within the time lines as stipulated by the CENI;
- Vote counting, tallying and announcement of results were done in accordance with prescribed procedures;
- There were no incidences that could have undermined the legitimacy of the outcome.

## **6.0 Recommendations**

- Electoral Commission should explore ways of utilizing existing alternatives to schools as voting centers especially where the former are far apart so as to reduce the distances between polling centres;
- In future elections, CENI should explore ways of using one ballot paper containing the various candidates;
- There is need to address the human resource constraints in the national, provincial and communal electoral commission offices in order to have them adequately manned to address the emergencies during the elections;
- There is need to address the financial constraints of the political parties to empower them reach out to the people;
- There is need to design mechanisms for promoting civic education and to encourage all the Burundi people to actively participate in all the political processes;
- The media synergy arrangement is commendable and should be emulated by all EAC Partner States and beyond.

## **7.0 Conclusion**

To the extent of the Mission's observation, the elections were free and peaceful. The Mission congratulates the people of Burundi, the Civil Society, Faith-based Organizations, the Media and the Government for promoting a peaceful environment during the elections.

Furthermore, the Mission appreciates the support by the International Community to the Burundi electoral process in particular and to the Burundi people in their efforts to promote democratic governance in their country.

The Mission will issue its final report in the very near future.

Signed on this day of 24<sup>th</sup> July 2010

**Hon. Gervase Akhaabi**  
**For Leader, EAC Election Observer Mission**  
**Bujumbura, Burundi**