

The Belgian observers' claim that the 2010 Communal elections in Burundi were successfully held has seriously undermined their credibility and high moral ground.

On Monday 24<sup>th</sup> May 2010, the Burundians have participated in the communal elections and on Wednesday 26<sup>th</sup> May 2010, the President of the National Independent Electoral Commission (CENI), Ambassador Pierre Claver Ndayicariye has published some provisional results.

To the deep surprise and astonishment of many observers in Burundi and abroad, the provisional results showed that the ruling party, CNDD-FDD, has won the communal elections in the 129 communes (total of all communes) with a majority of 64,03 %, followed by the National Liberation Front (FNL) with 14,15%, the UPRONA party with 6,25%, the FRODEBU party with 5,43% and the MSD party with 3,75%.

Immediately after the publication of the provisional results, thirteen political parties, among those who have taken part in the ballot, made a common statement, in which they have demanded that the CENI be disqualified and the results of the communal elections be cancelled. They have called for a rerun of a new election process. The statement signed by Leonard Nyangoma, President of the CNDD party on behalf of the Political parties has reached its conclusion on the following grounds:

- The CENI's incapacity to assume its responsibility to take decision on various complaints and grievances aired by political parties;
- The lack of professionalism in the management of the procurement and selection of the company in charge of supplying the electoral materials (irregularities in the production and packing of polling cards and the indelible ink);
- The publication of obvious false polling results as many ballot boxes with many unaccounted polling cards were still with the population after the counting process;
- The blatant breach of the electoral code (not enough clear guidelines provided to the CEPI and CECI for compliance with regulations in the organisation of the poll, the non- respect of the legal timing of the polling and counting process);
- The President of CENI 's partiality in his statements when he stated that the parties' leaders in competition, who have claimed alleged corruption practices were despising the people.

During the election campaign, there have been reports documenting numerous incidents of violence carried out by the ruling party, the CNDD-FDD, against members of other political parties as means of settling political scores. One of those reports, a 47-pages report published by the Human Right Watch on 14<sup>th</sup> May 2010 is based on four months of field research in Bujumbura and four rural provinces.

The report states, "*if the police and judicial authorities don't investigate and punish politically motivated attacks, perpetrators will continue to believe they are above the law*". The report warned that truly free and fair elections couldn't take place in an atmosphere of fear or denial of justice. The report calls on national and international election observers to not only document cases of political violence, but monitor victims' access to justice.

To our surprise, the Press release dated 25<sup>th</sup> may 2010 made by the Belgium Embassy in Burundi on behalf of the Belgian members of parliaments states "*the delegation of Belgian electoral observers made of members of parliament from the AWEPA chaired by the Belgian Senator, Mrs Lydia Maximus has completed, from the 20-24<sup>th</sup> may 2010, an observation mission into five provinces of Burundi. On the 24<sup>th</sup> may 2010, in particular she has visited 50 polling centres mainly in the north of the country and in the capital.*"

The Press release continues stating *“the delegation has founded that despite some logistic imperfections, the communal elections were successfully held”*. The end of the statement reads that *“if there has been some imperfections, there did not stem from a deliberate willingness to rig the vote”*.

The last sentence reads *“it is important that all political actors of Burundi accept fairly and honestly the results of this election poll, which is an important step in the path towards the young democracy in Burundi”*.

In conclusion,

- In failing to understand and appreciate that an electoral process does not take place just in **four days**, between 20-24<sup>th</sup> may 2010, that prior to the polling day there has been a **two years election campaign process** run by the ruling party, in which various reports were published documenting numerous incidents of violence carried out by the ruling party, the CNDD-FDD against members of other political parties;
- In failing to take into account the Government of Burundi’s decision to expel Neela Ghoshal just a couple of days after the publication of the Human Right Watch report on 14 may 2010 entitled **“Burundi: Ensure Zero Tolerance for Election Violence”** and its decision to expel Mahmoud Youssef, the former head of the United Nations Integrated Office in Burundi (BINUB) six months earlier (in December 2009) in their assessment of the ruling party’s good faith in its participation in a fair and transparent election process;
- In failing to make a fair and honest assessment of the election process by sending permanent observers during the whole day of the ballot in various polling centres until the end of the counting process;
- In failing to make a thorough assessment of the polling centres visited, given that the Senator has visited 50 polling centres in the north in one day and given that she has travelled 5 provinces in one day, she has made on average 6 hours of observation time (10 hours working day take away 4 hours of driving), which means that the time she has spent in each of those polling centre was about **8 minutes**;
- In failing to understand that in 1961, 1993, 2005 and 2010 the Burundian have always shown discipline and restraint during polling days, which doesn’t imply that the results would be fair and democratic;
- In failing to take into account the shortcoming and any discrepancies in the minutes of the counting process and results of each polling centres and in failing to assess the extent to which the political leaders of all political parties were denied access to the minutes of the counting results;
- In failing not only to document multiple cases of political violence and to monitor victims’ access to justice as recommended by the Human Right Watch report on Burundi (may 2010) to the national and international observers;

- In failing to take into account the position of the leaders of the opposition parties in making her statement;
- In attempting to exert undue pressure on political leaders by calling them to fairly accept the results of the communal election poll;
- In making a bias and ill conceived judgment that despite the few imperfections found they do not stem from a deliberate willingness from the ruling party to rig the vote, against a track record of constant violations of human rights and practises of encouraging corruption and embezzlement of state funds;

The Belgian members of parliament, once again, have demonstrated a deep lack of judgment, a condescending attitude and a total disregard to the people of Burundi for their need for a fair, transparent and democratic election process in Burundi. Nearly fifty years after the independence of Burundi, the Belgian members of parliament have not yet learned the lessons of their disastrous colonial legacy in the great lakes region (Burundi, Rwanda and Democratic Republic of Congo) and would have been more advised in listening, learning and showing more respect towards the people of Burundi and their political leaders.

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