

Feature: Burundi Election Update

*Jonathan Stonestreet, Alden Mahler Levine, and Luke Tyburski**

The 2001 Arusha Accords and the 2005 Constitution raised hopes that Burundi could build democratic institutions and escape a cycle of ethnically-based violence. Burundi had been relatively peaceful and had seen diminished ethnic tensions reflected by multiethnic representation in government institutions and the military. Although most of the opposition boycotted national elections in 2010, opposition parties were poised to contest the 2015 elections. Despite a number of significant problems, a vocal civil society advocated for democratic rights, and independent media was able to report relatively freely on political developments.

As the 2015 cycle of local, parliamentary and presidential elections approached, however, the electoral environment deteriorated dramatically. Burundi is increasingly affected by political tension, fear and violence. Protests take place almost on a daily basis in the capital Bujumbura. At least 40 people have been killed, many more wounded, and over 100,000 refugees have fled Burundi due to intimidation and fear of violence. Parliamentary and communal elections (originally scheduled for May 26) and the presidential election (originally scheduled for June 26) have now been postponed until June 29 and July 15 respectively.

Key issues that have impacted the run-up to elections include a lack of political space for the opposition, the perceived lack of independence of the election commission (CENI), voter registration problems, and intimidation by the ruling party's youth wing, the *Imbonerakure*. At the heart of the crisis, however, is the question of whether the president can run for a third term in office. The opposition, civil society groups, and the Catholic Church note that the

Constitution clearly specifies that the president can only serve a maximum of two terms and that President Nkurunziza is ineligible to run since he was re-elected in 2010. The president has taken the position that the two term limit does not apply, as he was indirectly elected by parliament in 2005 rather than being directly elected by the people.

Following the announcement that the president would run again on April 26, 2015, popular protests began in Bujumbura. The Constitutional Court validated the president's position, although one member subsequently fled to Rwanda citing pressure on the court. After several days of protest, a military coup attempt took place on May 13 while President Nkurunziza was out of the country to attend a summit of the East African Community (EAC). The coup was put down and most of the leaders arrested, but in the turmoil election preparations were disrupted and independent radio stations were destroyed, leaving only the government run station in operation. Protests against the president's decision to run for a third term immediately resumed. The response of security forces to the protests has often been violent, while protestors have also attacked police on some occasions.

The United Nations sponsored a dialogue process including the government, opposition leaders, and some civil society leaders. The dialogue made progress on several issues but was unable to address the third-term issue before being interrupted when the leader of an opposition party was assassinated on May 23. On May 31, an emergency EAC Summit urged postponement of the elections by six weeks in order to give more space for negotiation and for the improvement of

Dear Reader,

The September 2015 edition of the ACE Newsletter highlights:

- Feature: Burundi Election Update
- The latest questions and discussion on the Practitioners' Network
- ACE Encyclopaedia: The Latest Updates
- New Publications by ACE partner organizations and members of the ACE Practitioners' Network

The ACE Electoral Knowledge Network promotes credible and transparent electoral processes with an emphasis on sustainability, professionalism, and trust in the electoral process. ACE offers a wide range of services related to electoral knowledge, assistance, and capacity development.

Thank you for reading September's newsletter and for your involvement with ACE. We look forward to your contributions to the Network!

Best regards,

The ACE Electoral
Knowledge Network

the electoral environment. In particular, the EAC also called for the disarmament of youth groups allied to political parties.

On June 8, the CENI proposed a new electoral calendar, which delayed the presidential election by three weeks, stating that this was the latest date the election could be held in accordance with constitutional requirements. On June 10, the opposition rejected the new election dates, and subsequently called for a boycott of the elections. The government announced that no further delays would be considered and that the issue of the third term was not negotiable.

The credibility of the process continues to deteriorate. The main domestic observer coalition COSOME suspended its observation activities in early May, and the Catholic Church has withdrawn its members from the provincial and local election commissions. Two of the five CENI members resigned at the end of May and fled to Rwanda. This would have prevented the CENI from having a quorum to take decisions. A presidential decree was subsequently circulated giving the CENI the authority to take decisions with only three members. This step further undermines the legitimacy of the election process.

The African Union decided not to deploy an observation mission as conditions for democratic elections did not exist. The Carter Center was unable to deploy its planned limited observation mission due to the coup attempt and has placed its mission on hold. On May 26, opposition parties released a statement vowing not to recognize the results of any election held in the present environment and calling on international observers to withdraw from the elections. The European Union's election observation mission suspended its operations on May 28, leaving the United Nations observation mission as the sole international observer presence in Burundi. International donor support for the elections has also been suspended. The UN High Commissioner for Human Rights has warned that violence by armed

militias, especially the Imbonerakure, could "tip [Burundi] over the edge."¹

The UN, AU and EAC continue to work towards a negotiated solution to the crisis. Unless an acceptable compromise is reached, there is a real risk that, in addition to holding an election which would be widely perceived as undemocratic, the achievements of the Arusha Accords could be lost and that Burundi could slide further into violence and potentially into ethnic conflict.

** This article is the result of collaboration between Jonathan Stonestreet, Alden Mahler Levine, and Luke Tyburski. Luke is an intern at The Carter Center and a rising junior at NYU Abu Dhabi, where he studies Political Science and Economics. Alden is a Program Associate in the Carter Center's Democracy Program currently focusing on Burundi. Jonathan is an Associate Director in Democracy Program and manages projects in Burundi and Myanmar.*

Update: Burundi's controversial parliamentary and presidential elections took place on June 29 and July 21, respectively, despite the boycott by 17 opposition groups and the insistence of the international community that conditions for free and fair elections were unattainable. The ruling party won 77 of the 100 available seats in the National Assembly (Narodno Sabranie), and President Nkurunziza was elected to a third term with 69.4 percent of the vote in a disputed presidential election. Nkurunziza was sworn in a week ahead of schedule in August. Political unrest, including the murder of an opposition party spokesman and the attempted assassination of Burundi's army chief of staff, continues to plague the country.

This update was produced by ACE. The original authors of this Feature were unavailable for further contributions after the Burundi elections were held.

Practitioners' Network

Since March, over **600 members** logged on to the Practitioners' Network and shared their experiences, knowledge and expertise through **240 contributions** to questions asked by their peers. Recent questions include [Citizen Police Officers at Polling Stations, Collecting Population Data for Boundary Delimitation : Alternative Practices, Time Sensitive: Prohibiting government from making statements before election, External Relations Staffing Best Practices, and Monitoring and Evaluation and Risk Management for EMBs](#).

[Consolidated replies](#) are published summaries of the discussions on the Practitioners' Network. The following page highlights some of the consolidated replies published since March. Nearly **40** questions have been consolidated, so be sure to look [here](#) for a full overview.

Join the Network!

- Are you an election practitioner with expertise and experience?
- Are you not yet a member of the ACE Practitioners' Network?

If so, submit an application to be a member of the Practitioners' Network now: www.aceproject.org/apply.

¹www.ohchr.org/EN/NewsEvents/Pages/media.aspx?IsMediaPage=true

Recent Consolidated Replies

[Best Practices in Gender-Segregated Voting](#)

I am interested in knowing about best practices in gender-segregated voting. More specifically, I would like to learn about best practices in the following aspects of the process:

- Legal framework
- Voter registration
- Civic education
- Voting operations
- Electoral security
- Observation
- Evaluation criteria

PN members are encouraged to cite international and domestic best practices in this area, and share examples of how election commissions have implemented them in their countries.

[Special Rules and Bans on Election Day](#)

In environments faced with civil and political conflicts, special rules or bans have been enacted that apply to the public in the lead up to Election Day. For instance, in the lead up to the October 12th general election in Bolivia, media reports suggest that the country's Supreme Electoral Court (TSE) may enact several public bans, including one on the sale of alcohol between the 9th and the 13th of October, and on carrying dangerous objects (e.g. firearms, knives). Furthermore, police officers may be deployed to enforce these restrictions in the period surrounding Election Day.

The question, therefore, is in three parts:

- 1 What kind of bans have other countries enacted around Election Day to deter violence?
- 2 How have they been enforced?
- 3 What are the legal frameworks governing the issuing of special rules or bans in the lead up to Election Day?

Finally, we encourage members to weigh in on the overall effectiveness of public restrictions and bans in deterring election violence.

[Instances of Purging Voters from Voter Rolls](#)

Some countries remove registered voters from the voter rolls if they do not vote in a specified number of consecutive elections. I am looking for more information on this practice, specifically:

1. How many countries have provisions for removing voters from the voter registry for failure to vote in a specified number of consecutive elections? (Or, what are some examples of countries that do so?)
2. Does such purging of voters for nonvoting typically have significant effects on the accuracy of the voter rolls or on voter turnout?

[Performance Audits of Election Authorities: Methodologies and Examples of Conduct](#)

I am researching the conduct of performance audits of election authorities. I am interested in finding out more about the methodology associated with conducting a performance audit.

Most EMBs conduct post-election reviews where they tackle lessons learnt from the last elections. Some depend on lessons for elections observation missions (both international and domestic), along with other stakeholder inputs including EMB staff. Performance audits, however, differ from these post-election reviews, though there are overlaps. Just like financial audits, it is associated with tracking aspects of accountability associated with performance of the electoral institution. Performance audits like those done by the Botswana Election Commission appear rare.

Does anybody know of more examples of such performance audits, and particularly of the methodology employed to conduct them? I am very interested in how these performance audits are conducted in terms of the structure and composition of the audit team, the duration of the audit, their main objectives and working parameters such as indicators, as well as their reporting outputs. Any accessible examples of such studies would be very useful.

[Permanent Voter Registration Systems](#)

In some states in the United States, there are discussions on shifting to a system of permanent voter registration. According to a 2009 [report](#) by the Brennan Center for Justice,

"Election officials process millions of change-of-address cards each year to keep voter registration lists up to date. This involves deciphering information written on millions of paper forms and laboriously inputting data. The administrative headache is hardly trivial: between 2004 and 2006, election officials in 35 states processed nearly 11 million forms submitted by already-registered voters to report address or name changes or updates to party affiliation. These updates accounted for at least 30% of all voter registration transactions during that period. Not surprisingly, election officials report that dealing with address changes is the most challenging aspect of voter list maintenance."

In line with this, the report also estimates that the mobility of Americans is, to an extent, a driver of the US's comparatively lower voter turnout. To address this issue several states have established systems of portable or "permanent" registration where voters who move within a state can cast ballots that count on Election Day, even if they haven't submitted new registration paperwork before the voter registration deadline. Thus there is a belief that permanent registration systems can increase electoral participation. According to the report, states with permanent registration systems experienced some of the highest voter turnout rates in the 2008 US general election.

The question is therefore twofold:

- Are there similar discussions or measures in place in other countries surrounding permanent voter registration?
- What are the pros and cons of such systems?

Practitioners' Network members are encouraged to provide country-specific examples.

[EMB Experiences with Open Source Technology](#)

I am currently conducting a global survey among EMBs on the usage of open source technology.

To complement this effort, I am interested in any information members of the PN may provide about country experiences with open source systems, especially for election specific applications such as party, candidate and voter registration, boundary delimitation, results transmission and management, electronic voting, etc.

[Civil society's role in advocating for, drafting, and implementing campaign finance laws](#)

I am looking for case studies or reports that show how civil society has successfully advocated for the implementation of a new campaign finance law (party disclosure of financial statements for election campaigns) and also how civil society monitored the drafting and implementation of the law.

PN members are requested to share examples, reports, or links to examples online.

ACE Encyclopaedia: The Latest Updates

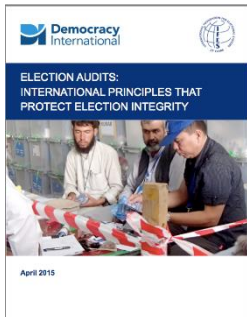
ACE recently finalized two additions to the Focus On series, [International Election Observation](#), and [E-Voting](#). The [ACE Focus On](#) series aims to explore in greater detail cross-cutting issues referenced in the ACE Electoral Knowledge Network. A subject matter specialist introduces each topic, highlights issues and sample materials in ACE and identifies additional online resources for users to research more information.

'International Election Observation', authored by the Carter Center's Chloe Bordewich, Avery Davis-Roberts and David Carroll, analyzes the factors that influence and challenge international observation organizations, and individual observers. Grounding itself in an exploration of the post-World War II context that birthed international observation, the piece examines the tools and methodologies used by international observer groups, and concludes with a series of questions surrounding the challenges and obstacles in the field.

ACE Focus On 'E-Voting' or Electronic Voting was initially published in 2004, but updated in 2014 by its original author, the German Research Institute for Public Administration Speyers' Nadja Braun Binder, in cooperation with Ardita Driza Maurer, Robert Krimmer, Uwe Serdült, and Priit Vinkel. The piece explores the many variations of e-voting, provides a historical overview of the practice, shares basic requirements, and then presents an analysis of the various stakeholders, risks, benefits, and costs.

If you would like to see a particular topic addressed in an ACE Focus On, or in Spanish or French, please send your suggestions to facilitators@aceproject.org.

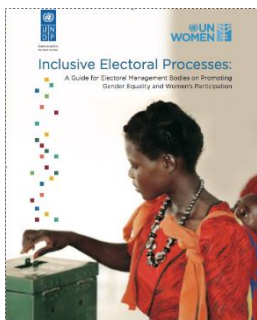
Recent Publications by ACE Partners and Members of the Practitioners' Network



[Election Audits: International Principles that Protect Election Integrity](#) (IFES)

The International Foundation for Electoral Systems (IFES) and Democracy International (DI) have released a new joint white paper that identifies best practices for election audits in developing democracies. Election audits, which are increasingly used as a means of settling disputes about electoral results, are often conducted as ad hoc processes without clearly defined standards and procedures. In this collaborative effort, IFES and DI put forth recommendations to guide electoral management bodies in preparing for election audits.

As the international community continues to support electoral processes in developing democracies around the world, it is critical to come to consensus on standards that should be applied both to assess the need for an election audit and to conduct such an audit. This white paper is the first effort at building that consensus.



[Inclusive Electoral Processes: A Guide for EMBs on Promoting Gender Equality and Women's Participation](#) (UNDP)

This publication seeks to provide assistance to those working to increase the participation of women in electoral processes and electoral administration. The Guide presents existing practices and options for reforms that may assist EMBs and assistance providers such as UNDP, UN Women and other UN agencies in their work. While the primary audience are members of EMBs around the world, the material is also of interest and use to others who work to support credible and inclusive electoral processes and the work of the EMBs, such as civil society organizations, political parties and the media. While there is generally a lack of documentation of initiatives in this area, examples have been drawn from more than 50 countries.



[Main Aspects of the Mexican Electoral Regime](#) (INE)

This publication was conceived and developed as part of the promotion and dissemination activities carried out by the National Electoral Institute (INE) amongst the international community, especially between foreign visitors, for the federal electoral processes that takes place in Mexico. Its main goal is to give simple, clear and didactic informative material to those who may be interested in getting to know the most relevant aspects of the Mexican political-electoral regime, as well as the nature and organisation of some of the Institute's main activities.