



2008 Human Rights Report: Burundi

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

[2008 Country Reports on Human Rights Practices](#)

February 25, 2009

Burundi is a constitutional republic with an elected government and a population of 8.3 million. In 2005, following local and parliamentary elections, the country's two houses of parliament indirectly elected as President Pierre Nkurunziza, a member of the National Council for the Defense of Democracy–Forces for the Defense of Democracy (CNDD-FDD) political party. International observers reported that the elections, which ended a four-year transitional process under the Arusha Peace and Reconciliation Agreement, were generally free and fair. Although the CNDD-FDD party dominated parliament and the government, other major parties, notably the Burundian Front for Democracy (FRODEBU) and the Union for National Progress, were also represented. On April 17, members of the rebel group PALIPEHUTU-FNL (FNL) attacked several military positions around Bujumbura. Subsequent clashes between government forces and rebel combatants resulted in more than 100 dead before a cease-fire was signed at the end of May. More than 2,000 rebels subsequently relocated to a government assembly area awaiting integration into the security forces or demobilization. At year's end an additional 3,000 to 18,000 combatants remained in the bush as rebel leaders and government authorities negotiated the details of the agreement. While civilian authorities generally maintained effective control of security forces, there were instances when elements of the security forces acted independently.

The government's human rights record remained poor; government security forces continued to commit numerous serious human rights abuses. Members of the army (FDN), the police, and the National Intelligence Service (SNR) were responsible for killings, torture, and beatings of civilians and detainees (including suspected FNL supporters), although there were fewer such reports than in the previous year. There were reports that security forces raped women and girls. Impunity and harsh, life-threatening prison and detention center conditions remained problems, and reports of arbitrary arrest and detention continued. Prolonged pretrial detention, lack of judicial independence and efficiency, and judicial corruption continued. While government security forces, especially the FDN, took some steps to prosecute the perpetrators of human rights abuses, most individuals acted with impunity. The government continued to hold some political prisoners and political detainees. It restricted freedom of assembly and association, especially for political parties, and did not tolerate direct criticism of the president. Security forces continued to harass members of the opposition. Domestic and sexual violence and discrimination against women remained problems. A large number of weapons circulated throughout the general population, and many violent incidents and killings were considered the result of vigilante abuse and personal score-settling.

Despite the cease-fire, abuses by the FNL against civilians continued and occurred primarily in the FNL traditional strongholds of Bujumbura Rural, and the northern provinces of Bubanza, Cibitoke, Muramvya, and Kayanza. These abuses included killings, kidnappings, rapes, theft, extortion, and the use of forced labor.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

Arbitrary or Unlawful Deprivation of Life

The UN reported that security forces killed 57 civilians, compared with 20 in the previous year. The human rights organization Ligue Iteka reported widespread killings of civilians by security forces after rebel attacks or for suspected collaboration with rebel forces. FNL rebels killed numerous persons during the year and committed other serious abuses against the civilian population. Ligue Iteka further claimed that authorities failed to investigate these incidents or identify the killers (see section 1.g.). Given the high numbers of arms circulating in the population and general lawlessness in many areas, a large number of killings could be attributed to vigilante abuse or the settling of personal scores.

There were continuing reports of deaths and injuries caused by unknown persons using grenades and mortars, some allegedly involving security force personnel.

There were no reported deaths as a result of unexploded ordnance or landmines laid in previous years by government or rebel combatants.

There were reports of killings, usually perpetrated by unknown persons, of individuals accused of sorcery, as well as killings of persons with albinism for body parts allegedly used in witchcraft. The killing of persons with albinism in particular appeared to be driven by a demand for body parts in neighboring Tanzania.

On July 23, an unidentified man strangled and ritually mutilated a 14-year-old girl by removing her front teeth in Muyinga Province. A mob then burned the man alive.

On September 10, 11 local youths killed and burned four persons accused of sorcery. Police arrested the youths amid protests from local inhabitants; by year's end none of the accused had been tried.

On September 10, also in Ruyigi, unidentified assailants killed and mutilated a girl with albinism and then cut off her hands and feet. Police investigation had produced no arrests by year's end.

On September 30, unknown attackers killed and cut off the arms and legs of a man with albinism in Ruyigi. Police investigation had produced no arrests by year's end.

On November 16, a six-year-old girl with albinism was killed in Ruyigi and her head and limbs removed. Armed attackers broke into the family's home and tied up the girl's parents before shooting her in the head. Police investigation had produced no arrests by year's end.

Despite a 2006 announcement by the president that local authorities would be held accountable for such killings, the perpetrators were rarely identified or prosecuted. On October 6, however, local police arrested and detained two persons in Gihogazi, Karuzi Province, for allegedly trafficking body parts of persons with albinism to Tanzania.

b. Disappearance

There were no confirmed reports of politically motivated disappearances. The Association for the Protection of Human Rights and Detained Persons (APRODH) reported that 64 detainees were missing from detention facilities during the year and that the 10 detainees missing from detention facilities in 2006 had all been killed. At year's end the authorities had not investigated these killings.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution and law prohibit such practices; however, the UN, Human Rights Watch (HRW), and domestic

nongovernmental organizations (NGOs) Ligue Iteka and APRODH reported that members of the security forces beat and tortured civilians and detainees. In September the police commissioner of Bubanza Province tortured a man detained in the Bubanza Provincial Jail following a heated argument over an unknown matter. Authorities later confirmed that the commissioner used his belt and truncheon to inflict severe pain on prisoners; however, no action was taken against him.

There were no developments in the August 2007 shooting into an unruly crowd by a drunken policeman in Bururi Province.

Throughout the year multiple credible sources reported that the security forces maintained illegal detention and torture centers across the country. The SNR facility reportedly used for torture of detainees and scheduled for closure in 2006 remained open.

During the year the soldiers accused of the 2007 rape of two women and a minor in separate incidents in Bujumbura Rural, Makamba, and Muyinga provinces were each sentenced to 20 years' imprisonment.

Prison and Detention Center Conditions

Prison conditions remained harsh and sometimes life threatening. Severe overcrowding persisted, and in August APRODH reported that 9,613 persons were held in 11 facilities built to accommodate a total of 4,050. According to government officials and human rights observers, prisoners suffered from digestive illnesses and malaria, and some died as a result of disease. APRODH reported 57 cases of torture and abuse of prisoners and detainees, as well as arbitrary and prolonged detentions, in Rumonge Prison in Bururi Province. For example, 59 percent of prisoners were "preventive detainees" held without charge.

Each prison had one qualified nurse and at least a weekly visit by a doctor; however, prisoners did not always receive prompt access to medical care. Serious cases were sent to local hospitals. The International Committee of the Red Cross (ICRC) was the primary provider of medicines; the government did not feed detainees in communal lockups. Detainees and prisoners not held in communal lockups received 450 grams of food per day from the government, and families often had to supplement prisoner rations.

Detention centers and communal lockups were severely overcrowded, and conditions were generally worse than prison conditions. APRODH stated there were numerous unofficial reports of prisoner abuse. Proper sanitation and medical care were limited or nonexistent. There were 400 communal lockups where those arrested were to be held for no longer than one week; in practice detainees were regularly kept in these facilities for much longer periods, ranging from a few weeks to several months.

According to the Ministry of Justice, there were 489 children in prisons, including 82 infants accompanying their convicted mothers. Juvenile prisoners were held with and often treated as adults. Political prisoners often were held with convicted criminals. Persons being detained before their trials were held in communal lockups, but some were also incarcerated with convicted prisoners. In detention centers and communal lockups, minors were not always separated from adult detainees.

During the year the government permitted some visits by international and local human rights monitors, including the ICRC, and the visits took place in accordance with standard modalities.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention, but security forces arrested and detained persons

arbitrarily, including journalists and labor union leaders.

Role of the Police and Security Apparatus

The national police are responsible for internal security, but the FDN may assume such responsibilities in time of war. The police deal with criminal matters, and the FDN fulfills external security and counterinsurgency roles. In practice the FDN also arrests and detains suspects. The Ministry of Defense oversees the FDN, and the Ministry of Public Security oversees the national police. The SNR is a special police agency that reports directly to the president. The SNR gathers intelligence and has the authority to arrest and interrogate suspects.

Members of the security forces were poorly trained. Corruption, disregard for limits on detention, and torture and mistreatment of prisoners and detainees remained problems. An internal affairs unit within the police force investigated crimes committed by police. The United Nations Mission in Burundi (BINUB) and various NGOs provided human rights training to police. Impunity and lack of accountability for members of the security forces who committed serious human rights abuses remained key problems.

Arrest and Detention

The law requires arrest warrants in most cases, and presiding magistrates are authorized to issue them. Police and the FDN can make arrests without a warrant but are required to submit a written report to a magistrate within 48 hours. However, police rarely respected these provisions in practice. Police routinely violated a requirement that detainees be charged and appear in court within seven days of arrest. A magistrate can order the release of suspects or confirm charges and continue detention, initially for seven days, then subsequently for one additional period of seven days as necessary to prepare the case for trial. Magistrates also ignored this requirement and detained suspects 10 days or longer. Police are authorized to release suspects on bail, but this provision was rarely exercised. Police regularly detained suspects for extended periods without announcing charges, certifying the detention before a judge, or advising the Ministry of Justice within 48 hours as required. Suspects are permitted lawyers at their own expense in criminal cases, but the law does not require, and the government did not provide, attorneys for indigents at government expense. The law prohibits incommunicado detention, but numerous credible sources reported that it occurred. Authorities on occasion denied prisoners prompt access to family members.

Security forces arbitrarily detained journalists and labor union leaders. In September both journalist Jean-Claude Kavumbago (see section 2.a.) and the vice president of the Justice Ministry's administrative workers union, Juvenal Rududura (see section 6), were arrested; both were being held without trial at year's end.

According to the Ministry of Justice, 9,613 persons were in prison as of September, more than 6,400 of whom had not been tried. Lengthy jail procedures, a large backlog of pending cases, judicial inefficiency, corruption, and financial constraints often caused trial delays. Irregularities in the detention of individuals, including holding them beyond the statutory limit, continued. Human rights NGOs and others lobbied the government unsuccessfully for the release of prisoners who were held for long periods of time without charge.

e. Denial of Fair Public Trial

Although the constitution and law provide for an independent judiciary, the judiciary was not independent of the executive branch, was inefficient, and was hampered in some cases by corruption. According to UN officials, political interference seriously impeded the judiciary's impartiality.

The judicial system consists of civil and criminal courts with the Supreme Court and Constitutional Court at the apex. In all cases involving constitutional matters, the Constitutional Court has the ultimate appellate authority,

while the ultimate authority in all other cases rests with the Supreme Court.

The law provides for an independent military judicial system, which in practice was influenced by the executive and higher-ranking military officers. Courts of original jurisdiction for lower-ranking military offenders are called "War Councils," and one exists in each of the country's five military districts. A court martial Tribunal of Appeals hears appeals of War Council decisions and also has trial jurisdiction for mid-ranking military offenders up to the rank of colonel. Military courts have jurisdiction over military offenders and civilians accused of offenses implicating members of the military.

The government officially recognizes the traditional system of community arbitration known as "abashingantahe," which functions under the guidance of community members recognized for their conflict resolution skills. A "mushingantahe," or community mediator, recognized by the community and presides over deliberations; no lawyers are involved. The opinion of a mushingantahe often is necessary before access is granted to the formal civil court system. The abashingantahe system is limited to civil and minor criminal matters and exercises no jurisdiction over serious criminal matters. In previous years some members of the ruling CNDD-FDD party, with a predominately Hutu membership, looked unfavorably on the institution of the abashingantahe because some Hutus perceived it to be a tool of Tutsi domination. Nonetheless, President Nkurunziza met with leaders of the abashingantahe and spoke publicly and favorably about the institution.

A perception that Tutsis dominated the judiciary, making it ethnically biased, began to change. During the last three years, the president appointed Hutu judges as chief justice of the Supreme Court, president of the Constitutional Court (both women), and prosecutor general

Trial Procedures

All trials are publicly conducted by panels of judges, with the exception of capital punishment cases, which are decided by a seven-person panel of four citizens and three magistrate judges. In theory, defendants are presumed innocent and have a right to counsel but not at the government's expense, even in cases involving serious criminal charges. Defendants have a right to defend themselves, which includes the right to question the prosecution's witnesses, call their own witnesses, and examine evidence introduced in their cases. However, few defendants had legal representation because few could afford the services of one of 90 registered lawyers in the country. Authorities sometimes were unable to carry out their investigations or transport suspects and witnesses to the appropriate court because of lack of resources.

All defendants, except those in military courts, have the right to appeal their cases up to the Supreme Court, and in capital cases, to the president for clemency. In practice the inefficiency of the court system extended the appeals process for long periods and in some cases allegedly for more than a year. This effectively limited the possibility of appeals, even by defendants accused of the most serious crimes.

Procedures for civilian and military courts are similar, but military courts typically reached decisions more quickly. Military trials, like civilian trials, generally failed to meet internationally accepted standards for fairness. The government does not provide military defendants with attorneys to assist in their defense, although NGOs provided some defendants with attorneys in cases involving serious charges. Military trials generally are open to the public but can be closed for compelling reasons, including for national security or when publicity can harm the victim or a third party, such as in cases involving rape or child abuse. Defendants in military courts are allowed only one appeal.

Political Prisoners and Detainees

The incarceration of political prisoners and detainees remained a problem. According to APRODH, at year's end

there were an estimated 200 political prisoners, most considered to be FNL rebels.

On November 3, journalist and political activist Alexis Sinduhije was arrested at the Bujumbura headquarters of his newly formed Movement for Security and Democracy (MSD), a political party unrecognized by the government. Sinduhije was subsequently charged with insulting President Nkurunziza, based on comments allegedly found in Sinduhije's personal papers concerning Nkurunziza's policies and religious orientation. Sinduhije appeared before Bujumbura's provincial tribunal on November 28, where he questioned the competence of two judges, prompting the court to delay ruling on his case. He remained in detention at year's end.

In April 2007 police arrested CNDD-FDD party chairman Hussein Radjabu and charged him with "intent to disrupt national security through an armed rebellion." On April 3, Radjabu was sentenced to 13 years in prison; two of his co-detainees were sentenced to 10 years each. Radjabu's appeal was pending at year's end.

The government generally afforded international organizations and local human rights NGOs access to political prisoners.

Civil Judicial Procedures and Remedies

The judiciary was neither independent nor impartial. Media reports alleged that the judiciary included many individuals beholden to the government. The execution of court decisions, including payment of damages, could be slow, sometimes taking years.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The constitution and law provide for the right to privacy, but the government did not always respect this right in practice. Authorities rarely respected the law requiring search warrants. Sources in the media and civil society believed that security forces monitored telephone calls.

g. Use of Excessive Force and Other Abuses in Internal Conflicts

Despite the 2006 cease-fire agreement, in April FNL forces conducted sporadic mortar and rocket assaults on Bujumbura over the course of several days, leading to a government counterassault that quickly overran FNL positions outside the city. Although many persons in the areas surrounding Bujumbura temporarily fled their homes, there were no reported civilian casualties; approximately 100 combatants were killed. Peace talks between the government and the FNL resumed in May, and there were no reports of other major clashes at year's end. An estimated 250,000 persons, mostly civilians, have been killed in conflict-related violence since 1993, primarily before the 2006 cease-fire.

Killings

According to the UN, during the year security forces killed 57 civilians, as compared with 20 such killings in 2007; 30 of these were killed by the FDN, 25 by the police, and two by the SNR.

On June 22, three soldiers used grenades during an attempted home invasion in Bubanza Province, injuring one soldier and killing a civilian. At year's end no arrests had been made for the attack.

During the week of June 22, two persons were killed in Ruyigi Province by a grenade thrown by someone in military uniform and believed to be a soldier. At year's end no arrests had been made.

On August 23, a grenade thrown at a wedding party killed 19 persons and injured 60. At year's end no arrests had been made.

On or about August 12, a policeman killed a woman in Rumonge for allegedly refusing to sleep with officers at a nearby police post. Two policemen were arrested but had not been tried at year's end.

On September 25, the director general of sports and leisure at the Ministry of Sports, Youth, and Culture was killed in a grenade attack outside his home in Musaga, Bujumbura. At year's end no arrests had been made.

No action was taken in the September 2007 killing of a truck driver by an intelligence agent.

In June the Military Court ruled that it was not competent to judge 24 suspects accused of the 2006 killings of 31 persons last seen alive in military custody in Musinga Province. Their bodies were found in a river. In September the court reversed its position, and the trial began in October. However, the primary defendant, Colonel Vital Bangirinama, allegedly fled the country early in the year. On October 23, the court condemned Bangirinama (in absentia) to death, sentenced three other soldiers to life imprisonment, sentenced five members of the military convoy that took part in the massacre to 10 years' imprisonment each, and sentenced three of the convoy's drivers to two years' confinement each.

Rebel forces were implicated in numerous killings during the year, but as demobilization of FNL forces continued and common banditry increased, it was often impossible to distinguish between former FNL combatants and common criminals.

The media and security forces often blamed the FNL for repeated ambushes of travelers on the main roads into and out of Bujumbura; again, it was not always possible to distinguish between FNL members and common criminals. Frequently these crimes were perpetrated by demobilized soldiers who were unable to find employment after military service.

Abductions

There were no reports that government agents or rebel forces abducted persons during the year.

Physical Abuse, Punishment, and Torture

During the year security force abuse occurred, and FNL rebel combatants continued to commit numerous serious abuses against the civilian population, including torture, rape, and the looting and burning of houses, principally in Bujumbura Rural Province and the western provinces of Cibitoke and Bubanza.

On June 22, in Gihanga, Bubanza Province, several soldiers attempted to rob a home; when the occupants protested, the soldiers reportedly panicked and detonated three grenades. A local chief stated he would investigate, but no action had been taken by year's end.

On June 24, in Ngozi Province, a policeman shot and killed a civilian in a bar. He was arrested but had not been tried by year's end. The local population petitioned authorities to forbid police from bringing weapons into drinking places.

On July 6, in Muhuta, Bujumbura Rural Province, FNL rebels reportedly killed the head of a family and looted his house.

On July 8, a large number of armed FNL rebels moved into Isale, Bujumbura Rural Province, looting houses, burning fields, and killing livestock; local media documented the destruction. No arrests were made following these incidents.

Although there were no credible reports of government forces or the FNL using torture or rape as a tactic of war, according to APRODH 140 cases of rape were reported during the first half of the year, many allegedly committed by security forces and FNL members.

The UN recorded 36 rapes committed by security forces during the year.

On July 1, an FDN soldier raped a woman in Busoni, Kirundo Province. No one was arrested or charged for this incident by year's end.

On February 13, FNL former combatants at a cantonment camp in Randa, Bubanza Province, raped a 16-year-old girl. At year's end no one had been charged.

On April 14, an unknown person raped a nine-year-old girl at a camp for displaced persons in Buhiga, Karuzi Province. At year's end no one had been charged.

Child Soldiers

Under the law the minimum age for military recruitment is 16, although the government maintained that no one under 18 was recruited. Through year's end a multiyear project sponsored by the government and the UN Children's Fund (UNICEF) demobilized approximately 3,600 child soldiers from the government security forces as well as from former rebel groups. According to UNICEF, security forces no longer used children as soldiers for combat.

According to the Ministry of Defense, soldiers using children to perform menial tasks were subject to punishment and dismissal. There were no credible reports of such abuses during the year.

Ligue Iteka reported that the FNL stopped recruiting children into their ranks following the return of FNL leadership to Bujumbura and the resumption of peace talks in May. However, an HRW representative stated that the FNL were thought to retain approximately 50 children who were being used primarily as menial laborers. In addition, there were unsubstantiated but widespread reports that the FNL started recruiting children when peace talks stalled, apparently so they could claim more members and improve their negotiating position. The new "recruits" were apparently being used as bargaining chips, not as laborers or active combatants. With the assistance of the World Bank's National Demobilization, Disarmament, and Reintegration project, most child soldiers identified prior to May were demobilized, and many returned to their families or were placed in schools.

Although there was no forcible displacement of civilians by government agents, the FDN-FNL clashes in April caused thousands to temporarily flee their homes, especially in Bujumbura Rural, Bubanza, and Cibitoke provinces. They returned to their homes once hostilities ceased.

Section 2 Respect for Civil Liberties, Including:

Freedom of Speech and Press

The constitution and law provide for freedom of speech and of the press; however, the government continued to restrict these freedoms. The government does not tolerate public criticism, particularly the dissemination of insults

directed at the president and other high-level public officials in the media or at public gatherings. Although legislation regulating political gatherings was repealed, opposition meetings continued to be largely monitored by the government.

Unlike in the previous year, there were no reports that the government used direct censorship or forced media outlets to suspend operations; however, the National Communications Council, a presidentially nominated media regulatory commission, threatened a major radio outlet, the Africa Public Radio (RPA), with closure unless the radio recanted several news stories criticizing government authorities that the government claimed were lies.

Journalists continue to exercise self-censorship, and direct criticism of the president was not tolerated.

The government controlled several major media outlets, including *Le Renouveau*, the only daily newspaper, as well as the widely viewed National Radio and Television of Burundi. There were also two private television stations.

There were eight private weekly publications and 11 private Internet and fax-based news sheets. Print runs by independent publications were small, and readership was limited by low literacy levels. Newspaper circulation was generally limited to urban centers. Ownership of private newspapers was concentrated in the capital, but there was a wide range of political opinion expressed.

Radio remained the most important medium of public information. The government-owned radio station broadcast in Kirundi, French, and Kiswahili and offered limited English programming. There were nine privately owned radio stations. Some stations received funding from international donors. Listeners could receive transmissions of foreign news organizations such as the BBC and the Voice of America. During the year the CNDD-FDD created a progovernment radio outlet, Rema FM.

The law criminalizes offenses, including defamation of political figures, committed by the media and provides for fines and criminal penalties of six months' to five years' imprisonment for disseminating insults directed at the president, as well as writings that are deemed defamatory, injurious, or offensive to public or private individuals.

On February 14, Eric Manirakiza and Emmanuel Nsabimana of RPA were charged with defamation for broadcasting that the president's chief of cabinet met with demobilized combatants to discuss creation of a militia to threaten opposition groups. Although the defendants were not imprisoned, they were awaiting a court date to answer the charges at year's end.

On September 11, Chief Editor Jean-Claude Kavumbagu of *Net Press*, a daily Internet newspaper, was arrested and charged with defamation and disseminating false information for an article questioning the cost of President Nkurunziza's trip to attend the Beijing Olympics opening ceremonies. On September 23, Kavumbagu appeared before the court and at year's end was awaiting a trial date.

On September 15, Juvenal Rududura, the vice president of a judicial trade union, was arrested for allegedly making false statements implying government corruption in the recruitment of judges.

Journalists Serge Nibizi and Domitile Kiramvu of RPA, Corneille Nibaruta of *Bonesha FM*, and Mathias Manirakiza of *Radio Isanganiro* were exonerated of the 2006 charge of defaming the president. The government's appeal of their 2006 acquittal was denied on April 30.

Media outlets continued to complain about licensing fees, which some said were an unnecessarily heavy financial burden.

Internet Freedom

There were no reports of government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chat rooms. Individuals and groups could engage in the peaceful expression of views via the Internet, including by e-mail. However, poverty and lack of infrastructure prevented widespread public access to the Internet.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The constitution and law provide for freedom of assembly; however, the government at times restricted this right.

On February 20, the governor of Kayanza suspended a meeting of the opposition FRODEBU party in the commune of Gatara.

On April 12, local police suspended a press conference held by Alexis Sinduhije, former director of the African Public Radio and president of the unrecognized political party MSD. By year's end the MSD had not been granted political party status by the Ministry of Interior for allegedly not fulfilling registration requirements. The MSD claimed its registration file was complete and accurate.

An October presidential decree required all political parties to obtain government permission to assemble. Authorities had the right to send security forces and a representative "to ensure the freedom and security of the meeting" and assure the good behavior of the participants. Early morning or evening meetings were also disallowed. After numerous protests by local political parties and international actors, the government rescinded the decree and began to require only that political parties notify local authorities before they assemble.

Freedom of Association

The constitution provides for freedom of association; however, the government sometimes restricted this right in practice. Registration was required for private organizations and political parties. Although a number of political parties had successfully registered in advance of 2010 elections, at year's end the Ministry of Interior had not accepted the MSD, purportedly because of Sinduhije's popularity and perceived threat to the ruling party's success in the upcoming elections.

Private organizations were required to present their articles of association to the Ministry of Interior for approval. There were no reports that the government failed to complete the approval process for private organizations whose purposes the government opposed.

c. Freedom of Religion

The constitution and law provide for freedom of religion, and the government generally respected this right in practice.

The government required religious groups to register with the Ministry of Interior, which kept track of their

leadership and activities. Registration was granted routinely. The government required religious groups to maintain a headquarters in the country.

Societal Abuses and Discrimination

The Jewish population was very small, and there were no reports of anti-Semitic acts.

For a more detailed discussion, see the 2008 International Religious Freedom Report at www.state.gov/g/drl/irf/rpt.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution and law provide for freedom of movement within the country, foreign travel, emigration, and repatriation; however, the government sometimes restricted these rights in practice. The government continued to restrict movement into and out of Bujumbura at night. Citizens' movements were restricted by government checkpoints and the threat of violence by members of the FNL.

The law does not provide for forced exile, and the government did not use this tactic; however, many persons remained in self-imposed exile.

In 2005 the governments of Rwanda and Burundi signed an agreement with the UN High Commissioner for Refugees (UNHCR) on the voluntary repatriation of approximately 4,489 Burundian refugees from Rwanda. An estimated 1,869 had voluntarily returned, and approximately 2,620 remained in Rwanda.

During the year the UNHCR facilitated the voluntary repatriation of approximately 95,000 Burundian refugees who had previously fled to neighboring countries, primarily Tanzania, bringing the total to nearly 474,000 since 2002. The repatriates, who returned mostly to the southern and eastern provinces, often found their land occupied. Poor living conditions and a lack of food and shelter were problems for returnees. At year's end six temporary accommodation centers for returnees were under construction in Rutana and Bururi provinces, and six more were planned for the southern provinces. Each center was expected to provide temporary shelter for 42 families whose land has been occupied. The centers were being built in major areas of origin of the former 1972 refugees in order to allow them to participate in the resolution of their land conflicts.

The UNHCR and the National Commission for Rehabilitation of War Victims assisted in the resettlement and reintegration of refugees and internally displaced persons (IDPs).

Internally Displaced Persons

Despite improved security, an estimated 100,000 IDPs remained in settlements throughout the country. According to the UN Office for the Coordination of Humanitarian Affairs (UNOCHA), most of the IDPs were living at 160 sites, the majority in Kayanza, Ngozi, Kirundo, Muyinga, and Gitega provinces.

On August 19, a number of IDPs were beaten violently by police in an attempt to move them from land given to them by former president Buyoya but redistributed by the current government to others. Almost 600 families were evicted forcibly. The government took no action against police brutality.

According to UNOCHA, 91 percent of IDPs were able to participate in agricultural activities, and of these, 78 percent had access to their original lands. In the south and east, 18 percent of IDPs were former refugees.

Protection of Refugees

The law provides for granting refugee status or asylum in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, and the government has established a system for providing protection to refugees. The country was also a party to the Organization of African Unity Convention Governing Specific Aspects of Refugee Problems in Africa. According to the UNHCR, at year's end the government had granted refugee status and asylum to more than 28,000 persons. In practice the government provided some protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened. The UNHCR reported that the government fulfilled all of its obligations to provide asylum and refugee protections and cooperated with international organizations involved in refugee issues.

As of December, according to the UNHCR, there were approximately 28,000 Congolese refugees and 305 Rwandan asylum seekers in Burundi. Of the Congolese, more than 16,000 were sheltered in three UNHCR-run refugee camps: Gihinga in Mwaro Province, Gasorwe in Muyinga, and Gihar in Rutana. The remainder were integrated into urban centers.

In 2006 the government appointed a National Commission for Land and Other Goods to resolve land and property disputes resulting from the return of approximately 474,000 Burundian refugees since 2002, including some who had been in exile in Tanzania since 1972. In addressing the increasing number of land disputes, the country relied on a mixture of customary law and legislation, but few citizens were aware of their legal rights, and most remained too poor to afford legal representation. At year's end the commission had resolved a small number of land disputes in the southern provinces of Makamba and Bururi; however, the organization's success was limited by questions concerning its jurisdiction to resolve many local conflicts.

During the year a number of killings and other crimes were attributed to land conflicts, primarily in the provinces of Ruyigi, Muyinga, and Bururi. For example, on August 23, a man launched a grenade during his half-brother's wedding ceremony in the province of Gitega due to an internecine land conflict, killing 10 persons and injuring 48. The assailant was arrested and was in prison at year's end.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The law and constitution provide citizens the right to change their government peacefully, and citizens exercised this right in practice through generally free and fair elections based on universal suffrage.

Elections and Political Participation

In 2005 through an indirect ballot, citizens chose their first democratically elected president in more than 12 years, marking the end of the four-year transition under the Arusha Peace and Reconciliation Agreement. The legislature elected sole candidate Pierre Nkurunziza of the CNDD-FDD, and he was sworn in as president in August 2005.

President Nkurunziza's election followed communal and legislative elections earlier the same year, which independent electoral observers judged to be generally free and fair, although the campaign prior to the National Assembly elections was tense and significantly marred by violence and intimidation.

In June the ruling CNDD-FDD party dismissed 22 dissident National Assembly parliamentarians who had aligned themselves with jailed former CNDD-FDD president Hussein Rujaburujabur, creating a split in the party. In concert with the opposition parties, the 22 were able to stymie efforts by National Assembly leadership to carry out its legislative agenda. The 22 were classified as "independents" and dismissed in accordance with the constitution for failing to garner "at least 2 percent of the popular vote." The Constitutional Court ruled the dismissals legal, but HRW and the International Interparliamentary Union questioned the decision.

On March 8, tensions among political parties increased after grenades were thrown at four opposition politicians' homes. No one was killed in the attacks. The four were part of a group of 46 parliamentarians who addressed a letter February 22 to the UN Secretary-General accusing the ruling party of "persecution, arbitrary arrests, extrajudicial executions, and assassination" of its opponents. By year's end no one had been charged in the attacks.

The constitution reserves 30 percent of National Assembly, Senate, and ministerial positions for women. There were 37 women in the 118-seat National Assembly and 17 women in the 49-seat Senate; women held eight of 24 ministerial seats.

The law imposes ethnic quotas, requiring that 60 percent of the seats in the National Assembly be filled by Hutus, the majority ethnic group in the country, and 40 percent by Tutsis, who constitute an estimated 15 percent of the citizenry. The Batwa ethnic group, which makes up less than 1 percent of the population, is entitled to three seats in the Senate. Additionally, military positions were divided equally between Hutus and Tutsis. The government fulfilled this mandate.

Government Corruption and Transparency

The law provides criminal penalties for corruption; however, the government did not implement these laws effectively. Widespread corruption in the public and private sectors and a culture of impunity remained problems. Several respected private sector representatives and trade association officials reported that corruption remained a major impediment to commercial and economic development. The World Bank's 2008 Worldwide Governance Indicators reflected that corruption was a severe problem. In July local NGO Observatory for the Struggle against Economic Corruption and Embezzlement (OLUCOME) estimated the state had lost 233 billion Burundian francs (approximately \$200 million) to corruption and embezzlement since 2000.

Several civil society and media groups, including OLUCOME, expressed concern over a mid-year budget review indicating a presidential request for a 2.4 billion Burundian franc (approximately \$2 million) "development fund." They speculated that the funds would be used in support of the president's reelection campaign.

A parliamentary commission established to investigate irregularities in the 2006 sale of the government-owned presidential jet reported in August on its findings. The report has not been released but reportedly cited several former high-level leaders in the ruling party and the president's office as complicit in the sale.

Former central bank governor Issac Bizimana has been in jail since August 2007 for illegal transfer of government funds to a private company, Interpetrol, but had not been formally charged by year's end. On October 16, the prosecutor stated that the case had not advanced because authorities could not locate codefendant and former minister of finance Denise Sinankwa. After Interpetrol was excluded for several months from doing business in the country, in late September its president was included in President Nkurunziza's delegation seeking business opportunities in Sweden.

The law requires financial disclosure by government officials, but it was not implemented in practice.

The minister of good governance, an Anti-Corruption Brigade, and the state inspector general are all responsible for combating government corruption. The brigade has the authority to act on its own initiative to identify offenders and refer them to the Anti-Corruption Court. During the year the brigade investigated 66 cases and recovered 113 million Burundian francs (approximately \$940,000).

The law does not provide for access to government information, and in practice information was difficult to obtain. The law does not allow the media to broadcast or publish information in certain cases relating to national defense,

state security, or secret judicial inquiries. Human rights observers criticized the law for its poorly defined restrictions on the right to access and disseminate information.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A large number of local and international human rights groups generally operated without government restrictions. Unlike in previous years, human rights observers generally were allowed to visit government facilities such as military bases and prisons run by the SNR. Government officials were somewhat cooperative and responsive to their views. Prominent local human rights group Ligue Iteka continued to operate and publish a newsletter documenting human rights abuses by security forces. While well-established groups with international linkages and a presence in Bujumbura had a measure of protection from government harassment, indigenous NGOs were more susceptible to pressure from authorities. In August a ruling party spokesman accused many NGOs of being proxies for different political parties.

While security forces did not arrest any human rights workers, several members of Ligue Iteka were forced to testify in a case brought against African Public Radio by a high-ranking member of the president's office. Ligue Iteka claimed that the prosecutor intended to intimidate the organization's workers and prevent them from documenting and publicizing government human rights abuses.

Although several international NGOs expressed frustration at the formidable bureaucratic hurdles they often faced when registering with government offices, governmental attitudes towards international human rights and humanitarian NGOs remained generally favorable.

The government cooperated with international governmental organizations and permitted visits by UN representatives and other organizations such as the ICRC.

In August the UN Independent Expert on Human Rights visited and issued a critical report on the state of human rights. The expert mission was expected to continue until a National Human Rights Commission had been established. There was no human rights ombudsman.

In August the government of Rwanda accused 670 Burundi nationals of having been participants in Rwanda's 1994 genocide; however, by year's end the International Criminal Tribunal for Rwanda had not summoned any Burundians to the International Court.

Despite the adoption of several preliminary steps by the government and the UN, a national Truth and Reconciliation Commission (TRC) designed to bring to justice persons responsible for genocide, crimes against humanity, and war crimes committed in the country since it gained its independence in 1962 had not been established. Instead, in October the government and the UN began "Popular Consultations on Transitional Justice" to gauge the population's desire for a TRC.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The constitution provides equal status and protection for all citizens, without distinction based on sex, origin, ethnicity, disability, language, or social status; however, the government failed to implement these provisions effectively, and discrimination and societal abuses continued.

Women

The law prohibits rape, which is punishable by up to 20 years' imprisonment, but does not specifically prohibit spousal rape. According to a local NGO, the Association for the Defense of Women's Rights, 3,017 cases of rape and domestic violence were reported to their group during the year. The NGO Doctors without Borders (MSF) received an average of 115 victims each month at its center for rape victims in Bujumbura; however, the MSF said the number of rapes was likely much higher. In 2007 the MSF reported 1,435 cases of sexual violence against children less than five years of age. According to BINUB approximately 65 percent of reported rapes were of children ages 17 years and under. The UN Development Fund for Women reported that many rapes of minors were committed with the belief that they would prevent or cure sexually transmitted diseases, including HIV/AIDS. Centre Seruka, a local NGO financed in part by the MSF, reported that 3 percent of rape victims were male.

Many women were reluctant to report rape for cultural reasons, fear of reprisals, and unavailability of medical care. According to a 2007 report by Amnesty International, only 10 to 15 percent of reported rape victims actually initiated legal proceedings. Men often abandoned their wives following acts of rape, and women and girls were ostracized. Some police and magistrates reportedly ridiculed and humiliated women who said they were raped and required that victims provide food for and pay the costs of incarceration of those they accused of rape. Many of those who sought judicial redress faced the weaknesses of the judicial system, including judges who did not regard rape as a serious crime and a lack of medical facilities to gather medical evidence. According to the report, sometimes victims were forced to withdraw their complaints and enter into negotiated settlements with the perpetrator or his family outside of the formal judicial system. There were cases where the victims were forced by their families and local arbiters to marry their attackers. In the limited number of cases that were investigated, successful prosecutions of rapists were rare.

Despite increased attention to the problem, many women did not have access to appropriate health care in the immediate aftermath of a rape due to lack of adequate resources. The continuing stigma attached to the victims of sexual violence and fear of coming forward prevented many victims from accessing these limited services. Civil society and religious communities worked to overcome the cultural stigma of rape to help victims reintegrate into families that had rejected them. Ligue Iteka, APRODH, and BINUB continued to encourage rape victims to press charges and seek medical care, and international NGOs provided free medical care in certain areas. The government also raised awareness of the problem through seminars and local initiatives describing the kinds of medical care available. Some local NGOs advocated that cases of rape be subject to community sanctions based upon the traditional justice system of "ubashingantahe." In addition to resolving problems such as land disputes and resettlement of refugees and displaced persons, the "ubashingantahe" actively promoted respect for human rights and the common good.

The law does not specifically prohibit domestic violence; however, persons accused of domestic violence can be tried under assault provisions. Domestic violence against women was common, although no credible statistics were available. Police occasionally arrested persons accused of domestic violence but released suspects within a few days, with no further investigation. Wives have the right to charge their husbands with physical abuse but rarely did so, although police intervened on occasion and upon request.

The media reported many instances of degrading and violent treatment of women by their husbands. These incidents included severe beatings, mutilation, and being thrown into latrines. For example, on October 12, a man in Cankuzo Province burned his wife's genitals and stabbed her in the head with a spear, allegedly for producing only female offspring. He was detained by the police. Although he had been scheduled for a number of court appearances, at year's end the assailant had not been charged.

The law prohibits prostitution and organized prostitution does not exist to any significant degree.

The law does not specifically prohibit sexual harassment, but violators can be prosecuted for similar offenses under

public morality laws. There were no known prosecutions during the year.

Despite constitutional protections, women continued to face legal, economic, and societal discrimination and were often victims of discriminatory practices with regard to credit and marital property laws. By law women must receive the same pay as men for the same work, but in practice they did not. Some enterprises suspended the salaries of women while they were on paid maternity leave, and others refused medical coverage to married female employees. Women were less likely to hold mid-level or high-level positions in the workforce. There were many female-owned businesses, particularly in Bujumbura.

Several local groups worked to support women's rights, including the Collective of Women's Organizations and NGOs of Burundi, and Women United for Development.

Children

The law provides for children's health and welfare, but the government did not meet most of the needs of children, particularly the large population of children orphaned by violence since 1993 and by HIV/AIDS.

The failure of the government to record all births resulted in denial of some public services for unregistered children, as the government requires a birth certificate for access to free public schooling and free medical care for children under five. Unmarried women and victims of rape traditionally have been less likely to register the birth of a child.

Schooling was compulsory up to age 12, and primary school was the highest level of education attained by most children. Female illiteracy remained a particular problem.

According to the latest statistics from UNICEF, 20,000 children under the age of 15 were living with HIV/AIDS and more than 120,000 children were orphaned by AIDS.

Rape of minors was a widespread problem, but other child abuse was not reported to be widespread.

The government claimed it no longer recruited anyone under 18 years of age into the military. However, the FNL continued to recruit children into their ranks (see section 1.g.).

The increasing prevalence of HIV/AIDS increased the number of orphans. The total number of children orphaned from all causes was almost 900,000, according to UNICEF.

According to the Ministry for National Solidarity, Human Rights, and Gender, there were approximately 5,000 street children in the country, many of them HIV/AIDS orphans; however, the government was unable to provide them with adequate medical and economic support and relied on NGOs to provide such basic services.

Child prostitution existed but was not considered to be widespread.

Trafficking in Persons

The law does not specifically prohibit trafficking in persons; however, traffickers can be prosecuted under existing laws outlawing assault, kidnapping, rape, prostitution, slavery, and fraud, but this was not widely understood among police.

The country was a source country for internal trafficking of children for the purposes of soldiering and forced labor.

While the FDN claimed it no longer recruited or used child soldiers and punished soldiers who used children to perform menial tasks, the trafficking of child soldiers by the FNL remained a problem (see section 1.g.).

There were no arrests of alleged traffickers. The Ministry of National Solidarity and Human Rights, in cooperation with the Ministries of Justice and Interior, is the lead agency on trafficking. During the year the Ministry of Justice sent a team of lawyers to Lebanon to investigate the whereabouts of approximately 60 young girls who were previously trafficked to the Middle East. As a result, in Lebanon a small number of Lebanese citizens were punished for their involvement in the illegal labor scheme; however, a large-scale prosecution of suspected traffickers was not pursued by the Lebanese authorities.

The Ministry of National Solidarity and Human Rights, in conjunction with the government's Executive Secretariat for Disarmament, Demobilization, and Reintegration, sponsored weekly radio spots to educate citizens about the perils of trafficking.

In 2005 the government created a department within the National Police, the Brigade for the Protection of Minors, to protect children against sexual exploitation. The brigade sought to protect children against forced prostitution and helped some improve their living conditions. The brigade has conducted 10 successful prosecutions of individuals found to be abusing women and children through forced prostitution since its inception.

The State Department's annual Trafficking in Persons Report can be found at www.state.gov/g/tip.

Persons with Disabilities

The constitution prohibits discrimination against those with physical or mental disabilities, and there were no reports that the government failed to enforce this provision regarding employment, education, or access to healthcare. However, the government had not enacted legislation or otherwise mandated access to buildings or government services, such as education, for persons with disabilities, in part due to a lack of resources.

National/Racial/Ethnic Minorities

Discrimination against Hutus, who constituted an estimated 85 percent of the population, occurred less frequently during the year. The constitution requires ethnic quotas for representation within the government and in the military. Hutus significantly increased their presence and power in the government following the 2005 elections. During the year significant improvements were made in integration of primarily Hutu former combatants into the security forces.

The minority Tutsis, particularly southern Tutsis from Bururi Province, historically have held power and continued to dominate the economy.

Indigenous People

The Batwa, believed to be the country's earliest inhabitants, represent less than 1 percent of the population and generally remained economically, socially, and politically marginalized. However, the government has instituted several measures to address the Batwa's traditional isolation. Each of the country's 117 administrative districts must provide free school books and health care for all Batwa children. The government also provides small acreages, when possible, for Batwa who wish to become farmers and allocates them approximately two acres of land per family, the average sized farmstead of the country's rural poor.

Other Societal Abuses and Discrimination

The constitution specifically outlaws discrimination against those with HIV/AIDS or other incurable illnesses. There were no reports of government-sponsored discrimination against such individuals, although some observers suggested the government was not actively involved in preventing societal discrimination.

The constitution bans marriage between individuals of the same sex. Homosexuality is socially taboo, but overt discrimination against homosexuals was minimal. The government took no steps to counter discrimination against homosexuals.

Section 6 Worker Rights

The Right of Association

The constitution and the labor code protect the right of workers to form and join unions without previous authorization or excessive requirements, and although most workers exercised this right in practice, the armed forces and foreigners working in the public sector were prohibited from union participation. The law does not cover the rights of state employees and magistrates. The law prevents workers under the age of 18 from joining unions without the consent of their parents or guardians. According to the Confederation of Burundian Labor Unions (COSYBU), many private sector employers systematically worked to prevent the creation of trade unions, and the government failed to protect private sector workers' rights in practice. The relationship between the COSYBU and the government deteriorated during the year, and Ligue Iteka reported widespread discriminatory hiring practices for government jobs, based on applicants' political affiliations, despite a law prohibiting such practices.

According to the COSYBU, less than 10 percent of the formal private sector workforce was unionized, and an estimated 50 percent of the public sector was unionized. Most citizens worked in the unregulated informal economy, in which workers had little or no legal protection of their labor rights. A survey conducted by the Statistical and Economic Studies Institute showed that only 5 percent of informal sector workers had written employment contracts.

The law provides workers with a conditional right to strike but bans solidarity strikes and sets strict conditions under which a general strike may occur. All peaceful means of resolution must be exhausted prior to the strike; negotiations must continue during the action, mediated by a mutually agreed-upon party or by the government; and six days' notice must be given to the employer and the Ministry of Labor. Before a strike can occur, the ministry must determine whether strike conditions have been met, which essentially gives it the power to veto all strikes, according to the International Trade Union Confederation (ITUC).

The labor code prohibits retribution against workers participating in a legal strike. Four committee members of the state-owned Moso Sugar Company's labor union were dismissed for organizing a peaceful strike in April.

b. The Right to Organize and Bargain Collectively

The law allows unions to conduct their activities without interference, but the government frequently interfered with unions and intimidated or harassed their leaders. The law also recognizes the right to collective bargaining, and it was freely practiced; however, wages are excluded from the scope of collective bargaining in the public sector and were set according to fixed scales, following consultation with unions.

Since most salaried workers were civil servants, government entities were involved in almost every phase of labor negotiations. Both the COSYBU and the Confederation of Free Unions represented labor interests in collective bargaining negotiations, in cooperation with individual labor unions. Civil servant unions must be registered with the Ministry of Civil Service. There were no reliable statistics on the percentage of workers covered by collective

agreements.

The law prohibits antiunion discrimination; however, the government often failed to respect this right in the public sector. During the year there were numerous instances of the government intimidating, imprisoning, or illegally transferring union workers. For example, the leader of the state penitentiary workers' union was transferred in April to another work site for criticizing sharp increases in management salaries.

According to the ITUC, the government often failed to protect workers in the private sector from discrimination by employers.

On September 15, the vice president of the Justice Ministry's Administrative Workers Union, Juvenal Rududura, was arrested or allegedly "lying" during a television interview in which he criticized government policies. At year's end he remained in detention without any trial.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children; however, there continued to be reports that it occurred.

There were many reports that FNL rebels forced rural populations to perform uncompensated labor, such as transporting supplies and weapons, and recruited children for labor.

d. Prohibition of Child Labor and Minimum Age for Employment

The labor code states that children under the age of 18 cannot be employed by an enterprise, except for the types of labor the Ministry of Labor determines to be acceptable, which include light work or apprenticeships that do not damage children's health, interfere with their normal development, or prejudice their schooling. However, the government did not effectively enforce these laws, and child labor remained a problem. The legal age for most types of non-dangerous labor is 18. Children under age 16 in rural areas regularly performed heavy manual labor in the daytime during the school year. According to the ITUC, the vast majority of children in the country worked during the year.

Children were legally prohibited from working at night, although many did so in the informal sector. Most of the population lived by subsistence agriculture, and children were obliged by custom and economic necessity to participate in subsistence agriculture, family-based enterprises, and the other informal sector activity. Child labor also existed in brick-making enterprises.

There continued to be reports of children in rural areas working on family farms or performing household domestic labor. As in previous years, there was no indication that children were trafficked for sex or labor on an organized commercial basis.

The Ministry of Labor enforced child labor laws and had multiple enforcement tools, including criminal penalties, civil fines, and court orders. However, in practice the laws were seldom enforced. Due to a lack of inspectors, the ministry enforced the law only when a complaint was filed. The government acknowledged no cases of child labor in the formal sector of the economy but had conducted no child labor investigations. In conjunction with UNICEF and NGOs, the government provided training for Ministry of Labor officials in enforcing child labor laws.

During the year the government supported international organizations, several NGOs, and labor unions engaged in efforts to combat child labor; efforts included care and training of demobilized child soldiers.

e. Acceptable Conditions of Work

The legal minimum wage for unskilled workers continued to be 160 Burundian francs (approximately \$0.15) per day. However, in practice most employers paid their unskilled laborers a minimum of approximately 1,500 Burundian francs (\$1.30) a day. Such an income did not provide a decent standard of living for a worker and family. Most families relied on second incomes and subsistence agriculture to supplement their earnings. The Department of Inspection within the Ministry of Labor is charged with enforcing minimum wage laws, but there were no reports of enforcement in recent years. The legal minimum wage had not been revised in many years, and there were no known examples of employer violations. These regulations apply to the entire workforce and make no distinction between domestic and foreign workers.

The labor code stipulates an eight-hour workday and a 40-hour workweek, except for workers involved in national security activities; however, this stipulation was not always enforced in practice. Supplements must be paid for overtime. There is no statute concerning compulsory overtime, opportunities for which generally do not exist. Rest periods include 30 minutes for lunch. There are no exceptions for foreign or migrant workers.

The labor code establishes health and safety standards that require safe workplaces. Enforcement responsibility rests with the Ministry of Labor, which was responsible for acting upon complaints; however, there were no reports of complaints filed with the ministry during the year. Workers did not have the right to remove themselves from situations that endangered health and safety without jeopardizing their employment.

Small numbers of persons from the neighboring countries of the Democratic Republic of Congo, Tanzania, and Rwanda worked in the country but did not constitute a significant presence.