Analysis of the Status of Women in Burundi's Political and Electoral Processes

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Context

This Analysis of the Status of Women in Burundi's Political and Electoral Processes was undertaken within the framework of the International Foundation for Electoral Systems' (IFES) Elections and Political Process Program in Burundi program, funded by the U.S. Agency for International Development (USAID). The goal of the program is "to foster dialogue among stakeholders to develop a conducive environment and legal framework for genuinely competitive elections." For this purpose, the program is pursuing the following objectives:

- 1. Promoting continuous political dialogue for a conducive environment and strengthening the legal framework for elections;
- 2. Promoting the creation of a robust electoral dispute resolution mechanism; and
- 3. Providing technical assistance to the *Commission Electorale Nationale Indépendante* (Independent National Electoral Commission, CENI) on specific procedural and policy needs.

In post-conflict Burundi, significant effort has been made to enshrine gender parity in the country's laws and policies, as outlined in the 2000 Arusha Peace and Reconciliation Agreement for Burundi, which marked the end of a long and bloody civil war and provides the framework for Burundi's transition to democratic rule. The Government of Burundi is a signatory to the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) and has added amendments to the Law of Persons and Family to guarantee rights and freedom of movement to women. The Constitution of Burundi also enshrines the rights of women by requiring 30% representation of women in the parliament and government. Furthermore, the government's 2012 Poverty Reduction Strategy Paper went beyond previous iterations to ensure that women were part of consultations and that their concerns were reflected in the final paper.

The purpose of this paper is to provide an update on the state of the gender laws, policies and their implementation in the political and electoral spheres. After a short presentation of the methodology, the document will provide an overview of gender provisions within Burundi's legal system, followed by an analysis of women's participation and representation in political and elected institutions. The paper will also outline barriers to women's political participation in the Burundian context.

Methodology

Two complementary approaches to collect information were used in the preparation of this analysis: 1) review of documents and 2) direct observation. A large number of documents are available at the Ministry of Gender. Similarly, the UN's Women office, which supports the activities of the Ministry of Gender, also has extensive documentation on the state of gender equality in Burundi and in the world. Finally, civil society organizations, especially the *Observatoire de l'Action Gouvernementale* (Governmental Action Observatory, OAG) and *Synergies des Partenaires pour la Promotion des Droits de la Femme* (Partners for the Promotion of Women's Rights Synergy, SPPDF) have provided updated information on gender. We also consulted a study by International Alert on the analysis of the political participation of women in Burundi. Civil society organizations, international organizations and the Ministry of Gender often organize workshops and awareness-raising activities focused on the consideration of gender in development policies and in appointments to technical and political positions. These occasions provided further opportunities to collect the information needed to conduct this gender analysis.

Gender Provisions in the Legal System

Burundi's electoral law as defined by the Constitution, which was itself largely inspired by the Arusha Agreement, established a quota of 30% female representation in elected positions, which include the National Assembly, the Senate and the municipal councils (Articles 164 and 180). In 2005, in application of Article 108¹ of the Electoral Code, the electoral management body (CENI) allocated additional seats to ensure 30% participation of women in the National Assembly and the Senate. In 2010, with support from civil society and international organizations, the 30% quota was easily met in the National Assembly, the Senate and the municipal councils.

That said, the Constitution is only explicit in establishing gender quotas in the National Assembly and the Senate. By contrast, quotas are only implicitly established in the municipal councils as elected institutions. Furthermore, while the Electoral Code of 2009 established at least 30% of women in the composition of the municipal councils, the municipal law adopted in 2010 is silent on the establishment of gender quotas and the principle of equality and parity.

To underpin its own legal provisions guaranteeing women's participation, Burundi has signed and ratified gender-related international conventions. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) was ratified by Burundi on January 8, 1992. Additionally, Burundi has signed, although not yet ratified, the Maputo Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa in July 2003.

Furthermore, Burundian legislature in 2005, in addition to assigning a constitutional value to these international legal instruments, established the principle of equality in clear and unequivocal terms: "All citizens are equal before the law which ensures their equal protection. Nobody may be discriminated against because of their origin, race, ethnicity, sex, color, language, social status, religious, philosophical or political beliefs or due to a physical or mental disability, infection with HIV / AIDS or any incurable disease" (Article 22).

Women's Participation in the Electoral Administration

CENI

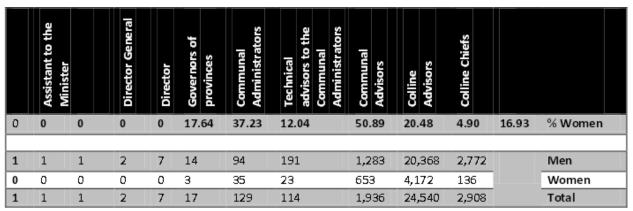
The Commission Electorale Nationale Indépendante (Independent National Electoral Commission, CENI) and its composition are set by Articles 89 and 90 of the Constitution. The current CENI is composed of five members at the central level, two of which are women. Therefore, the degree of female representation at the central level of the CENI is 40%.

¹ « Au cas où les résultats du vote n'atteignent pas les pourcentages visés à l'alinéa précèdent, la Commission Électorale Nationale Indépendante procède au redressement des déséquilibres constatés en retenant sur les listes des partis politiques et des indépendants ayant atteint 5% des suffrages exprimés un nombre égal de députés supplémentaires appartenant à l'l'ethnie ou au genre sous représenté nécessaires pour résorber les déséquilibres. »

Gender parity principles also apply when establishing the CENI's branches, which are composed of at least 30% women. According to the CENI, this criterion is also met when selecting polling stations workers.

Ministry of Home Affairs

Although it does not play a direct role in the organization of elections, the Ministry of Home Affairs is responsible for overseeing political activity and the electoral law reform process. Thus, it is interesting to get an idea of the participation of women in this Ministry's decision-making bodies, particularly as it is one of most decentralized.



Source: Home Affairs Ministry

As shown in the table above, women are largely absent from leadership positions at the central level of the Ministry. The Minister of Interior, Assistant to the Minister, Chief Executive Officer and Director of Department positions are all occupied by men. Furthermore, of the 17 Governors of provinces, only three are women, a rate of only 17.64%. Thus, the Ministry of the Interior represents a weak point in the political will of the Government of Burundi to promote the participation of women in the administration.

Women's Representation in Voter Registration

The table below shows the overall rate of women's representation in the voter roll for the 2010 elections. On average, female voters make up approximately 52% of all voters registered; this reflects the general population census of 2008, which shows the female population at an estimated 51%.²

PROVINCE	# OF POLLING CENTERS	# OF POLLING OFFICES	# OF REGISTERED VOTERS	RATE OF WOMEN'S REGISTRATION
BUBANZA	116	301	157,157	48%
BUJUMBURA	236	448	226,495	51%

² PNUD, 2010, « Projet d'Appui au cycle électoral »

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PROVINCE	# OF POLLING CENTERS	# OF POLLING OFFICES	# OF REGISTERED VOTERS	RATE OF WOMEN'S REGISTRATION
BURURI	246	492	243,682	49%
CANKUZO	100	193	96,726	52%
CIBITOKE	165	374	194,027	50%
GITEGA	272	601	300,731	59%
KARUSI	178	372	187,448	55%
KAYANZA	176	497	259,154	55%
KIRUNDO	182	522	278,786	54%
MAKAMBA	215	363	186,935	49%
MURAMVYA	107	251	131,148	55%
MUYINGA	207	531	274,917	53%
MWARO	128	236	113,078	58%
NGOZI	238	626	306,108	54%
MAIRIE DE BUJUMBURA	175	291	138,315	35%
RUTANA	166	332	161,460	53%
RUYIGI	147	539	297,276	53%
IN-COUNTRY TOTAL	3,054	6,969	3.553.443	52%
OUT-OF-COUNTRY	23	23	4.604	17%
GENERAL TOTAL	3,077	6,992	3.558.047	52%

While Burundian legislation generally calls for a 30% quota for women, voter registration rates are generally higher for women than men around the country. The rate of registration of female voters exceeds 50% in 13 of 17 provinces, and is higher than or equal to 55% in 5 of 17 provinces: namely Gitega (59%), Mwaro (58%), Karusi (55%), Kayanza (55%) and Muramvya (55%).

The lowest female registration rate is in Bujumbura Mairie (35%), which is somewhat counterintuitive given that the city of Bujumbura would be where most electoral information is concentrated. A follow-up investigation could prove to be interesting, particularly as these indicators evolve over the upcoming elections. The overall rate of female voter registrations suggests an opportunity for greater political participation of women, but relies on the condition that their understanding of the electoral process is improved, especially in underserved communities.

Women's Representation in Elected Positions

The table below shows the evolution of the rate of female participation in Parliament (National Assembly and Senate) from 2001 to 2010.

Institution	Year	Total Members	М	F	% Women
National	2001	186	149	37	19.9
Assembly	2005	118	81	37	31.36
	2010 ³	106	73	33	31.13
	2001	53	43	10	18.1
Senate	2005	49	32	17	34.6
	2010	41	22	19	46.34

The current Senate, elected in 2010, is composed of: 1) 34 elected members among which 17 are women; 2) Three members from the Batwa's ethnic group, including two women; and 3) Four former heads of State. Therefore 19 members out of 41 are women, or about 46.3% of the Senate. Female representation in this institution is higher than that in the National Assembly (31.13%), with a difference of 15.21%. The combined rate of women's representation in the 2010 Parliament is thus 35.37%. Since 2005, the rate of female representation in the Senate has grown by about 12%, showing continued increase even after the full implementation of gender provisions.⁴

The table also shows the constantly evolving rate of women's representation from 2001 to 2010, which rose from 19.9% to 31.13% in the National Assembly, and from 18.1% to 46.3% in the Senate. These figures represent a shift of 11.23% and 28.2% in the National Assembly and the Senate respectively. Although the rate of women's participation in the National Assembly slightly decreased from 2005 to 2010, the quota provision had to be applied in 2005 to reach the final rate of 31.36%. In 2010, however, the 30% quota was attained without applying this provision, showing a continued increase in women elected to the National Assembly since the quota provision was fully enacted.

In general, women's participation is improving in elected positions, especially in the municipal councils, of which 37.23% are headed by women. However, women's leadership is still weak at the *colline* level ("hill", the smallest administrative subdivision in Burundi) where it does not exceed 4.90%.⁵ It is therefore necessary to strongly advocate to decision-makers in the executive to empower women and promote the increase of the number of women in leadership positions at the *colline* level.

³ This figure takes into account the death of Marie-Therese Minani (female) of the Kirundo Province in September 2011, who was replaced by Jean-Marie Pasteur Uwimana (male).

⁴ Rurahinda Bénigne, « *Mécanismes, Règles et Politique de Promotion des Femmes au Sein du Parlement, tant dans l'Institution politique que dans son Administration: expérience du Burundi »*, http://www.ipu.org/splz-f/gabon13/burundi.pdf.

⁵ Ibid.

Women's Representation in the functions within the National Assembly

Political functions					Technical functions				
Positions	Men	Women	Total	% Women	Positions	Men	Women	Total	% Women
Speaker of National Assembly	1	0	1	0	Administrative Secretary General	1	0	1	0
1st Vice - President	0	1	1	100	Advisors to the Secretary General	1	2	3	66.66
2 nd Vice - President	1	0	1	0	Front office secretariat	0	1	1	100
Principal Secretary	1	0	1	0	IT service	5	0	5	0
Special Assistant	0	1	1	100	Legislative Director	1	0	1	0
Chief of protocol	1	0	1	0	Legislation and session service	2	4	6	66.66

Total political positions	19	13	32	40.62	Total technical positions	29	26	55	47.27
					Equipment maintenance department	1	0	1	0
					Transport department	1	0	1	0
Treasury and administrative department	1	1	2	50	Procurement department	1	2	3	66.66
Communication and public relations Unit	3	2	5	40	Accounting department	1	3	4	75
Political and diplomatic Unit	5	0	5	0	Human resources department	0	3	3	100
Juridical unit	1	2	3	66.66	Administrative and Finance Officer		1	1	100
Economic and Social unit	3	1	4	25	Library	1	3	4	75
Speaker's Steward	0	1	1	100	Commissions service	9	1	10	10
Protocol advisors	2	4	6	66.66	Minutes service	5	5	10	50

Source: National Assembly

As this chart shows, within the National Assembly, women are better represented in technical positions (47.7%) than in political posts (40.62%). In general, the 30% quota has been applied systematically and, for some positions, 100% are occupied by women. This shows a willingness to promote the participation of women in the political and technical management of the lower house of Parliament.

Nonetheless, the same willingness to promote the participation of women has not been demonstrated at the *colline* level, despite the fact that the *colline* government works closest with the population. As the institution most accountable to communities at the local level, the *colline* governments should be representative of the local community, particularly as they are the ideal platform for key democratic practices, such as raising awareness and promoting the exercise of women's democratic rights. The *colline* government should also be responsible for increasing awareness of women's needs and challenges in local communities, which requires higher rates of women's participation at this level to accomplish.

Women's Representation in Appointed Political Positions

Constitutional National Councils

In order to ensure a wide participation in the management of public affairs, Burundi's Constitution calls for the establishment of national councils, including: 1) the *Conseil National de Sécurité* (National Security Council); 2) the *Conseil Économique et Social* (Economic and Social Council); and 3) the *Conseil National de la Communication* (National Communication Council). In theory, these are influential decision-making institutions whose activities are centralized, and political and ethnic balance are a key criteria for selection of council members. Despite this, although a woman heads the *Conseil Economique et Social*, women as a whole remain underrepresented in these institutions.

In addition to the three councils, other influential committees with important decision-making roles exist, including: the *Commission Nationale des Terres et autres Biens* (National Commission of Land and other Goods, CNTB), the *Commission Nationale Independante des Droits de l'Homme* (National Independent Commission on Human Rights, CNIDH), in which women hold 40% of the positions, and the CENI, which, as discussed previously, also has a rate of women's participation of 40%. Despite greater representation of women within these commissions, men head all three.

Decision-Making Bodies

A recent study carried out by *Synergies des Partenaires pour la Promotion des Droits de la Femme* (Partners for the Promotion of Women's Rights Synergy, SPPDF) reveals that the rate of participation of women in decision-making bodies remains low, not exceeding 17.52%.⁶ The following table shows the number of women who are in decision-making positions within priority areas such as security, governance and democracy, and social and economic development.

SECTOR	MEN	WOMEN	TOTAL	% WOMEN
Security	72	1	73	1.37
Governance and Democracy	30,849	6,564	37,413	17.6
Social and Economic Development	107	27	134	20.15
TOTAL	31,028	6,592	37,620	17.52

Many actors, such as Burundian civil society, international NGOs and the UN, have made outstanding efforts to promote gender inclusion within policy-making bodies.

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⁶ Rurahinda Bénigne, « Mécanismes, Règles et Politique de Promotion des Femmes au Sein du Parlement, tant dans l'Institution politique que dans son Administration: expérience du Burundi », http://www.ipu.org/splz-f/gabon13/burundi.pdf.

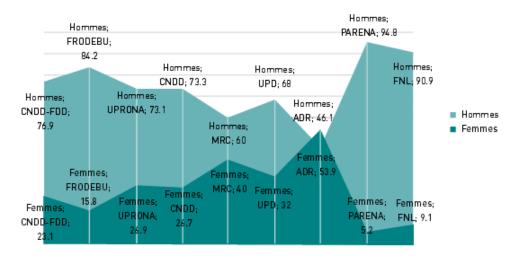
Women's Participation in Political Parties

The representation of women in the leadership of political parties is illustrated by the following table and graph:7

Re	Représentation des femmes dans les instances dirigeantes								
n°	Parti	Comi		cécutit	f		au du ral ou ique		
		Т	Н	F	% F	Т	Н	F	% F
1	CNDD-FDD	13	10	3	23%				
2	FRODEBU	19	16	3	16%	340	280	60	18%
3	UPRONA	558	408	150	27%	70	55	15	21%
4	CNDD	30	22	8	27%	30	20	10	33%
5	MRC	20	12	8	40%	7	5	2	29%
6	FNL	11	10	1	9%				
7	MSD					15	11	4	27%
8	UPD	25	17	8	32%				
9	ADR	13	6	7	54%				
10	ABASA	250	200	50	20%	30	20	10	33%
11	PARENA	135	128	7	5%				
12	FRODEBU NYAKURI	50	34	16	32%	18	12	6	33%

Source : OAG (Observatoire de l'Action Gouvernementale).

⁷ OAG, 2010 « Analyse contextuelle sur la participation de la femme dans les ogranes dirigeants des partis politiques à la veille des élection de 2010 », http://www.oag.bi/IMG/pdf/Participation de la femme dans les organes dirigeants des partis rapport finalA5.pdf.



Source : Données fournies par les organes des partis concernés.

Of the 44 active parties in 2010, only two were headed by women: the Democratic Alliance for Renewal (ADR) and the Party for Solidarity and Promotion of the Toiling Masses (PML-ABANYAMWETE), legally established in 2008 and 2004 respectively.

Of the twelve parties studied by *Observatoire de l'Action Gouvernementale* (Governmental Action Observatory, OAG), only four have greater than 30% representation in the party leadership. The ADR at 54%, boasts the highest rate of women's participation. The MRC has a rate of 40%, while the UPD and Nyakuri FRODEBU both count 32% of women's representation within their leadership. The FNL and PARENA had the lowest rates, with 9% and 5% of female representation in their Central Committees respectively.

At the Political Bureau or the Office of the Central Committee, the representation of women is even smaller. Among all parties studied, the average representation is 16%. Only the CNDD and FRODEBU Nyakuri have representation exceeding 30% at this level.

Moreover, the functions performed by women in the party leadership are largely the same from one party to the next: management of gender issues, communication, socio-cultural affairs, etc. Here again, the ADR appears to be the only party to have opened the door for female access to other functions such as financial management and management of relations with other parties.

The fact that the parties headed by women are more sensitive to the inclusion of women in leadership structures and management reveals the willingness of women to promote gender equality once empowered by leadership positions. As such, women attaining positions of influence appears to precipitate further gains in gender inclusion. Unfortunately, in 2010, the number of parties led by women remains extremely low, perhaps because women are relatively new to the political scene. Furthermore, the only party led by a woman, ADR, is not represented in any institutions following its failure to attain 2% of votes and its withdrawal, along with other opposition parties, from the electoral process following the municipal elections of May 24, 2010. Otherwise, it would have been also interesting to analyze whether the fact that the ADR party successfully integrates men and women within the party leadership would have had an effect on the level of voter mobilization and occupation of elected positions by women.

Barriers to Women's Political Participation

The level and nature of women's representation, and the prominence of gender issues, in the governing bodies of political parties have generated the following overarching observations:

- The advancement of women is not clearly expressed, or operationally programmed, as an active
 policy of most political parties. The inclusion of women is often merely aimed at addressing
 perceived imbalances in representation to external parties;
- Except for the ADR party, the number of women in positions of responsibility within the governing bodies of the parties is low; and
- The functions typically assigned to women in leadership are almost identical from one party to the next. Women seem to have a certain "specialty" in decision-making, typically gender issues or socio-cultural affairs. When in charge of other duties, they are an assistant working under the purview of a man exercising ultimate responsibility for the function.

The reasons for this situation are numerous. They are due partly to:

- A culture giving little attention to the advancement of women as a national priority;
- The historical context of the creation of a number of these parties and its impact on their ideological focuses (such as the fight for independence, democracy promotion, etc.), which effectively restricts space for promotion of the advancement of women within party platforms;
- The pressures of the political evolution of the country, which have exacerbated partisan struggles
 and stunted dialogue, including over the place and role of women in the society and in political
 positions;
- Constraints in the financial autonomy of women preventing them from contributing financially to the party; and
- Family responsibilities limiting the participation of women.

The observations above have their roots in socio-cultural barriers that prevent women from fully participating in Burundian politics. The main barriers to women's political participation are:

• Low level of education among women

Illiteracy and low levels of education are frequently cited by women as a key obstacle to their political participation. Some women attest that ignorance leads to loss of confidence, which gives rise to a pattern of self-censorship leading to a de facto exclusion from political life. In fact, women often report that they are afraid to contest certain positions. Furthermore, the low level of

education among women often leads to a general perception that they should not hold positions of high-institutional responsibility.⁸

• The restrictions of poverty and lack of time

The lack of time women have to devote to political participation is strongly linked to the division of roles between men and women in family and community. Women bear the largest part of the housework and family responsibilities, so they have little time to engage in activities outside the domestic sphere. Cultural practices pressure both men and women to accept this division of roles. In some cases, even if there is interest in political activities, women are still forced by their husbands and families to stay at home. These hurdles often lead women to abandon the opportunity to get involved and act in the public sphere.

Prejudices and behaviors of women and men

Barriers to women's political participation are often linked to cultural practices, prejudices and behaviors that are not easy to transform. Much focus should be placed on empowering women, mobilizing them and strengthening platforms for dialogue. Equally important, efforts to promote awareness of gender prejudice must also simultaneously target men, whose prejudices and commitment to backward traditional practices constitute a barrier to women's involvement in politics.

The Way Forward

The results recorded in 2010, which were greatly impacted by advocacy from civil society and international organizations, present a positive harbinger for greater gender equality as Burundi prepares for its 2015 elections. Furthermore, the revision of the Constitution and the Electoral Code can open new reforms in the direction of the advancement of women and their participation in various sectors of national life and decision-making. But we must redouble our efforts to meet the challenges outlined above.

In addition, Burundi is part of regional groupings such as the East African Community (EAC), which can inspire the work of civil society to integrate best practices in regard to gender in development and peacebuilding policies. In this context, exchange of experience with Rwanda can bring added value.

In view of the 2015 elections, civil society organizations have just begun a lobbying campaign for the amendment of laws – to the Constitution, the Electoral Code and the Municipal Law – in order to implement systematic application of gender parity in the organization and functioning of political parties and institutions.

Many NGOs are involved in advocacy to promote the political participation of women in Burundi, including local NGOs such as:

⁸ International Alert, 2012, Victoire Ndikumana and Christophe Sebudandi « *A la conquête de la parole, La participation des femmes dans la transition démocratique au Burundi* » http://www.international-Alert.org/sites/default/files/publications/201209ParticipationFemmesBurundi-FR.pdf.

- Partners for the Promotion of Women's Rights Synergy (SPPDF), comprised of 485 organizations;
- Coalition of Civil Society for the Monitoring of Elections⁹ (COSO), comprised of 13 organizations;
- Burundi Leadership Training Program (BLTP); and
- Fontaine Isoko for Good Governance and Integrated Development.

Observers have long recognized that civil society organizations have played an important role in increasing the political participation of women. They are seen as repositories of interaction, learning about democracy and the exercise of speech. Their actions are perceived to help women overcome the fear to voice their opinions, concerns and solutions.

Conclusion

Burundi has made significant strides in adopting reforms regarding equality and gender parity. The Constitution of March 2005, largely inspired by the Arusha Agreement for Peace and Reconciliation, set a 30% quota for women's representation in elected positions. The National Assembly at present is composed of over 30% women.

This remarkable achievement does not mean that there are no longer barriers to political participation for Burundian women.

Efforts are being made by various actors to promote gender quality, particularly civil society and international organizations. They have already made plans to review the legal framework of the electoral process in order to establish gender parity in all decision-making bodies.

It is desirable to support such efforts to ensure that gender inequalities are reduced to a minimum, thus bolstering initiatives undertaken for the entrenchment of a truly democratic culture in Burundi.

⁹ For more on this coalition, visit its website here: http://www.cosome.bi/.

Annex

	GENDER ANALYSIS – SUMMARY OF FINDINGS								
ISSUE	WINDOWS OF VULNERABILITY	WINDOWS OF OPPORTUNITY							
Legal System	The 30% quota is not applied systematically; complete gender equality is highly sought after by civil society	International instruments and the Constitution of Burundi clearly state that men and women are equal							
Election Administration	For the time being, CENI is composed of five commissioners. We still await the establishment of branches a provincial and municipal level before analyzing.								
Voter Registration	Women participate more in elections as voters than candidates	Civil society and international organizations are involved in the mobilization of women under the slogan "arashoboye" (She can)							
Women's Political Participation	Weak women's participation in political leadership roles	The membership of Burundi to major regional blocs like the EAC offers the opportunity to learn from best practices that have fostered increases in the political participation of women							
Political Parties	Low sensitivity of political party leaders to gender issues	Awareness of men and women active within political parties may result in greater consideration of gender issues in executive bodies							

