

REPUBLIC OF BURUNDI



**PRESIDENCY OF THE REPUBLIC
Secretariat-General of the State**

**MEDIA RELEASE CONSECUTIVE TO THE CABINET MEETING
HELD ON WEDNESDAY 23rd SEPTEMBER 2020**

A Cabinet Meeting was held on Wednesday 23rd September 2020 in Bujumbura, under the chairmanship of His Excellency Evariste Ndayishimiye, President of the Republic of Burundi. The following items were analyzed:

1. **Draft decree on the missions, organization and functioning of the Ministry of Infrastructures, Equipment and Social Housing**, presented by the Minister of Infrastructures, Equipment and Social Housing.

By decree n°100/007 of 28th June 2020 on the structure, functioning and missions of the Government of the Republic of Burundi, the Ministry of Infrastructure, Equipment and Social Housing was created.

The missions of this Ministry cover three components, namely:

- The Infrastructures
- The Equipment
- Social Housing

To accomplish these missions, the draft decree proposes the organization of the Ministry into five General Directorates, namely:

- The General Directorate of Planning for Infrastructure, Equipment and Housing
- The General Directorate of Infrastructures
- The General Direction of Equipment
- The General Directorate of Housing
- The General Directorate of Resources

The draft also proposes the creation of an Inspectorate General of the Ministry like the other Ministries.

After discussion and debate, the project was adopted with certain corrections, notably the change of the General Directorate of Resources into a Service in charge of Administration and Management, directly under the Cabinet.

2. Draft decree revising Decree No. 100/158 of 05th September 2018 on the missions and organization of the Ministry of National Defense and Ex-Combatants, presented by the Minister of National Defense and ex-Combatants.

This project is proposed in order to adapt to Decree No. 100/007 of 28th June 2020 on the structure, functioning and missions of the Government of the Republic of Burundi.

Indeed, this decree assigns two new missions to the Ministry, namely:

- Develop the Department's policy on good governance ;
- Develop standards for better management of State services and assets and monitor their effective application.

The project also integrates another new mission resulting from the Ngozi Government Retreat, namely:

- Participate in youth mentoring and entrepreneurial and patriotic training, in collaboration with the ministries concerned.

Although these new missions do not have a direct impact on the structure and organization of the Ministry, it is necessary to revise the current decree to incorporate them.

This is the purpose of this draft decree.

At the end of the debate, the draft was adopted after undergoing some corrections.

3. Draft decree on the organization of the Ministry of Justice, presented by the Minister of Justice.

Decree No. 100/007 of 28th June 2020 on the structure, functioning and missions of the Government of the Republic of Burundi changed the name of the former Ministry of Justice and Civil Protection to the Ministry of Justice.

The organization and functioning of the Ministry must be adapted to this decree, which assigns it new missions.

As new missions, these are:

- Promote and protect human rights
- Ensuring that good governance is taken into account at all times and in all places.

In order to guarantee the proper functioning and efficiency of the Services, the draft decree provides for the merging of certain services and the distribution of missions between the different structures. As a result, some structures are changing their names.

Thus, the draft decree keeps two General Directorates, namely:

- The General Directorate of the Judicial Organization whose missions cover the strategic analysis of reforms, planning, monitoring-evaluation of projects and programs, the development of statistics of the justice sector and the management of State litigation.
- The Directorate General of Judicial Affairs which is created with the aim of promoting justice both nationally and internationally, and especially to manage the legal situations that may arise from it. It will cover the areas of civil, criminal and special cases, cooperation and mutual legal assistance.

Finally, the project links the National Land Registry to the Land Titles Department.

After exchange and debate, the project was adopted with a few corrections.

4. Draft decree on the organization and functioning of the Ministry of Public Health and the Fight against AIDS, presented by the Minister of Public Health and the Fight against AIDS.

This project is in line with Decree No. 100/007 of 28th June 2020 on the structure, functioning and missions of the Government of the Republic of Burundi.

It takes into account the National Development Plan and other health planning instruments.

It clarifies certain missions in order to avoid duplication of certain activities and possible interference.

Innovations are also brought by this project, among others:

- The integration of the community level with the health level among the three existing levels;
- The strengthening of the prerogatives of the Inspectorate General of the Ministry;



- The creation of a General Directorate for the Provision of Modern and Traditional Medicine, Food and Accreditation;
- Placing the National Reference Center for Physiotherapy and Medical Rehabilitation under the supervision of the Ministry of Public Health;
- The creation of the Burundian Authority for the Regulation of Drugs and Food for Human Use.

At the end of the analysis, the project was adopted with a few corrections.

5. Draft Public-Private Partnership contracts between the Republic of Burundi and Songa Energy for the development of two hydroelectric power plants on the Mulembwe and Ruvyironza rivers, presented by the Minister of Hydraulics, Energy and Mines.

In Burundi, improving energy supply and access remains one of the government's priorities.

In order to adjust to the energy demand for the various industrial projects and thus improve the rate of electrification, additional electric power capacity is more than a necessity.

The participation of the private sector in the development of the energy sector is a means of substantially and sustainably improving access to electricity for the Burundian population.

It is within this framework that the company Songa Energy Burundi signed with the Ministry of Hydraulics, Energy and Mines on 17/8/2015 a Memorandum of Understanding for the realization of energy production studies on the Mulembwe and Ruvyironza rivers, respectively with a power of 9Mw and 1.65Mw.

The total investment cost is estimated at US\$ 46.95 million for the two power plants and the construction period is estimated at three years.

The power will be sold at a price of US\$ 0.141 per k/Wh for a non-renewable period of 25 years and the infrastructure will be handed over to the Government of Burundi at the end of this period.

After discussion and debate, the Council noted that the file required a technical re-analysis to ensure that the project had been properly put together and that the State's contribution as capital had been correctly valued.

These include:

- Reanalyze contract terms
- Review whether the tariff per Kw/h is appropriate in relation to the use of the country's natural resources that are part of the State's property, in this case water, state land, etc...
- Provide for depreciation related to wear and tear on infrastructure and accounting depreciation over the operating life of the plant, etc.

The file will be brought back to the Council of Ministers after this work.

6. Draft Public-Private Partnership contract between the Republic of Burundi and Mpanda Hydro Power for the development of a run-of-river hydroelectric power plant on the Mpanda River in Musigati Commune, presented by the Minister of Hydraulics, Energy and Mines.

The project to build the Mpanda hydroelectric power plant with a capacity of 10.2 Mw was initiated and launched by the Government of Burundi with the aim of increasing the country's electrical energy capacity.

Work stopped in 2017 due to budgetary constraints with an estimated 40% completion rate. Following the non continuation of the work which caused a deterioration, this rate has deteriorated and is currently estimated at 20%.

In order to save this project, the Government of Burundi sought a private partner to resume the work, and it is in this context that a Memorandum of Understanding was signed between the Ministry in charge of Energy and the company HYDRONEO EAST AFRICA on 16th December 2019. In accordance with the provisions of the law governing Public-Private Partnership contracts, the project company MPANDA HYDO POWER was created for this purpose in April 2020.

The provisional budget of MPANDA HYRDO POWER is USD 43.5 million including USD 5.5 million of arrears related to the old construction contracts and the contribution of the State will be USD 10 million. The rate per k/Wh will be US\$0.135 for a period of 25 years.

After exchange and discussion, the Council authorized the continuation of the project with the following prerequisites :

- Review the distribution key to verify that the contract between the parties is win-win by ensuring that the contribution of the State, especially in kind (water, land, etc..) has been taken into account.
- Provide for depreciation costs during the entire operating time;

- Search for all sub-contracting contracts that have been concluded in foreign currency and seek traceability of their use and punish those at fault in accordance with the law.
- To make correction for certain contracts that have been badly negotiated and that risk causing losses to the State (case of contracts between Regideso and the company INTERPETROL, etc.).

7. Draft ministerial ordinance on measures to implement Decree No. 100/099 of 08th August 2018 prohibiting the import, manufacture, marketing and use of plastic bags and other plastic packaging in Burundi, presented by the Minister of Environment, Agriculture and Livestock.

Decree No. 100/099 of 08th August 2018 prohibiting the import, manufacture, marketing and use of plastic bags and other plastic packaging in Burundi aims to:

- Establishing a framework for controlling the use of plastic bags and other plastic packaging.
- Promoting the use of materials that do not degrade the environment
- The prevention of any kind of pollution caused by the use of plastic bags and other plastic products..

Article 3 of this decree states that "The manufacture, import, storage, sale and use of all plastic bags and other plastic packaging are prohibited".

The first paragraph of article 4, for its part, states that "Notwithstanding the provisions of article 3, the Minister in charge of the environment, after consultation with the ministers concerned, establishes by ordinance a list of plastic bags to be used exceptionally in Burundi. The list shall be updated whenever necessary".

This project implements the above-mentioned decree by setting up a list of plastic equipment, bags, pouches and packaging benefiting from a special authorization to enter Burundi. It also provides for sanctions for violators of this regulation.

After exchange and debate, the project was adopted after some improvements were made.

8. Draft law on the reorganization of the statistical system in Burundi, presented by the Minister of Finance, Budget and Economic Planning.

Following Burundi's ratification of the African Charter on Statistics in 2014, it is essential to revise the law on the organization of the statistical system in Burundi to bring it into line with this international legislation.

This project takes into account the fundamental statistical principles as contained in this Charter.

According to these principles, statistics constitute an indispensable element of the information system of a democratic society, providing public administrations, the economic sector and the public with data concerning the economic, demographic, social and environmental situation. To this end, the bodies responsible for official statistics must draw up statistics according to scientific principles and in compliance with the methods and procedures for the collection, processing, storage and presentation of statistical data.

This draft also introduces the obligation for natural and legal persons to answer statistical questions and, in return, the affirmation of statistical secrecy to protect these persons.

The draft also provides for criminal sanctions for those who fail to answer statistical questions and for those who violate statistical secrecy.

After analysis, the Council of Ministers adopted the draft after making a number of corrections.

9. Draft decree instituting the systematic use of nomenclatures used in Burundi's national statistical system, presented by the Minister of Finance, Budget and Economic Planning.

Nomenclatures are an important technical instrument for statistical coordination. They ensure a structured, coherent and harmonized coordination of statistical information in different areas of a nation's life. They also constitute harmonization tools that promote the exchange and comparability of statistical information with the various partners of the national statistical system.

The aim of this project is to institute the systematic use of nomenclatures used to categorize and structure statistical information by sector of the life of the nation.

At the end of the analysis of this project, the Council adopted it after undergoing some corrections.

10. Draft letter of acceptance by the Republic of Burundi of the revised African Regional Cooperation Agreement on Research, Development



and Training in the Field of Nuclear Science and Technology (AFRA), presented by the Minister of Foreign Affairs and Development Cooperation.

The African Regional Cooperative Agreement on Research, Development and Training in Nuclear Science and Technology (AFRA) is an intergovernmental agreement concluded between the countries of the African Region in February 1990, to promote cooperation among the Member States of the International Atomic Energy Agency (IAEA) of the Region, as well as between them and the IAEA in the field of applications of nuclear science and technology.

In accordance with the revised Agreement, AFRA's mission is to be the principal framework for cooperation in Africa and a tool for Member States to effectively promote and coordinate the peaceful applications of nuclear science and technology for the socio-economic development of the African continent. Burundi is a member of the IAEA and has joined AFRA.

What is new in this revised Agreement is that any member country may withdraw from the revised Agreement by notifying the Director General of the IAEA six months before the withdrawal takes effect.

It is in the interest of Burundi to accept this revised Agreement that it will benefit, through its technical and scientific institutions, from cooperation with AFRA. This will enable its technical and scientific institutions to keep pace with other institutions in the Region in the area of research and equipment.

In view of the interest that Burundi will derive from the acceptance of this revised Agreement, the Council agreed that the letter of acceptance should be signed.

11. Any Other Business

- The Minister of the Civil Service, Labor and Employment briefed the Council on the cases of former dignitaries who have completed their term of office and are seeking reintegration or integration into the Civil Service. He was asked to apply the laws and regulations in force.
- It was requested, on occasion, to prepare a note for the Council on the state of the civil service in Burundi.
- The Minister of Public Health and the Fight against AIDS informed the Council that the campaign to prevent and fight against the coronavirus "NDAKIRA-SINANDURA-SINANDUZA" was achieving very satisfactory results. Indeed, even if the pandemic is still being noticed in the country, the number of positive cases tested continues to decrease.

- He informed the Council that the measures taken to prevent and combat this pandemic will remain in force until it is completely eradicated from the country.
- The Minister of Justice briefed Council members on the elements of the form for the declaration of assets by public officials.

Bujumbura, 24th September 2020

The Secretary-General of the State and Spokesman

Prosper NTAHORWAMIYE