

**REPUBLIC OF BURUNDI****PRESIDENCY OF THE REPUBLIC  
Secretariat-General of the State****MEDIA RELEASE NO 9 CONSECUTIVE TO THE CABINET MEETING  
HELD ON WEDNESDAY 25 NOVEMBER 2020**

A Cabinet Meeting was held on Wednesday 25<sup>th</sup> of November 2020, under the chairmanship of His Excellency Evariste Ndayishimiye, President of the Republic of Burundi. The following items were analyzed:

**1. Bill on the Environment Code of the Republic of Burundi**, presented by the Minister of Environment, Agriculture and Livestock.

The Environmental Code currently in force dates from 2000 and was promulgated just as the country was beginning to put in place the first elements of a national environmental conservation policy.

Today, it is necessary to update it to adapt to new environmental requirements as reflected in international conventions and in the guidelines of policies and strategies developed in the field of the environment.

Thus, after nearly twenty years of implementation, this Code has shown certain shortcomings in the face of emerging environmental problems such as the prevention and management of natural disasters, the issue of climate change, etc.

While the country has to face traditional environmental problems, it now has to face new environmental risks including the management of chemicals, hazardous waste such as waste from electrical and electronic equipment, etc.

This revision of the Environmental Code is proposed in order to comply with new environmental challenges and to introduce into the Burundian internal legal order the requirements concerned in the various international conventions that Burundi has ratified.

It should be remembered that this project had been analyzed by the Council of Ministers and returned for finalization.

After being reassured that the recommendations previously made have been taken into account, the Council of Ministers adopted it with certain contributions to be taken into consideration.

**2. Bill on the chemical management code**, presented by the Minister of the Environment, Agriculture and Livestock.

Burundi uses various chemicals, the large quantity of which is imported. Socio-economic development means that the needs for these products increase and diversify.

Although the consumption of chemicals continues to grow, Burundi does not have specific legislation for their sound management.

The importation, marketing and fraudulent use of chemicals, the quantities of which are not even known, pose a serious threat to health and the environment.

Inventories of obsolete or inappropriately altered chemicals can also endanger human health and the environment.

This project is a significant step forward in the protection of human health and the environment against the dangers of these products.

In addition, the implementation of the national policy for the protection of the environment against pollution caused by chemicals requires specific legislation governing the management of chemicals.

At the end of the debate, the Council of Ministers adopted this project with, among other recommendations, to extend it to other dangerous products such as electronic products, organic products and prohibited drinks.

**3. Bill revising Law No. 1/08 of May 11, 2018 on the management of pesticides in Burundi**, presented by the Minister of Environment, Agriculture and Livestock.

In the world of modern technology and commerce, protecting plants, plant products and animals from insects, disease, weeds, pests and other pests requires concerted and sustained efforts on the part of all stakeholders, so as not to endanger humans, animals and the environment.

In addition, national, regional and international legal instruments governing the trade and use of pesticides have undergone significant changes in recent years.

It is within this framework that the international code of conduct on the distribution and use of pesticides was designed to provide universal standards of conduct for all actors involved in the management of pesticides.

Thus, it is important to have a law that regulates the management of pesticides because they are products that can be dangerous for the health of humans, animals, plants and the environment.

The establishment of such a legal instrument will also make it possible to introduce the relevant provisions of the Treaty establishing the East African Community, in particular by setting up the Pesticides Regulatory Authority.

Following the analysis of this project, the Council of Ministers adopted it with, among other things, the recommendation to strengthen administrative sanctions and refer criminal sanctions to the Criminal Code.

#### **4. Draft organic law on the missions, composition, organization and functioning of the National Security Council, presented by the Minister of Justice.**

The National Security Council is one of the national councils provided for by the Constitution. It is currently governed by law n ° 1/23 of August 31, 2008. Its composition, organization and operation refer to the 2005 Constitution which was replaced by the 2018 Constitution. It is therefore necessary to adapt it to this fundamental law.

In addition, some members have finished their mandate and the appointment of new members can only be done after amendment of certain provisions of this law, in order to adapt them to the new structure of the Government.

Finally, there is an obvious need to provide the National Security Council with a Permanent Secretariat for the preparation of files and the monitoring and evaluation of decisions taken.

After analysis, the Council of Ministers adopted this project after having made some adjustments.

**5. Bill amending Law n ° 1/06 of March 10, 2020 establishing and granting the status of Supreme Guide of Patriotism in Burundi to President Pierre NKURUNZIZA, presented by the Minister of Justice.**

Law n ° 1/06 of March 10, 2020 establishing and granting the status of Supreme Guide of Patriotism in Burundi to President Pierre NKURUNZIZA provides, in its article 4, for the institution of a national day dedicated to patriotism, organized in the month of July of each year and chaired by the Supreme Guide of Patriotism.

The same provision provides for a decree which specifies the modalities of celebration of this day.

The Government would like to implement this decree and the concern is that the day be celebrated on June 8 of each year.

So that the decree to be put in place does not conflict with this law, it is necessary to modify article 4 by specifying that the national day of patriotism will be celebrated on June 8 of each year instead of July of each year.

Moreover, as the Supreme Guide is no longer alive and the same law stipulates that he is the one who presides over this day, a modification is necessary to indicate that the day will be presided over by the President of the Republic.

At the end of the discussions, the Council of Ministers adopted this project.

**6. National action plan for the management and fight against the proliferation of small arms and light weapons, presented by the Minister of the Interior, Community Development and Public Security.**

The proliferation and circulation of small arms and light weapons is one of the most serious security challenges the world faces today.

To address this issue, the international community has resolved to tackle it in an effective and concrete manner.

The states of the sub-region, including Burundi, have embarked on this process in order to deal with the devastating effects of these weapons.

To implement the various initiatives in terms of management and the fight against the proliferation of small arms and light weapons, Burundi developed and adopted in 2011, a 2011-2015 Action Plan. This offered a series of detailed measures to combat the proliferation of these weapons.

Its evaluation has shown that very good results have been achieved.

It was this assessment that made it possible to identify elements that contributed to the development of the 2020-2022 Action Plan.

After discussion and debate, the Council of Ministers adopted the document with the recommendation to make it rather a National Strategy for the management and the fight against the proliferation of small arms and light weapons 2021-2023, especially since the year 2020 is almost at its end. An action plan to operationalize this strategy will be developed.

## **7. Draft ministerial order relating to fees for services rendered under the industrial fee, presented by the Minister of Trade, Transport, Industry and Tourism.**

Industrial property is one of the two branches of intellectual property law. It aims to protect trademarks, patents, industrial designs, trade names, geographical indications, layout designs of integrated circuits and thus prevent counterfeiting. Applications for the related titles are filed with the Department of Industrial Property.

The services rendered by the Industrial Property Department are paid in accordance with Ordinance No. 540/750/1582 of September 14, 2012, relating to fees for services in respect of industrial property.

The pricing carried by this ordinance does not take into account all the services rendered by this Department and has omitted certain operations that it is capable of performing, which represents a great loss for the public treasury.

This project includes more than one hundred (100) new services which will be chargeable once requested. It also takes into account the tariffs applied in the countries of the East African Community.

After discussion and debate, the project was adopted with the recommendation to quickly set up a system for marking and securing products made in Burundi to avoid piracy.

Clear mechanisms are needed to deal with conflicts between people who dispute the paternity and exercise of a given activity, the certificate or patent for a particular product.

Laboratories available in the country, research centers as well as experts in various disciplines should be involved in this work.

The Burundian Bureau of Standardization and Quality Control, for its part, must be equipped from all points of view for it to carry out its mission properly.

The Ministers in charge of Finance and Trade have been appointed to prepare a note which indicates what can be done so that Burundian products are certified and protected according to universally recognized standards. The note will be presented during the next meeting of the Council of Ministers

## **8. Any Other Business**

His Excellency the President of the Republic pointed out to members of the Government that administrative delays are still being observed in public services. He asked them to follow the officials under their responsibility closely and to call them to order.

He also indicated that economic malfeasance and embezzlement of public funds remain. He asked them to hold awareness meetings so that any civil servant or agent of the State who will be found guilty of such an offense knows that he will lose his job, that he will henceforth be on file and will no longer be able to find work on Burundian territory.

He also called on members of the Government to be on the ground to ensure that the commitments made to meet the needs of the population are being fulfilled.

His Excellency the President of the Republic talked about the projects financed by technical and financial partners. He recalled that these projects are for the Burundian state and the ministers must follow them closely.

The funds granted to these projects must be used for their realization and not as operating costs. This is why for future projects, their design and implementation must be a matter for the state.

The managers of these projects should know that they are at the service of the State and not at the service of the partner who financed the project.

In the future, delays in the execution of projects must be avoided, as is observed in certain ongoing projects. Ideally, the budget would even be executed prematurely and properly used to easily qualify for other funding.

Ultimately, each minister was asked to prepare a table showing the projects under his supervision, the area of intervention, the budget allocated to the project, its duration and the level of achievement.

Finally, His Excellency the President of the Republic informed the Council about his trip to Libreville this Friday, November 26, 2020 to participate in the Summit of Heads of State of ECCAS

**Done at Bujumbura, November 26<sup>th</sup>, 2020**

**Prosper NTAHORWAMIYE  
Secretary-General and Spokesman.-**