



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

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**Committee on the Elimination of Discrimination  
against Women**

**Twenty-fourth session**

**Summary record of the 496th meeting**

Held at Headquarters, New York, on Tuesday, 23 January 2001, at 10.30 a.m.

*Chairperson:* Ms. Abaka

**Contents**

Consideration of the reports submitted by States parties under article 18 of the  
Convention (*continued*)

*Initial report of Burundi (continued)*

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*The meeting was called to order at 10.45 a.m.*

**Consideration of reports submitted by States parties under article 18 of the Convention (continued)**

*Initial report of Burundi (continued)*  
(CEDAW/C/BDI/1)

1. *At the invitation of the Chairperson, Ms. Ndorimana (Burundi) took a place at the Committee table.*

2. **Ms. Ndorimana** (Burundi), replying to Committee members' questions, said that the continuing insecurity and violence in Burundi, the lack of resources and statistical data, the embargo and the persistence of traditional prejudices and stereotypes impeded full implementation of the Convention. Her Government and she as Minister for Social Action and the Advancement of Women remained committed to improving the lot of women in Burundi and drew hope from the Arusha peace agreement and the President's recent meeting with one of the rebel leaders.

3. In rural areas, Government programmes had been targeted to elimination of violence against women and increasing their participation in economic and political life. On the plus side, more readily available drinking water supplies and the introduction of grain mills had eased rural women's burden of domestic chores. Functional literacy instruction was provided to rural women, as was training in microcredit management.

4. Dissemination of the Convention was high on the Government's agenda for 2001. It had adopted a new approach involving the highest political authorities of the country, the broad objective being to bring about a change in attitude which would counteract the perception that it was a matter of concern to women only. Burundi's initial report would also be disseminated, as would the Committee's recommendations.

5. A national plan of action as follow-up to the Beijing Platform for Action had been launched in 1997 with the establishment of a national committee that had organized consultations and a national seminar to review their outcome together with women's associations. The socio-political environment had not been conducive to full implementation of programmes supported by United Nations Development Programme (UNDP) and International Fund for Agricultural

Development (IFAD) and specifically the microcredit schemes for rural women engaged in income-generating activities.

6. On the other hand, an extensive awareness-raising campaign in 1997 had resulted in the establishment of committees of women for peace and development whose members were elected by the women themselves and represented them at meetings organized by the Ministry in cooperation with women's organizations. Family development centres set up in several provinces helped women to become involved in development programmes and provided training.

7. The Code of the Person and the Family had been translated into the national language and was widely disseminated. With the help of the United Nations Population Fund (UNFPA) and non-governmental organizations, rural women were now also widely informed about contraceptive methods, reproductive health, family planning and sexually transmissible diseases, including HIV/AIDS. The media contributed to the advancement of rural women through weekly broadcasts conveying a positive image of women, disseminating the provisions of the Code of the Person and the Family and televising debates on the future plan of action now under preparation.

8. Abortion was prohibited in Burundi because customary practice required girls to abstain from sexual relations until marriage and liberalizing abortion would be perceived as a government-authorized invitation to immorality. Information sessions on reproductive health, AIDS and sexually transmissible diseases were organized in schools and during the school holidays. She would seek further information on abortion, especially in schools.

9. The judiciary was open to the women of Burundi and according to 1998 figures, one quarter of the members of the Supreme Council of the Judiciary were women, as were 42.9 per cent of the members of the Constitutional Court, 26.9 per cent of the members of the Court of Appeal and the Administrative Court and 26.1 per cent of the Court of Major Jurisdiction, Trade and Labour. Evidence that laxity among magistrates was not widespread was seen in reports from women themselves that, when they brought a case to court, the ruling was often in their favour, even in matters on which no new legislation had been enacted, such as inheritance. That being said, inheritance laws were urgently required to ensure that women were not

discriminated against by magistrates, and a commission had been set up during 1999 under the plan for the reform and modernization of the judicial system to draft legislation on marriage and inheritance.

10. As elsewhere, women were exposed to violence, specifically domestic violence and rape. Although traditionally such acts were seldom made public or brought before the courts, attitudes were gradually changing. In 1999, 17 rape cases were heard in Bujumbura and there were 11 convictions, with sentences ranging from 3 to 10 years' imprisonment. There was a growing tendency to pinpoint the problem and consider strategies for dealing with it. The findings of the 1999 survey on domestic violence had prodded the Ministry for Social Action and the Advancement of Women to strengthen its facilities for hearing complaints and informing women about their rights and the services available to them. That work was being carried out with the support of the legal aid service created by an association of women jurists and the Burundi Human Rights League ITEKA, which had conducted the survey. In addition, a government human rights commission heard and followed up complaints concerning human rights violations, including violence against women.

11. Burundi legislation contained no provision that discriminated against girls in education. The only factor inhibiting girls' enrolment at school was the tendency among parents to keep girls at home for domestic duties. Positive anti-discrimination measures since the 1970s had increased girls' attendance at school, though to a lesser extent in higher education. There was no specific budget for girls' education. Since girls currently accounted for 45 per cent of the school population at the primary level and somewhat less at the secondary level, the Government was continuing its efforts to raise awareness among parents. An in-depth study was to be carried out by a women's NGO on the causes of drop-out among girls. The fact that a girl who became pregnant could change schools and resume her studies was not discriminatory, but was a measure intended to protect her, often at her own request, to avoid the humiliation that such an accident still caused in Burundi society.

12. With the critical socio-political situation in the country and the suspension of foreign aid, national security had superseded agriculture, health and education as the priority targets of national budget allocations. The recent pledges at the Paris donors'

meeting would be earmarked, inter alia, for reconstruction, repatriation, demobilization and the promotion and protection of the rights of women and children.

13. Women accounted for some 2 per cent of the prison population. They had been convicted mainly for poisoning, abortion, infanticide and murder. There were separate prison cells for women. A women's commission in ITEKA sought to ensure the rapid processing of the cases of women detainees. Infants born in prison or detained with their mothers were returned to their families at the age of three, but there was some debate as to whether it was appropriate to deprive a child of its mother's affection at that age. Other child detainees were those over the age of 13 who had committed offences. Altogether they numbered about 100 and were granted clemency owing to mitigating circumstances. Measures currently planned included the appointment of children's judges and the separation of adults from children in prisons.

14. Equality between men and women in employment was fully provided for in legislation, with the minor exception of article 123, paragraph 4 of the Labour Code, which called for half-pay for women on maternity leave. That provision was, however, applied only in the private sector. In practice, labour legislation was not always strictly applied, and the tradition of giving preference to men in recruitment and promotion often prevailed. As a preliminary comment on the questions asked by members, she said that so long as the security situation in the country remained critical it was impossible to provide detailed statistics on or to ensure the full exercise of the right to work. She observed, moreover, that the right to work was an ideal that was not fully realized even in the most industrialized countries.

15. In Burundi, the minimum wage was guaranteed under article 74 of the Labour Code, which was strictly applied. Entitlement to social security and retirement benefits did not discriminate between men and women and the National Social Security Institute ensured that the legislation was correctly applied in both the private and public sectors.

16. Workers and employers had the right to establish trade unions open to men and women to defend their interests. The unions were free to resolve conflicts by collective means, including strikes, under conditions laid down by law. In the private sector, where men and

women were treated as equals, salaries were set through negotiations between employers and workers, whereas in the public sector, it was the Government that set salaries for its officials. Although private sector workers were better paid than their public sector counterparts, the latter often enjoyed greater job stability. Although the provisions of labour legislation were observed in the private sector, the Government had appointed labour inspectors and set up labour courts throughout the country to prevent and, where necessary, punish failure to implement labour legislation in connection with disputes arising between workers and employers or between employers and the Government.

17. Child care and kindergartens existed only in the capital and three or four major cities. Where they were available, few women took advantage of those services, however, preferring to care for the children at home.

18. Turning to the issue of control of women's earnings, she noted that, while educated women handled their own finances, the assets of rural women were sometimes wholly controlled by their husbands. The purpose of the Association of Rural Women being set up by the Government was, among other things, to ensure that women were fully in control of their own earnings.

19. Although prostitution was not a significant social problem in Burundi, the Government was taking legal measures to prevent and punish it. A special police unit for minors was aimed at protecting young women from unscrupulous men who sought to exploit them. An awareness-raising campaign was conducted through the media in addition to seminars on the subject. Moreover, the weight of tradition constituted a significant bulwark against prostitution. Trafficking in women was unknown in Burundi.

20. Although marriage in Burundi was monogamous under the law, a few cases of polygamy had been known to occur. Currently, all matters relating to marriage were governed by the Code of the Person and the Family, which also protected children born to unmarried couples by giving them the same status as legitimate children.

21. Since equal rights for men and women were guaranteed by legislation, one could not talk about laws that discriminated against women as such. However, the provisions of some laws still permitted discrimination against women; they included article

123, paragraph 4, of the Labour Code, which provided for half-pay for women on maternity leave. Her Government was committed to eliminating those discriminatory provisions in the near future in order to bring all the country's laws into conformity with the CEDAW Convention.

22. While her delegation appreciated the concern expressed by members of the Committee with respect to the spread of HIV/AIDS in Burundi, she wished to stress that her Government had already given the highest priority to efforts to combat the disease and assist those affected by it. Those efforts included the earmarking of 100 million Burundian francs per year for the health sector, the removal of taxes on anti-viral drugs and the launching of awareness-raising campaigns on HIV/AIDS through the media.

23. In conclusion, she said that her Government deplored the violations of the rights of the Burundian people and especially of the rights of women as a result of the war and its devastating consequences. She reaffirmed the Government's commitment to restoring peace and security throughout the country in order to allow women to fully develop their potential and thus facilitate the implementation of the CEDAW Convention. She welcomed the signing of the Arusha Peace and Reconciliation Agreement for Burundi and made an urgent appeal for the resumption of bilateral and multilateral cooperation in all its forms in order to ensure the successful outcome of the Agreement, thus paving the way for conditions that would permit the full implementation of the Convention.

24. **The Chairperson** thanked the Burundian delegation for its prompt response to the many questions raised by the Committee and said it appreciated the delegation's inability to provide gender-disaggregated statistics.

25. **Ms. González** expressed the hope that the Burundian Government would continue to work towards ensuring the adequate implementation of the Convention, thus improving the living conditions of women. She also hoped that the Government would be able to establish peace in the country enabling it to move forward with its development efforts.

26. **Ms. Livingstone Raday** expressed the hope that, as part of its programme to prevent the spread of HIV/AIDS, the Government would implement technical measures, including the distribution of

condoms, both male and female, to supplement the social education methods.

27. **The Chairperson**, concluding the dialogue with Burundi, said that the Committee agreed with the delegation that the civil war had severely impeded the implementation of the Convention, and that the inferior role of women in Burundian society as well as the spread of HIV/AIDS, especially among women and girls, had also been major handicaps.

28. She noted, however, that Burundian legislation still contained discriminatory provisions, including article 88 of the Code of the Person and the Family that permitted a difference in the legal age of marriage for men and women, and article 122, section 1, that stated that the husband was the head of the family. Women were also discriminated against under the Criminal Code, which framed the crime of adultery in terms that were more favourable to men than women. The issue of domestic violence, including rape, was of great concern, as was the condition of women and girls in the refugee and displaced persons' camps.

29. It was vital to make the teaching of human rights a priority in the Government's efforts to grant women equality with men. However, the most important prerequisite was peace. She hailed the peace process, acknowledging the role that women had played to achieve it. She urged the delegation to get more women involved in the peace process in order to build bridges and strengthen partnerships with all sectors of society, including tolerance among the various ethnic groups. Women needed to demonstrate that peacemaking was not a personal agenda but a life-and-death issue. There was also a need to train health-care providers to help heal those who had experienced trauma as a result of the civil war.

30. She recommended that the Government should continue and increase its efforts to combat the spread of HIV/AIDS by soliciting the assistance of the Joint United Nations Programme on HIV/AIDS (UNAIDS).

31. **Ms. Ndorimana** (Burundi) expressed her delegation's appreciation for the Committee's recommendations, noting that her Government would continue to work to improve the situation of women in the country.

*The meeting rose at 11.43 a.m.*