



# Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities

## Initial report submitted by Burundi under article 35 of the Convention, due in 2016\*

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\* The present document is being issued without formal editing.



## I. Introduction

1. The Government of Burundi attaches great importance to the protection of human rights in general and the rights of persons with disabilities in particular, as demonstrated by the various actions undertaken in this area.
2. The Republic of Burundi signed the Convention on the Rights of Persons with Disabilities on 27 April 2007 and ratified it on 26 March 2014, and thus committed to prepare a detailed report on the measures taken to implement the Convention, in accordance with article 35 (1).
3. The present initial report submitted by Burundi to the Committee on the Rights of Persons with Disabilities reviews the progress made between 2014 and July 2021.

### A. Methodological approach

4. Following wide-ranging consultations involving all stakeholders, this report has been drawn up by the committee responsible for drafting initial and periodic reports set up pursuant to Ministerial Order No. 225/559 of 17 June 2021, amending Order No. 225/177 of 3 February 2016 on the establishment of a standing committee for the drafting of initial and periodic reports on the treaties ratified by Burundi.<sup>1</sup> During this process, led by the Ministry of National Solidarity, Social Affairs, Human Rights and Gender, the public authorities ensured the full involvement of civil society actors.
5. To this end, a consultation workshop was organized in July 2019, at which representatives of centres and associations that take care of persons with disabilities, notably the National Network of Centres for Persons with Disabilities in Burundi, the National Federation of Associations of Persons with Disabilities and the Union of Persons with Disabilities in Burundi, were invited to share their opinions and observations. Their contributions, inspired by their experience gained from daily work in the community, were taken into account in the preparation of this report. The report was reviewed and validated at a workshop held in June 2020, with the participation of the same centres and associations, including the National Committee on the Rights of Persons with Disabilities in Burundi, which was established on 30 November 2019.

### B. Structure of the report

6. In accordance with the Committee's guidelines,<sup>2</sup> this report is divided into two parts:
  - The first part presents the legislative and institutional framework and outlines the context in which the promotion and protection of human rights in general, and the rights of persons with disabilities in particular, are carried out.
  - The second part covers the measures taken by public authorities to implement the articles of the Convention.

## II. General information

### A. Background information on Burundi

7. Burundi is an East African country with an area of 27,834 km<sup>2</sup>, 25,950 km<sup>2</sup> of which is land. Although landlocked, it lies on Lake Tanganyika (stretching 32,600 km<sup>2</sup>, 2,634 km<sup>2</sup>

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<sup>1</sup> Ministerial Order No. 225/559 of 17 June 2021, amending Order No. 225/177 of 3 February 2016 on the establishment of a standing committee for the drafting of initial and periodic reports on the treaties ratified by Burundi.

<sup>2</sup> Guidelines for reports to be submitted by States Parties.

of which belong to Burundi) at the eastern end of the Great Rift Valley. Rwanda lies to the north, Tanzania to the southeast, and the Democratic Republic of the Congo to the west.

8. The last general population and housing census, conducted in 2008, found it to have a population of 8,053,574, of which 51 per cent were female and 49 per cent male. Burundi has an annual growth rate of 2.4 per cent and an average household size of 4.7 persons.

9. The population density was 310 inhabitants per km<sup>2</sup>. The majority of the population is young. According to the population pyramid, young people and children account for more than 60 per cent of the population.

10. The only reliable and official data available on persons with disabilities are those from the 2008 general population census, which documented only major disabilities. According to that census, 4.5 per cent of the Burundian population, or more than 360,000 persons, had a major disability.

## **B. Legislative and institutional framework**

### **1. Legal framework**

11. From a legislative perspective, the Government of Burundi has adopted several laws since 2014<sup>3</sup> with the aim of strengthening the promotion and protection of human rights. These include:

- The Act of 7 June 2018 promulgating the Constitution of the Republic of Burundi
- Act No. 1/18 of 5 May 2014 on the establishment, duties, composition, organization and operation of the Truth and Reconciliation Commission
- Act No. 1/22 of 25 July 2014 introducing regulations on direct legal action by the State and communes for indemnity against public agents and officials
- Act No. 1/26 of 15 September 2014 on the establishment, organization, composition, operation and jurisdiction of the Special Court on Land and Other Property
- Act No. 1/28 of 29 October 2014 on the prevention and punishment of trafficking in persons and protection for victims of trafficking
- Act No. 1/33 of 28 November 2014 amending Act No. 1/12 of 20 April 2010 on the organization of the communal administration
- Act No. 1/35 of 31 December 2014 establishing the legal framework for religious confessions
- Act No. 1/15 of 9 May 2015 governing the press in Burundi
- Act No. 1/04 of 27 June 2016 on the protection of victims, witnesses and other persons at risk
- Act No. 1/13 of 22 September 2016 on the protection of victims and the prevention and punishment of gender-based violence
- Act No. 1/02 of 27 January 2017 establishing the legal framework for the operation of non-profit organizations
- Act No. 1/25 of 23 December 2017 on the duties, composition and operation of the National Observatory for the Prevention and Eradication of Genocide, War Crimes and Other Crimes against Humanity
- Act No. 1/27 of 29 December 2017 amending the Criminal Code
- Act No. 1/03 of 10 January 2018 on the promotion and protection of the rights of persons with disabilities in Burundi

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<sup>3</sup> The year of ratification of the Convention on the Rights of Persons with Disabilities by Burundi.

- Act No. 1/05 of 8 March 2018 amending Act No. 1/03 of 24 January 2013 on the duties, composition, organization and operation of the National Communication Council
- Act No. 1/09 of 11 May 2018 amending the Code of Criminal Procedure
- Act No. 1/19 of 14 September 2018 amending Act No. 1/15 of 9 May 2015 governing the press in Burundi
- Organic Act No. 1/11 of 20 May 2019 amending Act No. 1/56 of 4 June 2014 on the Electoral Code
- Act No. 1/07 of 13 March 2019 amending Act No. 1/31 of 31 December 2013 on the duties, composition and operation of the National Commission on Land and Other Property

## 2. Institutional framework

12. Before the ratification of the Convention in 2014, there were already government structures and independent institutions in place to promote and protect human rights in Burundi, notably the National Independent Human Rights Commission established in 2011, the Office of the Ombudsman established in 2010, the National Commission on Land and Other Property established in 2013, the General State Inspectorate,<sup>4</sup> and the courts and tribunals.

13. The institutional framework to ensure respect for human rights has been strengthened since 2014. It is worth noting the establishment of the Truth and Reconciliation Commission,<sup>5</sup> the National Commission for the Inter-Burundi Dialogue in 2015,<sup>6</sup> the Ministry of Human Rights, Social Affairs and Gender in 2016, the National Committee on the Rights of Persons with Disabilities in 2019, the National Communication Council in 2018, the Special Court on Land and Other Property,<sup>7</sup> the National Observatory for the Prevention and Eradication of Genocide, War Crimes and Other Crimes against Humanity<sup>8</sup> and the National Council for National Unity and Reconciliation.<sup>9</sup>

## 3. Status of ratification of international legal instruments by Burundi and submission of reports

### (a) Cycle of reports on African conventions

Instrument	Date of signature	Date of ratification	Reports submitted
Constitutive Act of the African Union, Lomé, 11 July 2000	10 July 2000	28 February 2001	-
Organization of African Unity (OAU) Convention Governing the Specific Aspects of Refugee Problems in Africa, Addis Ababa, 6–10 September 1969	10 September 1969	31 October 1975	-
Cultural Charter for Africa, Port Louis, Mauritius, 5 July 1977	---	2 March 1990	-

<sup>4</sup> Decree No. 100/09 of 15 January 2010 on the reorganization of the General State Inspectorate.

<sup>5</sup> Act No. 1/18 of 5 May 2014 on the establishment, duties, composition, organization and operation of the Truth and Reconciliation Commission.

<sup>6</sup> Decree No. 100/34 of 23 September 2015 on the establishment, duties, composition, organization and operation of the National Commission for the Inter-Burundi Dialogue.

<sup>7</sup> Act No. 1/26 of 15 September 2014 on the establishment, organization, composition, operation and jurisdiction of the Special Court on Land and Other Property.

<sup>8</sup> Act No. 1/25 of 23 December 2017 on the duties, composition and operation of the National Observatory for the Prevention and Eradication of Genocide, War Crimes and Other Crimes against Humanity.

<sup>9</sup> Act No. 1/21 of 16 October 2017 on the duties, composition, organization and operation of the National Council for National Unity and Reconciliation.

<i>Instrument</i>	<i>Date of signature</i>	<i>Date of ratification</i>	<i>Reports submitted</i>
African Charter on Human and Peoples' Rights, Nairobi, Kenya, 1981	28 June 1989	28 July 1989	2000/2011
African Charter on the Rights and Welfare of the Child	21 May 2004	28 June 2004	2018
Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights, Ouagadougou, Burkina Faso, 10 June 1998	9 June 1998	2 April 2003	-
OAU Convention on the Prevention and Combating of Terrorism, Algiers, 1 July 1999	14 July 1999	4 November 2003	
Protocol to the Treaty Establishing the African Economic Community relating to the Pan-African Parliament, Sirte, Libya, 2 March 1969	29 November 2002	4 November 2003	
Protocol relating to the Establishment of the Peace and Security Council of the African Union, Durban, South Africa, July 2002	9 July 2002	4 November 2003	
Protocol to the African Charter on Human and Peoples' Rights relating to the Rights of Women in Africa, Maputo, 10–12 July 2003	3 December 2003	---	
Protocol of the Court of Justice of the African Union, Maputo, 10–12 July 2003	3 December 2003	---	
Protocol on Amendments to the Constitutive Act of the African Union, Maputo, 10–12 July 2003	2 December 2003	12 December 2006	
African Union Convention on Preventing and Combating Corruption, Maputo, 10–12 July 2003	3 December 2003	18 January 2005	
Protocol to the OAU Convention on the Prevention and Combating of Terrorism, Addis Ababa, 8 July 2004	14 July 1999	4 November 2003	
African Charter on Democracy, Elections and Governance, Addis Ababa, 30 January 2007	20 June 2007	---	
Charter for African Cultural Renaissance, Khartoum, 24 January 2006	---	2 March 1990	
Protocol on the Statute of the African Court of Justice and Human Rights, adopted by the Conference at its eleventh regular session, Sharm el-Sheikh, Egypt, 1 July 2008	3 December 2003	---	
African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention), adopted at the special session of the Union, Kampala, 22–23 October 2009	23 October 2009	---	
Treaty for the Establishment of the East African Community	30 November 1999	18 June 2007	
Pact on Security, Stability and Development in the Great Lakes Region	15 December 2006	June 2008	

## (b) Treaty body reporting cycle

<i>Instrument</i>	<i>Date of signature</i>	<i>Date of ratification or accession</i>	<i>Reports submitted</i>
International Covenant on Civil and Political Rights			--- 1993 2014
	---	9 May 1990	2018
Optional Protocol to the International Covenant on Civil and Political Rights	—	—	—
Second Optional Protocol to the International Covenant on Civil and Political Rights	—	—	—
International Covenant on Economic, Social and Cultural Rights	—	9 May 1990	2015
Optional Protocol to the International Covenant on Economic, Social and Cultural Rights	—	—	---
International Convention on the Elimination of All Forms of Racial Discrimination	1 February 1967	27 October 1977	--- 1999
Convention on the Elimination of All Forms of Discrimination against Women			2001 2005
	17 June 1980	8 January 1991	2016
Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women	—	—	—
Convention on the Rights of the Child			2000
	8 May 1990	19 October 1990	2008
Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict		13 November 2001	24 June 2008
Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography	—	6 November 2007	—
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment			2006 2013
	—	18 February 1993	2018
Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	—	2013	---
Convention on the Prevention and Punishment of the Crime of Genocide	—	6 January 1997	—
United Nations Convention against Transnational Organized Crime	14 December 2000	24 May 2012	—
Convention relating to the Status of Refugees	—	19 July 1963	—
Protocol relating to the Status of Refugees	—	15 March 1971	—
International Labour Organization (ILO) Minimum Age Convention, 1973 (No. 138)	—	19 July 2000	—
ILO Worst Forms of Child Labour Convention, 1999 (No. 182)	—	11 June 2002	—
Convention on the Rights of Persons with Disabilities	---	--- 2014	---
Optional Protocol to the Convention on the Rights of Persons with Disabilities	---	2014	---

<i>Instrument</i>	<i>Date of signature</i>	<i>Date of ratification or accession</i>	<i>Reports submitted</i>
Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity	---	---	---
International Convention for the Protection of All Persons from Enforced Disappearance	---	---	---
United Nations Educational, Scientific and Cultural Organization (UNESCO)			
Convention on the Protection and Promotion of the Diversity of Cultural Expressions	14 January 2009	14 January 2009	
ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169)	---	---	---
Convention relating to the Status of Stateless Persons	---	---	---
Convention on the Reduction of Statelessness	---	---	---

### **III. National measures for the implementation of the Convention on the Rights of Persons with Disabilities**

#### **Articles 1–4 General provisions**

14. To ensure compliance with the Convention, Burundi adopted Act No. 1/03 of 10 January 2018 on the promotion and protection of the rights of persons with disabilities.

15. Under article 3 (1) of the Act, a person with a disability is defined as “any person who has long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.”

16. Under the Act, the basic principles for the promotion and protection of the rights of persons with disabilities are: (i) respect for human dignity and the development of persons with disabilities; (ii) non-discrimination; (iii) the participation and inclusion of persons with disabilities in all aspects of society; (iv) equality of opportunity; (v) accessibility; (vi) equality between men and women with disabilities and recognition of their rights and needs; and (vii) an adequate standard of living and social protection in line with basic standards.

17. In order to better address the concerns of persons with disabilities, the Government has implemented two measures aimed at building an inclusive society in which persons with disabilities can enjoy their fundamental rights and access to basic social services for their well-being. These include the adoption of the National Policy on the Rights of Persons with Disabilities 2020–2024, the implementation of Act No. 1/03 of 10 January 2018 on the promotion and protection of the rights of persons with disabilities in Burundi and its 2020–2022 action plan, the establishment of the National Committee on the Rights of Persons with Disabilities pursuant to Decree No. 100/180 of 30 November 2019 on the appointment of the members of the National Committee on the Rights of Persons with Disabilities in Burundi.

18. In addition, in order to enhance the socioeconomic integration of persons with disabilities, the Government has established two centres for persons with disabilities, namely the National Centre for Equipment and Rehabilitation in Gitega and the National Centre for Social and Vocational Reintegration in Bujumbura, which also has a branch in Ngozi.

19. Other State-supported private centres include the Akamuri Centre in Bujumbura, the Mutwenzi Centre in Gitega, the Kiganda Centre for Persons with Disabilities and the Saint Kizito Institute.

## Article 5

### Equality and non-discrimination

20. Article 17 of the Constitution states that “all human beings are equal in dignity, rights and duties, without distinction as to sex, origin, ethnic group, religion or opinion. All are equal before the law and are entitled without any discrimination to equal protection of the law”.

21. In addition, article 22 of the Constitution states that “all citizens are equal before the law, which affords them equal protection. No one may be discriminated against on the grounds of origin, race, ethnicity, gender, colour, language, social situation, religious, philosophical or political beliefs, physical or mental disability, HIV/AIDS status or having any other incurable disease.”

22. Article 3 (12) of Act No. 1/03 of 10 January 2018 on the promotion and protection of the rights of persons with disabilities uses the wording of article 2 of the Convention to define discrimination. Discrimination on the basis of disability means any distinction, exclusion or restriction on the basis of disability which has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. It includes all forms of discrimination and the refusal to provide reasonable accommodation.<sup>10</sup>

23. The Government has introduced incentives to promote the rights to equality and non-discrimination of persons with disabilities in terms of healthcare and education in adapted settings. These include: (i) initiating a pilot school scheme for inclusive education; (ii) setting up medical rehabilitation programmes; (iii) making certain public places accessible to persons with disabilities; (iv) introducing free healthcare for children under the age of 5 and pregnant women, as well as free primary schooling in 2006 for all Burundian citizens, including persons with disabilities.

## Article 6

### Women with disabilities

24. The Burundian Constitution of 2018 advocates gender equality.<sup>11</sup> International instruments that protect equality and non-discrimination are an integral part of the Constitution.<sup>12</sup> There is a sectoral ministry responsible for gender issues, which has a Directorate-General for the Advancement of Women and Gender Equality and a Directorate-General for Human Rights, which are tasked with implementing policies and action plans to combat discrimination against women and girls in general and women and girls with disabilities in particular. Other institutions are also involved in the promotion and protection of human rights, in particular the rights of persons with disabilities, such as the National Independent Human Rights Commission.<sup>13</sup>

25. Various laws have been passed and others revised with a view to promoting women’s empowerment and gender equality and protecting women with disabilities. Among the laws passed, mention should be made of the following: (i) Act No. 1/28 of 29 October 2014 on the prevention and punishment of trafficking in persons and the protection of victims of trafficking, particularly articles 4 (b) and 19 (2) thereof; (ii) Act No. 1/04 of 27 June 2016 on the protection of victims, witnesses and other persons at risk; Act No. 1/13 of 22 September

<sup>10</sup> Act No. 1/03 of 10 January 2018 on the promotion and protection of the rights of persons with disabilities in Burundi, para. 12.

<sup>11</sup> Constitution, arts. 13 and 22.

<sup>12</sup> Constitution, art. 19.

<sup>13</sup> Act No. 1/04 of 5 January 2011 on the establishment of the National Independent Human Rights Commission, arts. 4 and 5.

2016 on the protection of victims and the prevention and punishment of gender-based violence, particularly articles 2 (o) and (dd), 35 and 45 thereof; and Act No. 1/03 of 10 January 2018 on the promotion and protection of the rights of persons with disabilities in Burundi, particularly article 7 thereof.

26. The laws that have been amended include: (i) the Constitution of the Republic of Burundi, promulgated on 7 June 2018, which prohibits various forms of discrimination; and (ii) Act No. 1/27 of 29 December 2017, amending articles 570 (3), 576 (5) and 579 (8) of the Criminal Code, which provides for severe penalties for offences relating to prostitution, rape and indecent assault on a person who is vulnerable due to disability or physical impairment.

27. The Government has accredited and provided support to organizations of women with disabilities, including the Les Vaillantes Association of Women with Disabilities of Burundi and the Association of Women with Albinism.

28. Women with disabilities are generally integrated into existing women's associations and groups in Burundi without discrimination. For example, there are women with disabilities among the members of the National Women's Forum, and the Collective of Women's Associations and Non-Governmental Organizations of Burundi includes associations of women with disabilities, grouped together with other women who make traditional handicrafts such as baskets, tablecloths and traditional chairs.

29. As part of efforts to combat discrimination against persons with disabilities, especially women, the ministry responsible for gender issues has hired a woman with albinism as an advisor to the Directorate-General for the Advancement of Women and Gender Equality and a blind man to the Directorate-General for National Solidarity and Social Assistance.

30. According to the 2008 census, 39.7 per cent of the total population of persons with disabilities (112,954 persons) are heads of households. Of those, men account for 68.8 per cent and women 31.2 per cent. As is the case for persons with disabilities generally, heads of households with disabilities live mainly in rural areas (94.8 per cent). Only 5.2 per cent of heads of household with disabilities live in urban areas.

31. The data in table 1<sup>14</sup> on the fertility of persons with disabilities have been drawn from the birth registration documents filed in the last 12 months by women with disabilities. The fertility rate among women with disabilities is 4.4 children per woman, which is lower than that for other women. The trends in the fertility of women with disabilities nonetheless remain similar to those observed among women overall, with low fertility among the younger age groups and high levels of fertility among women of other ages, the majority of whom are married. Fertility remains high even at relatively advanced ages; 6 per cent of births have been to women between 45 and 49 years old.

32. An examination of fertility by type of disability reveals that the fertility rate among women who are blind, deaf or have an impairment affecting their upper limbs remains high and is comparable to that observed among persons with disabilities in general. In contrast, the fertility rate is lower among women with mental impairments, at a total rate of 2.6 children per woman, followed by deaf-mute women and women with an impairment affecting their lower limbs.

33. Such variations are owing to the type of disability. Since children are conceived by two people and must be cared for by their parents, mainly their mother, it is only natural that persons with mental impairments have fewer children. The same is true of deaf-mute persons and persons with lower limb impairments, for whom childbirth could be even more difficult, depending on the degree of disability. The fertility rate among women with other types of undeclared disability remains very high and is close to that among women in general, which is 5.3 children per woman.

<sup>14</sup> See annex.

## Article 7

### Children with disabilities

34. Burundian children, including children with disabilities, are guaranteed access to various national and international sources of information aimed at promoting their social, spiritual and moral well-being, as well as their physical and mental health.

35. The last general population and housing census, conducted in 2008, highlighted the extent of disability among school-age children in Burundi. Details of the types of disability identified are presented below, according to age group up to the age of 19 years.

36. Of a total of 1,422,528 children up to 4 years of age, 8,765 (0.62 per cent) were blind; 3,480 (0.24 per cent) were deaf; 1,970 (0.14 per cent) were mute; 603 (0.04 per cent) were deaf-mute; 1,837 (0.13 per cent) had lower limb impairments; 1,125 (0.08 per cent) had upper limb impairments; and 1,053 (0.07 per cent) had mental impairments.

37. There were a total of 1,131,846 children aged between 5 and 9 years old. Of that number, 6,839 (0.6 per cent) were blind; 3,850 (0.34 per cent) were deaf; 2,194 (0.19 per cent) were mute; 1,009 (0.09 per cent) were deaf-mute; 2,132 (0.19 per cent) had lower limb impairments; 1,177 (0.1 per cent) had upper limb impairments; and 2,329 (0.21 per cent) had mental impairments.

38. A total of 990,050 children were between the ages of 10 and 14 years old. Of that number, 6,736 (0.68 per cent) were blind; 3,549 (0.36 per cent) were deaf; 2,026 (0.2 per cent) were mute; 906 (0.09 per cent) were deaf-mute; 2,420 (0.24 per cent) had lower limb impairments; 1,421 (0.14 per cent) had upper limb impairments; and 2,987 (0.3%) had mental impairments.

39. A total of 962,337 people were aged between 15 and 19 years old. Of that number, 7,368 (0.77 per cent) were blind; 2,875 (0.3 per cent) were deaf; 1,865 (0.19 per cent) were mute; 744 (0.08 per cent) were deaf-mute; 2,608 (0.27 per cent) had lower limb impairments; 1,558 (0.16 per cent) had upper limb impairments, and 3,345 (0.35 per cent) had mental impairments.

40. Nationwide, more than a dozen public and private radio stations broadcast special programmes for children, including children with disabilities, and young people to support their psychological, intellectual and socio-cultural development. Nderagakura, a school radio station, was set up to help achieve this goal.

41. The “child journalists” programme, which reflects the objectives of articles 12, 13, 14 and 17 of the Convention on the Rights of the Child, has been operational in Burundi since 2006. The aim of the programme is to prepare these children to raise awareness among other children, the general public and decision-makers in Burundi and elsewhere about the situation of the country’s most vulnerable children. These child journalists make films on children’s issues.

42. With a view to ensuring that children with disabilities can fully enjoy their rights, Burundi has taken a series of measures to improve conditions for persons with disabilities in general and children with disabilities in particular. These include: (i) no school fees for basic education and an increase in the number of schools to facilitate access to education for children with disabilities; (ii) free access to healthcare for children under the age of 5 years. This measure has enabled many children to have access to proper rehabilitation; (iii) free access to healthcare for pregnant women and women who have given birth. This measure has without doubt helped to limit cases of disability resulting from poor care for pregnant women and childbirth in non-hospital settings; (iv) support by the Ministry of Social Affairs for the initiatives of organizations and centres for persons with disabilities; (v) access for blind and deaf children to the national competitive examination; (vi) the operation of the National Centre for Equipment and Rehabilitation, which provides functional rehabilitation services for children born with disabilities and supplies them with mobility aids; (vii) through the Ministry of Social Affairs, the Government has established the National Social and Professional Rehabilitation Centre to provide vocational training to children with disabilities who have been unable to follow the normal school curriculum, so that they can be reintegrated into their communities as development actors. (viii) the implementation of an

inclusive education pilot project entitled “A step towards the promotion and development of inclusive education in Burundi”. This project aims to ensure that children with disabilities, regardless of their impairments, can attend mainstream schools. It will enable at least 600 children with disabilities to attend school; (ix) the establishment of the National Children’s Forum, which enables children to be consulted on all decisions that affect them. Children with disabilities are also represented in the Forum.

## **Article 8**

### **Awareness-raising**

43. The Government enacted Act No. 1/03 of 10 January 2018 on the promotion and protection of the rights of persons with disabilities in Burundi. The Act was translated into Kirundi, the national language, with the support of the national legislation service in collaboration with the Union of Persons with Disabilities in Burundi, the Federation of Associations of Persons with Disabilities in Burundi and the National Network of Centres for Persons with Disabilities in Burundi on 5 September 2018 in order to facilitate understanding among the general public when disseminated.

44. Prior to the promulgation of the Act, parliamentary consultations and fact-finding visits to organizations of and centres for persons with disabilities were carried out to ensure that their priorities and major problems were taken into account. Advocacy and awareness-raising workshops were conducted on 25 August 2017 and government and parliamentary consultations on 16–17 October 2017.

45. In order to eliminate the obstacles faced by children with disabilities in their families and schools, the Union of Persons with Disabilities in Burundi, in collaboration with the Ministry of Education and Technical and Vocational Training, through the municipal and provincial education authorities, has been running awareness-raising campaigns since 2015, with the slogan “Tirer la sonnette” (Sound the alarm). On 18 March 2020, this campaign was carried out in Gitega Province under the theme of removing all obstacles to the schooling of children with disabilities in Burundi. In addition, in 2017, a campaign on protecting the rights of women with disabilities was run on the theme of Burundian women with disabilities in a changing world.

46. The Government, through the Ministry of Education, has trained “parent peers”, whose mission is to raise awareness among families and communities about caring for persons with disabilities, emphasizing the full humanity of persons with disabilities.

47. On 3 December each year, Burundi celebrates the International Day of Persons with Disabilities with a national theme adapted to the international theme and in consultation with stakeholders, including organizations of persons with disabilities and centres for persons with disabilities. On this occasion, a representative of an organization of persons with disabilities or of the National Network of Centres for Persons with Disabilities in Burundi delivers a speech advocating for improved living conditions for persons with disabilities. The media relay the day’s messages over the airwaves to ensure widespread dissemination. The day also provides an opportunity to raise awareness among the general public in order to combat prejudices and harmful practices relating to persons with disabilities.

48. In addition, the Government, through the Ministry of National Solidarity, Social Affairs, Human Rights and Gender, organizes activities such as seminars, training workshops, conferences and debates, aimed at developing attitudes that respect human rights. It is also involved in supporting local committees for the promotion and protection of human rights and raising awareness among the general public and authorities for better protection of human rights, particularly of persons with disabilities.

49. Persons with disabilities continue to be supported by a number of accredited centres and associations in Burundi that are responsible for their care. The Union of Persons with Disabilities in Burundi, in collaboration with its partners, organizes stakeholder meetings to discuss progress in the area of disability rights and prospects in Burundi, as well as exchanges on disability issues between members of integration units and community leaders in the

communes. These meetings are among the activities organized by the Union's centre for the social and vocational integration of young people with disabilities.<sup>15</sup>

50. Between 2011 and 2016, in partnership with the "Les Vaillantes" Association of Women with Disabilities of Burundi, the Government organized awareness-raising activities for women throughout the country on the following issues: (i) the inclusion of persons with disabilities in development programmes; (ii) equality for women as a source of progress for all; (iii) education for children with disabilities; (iv) the inclusion of women with disabilities in women's groups; (v) the establishment of organizations of persons with disabilities to combat poverty; and (vi) combating violence against women with disabilities.

## Article 9

### Accessibility

51. With regard to buildings and other indoor and outdoor facilities, the Government, through the ministry responsible for national solidarity, has provided support by building 515 houses for persons with disabilities and training 1,200 persons with disabilities in various trades. It has also granted 360 million francs (F Bu) to organizations of persons with disabilities, and 9,000 people have received displacement kits.<sup>16</sup>

52. The Government has also fitted out a number of public and semi-public buildings to ensure accessibility for persons with disabilities. Investment in infrastructure that facilitates access to rights for persons with disabilities, such as public transport, electricity, water and sanitation, has saved time and labour, thus reducing the burden of care and employment. Initiatives taken in this regard include: (i) ensuring adequate facilities for vehicle and pedestrian transport by building footbridges for use by persons with disabilities; (ii) ramps; (iii) the construction of hospitals, schools and playgrounds that take into account the situation of persons with disabilities; (iv) good practices to enable pregnant women and those carrying babies, persons with disabilities and older person to avoid queuing for public transport; and (v) special public toilets and fountains for persons with disabilities.

53. Information and communications technologies have become the primary means of communicating, conducting transactions, sharing information and educating and entertaining people all over the world. The use of technologies such as television, radio, landline telephones and, above all, mobile phones has become an indispensable part of the lives of people all over the world. The Internet and email are now the most widely used applications by the general public. More and more services are being offered via the Internet, including banking and postal services, online shopping, education and entertainment.

54. Advances in electronic communications and information and communications technologies, as well as the growth of online services, have given persons with disabilities the opportunity to participate fully in all aspects of life (governance, education, health, employment, leisure, business and banking, for example) and have removed barriers in society, as evidenced by the wide range of obligations set out in the Convention with regard to digital accessibility. New information and communications technology offers real opportunities for persons with disabilities.

55. Some of these opportunities were unimaginable just a few years ago, but have materialized thanks to assistive technologies, information and communications technology and the design of specialized products and services to enable persons with disabilities to live more independent daily lives (when at school and at work) and thus participate fully in digital spaces.<sup>17</sup> Computers and new technologies can facilitate the educational, professional and social integration of persons with disabilities if they are accessible to them. Inaccessible

<sup>15</sup> 2018 annual report of the Union of Persons with Disabilities of Burundi.

<sup>16</sup> Speech delivered to mark the International Day of Persons with Disabilities, 8 December 2017.

<sup>17</sup> Entelis Consortium, 2015.

computers, software and new information and communications technologies are an additional factor of exclusion for persons with disabilities.<sup>18</sup>

56. Despite the progress already made in pilot schools, access to education for persons with disabilities remains a major issue and requires all stakeholders to work together to overcome it and succeed in establishing an inclusive education system for all.

## **Article 10**

### **Right to life**

57. Article 24 of the Constitution states that every human being has the right to life, and that includes persons with disabilities. Articles 195–241 of the Criminal Code of 2017 criminalizes all acts that violate the right to life. The death penalty is not permitted under the Criminal Code, without exception.<sup>19</sup> Therefore, no discrimination is possible under the Code in terms of the sentences to be handed down to persons convicted of committing offences.

58. Although the Criminal Code does not deal specifically with cases involving persons with disabilities who are victims of offences, in many cases it provides that the fact that the victim is a person with a disability is an aggravating circumstance when it comes to sentencing the perpetrator. Article 208 (2) on torture and other cruel, inhuman or degrading treatment stipulates that the offence is punishable by 20 years' imprisonment when committed against a person who is vulnerable due to an impairment or physical disability. The Criminal Code establishes severe penalties for offences committed against vulnerable persons, including persons with disabilities.

59. Article 576 of the 2018 Criminal Code provides that the penalties for indecent assault are doubled when committed against a person who is vulnerable due to illness, disability, physical or mental impairment, or pregnancy. Similarly, under article 536 of the Code, anyone who neglects a child because of his or her physical or mental disability is liable to severe punishment, and article 579 sets out the penalties for the rape of vulnerable persons, including persons with disabilities.

## **Article 11**

### **Situations of risk and humanitarian emergencies**

60. Given the country's extreme vulnerability to natural and human-made disasters, the Government, in collaboration with various partners, has introduced disaster risk reduction mechanisms at the national level, under the coordination of the National Platform for Risk Prevention and Disaster Management. Appropriate measures have been taken to ensure the protection and safety of all people, including persons with disabilities, in high-risk situations.

61. This includes the implementation of the National Strategy for Disaster Risk Reduction 2018–2025 and its Action Plan 2018–2021, which is aligned with the Sendai Framework for Action 2015–2030. The Strategy and Action Plan are very important tools that help to understand disaster risks, strengthen disaster risk governance so as to better manage disasters, invest in disaster risk reduction to build resilience and disaster preparedness to respond effectively and to better rebuild during the recovery, rehabilitation and construction phase. This new strategy is designed on the basis of lessons learned from the implementation of the previous strategy and its 2012–2015 action plan, followed by the 2013–2017 Action Plan to Strengthen National Capacity for Risk Reduction, Emergency Response and Preparedness.

62. In terms of taking into account the needs of persons with disabilities in the disaster risk reduction and humanitarian context, two information/awareness-raising workshops were organized for representatives of organizations of persons with disabilities and partners on disaster risk management and reduction, with technical support from the National Platform of the Ministry of Public Safety and Disaster Risk Management: (i) from 29 to 31 August

<sup>18</sup> Report on the digital inclusion of persons with disabilities: the case of centres for persons with disabilities in Burundi.

<sup>19</sup> Criminal Code, art. 45.

2018 at Bujumbura City Hall for 16 participants, 14 of them representing organizations of persons with disabilities, at which an annual disaster risk reduction action plan was developed for the organization; (ii) from 10 to 11 December 2019 in Ngozi for partners from the Central and Northern regions, with 24 representatives of development partners, including 14 from organizations of persons with disabilities. Commitments and recommendations were formulated by the representatives of the organizations for persons with disabilities based on the major disaster risks identified in their action plans.

63. Through the United Nations Development Assistance Framework 2019–2023, the United Nations system and the Government of Burundi also reaffirmed their commitment to communities and groups that were, or were at risk of, being left behind in the development process. The impact groups ensured that they identified the factors that contribute to the marginalization and exclusion experienced by vulnerable groups, particularly persons with disabilities. As part of their programming, United Nations agencies will ensure that “no one is left behind”, by targeting the most vulnerable communities with an integrated package of interventions aimed at social inclusion and building resilience.

64. The objective is to ensure the full exercise of the rights of every individual at all levels and by civil society organizations and the private sector. The United Nations system in Burundi, in collaboration with the national authorities, will implement advocacy strategies with the various traditional and non-traditional development partners in order to broaden working platforms to include the most vulnerable people and groups in targeted areas.

65. In addition, the National Strategy for the Socioeconomic Reintegration of Disaster Victims 2017–2021 provides general assistance to vulnerable groups within communities, including widows and orphans, persons with disabilities, persons with albinism, street children, persons with chronic illnesses, older persons and the Batwa people.

66. The delegation of the International Committee of the Red Cross (ICRC) in Burundi also provides protection and assistance to persons deprived of their liberty, helps re-establish family ties for people separated by conflict, and enables persons with disabilities to benefit from orthopaedic and rehabilitation services. The ICRC also supports training programmes in international humanitarian law for the armed forces and contributes to the development of the Burundi Red Cross. With a view to improving services for persons with disabilities during armed conflicts and humanitarian crises, ICRC Burundi is supporting the Saint Kizito physical rehabilitation centre in Bujumbura, which caters for people living near the border with the Democratic Republic of Congo. To ensure that persons with disabilities can obtain high-quality prosthetics and physiotherapy, the ICRC provides staff, funds, equipment and components for the production of artificial limbs, walking sticks and other types of technical aids. It also facilitates the adoption of new orthopaedic and rehabilitation techniques.

67. The Burundi Red Cross, the main partner of the ICRC, receives support from the ICRC to strengthen its capacities in the field of emergency relief management, dissemination and consolidation of tracing services. The ICRC provides equipment and technical assistance to consolidate its activities and infrastructure, particularly in areas most affected by violence, such as Bubanza, Cibitoke and Bujumbura.

## **Article 12**

### **Equal recognition before the law**

68. Legal personality is the capacity to hold rights and duties. Persons with disabilities are also recognized by the State as holders of rights and obligations. Under article 5 of Act No. 1/03 of 10 January 2018 on the protection and promotion of the rights of persons with disabilities, all persons with disabilities enjoy all the rights established in the Constitution and regional and international instruments duly ratified by Burundi. The Constitution and regional and international instruments ratified by Burundi recognize the legal personality of all persons, including persons with disabilities. Article 9 of the Act provides that all persons with disabilities who have reached the age of 18 years are entitled to exercise political rights and have the same opportunities as any other citizen, without any form of discrimination. It follows that the State of Burundi makes no distinction in recognizing legal personality.

69. However, it is one thing to hold rights and quite another to be able to exercise them effectively. Recognition of legal personality raises the question of whether a person is capable of exercising his or her rights. Indeed, capacity to exercise a right is the ability to exercise a right oneself, without needing to be represented or assisted by a third party. For certain categories of persons with disabilities, support may be necessary to enable them to fully exercise their rights. The State of Burundi has already enshrined the principle of non-discrimination with regard to the recognition of legal personality and legal capacity for persons with physical, sensory and mental impairments.

## **Article 13**

### **Access to justice**

70. The Government enacted Act No. 1/03 of 10 January 2018 on the promotion and protection of the rights of persons with disabilities in Burundi. Article 5 of the Act stipulates that all persons with disabilities enjoy all the rights established in the Constitution and regional and international instruments duly ratified by Burundi. The State attaches particular importance to ensuring unimpeded access to an impartial and independent justice system with procedural guarantees.

71. Justice is a fundamental pillar of the rule of law. The Constitution enshrines the principle of the separation of powers, and establishes a judiciary that is independent of the executive and legislative branches. Article 22 of the Constitution establishes that all citizens are equal before the law, which affords them equal protection. It provides that no one may be discriminated against on the grounds of origin, race, ethnicity, gender, language, colour, social situation, religious, philosophical or political beliefs, physical or mental disability, HIV/AIDS status or having another incurable disease.

72. The Constitution also guarantees all injured parties, including persons with disabilities, the right to bring their cases before the courts. Article 38 of the Constitution states that “everyone has the right, in judicial or administrative proceedings, to a fair hearing and to be tried within a reasonable time period.”

73. To this end, the 2018 Code of Criminal Procedure and the 2004 Code of Civil Procedure regulate the entire procedure from referral of a case to the judge through to enforcement of the judicial decision.<sup>20</sup> The Code of Judicial Organization and Jurisdiction provides for a judicial map that ensures the proximity of courts to the people, with local courts in all communes, high courts in all provinces, and courts of appeal in the judicial regions, to facilitate access to justice for all.<sup>21</sup> The building housing the Supreme Court of Burundi, built in 2016, and the local courts constructed in 2018 are fully compliant with courtroom standards designed to protect persons with disabilities.

74. Although all these guarantees are provided for in the various legislative texts and through certain measures already taken, access to justice for persons with disabilities remains a concern for the Government. The fact remains that Burundi does not have sufficient infrastructure adapted to persons with disabilities and that communication between judicial actors and certain categories of persons with particular disabilities remains a challenge.

75. For example, it is particularly difficult (i) for persons with motor disabilities to gain access to courthouses; and (ii) for deaf and blind persons who are the victims or perpetrators of criminal or civil offences to argue their cases, as sign language interpreters to help persons with disabilities to follow proceedings are not yet available; and (iii) judicial personnel are not adequately trained to deal with the problems of persons with disabilities during legal proceedings.

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<sup>20</sup> Act No. 1/010 of 13 May 2004 on the Code of Civil Procedure and Act No. 1/09 of 11 May 2018 on the Code of Criminal Procedure.

<sup>21</sup> Act No. 1/08 of 17 March 2005 on the Code of Judicial Organization and Jurisdiction.

## Article 14

### Liberty and security of the person

76. Liberty and security of the person are among the fundamental rights guaranteed by articles 13 and 22 of the Constitution of 7 June 2018.

77. Furthermore, article 25 of the Constitution states that every human being has the right to personal liberty, including physical and psychological integrity and freedom of movement and that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

78. Given that freedom is the rule and deprivation of liberty the exception, no person with a disability may be deprived of their liberty except for their own safety or health, particularly persons with intellectual or psychosocial disabilities.<sup>22</sup> Persons with disabilities deprived of their liberty for criminal offences receive special attention in detention centres, and when in police custody, their cases are dealt with promptly and given priority over other pending cases. They are also granted special legal and judicial assistance and may only be deprived of their liberty after all avenues of appeal have been exhausted.

79. Article 44 of the 2018 Code of Criminal Procedure states that “the judicial police officer or public prosecutor may arrest a person whose mental state poses an immediate danger to themselves or others. The person must either be taken immediately to the nearest establishment with a psychiatric medical service, or to an appropriate care centre, or, as a last resort, placed in secure custody and transferred within 24 hours to an appropriate centre at the expense of the State”.

80. Similarly, article 25 of the Criminal Code of 2017 provides that “a person suffering from a mental disease or defect that destroys that person’s capacity to appreciate the unlawfulness or nature of his or her conduct, or capacity to control his or her conduct to conform to the requirements of law shall not be liable to punishment”.

81. The Government, through the Ministry of Human Rights, the Ministry of Justice and the Ministry of Public Security, as well as non-governmental organizations (NGOs) working in the field of human rights protection, regularly carry out visits to police cells, detention centres and prisons to ensure that no one has been placed there arbitrarily or on account of their disability. The same applies to psychiatric and other institutions. Under no circumstances may a person with a disability be placed in such a facility without their free consent, or at least with the consent of their relatives if the person concerned is unable to give consent.

82. Article 55 of Act No. 1/012 of 30 May 2018 on the Code for the Provision of Healthcare and Services in Burundi, stipulates that no one may be admitted to or kept in a facility caring for patients with mental disorders without their consent or, where applicable, that of their legal representative, except in cases provided for by law. Article 57 of the Act states that any person hospitalized with their consent for mental health reasons is said to be voluntarily hospitalized and has the same rights relating to the exercise of individual freedoms as those granted to patients hospitalized for other reasons.

## Article 15

### Freedom from torture or cruel, inhuman or degrading treatment or punishment

83. Since Burundi ratified the Convention on the Rights of Persons with Disabilities, a range of laws have been adopted to give effect to the right of persons with disabilities not to be subjected to torture or cruel, inhuman or degrading treatment or punishment.

84. The Constitution of 2018 recognizes the inherent dignity of the human person<sup>23</sup> and prohibits the subjection of any human being to torture or cruel, inhuman or degrading

<sup>22</sup> Code of Criminal Procedure, art. 154.

<sup>23</sup> Constitution of 2018, art. 21.

treatment or punishment.<sup>24</sup> Burundi is also Party to a number of regional and international instruments for the promotion and protection of human rights, including the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which it ratified on 31 December 1992, and the Optional Protocol thereto, which it ratified in September 2013.

85. The Government also incorporated the provisions of the Convention against Torture into the Criminal Codes of 2009 and 2017. Torture is punishable by the heaviest penalties, which, depending on the circumstances, range from 5 years' imprisonment to life imprisonment. The commission of torture against a victim with a disability or physical or mental impairment constitutes an aggravating circumstance under criminal law,<sup>25</sup> and the sentences handed down in cases of torture cannot be reduced.<sup>26</sup> The cases related to torture currently before the courts are RMP 152724, RMP 155353, RMP 155357, RMP 155358 and RMP 155366.

86. A compensation procedure for victims of acts of torture is provided for under the Code of Criminal Procedure of 2017. In cases in which it has been duly established that torture has been committed by State employees in the exercise of their duties and the victim has duly joined a civil action, full compensation for the damage is to be borne by the State.<sup>27</sup>

87. Article 198 (6) and (11) of Act No. 1/27 of 29 December 2017 on the Criminal Code establishes torture and the infliction of serious harm to physical integrity or physical or mental health as crimes against humanity.

## Article 16

### Freedom from exploitation, violence and abuse

88. Article 21 of the Constitution provides that human dignity must be respected and protected and that any violation of human dignity is punishable under the Criminal Code. The Criminal Code of 2017 criminalizes the exploitation of begging as a violation of human dignity, in particular that of persons with disabilities,<sup>28</sup> and the perpetrators are liable to 3 to 5 years' imprisonment and a fine of F Bu 100,000 to F Bu 500,000.<sup>29</sup>

89. The exploitation for the purposes of begging of victims who are vulnerable owing to a disability or physical or mental impairment constitutes an aggravating circumstance and renders the perpetrator liable to 5 to 10 years' imprisonment and a fine of F Bu 100,000 to F Bu 500,000.<sup>30</sup>

90. Violence in the form of bodily harm is criminalized and punished under articles 221–227, 229 and 230 of the Criminal Code of 2017, without prejudice to the right of victims to bring a civil action.

91. Measures have also been taken to bolster the range of services available to victims of sexual and gender-based violence in general and victims with disabilities in particular. These measures include: (i) the establishment, at the courts of major jurisdiction (*tribunaux de grande instance*), courts of appeal and prosecutors' offices attached to the courts, of legal aid commissions (five judicial officers per province are members), which work with women; and (ii) the opening, as part of the emergency project on sexual and gender-based violence and women's health in the Great Lakes region, of the Humura centre in Gitega and three other centres that began operating in February 2017 in the Provinces of Cibitoke, Makamba and Muyinga. Between January and June 2018, the three integrated centres provided holistic care

<sup>24</sup> Constitution of 2018, art. 25.

<sup>25</sup> Criminal Code of 2017, art. 208 (2).

<sup>26</sup> Criminal Code of 2017, art. 211.

<sup>27</sup> Code of Criminal Procedure of 2018, art. 349.

<sup>28</sup> Criminal Code of 2017, art. 526.

<sup>29</sup> Criminal Code of 2017, art. 527 (1).

<sup>30</sup> Criminal Code of 2017, art. 527 (2).

to 1,020<sup>31</sup> survivors of sexual and gender-based violence (416 in Cibitoke, 343 in Makamba and 216 in Muyinga).

92. The Government is continuing to implement measures to remove children, including children with disabilities who are working as beggars, from the streets and reintegrate them into their families and communities. The vast majority of children in Burundi are inevitably being affected by the direct and indirect consequences of the conflict. Children very often fall victim to the worst forms of violence. Some children are forced to take on adult responsibilities to support themselves and their families.

93. Child begging, including by children with disabilities, continues to occur in Burundi. Children are sometimes made to beg by adults or their parents, who use them to earn money. This matter is being addressed through the national strategy for preventing and tackling the issue of street children in the long term, which was adopted by the Government in December 2013. The strategy sets out the action to be taken in three areas: (i) prevention; (ii) the delivery of appropriate responses and care; and (iii) the coordination of the relevant actors.

94. In order to address the issue, Decree-Law No. 1037 of 7 July 1993 amending the Labour Code provides for a prohibition on the employment of children under 16 years of age, with the exception of the forms of employment authorized by the Minister of Labour, such as light work and apprenticeships that have no adverse effect on children's health, development and education. The Decree-Law also prohibits night work for children under 18 years.

95. In September 2009, the National Action Plan for the Elimination of the Worst Forms of Child Labour was adopted in parallel with national labour regulations. The National Action Plan sets out six areas of action: (i) strengthening legislation; (ii) advocacy and awareness-raising in relation to child labour and the relevant legal provisions; (iii) strengthening institutional capacity; (iv) the promotion of education for all; (v) support for poor/disadvantaged families, prevention, removal from the streets, rehabilitation and socioeconomic integration; and (vi) coordination and programme management.

96. Work under the National Action Plan to eliminate the worst forms of child labour in Burundi has continued after 2015, and, from 2025, the Plan will serve as reference tool that has helped advance efforts to that end. In 2019, 842 children were removed from the streets and reintegrated into their families. Some of these children were children with disabilities who were begging in the street.<sup>32</sup>

## Article 17

### Protecting the integrity of the person

97. Burundi is committed to taking all necessary measures to ensure respect for the physical and psychological integrity of every human being, in accordance with article 25 of the Constitution, which establishes that: "Every human being has the right to personal liberty, including physical and psychological integrity and freedom of movement. No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment." In this respect, the Constitution prohibits all forms of violence, abuse of power and verbal, physical, psychological or sexual harassment or threat against any person, including persons with disabilities. In the event that a person with disabilities believes that he or she has been the victim of physical or psychological violence or harassment, he or she (or his or her legal representative) has the right to lodge a complaint against the alleged perpetrator. The criminal investigation officer or prosecutor to whom the complaint has been addressed is obliged to handle the case diligently and promptly in order to ensure that the perpetrator is punished for committing an aggravated offence.<sup>33</sup>

<sup>31</sup> Report on the activities organized under the emergency project on sexual and gender-based violence and women's health in the Great Lakes region in the first half of 2018, p. 13.

<sup>32</sup> See the table on children and adults who were removed from the streets in 2019.

<sup>33</sup> Act on the promotion and protection of the rights of persons with disabilities, art. 40.

98. In the event that a person with disabilities who has been the victim of violence or harassment is unable to lodge a complaint, he or she is entitled to be assisted by legal counsel or may request support or assistance from the National Committee on the Rights of Persons with Disabilities.<sup>34</sup>

99. Article 198 (11) of Act No. 1/27 of 29 December 2017 on the Criminal Code establishes the infliction of serious harm to physical integrity or physical or mental health as a crime against humanity.

## **Article 18**

### **Liberty of movement and nationality**

100. The right to liberty of movement and to settle anywhere on the national territory is guaranteed by article 33 of the Constitution of 2018, which provides that: “All citizens of Burundi have the right to move and settle freely anywhere within national territory and the right to leave and return.”

101. All individuals, including persons with disabilities, have the right to liberty of movement. The General Commission for Migration grants such persons passports to travel abroad on the same basis as others, without any discrimination. An examination of the migratory movements of persons with disabilities shows that net migration for this population group is positive (2.4 per cent). This means that more individuals belonging to this group are entering the country than leaving it. Women are slightly more mobile than men, with net migration rates standing at 2.5 per cent among women and 2.4 per cent among men.

102. The net migration rate is positive in the Provinces of Bujumbura Mairie, Bubanza, Cankuzo, Cibitoke, Makamba, Muyinga, Rutana and Ruyigi and, to a lesser extent, in Karuzi and Kirundo. The other provinces have negative net migration rates. The provinces with a highly negative net migration rate are Gitega, Muramvya, Kayanza, Mwaro and Ngozi. These provinces are densely populated, and a large number of people migrate to cities or to the outer provinces in search of arable land.

103. Persons with disabilities tend to migrate in order to search for work and land in less densely populated provinces. The Provinces of Makamba, Cankuzo and Cibitoke receive a very high level of immigration of this type. Bujumbura Mairie has an extremely high positive net migration rate (42.7 per cent). This situation can be explained by factors including the influx of people looking for work, the infrastructure in place to ensure the proper care of persons with disabilities, the employment opportunities for such persons and the opportunities for begging. Many more men than women migrate to cities. In the municipality of Bujumbura, the net migration rate is 45.8 per cent for men and 39.5 per cent for women. In rural areas, the migration rate is higher for women than for men, which can be explained by the changes in residence among women who are getting married. In Burundi, it is customary for a young groom to establish his home within his father’s property and for the bride to leave her parents to go and live with her husband.<sup>35</sup>

104. Restrictions may be placed on liberty of movement in order to protect national security, public order, public morals or the rights and freedoms of others.<sup>36</sup>

105. Names and nationalities are important means of identification, in particular for children, including those with disabilities, who must acquire them from birth. The matter of naming is addressed in a number of articles in the Persons and Family Code (Decree-Law No. 1/024 of 28 April 1993), pursuant to which the authorities are required to inform all citizens of Burundi of the steps to be taken as soon as a child is born and the right of children to establish their paternity or prove their parentage without a birth certificate.<sup>37</sup> A child must

<sup>34</sup> 2018 Act on the promotion and protection of the rights of persons with disabilities, art. 39.

<sup>35</sup> See annex for the table on net migration among persons with disabilities within the provinces of Burundi.

<sup>36</sup> Act No. 1/02 of 27 January 2017 establishing the legal framework for the operation of non-profit organizations.

<sup>37</sup> Persons and Family Code, arts. 263 and 264.

be registered with the civil registry office in the mother's area of residence within 15 days of his or her birth,<sup>38</sup> after which point a fine may be imposed.

106. In order to protect children with disabilities, the Government adopted Act No. 1/03 of 10 January 2018 on the promotion and protection of the rights of persons with disabilities, article 23 of which establishes the requirement for families to fulfil all the obligations set out in the Persons and Family Code, including the obligation to register, educate and meet the needs of their children.

107. Accordingly, families cannot discriminate against a child born with a disability and must meet their emotional and other basic needs.<sup>39</sup> In the event that a child's birth is registered late, the individual responsible for registering the child is liable to a fine, the amount of which depends on the length of the delay. In cases in which the child is born out of wedlock to an unknown father, it is usually the mother who must register the birth.<sup>40</sup>

108. With regard to nationality, article 12 of the Constitution specifies that: "Nationality of Burundi is acquired, retained and lost under the conditions established by law. The law on nationality grants children born to a father or mother from Burundi the same rights." Article 34 of the Constitution establishes that "no one may be arbitrarily deprived of his or her nationality or the right to change it". Dual nationality is provided for in Act No. 1/013 of 18 July 2000 amending the Nationality Code. Dual nationality is enjoyed by any individual who acquires a second nationality in addition to his or her original one.

109. The Government is continuing to take steps to preserve the identity of children, including those with disabilities, who are given their name and acquire their nationality at birth. Such efforts are even being made through programmes to teach the Kirundi language at all levels.

110. As mentioned above, the Persons and Family Code contains explicit provisions on birth registration. Nonetheless, certain factors may result in the non-registration of births, including: (i) the distance to civil registry offices; (ii) a lack of knowledge or information; (iii) negligence; (iv) the shame experienced by mothers of children born out of wedlock; and (v) the fact that any communal taxes owed are collected from parents when they register a birth.

111. Individuals who have been displaced or repatriated enjoy an exemption that means they can register births without incurring the fines provided for by law. This exemption is renewed each year at the end of a seminar/workshop on civil registration, which is organized for provincial civil registration monitors and the sociocultural advisers to provincial governors. Regular registration processes are continuing as usual, despite the fact that civil registry services are currently being impacted by the lack of electronic data.

112. Pursuant to the recommendation made by the African ministers responsible for civil registration at their meeting in Durban, South Africa, a system was set up in order to collect vital statistics, making Burundi a pioneer among French-speaking African countries. An ad hoc national steering committee on the matter, which is chaired by the First Vice-President, has been operational since 2014.

113. According to the demographic and health survey 2016–2017, the vast majority of children aged 5 years (84 per cent) have been registered. This proportion varies by province, ranging from a low of 54 per cent in the Province of Kirundo to a high of 94 per cent in the Province of Gitega.

<sup>38</sup> Persons and Family Code, art. 37.

<sup>39</sup> Act No. 1/03 of 10 January 2018 on the promotion and protection of the rights of persons with disabilities in Burundi, art. 24.

<sup>40</sup> Persons and Family Code, art. 39.

## Article 19

### Living independently and being included in the community

114. Article 33 of the Constitution recognizes the freedom of all citizens of Burundi, including persons with disabilities, to settle anywhere on the national territory and to leave and return to it. Efforts have been made by the Government and associations of persons with disabilities to help such persons reintegrate into the community. A large number of persons with disabilities have received capacity-building and kits to help them move around.

115. In 2016, around 840 children with disabilities from poor families received care, rehabilitation and education services. Fifty-three young girls under 25 years of age have been trained in modern sewing techniques and work in eight associations.

116. The Government has also built 515 houses for persons with disabilities, and 1,050 such persons have been trained and provided with small amounts of capital to set up income-generating activities. Associations of persons with disabilities have been given 650 goats, and F Bu 360 million have been released to support projects developed by centres and associations for persons with disabilities.

117. The Government has set up the Social Protection Support Fund, which supports programmes aimed at vulnerable groups, including persons with disabilities.<sup>41</sup>

118. A number of measures have been taken to ensure that persons with disabilities are properly included in the education system. One such measure is the establishment of nine pilot schools to cater for pupils with disabilities. It is also important to note that the budget earmarked by the Government for measures for persons with disabilities has increased from F Bu 30 million to F Bu 140 million, enabling more comprehensive work to be done.<sup>42</sup>

## Article 20

### Personal mobility

119. The National Centre for Equipment and Rehabilitation was set up in 1986 to facilitate the personal mobility of persons with disabilities. Its mission is to ensure the functional rehabilitation of individuals with physical disabilities by offering them consultation, orthopaedic surgery, rehabilitation, prosthetics and equipment. The Centre is also responsible for running public awareness-raising campaigns to promote the inclusion of persons with disabilities. Its weekly records show that it has held 77 consultations and 500 rehabilitation sessions, rehabilitated 100 patients, corrected clubfoot in around 25 children under 2 years of age and performed approximately 50 orthopaedic correction procedures (fitting of casts).

120. Act No. 1/03 of 10 January 2018 concerns the promotion and protection of the rights of persons with disabilities in Burundi. Article 14 of the Act provides that “the Government shall ensure the availability and quality of rehabilitation services for persons with disabilities in order to help them to reach and maintain the highest possible level of autonomy and to strengthen support for private initiatives in this area”. This provision is complemented by article 32 (1), which stipulates that “all persons with disabilities are exempt from the payment of customs clearance fees, taxes and other duties on any vehicles or equipment designed for such persons”.

121. The Government set up a national steering committee for the African Decade of Persons with Disabilities, the aim of which is to ensure that disability issues are taken into account in all areas of national life. With regard to other forms of material support, persons with disabilities who live in the aforementioned centres are given mobility equipment including prosthetics, orthopaedic supports, crutches, tricycles, wheelchairs, shoes and training material to help them learn a trade.

<sup>41</sup> Speech given by the Minister of Human Rights, Social Affairs and Gender at the celebration of the International Day of Persons with Disabilities on 3 December 2016.

<sup>42</sup> Report on the workshop organized by the magazine *Jimbere* in partnership with the French Embassy in Burundi on Wednesday, 18 September 2019.

122. Action taken in the area of education to support blind children and deaf-mute children has included the establishment of a specific section within two public schools in Gitega (in the centre of the country) and Bubanza (in the west). In addition to the various measures introduced by the Government through the ministry responsible for national solidarity, 7,000 persons with disabilities have received adaptation kits that are tailored to the nature of their disability.<sup>43</sup> However, the challenges faced by the Government in implementing the Convention include the high cost of orthopaedic devices and the shortage of staff able to provide physical rehabilitation and physiotherapy services.

123. The Government is working with civil society organizations that promote the rights of persons with disabilities in order to improve such persons' mobility.

## Article 21

### Freedom of expression and opinion, and access to information

124. Article 31 of the Constitution guarantees freedom of expression for all citizens, including persons with disabilities. The National Communication Council, the official press regulator in Burundi, monitors respect for freedom of expression. Act No. 1/15 of 9 May 2015 governing the press in Burundi was amended by Act No. 1/19 of 14 September 2018. Journalists continue to exercise their freedoms within the legal framework established under the Act. New information and communications technology offers real opportunities for persons with disabilities and older persons. Some of these opportunities, which were unimaginable just a few years ago, have arisen thanks to assistive technologies, information and communications technology and the design of specialized products and services that enable persons with disabilities to live more independent daily lives (when at school and at work) and thus participate fully in digital spaces.

125. In Burundi, information and communications technology is increasingly used in a number of different sectors. As at 31 December 2018, more than half (53.65 per cent) the population had a mobile phone, while the proportion of the population who had access to the Internet (8 per cent) was still too low. The data currently available are not disaggregated; there are no data on the use of information and communications technology by specific population groups, including persons with disabilities.<sup>44</sup>

126. The Government has taken a number of measures to eliminate the obstacles and barriers preventing persons with disabilities from obtaining access to physical spaces, information and means of communication. Such measures include: (i) the adoption of the Burundi National Information and Communication Technology Development Policy 2010–2025, which sets a goal concerning the training of a large number of young people, women and persons with disabilities on the use of information and communications technology; and (ii) the implementation of the act on the rights of persons with disabilities in Burundi, which was adopted on 10 January 2018, and the enactment of Decree No. 100/125 of 9 August 2019 on the creation, duties, composition and functioning of the National Committee on the Rights of Persons with Disabilities.

127. Article 29 of the aforementioned act establishes that: "In order to ensure that they have the same opportunities as other citizens of Burundi in all areas of social life, all persons with disabilities are entitled to have access to physical spaces, information and means of communication." One of the 27 members of the National Committee is a representative of the ministry responsible for communication and is in charge of advising on possible measures to prevent discrimination in society.

128. With regard to media access for persons with disabilities, since the 1990s, sign language interpretation has occasionally, where resources allow, been provided during the television news in order to meet the need of deaf persons to follow the news like any other citizen of Burundi. Individuals with non-sensory disabilities also enjoy the same right to

<sup>43</sup> Speech given by the Minister of Human Rights, Social Affairs and Gender at the celebration of the International Day of Persons with Disabilities on 3 December 2016.

<sup>44</sup> Report on the digital inclusion of persons with disabilities: the case of centres for persons with disabilities in Burundi.

information as any other citizen of Burundi, without discrimination. Persons with disabilities who form part of associations continue to enjoy their right to communicate through their communities and are represented on various platforms such as the National Children's Forum, the National Women's Forum and the National Committee on the Rights of Persons with Disabilities. Such persons are always consulted on issues that concern them, and their views are taken into account when decisions are made.

129. Officials at the ministry responsible for communication and the media are working hard to enhance accessibility, transform and modernize equipment based on the wishes of persons with disabilities and improve television broadcasts. Gitega, the political capital of Burundi, is home to a school for blind persons, at which they are taught to use Braille. Of the 1,400 students with disabilities who have received a post-basic education, just three have sat the State examination.<sup>45</sup>

130. Despite the Government's will to promote the equality of persons with disabilities, providing such persons with the specific protection they need requires significant resources, which Burundi continues to lack. In addition, the use of information and communications technology in centres for persons with disabilities remains low, meaning that such centres need support in that area.

## **Article 22**

### **Respect for privacy**

131. Article 28 of the Constitution of 2018 guarantees respect for the privacy of all citizens of Burundi, including persons with disabilities. It provides that: "All individuals have the right to have their private and family life, their home and their personal communications respected."<sup>46</sup>

132. This principle is reaffirmed in article 43, which establishes that: "No one may be subjected to arbitrary interference with his or her privacy, family, home or correspondence, nor to attacks on his or her honour or reputation. Home searches and visits may only be conducted in the manner and under the conditions prescribed by law. Privacy of correspondence and communication is guaranteed in such forms, and subject to such conditions, as are prescribed by law." Article 22 of the Constitution guarantees equal protection for all citizens, including persons with disabilities.

## **Article 23**

### **Respect for home and the family**

133. Articles 27–30 of the Constitution ensure strict respect for the right to protection of the family. The State seeks to guarantee to the extent possible that all citizens, including persons with disabilities, are able to lead a life of dignity.<sup>47</sup> In addition, the freedom to marry and to choose one's partner is guaranteed for all citizens, including persons with disabilities. Marriage may only be entered into with the free and full consent of the intending spouses. Marriage is prohibited between persons of the same sex.<sup>48</sup> The family is the natural basic unit of society. Marriage provides its legitimate foundation. The family and marriage are accorded special protection by the State.<sup>49</sup>

134. In addition to the Constitution, which is a basic law, several other laws containing provisions on respect for the home and family of all citizens, including persons with disabilities, have been adopted. Such laws include: (i) the Persons and Family Code of 28 April 1993, articles 87–157 of which deal with matters relating to marriage, namely, the entry into marriage, the effects and obligations that result from a marriage and the annulment

<sup>45</sup> Workshop on the progress made and challenges faced in delivering inclusive education, entitled "Access to education for persons with disabilities in Burundi", held in September 2019.

<sup>46</sup> Constitution of 2018, art. 28.

<sup>47</sup> Constitution of 2018, art. 27.

<sup>48</sup> Constitution of 2018, art. 29.

<sup>49</sup> Constitution of 2018, art. 30.

of marriage. Articles 159–195 address matters relating to divorce, including the causes of divorce, divorce proceedings, provisional and protective measures during divorce proceedings, the grounds for inadmissibility of divorce proceedings, the effects of divorce and divorce by mutual consent; and (ii) articles 528–560 of the Criminal Code of 2017, which set out severe punishments for offences against the family and public morality, namely, adultery, abortion, polygamy and polyandry, extramarital cohabitation, family abandonment and domestic violence.

135. Article 12 (3) and (4) of Act No. 1/03 of 18 January 2018 on the promotion and protection of the rights of persons with disabilities clearly sets out the obligations of such persons towards their family, stipulating that “like all citizens and to the extent that their physical, sensory, psychological and social condition allows, all persons with disabilities have obligations towards their family, the community, society, the State and other public authorities. These obligations include: (i) maintaining a harmonious family environment and supporting the cohesion of their family; and (ii) respecting and assisting family members in times of need”. Furthermore, article 18 of the Act establishes that steps should be taken to promote “the creation and organization of the services required by persons with disabilities and their families”.

136. With respect to marital status, the table below shows that a large proportion (46.8 per cent) of persons with disabilities are married. The rate of marriage is slightly lower among women (41.1 per cent) than men (52.7 per cent). There are generally more married people in rural areas than in urban areas. Nonetheless, the proportion of persons with disabilities who are single remains high (26.3 per cent), in particular among men (27.0 per cent). The proportion of single people is much higher in urban areas (39.3 per cent) than in rural areas (25.5 per cent).

137. The table on the composition (as a percentage) of the population with disabilities based on marital status, sex and place of residence<sup>50</sup> shows that married persons (in both monogamous and polygamous unions) account for the largest group among all persons with disabilities, with the exception of deaf-mute persons or persons with mental impairments. Single persons make up the second largest group, followed by widows and widowers, individuals in de facto unions, separated persons and divorcees. Deaf-mute persons and persons with mental impairments marry less than persons with other types of disability.

138. Data on the fertility of persons with disabilities<sup>51</sup> have been drawn from the birth registration documents filed by women with disabilities in the last 12 months. The fertility rate among women with disabilities is 4.4 children per woman, which is lower than that among other women.

139. The trends in the fertility of women with disabilities nonetheless remain similar to those observed among women overall. The fertility rate is low among the youngest women, then reaches a high level at the ages when most women are married. It remains high even at relatively advanced ages; 6 per cent of births have been to women between the ages of 45 and 49.

140. The overall fertility rate among persons with disabilities does not give an idea of the differences in fertility rates based on disability type. An examination of fertility by type of disability reveals that the fertility rate among women who are blind, deaf or have an upper limb impairment remains high and is comparable to the overall rate for persons with disabilities. In contrast, the fertility rate is low among women with mental impairments (2.6 children per woman), deaf-mute women and women with a lower limb impairment. Such variations are owing to the type of disability.

141. The fact that nature dictates that children are made by two people and must be cared for by their parents, mainly their mother, means that it is only natural that persons with mental impairments have fewer children. The same is true of deaf-mute persons and persons with lower limb impairments, for whom, depending on the degree of disability, childbirth could be even more difficult. The fertility rate among women with other types of undeclared

<sup>50</sup> See annex.

<sup>51</sup> See annex.

disability remains very high and is close to that observed among women overall, which stands at 5.3 children per woman.

## **Article 24**

### **Education**

142. The right to education for all, including persons with disabilities, is recognized in article 53 of the Constitution, which establishes that “every citizen has the right to equal access to instruction, education and culture. The State has a duty to provide public education and promote access to it. The right to establish private schools is, however, guaranteed under the conditions laid down by law”.<sup>52</sup>

143. Article 30 (2) of the Constitution establishes that “parents have the inherent right and duty to raise and educate their children. The State and the public authorities provide them with support to do so”. The education sector remains a major focus in Burundi, as demonstrated by the priority given to issues in this area.<sup>53</sup>

144. Burundi has developed policies, strategies, laws, programmes and plans to promote access to education for all. The relevant national strategies include: (i) Vision Burundi 2025; (ii) the second version of the Strategic Framework for Growth and Poverty Reduction; and (iii) the National Development Plan. The Government introduced a reform that resulted in the establishment of a basic education system. The primary school leaving certificate is no longer issued; a certificate of completion of basic education is awarded at the end of the ninth year of schooling.

145. In order to combat discrimination within the education system based on sex, social origin, ethnic group or religion, the Government has set up a system of inclusive education for children with special needs through Ministerial Order No. 620/902 of 16 May 2019 giving effect to Act No. 1/19 of 10 September 2013. Inclusive education takes into account the specific teaching and learning needs of all children and young people who belong to marginalized and vulnerable groups, namely: children in street situations, girls, children from historically disadvantaged groups, children from poor or nomadic families, children from displaced families (victims of wars or disasters), children with HIV/AIDS and children with disabilities. Children with special educational needs face obstacles that affect their learning, such as language difficulties, attention disorders and motor or sensory difficulties. These difficulties fall under three categories: physical impairments, intellectual impairments and hearing and visual impairments. A large number of students with disabilities are unable to study if they have to return home every day. They need, therefore, to be housed, fed and even cared for close to their school.

146. The inclusion of students with disabilities in mainstream schools is currently at the heart of national and international education policies and programmes. Since 1965, a number of specialist centres have been set up to meet the needs of such students. According to data collected by the Ministry of National Solidarity, Social Affairs, Human Rights and Gender, there are 12 main specialist education centres across the country. Students with disabilities were initially taught outside the school system through charitable or humanitarian initiatives run by religious communities. The specialist centres set up by these communities catered for individuals with certain types of disability: blind persons, deaf persons, deaf-mute persons, persons with multiple disabilities and persons with physical disabilities.

147. Of the 12 specialist education centres, 10 are run by religious communities. Just two – the National Social and Occupational Rehabilitation Centre in Bujumbura (Jabe) and the National Centre for Equipment and Rehabilitation in Gitega – are run by the Government. The National Social and Vocational Rehabilitation Centre supports young people with disabilities who have dropped out of the school system and provides them with literacy classes, three years of general education and two years of vocational training. The National

<sup>52</sup> Constitution of 2018, art. 53.

<sup>53</sup> Such issues are addressed in strategic planning instruments including Vision 2025 and the first and second version of the Strategic Framework for Growth and Poverty Reduction.

Centre for Prosthetics and Rehabilitation provides children with physical rehabilitation services, physiotherapy, prosthetics and equipment.

148. The illiteracy rate stands at 76.0 per cent and is higher among women than men (80.2 per cent compared to 71.4 per cent). The illiteracy rate among persons with disabilities in rural areas is higher than that among such persons in urban areas (77.3 per cent compared to 57.3 per cent). The illiteracy rate for persons with disabilities is higher than that recorded for the general public. The literacy rate among the general public is 42.5 per cent, with rates of 45.7 per cent for women and 54.3 per cent for men. Persons living with the following types of disability are most likely to be illiterate: deaf-mute persons (85.4 per cent) and persons with mental impairments (82.2 per cent). Illiteracy rates are lowest among blind persons (73.6 per cent). This situation defies the expectation that persons with other types of disability would have higher literacy rates than blind persons.

149. Although the proportion of persons with disabilities who are illiterate is very high across the country, there are significant disparities among the provinces.<sup>54</sup> The table below shows that, overall, the provinces with the highest illiteracy rates among persons with disabilities are Kirundo (82.5 per cent), Karusi (82.3 per cent) and Ngozi (81.1 per cent). In contrast, the provinces with the lowest illiteracy rates among persons with disabilities are Bujumbura Mairie (52.2 per cent), Mwaro (71.0 per cent) and Bujumbura Rural (72.3 per cent). In Bujumbura Mairie, almost half of all persons with disabilities are literate. This relatively favourable rate can be explained by several factors, such as the fact that Bujumbura, as the economic capital of Burundi, has more infrastructure than the country's other provinces to cater for persons with disabilities.

150. Persons with disabilities who have received an education come to Bujumbura from other areas in order to search for work, which may help raise the level of literacy and education. With regard to sex, the table in the annex, which provides information, disaggregated by gender, province and area of residence, on the illiteracy rate among 10-year-olds with disabilities,<sup>55</sup> shows that literacy rates in all provinces are higher among men than women.

151. The same trends can be observed when comparing literacy rates among persons with disabilities based on their area and province of residence. Illiteracy rates are higher among women than men in all provinces except for Muramvya, where the illiteracy rate is 60.2 per cent for men and 53.1 per cent for women and is high among men in urban areas. This situation suggests that gender-related issues also persist among persons with disabilities in terms of their access to education.

152. According to the results of the general population and housing census of 2008, the vast majority of persons with disabilities have received no education. According to the table below, around two thirds (62.6 per cent) of such persons have not attended any level of schooling. Almost one third (29.1 per cent) of persons with disabilities have received a primary education, while very few (3.3 per cent at the lower secondary level and 1.2 per cent at the upper secondary level) have received a secondary education. As with the literacy situation, people living in urban areas are better educated than those in rural areas: 36.1 per cent of the urban population has received a primary education, compared to 28.6 per cent of the rural population, and 11 per cent of the urban population has received a lower secondary education, compared to 2.8 per cent of the rural population. The same gender-related disparities observed in relation to the literacy rate are also observed in the area of education, with women again being at a disadvantage (67.4 per cent of women have received no education, compared to 57.5 per cent of men, and 25 per cent of women have received a primary education, compared to 33.5 per cent of men).

153. The table on education level<sup>56</sup> shows that the trends for each disability type are similar to those observed among persons with disabilities in general. The proportion of persons with disabilities who have never attended school is more than 50 per cent across all disability types. Among blind persons, 32.4 per cent have completed primary school and 4.0 per cent have

<sup>54</sup> See the tables in the annex.

<sup>55</sup> See annex.

<sup>56</sup> See annex.

completed the lower cycle of general education. Similar percentages are observed among deaf persons, 29.8 per cent of whom have completed primary education and 4.0 per cent of whom have completed the lower cycle of general education. The same trends can also be seen among mute persons, 27.3 per cent of whom have completed primary school and 4.6 per cent of whom have completed the lower cycle of general education. At 17.2 per cent, the rate of primary school completion among deaf-mute persons is lower than that among persons with all other types of disability. The rates of persons with lower limb impairments and those with upper limb impairments who have completed primary school or the lower cycle of general education are identical, standing at 27.1 per cent and 2.5 per cent, respectively.<sup>57</sup> Generally speaking, few persons with disabilities of any type attend higher education.

## Article 25

### Health

154. Health is a legitimate right that is enshrined in article 55 of the Constitution. The health of persons with disabilities has always been a major concern of the authorities of Burundi, as is demonstrated by the various legislative and regulatory measures adopted in this field. Accordingly, the health of persons with disabilities has always been one of the responsibilities of the Ministry of Public Health and AIDS Control.

155. Article 30 of Act No. 1/03 of 10 January 2018 on the promotion and protection of the rights of persons with disabilities specifies that all persons with disabilities, regardless of their gender, have the right to be treated equally in healthcare and educational settings and to receive services tailored to their needs. Section 4 of Act No. 1/012 of 30 May 2018 on the Code for the Provision of Healthcare and Health Services addresses specific measures for persons with disabilities. Article 49 of the Act establishes that the prevention of disabilities is a right and an obligation for each citizen and for society as a whole and is an integral component of the obligations of the State in the area of public health and social services.

156. Article 50 of the Act provides that the forms of rehabilitation available to persons with disabilities are to be set out in a joint order of the ministers responsible for public health and social affairs. Article 51 stipulates that the nature of the health-related benefits available to persons with disabilities and the conditions for granting those benefits are to be established through a joint order of the ministers responsible for public health and social affairs.

157. At the institutional level, article 52 of Act No. 1/012 of 30 May 2018 on the Code for the Provision of Healthcare and Health Services establishes that national rehabilitation policy is determined by the Government. Action line 4 of the National Development Plan 2018–2027 is focused on health. Strategic objective 1 of this action line is geared towards improving performance and collaboration in the health sector, enhancing the population’s access to care and improving its level of health through an effective, strong and resilient health system. Strategic action line VII of the National Health Development Plan concerns the strengthening of mechanisms for financing the health sector. Work to implement the National Health Policy 2016–2025 is underpinned by the following values: (i) solidarity; (ii) equity and equality; (iii) social justice; (iv) integrity and ethics; and (v) respect for human rights and gender equality.<sup>58</sup> Programme No. 3 of the National Social Protection Policy provides for the gradual expansion of social protection coverage to the entire population, with a particular focus on vulnerable groups, including persons with disabilities. The National Commission on Social Protection, which is chaired by the President, was established to provide the institutional framework for the implementation of the Policy. The permanent executive secretariat of the National Commission was set up in 2013 to oversee the technical coordination of the National Commission’s interventions.

<sup>57</sup> Ministry of the Interior, Central Census Office, *General population and housing census of 2008*, vol. 3, *Analysis*, sect.13, *Socioeconomic situation of persons with disabilities in Burundi*, p. 31 (Bujumbura, 2011).

<sup>58</sup> National Health Policy 2016–2025, p. 39.

158. The Social Protection Support Fund provided for under the National Social Protection Policy was set up pursuant to Decree No. 100/145 of 21 July 2017 amending Decree No. 100/63 of 18 March 2015 on the establishment, mission and functioning of the Social Protection Support Fund. The Fund's resources are used to finance programmes for the implementation of the National Social Protection Policy.

159. Each year, the Ministry of National Solidarity, Social Affairs, Human Rights and Gender issues health insurance cards to vulnerable individuals, including persons with disabilities. With regard to access to healthcare, including sexual and reproductive healthcare, the coverage of the country by health facilities has been improved for all citizens, including persons with disabilities. Pregnant women, women in labour and children under 5 years of age continue to receive free healthcare. More than 80 per cent of the population lives within a 5 km radius of a health facility. Steps have also been taken to institutionalize monitoring and the use of the training guide on the prevention, early diagnosis and treatment of precancerous cervical lesions.

## **Article 26**

### **Habilitation and rehabilitation**

160. The commitment of Burundi to taking concrete measures to prevent all forms of discrimination and promote the right to health of all citizens, including persons with disabilities, is reaffirmed in a series of basic laws. A considerable step forward has been made with regard to the habilitation and rehabilitation of persons with disabilities in the health sector.

161. Since 2011, the Ministry of Public Health and AIDS Control has been developing physical medicine and rehabilitation services. Such services offer therapeutic responses to several public health problems and their consequences, namely motor and other types of disabilities. Other causes of disability that are more difficult to prevent than infectious diseases remain on the increase. Despite the scarce data available, it appears that these causes include: (i) road traffic injuries, which are steadily increasing; (ii) chronic conditions caused by the rise in sedentary lifestyles among the urban population and changes in diet. These conditions include high blood pressure, which can lead to serious complications such as weakness or paralysis on one side of the body, diabetes, which, when inadequately treated, frequently leads to amputations, and back pain, which can blight daily life; (iii) complications caused by difficult deliveries that have unexpected consequences, in particular the growth of lesions on the brains of children who were resuscitated at birth; (iv) acute and chronic respiratory conditions, such as asthma, bronchitis and bronchiolitis; and (v) other conditions that can cause significant disability but are hidden because of the shame surrounding them, including urological and gynaecological problems such as incontinence, prolapse and rectovaginal fistulas.

162. Various measures have been taken to address these public health problems, resulting in progress in the area of physical medicine and rehabilitation. These measures include: (i) the establishment, in 2017, of a national department of physical medicine and rehabilitation within the Ministry of Public Health and AIDS Control; (ii) the preparation of a document on physical medicine and rehabilitation service standards, which was validated and adopted by the Ministry of Public Health and AIDS Control in late 2016; (iii) the creation of a national reference centre for physiotherapy and medical rehabilitation, which has been operational since February 2016; (iv) the integration of physical medicine and rehabilitation services into several of the country's hospitals (Kirundo, Muramvya, Prince Régent Charles Hospital, Ngozi, Bubanza, Ruyigi, Mivo, Mpanda and Karuzi), which, however, are not always located in adequate premises or provided with adequate equipment and human resources; (v) the establishment within the National Institute of Public Health of a physiotherapy school, which has been operational since January 2019; and (vi) the training, in Burundi and abroad, of staff specializing in physical medicine and rehabilitation.

163. The fact remains, however, that many challenges still need to be overcome. Such challenges include: (i) the shortage of staff with qualifications in the area of physical medicine and rehabilitation (doctors, physiotherapists, prosthetists and orthotists,

occupational therapists and speech therapists); (ii) the lack of physical medicine and rehabilitation centres and services across the country; (iii) the shortage of material and equipment in the existing centres; (iv) the fact that most people cannot afford physical medicine and rehabilitation services; (v) the lack of awareness of physical medicine and rehabilitation services among healthcare professionals and national and regional decision makers; (vi) the fact that the document on physical medicine and rehabilitation service standards, which was recently validated by the Ministry of Public Health and AIDS Control, does not yet include criteria for assessing the quality of care; (vii) the lack of data on the practice of physical medicine and rehabilitation at the national level; (viii) the absence of a large-scale, community-based rehabilitation programme that is implemented across the country to support the delivery of the purely medical components of rehabilitation and complement it with a genuine strategy for the social and economic integration of persons with disabilities; (ix) the inclusion of activities for the development of physical medicine and rehabilitation in the Comprehensive National Programme for Tackling Chronic Noncommunicable Diseases; (x) the signature of three partnership agreements, covering the periods 2011–2013, 2014–2016 and 2017–2021, between the Government of Burundi and l’Association pour la Promotion de l’Éducation et de la Formation à l’Étranger (Association for the Promotion of Education and Training Abroad) (APEFE), which is a Belgian organization with experience in this area. These agreements cover the implementation of a comprehensive programme for the development of physical medicine and rehabilitation in Burundi. It is expected that APEFE will provide support in Burundi for a total of 20 years; and (xi) the signature, in 2007, of an agreement with the Conseil pour l’Éducation et le Développement (Council for Education and Development) (COPED), a national NGO with ties to the Catholic Church, on the programme for the development of physical medicine and rehabilitation services, in cooperation with the Catholic University of Louvain and the Belgian technical cooperation agency. An agreement of an indefinite duration was signed between COPED and the Ministry of Public Health and AIDS Control in August 2011.

164. In order to improve the situation, the Ministry of Public Health and AIDS Control decided to incorporate provisions on physical medicine and rehabilitation services into the second National Health Development Plan, which initially covered the 2011–2015 period and was then renewed until 2018. The decision to include such provisions in the National Health Development Plan was outlined in the strategic plans for the development of physical medicine and rehabilitation services for the 2011–2015 and 2019–2023 periods. There are: (i) nine centres and services providing physical medicine and rehabilitation services under the supervision of the Ministry of Public Health and AIDS Control; (ii) six centres and services under the supervision of the Ministry of National Solidarity, Social Affairs, Human Rights and Gender; (iii) one service under the supervision of the Ministry of Defence; (iv) one service under the supervision of the Ministry of Education and Scientific Research; and (v) seven private services. The efforts by the Government and, in particular, the Ministry of Public Health and AIDS Control to lead the long-term development of rehabilitation services have continued with the formulation and validation of the strategic plan for the development of physical medicine and rehabilitation services for the 2019–2023 period.

## Article 27

### Work and employment

165. Burundi recognizes the right of persons with disabilities to work, on an equal basis with others. It safeguards and promotes the realization of the right to work, including for those who acquire a disability during the course of employment. This is achieved by taking appropriate steps, including through legislation. Article 22 of the Constitution prohibits all forms of discrimination. All persons with disabilities enjoy fundamental rights, in particular in the field of employment. Employers that decide to dismiss part of their workforce on financial or other reasonable grounds are obliged to keep persons with disabilities employed.<sup>59</sup> Officials or employees who acquire disabilities must be kept in their original

<sup>59</sup> Act No. 1/03 of 10 January 2018 on the promotion and protection of the rights of persons with disabilities in Burundi, art. 31.

position or moved to another vacant post that can be assigned to them based on their skills or after any necessary rehabilitation.<sup>60</sup>

166. Burundi recognizes the importance of equal opportunities and treatment in the workplace, with no discrimination based on race, colour, religion, sex, political opinion, trade union membership or ethnic or social origin in decisions regarding recruitment, promotions, remuneration and the termination of contracts.<sup>61</sup>

167. The National Employment Policy was adopted on 13 April 2018, with the specific aim of promoting the employment and inclusion in the labour market of men, women and young people with disabilities. Action line 5 of this policy is geared towards identifying practical solutions that support the employment of the aforementioned vulnerable groups. Various steps have been taken to fulfil this objective: (i) the dissemination of the ILO Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159), and other instruments concerning the employment of persons with disabilities; (ii) the organization of awareness-raising campaigns to promote the recruitment of persons with disabilities who have sought-after skills; and (iii) the conduct of missions to monitor the implementation of ILO Convention No. 159.

168. The table on employment<sup>62</sup> shows that most persons with disabilities work outside the agricultural sector. The largest proportion of such persons are employed as service workers and sales staff. The second largest proportion are engaged in the installation and operation of machinery. The third largest employers of persons with disabilities are the military and security services. Women outnumber men in the sales and services sectors, while more men than women are engaged in the installation and operation of machinery and employed by the military and security services.

169. With regard to employment status, overall,<sup>63</sup> self-employed individuals make up the largest group among persons with disabilities (42.2 per cent), possibly because they are engaged in subsistence activities such as farming, small livestock breeding, fishing and small-scale commerce. Paid employees account for a relatively small proportion of persons with disabilities who are in work, even in urban areas (8.5 per cent), which can probably be attributed to the existence of the marginal secondary sector for such persons. Employment status varies according to sex and place of residence. There are undoubtedly more paid workers in cities than in rural areas, and more men than women occupy such paid positions. Nonetheless, it should be noted that more than half of all persons with disabilities have not declared their employment status, with this proportion rising to nearly three quarters in urban areas.

## Article 28

### Adequate standard of living and social protection

170. The Government believes that respect for the rights of persons from all social groups is the only guarantee of social harmony and sustainable economic development. It continues to raise public awareness of the needs, aspirations and contribution to society of persons with disabilities. The effectiveness of the Government's efforts to promote their socioeconomic integration is reliant on the strong community spirit that characterizes organizations of persons with disabilities.

171. In addition, Burundi has several centres and associations that provide comprehensive care for persons with disabilities. These centres and associations are grouped into three major networks: the Network of Centres for Persons with Disabilities in Burundi, the Network of Associations of Persons with Disabilities in Burundi and the Union of Persons with Disabilities of Burundi.

<sup>60</sup> Ibid.

<sup>61</sup> Decree-Law No. 1/37 of 7 July 1993 amending the Labour Code, art. 6.

<sup>62</sup> See annex for the table on employment.

<sup>63</sup> See the table in the annex.

172. With regard to water and sanitation, it is the Government's vision to provide access to water for all, including persons with disabilities, without discrimination, achieving 90 per cent coverage in urban areas and 71 per cent coverage in rural areas. Water resources are on the whole abundant, owing to good rainfall and the retention of water by marshes and lakes, particularly Lake Tanganyika. Accordingly, the Government has taken steps to ensure equal access to clean water services for all with the aim of guaranteeing sustainable coverage of the water needs of all users, including persons with disabilities, through the harmonious development of water resources.

173. These steps include the adoption or establishment, as appropriate, of: (i) Act No. 1/02 of 26 March 2012 on the Water Code, article 2 (4) of which provides for the sharing of recurring water service costs according to a solidarity-based system under which persons from different social groups pay different rates according to their financial capacity; (ii) Decree No. 100/189 of 25 August 2014 on the procedures for determining and establishing the protective perimeters of water catchments intended for human consumption; (iii) the National Water Policy; (iv) the National Sanitation Policy and the Horizon 2025 Operational Strategy; (v) the National Water Strategy 2011–2020; (vi) the Rural Water and Sanitation Agency; (vii) the Regulatory Agency for the Drinking Water, Electricity and Mining Sectors; and (viii) the Water and Electricity Distribution Company.

174. A range of measures have been taken thus far in follow-up to the declaration made by the President of the Republic of Burundi in Kayanza Province on 3 December 2009 as part of events to mark the International Day of Persons with Disabilities, in which particular emphasis was placed on the promotion of the rights of persons with disabilities in Burundi. This event marked a significant development in efforts to raise the standard of living of persons with disabilities, the budget for whom was increased fivefold.

175. One of the crowning achievements of the Government's efforts to achieve the socioeconomic integration of persons with disabilities is the adoption of a training and rehabilitation programme for reintegration into society and the labour market that promotes income-generating activities. In addition to this training programme, the Government has introduced an approach based on the financing of microprojects set up by persons with disabilities who have formed associations, for which it provides funding every year. By offering persons with disabilities these possibilities, the Government has translated the increased efforts that it has made to raise their standard of living into significantly improved living conditions. Like all Burundians, persons with disabilities in Burundi have acquired the necessary professional skills and are playing their full part in moving the country forward on the path to development.

176. The Government has adopted several strategic documents aimed at eradicating poverty and increasing agricultural productivity to ensure food security for all citizens, including persons with disabilities. These include the National Agricultural Strategy 2018–2027 and the National Agricultural Investment Plan 2018–2022.

177. With regard to the achievement of economic independence for women and girls, the elimination of poverty intersects with the target of empowering women and girls under the Sustainable Development Goals, and the “Nawe Nuze” national approach is being applied across the country. Two banks have been established for this purpose: the Women's Investment and Development Bank, a financial institution where Burundian women have access to financial facilities and can develop their economic capacities; and the Youth Investment Bank, for young people.

178. Among other positive measures taken to improve support for frail older persons and persons requiring intensive forms of care, the Government, through the Ministry of National Solidarity, Social Affairs, Human Rights and Gender, has continued to implement the National Social Protection Policy, the strategy for which was adopted in January 2015. The strategy places a particular emphasis on supporting the most disadvantaged and vulnerable groups. Under this framework, the “Merankabandi” (Be like the others) project was launched by the Government in 2017 to combat poverty among Burundians and is being implemented with the support of the World Bank Group. The project is aimed at women from vulnerable households who have at least one child aged up to 12 years. Beneficiaries receive monthly cash transfers of F Bu 20,000 securely via their mobile phones.

179. For Burundi, social protection is a key dimension of national socioeconomic development aimed at ensuring a better quality of life for Burundians. The 2011 National Social Protection Policy also takes gender equity and equality into account. To strengthen social protection, measures have been taken in the public and private sectors with a view to reducing poverty and economic and social vulnerability. The National Social Protection Strategy was adopted in 2015 to complement previously mentioned instruments such as (i) the 2020 Social Security Code; (ii) the 2014 National Employment Policy; (iii) the 2020 Labour Code; (iv) the 1993 Personal and Family Code; and (v) the National Development Plan 2018–2027, which includes social protection as one of its priorities.

180. The National Social Protection Commission, which is chaired by the President, was established to provide the institutional framework for the implementation of the Strategy. The Permanent Executive Secretariat of the National Social Protection Commission was set up in 2013 to oversee the technical coordination of its operations. The Social Protection Support Fund provided for under the National Social Protection Policy was set up pursuant to Decree No. 100/145 of 21 July 2017 amending Decree No. 100/63 of 18 March 2015 on the establishment, purpose and operation of the Social Protection Support Fund. The Fund's resources are used to finance programmes for the implementation of the National Social Protection Policy. There are two types of social protection programme – contributory and non-contributory (or social aid) – which together form a coherent system that ensures the protection of the public, although the rate of coverage is low and most of the available data are not disaggregated by sex, as shown in the tables on contributory and non-contributory social protection in the annex.

181. With regard to suitable housing, it should be noted that housing is a fundamental right that is recognized in article 36 of the 2018 Constitution, which provides that every person has the right to own property. Furthermore, article 129 of the Labour Code of 7 July 1993 guarantees the right to housing and food rations for permanent workers recruited away from their place of employment who are unable to obtain them by their own means.

182. To give effect to these provisions, in 2007, Burundi introduced the National Housing and Urban Development Policy to ensure decent housing for all segments of the population. As part of this policy of creating villages, known as “*villagisation*”, the Government has created modern villages where displaced persons and other persons in vulnerable situations, including persons with disabilities, receive plots of land on an equal footing with other members of society. Between 2007 and 2010, eight villages, known as “integrated rural villages”, were built in the country's southern provinces. Beneficiaries are provided with sheet metal on the condition that they construct the walls of their homes. Older persons, persons with disabilities and orphaned children who head households receive assistance in building their homes during community development work. The main institutional actors in the housing and urban planning sector include the State through its various departments, such as the Burundian Office of Urban Planning, Housing and Construction; local government authorities (the Municipal Technical Services); property developers (the Public Real Estate Company and the Social Construction and Land Development Board); construction tradespeople; financial institutions; project-design offices in the sector; and professionals including lawyers and notaries.

183. The Burundian Office of Urban Planning, Housing and Construction is a public administrative body established pursuant to Decree No. 100/079 of 24 May 2019 following the merger of six institutions: the Public Real Estate Company, the Social Construction and Land Development Board, the National Construction and Public Works Laboratory, the Municipal Technical Services, the Directorate-General for Construction and the Directorate-General for Urban Planning and Housing.

184. A total of 12.2 per cent of heads of households are property owners with titles, while the vast majority (73.5 per cent) are owners without titles. Among persons with disabilities, who are considered a vulnerable group, women with disabilities are more vulnerable than men with disabilities. The majority of households headed by persons with disabilities live in detached houses, followed by traditional houses (or *rugos*) and multi-unit buildings. Overall, 67.1 per cent of such households live in detached houses, 27.5 per cent live in *rugos* and 3.4 per cent live in multi-unit buildings. In urban areas, however, where there are fewer *rugos*,

while the majority of such households live in detached houses, a large proportion also live in multi-unit buildings.<sup>64</sup>

185. Associations and centres for persons with disabilities receive support each year in connection with income-generating projects that have been developed. In addition to persons who receive assistance each year from the ministry with responsibility for solidarity, there are also persons with disabilities who receive training in various trades and are issued with a reintegration certificate in connection with the trade they have learned. Centres that provide accommodation for persons with disabilities also receive food and non-food support, exemptions from paying import duties on goods received from abroad and concessions on the payment of bills from the Water and Electricity Distribution Company.

186. The various housing policies pursued in Burundi are often hampered by funding constraints. The housing problem has three causes: tax rates, the cost of construction and the weakness of the financial sector.

## **Article 29**

### **Participation in political and public life**

187. Article 51 of the Constitution of 7 June 2018 provides that all Burundians are entitled to participate either directly or indirectly, through their representatives, in the management and conduct of State affairs, subject to the conditions laid down by law, and in particular those relating to age and capacity. All Burundians also have the right to have access to public service in their country. All citizens, including persons with disabilities, have the opportunity to participate in political life if they are of an appropriate age and have the capacity to do so.

188. In addition, article 4 of Organic Act No. 1/11 of 20 May 2019 amending Act No. 1/20 of 3 June 2014 on the Electoral Code provides that citizens of Burundi of either sex who are at least 18 years of age on the date of the election, whose exercise of their civil and political rights is not restricted and who are not otherwise disqualified from voting under the Code, are eligible to vote. There is no discrimination against persons with disabilities.

189. Furthermore, article 57 of the Act provides that any voter who is prevented by a specific impairment from stamping his or her fingerprint next to the symbol of the political party, coalition of political parties or independent candidate of his or her choice and depositing the ballot paper in the ballot box may be assisted by an eligible voter of his or her choice.

190. Under articles 5, 9 and 10 of Act No. 1/03 of 10 January 2018 on the protection and promotion of the rights of persons with disabilities, all persons with disabilities enjoy all the rights established in the Constitution and other regional and international instruments duly ratified by Burundi. Therefore, all persons with disabilities who have reached the age of 18 years are entitled to exercise political rights and have the same opportunities as any other citizen, without any form of discrimination. Consequently, all persons with disabilities have the right to participate fully in political and public life directly or through freely chosen representatives.

191. To actively promote an environment in which persons with disabilities participate effectively and fully in the conduct of public affairs, without discrimination and on an equal basis with others, article 52 of the 2018 Constitution provides that all persons are entitled to the realization, through national effort and in accordance with the resources of the State, of the economic, social and cultural rights indispensable for their dignity and the free development of their personality.

192. To create this environment, pursuant to Decree No. 100/180 of 30 November 2019, Burundi has set up a National Committee on the Rights of Persons with Disabilities comprising members of different groups. Article 4 of Decree No. 100/0125 of 9 August 2019 on the creation, mission, composition and functioning of the National Committee on the Rights of Persons with Disabilities provides that its membership is distributed between those

<sup>64</sup> See table in annex with information on households headed by persons with disabilities disaggregated by housing occupation status, sex and place of residence.

groups as follows: (i) 10 members of line ministries with responsibility for human rights and persons with disabilities, regional integration, health and the fight against AIDS, public works, the interior and local development, labour and employment, education, communication, sport and culture, and former combatants; (ii) 7 members of organizations of persons with disabilities; (iii) 3 members representing the Burundian Federation of Associations of Persons with Disabilities, the Burundian Network of Centres for Persons with Disabilities and the Burundian Union of Persons with Disabilities; (iv) 4 members representing different categories of disability; and (v) 3 members representing religious communities.

193. The Government has also set up two mechanisms to strengthen the protection and promotion of children's and women's rights. The National Children's Forum, which was established in 2012, is made up of 34 children – 2 from each province – aged between 10 and 16 years, each of whom is elected for a two-year term. Children with disabilities are among those elected. This forum enables them to be consulted on all decisions that concern them. In addition, since the establishment of the National Women's Forum in 2013, there has been a consistent practice of co-opting members to represent the community of women with disabilities in Burundi.

## **Article 30**

### **Participation in cultural life, recreation, leisure and sport**

194. Articles 8 and 11 of Act No. 1/03 of 10 January 2018 on the protection and promotion of the rights of persons with disabilities provide that persons with disabilities have the right to live with their families or at an alternative home and to participate in all social, creative and recreational activities. No person with disabilities may be subjected, as far as his or her residence is concerned, to differential treatment other than that required by his or her condition or by the improvement which he or she may derive therefrom. If his or her stay in a specialized establishment is indispensable, the environment and living conditions therein are to be as close as possible to those of the normal life of a person of his or her age.

195. In addition, all persons with disabilities have the right to equal access to participation in games, leisure and other sporting or cultural events.<sup>65</sup> Article 33 of the Act further provides that all persons with disabilities have the right to be included in cultural, sporting and leisure activities within the limits of their physical, mental and sensory abilities. This is true in practice given that Burundian persons with disabilities take part in traditional activities during official celebrations organized by the State or on notable dates, in addition to participating in games and competitions organized at the national, regional and international levels. Persons with disabilities occupy reserved seats at performances or official ceremonies whenever the venues in question (particularly those with tiered seating) are unable to provide adapted seating for persons with disabilities.

196. In addition, since 2008, the Government has been organizing sporting and cultural activities for persons with disabilities through the ministry with responsibility for sport and culture and in collaboration with the Paralympic Committee of Burundi and networks of associations of persons with disabilities. These include: (i) coaching in sporting and cultural activities for girls and women with disabilities from 2008–to 2010; (ii) training for girls and women with disabilities in sports for persons with disabilities such as seatball and volleyball; (iii) participation in the regional seatball championship in Kenya and the 2010 women's seatball world cup; and (iv) the organization of a fashion show for girls and women with disabilities.

197. Under articles 28 and 47–49 of Act No. 1/26 of 30 November 2019 amending Act No. 1/26 of 30 November 2009 on the reorganization and promotion of physical and sporting activities, the teaching of physical education and sport for persons with disabilities in schools and specialized establishments is overseen by specialist staff who are certified for that purpose. Sport for persons with disabilities includes recreational physical and sporting activities, competitions and specific adapted leisure activities aimed at the physical or mental

<sup>65</sup> Article 33 of the Act.

rehabilitation of persons with impairments or disabilities with a view to assisting their integration. The activities referred to are held in specialized establishments with staff who are duly certified. Sport for persons with disabilities is organized and run by the relevant sports clubs and associations. It is compulsory to hold sporting activities for persons with disabilities. The conditions governing the creation, composition, organization and functioning of sports clubs and associations are established by order of the minister responsible for sport.

198. Burundi also has a law on copyright. Act No. 1/021 of 30 December 2005 on the protection of copyright and related rights sets out the rules governing the rights to and the protection of works of art. The works of persons with disabilities, who often join together to form cultural and musical arts associations, are also protected and covered by the Act, as article 58 of the Constitution provides that all persons have the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which they are the author.

199. In addition, the National Copyright Office, established in 2011, has the mission of protecting the rights of authors of all artistic and intellectual works, including those of persons with disabilities.

200. Teams for men and women with disabilities in sports such as sitting volleyball, goalball, para-athletics (running and throwing events, including javelin), para taekwondo, para judo and para cycling (tricycle racing) are run by the ministry with responsibility for sport.

## **Article 31**

### **Statistics and data collection**

201. The general functioning and coordination of the National Statistical System of Burundi are governed by an effective legal framework that defines the principles underpinning them and an institutional framework that guides the activities of the services and organizations responsible for producing and disseminating official statistical data throughout the country.

202. The progress made since 2014<sup>66</sup> follows on from the targets previously defined in particular in Act No. 1/17 of 25 September 2007 on the organization of the statistical system in Burundi and the accompanying Decrees Nos. 100/084 of 25 July 2018, amending Decree No. 100/58 of 18 March 2008 on the establishment, powers, composition and functioning of the National Council on Statistical Information, and 100/59 of 18 March 2008 on the reorganization of the Burundian Institute of Statistics and Economic Studies, which was established in 1990 as the central technical coordination body for the activities of the National Statistical System.

203. The improvement of performance in this area remains a priority, as attested to by new laws such as Decree No. 100/261 of 31 October 2013 establishing the requirement for prior authorization and an ethics review for the conduct of statistical surveys and biomedical and behavioural research, Decree No. 100/227 of 8 October 2014 establishing the National Data Quality Assurance Framework, Decree No. 100/085 of 25 July 2018 on the national framework for collecting, archiving and securing data and microdata, including modern technologies, and Decree No. 100/084 of 25 July 2018 amending Decree No. 100/58 of 18 March 2008 on the establishment, powers, composition and functioning of the National Council on Statistical Information. The mechanisms set up for implementation, monitoring, training and capacity-building include the National Council on Statistical Information, the Burundian Institute of Statistics and Economic Studies, departmental statistical units, public and semi-public bodies, and national schools and institutions providing training in statistics and demography.

204. In Burundi, studies on the population of persons with disabilities are conducted less frequently, and related statistics are scarce. The only reliable and official data available are

<sup>66</sup> The year of the ratification by Burundi of the Convention on the Rights of Persons with Disabilities.

those from the 2008 general population census, which, however, documented only major disabilities. According to that census, 4.5 per cent of the Burundian population, or more than 360,000 persons, had a major disability. In 2016, taking into consideration all types of impairments, both more and less severe, and on the basis of World Health Organization (WHO) statistics, the Burundian Network of Centres for Persons with Disabilities estimated that there are more than 1.2 million persons with disabilities in the country.

205. The statistical data from the first volume of the 2008 general population and housing census, which was published in December 2011, show that children with disabilities aged 0–14 years fall into the following categories: 22,340 blind, 10,879 deaf, 6,190 mute, 2,518 deaf-mute, 6,389 with lower limb impairments, 3,723 with upper limb impairments, 6,369 with mental impairments and 17,247 with other disabilities. The mechanisms used by technical services have been functioning effectively as a result of capacity-building training organized by the Burundian Institute of Statistics and Economic Studies to assist the development of data collection tools in all public services.

206. Mindful of the importance of statistics in the planning, monitoring and evaluation of different projects and programmes, under Ministerial Order No. 225.01/868 of 6 June 2017, the Ministry of National Solidarity, Social Affairs, Human Rights and Gender established the Central Statistics Service, the main tasks of which are to collect, process, analyse, centralize, disseminate and archive statistical data produced by the Ministry's various departments. The Central Statistics Service has four permanent members, who have received additional support with regard to the rights of specific groups, including those of persons with disabilities. One of the main achievements is the inclusion of data on persons with disabilities in the sectoral data collection used to compile the Ministry's Statistical Yearbook; these can be found in the annex to the report.

207. However, in the absence of reliable statistics and serious relevant research, the extent of disability in Burundi remains poorly understood and it is necessary to rely on estimates, which remain a cause for concern. Therefore, on 24 June 2021, the National Committee on the Rights of Persons with Disabilities held an advocacy workshop for stakeholders in the general population, housing, agriculture and livestock census scheduled for 2022, in collaboration with the responsible ministry, with a view to ensuring that the disability perspective is reflected in the data to be collected.

## **Article 32**

### **International cooperation**

208. The State of Burundi as a whole ensures cooperation with international organizations and foreign NGOs in the domain of disability through the Ministry of Foreign Affairs.

209. Article 16 of Act No. 1/03 of 10 January 2018 on the protection and promotion of the rights of persons with disabilities provides that the State is to actively participate in international cooperation aimed at providing equal opportunities to persons with disabilities. It is reiterated in article 28 of the Act that associations and centres for persons with disabilities, as well as NGOs working in the field of disability, are to use all their capabilities to act as intermediaries with the Government, civil society and the community as a whole with a view to defending, safeguarding and promoting the rights of persons with disabilities.

210. In terms of multilateral cooperation, Burundi cooperated with the NGO Handicap International from 1992 until 31 December 2018, the date of the programme's closure. With its national partners, Handicap International took the following steps between 2017 and 2018: (i) provision of rehabilitation services to more than 10,000 persons; (ii) provision of training to more than 800 healthcare professionals and 500 young persons; (iii) conduct of awareness-raising measures among 58,000 children with disabilities concerning the prevention of violence, including sexual violence, and 60,000 persons with disabilities concerning their rights and social participation; (v) provision of care to 400 children with

disabilities and child victims of violence; and (vi) implementation of inclusive education initiatives for the benefit of 10,000 children.<sup>67</sup>

211. The United Nations Children's Fund (UNICEF) also supports inclusive education in Burundi through its programmes. Most of the international organizations within the United Nations system, such as United Nations Population Fund, the United Nations Development Programme, the United Nations Educational, Scientific and Cultural Organization and the World Bank Group, do not have specific programmes for persons with disabilities but provide occasional support in this area whenever needed.

212. Although those international organizations do not have specific programmes for persons with disabilities, local organizations are involved in promoting and defending the rights of persons with disabilities with the support of their partners. APEFE, in collaboration with COPED, is supporting the development of physical medicine and the establishment of the National Referral Centre for Physiotherapy and Rehabilitation and the Physiotherapy School.

213. Organizations that are not physically present in Burundi support local organizations working to promote and protect the rights of persons with disabilities. In particular, the Liliane Foundation supports the Union of Persons with Disabilities of Burundi and Hope Walks supports the Network of Centres for Persons with Disabilities in Burundi in treating clubfoot in children under 2 years of age.

## **Article 33**

### **National implementation and monitoring**

214. As part of the State's ongoing efforts to provide the international community with consensus-based reports that provide an accurate picture of the situation on the ground, the Government established a ministry with responsibility for the rights of persons with disabilities pursuant to Decree No. 100/084 of 12 October 2020 on the mandate, organization and operations of the Ministry of National Solidarity, Social Affairs, Human Rights and Gender.

215. The Ministry also has the Department of Treaty Bodies, Special Procedures, the Universal Periodic Review of the United Nations and Other Mechanisms, one of the responsibilities of which is to ensure follow-up to the recommendations of treaty bodies and the universal periodic review and the concluding observations of special procedures under the supervision of the standing committee for the drafting of reports. The committee, which is made up of senior personnel from line ministries,<sup>68</sup> was set up pursuant to Ministerial Order No. 225/177 of 3 February 2016 establishing the Standing Committee for the Drafting of Initial and Periodic Reports with a view to regularly following up on all international and regional instruments duly ratified by Burundi, including the Convention on the Rights of Persons with Disabilities.

216. In addition, more specifically, article 38 of Act No. 1/03 of 10 January 2018 on the protection and promotion of the rights of persons with disabilities provides for the establishment of a national oversight mechanism in the form of the National Committee on the Rights of Persons with Disabilities, which has been operational since 2019 and whose responsibilities are determined by a decree.

217. To give effect to the Act, the Government set up the National Committee on the Rights of Persons with Disabilities, which is responsible for monitoring the implementation of the National Policy on the Rights of Persons with Disabilities, under Decree No. 100/125 of 9 August 2019 on the creation, mission, composition and functioning of the National

<sup>67</sup> Handicap International report for the period 2017–2018.

<sup>68</sup> The Ministry of National Solidarity, Social Affairs, Human Rights and Gender; the Ministry of Foreign Affairs; the Ministry of Justice; the Ministry of the Interior, Patriotic Training and Local Development; the Ministry of Public Security and Disaster Management; the Ministry of the Civil Service, Labour and Employment; the Ministry of National Defence and Former Combatants; the Ministry of Education and Technical and Vocational Training; and the Ministry of Public Health and AIDS Control.

Committee on the Rights of Persons with Disabilities. The Committee operates under the supervision of the ministry with responsibility for persons with disabilities.

## IV. Conclusion

218. In concluding this initial report on the implementation of the Convention on the Rights of Persons with Disabilities, it should be noted that Burundi has successfully set in motion efforts to ensure a protective environment for persons with disabilities.

219. Furthermore, there is a strong political will in the country to improve the situation of this group of persons, which is reflected in the legislative, judicial and administrative measures that the State has already taken.

220. However, the difficulties encountered in effectively implementing the rights of persons with disabilities in key areas such as health and education should not be overlooked. Limited resources, which are the consequence in particular of years of conflict, have had a negative impact on the economic situation in general and that of households in particular, and have resulted in limited access to basic social services.

221. Burundi has a significant asset in the excellent collaboration that it enjoys with national partners who work with persons with disabilities on a daily basis, and with international partners and other entities of the United Nations system that assist its efforts to implement action plans developed for persons with disabilities. This partnership has, despite the challenges faced, enabled significant progress to be made in relation to the rights of persons with disabilities.

222. The Government remains ready to engage with the Committee on the Rights of Persons with Disabilities to ensure that the rights of persons with disabilities are adequately protected.

## V. Bibliographical references

### A. Codes and other laws

- The Constitution of 7 June 2018
- Decree No. 100/084 of 12 October 2020 on the responsibilities, organization and functioning of the Ministry of National Solidarity, Social Affairs, Human Rights and Gender
- Ministerial Order No. 225/559 of 17 June 2021, amending Order No. 225/177 of 3 February 2016, establishing a Standing Committee for the Drafting of Initial and Periodic Reports on the Treaties Ratified by Burundi
- Act No. 1/03 of 10 January 2018 on the protection and promotion of the rights of persons with disabilities
- Decree No. 100/0125 of 9 August 2019 on the creation, mission, composition and functioning of the National Committee on the Rights of Persons with Disabilities
- Act No. 1/27 of 29 December 2017 on the Criminal Code
- Act No. 1/09 of 11 May 2018 amending the Code of Criminal Procedure

### B. Policies, programmes and projects

- The National Development Plan 2018–2027
- The National Policy on the Rights of Persons with Disabilities
- The National Human Rights Policy 2018–2027
- The updated National Gender Policy 2021–2025

- The Burundi National Information and Communication Technology Development Policy 2010–2025

### C. Reports, studies and publications

- *The Burundi General Population and Housing Census: Analysis of the Socioeconomic Situation of Persons with Disabilities in Burundi*, Bujumbura, 2011
- The Handicap International report for the period 2017–2018
- The 2018 Annual Report of the Union of Persons with Disabilities of Burundi
- *Report on the Digital Inclusion of Persons with Disabilities: The Case of Centres for Persons with Disabilities in Burundi*
- Report on the activities organized as part of the emergency project on sexual and gender-based violence and women's health in the Great Lakes region in the first half of 2018
- Report on the workshop organized by *Jimbere* magazine in partnership with the French Embassy in Burundi on 18 September 2019
- Compilation of guidelines on the form and content of reports to be submitted by States Parties to the international human rights treaties

## VI. Annexes

Table 1  
**Fertility rate among women with disabilities<sup>69</sup>**

<i>Age group</i>	<i>Number of women</i>	<i>Births</i>	<i>Fertility rate by age group</i>
15–19 years	14 768	342	0.023
20–24 years	11 242	1 508	0.134
25–29 years	8 920	1 759	0.197
30–34 years	7 417	1 438	0.194
35–39 years	7 783	1 349	0.173
40–44 years	7 914	846	0.107
45–49 years	8 173	442	0.054
<b>Total</b>	<b>66 217</b>	<b>7 684</b>	
<b>Total fertility rate</b>			<b>4.4</b>

Table 2  
**Fertility rate by age and total fertility rate among women with disabilities, by type of disability**

<i>Age group</i>	<i>Blind</i>	<i>Deaf</i>	<i>Mute</i>	<i>Deaf-mute</i>	<i>Lower limb impairment</i>	<i>Upper limb impairment</i>	<i>Mental impairment</i>	<i>Other disability</i>
15–19 years	0.018	0.027	1.445	0.021	0.015	0.028	0.022	0.030
20–24 years	0.102	0.112	1.098	0.135	0.123	0.121	0.081	0.213
25–29 years	0.185	0.173	0.935	0.154	0.165	0.250	0.115	0.245
30–34 years	0.219	0.190	0.868	0.110	0.127	0.206	0.102	0.224
35–39 years	0.164	0.223	1.364	0.133	0.098	0.148	0.094	0.197
40–44 years	0.129	0.127	0.986	0.052	0.052	0.105	0.063	0.112
45–49 years	0.087	0.112	1.288	0.069	0.054	0.057	0.034	0.050
<b>Total fertility rate</b>	<b>4.5</b>	<b>4.8</b>	<b>4.2</b>	<b>3.4</b>	<b>3.9</b>	<b>4.6</b>	<b>2.6</b>	<b>5.3</b>

Table 3  
**Number of adult recipients of mobility devices from the Centre for Persons with Disabilities under the Ministry**

<i>Mobility devices</i>	<i>Sex</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>
Prostheses	Female	9	9	5
	Male	11	10	7
Orthoses	Female	11	8	58
	Male	11	10	81

<sup>69</sup> The Ministry of the Interior; Central Census Office: *Burundi General Population and Housing Census 2008, Volume 3: Analysis; Volume 13: Socioeconomic Situation of Persons with Disabilities in Burundi*, Bujumbura, 2011, p. 36.

<i>Mobility devices</i>	<i>Sex</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>
Crutches	Female	5	5	16
	Male	4	4	11
<b>Total male and female</b>		<b>51</b>	<b>46</b>	<b>178</b>

*Source:* National Centre for Equipment and Rehabilitation.

Table 4

**Number of child recipients of mobility devices from the Centre for Persons with Disabilities under the Ministry**

<i>Mobility devices</i>	<i>Sex</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>
Prostheses	Female	6	6	8
	Male	5	5	0
Orthoses	Female	243	189	813
	Male	285	275	1 094
Crutches	Female	1	0	0
	Male	0	0	0
<b>Total male and female</b>		<b>540</b>	<b>475</b>	<b>1 915</b>

*Source:* National Centre for Equipment and Rehabilitation.

Table 5

**Number of adult recipients of other services provided by the Centre for Persons with Disabilities under the Ministry**

<i>Services provided</i>	<i>Sex</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>
Lower limb correction	Female	214	231	47
	Male	261	226	58
Functional therapy	Female	13 741	12 914	324
	Male	1 545	2 168	371
Rehabilitation	Female	127	56	66
	Male	77	128	67
Functional therapy and rehabilitation	Female	21	85	32
	Male	47	172	29
<b>Total</b>	Female	<b>14 103</b>	<b>13 286</b>	<b>469</b>
	Male	<b>1 930</b>	<b>2 694</b>	<b>525</b>
<b>Total male and female</b>		<b>16 033</b>	<b>15 980</b>	<b>994</b>

*Source:* National Centre for Equipment and Rehabilitation.

Table 6

**Number of child recipients of other services provided by the Centre for Persons with Disabilities under the Ministry**

<i>Services provided</i>	<i>Sex</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>
Lower limb correction	Female	297	431	111
	Male	262	262	215
Functional therapy	Female	1 748	2 010	721
	Male	2 057	2 342	867

<i>Services provided</i>	<i>Sex</i>	2017	2018	2019
Rehabilitation	Female	131	58	211
	Male	71	70	218
Functional therapy and rehabilitation	Female	67	173	285
	Male	39	137	325
<b>Total</b>	<b>Female</b>	<b>2 243</b>	<b>2 672</b>	<b>1 328</b>
	<b>Male</b>	<b>2 429</b>	<b>2 811</b>	<b>1 625</b>
<b>Total male and female</b>		<b>4 672</b>	<b>5 483</b>	<b>2 953</b>

Source: National Centre for Equipment and Rehabilitation.

Table 7

**Number of persons who have received mobility devices from the Saint Kizito Centre, a partner of the Ministry with responsibility for social affairs, after obtaining the Ministry's approval**

<i>Types of mobility devices</i>	<i>Sex</i>	2017	2018	2019
Tricycles	Female	0	4	8
	Male	4	24	16
Wheelchairs	Female	2	2	12
	Male	2	3	10
Prostheses	Female	0	12	2
	Male	2	16	4
Crutches	Female	0	4	2
	Male	0	5	2
<b>Total male and female</b>		<b>10</b>	<b>70</b>	<b>56</b>

Source: Directorate General for Social Assistance and National Solidarity; the Saint Kizito Centre.

Table 8

**Number of persons with disabilities who have received training and reintegration kits, by province and sex**

<i>Province</i>	<i>Sex</i>	2017	2018	2019
Bubanza	Female	4	0	0
	Male	21	0	0
Bujumbura	Female	0	5	0
	Male	0	20	0
Cankuzo	Female	0	10	0
	Male	0	15	0
Cibitoke	Female	4	0	0
	Male	21	0	0
Karuzi	Female	0	14	0
	Male	0	11	0
Kayanza	Female	0	0	14
	Male	0	0	11
Kirundo	Female	0	0	8
	Male	0	0	17
Makamba	Female	15	0	0

Province	Sex	2017	2018	2019
Muramvya	Male	10	0	0
	Female	11	0	12
Mwaro	Male	14	0	13
	Female	0	11	0
Muyinga	Male	0	14	0
	Female	0	0	13
Ngozi	Male	0	0	12
	Female	0	5	7
Rumonge	Male	0	20	18
	Female	0	0	20
Rutana	Male	0	0	5
	Female	0	6	0
Ruyigi	Male	0	19	0
	Female	13	0	0
	Male	12	0	0
	<b>Total</b>	<b>Female</b>	<b>47</b>	<b>51</b>
	<b>Male</b>	<b>78</b>	<b>99</b>	<b>76</b>
<b>Total male and female</b>		<b>125</b>	<b>150</b>	<b>150</b>

Source: Directorate General for Social Assistance and National Solidarity.

N.B. Some provinces show a zero value for either 2017 or 2018 because training is not held simultaneously across provinces, but rotated through them.

Table 9

**Number of young persons with disabilities who have received vocational training, by course and sex**

Course	Sex	2017	2018	2019
Literacy	Female	18	12	15
	Male	22	13	18
Garment making I	Female	24	27	17
	Male	19	15	12
Garment making II	Female	10	12	20
	Male	9	11	10
Carpentry I	Female	0	0	0
	Male	13	7	5
Carpentry II	Female	0	0	0
	Male	5	12	2
Welding I	Female	0	0	0
	Male	5	4	2
Welding II	Female	0	0	0
	Male	3	4	0
	<b>Total</b>	<b>Female</b>	<b>52</b>	<b>51</b>
	<b>Male</b>	<b>76</b>	<b>66</b>	<b>49</b>
<b>Total male and female</b>		<b>128</b>	<b>117</b>	<b>101</b>

Source: National Social and Vocational Rehabilitation Centre.

Table 10

**Number of young persons with disabilities who have completed vocational training and received an income-generating activity starter kit, by course and sex**

Course	Sex	2017	2018	2019
Garment making	Female	16	20	16
	Male	9	10	7
Carpentry	Female	0	0	0
	Male	4	11	4
Welding	Female	0	0	0
	Male	0	4	0
<b>Total</b>	<b>Female</b>	<b>16</b>	<b>20</b>	<b>16</b>
	<b>Male</b>	<b>13</b>	<b>25</b>	<b>11</b>
<b>Total male and female</b>		<b>29</b>	<b>45</b>	<b>27</b>

Source: National Social and Vocational Rehabilitation Centre.

Table 11

**Number of young persons with disabilities who have received training, by province and sex**

Province	Sex	2018	2019
Bubanza	Female	1	2
	Male	2	1
Bujumbura	Female	0	0
	Male	0	0
Bujumbura Mairie	Female	2	2
	Male	0	0
Bururi	Female	1	1
	Male	1	0
Cankuzo	Female	12	4
	Male	10	2
Cibitoke	Female	6	6
	Male	8	7
Gitega	Female	1	3
	Male	4	4
Karuzi	Female	7	6
	Male	7	3
Kayanza	Female	6	6
	Male	5	13
Kirundo	Female	3	3
	Male	1	1
Makamba	Female	0	0
	Male	0	0
Muramvya	Female	1	0
	Male	3	2
Muyinga	Female	2	1
	Male	2	1

Province	Sex	2018	2019
Mwaro	Female	1	3
	Male	1	1
Ngozi	Female	7	7
	Male	10	10
Rumonge	Female	0	0
	Male	2	1
Rutana	Female	2	2
	Male	4	2
Ruyigi	Female	3	3
	Male	2	1
<b>Total</b>	<b>Female</b>	<b>55</b>	<b>49</b>
	<b>Male</b>	<b>62</b>	<b>49</b>
<b>Total male and female</b>		<b>117</b>	<b>98</b>

Source: National Social and Vocational Rehabilitation Centre.

**Table 12**  
**Number of graduates who have received reintegration kits, by province**

Province	Sex	2018	2019
Bubanza	Female	0	0
	Male	2	0
Bujumbura	Female	0	0
	Male	0	0
Bujumbura Mairie	Female	0	0
	Male	0	0
Bururi	Female	0	1
	Male	1	0
Cankuzo	Female	11	2
	Male	6	0
Cibitoke	Female	0	4
	Male	3	5
Gitega	Female	0	0
	Male	2	1
Karuzi	Female	0	1
	Male	1	0
Kayanza	Female	3	2
	Male	1	1
Kirundo	Female	0	1
	Male	0	0
Makamba	Female	0	0
	Male	0	0
Muramvya	Female	0	0
	Male	1	0
Muyinga	Female	0	0
	Male	1	0

Province	Sex	2018	2019
Mwaro	Female	3	0
	Male	1	0
Ngozi	Female	3	2
	Male	1	2
Rumonge	Female	0	0
	Male	1	0
Rutana	Female	2	1
	Male	0	1
Ruyigi	Female	2	0
	Male	0	3
<b>Total</b>	<b>Female</b>	<b>24</b>	<b>14</b>
	<b>Male</b>	<b>21</b>	<b>13</b>
<b>Total male and female</b>		<b>45</b>	<b>27</b>

Source: National Social and Vocational Rehabilitation Centre.

Table 13

**Number of graduates working in the trade after receiving reintegration kits, by province and sex**

Province	Sex	2018	2019
Bubanza	Female	0	0
	Male	2	0
Bujumbura	Female	0	0
	Male	0	0
Bujumbura Mairie	Female	0	0
	Male	0	0
Bururi	Female	0	1
	Male	1	0
Cankuzo	Female	5	2
	Male	4	0
Cibitoke	Female	0	4
	Male	2	5
Gitega	Female	0	2
	Male	2	1
Karuzi	Female	0	1
	Male	1	0
Kayanza	Female	1	2
	Male	1	1
Kirundo	Female	0	1
	Male	0	0
Makamba	Female	0	0
	Male	0	0
Muramvya	Female	1	0
	Male	1	0

Province	Sex	2018	2019
Muyinga	Female	0	0
	Male	1	0
Mwaro	Female	1	0
	Male	1	0
Ngozi	Female	1	2
	Male	1	2
Rumonge	Female	0	0
	Male	0	0
Rutana	Female	0	1
	Male	2	1
Ruyigi	Female	0	2
	Male	1	0
<b>Total</b>	<b>Female</b>	<b>9</b>	<b>18</b>
	<b>Male</b>	<b>20</b>	<b>10</b>
<b>Total male and female</b>		<b>29</b>	<b>28</b>

Source: National Social and Vocational Rehabilitation Centre.

Table 14  
Net migration within the provinces of Burundi among persons with disabilities<sup>70</sup>

Provinces	Residents	Leaving	Entering	Net migration	Emigration rate	Immigration rate	Net migration rate
Bubanza	12 889	1 123	2 853	1 730	8.7	22.1	13.4
Bujumbura	20 285	2 181	2 006	-175	10.8	9.9	-0.9
Bururi	19 005	2 783	1 544	-1 239	14.6	8.1	-6.5
Cankuzo	9 806	261	1 706	1 445	2.7	17.4	14.7
Cibitoke	16 447	674	3 160	2 486	4.1	19.2	15.1
Gitega	25 312	5 208	1 203	-4 005	20.6	4.8	-15.8
Karuzi	19 384	944	1 829	885	4.9	9.4	4.6
Kayanza	20 576	5 602	810	-4 792	27.2	3.9	-23.3
Kirundo	20 941	1 292	2 547	1 255	6.2	12.2	6.0
Makamba	15 046	302	3 659	3 357	2.0	24.3	22.3
Muramvya	9 359	2 384	758	-1 626	25.5	8.1	-17.4
Muyinga	22 821	1 401	4 654	3 253	6.1	20.4	14.3
Mwaro	8 819	2 299	570	-1 729	26.1	6.5	-19.6
Ngozi	22 590	4 311	1 697	-2 614	19.1	7.5	-11.6
Rutana	11 216	762	1 990	1 228	6.8	17.7	10.9
Ruyigi	21 028	702	3 306	2 604	3.3	15.7	12.4
Bujumbura Mairie	11 546	749	5 684	4 935	6.5	49.2	42.7

<sup>70</sup> The Ministry of the Interior; Central Census Office: *Burundi General Population and Housing Census 2008, Volume 3: Analysis; Volume 13: Socioeconomic Situation of Persons with Disabilities in Burundi*, Bujumbura, 2011, p. 38.

Provinces	Residents	Leaving	Entering	Net migration	Emigration rate	Immigration rate	Net migration rate
Abroad							
Not determined							
<b>Total</b>	<b>287 070</b>	<b>32 978</b>	<b>39 976</b>	<b>6 998</b>	<b>11.5</b>	<b>13.9</b>	<b>2.4</b>

Table 15

**Distribution, as a percentage, of persons with disabilities by marital status, sex and place of residence<sup>71</sup>**

Marital status	Urban			Rural			Total		
	M	F	Total	M	F	Total	M	F	Total
Unmarried	40.1	38.3	39.3	26.0	25.0	25.5	27.0	25.8	26.3
Married (1 spouse)	40.4	29.2	35.2	50.4	37.5	43.7	49.7	37.0	43.2
Married (2 spouses)	1.2	1.5	1.3	2.7	3.6	3.2	2.6	3.5	3.1
Married (3 or more spouses)	0.4	0.3	0.3	0.4	0.6	0.5	0.4	0.6	0.5
Common-law marriage	6.4	5.3	5.9	7.2	4.5	5.8	7.1	4.6	5.8
Divorced	0.4	0.7	0.6	0.5	0.9	0.7	0.5	0.9	0.7
Separated	1.4	2.3	1.8	1.5	2.7	2.2	1.5	2.7	2.1
Widowed	4.0	16.1	9.5	6.2	20.4	13.6	6.1	20.2	13.4
Not determined	5.7	6.4	6.0	5.0	4.7	4.8	5.1	4.7	4.9
<b>Total</b>	<b>100.0</b>								

Table 16

**Distribution, as a percentage, of persons with disabilities by marital status and type of disability<sup>72</sup>**

Type of disability	Unmarried	Married 1	Married 2	Married 3	Common-law marriage	Divorced	Separated	Widowed	Not determined	Total
Blind	35.4	43.4	3.6	0.3	3.9	0.3	0.9	6.8	5.3	100.0
Deaf	26.1	48.0	6.1	0.9	4.5	0.5	1.3	8.1	4.5	100.0
Mute	26.1	53.0	5.0	1.6	3.9	0.4	0.8	4.1	5.2	100.0
Deaf-mute	50.2	28.0	1.5	0.2	4.9	0.6	1.3	5.0	8.3	100.0
Lower limb	22.0	44.7	2.7	0.4	6.5	0.8	2.2	16.9	3.9	100.0
Upper limb	20.9	45.0	3.1	0.4	7.3	0.8	2.3	16.2	4.0	100.0
Mental impairment	48.8	22.4	1.4	0.2	4.1	1.3	4.4	7.7	9.7	100.0
Other	18.7	46.2	2.8	0.5	6.9	0.8	2.3	17.8	4.0	100.0
Not determined	20.8	33.3	4.2	-	25.0	-	4.2	4.2	8.3	100.0
<b>Total</b>	<b>26.3</b>	<b>43.2</b>	<b>3.1</b>	<b>0.5</b>	<b>5.8</b>	<b>0.7</b>	<b>2.1</b>	<b>13.4</b>	<b>4.9</b>	<b>100.0</b>

<sup>71</sup> The Ministry of the Interior; Central Census Office: *Burundi General Population and Housing Census 2008, Volume 3: Analysis; Volume 13: Socioeconomic Situation of Persons with Disabilities in Burundi*, Bujumbura, 2011, p. 34.

<sup>72</sup> Ibid.

Table 17  
**Fertility rate among women with disabilities<sup>73</sup>**

Age group	Number of women	Births	Fertility rate by age group
15–19 years	14 768	342	0.023
20–24 years	11 242	1 508	0.134
25–29 years	8 920	1 759	0.197
30–34 years	7 417	1 438	0.194
35–39 years	7 783	1 349	0.173
40–44 years	7 914	846	0.107
45–49 years	8 173	442	0.054
<b>Total</b>	<b>66 217</b>	<b>7 684</b>	
<b>Total fertility rate</b>			<b>4.4</b>

Table 18  
**Fertility rate by age and total fertility rate among women with disabilities, by type of disability**

Age group	Blind	Deaf	Mute	Deaf-mute	Lower limb impairment	Upper limb impairment	Mental impairment	Other disability
15–19	0.018	0.027	1.445	0.021	0.015	0.028	0.022	0.030
20–24 years	0.102	0.112	1.098	0.135	0.123	0.121	0.081	0.213
25–29 years	0.185	0.173	0.935	0.154	0.165	0.250	0.115	0.245
30–34 years	0.219	0.190	0.868	0.110	0.127	0.206	0.102	0.224
35–39 years	0.164	0.223	1.364	0.133	0.098	0.148	0.094	0.197
40–44 years	0.129	0.127	0.986	0.052	0.052	0.105	0.063	0.112
45–49 years	0.087	0.112	1.288	0.069	0.054	0.057	0.034	0.050
<b>Total fertility rate</b>	<b>4.5</b>	<b>4.8</b>	<b>4.2</b>	<b>3.4</b>	<b>3.9</b>	<b>4.6</b>	<b>2.6</b>	<b>5.3</b>

Table 19  
**Illiteracy rate among persons with disabilities aged 10 years and over by sex, age and place of residence**

Age group	Urban			Rural			Total		
	M	F	Total	M	F	Total	M	F	Total
10–14 years	49.5	43.8	46.4	58.7	57.0	57.8	58.1	56.3	57.1
15–19 years	43.5	42.5	43.0	54.3	57.4	56.0	53.4	56.3	55.0
20–24 years	38.1	40.8	39.4	58.7	66.7	63.2	56.6	64.7	61.0
25–29 years	27.6	38.7	32.4	55.7	65.7	60.8	53.0	63.7	58.4
30–34 years	28.0	41.4	33.2	55.7	71.7	63.7	52.9	69.7	61.1
35–39 years	33.5	50.2	39.8	69.5	81.3	75.4	66.5	79.6	72.9
40–44 years	39.4	50.6	43.5	73.5	84.5	79.1	71.0	83.1	77.0
45–49 years	41.4	61.6	49.2	72.9	85.3	78.8	71.0	84.3	77.3
50–54 years	41.3	59.9	49.7	73.0	89.6	81.3	71.4	88.4	79.9
55–59 years	42.7	70.7	54.5	71.8	88.5	79.5	70.3	87.7	78.3

<sup>73</sup> Ibid., p. 36.

Age group	Urban			Rural			Total		
	M	F	Total	M	F	Total	M	F	Total
60–64 years	52.8	74.3	62.9	74.9	92.6	84.1	73.8	91.8	83.2
65–69 years	56.3	79.6	67.2	75.5	93.0	84.4	74.6	92.4	83.6
70 years and over	74.2	91.4	84.0	87.0	97.0	92.3	86.5	96.7	92.0
Not determined	39.2	43.8	41.5	65.3	71.3	68.5	60.8	67.2	64.2
<b>Total</b>	<b>50.8</b>	<b>64.2</b>	<b>57.3</b>	<b>73.0</b>	<b>81.2</b>	<b>77.3</b>	<b>71.4</b>	<b>80.2</b>	<b>76.0</b>

Table 20

**Illiteracy rate among children with disabilities aged 10 years, by sex, province and place of residence<sup>74</sup>**

Provinces	Urban			Rural			Total		
	M	F	Total	M	F	Total	M	F	Total
Bubanza	71.0	80.8	75.5	71.3	83.6	77.0	71.3	83.4	77.0
Bujumbura Rural	56.2	71.0	62.9	68.8	75.4	72.5	68.5	75.4	72.3
Bururi	58.5	73.3	66.3	67.4	78.1	73.6	66.8	77.9	73.1
Cankuzo	28.6	55.0	39.6	69.3	77.0	73.0	69.1	76.9	72.9
Cibitoke	64.4	71.4	68.0	68.5	81.6	74.8	68.4	81.3	74.6
Gitega	53.5	66.7	59.8	71.1	75.5	73.6	70.3	75.2	73.0
Karuzi	55.7	68.8	63.2	77.9	86.1	82.5	77.7	85.9	82.3
Kayanza	64.6	76.3	70.0	76.7	85.3	81.1	76.3	85.1	80.8
Kirundo	59.0	65.0	62.2	78.0	87.4	82.9	77.6	87.0	82.5
Makamba	58.5	73.1	65.4	71.2	79.8	75.9	71.0	79.7	75.7
Muramvya	60.2	53.1	56.7	68.2	75.9	72.3	68.0	75.4	72.0
Muyinga	68.2	67.5	67.9	75.8	82.2	79.1	75.7	82.0	78.9
Mwaro	62.5	71.9	67.9	67.2	73.7	71.0	67.1	73.6	71.0
Ngozi	60.7	72.8	67.3	78.4	85.3	81.9	77.5	84.6	81.1
Rutana	40.0	70.8	54.4	72.7	83.2	78.1	72.4	83.1	77.9
Ruyigi	39.1	59.6	48.4	73.0	84.2	78.6	72.8	84.1	78.4
Bujumbura Mairie	45.2	59.7	52.2	-	-	-	45.2	59.7	52.2
Burundi	50.8	64.2	57.3	73.0	81.2	77.3	71.4	80.2	76.0

Table 21

**Distribution, as a percentage, of persons with disabilities aged 3 years and over by level of education, sex and place of residence<sup>75</sup>**

Level of education	Urban			Rural			Total		
	M	F	Total	M	F	Total	M	F	Total
Have not attended school	35.2	45.7	40.1	59.2	68.6	64.1	57.5	67.4	62.6
Pre-primary	1.8	2.3	2.0	1.0	1.1	1.0	1.0	1.2	1.1
Primary	38.6	33.2	36.1	33.1	24.5	28.6	33.5	25.0	29.1
General (first cycle)	10.2	8.9	9.6	2.9	2.2	2.5	3.4	2.6	3.0
Technical (first cycle)	1.5	1.4	1.4	0.3	0.1	0.2	0.3	0.2	0.3

<sup>74</sup> Ibid., p. 29.

<sup>75</sup> Ibid., p. 30.

Level of education	Urban			Rural			Total		
	M	F	Total	M	F	Total	M	F	Total
General (second cycle)	3.7	3.1	3.5	0.7	0.4	0.6	0.9	0.6	0.7
Technical (second cycle)	2.2	1.5	1.9	0.1	0.0	0.1	0.3	0.1	0.2
Higher education	4.5	2.1	3.4	0.2	0.1	0.1	0.5	0.2	0.3
Other	1.0	0.6	0.8	0.3	0.3	0.3	0.4	0.3	0.4
Does not know	1.2	1.3	1.2	2.2	2.5	2.4	2.2	2.5	2.3
<b>Total</b>	<b>100.0</b>								

Table 22  
**Distribution, as a percentage, of persons with disabilities by level of education and type of disability**

Level of education	Blind	Deaf	Mute	Deaf-mute	Lower limb impairment	Upper limb impairment	Mental impairment	Other disability	Not determined	Total
Have not attended school	51.9	53.0	54.8	67.6	60.3	60.1	66.0	61.6	79.2	59.1
Pre-primary	2.0	2.9	2.2	1.6	0.5	0.6	0.6	0.5	-	1.0
Primary	32.4	29.8	27.3	17.2	27.1	27.1	21.9	26.9	12.5	27.5
General (first cycle)	4.0	4.0	4.6	2.4	2.5	2.5	2.1	2.1	4.2	2.8
Technical (first cycle)	0.4	0.2	0.2	0.3	0.4	0.3	0.3	0.2	-	0.3
General (second cycle)	1.0	1.0	1.0	0.6	0.7	0.8	0.6	0.4	-	0.7
Technical (second cycle)	0.2	0.2	0.3	0.2	0.3	0.3	0.2	0.1	-	0.2
Higher Education	0.6	0.4	0.5	0.3	0.3	0.4	0.3	0.1	-	0.3
Does not know	0.2	0.2	0.3	0.3	0.4	0.5	0.5	0.3	-	0.3
Other	7.4	8.3	8.8	9.4	7.5	7.6	7.6	7.7	4.2	7.7
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>

Table 23  
**Distribution, as a percentage, of persons with disabilities aged 10 years and over by occupation, sex and place of residence<sup>76</sup>**

Occupation	Urban			Rural			Total		
	M	F	Total	M	F	Total	M	F	Total
Senior administrative personnel	-	-	-	-	-	-	-	-	-
Intellectual and scientific occupations	1.9	-	1.4	-	-	-	0.3	-	0.2
Mid-level occupations	1.9	-	1.4	-	-	-	0.3	-	0.2
Administrative-type occupations	-	-	-	-	0.4	0.2	-	0.4	0.2

<sup>76</sup> Ministry of the Interior; Central Census Office: *Burundi General Population and Housing Census 2008, Volume 3: Analysis; Volume 13: Socioeconomic Situation of Persons with Disabilities in Burundi*, Bujumbura, 2011, p. 33.

Occupation	Urban			Rural			Total		
	M	F	Total	M	F	Total	M	F	Total
Service and retail personnel	49.1	83.3	57.7	65.0	89.4	75.0	62.8	89.0	73.1
Agricultural and trade workers	-	5.6	1.4	1.2	0.4	0.9	1.1	0.8	1.0
Plant and machine operators	15.1	-	11.3	20.2	4.8	13.9	19.5	4.5	13.6
Labourers and unskilled personnel	7.5	5.6	7.0	0.9	-	0.5	1.8	0.4	1.3
Armed and security personnel	5.7	5.6	5.6	7.7	3.1	5.8	7.4	3.3	5.8
Other trades and occupations	17.0	-	12.7	1.2	-	0.7	3.4	-	2.1
No occupation or occupation not specified	1.9	-	1.4	3.7	1.8	2.9	3.4	1.6	2.7
<b>Total</b>	<b>100.0</b>								

Table 24

**Distribution, as a percentage, of persons with disabilities aged 10 years and over by employment status, sex and place of residence<sup>77</sup>**

Employment status	Urban			Rural			Total		
	M	F	Total	M	F	Total	M	F	Total
Self-employed	20.4	17.0	18.9	45.6	42.2	43.8	43.8	40.8	42.2
Employer	0.4	0.2	0.3	0.1	0.1	0.1	0.1	0.1	0.1
Permanent employee	8.1	4.0	6.2	0.8	0.2	0.5	1.3	0.4	0.9
Temporary employee	3.4	1.1	2.3	1.2	0.5	0.8	1.4	0.5	0.9
Apprentice	0.1	0.1	0.1	0.1	0.0	0.1	0.1	0.0	0.1
Caregiver	0.8	1.4	1.1	2.9	3.6	3.3	2.7	3.5	3.1
Not determined	66.8	76.3	71.1	49.3	53.4	51.5	50.5	54.7	52.7
<b>Total</b>	<b>100.0</b>								

Table 25

**Contributory social protection<sup>78</sup>**

Social insurance	Institutions	Recipients
Pension	National Social Security Institute National Office for Pensions and Occupational Risks	2.56%
Health coverage	Civil Service Mutual Insurance Society Mutual Health Insurance Fund for Formal Private Sector Companies Community mutual health plans Microinsurance schemes: SOLIS, SONAVIE, MUSAT and SAAT	6.8% 0.12% 2.6% 0.13 %

<sup>77</sup> Ibid., p. 34.

<sup>78</sup> Data gathered from the Permanent Executive Secretariat of the National Social Protection Commission

Table 26  
**Non-contributory social protection**<sup>79</sup>

<i>Social assistance (social transfers) and social welfare services</i>	<i>Number of recipients</i>
Public cash transfer programme (“Merankabandi”)	48 000 households in which the transfer is made to women
Other cash transfer programmes	-
Free basic schooling	98.15%
<i>Social health protection indicators</i>	<i>Recipients</i>
Medical care	23.9% 5(Demographic and Health Surveys (DHS) III)
Free care for children up to 5 years of age	-
Free care for pregnant women	-
Percentage of births attended by skilled health personnel	83% (DHS III)
Under-5 mortality rate	78/1 000 (DHS III)
Maternal mortality rate	392/100 000 (DHS III)
Vaccination coverage of children from birth to 12 years	84.7% (DHS)
<i>Other programmes</i>	<i>Recipients</i>
Community solidarity support project for the assistance and socioeconomic reintegration of vulnerable persons, with women as project beneficiaries.	-
Funding programme for healthcare and health services for older persons	3 500 older persons
Programme to provide access to healthcare for 2 500 vulnerable households in the informal sector through community mutual health plans.	2 500 households
Support for women’s associations for income-generating activities	1 120 solidarity groups were created in 2018
Protection programme for persons with HIV/AIDS	-
Labour-intensive public works	1 891 persons, including 945 women of working age, benefiting from labour-intensive public works projects
Free legal aid (Ministry of Justice, etc.)	4 705 (2018) indigent persons supported, including 1 943 women
School meals	600 000/2 406 612 recipients (2018–2019)
Percentage of population with access to improved water sources	82.80% (DHS III)

**Table 27**  
**Distribution, as a percentage, of households headed by persons with disabilities by housing occupation status, sex and place of residence**

Housing occupation status				Urban			Rural		
	M	F	Total	M	F	Total	M	F	Total
Owner with land title	12.5	11.5	12.2	17.2	17.1	17.2	12.2	11.3	11.9
Owner without land title	72.8	75.0	73.5	36.9	40.4	37.7	75.0	76.5	75.5

79 Ibid.

<i>Housing occupation status</i>				<i>Urban</i>			<i>Rural</i>		
	<i>M</i>	<i>F</i>	<i>Total</i>	<i>M</i>	<i>F</i>	<i>Total</i>	<i>M</i>	<i>F</i>	<i>Total</i>
Simple rental agreement	6.6	4.6	6.0	30.6	25.0	29.2	5.1	3.7	4.7
Rental purchase agreement	1.0	0.5	0.8	2.8	1.5	2.5	0.9	0.5	0.7
Free accommodation	4.1	5.0	4.4	8.2	13.2	9.4	3.9	4.6	4.1
Staff housing	0.4	0.2	0.3	1.4	0.4	1.2	0.3	0.1	0.3
Temporary shelter/camp	2.6	3.2	2.8	2.9	2.4	2.8	2.6	3.2	2.8
<b>Total</b>	<b>100.0</b>								

Table 28

**Distribution, as a percentage, of households headed by persons with disabilities by housing type, sex and place of residence**

<i>Housing type</i>	<i>Urban</i>		<i>Rural</i>		<i>Burundi</i>	
	<i>M</i>	<i>F</i>			<i>Total</i>	
<i>Rugo</i>	27.1	28.3	27.5	15.6	28.1	
Detached house	67.4	66.6	67.1	42.3	68.5	
Multi-unit building	3.6	3.1	3.4	37.7	1.6	
Apartment building	0.2	0.2	0.2	0.7	0.1	
Other	1.7	1.9	1.8	3.6	1.7	
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	