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Universal Periodic Review

Report of the Working Group on the Universal Periodic Review*

Burundi

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its fifteenth session from 21 January to 1 February 2013. The review of Burundi was held at the 7th meeting on 24 January 2013. The delegation of Burundi was headed by Clotilde Niragira, Minister of National Solidarity, Human Rights and Gender. At its 13th meeting, held on 29 January 2013, the Working Group adopted the report on Burundi.

2. On 14 January 2013, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Burundi: Benin, India and Republic of Moldova.

3. In accordance with paragraph 15 of the annex to resolution 5/1 and paragraph 5 of the annex to resolution 16/21, the following documents were issued for the review of Burundi:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/15/BDI/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/15/BDI/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/15/BDI/3).

4. A list of questions prepared in advance by the Czech Republic, Mexico, the Netherlands, Norway, Slovenia and the United Kingdom of Great Britain and Northern Ireland was transmitted to Burundi through the troika. These questions are available on the extranet of the universal periodic review (UPR).

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The head of the delegation presented the report of Burundi for the second cycle of the universal periodic review, emphasizing that Burundi had made substantial progress in the promotion and protection of human rights as a whole.

6. He thanked the entire international community, and especially the Office of the United Nations High Commissioner for Human Rights, for supporting the people of Burundi even during the most difficult moments of the crisis.

7. Burundi had taken various practical measures in response to the recommendations made during the first cycle of the universal periodic review.¹ It had drafted a bill on the prevention of, protection from and punishment of gender-based violence, which was in the process of being adopted. A pilot centre had been established to provide comprehensive support to victims of gender-based violence. The State had also taken steps towards ratifying the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Convention on the Rights of Persons with

¹ See A/HRC/10/71.

Disabilities and its Optional Protocol. It had developed a national policy on human rights and child protection. In addition, a national children's forum and a women's forum were being established. Burundi had also set up an independent national electoral commission to thoroughly prepare for the 2015 elections. It had developed a strategic framework to promote growth and combat poverty, a national strategy for the socioeconomic reintegration of persons affected by conflict, and a national strategy to combat food insecurity.

8. The delegation recognized, however, that Burundi was facing some challenges and impediments to the fulfilment of its human rights obligations.

9. In the knowledge that the promotion and protection of human rights went hand in hand with development, Burundi had just adopted a new strategic framework to promote growth and combat poverty that focused on economic growth and job creation.

10. Burundi already had plenty of experience it could share with other nations, given the solutions it had found for the internecine conflicts that had lasted for decades and had crippled development. Thanks to the Arusha Peace and Reconciliation Agreement for Burundi of 2000, the country had been able to exorcise the demons of division and ethnic hatred. Burundi had managed to train a new army and a national police force, which had received worldwide acclaim for their performance.

11. Burundi had established several national institutions for the promotion and protection of human rights, namely the Ombudsman, the National Independent Human Rights Commission (NIHRC) and the National Commission on Land and Other Properties.

12. With regard to civil and political rights, the new Criminal Code had, *inter alia*, abolished the death penalty, raised the age of criminal responsibility from 13 to 15 years and defined rape and torture as offences. The Code punished war crimes, crimes against humanity and genocide, which were not subject to statutory time limits or amnesty.

13. In addition, Burundi had developed a criminal policy document to serve as a guide for judicial officials when processing case files, so as to ensure respect for defendants' rights with a view to creating a humane criminal justice system.

14. Burundi had taken several steps to ensure that judicial services were more accessible and more evenly distributed. A policy creating itinerant judges had been established to dispense community justice, and legal advice services were offered through the courts in order to respond quickly to gross human rights violations. In addition, "focal point" judges had been appointed in civil courts to monitor cases involving gender-based violence.

15. Burundi was a State based on the rule of law and was committed to creating an accessible, independent, efficient, gender-sensitive judicial system that ensured respect for human rights. A preparatory committee for the national consultations on justice had been established to determine how best to strengthen the independence of the judiciary.

16. Burundi had continued its efforts to reduce prison overcrowding by releasing prisoners on parole and granting presidential pardons. More than 7,000 prisoners, or more than 45 per cent of the prison population, had benefited from such acts of clemency.

17. A new Code of Criminal Procedure had been drafted; it had been adopted by the National Assembly and was currently before the Senate. One of the changes in the new Code was the introduction of community service as an alternative to imprisonment. The Government was also working through the prison administration to improve prison conditions: 7 out of 11 prisons had been renovated so as to separate children from adults and women from men.

18. With a view to promoting full protection for the right to freedom of opinion and expression, the Government of Burundi had prepared a press bill, in which the main innovation was the decriminalization of press offences.

19. With regard to economic, social and cultural rights, the delegation explained the progress made in providing access to basic social services, among other things, and said that the Government provided free education for all children in primary school. Health care was also provided free of charge for children under 5 years of age and for women giving birth. The delegation noted the challenges with regard to the quality of health care, the high mortality rates among children and the labour force, and problems of hygiene, sanitation and access to drinking water.

20. The Constitution guaranteed the principle of equality among all citizens and established a minimum quota of 30 per cent representation for women in parliament and in the Government. With regard to inheritance, matrimonial regimes and bequests, the Government had launched a study on the effects of having no written law on those matters and on the advantages of having one.

21. With regard to trafficking in persons, Burundi had ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. In addition, the trafficking and exploitation of women and girls were prohibited under the revised Criminal Code.

22. Burundi had launched a study on the effects of having no written law on inheritance, matrimonial regimes and bequests, and on the advantages of having one. A national plan of action was currently being prepared and implemented in response to Security Council resolution 1325 (2000).

23. On the subject of ethnic minorities, the delegation stressed that the Batwa's rights were protected and that their community was represented in both chambers of parliament and in other republican institutions, as provided for in the Constitution.

24. The Government had taken special measures to ensure protection for vulnerable groups, particularly albinos. It had ordered that cases involving violations of the rights of albinos should be handled without delay, and the perpetrators of such violations received the maximum penalties.

25. Burundi had not only ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (see paragraph 21 above) after the first cycle of the universal periodic review, but was also considering adopting several other international legal instruments.

26. The delegation acknowledged that the country still faced difficulties and challenges, including in the areas of population growth, food insecurity and the effective implementation of the strategic framework to promote growth and combat poverty. Human rights violations were still taking place: they included murder, gender-based violence and violations resulting from conflicts over land.

27. However, there were early signs that the people of Burundi were ready to rebuild the country on new foundations with a view to achieving social cohesion and effective reconciliation. The vast majority of refugees had returned, and the last refugee camp — Mtabila Camp in the United Republic of Tanzania — had closed on 31 December 2012. Internally displaced persons were gradually returning to their places of origin. A truth and reconciliation commission would also be established.

28. After calling on all its partners to help Burundi with support of all kinds, the head of the delegation reaffirmed the Government's commitment to continuing its policy of

strengthening the democratic process and the rule of law, expanding civil liberties and improving the protection of human rights.

B. Interactive dialogue and responses by the State under review

29. During the interactive dialogue 74 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

30. Djibouti congratulated Burundi on the quality of its national report. It commended efforts for the promotion of human rights, in particular the adoption of a law in 2010 for the creation of a national human rights institution. Djibouti made recommendations.

31. Egypt noted the review conducted by Burundi to bring legislation into conformity with the principals of human rights. New provisions in the Criminal Code addressing the protection of children, the crime of genocide, war crimes and crimes against humanity, torture and rape were welcomed. Egypt made recommendations.

32. Ethiopia expressed its appreciation of the progress in poverty reduction, protection of women and children and improvement in prison conditions. It asked for additional information on the efforts to promote democracy, good governance, poverty reduction and empowerment of women.

33. France thanked Burundi for the presentation of its national report and congratulated it on the progress that had been made in several areas in the field of human rights. It made recommendations.

34. Germany noted that despite the progress made, the human rights situation in Burundi still raised concerns. It made recommendations.

35. Guatemala noted the establishment of the NIHRC as well as the creation within the police of the Directorate-General for Civil Protection. It took note of the ratification process of several human rights instruments. Guatemala made recommendations.

36. The Holy See acknowledged efforts for peace and national reconciliation, the NIHRC, the ratification of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, women's participation and the Child and Family Department. It made recommendations.

37. Hungary welcomed the legislative efforts of Burundi as well as the NIHRC. It raised concerns about impunity regarding political killings and torture; sexual violence; and the criminalization of same-sex relations. It made recommendations.

38. Indonesia commended several measures, including on women's representation in decision-making bodies and on education, in particular a programme aimed at promoting girls' education and eradicating dropout. It noted the National Health Development Plan. Indonesia made recommendations.

39. Ireland welcomed the NIHRC and the abolition of the death penalty. It expressed its regret that the Truth and Reconciliation Commission had not been established by 2012 and that the establishment of a special tribunal had stalled. It noted concerns about the intimidation of journalists and human rights defenders. Ireland made recommendations.

40. Japan commended the progress made on the rule of law, good governance, and gender equality. It expressed its appreciation of the high percentage of women represented in the National Assembly and in Cabinet posts, but also expressed concern about cases of violence against girls in schools. Japan made recommendations.

41. Kenya noted the updating of the Code of Criminal Procedure and the consenting to additional relevant international legal instruments, as well as the recent creation of the NIHRC. Kenya made a recommendation.
42. Latvia noted that Burundi had invited several special procedures mandate holders to visit the country and that a majority of them had already visited Burundi. However, it mentioned that a number of requests to visit had not yet been accepted. Latvia made a recommendation.
43. Libya commended steps taken to ratify a number of international human rights instruments. Praising the adoption of the National Plan of Action for the Elimination of the Worst Forms of Child Labour, Libya raised concerns about the high level of child exploitation. It made a recommendation.
44. Madagascar praised progress made in the field of human rights since the first examination of Burundi under the UPR in 2008. It mentioned the NIHRC, the abolition of the death penalty, the explicit criminalization of genocide and the trafficking of women and girls. Madagascar made recommendations.
45. Malaysia commended the establishment of the NIHRC; the minimum quota of 30 per cent for the representation of women in decision-making bodies; the progress made in the protection of children; and the fair access to health services. Malaysia made recommendations.
46. Mauritania referred to the establishment of the NIHRC, the Ombudsman and the specialized agency for the protection of minors and women. It encouraged Burundi to continue its efforts to address illiteracy.
47. Mexico acknowledged efforts made to overcome the recent history of suffering and serious human rights violations. It encouraged Burundi to continue the implementation of international human rights standards. Mexico made recommendations.
48. Morocco noted with satisfaction the cooperation with the Independent Expert on the situation of human rights in Burundi. Morocco inquired about the progress made in the establishment of a High Court of Justice and the preparation for the conference (*états généraux*) on the justice system, as well as about the measures taken to reintegrate detainees in the society. It also inquired about the current status of the Press Act.
49. Namibia noted with appreciation the ratification of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (Palermo Protocol). It commended the new Criminal Code, but raised concerns about the lack of access to justice, the lack of qualified personnel in the judicial system and the low representation of women in Parliament. Namibia made recommendations.
50. The Netherlands commended the variety of media and asked how that related to the new media law, which would presumably be more restrictive on press media. It urged the Government to continue dialogue with opposition parties. It noted with concern that education policy entrenched discrimination on the basis of sexual orientation. The Netherlands made recommendations.
51. Norway noted that adequate funding would be essential to the success of the new institutions, such as the NIHRC, the Ombudsman and the police unit for civil protection. It expressed concern at the high number of extrajudicial killings and the lack of investigation in most cases. Norway made recommendations.
52. Pakistan took positive note of the establishment of the NIHRC, the Ombudsman and a specialized unit to protect women and children. It recalled the challenges of meeting human rights obligations in a post-conflict situation. Pakistan made recommendations.

53. The State of Palestine welcomed efforts in the areas of, inter alia, reduction of poverty and promotion of gender equality. Amendments to the Criminal Code and measures to protect children from domestic violence were commended. The State of Palestine urged Burundi to adopt a national plan for children's rights. It made recommendations.

54. Paraguay noted the revision of criminal legislation on torture, genocide, war crimes and crimes against humanity, and the abolition of capital punishment. It welcomed the establishment of the NIHRC and noted cooperation between Burundi and OHCHR. Paraguay made recommendations.

55. The delegation of Burundi thanked the representatives for their questions and reaffirmed its Government's willingness to listen to their advice and suggestions so that together they could see how best to meet the challenges facing the country. The delegation grouped its replies by theme.

56. With regard to the question about the establishment of the Truth and Reconciliation Commission, the bill was in the process of being adopted by parliament. Burundi had not been able to establish the Commission in 2012 due to various sociopolitical and organizational impediments, but the President of the Republic was committed to establishing the Commission in 2013. The Government had deemed it unwise to combine the legal provisions governing the two transitional justice mechanisms, one non-judicial (the Truth and Reconciliation Commission) and the other judicial (the Special Tribunal). The legal provisions governing the latter would likely be drafted once the Commission had submitted its report.

57. With regard to impunity for serious human rights violations in the form of crimes and extrajudicial executions, it had been pointed out that the number of violations had dropped significantly and that the perpetrators of offences were brought to justice, as demonstrated by the recent arrest of a number of soldiers and police officers.

58. Regarding the concerns about the intimidation of journalists and human rights defenders, the delegation pointed out that freedom of expression was guaranteed. No journalists were intimidated. On the other hand, anyone who violated the law was prosecuted regardless of their profession. A bill decriminalizing press offences had been drafted, and the media had been given the opportunity to express their complaints about the bill.

59. Special procedures mandate holders were welcome: Burundi had worked closely with the Independent Expert on the situation of human rights in Burundi for eight years. The delegation would look into the possibility of extending a standing invitation to mandate holders.

60. Regarding the recommendation to adopt a specific law on violence against women, the Government was currently analysing a bill dealing specifically with gender issues, which was intended to protect women, girls and schoolchildren. In addition, anyone convicted of violence against women or children was liable to receive the maximum penalty.

61. With regard to the rights of the child, the head of the delegation said that a decree establishing a national children's forum had been signed and was in the process of being implemented. In addition, the Government was developing a national policy to protect the rights of the child, as it recognized that children were the country's future. Burundi had established a national policy on education for girls, and there was parity between girls and boys in access to school.

62. Concerning inheritance, matrimonial regimes and bequests, a bill had been submitted to parliament, but for the time being the Government had decided to launch a study on the impact and benefits of such a law.

63. The independence of the judiciary was guaranteed by the Constitution, but tangible reforms could be expected. The need for reform had already been pointed out during the negotiation of the Arusha Peace and Reconciliation Agreement. The Government was preparing for the national consultations on justice with a view to ensuring the full independence of the judiciary. The consultations would be held in the second half of 2013.

64. Concerning the 2015 elections and the opposition members in exile, some opposition members had already returned to the country, after the Government had consistently reached out to them to facilitate their return. Burundi needed all of its citizens to participate in the 2015 elections.

65. With regard to the independence of the National Independent Human Rights Commission, the delegation thanked partners for their assistance and reiterated its request for their continued support. It pointed out that the running costs of the Commission were covered by the State budget.

66. The Batwa were recognized as an ethnic group under the Constitution and did not suffer from any discrimination. With regard to protection for albinos, the delegation repeated that the perpetrators of offences against those persons received the maximum penalties.

67. The Philippines noted efforts by Burundi to improve its legal and institutional human rights framework and increase legal protection for women and children. It welcomed the second phase of the Strategic Framework for Growth and Poverty Reduction. The Philippines made a recommendation.

68. The Republic of Korea took note of the establishment of the NIHRC, the revised Criminal Code and the measures taken to protect albinos. Burundi was encouraged to transform plans into actions. The Republic of Korea made recommendations.

69. The Republic of Moldova appreciated the strengthened institutional framework for human rights, including the NIHRC, and noted the willingness of Burundi to combat impunity. Work to improve children's rights was welcomed. The Republic of Moldova made recommendations.

70. Romania took note of positive developments in Burundi. Despite the remaining challenges, Romania hoped that reform projects would be pursued without delay and encouraged further work to improve the situation of women. Romania made recommendations.

71. Rwanda welcomed action for gender equality, notably the 30 per cent quota for women in decision-making bodies. It highlighted reforms to the business climate; poverty reduction and job creation; the new Ombudsman; and access to basic services. Rwanda made a recommendation.

72. Senegal noted achievements, notably in the justice, education and health sectors. It also noted measures to eliminate violence against women and increase their involvement in decision-making, and to provide free education. Senegal made recommendations.

73. Singapore welcomed the legislative and institutional reforms made by Burundi with respect to the rule of law, and the legislative and administrative measures to protect children, particularly the national plan of action to eliminate child labour and the national strategy to combat the phenomenon of street children. It made recommendations.

74. Slovakia acknowledged the abolition of the death penalty. It noted the establishment of the Child and Family Department within the Ministry of National Solidarity, Human Rights and Gender. It made recommendations.

75. Slovenia welcomed the NIHRC; the plan of action to eliminate child labour; and the equal gender distribution in schools. Slovenia remained concerned about girls' dropout, teenage pregnancies and the criminalization of same-sex relations. It made recommendations.

76. South Africa expressed appreciation for the strengthening of the capacity to protect human rights and the cooperation between Burundi and OHCHR. It welcomed the Strategic Plan for Justice and the draft law on gender violence. It noted the continued importance of providing Burundi with technical assistance. South Africa made recommendations.

77. Spain commended efforts towards political stability and human rights promotion, particularly the establishment of the NIHRC. It welcomed the abolition of the death penalty and the criminalization in the Criminal Code of genocide, war crimes, crimes against humanity and torture. Spain made recommendations.

78. Sri Lanka welcomed efforts in the areas of protection of children's and women's rights; criminalization of trafficking, exploitation and prostitution; improvement in access to health care; restoring peace, including the reintegration of former child soldiers; and civilian disarmament. It made recommendations.

79. Sudan acknowledged efforts to protect human rights, particularly the ratification of several human rights treaties and the measures to combat violence against women. It urged Burundi to speed up the adoption of a law to fight gender violence. Sudan made recommendations.

80. Switzerland acknowledged the abolition of the death penalty in the 2009 Criminal Code and the establishment of the NIHRC. It encouraged Burundi to continue its efforts regarding gender equality and women rights. It made recommendations.

81. Thailand commended efforts to protect Batwa and albinos, empower rural women and improve detention conditions. Thailand was concerned about discrimination against girls, albinos and Batwa children in education, and about the criminalization of homosexuality. Thailand made recommendations.

82. Togo took note of the laws on human rights; the abolition of the death penalty; the provision for punishment of torture, genocide, war crimes and crimes against humanity in the Criminal Code; the NIHRC; the promotion of girls' education; and the national health plan for 2011–2015. It made recommendations.

83. Tunisia noted the establishment of the NIHRC, the revised Criminal Code, and the current revision of the Code of Criminal Procedure. Actions to introduce transitional justice mechanisms were welcomed. Tunisia made recommendations.

84. Turkey welcomed the abolition of death penalty, and free health care for children and during maternity. It urged further action on monitoring mechanisms, birth registration and juvenile justice. Turkey made recommendations.

85. Uganda noted achievements in the implementation of a 30 per cent quota for women's representation in decision-making bodies, and the provision for punishment for the trafficking, exploitation and prostitution of women and girls. Uganda made a recommendation.

86. The United Kingdom of Great Britain and Northern Ireland commended several measures, but objected to the criminalization of homosexuality. It urged the ratification of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (OP-CEDAW). Extrajudicial executions, torture and a lack of accountability remained serious concerns. The United Kingdom made recommendations.

87. The United States of America welcomed several measures, but expressed concern at political violence, impunity, harassment of those reporting corruption and human rights abuses, and the absence of prosecutions of perpetrators of trafficking. It made recommendations.

88. Uruguay welcomed the NIHRC. Despite changes to criminal legislation, the continued criminalization of homosexuality raised concerns. Uruguay noted that de facto discrimination of certain groups continued to be tolerated. It made recommendations.

89. The Bolivarian Republic of Venezuela highlighted the NIHRC, the amended criminal code, measures to protect children, the national strategy to combat gender-based violence and the provision of health insurance cards. It made a recommendation.

90. Viet Nam noted the efforts for national reconstruction. Measures had been introduced to foster peace, the rule of law, social cohesion and the enjoyment of basic human rights, particularly by women and children. Viet Nam made recommendations.

91. Zimbabwe highlighted efforts to establish a truth and reconciliation commission. It welcomed the NIHRC, amendments to the Criminal Code, and the implementation of quotas to increase women's participation in decision-making bodies. Zimbabwe made recommendations.

92. Algeria noted quotas for women in decision-making posts; action taken to combat trafficking and discrimination against albinos and Batwa; programmes for girls' education and the national sanitation plan. Algeria made recommendations.

93. Angola took note of the new Criminal Code; the NIHRC; the ratification of the Palermo Protocol, and action taken on disarmament, transitional justice, women and children, and poverty reduction. Angola made a recommendation.

94. Argentina welcomed the establishment of the NIHRC and a tripartite commission involving the Government, the United Nations and civil society to set up transitional justice mechanisms. Argentina made recommendations.

95. Armenia noted legislative improvements to strengthen human rights. It requested more information on measures to implement transitional justice mechanisms and create a truth and reconciliation commission. Armenia made recommendations.

96. Australia welcomed the decrease in political killings, but remained concerned about continuing reports of torture and extrajudicial executions. It acknowledged the important role of civil society, journalists and opposition parties. Australia made recommendations.

97. Austria welcomed the operational NIHRC and plans for a truth and reconciliation commission. It was concerned about reports of extrajudicial executions, arbitrary detentions and harassment of human rights defenders and journalists. It asked how the situation of Batwa would be improved. Austria made recommendations.

98. Azerbaijan supported efforts for the peace process. It welcomed the strengthening of the legislative and institutional frameworks of Burundi, measures to combat gender-based violence and positive steps to protect and promote children's rights. Azerbaijan made recommendations.

99. Bangladesh noted that poverty remained a serious issue, hampering the full enjoyment of human rights in a country struggling to recover from civil war. Nevertheless, Burundi was making considerable efforts to improve human rights, despite a lack of resources. Bangladesh called for adequate international support for the endeavours of Burundi.

100. Belgium was concerned about extrajudicial executions and combating impunity, and asked what measures were being taken to advance prosecutions. It would support training

for the judiciary. Belgium was concerned about legislative restrictions on freedom of expression, public demonstrations and not-for-profit organizations. Belgium made recommendations.

101. Brazil welcomed steps to promote democracy and human rights following a long civil war, especially efforts to promote national reconciliation and civil and political rights and to combat extreme poverty. Brazil pledged to cooperate in implementing the Strategic Framework for Growth and Poverty Reduction. It made recommendations.

102. Burkina Faso noted legislative changes in Burundi, especially to reform the justice system and ensure access for all. It commended efforts to combat violence against women and guarantee enjoyment of women's rights. Significant challenges remained in ensuring human rights in Burundi. Burkina Faso made a recommendation.

103. Cambodia noted the commitment of Burundi to its reform programmes, particularly regarding the judiciary. It recognized the need for Burundi to build its capacity to ensure sustainable development and encouraged Burundi to address remaining challenges, with the support of the international community.

104. Canada enquired about measures to lift restrictions on peaceful demonstrations. It welcomed investigations into allegations of summary executions of opposition activists and called for the perpetrators to be prosecuted. Restrictions on freedom of the press were a concern. Canada encouraged the adoption of draft legislation on equality between men and women. It made recommendations.

105. Cape Verde welcomed the revised Criminal Code, the NIHRC, measures to protect vulnerable minorities and plans for legislation to protect women's and children's rights. It encouraged efforts to alleviate poverty and ensure the economic and social development of the people of Burundi. Cape Verde made a recommendation.

106. Chad welcomed legislative and institutional reforms undertaken by Burundi to improve the promotion and protection of human rights and its efforts to ensure the rights of women, children, Batwa and albinos. Chad made a recommendation.

107. Chile appreciated the willingness of Burundi to implement the recommendations and voluntary commitments made following the submission of the national report in 2008. It particularly welcomed the amendments to the Criminal Code in 2009. Chile made recommendations.

108. China highlighted the efforts made by Burundi to promote gender equality and respect for women's rights, strengthen protection for children and reduce girls' school dropout. It welcomed the National Health Development Plan 2011–2015, which would guarantee people the right to health. China made a recommendation.

109. Colombia applauded the creation of the NIHRC and achievements in the establishment of a truth and reconciliation commission. All countries faced challenges in protecting and promoting human rights; dialogue, cooperation and assistance were key elements in sharing good practice and strengthening national efforts. Colombia made recommendations.

110. The Congo noted steps taken to: guarantee access to justice; improve detention conditions; and combat torture and violence against women. It encouraged Burundi to ensure the effective implementation of legislative and institutional reforms.

111. Costa Rica welcomed efforts to ensure greater enjoyment of human rights. It was concerned about impunity regarding torture, extrajudicial executions related to political violence and the limited access for children with disabilities to the education system. Costa Rica made recommendations.

112. Côte d'Ivoire urged Burundi to ensure the promotion and protection of all human rights, including for women, children and vulnerable people. Burundi should request support from the international community in implementing the recommendations from the first UPR cycle on establishing food security and combating poverty. Côte d'Ivoire made a recommendation.

113. Cuba welcomed policies to improve living standards; combat poverty and extreme poverty; combat HIV/AIDS; promote gender equality, transform the economy in pursuit of sustainable growth; improve access to quality basic services; and strengthen social protection. Cuba made a recommendation.

114. Cyprus commended Burundi on honouring its commitment to criminalize torture under its new Criminal Code. However, it was concerned at reports of continued incidents of torture by government officials and members of the Armed Forces. Cyprus made recommendations.

115. The Czech Republic welcomed efforts to overcome challenges in the process of reconciliation and strengthening the rule of law, the abolition of the death penalty and the criminalization of torture under the new Criminal Code, but was concerned that the Code also criminalized same-sex relations. It made recommendations.

116. In answer to the question about the situation of the Batwa, the delegation of Burundi reiterated that the Batwa were recognized as an ethnic group under the Constitution and were considered to be full-fledged Burundians with the same rights as other citizens. Moreover, Burundi had taken measures to protect albinos, and perpetrators of offences against albinos were severely punished.

117. In the light of allegations of extrajudicial executions, Burundi had set up a commission of inquiry, which had demonstrated that some murders had been committed by police officers and soldiers. Those responsible for the murders had been arrested. There was no impunity for the police, the military or the intelligence services; 250 police officers and 300 soldiers were in prison for human rights violations.

118. The delegation emphasized the need for economic recovery as a prerequisite for good governance and the rule of law. It noted that 40 per cent of the State budget was allocated to socioeconomic sectors, and that the Government had established an institutional framework to combat corruption. It further noted a 50 per cent increase in the number of children in school and said that the number of classes had doubled.

119. In an effort to improve maternal and child health, Burundi had established a national health development policy along with free health care for women giving birth and for children under 5 years of age. The State had also taken steps to encourage birth registration.

120. Turning to the questions about freedom of the press, the delegation said that freedom of expression was enjoyed by everyone, as demonstrated by the large number of private radio stations, television channels and newspapers. Only one journalist was currently in prison, and that was for alleged involvement with armed gangs. There were now no human rights defenders in prison. The delegation repeated that Burundi was working on a new press bill. Also, bills on public assembly, non-profit associations and religious organizations were in the process of adoption. Some of the contentious provisions of the law on public meetings had been removed from the new bill.

121. With regard to discrimination against homosexuals, the delegation acknowledged that the Criminal Code of 2009 still punished homosexuality. That situation was in line with the country's customs and values, and the delegation asked for the international community's understanding while Burundian society prepared for a change in mentality. The head of the delegation did emphasize, however, that he would raise the issue with the Government.

122. The constitutional quota of 30 per cent representation for women in parliament and in the Government was a minimum; the Government favoured broader representation.

123. With regard to the Truth and Reconciliation Commission and the issue of protection for victims and witnesses, the delegation emphasized that it was aware of the need to adopt a law on that issue. The Government was in the process of drafting such a bill.

124. The Government was considering ratifying the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Optional Protocol to the Convention on the Rights of Persons with Disabilities. The country had submitted its periodic reports on the implementation of the Convention against Torture, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.

125. The delegation thanked all the delegates for their participation and their questions and reiterated that it was available to answer further questions after the meeting if necessary. It urged the country's partners to continue their support for Burundi.

II. Conclusions and/or recommendations**

126. **The recommendations formulated during the interactive dialogue and listed below will be examined by Burundi, which will provide responses in due time, but no later than the twenty-third session of the Human Rights Council in June 2013:**

126.1 **Consolidate commitment against the death penalty by ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR-OP2) (France);**

126.2 **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Belgium);**

126.3 **Accede to ICCPR-OP2 with the view to abolish the death penalty (Switzerland);**

126.4 **Consider ratifying the OP-CEDAW (Brazil);**

126.5 **Speed up the ratification of the Conventions and Protocols recommended during its 2008 Universal Periodic Review (UPR) and already under way, including Convention on the Rights of Persons with Disabilities (CRPD), its Optional Protocol and Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (OP-CEDAW) (Rwanda);**

126.6 **Complete the ratification of the Convention on the Rights of Persons with Disabilities (CRPD) as well as the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (OP-CEDAW) (Republic of Moldova);**

126.7 **Sign and ratify CRPD and OP-CEDAW (Turkey);**

126.8 **Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT), as well as the International Convention for the Protection of All Persons from Enforced Disappearance (CPED) (France);**

** Conclusions and recommendations have not been edited.

- 126.9 **Ratify CRPD, CPED and OP-CAT (Tunisia);**
- 127.10 **Ratify OP-CAT and incorporate it into domestic legislation (Turkey);**
- 126.11 **Enhance the process of ratification of the Optional Protocol to the Convention against Torture (Cyprus);**
- 126.12 **Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Austria);**
- 126.13 **Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and to establish the national preventive mechanism accordingly (Czech Republic);**
- 126.14 **Consider ratification of OP-CRC-IC (Slovakia);**
- 126.15 **Consider acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW) (Philippines);**
- 126.16 **Continue the efforts embarked to ratify International Convention for the Protection of All Persons from Enforced Disappearance (CPED) (Argentina);**
- 126.17 **Ratify Conventions to which it is not yet party (Chad);**
- 126.18 **Continue to strengthen its domestic legal framework to enhance the rule of law and increase the capacity of its law enforcement agencies (Singapore);**
- 126.19 **Conclude the alignment of its domestic legislation with the Rome Statute provisions (Tunisia);**
- 126.20 **Revoke article 567 from the Penal Code and remove any discrimination on the grounds of sexual orientation from all other laws and policies (Hungary);**
- 126.21 **Repeal the provisions of the 2009 Criminal Code which criminalize sexual relations between consenting adults of the same sex (Slovenia);**
- 126.22 **Decriminalize sexual relations between consenting adults of the same sex as well as abolish other rules which promote discrimination based on sexual orientation (Spain);**
- 126.23 **Consider decriminalizing homosexuality, in particular relations between consenting adults (Thailand);**
- 126.24 **Adopt all necessary political and legislative measures to decriminalize sexual relations between consenting adults of the same sex as well as adopt measures to guarantee the enjoyment of the right to health without discrimination based on sexual orientation (Uruguay);**
- 126.25 **Undertake a process of revising its penal code by aiming to amend article 567 criminalizing relationships between persons of the same sex (Canada);**
- 126.26 **Reconsider decriminalizing certain conducts based on sexual orientation and gender identity, as recommended by the High Commissioner for Human Rights (Chile);**
- 126.27 **Incorporate into its legislation measures of prompt and effective cooperation with the International Criminal Court, as well as, obligations to**

investigate and prosecute in its territory crimes established in the Rome Statute (Costa Rica);

126.28 Put in line with the non-discrimination principle provided by CEDAW, the Persons and Family Code and the law governing inheritance, marriages regime and bequests (Switzerland);

126.29 Adopt a legislation on inheritance and matrimonial regimes (Madagascar);

126.30 Finalize and enact anti-trafficking legislation and, in the interim, enforce existing trafficking provisions of the 2009 Criminal Code (United States of America);

126.31 Intensify efforts in order to eradicate from its legislation and practice all discriminatory laws and adopt a comprehensive strategy on awareness-raising campaigns to eliminate discrimination based on any grounds and against all vulnerable groups, particularly girls with respect to their inheritance and education rights, children born out of wedlock, albinos and those pertaining to the Batwa minority and taken into families under the *kafala* regime (Uruguay);

126.32 Modify the legislation which restrains freedom of expression and peaceful assembly (Mexico);

126.33 Modify articles 6 and 9 of the bill repealing the Decree No. 100/187/91 on the regulation of public manifestations and public meetings, which would allow especially authorities to “delegate one or more official(s) mandated to attend to any public meeting and ensure the conformity with its obligations regarding human rights” (Canada);

126.34 Promote gender equality and adopt legislation to protect vulnerable groups (Madagascar);

126.35 Adopt and implement appropriate and efficient measures to address the high incidence of sexual violence against women and girls, including addressing the reported widespread impunity of perpetrators (Slovakia);

126.36 Adopt legislation aiming at the protection of all children with disabilities with a view to combat discriminatory attitudes (Djibouti);

126.37 Adopt the draft National Policy on Children Protection (Algeria);

126.38 Adopt and implement legislation to eliminate discrimination against persons with disabilities (Mexico);

126.39 Strengthen the operational and financial capacities of the National Independent Human Rights Commission and ensure that its composition and functioning are in accordance with the Paris Principles (France);

126.40 Further strengthen the National Independent Human Rights Commission through provision of required resources (Pakistan);

126.41 Ensure sufficient resources for the National Independent Human Rights Commission to fully fulfil its mandate (Republic of Korea);

126.42 Continue to provide funds for the functioning of the National Independent Human Rights Commission (Republic of Moldova);

126.43 Provide the National Human Rights Commission with the necessary resources to ensure that it is fully operational and effective (South Africa);

- 126.44 Strengthen and support the independence and the work of the National Independent Human Rights Commission as well as of the judicial system, providing them with necessary resources to do their work (Spain);
- 126.45 Continue its efforts with regard to the smooth and productive activity of the National Independent Human Rights Commission within the country (Azerbaijan);
- 126.46 Implement follow up mechanisms of the UPR recommendations that allows verifying the implementation and impact of legislation and measures adopted to promote equal rights and non-discrimination for all citizens, in particular vulnerable groups such as: women, children, ethnic minorities, LGBTI community and persons with disabilities (Colombia);
- 126.47 Take further steps toward the improvement of its human rights situation (Japan);
- 126.48 Continue consolidating peace and strengthening a human rights-based culture (Zimbabwe);
- 126.49 Maintain the positive efforts of integrating a human rights approach into education policies at various levels (Egypt);
- 126.50 Continue to integrate human rights approaches into its policies and education at various levels (Uganda);
- 126.51 Continue the efforts made to achieve the integration of the human rights approach in public policies and in different education levels (Argentina);
- 126.52 Conclude and put in place a training programme for police officers and others in order to prevent torture (Holy See);
- 126.53 Take concrete measures in order to combat impunity and to prevent extrajudicial killings and torture (Romania);
- 126.54 Manifest publicly and energetic to its security forces and intelligence services that extrajudicial executions would not be tolerated and that also make the necessary efforts to eradicate this practice, including the prosecution of those responsible (Costa Rica);
- 126.55 Make every effort to fully implement recommendations already made to Burundi during the first cycle of the UPR, related to combating impunity of persons responsible for acts of torture and to the carrying out of thorough independent and impartial investigation into all allegations of such crimes (Cyprus);
- 126.56 Adopt further measures to fight impunity of persons responsible for torture and extrajudicial killings and to conduct prompt, thorough, independent and impartial investigations into allegations of these crimes (Czech Republic);
- 126.57 Intensify measures against acts of sexual violence against women and girls, and careful and effective treatment of alleged occurrence of extrajudicial executions (Cape Verde);
- 126.58 Reinforce human rights training to the law enforcement personnel and to members of security forces and to hold duly accountable all those responsible for extrajudicial killings and other excessive use of force (Slovakia);

- 126.59 Speed up the implementation of the national gender policy and to establish the national gender council by providing appropriate resources (Tunisia);
- 126.60 Adopt and update a national plan of action on children's rights (Republic of Moldova);
- 126.61 Continue to strengthen its domestic framework to enhance the protection and well-being of children in cooperation with UNICEF and relevant United Nations agencies (Singapore);
- 126.62 Carry out appropriate and comprehensive measures to combat gender based violence and discrimination against vulnerable groups (Viet Nam);
- 126.63 Continue taking necessary measures to promote the rights of children and women (Armenia);
- 126.64 Further improve its efforts in regard to the measures on combating gender-based violence (Azerbaijan);
- 126.65 Strengthen and take the measures required to prevent and punish sexual violence (Colombia);
- 126.66 Continue its endeavours in relation to the protection and promotion of the rights of children (Azerbaijan);
- 126.67 Continue making efforts for the formulation of a national policy on gender (Chile);
- 126.68 Strengthen promotion and protection of persons with disabilities and elderly (Senegal);
- 126.69 Put a special emphasis on gender equality, the effectiveness protection of children and the protection of victims of albinism (Côte d'Ivoire);
- 126.70 Continue to strengthen its social policies so as to increase the living conditions of its people, especially of the most needed, with the international community solidarity (Bolivarian Republic of Venezuela);
- 126.71 Implement the recommendations of the Committee against Torture in its 2006 Concluding Observations for Burundi, and ratify the Optional Protocol to the Convention against Torture (Australia);
- 126.72 Continue cooperating with the Human Rights Council and its mechanisms, and extend an open invitation to the special procedures mechanisms (Guatemala);
- 126.73 Extend a standing invitation to all mandate holders (Hungary);
- 126.74 Step up its cooperation with special procedures mandate holders and eventually consider extending a standing invitation to all special procedures mandate holders of the Human Rights Council (Latvia);
- 126.75 Extend invitations and provide access to UN special procedures mandate holders, including the Special Rapporteur on the independence of judges and lawyers, and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, in order to help Burundi identify and address human rights challenges (Australia);
- 126.76 Invite the Special Rapporteur on extrajudicial, summary or arbitrary executions (Austria);

- 126.77 Invite the Special Rapporteur on the independence of judges and lawyers to visit Burundi (Belgium);
- 126.78 Issue a standing invitation to the special procedures of the United Nations, including the Special Rapporteur on the situation of human rights defenders (Chile);
- 126.79 Request assistance from the Office of the High Commissioner for Human Rights to strengthen access to justice services, as well as for the training of judicial personnel (Namibia);
- 126.80 Continue cooperation with Office of the High Commissioner for Human Rights to develop public policies and initiatives to ensure the promotion and protection of human rights (Paraguay);
- 126.81 Speed up the promulgation of equality laws, specially the revision of the Persons and Family Code, as well as the law on inheritance, matrimonial regimes and gifts and bequests (Belgium);
- 126.82 Revise its education policy that further entrenches discrimination on the basis of sexual orientation (Netherlands);
- 126.83 Ensure that no one is discriminated against on any grounds, including on the grounds of sexual orientation and gender identity (Brazil);
- 126.84 In line with the Constitution of Burundi, continue measures to combat discrimination and violence against albinos (Sri Lanka);
- 126.85 Renew efforts to ratify OP-CAT; to establish a national preventive mechanism regarding torture; and ensure investigation and prosecution in cases of extra-judicial killing and torture, notably those implicating state agents (United Kingdom of Great Britain and Northern Ireland);
- 126.86 Continue ensuring that living conditions in prisons are adequate for the development of the child and try to seek alternative measures to institutional confinement for pregnant women and mothers with young children (State of Palestine);
- 126.87 Take further steps to ensure the conditions in detention centres and prisons meet domestic and international standards, and implement measures to reduce prolonged pretrial detention (Australia);
- 126.88 Take steps to enhance the treatment of children born in prison, as well as pregnant women prisoners (Thailand);
- 126.89 Pass legislation to address sexual and gender based violence and ensure its full application, among others by providing the required budgetary allocations for legal and psychological assistance to victims (Hungary);
- 126.90 Further fight all forms of violence against children and women (Djibouti);
- 126.91 Establish the necessary mechanisms to put an end to violence against women and children (Japan);
- 126.92 Continue its efforts aimed at combating gender-based violence, including adopting a specific bill on gender-based violence (Malaysia);
- 126.93 Redouble its efforts to fight against violence against women and adopt a law on sexual and sexist violence and ensure its implementation (Republic of Moldova);

- 126.94 Continue to strengthen the abilities of the law enforcement agents to address the impunity of the perpetrators of sexual and sexist violence and to ensure the protection of the victims of trafficking (Republic of Moldova);
- 126.95 Establish mechanisms to receive, verify and investigate complaints of child ill-treatment and provide psychological and other support to victims of abuses (Guatemala);
- 126.96 Create mechanisms for the protection of children against all forms of exploitation, to fight impunity of perpetrators and bring them to justice and to set up programmes for psychological treatment to children subjected to violations (Libya);
- 126.97 Speed finalizing drafting the special law to prevent and punish crimes of gender based violence in order to put an end and fight violence against women (Sudan);
- 126.98 Finalizing the law for the protection of children and create a Committee to protect children, in addition to provide more efforts to solve the phenomenon of street children (Sudan);
- 126.99 Ensure the independence of judges from the executive in Burundi, by applying objective admission criteria within an impartial selection process and ensuring adequate funding for the judicial system (Germany);
- 126.100 Continue with its commitment to improve the judicial system and the prisons (Holy See);
- 126.101 Put in place a concrete national strategy containing effective measures aimed at strengthening the independent functioning of the judiciary (Kenya);
- 126.102 Consolidate the rule of law and social cohesion as preconditions to promote and protect human rights (Viet Nam)
- 126.103 Continue the on-going efforts to strengthen the independence of the judiciary (Senegal);
- 126.104 Continue reforming the judiciary system (Togo);
- 126.105 More actively take steps to break the cycle of impunity (Norway);
- 126.106 Ensure the establishment, within the National Independent Human Rights Commission, of a mechanism to follow up on the extra-judicial executions noted (France);
- 126.107 Put an end to extra-judicial executions and prosecute the perpetrators of such acts by means of a fair trial (Germany);
- 126.108 Promptly and fully investigated, by judicial authorities, all extra-judicial executions and torture committed by security services and that those responsible are prosecuted, and that the government ensure publication of the reports of all national commissions of inquiry set up to investigate arbitrary executions (Hungary);
- 126.109 Conduct prompt and full investigation into extrajudicial executions and political killings and ensure that those responsible are prosecuted and afforded a fair trial free of political interference (Australia);
- 126.110 Investigate all cases of extrajudicial executions, torture and other cruel, inhuman and degrading ill-treatments committed by security forces and

prosecute those responsible, with special attention to those crimes committed against human rights defenders (Spain);

126.111 Conduct investigations and initiate prosecutions against alleged perpetrators of extrajudicial executions (Austria);

126.112 Investigate, prosecute and, if convicted, punish perpetrators of human rights abuses, including those committed against civil society groups, members of the media and LGBT individuals (United States of America);

126.113 Continue efforts to eliminate impunity and to ensure the exercise of the right to truth (Armenia);

126.114 Promote the establishment of a Truth and Reconciliation Commission, in conformity with the Arusha Agreement and United Nations Security Council resolutions 1606 and 2027, guaranteeing the fight against impunity for crimes for which there is no statute of limitation (France);

126.115 Proceed with the establishment of the Truth and Reconciliation Commission in full transparency and establish an independent special tribunal to examine war crimes, as recommended during the first UPR (Germany);

126.116 Accelerate work to establish a Truth and Reconciliation Commission and to establish a Special Tribunal tasked with holding those responsible for war crimes to account, with both institutions conforming to international standards and drawing on national consultations (Ireland);

126.117 Ensure the independence and credibility of the Truth and Reconciliation Commission, by consulting with affected groups (Norway);

126.118 Accelerate efforts for establishment of Truth and Reconciliation Commission (Pakistan);

126.119 Positively consider the effective creation of a Truth and Reconciliation Commission, credible and independent, to shed light upon the violations of human rights of the past (Republic of Korea);

127.120 Speed up the establishment of a Truth and Reconciliation Commission (Romania);

126.121 Review the law establishing the Truth and Reconciliation Commission so as it is in line with international standards and do not establish an amnesty for crimes under international law (Spain);

126.122 Continue its efforts in the area of dealing with the past through the establishment of a Special Court and a Truth and Reconciliation Commission in line with international standards (Switzerland);

126.123 Continue the process aimed at establishing a Truth and Reconciliation Commission (Togo);

126.124 Step up its efforts to quickly complete the process to implement transitional justice mechanisms and to put an end to impunity of perpetrators of extrajudicial executions or political executions (Tunisia);

126.125 Urgently hold accountable those responsible for serious crimes committed between 1962 and 2008, ensuring transitional justice mechanisms include: witness and victim protection; an independent prosecutor; and an international commissioner. There should be no amnesty for those who committed war crimes, crimes against humanity or genocide (United Kingdom of Great Britain and Northern Ireland);

- 126.126 **Create a Truth and Reconciliation Commission in order to address the root causes of politically motivated violence (United States of America);**
- 126.127 **Adopt a law on the Truth and Reconciliation Commission which is in line with international human rights norms and which establishes the impossibility of applying an amnesty for serious human rights violations and international crimes (Uruguay);**
- 126.128 **Establish a special court with an independent prosecutor once the Truth Reconciliation Commission has ended its mandate (Uruguay);**
- 126.129 **Extend standing invitations to the Special Rapporteur on the independence of judges and lawyers and the Special Rapporteur on extrajudicial, summary or arbitrary executions, to adopt necessary measures aimed at establishing the Truth and Reconciliation Commission (Uruguay);**
- 126.130 **Finalize, as soon as possible, the establishment of a Truth Reconciliation Commission faithful to the spirit of the Arusha Agreements and representative of the recommendations made during the public consultations in 2010 (Canada);**
- 126.131 **Secure the protection of witnesses to the Truth and Reconciliation Commission, also those who have testimonies which may be directed at people with power (Norway);**
- 126.132 **Establish protection measures for victims and witnesses of these crimes (Belgium);**
- 126.133 **Preserve the natural institution of the family (Holy See);**
- 126.134 **Take the necessary measures to ensure that all the persons born in Burundi obtain a birth certificate regardless the status of their parents (Mexico);**
- 126.135 **Strengthen efforts to ensure increased free birth registration for children, both in urban and rural areas (Namibia);**
- 126.136 **Ensure access of all children to free birth registration (Turkey);**
- 126.137 **Guarantee fully the right to freedoms of assembly, association and expression, in conformity with the International Covenant on Civil and Political Rights (France);**
- 126.138 **Ensure the protection of freedom of opinion, and ensure that the press has margin for manoeuvre, as does civil society (Germany);**
- 126.139 **Protect, in law and in practice, the victims and witnesses of attacks and infringements of human rights and freedoms (France);**
- 126.140 **Take the necessary measures to ensure the protection of human rights defenders that are at risk (France);**
- 126.141 **Broaden the initiatives in favour of the independence of the State power, the freedom of expression and association (Holy See);**
- 126.142 **Take the necessary steps to ensure that its legal system and policies are in full compliance with its international obligations in respect of freedom of expression and that journalists and human rights defenders are guaranteed the freedom to carry out their work independently and without fear of prosecution or intimidation (Ireland);**

- 126.143 Ensure the safety and well-being of human rights defenders so that they are able to carry out freely their legitimate duties (Slovakia);
- 126.144 Strengthen the protection of journalists and human rights defenders in order to exercise the important work of monitoring the human rights situation (Colombia);
- 126.145 Guarantee freedom of the press and therefore to refrain from implementing more restrictive legal measures and policies (Netherlands);
- 126.146 Strengthen and improve press freedom and freedom of speech, including in its consideration of draft laws currently before the National Assembly, notably the revised press law and the law on public gatherings (Australia);
- 126.147 Envisage legislative reforms and namely the adoption of the press law in Burundi aiming to comply with human rights international standards (Belgium);
- 126.148 Ensure the safety of journalists against violence and harassment (Austria);
- 126.149 Take necessary measures to calm down the political environment (Togo);
- 126.150 Work with civil society institutions and other partners to ensure a democratic process leading up to the elections in 2015 (Norway);
- 126.151 Increase women representation in Government to the 30 per cent guaranteed by the Constitution (Namibia);
- 126.152 Ensure the full implementation of the Strategic Framework for Growth and Poverty Reduction (Madagascar);
- 126.153 Strengthen efforts to increase food security for the general population, and particularly those in extreme poverty in rural areas, as well as increase its budget for social infrastructure and social services, including health, education, and water and sanitation (Namibia);
- 126.154 Continue to prioritize the areas contained in the Strategic Framework for Growth and Combating Poverty and that the necessary resources are allocated for its implementation (South Africa);
- 126.155 Prioritize people-centred and results based socioeconomic development planning in line with the Vision Burundi 2025 (Zimbabwe);
- 126.156 Seek the necessary assistance, with appropriate partners, to fill the low literacy rates, submit its reports to the treaty bodies and implement its strategic framework for growth and the fight against poverty (Burkina Faso);
- 126.157 Continue to advance its poverty reduction strategy by actively implementing its second strategy framework for Growth and poverty (CSLPII), promoting its social and economic development which would enable the country to better protect and promote the various rights of its people (China);
- 126.158 Continue to implement the integrated development plans of the country; in particular those aimed at satisfy equitable access and improving the quality of education and health services (Cuba);
- 126.159 Keep on efforts, both on legal and procedural grounds, to ensure equal access to quality health services for all citizens (Egypt);

- 126.160 Further implement the National Health Development Plan 2011–2015 and the health insurance card for non-civil servants (Indonesia);
- 126.161 Continue implementing measures for the improvement of maternal and child health in line with its National Health Development Plan for 2011 to 2015 (Malaysia);
- 126.162 Continue to implement the National Health Development Plan 2011–2015 (Algeria);
- 126.163 Continue its efforts aimed at improving access of the population to primary health services and care (Angola);
- 126.164 Promote awareness and prevention of HIV/AIDS, especially in the rural areas and improve protective and preventive support for AIDS orphans (Sri Lanka);
- 126.165 Do all possible to guarantee that schools are safe places for children (Guatemala);
- 126.166 Ensure that schools are safe places for children, particularly girls (State of Palestine);
- 126.167 Make every effort to ensure that schools are safe places for children and that they are free from sexual and physical violence, as recommended by CRC (Slovenia);
- 126.168 Comprehensively implement programmes to provide fair access, in line with international standards, to promote girls' education at all levels, and to eradicate the causes of school dropout, and continue efforts in this regard, including through speeding up the adoption of the draft policy on girls' education (Indonesia);
- 126.169 Adopt and implement a national programme for promoting education for girls at all levels and the eradication of root causes of school dropout (Slovenia);
- 126.170 Carry on with ensuring that children with disabilities have full access to education and health-care services (Egypt);
- 126.171 Make easier the living conditions of the Batwa community which are of concern, particularly with regard to their access to land (Djibouti);
- 126.172 Continue the efforts made to combat discrimination against minorities (Argentina);
- 126.173 Take measures to address discrimination against persons belonging to the Batwa minority and improve their socioeconomic situation by ensuring their active participation in all decisions which affect them (Austria);
- 126.174 Request a major degree of solidarity and cooperation from neighbouring States in response to the problematic of being a landlocked country and in terms of the right of development for all (Paraguay).
127. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

Annex

[English/French only]

Composition of the delegation

The Delegation of Burundi was headed by Maître Clotilde NIRAGIRA, Ministre de la solidarité nationale, des droits de la personne humaine et du genre and composed of the following members:

- Monsieur Valentin BAGORIKUNDA, Procureur général de la République;
 - Monsieur Libérât MPFUMUKEKO, Conseiller principal au Bureau chargé des questions économiques, à la Présidence de la République;
 - Monsieur Jean Claude NDIHOKUBWAYO, Conseiller principal chargé des questions juridiques à la première vice-présidence;
 - Monsieur Célestin SINDIBUTUME, Assistant du Ministre au Ministère de la solidarité nationale, des droits de la personne humaine et du genre;
 - Madame Imelde NZIRORERA, Directeur général des droits de la personne humaine, de l'éducation à la paix et à la réconciliation nationale;
 - Monsieur Pierre Claver NDAYIRAGIJE, Ambassadeur Représentant permanent du Burundi auprès de l'Office des Nations Unies à Genève;
 - Monsieur Léonard MINANI, Premier Conseiller à la Mission permanente du Burundi auprès de l'Office des Nations Unies à Genève;
 - Madame Elisa NKERABIRORI, Attaché juridique à la Mission permanente du Burundi auprès de l'Office des Nations Unies à Genève;
 - Madame Dorothee NDAYIZIGA, Deuxième Conseiller à la Mission permanente du Burundi auprès de l'Office des Nations Unies à Genève;
 - Joselyne MUKAMUSONI, Secrétaire administrative à la Mission permanente du Burundi auprès de l'Office des Nations Unies à Genève.
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