



International Convention on the Elimination of All Forms of Racial Discrimination

Distr.: General
18 July 2025
English
Original: French
English, French and Spanish only

Committee on the Elimination of Racial Discrimination 116th session

Geneva, 17 November–5 December 2025

Consideration of reports, comments and information submitted
by States Parties under article 9 of the Convention

List of themes in relation to the combined eleventh to nineteenth periodic reports of Burundi

Note by the Country Rapporteur

1. The Committee on the Elimination of Racial Discrimination decided at its seventy-sixth session¹ that the Country Rapporteur would send to the State Party concerned a short list of themes, with a view to guiding and focusing the dialogue between the State Party's delegation and the Committee during the consideration of the State Party's report. The present document contains a list of such themes. It is not an exhaustive list; other issues may also be raised in the course of the dialogue. No written replies are required.

Statistics

2. Updated statistics on the demographic composition of the population, disaggregated by ethnic origin, sex and age, based on the results of the 2024 general population, housing, agriculture and livestock census and on data gathered through other mechanisms.² Trends, disaggregated by ethnic origin, sex and age, in indicators with regard to the socioeconomic situation of different groups living in the State Party, including the Batwa, persons with albinism, migrants, refugees, asylum-seekers, stateless persons and displaced persons, in order to assess the progress made and difficulties specific to certain groups, in particular concerning racial discrimination and socioeconomic inequalities, and to evaluate the exercise, on an equal basis, of the rights provided for in the Convention. Measures taken or planned to ensure that data-collection systems respect the principles of self-identification and data anonymity.³

The Convention in domestic law and the institutional and policy framework for its implementation (arts. 1, 2, 4 and 6)

3. Information on cases in which the provisions of the Convention have been invoked before the courts of the State Party or directly applied by them, pursuant to article 19 of the Constitution. Additional information on measures taken to raise awareness of the Convention among judges, public defenders, law enforcement officials, other public officials, lawyers and members of the public, including non-citizens, and the effects of the measures.⁴

4. Measures taken or planned to adopt comprehensive anti-discrimination legislation containing a clear definition of racial discrimination, including direct, indirect, multiple and intersecting forms of such discrimination, covering all fields of law and public life and all

¹ A/65/18, para. 85.

² CERD/C/BDI/11-19, paras. 8–10.

³ CERD/C/304/Add.42, para. 10.

⁴ CERD/C/BDI/11-19, paras. 61–71, 147–152 and 155.



prohibited grounds of discrimination, in accordance with article 1 (1) of the Convention.⁵ Updated information on measures taken or planned with a view to adopting a national action plan to combat racism, racial discrimination, xenophobia and related intolerance.

5. Measures taken to strengthen and guarantee the independence and impartiality of the Independent National Human Rights Commission and the Office of the Ombudsman. Information on measures taken or planned to strengthen their mandates and activities, including in the area of preventing and combating racial discrimination, and on trends in the human, technical and financial resources allocated to them so that they can carry out their mandates effectively and independently. Information on complaints of racial discrimination received by the Commission and the Ombudsman and on follow-up action taken.

6. Updated information on measures taken to criminalize acts of racial discrimination and all acts described in article 4 of the Convention and to make racist motives an aggravating circumstance for offences covered by the Criminal Code.⁶ Concrete measures taken to prevent, facilitate the filing of complaints about, investigate and punish hate speech and incitement to discrimination, xenophobia and racial violence, particularly in the media, on the Internet and on social media platforms, including when uttered or instigated by public authorities or public figures.⁷ Statistics on hate speech and hate crimes, disaggregated by grounds for discrimination, including the victim's ethnic origin and nationality, specifying whether the perpetrator is a public official. Outcomes of the investigations and prosecutions conducted in such cases and the verdicts handed down, penalties imposed and reparation provided to victims.

7. Measures taken to ensure that the provisions of the Penal Code and other laws, including those providing for the monitoring and combating of hate speech, are not used in a manner that leads to unnecessary or disproportionate interference with freedom of expression or freedom of peaceful assembly and association, in particular of human rights defenders and journalists, including those involved in the fight against racial and other forms of discrimination and inequality.

8. Measures taken or planned, particularly at the legislative level, to prevent, combat and explicitly prohibit racial profiling by law enforcement officials and other public officials.

Situation of ethnic groups and Indigenous Peoples (art. 5)

9. Application of measures, including special measures or affirmative action, to combat inequality and multiple and intersecting forms of discrimination, in particular those based on race, colour, descent or national or ethnic origin, political or other opinion, sex, sexual orientation and gender identity, affecting people belonging to ethnic communities, including the Batwa, as well as persons with albinism, migrants, refugees, asylum-seekers, stateless persons and displaced persons; and measures to ensure that these people can exercise their human rights without any discrimination.⁸ Specific information on the impact of these measures and the participation of persons belonging to these groups in their design, implementation and evaluation.

10. Additional information on measures taken to ensure the effective participation and representation of persons belonging to the various ethnic communities, including the Batwa, in particular women belonging to these communities, in public and political life, including in State institutions and administration at all levels, and to ensure that they are better represented at the decision-making level in both the public and private sectors, and information concerning the impact of these measures.⁹ Progress made and results achieved in the implementation of the Arusha Peace and Reconciliation Agreement for Burundi in this respect. Measures taken to prevent and put an end to the violence and intimidation suffered by members of political parties and candidates for election, and information on the investigations carried out in such cases and the prosecutions initiated, penalties imposed and

⁵ Ibid., paras. 44, 58, 77 and 78.

⁶ CERD/C/304/Add.42, paras. 15 and 25; and CERD/C/BDI/11-19, paras. 44 and 91–98.

⁷ CERD/C/BDI/11-19, paras. 44 and 91–99.

⁸ CERD/C/304/Add.42, para. 26; and CERD/C/BDI/11-19, paras. 25, 26, 36 and 49.

⁹ CERD/C/304/Add.42, para. 21; and CERD/C/BDI/11-19, paras. 13–15, 37–41, 79–81 and 103–105.

reparation provided to victims. Information on the impact of these violations and intimidation on the various ethnic communities in the State Party.

11. Measures taken to ensure the full enjoyment of civil and political rights, in particular the rights to freedom of opinion and expression and to freedom of peaceful assembly and association, on an equal footing and without discrimination, in particular without discrimination based on race, colour, descent or national or ethnic origin, political or other opinion, sex, sexual orientation or gender identity.¹⁰ Measures implemented to ensure, in law and in practice, that journalists, human rights defenders and civil society organizations, including those combating racial discrimination and inequality, enjoy protection enabling them to carry out their activities safely and unhindered, in particular through the adoption of a law on the promotion and protection of human rights defenders, the revision of the conditions for the registration and operation of non-governmental organizations and the review of restrictions on the right to peaceful assembly. Information on investigations that have been undertaken in relation to acts of violence, threats, intimidation and reprisals against journalists and human rights defenders.

12. Measures adopted to guarantee the full enjoyment of economic, social and cultural rights, in conditions of equality and without discrimination, to persons belonging to ethnic communities, including the Batwa, as well as persons with albinism, migrants, refugees and asylum-seekers. Information on measures taken to reduce poverty levels among people belonging to these groups and to guarantee them effective access to education, healthcare, employment and basic services. Specific information on the impact of such measures and relevant statistical data.¹¹

13. Additional information on measures taken to protect women and girls from all ethnic communities, including Batwa women, as well as women with albinism, migrant, refugee, asylum-seeking, stateless and displaced women, against multiple and intersecting forms of discrimination and all forms of gender-based violence.¹² Information on the investigation of cases of violence against women and girls, the prosecution and punishment of the perpetrators and the protection and reparation provided to victims, including on the establishment of shelters in rural and remote areas and the provision of comprehensive care services. Information on the impact of gender-based violence on women and girls from the various ethnic communities in the State Party.

14. Additional information on measures adopted to promote equal opportunities and guarantee effective access to land and to health, education and justice services for persons belonging to the Batwa Indigenous People, and information on the status of the national strategy for the integration and socioeconomic inclusion of the Batwa for sustainable development 2022–2027.¹³ Measures taken to ensure sufficient representation of the Batwa in the central Government, local authorities and the Independent National Human Rights Commission, including as commissioners. Measures adopted to increase Batwa participation in decision-making processes, particularly in decisions that affect them.

15. Additional information on the situation of persons who are internally displaced and Burundians who are refugees or returnees, mainly as a result of conflicts and crises in the country.¹⁴ Measures taken to ensure the safe return and reintegration of these persons at the local level, as well as the full enjoyment of their human rights, in conditions of equality and without discrimination based on race, colour, descent or national or ethnic origin. Additional information on the results of measures taken to return property, including land, to Burundian refugees, in accordance with the Arusha Peace and Reconciliation Agreement for Burundi.

¹⁰ CERD/C/BDI/11-19, para. 114.

¹¹ Ibid, paras. 25, 26, 36, 49, 107–112, 128–135 and 159–162.

¹² Ibid., paras. 25–28, 156, 157 and 164.

¹³ Ibid. par. 37, 40, 81, 84–86 and 161.

¹⁴ CERD/C/304/Add.42, paras. 17, 18, 27 and 28; and CERD/C/BDI/11-19, paras. 23, 24, 33–36 and 53–57.

16. Additional information on measures taken or planned to protect persons with albinism from violence, abduction, discrimination and stigmatization, including on investigations carried out, the prosecution of perpetrators and the reparation provided to victims.¹⁵

17. Updated information on measures taken to prevent and combat trafficking in persons, including for the purposes of labour exploitation, domestic servitude and sexual exploitation, particularly Batwa and non-citizens, including on the implementation of Act No. 1/28 of 29 October 2014 on the prevention and suppression of trafficking in persons and the protection of victims of trafficking. Mechanisms established to identify victims of trafficking in persons and to provide them with appropriate protection and assistance. Statistics on cases of trafficking in persons and on the victims, and information on complaints, investigations, prosecutions, convictions, penalties and reparation and rehabilitation measures for victims of trafficking.¹⁶

Situation of non-citizens, including migrants, refugees, asylum-seekers and stateless persons (art. 5)

18. Impact of the policies and programmes designed to facilitate the integration of non-citizens, and measures taken to ensure, in law and in practice, that migrants, asylum-seekers, refugees and stateless persons have access to health services, education and the labour market.¹⁷ Measures adopted and planned to prevent and combat racial discrimination against migrants, asylum-seekers, refugees and stateless persons, including raising awareness of the rights of non-citizens among public officials, law enforcement officials and the general public.

19. Additional information on the application of Act No. 1/25 of 5 November 2021 regulating migration in Burundi and of Decree No. 100/069 of 30 May 2022 on the organization, duties and operation of the National Office for the Protection of Refugees and Stateless Persons, in particular with regard to the identification and provision of information and guidance to persons seeking international protection, in accordance with international obligations and standards in this area.¹⁸ Measures adopted or planned to guarantee freedom of movement for asylum-seekers and refugees. Measures taken to ensure the effectiveness of the procedures for determining refugee status and to promote the integration of asylum-seekers and refugees, in particular by strengthening the National Office for the Protection of Refugees and Stateless Persons, and information on trends in the human, technical and financial resources allocated to the Office to enable it to carry out its mandate effectively.

20. Further information on measures taken to prevent and reduce statelessness and to protect stateless persons, including in relation to the legal framework.¹⁹

Access to justice (arts. 5 and 6)

21. Information on complaints regarding acts of racial discrimination and related offences brought before the courts or other national institutions, in particular the Independent National Human Rights Commission and the Office of the Ombudsman, and on the results of the investigations conducted in those cases, the penalties imposed and the reparation provided to victims.²⁰ Measures taken to facilitate the lodging of complaints of racial discrimination, and activities carried out to raise awareness of the rights guaranteed by the Convention and the judicial and non-judicial remedies available. Measures taken to improve access to justice, strengthen legal aid services and provide assistance to facilitate prosecutions in cases of racial discrimination.

¹⁵ CERD/C/BDI/11-19, para. 87.

¹⁶ Ibid., para. 158.

¹⁷ Ibid. paras. 123–127.

¹⁸ Ibid.

¹⁹ Ibid.

²⁰ CERD/C/304/Add.42, paras. 19 and 29; and CERD/C/BDI/11-19, paras. 42, 43, 58–60, 88, 89, 100, 101 and 137–157.

22. Additional detailed information on measures taken to put an end to impunity and to ensure independent and impartial investigations into all allegations of serious human rights violations and abuses committed in the context of the crises that have taken place in the State Party, including after the 2015 presidential election, in particular arbitrary detentions, extrajudicial executions, enforced disappearances, acts of torture and ill-treatment, and information on the measures taken to prosecute the perpetrators of these acts and provide reparation to the victims or their families.²¹ Information on the impact of such violations and abuses on the various ethnic communities in the State Party.

Transitional justice (art. 6)

23. Further information on measures taken to implement the provisions of the Arusha Peace and Reconciliation Agreement for Burundi, in particular with regard to transitional justice and the fight against impunity, and to ensure that members of all ethnic groups and civil society organizations participate concretely and effectively in transitional justice processes.²² Measures taken to strengthen the mandate and guarantee the independence and impartiality of the Truth and Reconciliation Commission. Measures adopted to advance all aspects of transitional justice, in particular accountability, reparation, land restitution, and security and justice sector reform. Specific measures taken to conduct impartial and thorough investigations into all serious violations of human rights and international humanitarian law that occurred during the ethnic conflict in the State Party, to prosecute all perpetrators of such acts and to provide reparation to the victims without discrimination.

24. Additional information on the mandate, activities and plan of action of the National Observatory for the Prevention and Eradication of Genocide, War Crimes and Other Crimes against Humanity, and on trends in the human, technical and financial resources allocated to it so that it can carry out its mandate effectively and independently.²³

Training, education and other measures to combat prejudice and racial stereotypes (art. 7)

25. Information on the progress made and results achieved through measures to put an end to the ethnic tensions and divisions that perpetuate racial discrimination and to promote dialogue and social cohesion, including with regard to the clarification of the history of the State Party as provided for in the Arusha Peace and Reconciliation Agreement for Burundi. Measures taken to raise awareness among the public, public officials and law enforcement officials of the importance of cultural diversity, tolerance and inter-ethnic understanding.²⁴

26. Additional detailed information on measures taken to promote human rights education, particularly regarding the Convention and the fight against racial discrimination, racism and xenophobia, in school curricula and vocational training programmes, and information on the impact of those measures.²⁵ Measures taken to prevent and combat the dissemination of racial and xenophobic stereotypes and prejudices leading to racial discrimination against ethnic communities, including the Batwa, as well as persons with albinism, migrants, refugees, asylum-seekers, stateless persons and displaced persons.

²¹ CERD/C/304/Add.42, paras. 24 and 29; and CERD/C/BDI/11-19, paras. 42, 43, 58–60, 88, 89, 100, 101 and 137–157.

²² CERD/C/304/Add.42, para. 24; and CERD/C/BDI/11-19, paras. 43, 88 and 89.

²³ CERD/C/BDI/11-19, para. 43.

²⁴ Ibid., paras. 22, 61–72 and 147–163.

²⁵ CERD/C/304/Add.42, paras. 20 and 30; and CERD/C/BDI/11-19, paras. 22, 61–72 and 147–163.