

United Nations Human Rights Council – 23th session
Item No. 6 in the UPR/Burundi Report (June 6, 2013)
Statement from the International Lesbian and Gay Association (ILGA)

Ladies and Gentlemen,

This statement is read on behalf of “Mouvement pour les Libertés Individuelles” (MOLI), a working group promoting individual liberties of LGBTI people.

We would like to thank the Burundian government for taking an active part in the UPR mechanism. However, we would also like to draw your attention to the human rights abuses sexual minorities have experienced in Burundi.

With its Constitution enacted on March 18, 2005, Burundi ratified instruments relating to fundamental human rights based on the Universal Declaration of Human Rights and the African Charter on Human and Peoples’ Rights.

On April 22, 2009, the State of Burundi revised its Penal Code and authorized discrimination against sexual minorities by penalizing homosexuality (article 567). Additionally, an official decree dated June 7, 2011 amending school regulations, included homosexuality as an offense that can result in students being expelled.

MOLI has recorded cases of discrimination, verbal and physical attacks, mistreatment, exclusion from family and society, threats, harassment by private persons, extortion by the police, all based on sexual orientation and gender identity, and all resulting from this state-sponsored homophobia.

The state of Burundi has partially taken sexual minorities’ right to equal access to health care into account by including LGBT people in the strategic plan from the National Council against HIV/AIDS.

Still, discriminatory laws in Burundi infringe on the sexual and reproductive rights of LGBTI people.

We deplore that the Burundian government has rejected the UPR recommendations regarding equality, non-discrimination, and protection granted to every Burundian citizen by the country’s Constitution. We also deplore that the government has rejected the recommendation to repeal article 567 of the Penal Code that criminalizes sexual relations between consenting same sex adults.

Nevertheless, we demand the government provide protection against all forms of discrimination, including physical and verbal violence, on the basis of sexual orientation or gender identity.

We also urge the government to develop initiatives in the field of reproductive and sexual health geared toward sexual minorities.

We ask that the Burundian government take action in order to deal with LGBTI-related human rights issues in accordance with its national, local, and international obligations.

Thank you.