



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

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

Twenty-fourth session

Summary record of the 489th meeting

Held at Headquarters, New York, on Wednesday, 17 January 2001, at 3 p.m.

Chairperson: Ms. Abaka

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The meeting was called to order at 3.15 p.m.

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

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

1. *At the invitation of the Chairperson, the delegation of Burundi resumed places at the Committee table.*

Article 10

2. **Ms. Shin** said that education was a key element in the full participation of women in society, even if it did not in itself guarantee gender equality. That meant improving not only the literacy rate — it was important to narrow the gap between girls and boys — but also legal literacy, by which she understood an awareness of girls' and women's rights, and "social literacy", whereby children were taught about gender roles, sexual stereotypes and attitudes to their own and the opposite sex. Schools had an important role to play in that respect.

3. She noted that adult education had not been mentioned in the report, yet such training was crucial to combating illiteracy in women, as well as providing for their broader education. She wondered whether any adult education programmes existed in Burundi. Further courses for teachers were also of considerable importance, since teachers often proved to be among the most rigid enforcers of sexual stereotypes. She therefore asked whether teachers were given any training on gender equality, sex education or other further training that might enable them to change attitudes among their students. Programmes catering for parents could also be useful, for it was often within the family that traditional gender roles were maintained. It might be helpful for the Government to designate a few schools to undertake model programmes and curricula to help teachers and parents tackle the prevalence of traditional attitudes.

4. **Ms. Goonesekere** commended the unusually wide range of rights to education for girls under the Constitution of Burundi and the acknowledgement of the rights enshrined in the two International Covenants. It was also gratifying to learn that there was no discrimination against girls in the education system. The high rate of school drop-outs and of teenage

pregnancies — which were often connected, since pregnant girls faced expulsion from school — were, however, matters of great concern and she wondered whether practical steps could be taken to reverse the trend. She suggested that influential elements might include the strict abortion laws, the possibility of marriage at a young age and the demands of domestic work. In addition, parents had no special incentive to educate girls: in countries such as her own, Malaysia, girls dropped out less frequently than boys because of the provision of tertiary education. She therefore asked whether any provision had been made in the country's national plan for tertiary training in the future. Lastly, she noted that Burundi's educational problems were exacerbated by high fertility rates, whereas other countries enjoyed better facilities for contraception and abortion.

5. **Ms. Taya** said she agreed that it was important to reduce the drop-out rate. She noted that teenage pregnancy accounted for over half of all female expulsions, and that, even if not excluded from education altogether, pregnant girls had to attend a different school. She understood that the drop-out rate had been lowered thanks to efforts by the Government, non-governmental organizations, the churches and other institutions to raise public awareness. She requested further details.

Article 11

6. **Ms. Corti** expressed concern about the statement in part 2, chapter 9, of the report that the right to employment and social security was an "idealistic goal, for no State can guarantee its citizens full employment". On the contrary, the right to work was a fundamental right for all human beings. In an era of globalization and structural adjustment, however, the resulting loss of jobs had a negative impact on women everywhere. The information provided by the delegation was therefore insufficient, despite the commendable effort to provide some statistics. In any evaluation it was crucial to know the percentage of women in the workforce and in what sectors — apart from agriculture, which had been mentioned — they worked; whether there was an assured minimum wage and what pension rights existed; and what the employment and unemployment rates were for women in Burundi.

7. Admirable as the principle of equality enunciated in article 35 of the Constitutional Act of Transition

was, its force was substantially weakened by the later statement that “subjective criteria sometimes come into play, to the detriment of women”. In no country did women receive equal remuneration for equal work, although Burundi’s Constitutional Act gave them the right to equal pay. She was also concerned by the fact that the Labour Code did not allow working women family allowances in respect of their children and that such women’s wages were taxed without reference to the number of children they supported. She requested further details.

8. Lastly, she found it unsurprising that women were not sufficiently involved in the representative functions of bodies campaigning for the improvement of living and working conditions: it was not traditional practice for women to do so. In that context, however, she asked whether trade unions existed, whether wages were established by collective bargaining or otherwise, whether there was a discrepancy between wages in the public and the private sectors and whether the latter respected wage laws.

9. **Ms. Shin** said that a number of omissions in the report needed to be redressed. First, overall statistics on how many women were employed and in what sectors, including agriculture, should be provided. It was a mistake, in a heavily agricultural economy, not to include in economic statistics women employed in agriculture. Secondly, she doubted whether women employed in non-agricultural sectors did not experience discrimination in job opportunities or choice of occupation. She therefore wished to know whether any mechanism existed enabling women to complain about discrimination or sexual harassment. If it did not, it was unsafe to say that there was no discrimination. Thirdly, social services and a support network were crucial, particularly in a country with a high fertility rate and little participation by men in household duties. There was therefore an obligation on the State to provide social services and promote the notion of shared responsibility. Lastly, she asked whether women with urban jobs, whether married or single, had control over their incomes in Burundi. In strong patriarchal societies, a woman often had to hand over her wages to her father or another male family member. It was important that women should be given the power to dispose of their own incomes.

Article 12

10. **Ms. Livingstone Raday** commended the report and Burundi’s efforts to introduce legislation to promote greater equality, health and family planning, given the tragic circumstances in the country. The fact remained, however, that where men made the decisions, the necessary resources for women’s health were often not made available, while subordination to patriarchal power led to a situation in which large numbers of unwanted pregnancies occurred owing to sexual coercion, women were exposed to human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS), men opposed the use of condoms and only 9 per cent of couples used contraception. Action could, however, be taken, even without extra resources. The free distribution of condoms could be increased, although in that context she asked whether there were obstacles to such a procedure on the grounds of religion or tradition. Awareness-raising campaigns could be extended to the use of audio-visual and other educational programmes in schools and churches.

11. A second set of issues concerned the high birth and maternal mortality rates in Burundi. While abortion was prohibited in Burundi, article 357.2 of the Legal Code provided that specific social requirements should be taken into consideration. In view of the dire situation of women in Burundi, she asked whether that article could be used much more widely to decriminalize abortion in practice, even if the legal provisions banning abortion were not repealed. The high rate of illegal abortion, particularly among adolescents, and its serious health consequences, made it imperative to address that situation. Executive policy could also be used to prevent the expulsion of pregnant girls from public schools. It was incumbent on United Nations agencies and non-governmental organizations to help Burundi in those efforts. She asked whether there were any barriers in Burundi’s society, Government or religious institutions that hindered efforts to prevent AIDS and illegal abortion.

12. **Ms. Corti** said that the report provided alarming information on the prevalence of HIV/AIDS. She was particularly concerned to note that the country’s short life expectancy of 52 years was expected to drop to only 39 years by 2010 if the pandemic was not stopped. Clearly, the country’s anti-AIDS programme and the care provided by non-governmental organizations were insufficient. The problem was a

genuine emergency that should be one of the top priorities of the Ministry for Social Action and the Advancement of Women, since women suffered most from the effects of AIDS. It was necessary not only to call upon the United Nations Population Fund (UNFPA), the World Health Organization (WHO) and other United Nations agencies, but also to launch an urgent appeal to the world for help in combating that scourge.

13. With respect to abortion, she noted that the right to abortion in many developed countries had been granted not to provide an additional means of contraception, but to stop clandestine abortions. Although abortion was prohibited and punished by law in Burundi, the country must deal with the problems caused by the very high fertility rate and the fact that many women died as a result of illegal abortions.

14. **Ms. Tavares da Silva** said it was clear that the Government of Burundi was trying to address some very dramatic aspects of the health situation in the country, particularly AIDS. Adolescents accounted for 45 per cent of the women hospitalized as a result of illegal abortions, and were also most vulnerable to sexual abuse and early pregnancy. While it had been indicated that the Coordination Office of the National Reproductive Health Programme was giving priority to that problem, no specific information had been given on the measures taken or envisaged to address the phenomenon, which encompassed the areas of education, information and social integration as well as health. She asked whether boys and men, as well as girls, received education on responsible sexual behaviour. The problem could not be solved unless that component was stressed.

Article 13

15. **Ms. Regazzoli** said that the Committee members understood the great difficulties which Burundi faced in implementing the Convention as a result of the armed conflict, and that their questions and comments reflected their concern about the situation of women in that country. With respect to article 13 of the Convention, she noted from the report that women in Burundi could not market and manage the goods they produced, despite the constitutional provision giving women legal capacity to administer property. She asked what the Government was doing to correct that discrepancy.

Article 14

16. **Ms. Regazzoli** asked whether any new labour-saving technologies were available to women in rural areas, where most of Burundi's population was concentrated. She wondered what laws and government policies, such as social security arrangements or community centres, were in place to meet the needs of older rural women who could no longer produce or reproduce, and asked how society viewed such women.

17. **Ms. Kwaku** said she was concerned to note that, in terms of basic social services, rural women, who accounted for 90 per cent of the women in Burundi, were disadvantaged by the geographical concentration of facilities in the towns. She asked whether the Government or non-governmental organizations were making any arrangements or plans to bring such facilities to rural women.

18. **Ms. Feng Cui** said she appreciated the fact that the Government of Burundi had overcome great difficulties to prepare its report, which conformed to the Committee's guidelines, and that it had sent a high-level delegation to present the report to the Committee. Clearly, the Government of Burundi had a strong political will to implement the Convention.

19. Article 14 of the Convention was particularly important for Burundi, in view of the high concentration of women in rural areas. She would like more information on the status of rural women in economic life, and specifically on how they participated in income-generating activities, how they were trained and how they could upgrade their skills. She also requested information on the Government's overall policy and objectives for the advancement of rural women. The report indicated that the Government encouraged the establishment of women's associations and development projects for women, but did not describe the Government's role in promoting rural development. She also asked whether the Government or the legislature were preparing or considering specific legislation to improve the situation of rural women in areas such as land ownership and succession. She would also like further details on women's access to microcredit. Lastly, she supported the Burundi delegation's call for increased international cooperation. Such cooperation had begun with the International Monetary Fund (IMF), but further international cooperation was needed to combat

poverty and enable rural women to improve their status.

20. **Ms. Schöpp-Schilling** said that initiatives to improve the overall status of women in Burundi must begin with rural women. The report and the oral presentation had revealed massive de jure and de facto discrimination against women, which had been exacerbated by the armed conflict but which had also existed previously as a result of customary laws and cultural practices. She asked for more information on the Government's specific plans to improve rural women's legal status, literacy and health and to promote income-generating activities, and on any numerical targets or time-frames for such actions. She asked whether those initiatives would target regions in which the situation was most distressing, and what international or bilateral donors would be asked to provide financing. She noted that anti-poverty programmes emphasized women's associations based on income-generating activities, and asked how many women were targeted by the programme and how women were empowered to form such associations. Lastly, she would welcome information on the "Gender and development in rural areas" project referred to in the annex to the report. She asked how it was financed, what its goals and strategies were, what percentage of rural women it affected and what successes it had achieved thus far.

21. **Ms. Tavares da Silva** said that the statement that rural women were deemed to own nothing contradicted their legal right to joint management of family property and to equality in the administration of property. Since the Government was aware of that discrepancy, she wondered what awareness-raising or other measures it had envisaged to address the problem.

Article 16

22. **Ms. Livingstone Raday** said that, as noted in relation to article 14, Burundi had made great strides in establishing formal equality between women and men, but women were still entirely subject to male authority in practice. Recalling what had been said with respect to article 5 of the Convention, she suggested that the media could be used to help translate those legal principles into practice by combating cultural stereotypes.

23. **Ms. Goonesekere**, referring to the Code of the Person and the Family (CPF), pointed out that, among

the rights granted to women under its provisions on child custody, the right of joint management of family property appeared to be conditional on the absence or incapacitation of men. In her opinion, such conditions represented an entrenchment of patriarchy and a contradiction of the Government's intent to eliminate discrimination inherent in the status of women in Burundi.

24. She wished to know the implications of the exceptions to the rule on the minimum age for marriage contained in articles 89 to 93 of the Code, which permitted the marriage of women below the age of 18 years on serious grounds, such as pregnancy. Did such exceptions facilitate the conduct of "forced" marriages or affect the female drop-out rate? There was need for further clarification on the status of children born out of wedlock and on the relationship between the system of free justice dispensed in rural areas and justice delivered by the courts. Furthermore, was there pluralism in family law, and did the Code apply to all communities?

25. **Mr. Melander** said that his concerns focused on the status of the Convention in relation to Burundi domestic law. He wondered whether in practice the courts were entitled to apply the provisions of the Convention in cases where they diverged from national legislation. He was also interested in knowing whether the Convention had been translated into a national language, and what measures had been contemplated for the dissemination of the contents of the Convention.

26. **Ms. Achmad** said that although the commitment of the Burundi Government to the implementation of the Convention was clear, there remained a number of issues to be resolved. Part 2 of the report on the conditions under which certain rights were protected had described the role of the Ministry for Social Action and the Advancement of Women and the Ministry for Human Rights, Institutional Reform and Relations with the National Assembly as ensuring respect for the Convention. She was curious to know what was entailed in ensuring such respect, and to what extent the two ministries and non-governmental organizations were engaged in coordination, monitoring and evaluation activities.

27. Stressing the importance of proper management of national efforts, she also recognized that the implementation of provisions aimed at the

advancement of women, including critical legal reforms, was the responsibility of all citizens and could not be achieved by the Government alone. The effort to change attitudes and values would be a long-term one requiring a concerted education and media campaign. She therefore asked how the Government of Burundi planned to enhance public awareness, meet the challenge of reaching out to rural women and alleviate the plight of internally displaced persons.

28. **Ms. Ndorimana** (Burundi) agreed to hold consultations with her colleagues in order to clarify the issues raised by the members of the Committee.

The meeting rose at 4.45 p.m.