



29th session of the Universal Periodic Review – Burundi

Introduction

1. Burundi should continue to affirm the sanctity of life on the part of all human beings, including the unborn, resist calls to liberalize access to abortion due to the fact that there is no international human right to abortion, and acknowledge that abortion will not help with the problem of its high levels of maternal mortality and morbidity. Burundi should also address the problems regarding religious freedom in the midst of its recent political upheaval.

Abortion, Maternal Health

2. Abortion is prohibited under Burundi's amended Penal Code, "except to avert a risk that cannot otherwise be avoided and that threatens the life of the mother or may cause serious and permanent injury to her health." An explanatory clause to the legislation indicates that although the government did not intend to liberalise access to abortion, it nevertheless sees it as wrong to "ignore certain social necessities, such as the situation of distress of the pregnant woman." The approval of a second physician and the written consent of the pregnant mother are both required.
3. The medical infrastructure in Burundi is in dire need of improvement, with an inadequate number of trained health professionals and unsanitary, poorly-equipped health facilities. Increasingly high rates of maternal mortality have less to do with the legality of abortion *per se* than with an inability to access obstetric care, lack of information, and lack of health workers. Given the maternal health crisis in the country, the Bahamas must rather focus its efforts and resources on improving conditions for pregnant women, women undergoing childbirth, and postpartum women, especially those living in remote or rural areas.
4. Religious freedom is formally guaranteed by the Constitution. Christianity, and specifically Roman Catholicism, is the prevailing religion of Burundi, with over two-thirds of the population identifying as adherents. In 2015, however, religious communities came under pressure as a result of controversy surrounding Pierre Nkurunziza, the incumbent president, deciding to run for a third term in office, though the constitution appeared to indicate that he was term-limited. Faced with criticism from the Catholic Bishops of Burundi, the authorities have reportedly been suspending Church-affiliated newspapers and broadcasters, allegedly due to political clashes, and banned inconvenient religious organizations. One example is that of the Seventh-Day Adventists, who observe the Sabbath on Saturday, a day on which the government requires all citizens to provide community service.

Recommendations

5. ADF International suggests the following recommendations be made to Burundi:

- a. Affirm that there is no international human right to abortion and that the right to life applies from conception until natural death, and as such that the unborn child has the right to protection of his or her life at all points;
- b. Resist calls to further liberalize abortion, and instead implement laws aimed at protecting the right to life of the unborn;
- c. Recognize that the legalization of abortion, in a country with high levels of maternal mortality and morbidity and with severe problems with access to proper health-care, will not make pregnancy and childbirth any safer;
- d. Improve health care infrastructure, access to emergency obstetric care, midwife training, and resources devoted to maternal health; and
- e. Focus on safely getting mothers and babies through pregnancy and childbirth, with special attention paid to improving health-care access for women from poor and/or rural backgrounds.
- f. Ensure the protection and promotion of freedom of religion, and eradicate any and all illegitimate limitations or restrictions on the freedom of expression of religious individuals or communities.