

Contribution of older persons to sustainable development

Definition

- 1. How are the key human rights relating to older persons' participation and, therefore, their contribution to sustainable development defined in the national legislation in your country? If definitions are not available, how should such rights be defined considering relevant existing national, regional, and international legal frameworks?**

In Burundi, the main rights relating to the participation of older persons and their contribution to sustainable development are defined in the protocol to the African charter on the rights of older persons and in the Constitution of Burundi of 2018 (article 19).

- 2. Please provide references to existing national legal standards relating to older persons' contribution to sustainable development on normative elements such as;**

- a. right to equality and prohibition of all forms of discrimination against older persons on the basis of age, alone or combined with other grounds, in the context of sustainable development;**

The Constitution of Burundi guarantees this right in its article 22.

- b. elimination of all forms of ageism and age discrimination from sustainable development laws, frameworks, programs, policies, and practices;**

The 2018 Constitution of Burundi in its article 13 states that all Burundians are equal in merit and dignity. The same will is expressed through the protocol to the African charter on the rights of the older persons in its article 3, which states that all States parties shall ensure that they take corrective measures against all forms of stigmatization of the older persons.

- c. right to freedom of expression, including freedom to seek, receive and impart information;**

Freedom of expression is guaranteed by the Constitution of Burundi in its article 31. Freedom of the press is protected by Law No. 1/19 of September 14, 2018 governing the press in Burundi. The aforementioned Law enshrines free access to sources of information and compels professionals in this field to strictly respect the laws, rights and freedoms of others in its article 45. In order to improve the situation of the right to information, the State of Burundi has established a regulatory organ called CNC: National Communication Council and has a Press Law.

- d. right of peaceful assembly;**

Burundi has a law on demonstrations and public meetings (cited above), it recognizes the freedom to any person without any discrimination to participate in demonstrations and public meetings

- e. right to freedom of association;**

Freedom of association is guaranteed by article 32 of the Constitution of Burundi in force.

For example, there are more than ten associations of older persons in Burundi, including the Association of Retired Persons of Burundi (ARB) approved by the Ministerial Ordinance of March 15, 1994.

f. right to take part in the government of his country, directly or through freely chosen representatives;

The freedom to participate in the government of one's country is guaranteed by articles 51 and 52 of the Constitution of Burundi in force.

g. right to development, including older persons as active participants and beneficiaries of development;

The freedom to participate in the government of one's country is guaranteed by articles 51 and 52 of the Constitution of Burundi in force.

h. active, free and meaningful participation of older persons and their representative organizations in all matters related to sustainable development, including in political processes;

In Burundi, it is recognized that freedom of association is guaranteed by article 32 of the Constitution of Burundi in force.

i. access to prompt remedies and redress when older persons' above mentioned rights are violated.

In Burundi, competent judicial institutions exist and deal with remedies and reparations in the event of referral by any person, including the older persons, without discrimination. In addition, the 2018 Constitution of Burundi in its article 38, states the right to be heard and to be tried before a competent body.

3. What measures and special considerations should be undertaken by the State to respect, protect and fulfil the above-mentioned rights to ensure older persons' contribution to sustainable development?

The State should accelerate the promulgation of the Law on the protection of the older persons, where it is already planned to:

- Take all necessary measures to eliminate unequal treatment of the older persons.
- take social protection measures for older persons in need.
- ensure the protection of older women against all forms of violence, sexual abuse and gender-based discrimination;
- facilitate access to justice for the older persons;
- set up a legislation and any other measure that promotes the right to property of older women;
- ensure that older people with disabilities have access to assistive devices and specialized care that meets their needs within their communities;
- commit to prohibiting and repressing all forms of harmful traditional practices against the older persons;

4. What are the good practices and main challenges faced by your country in the adoption and implementation of the above-mentioned normative framework to ensure older persons' contribution to sustainable development?

The State of Burundi has continued, within the limits of its means, to support the older persons in order to fully enjoy their rights.