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- **Title:**
Burundi: Issuance, appearance and content of civil status documents, including death, birth and marriage certificates and excerpts of such certificates; issuance, appearance and content of a death certificate excerpt issued by the Civil Registrar [Bureau d'état civil] of the commune of Mukike, Bujumbura (2012-2016) [BDI105709.FE]
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Immigration and
Refugee Board of Canada

Commission de l'immigration
et du statut de réfugié du Canada

Burundi: Issuance, appearance and content of civil status documents, including death, birth and marriage certificates and excerpts of such certificates; issuance, appearance and content of a death certificate excerpt issued by the Civil Registrar [Bureau d'état civil] of the commune of Mukike, Bujumbura (2012-2016) [BDI105709.FE]

Research Directorate, Immigration and Refugee Board of Canada, Ottawa

1. Issuance of Civil Status Documents

Articles 24, 25 and 35 of the Persons and Family Code [*Code des personnes et de la famille*] of 1993 stipulates the following:

[Translation]

Article 24

The Minister responsible for the Interior creates civil status offices, establishes their responsibilities and appoints civil registrars and assistant registrars.

Article 25

Each civil status office includes the following four registries:

- a birth registry;
- a marriage registry;
- a death registry;
- a registry for other events.

...

Article 35

The civil registrar is responsible for issuing certified true excerpts and copies of certificates listed in the registers of the office he is appointed to, to anyone who justifies a legitimate interest.

... (Burundi 1993)

In correspondence sent to the Research Directorate, the chargé d'affaires of the Embassy of the Republic of Burundi in Ottawa states that [translation] "[e]ach commune or each municipal office has a department that issues civil status documents" (ibid. 14 Dec. 2016). The 2010 civil status guide of Burundi's Ministry of Interior stipulates that the commune administrator, [translation] "in his capacity of civil registrar, ... oversees the civil status office" (ibid. Jan. 2010, 15).

According to the same source, the civil registrar's role is to [translation] "[r]eceive and preserve civil status certificates[:]; [a]uthenticate civil status certificates[:]; [p]erform marriages[:]; [e]nter notations in the certificates [and] [i]ssue copies or excerpts of civil status certificates" (ibid.). Similarly, according to the Burundi Reciprocity Schedule published by the US Department of State, birth and death certificates are issued by the civil registrar in the city of birth or death upon written request (US n.d.).

In correspondence sent to the Research Directorate, a lawyer practising in Burundi explains that, since 1980, [translation] "[c]ivil status documents are issued by commune administrators or by civil registrars on their behalf" (20 Dec. 2016). Similarly, according to the Internet site of the French embassy in Bujumbura, [translation] "Burundi civil status registers have existed since April 1, 1980: all civil status events that have occurred since that date are recorded in the registers" (France, 20 Mar. 2013). The same source reports that [translation] "[c]ivil status events that occurred prior to 1 April 1980, are not listed in any register" (ibid.).

The Internet site of the French embassy in Bujumbura states the following about unregistered civil status certificates or missing registers:

[Translation]

If, through negligence, an event that occurred after this date [1980] failed to be recorded in the civil status registers, or if a register is missing, the "**late declaration**" process should be followed. It is preferable to consult the attaché of the civil registration office of the Mairie de Bujumbura for more information. Upon completion of the process, the civil status event is added to the registers and a complete copy in A3 format can then be issued. (ibid., emphasis in original)

The same source states that in order to obtain a civil status document for an event that occurred prior to April 1, 1980, [translation] "a notarial certificate must be obtained in lieu of a birth, marriage or death certificate" (ibid.).

A 2015 article on new technologies and the updating of the civil status registry published by the United Nations Development Programme (UNDP) reports the following on administration in Burundi:

[Translation]

[T]he administration is organized in such a way that in each "colline" [subdivision of a commune], a chief, called "Nyumbakumi," is responsible for 10 families. These individuals have information that is helpful in the updating of the civil status registry, such as information on births, marriages and deaths, and even population movement (UN 16 Apr. 2015).

The same source reports that in Burundi, [translation] "discussion and implementation of a modern, effective civil registration service have yet ... to translate into concrete application" (ibid.).

According to the 2010 civil status guide, [translation] "Burundi's civil status system has some shortcomings that stem from the commune administration's failure to adopt the service and the socio-political crisis that lasted for over a decade" (Burundi Jan. 2010, 20). The same source explains that the civil status system "is highly centralized," that "most commune administrators have not yet understood the role of civil registration in [their] commune" and that "[t]he socio-political crisis of 1993 pushed many state officials into exile, including civil registration officials" (ibid.). Similarly, in a press release published in 2012, UNICEF states that the relatively low birth registration rate in Burundi is attributable to "[t]he remoteness and lack of means of civil registration; [t]he cost of registration after the free registration deadline has passed ...; [a]s well as the consequences of the civil conflict on civil registration services, including the destruction of archives" (UN 16 Mar. 2012).

1.1 Birth Certificates

Article 37 of the Persons and Family Code stipulates that [translation] "[b]irths must be declared within 15 days to the civil registrar in the jurisdiction where the mother resides" (Burundi 1993).

In the *Country Reports on Human Rights Practices* for 2015 on Burundi, the US Department of State explains that “[t]he government registers, without charge, the births of all children if registered within a few days of birth. The government fines parents who do not register a birth within the time limit” (US, 13 Apr. 2016, 33).

The chargé d’affaires of the Embassy of the Republic of Burundi in Ottawa states the following on birth certificates:

[Translation]

[B]irth certificate excerpts are issued by the administrator upon receipt of the hospital’s attestation of birth, and one of the child’s parent must be accompanied by three witnesses confirming the birth of the child. The administrator represents civil registration services; at the mairie level, this role is played by the civil registrar. Each commune and each mairie charge a municipal tax for obtaining this document. (Burundi, 14 Dec. 2016)

For more information on birth certificates, consult responses BDI104036 and BDI103183, published in March 2012 and June 2009, respectively.

1.2 Death Certificates

Article 41 of the Persons and Family Code stipulates that [translation] “[d]eath certificates are issued within 15 days of the statements of two witnesses given to the civil registrar in the last place of residence of the deceased” (Burundi 1993).

The chargé d’affaires of the Embassy of the Republic of Burundi in Ottawa states that [translation] “death certificates are ... issued by the administrator on the basis of a document from a doctor showing proof of death” (ibid. 14 Dec. 2016).

For more information on death certificates, consult response BDI104808, published in March 2014.

1.3 Marriage Certificates

The chargé d’affaires of the Embassy of the Republic of Burundi in Ottawa states that marriage certificates [translation] “are issued by the administrator or civil registrar upon consultation of the civil registry confirming that the individuals concerned celebrated their marriage” (ibid.).

The US Department of State explains that applicants requesting marriage certificates from the civil registrar, Mairie de Bujumbura, must provide their full names, the date and place of marriage, and the name of the person who performed the marriage (US n.d.).

The same source reports the following on marriage certificates:

Persons married in accordance with Christian religious ceremonies in places of worship duly licensed for the purpose are issued the certificates without cost by the officiating minister of a recognized religious denomination. Many marriages fail to be registered because they are performed in the interior on the basis of tribal rather than Christian rite or civil law procedures. (ibid.)

2. Content and Appearance of Civil Status Documents

Articles 30, 39, 40 and 42 of the Persons and Family Code describe civil status certificates as follows:

[Translation]

Article 30

Civil status certificates indicate the place, day, month and year in which they are received, the names and the position of the officer who issues them, the name, place, date of birth, occupation, residence and nationality of the applicants and the witnesses, and insofar as possible, of all the individuals listed in them; they indicate the proof, if any, submitted or presented by the persons appearing.

...

Article 39

Birth certificates indicate the date and place where the child was born, the child's gender, the child's family name and any given names, as well as whether the child is legitimate, the first and last names of the mother and father, as well and their residence.

Article 40

Birth certificates of natural children list only the mother, unless the father simultaneously recognizes the child.

...

Article 42

Death certificates indicate the date and place of death, the first and last names, occupation and residence of the deceased and of their father, mother and spouse. (Burundi 1993)

The lawyer in Burundi states that civil status documents [translation] "are issued in the form of certificates for events prior to (April) [1980] or excerpts (birth, death and marriage certificate excerpts [or] ... other events)" (20 Dec. 2016).

According to the Internet site of the French embassy in Bujumbura, "[c]omplete copies of birth, marriage or death certificates are exclusively issued in **A3 format** [42 cm by 29,7 cm]" (France 20 March 2013, emphasis in original).

No copies of civil status documents could be obtained among the sources consulted by the Research Directorate within the time constraints of this Response.

2.1 Marriage Certificates

The US Department of State states that marriage certificates measure approximately 17 by 13.5 inches (US n.d.).

3. Death Certificates from the Commune of Mukike

Information on death certificates issued by the commune of Mukike was scarce among the sources consulted by the Research Directorate within the time constraints of this Response.

The lawyer in Burundi states that [translation] "[t]he commune of Mukike is 1 of 129 communes in the country and maintains four registers pursuant to Burundi's Persons and Family Code (birth registry, death registry, marriage registry, and registry for other events)" (lawyer, 20 Dec. 2016). According to the same source, the Mukike commune apparently has no landline (ibid.).

The lawyer in Burundi explains that there are no formalities for obtaining a civil status certificate; that [translation] "all one has to do is go to the commune's capital and request one orally" (ibid.). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

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Internet sites, including: Burundi – Government of Burundi, Mairie de Bujumbura, ministère du Développement communal; European Union – Public Register of Authentic Travel and Identity Documents Online (PRADO); Factiva; Keesing's Document Checker.

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