



Burundi

	Name change	Not possible.
	Gender marker change	Not possible.
	<i>Situation</i>	<p>Note: According to the Penal Code in force, it is impossible to have a transgender (or gender non-confirming) identity recognized legally/administratively without falling under an offense. For transgender and gender non-confirming people, having an administrative document that reflects their gender identity would be subject to the offense of forgery in certain administrative documents and certificates (page 69 of the Penal Code). Articles 366, 367 and 368 (paragraphs 1 and 2) of the Penal Code are relevant.⁴³</p>
	Laws used against transgender and gender diverse people	
	<i>Legislation</i>	Law No. 1/27 of 29 December 2017 concerning the revision of the Penal Code. ⁴⁴
	<i>Quote/details</i>	<p>Article 366.</p> <p>Whoever counterfeits, falsifies or alters the licenses, certificates, booklets, cards, newsletters, receipts, passports, mission orders, roadmaps, border passes or other documents issued by public authorities in order to establish a right, identity or quality, or to grant an authorization, shall be punished with imprisonment of six months to three years and a fine of fifty thousand to a hundred thousand Burundian francs.</p> <p>Article 367.</p> <p>The penalties stipulated in the preceding article are applied to:</p> <p>(1) Whoever knowingly makes use of such falsified, forged or altered documents;</p> <p>(2) Whoever makes use of a document described in the previous article, knowing that the information contained therein has become incomplete or inaccurate.</p> <p>Article 368.</p> <p>Whoever is improperly issuing a document designated in Article 366 either by making false statements or by taking a false name or false status or by providing false information or certificates shall be punished with imprisonment of three months to three years and a fine of 50,000 to 100,000 francs, without prejudice to special provisions in this regard.</p> <p>The same penalties are applied to those who made use of such a document, obtained under the above-mentioned conditions, or made under a name other than his own.</p> <p>Article 378.</p> <p>Is punished by imprisonment of two months to two years and a fine of 10,000 to 30,000 Burundian francs or one of these penalties, whoever, being required by the authority to declare his/her identity, claims as his/hers an identity that belongs to another, or is a purely imaginary identity.</p> <p>Article 379.</p> <p>Is punishable by a prison term of six months to three years and a fine of thirty thousand to fifty thousand francs or only one of these penalties, any person who, either by presenting himself/herself as the owner of any documents or objects relating to a specific person, issued or certified by a national or foreign authority or by any other manoeuvre deceived authority over his/her identity.</p> <p>Article 380.</p>

⁴³ Source: Mouvement pour les libertés individuelles (MOLI), 2019.

⁴⁴ <https://www.droit-afrique.com/uploads/Burundi-Code-2017-penal.pdf>