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paragraph 5 of the annex to Human Rights Council  
resolution 16/21**

**Burkina Faso**

The present report is a compilation of the information contained in the reports of treaty bodies and special procedures, including observations and comments by the State concerned, and of the Office of the High Commissioner for Human Rights (OHCHR), and in other relevant official United Nations documents. It is presented in a summarized manner due to word-limit constraints. For the full text, please refer to the document referenced. This report does not contain any opinions, views or suggestions on the part of OHCHR other than those contained in public reports and statements issued by the Office. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

## I. Background and framework

### A. Scope of international obligations<sup>1</sup>

#### International human rights treaties<sup>2</sup>

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified/not accepted</i>
Ratification, accession or succession	ICERD (1974) ICESCR (1999) ICCPR (1999) CEDAW (1987) CAT (1999) CRC (1990) OP-CRC-AC (2007) OP-CRC-SC (2006) ICRMW (2003)	OP-CAT (2010) CRPD (2009) CPED (2009)	ICCPR-OP 2
Reservations, declarations and/or understandings			
Complaint procedures, inquiry and urgent action <sup>3</sup>	ICCPR-OP 1, (1999) OP-CEDAW, art. 8 (2005) CAT, art. 20 (1999)	OP-ICESCR, (signature only, 2012) OP-CRPD, art. 6 (2009)	ICERD, art. 14 ICCPR, art. 41 CAT, arts. 21 and 22 ICRMW, art.76 and 77 CPED, art. 31 and 32

#### Other main relevant international instruments

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified</i>
Ratification, accession or succession	Palermo Protocol <sup>4</sup> Conventions on the Prevention and Punishment of the Crime of Genocide Rome Statute of the International Criminal Court Conventions on refugees and stateless persons <sup>5</sup> except the Convention on the Status of Stateless Persons and the Convention on the Reduction of Statelessness Geneva Conventions of 12 August 1949 and Additional Protocols thereto, <sup>6</sup> except AP III ILO fundamental conventions <sup>7</sup>		ILO Conventions No. 169 and 189 <sup>8</sup>

1. In 2010, the Committee on the Rights of the Child (CRC) encouraged Burkina Faso to accede to ICCPR-OP2.<sup>9</sup>

2. In 2010, the Committee on the Elimination of Discrimination against Women (CEDAW) recommended acceding to the 1954 Convention Relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.<sup>10</sup>

## B. Institutional and human rights infrastructure and policy measures

3. CEDAW reiterated its concern that Burkina Faso had not adopted specific legislation to eliminate violence against women, including domestic violence.<sup>11</sup>

4. CEDAW and CRC welcomed the enactment of the Law on Combating Trafficking in Persons and Similar Practices and the Labour Code, in 2008.<sup>12</sup>

5. While commending the legislative reform on child rights, CRC was concerned that the draft Child Code did not include all the principles and provisions of the Convention and was restricted to children in conflict with the law. CRC urged Burkina Faso to expedite the elaboration and adoption of the Child Code ensuring that it covers all the Convention provisions.<sup>13</sup>

### Status of national human rights institutions<sup>14</sup>

<i>National human rights institution</i>	<i>Status during previous cycle</i>	<i>Status during present cycle<sup>15</sup></i>
Commission Nationale des Droits de l'Homme	B (2005)	Accreditation lapsed due to non-submission of documentation (March 2012)

6. CRC recommended that Burkina Faso consider the structure and functions of the national human rights institution (NHRI), in accordance with the Paris Principles, and that it allocate sufficient resources to the NHRI.<sup>16</sup> CEDAW made similar observations.<sup>17</sup>

7. CEDAW called on Burkina Faso to strengthen the Ministry for the Advancement of Women so as to address the specific needs of women and girls.<sup>18</sup>

8. CRC welcomed the creation of a Committee for the Equalization of Opportunities for Persons with Disabilities and a National Committee for Combating the Practice of Excision.<sup>19</sup>

9. CEDAW welcomed the National Action Plan for 2009–2013, “Zero Tolerance for Female Genital Mutilation”, and the National Gender Policy (2009).<sup>20</sup> CRC urged Burkina Faso to implement the National Gender Policy.<sup>21</sup>

10. CRC recommended that Burkina Faso allocate resources to the Permanent Secretariat of the National Action Plan for the Survival, Protection and Development of Children to carry out its coordinating role.<sup>22</sup>

11. CRC was concerned about the delay in adopting the National Plan of Action for Children. It urged Burkina Faso to implement the Framework of Strategic Guidelines for Children’s Promotion 2008–2017,<sup>23</sup> and recommended to ensure the application of the principle of the best interests of the child.<sup>24</sup>

12. CRC recommended improving awareness and implementation of legislation, particularly among communities which continue to apply customary laws.<sup>25</sup>

## II. Cooperation with human rights mechanisms

### A. Cooperation with treaty bodies<sup>26</sup>

#### 1. Reporting status

<i>Treaty body</i>	<i>Concluding observations included in previous review</i>	<i>Latest report submitted since previous review</i>	<i>Latest concluding observations</i>	<i>Reporting status</i>
CERD	August 1997	2008	–	Twelfth to nineteenth reports pending consideration
CESCR	–	–	–	Initial report overdue since 2000
HR Committee	–	–	–	Initial report overdue since 2000
CEDAW	July 2005	2009	October 2010	Seventh report due in 2014
CAT	–	–	–	Initial report pending consideration in 2013 Second to fourth reports overdue since 2004, 2008 and 2012 respectively
CRC	September 2002	2008	January 2010	Fifth to sixth reports due in 2017 Initial OP-CRC-SC and OP-CRC-AC reports pending consideration in 2013
CMW	–	–	–	Initial report pending consideration in 2013
CRPD	–	–	–	Initial report overdue since 2011
CED	–	–	–	Initial report due in 2012

#### 2. Responses to specific follow-up requests by treaty bodies

##### *Concluding observations*

<i>Treaty body</i>	<i>Due in</i>	<i>Subject matter</i>	<i>Submitted in</i>
CEDAW	2012	Violence against women, and equality in marriage <sup>27</sup>	–

### B. Cooperation with special procedures<sup>28</sup>

	<i>Status during previous cycle</i>	<i>Current status</i>
Standing invitation	No	No
Visits undertaken	Migrants (2005) Foreign debt (2007)	–
Visits agreed to in principle		WGAD Cultural Rights Counter-terrorism
Visits requested		
Responses to letters of allegations and urgent appeals	During the period under review, no communications were sent.	

## **C. Cooperation with the Office of the High Commissioner for Human Rights**

13. Burkina Faso contributed financially to OHCHR in 2000.

14. In 2010, the West Africa Regional Office (WARO), provided support to Burkina Faso in helping it to ready itself for the UPR. By providing training and advice to the United Nations country team, the Government and non-government actors, WARO contributed to integrate a human rights-based approach into the United Nations Development Assistance Framework (UNDAF).<sup>29</sup>

15. In 2011 WARO contributed to the National Action Plan to follow up on the recommendations of UPR and other human rights mechanisms, by coaching drafting consultants, preparing desk reviews of the draft plans, undertaking technical missions and supporting validation workshops.<sup>30</sup>

## **III. Implementation of international human rights obligations, taking into account applicable international humanitarian law**

### **A. Equality and non-discrimination**

16. CEDAW reiterated its concern about the continuing prevalence of discriminatory harmful practices, including female genital mutilation, forced and early marriage, levirate and sororate marriage, and practices preventing women from owning land and inheriting from their husbands.<sup>31</sup> CEDAW was also concerned about discriminatory patriarchal attitudes and deep-rooted stereotypes concerning women's roles and responsibilities, particularly in rural areas.<sup>32</sup> CEDAW called on Burkina Faso to prohibit direct and indirect discrimination against women, in line with the Convention,<sup>33</sup> and to establish without delay a comprehensive strategy, including clear goals and timetables, to eliminate negative practices and stereotypes against women<sup>34</sup> and to strengthen understanding of the equality of women and men.<sup>35</sup> CRC raised similar concerns and recommendations.<sup>36</sup>

17. CEDAW reiterated its concern about difficulties faced by rural women. It urged Burkina Faso: to ensure that rural women participate in decision-making processes and have full access to education, health services credit and marketing facilities, land and income-generating projects; to implement gender-sensitive rural development strategies; and to improve women's access to courts.<sup>37</sup>

18. CEDAW expressed concern about the socioeconomic situation of older women and cultural beliefs affecting them, such as that widowers are denied the right to inherit land and assets, and accusations of witchcraft against older women, particularly in Mossi society. CEDAW recommended, inter alia, to change traditional views regarding older women; combat discrimination and violence against them, particularly accusations of witchcraft and expulsions from their homes and families; punish the offenders; and adopt programmes addressed to those women.<sup>38</sup>

19. CRC reiterated its concern at discrimination against children of vulnerable groups, such as children with disabilities and children living in rural areas, affecting disproportionately girls. It recommended adopting a proactive and comprehensive strategy to eliminate discrimination on gender, ethnic, religious or any other grounds against vulnerable children.<sup>39</sup>

20. CRC was particularly concerned about customs and traditions which negatively impact on children, especially on girls, such as the practice according to which children belong exclusively to their father. CRC urged Burkina Faso to promote equal sharing of parental responsibility.<sup>40</sup>

## **B. Right to life, liberty and security of the person**

21. The United Nations country team pointed out that under the Criminal Code, the death penalty continues to be applied as punishment for the most serious crimes. Although the courts in Burkina Faso continue to pronounce the death sentence, however, no executions have been carried out since 1988. The country team likewise noted that in response to the recommendations contained in the first universal periodic review, Burkina Faso has developed a bill, currently being considered by the National Assembly,<sup>41</sup> concerning ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

22. Referring to the joint UNDP/OHCHR report (2011), the United Nations country team pointed out that acts of physical violence by officials, particularly by members of the security forces, and cases of torture and ill-treatment take place in certain places of detention.<sup>42</sup>

23. Referring to the joint UNDP/OHCHR report (2011), the United Nations country team pointed out that arbitrary arrests and detentions occur regularly and at all stages of criminal proceedings in Burkina Faso. Failure to respect the time limits on police custody has become a common practice. In addition, the law on combating organized crime permits such time limits to be excessively prolonged and authorizes the use of firearms by the security forces in case of absolute necessity. The legal vacuum in this area leaves the door open to various types of wrongdoing. The situation is aggravated by the fact that during preliminary investigations, the assistance of counsel is impermissible. Pretrial detention has become a common practice. In addition to these practices, there are cases of detention based on “holding orders”, under which persons may be detained without trial for up to 6 months. The United Nations country team also noted with concern that those responsible for such violations generally enjoy impunity, and that the provision of compensation for harm was extremely rare.<sup>43</sup>

24. The United Nations country team also regretted the fact that detention conditions have not been brought into line with the legislation in force. According to the team, poor prison conditions have sparked several attempts to revolt, and the principle that prisoners should be separated according to their age, sex, the danger they posed and their legal status is not often respected.<sup>44</sup>

25. CRC was gravely concerned that in some places of detention, children continue to be detained together with adults; at the lack of measures to follow up on the detention conditions of children, and methods used by law enforcement officials. CRC urged Burkina Faso to investigate any case of mistreatment committed by law enforcement personnel and to establish an independent and child-sensitive system for receiving and dealing with complaints. CRC called upon Burkina Faso to urgently and effectively establish separate facilities for children deprived of their liberty.<sup>45</sup>

26. CEDAW remained highly concerned about widespread practice of female genital mutilation (FGM). It encouraged Burkina Faso to increase its efforts to fully eradicate FGM; to carry on its public advocacy strategy, especially among parents and traditional leaders; and to bring offenders to justice.<sup>46</sup> CRC expressed similar concerns and also recommended reinforcing cooperation with neighbouring countries in the region to combat FGM.<sup>47</sup>

27. CEDAW was concerned that violence against women appeared to be tolerated in society. It urged Burkina Faso to ensure that violence against women was prohibited and sanctioned; that victims had access to means of redress and protection; perpetrators were prosecuted and punished; and that judiciary and public officials were trained.<sup>48</sup> CRC and the United Nations Country Team (UNCT) raised similar concerns and recommendations.<sup>49</sup>

28. CRC expressed concern about widespread violence against children, and the emergence of paedophilia and child pornography.<sup>50</sup> The United Nations country team noted that according to a study carried out in 2008, 72 per cent of all adults admitted to having inflicted violence on children, and 80 per cent stated that they had been victims of violence.<sup>51</sup>

29. CRC also noted with concern that corporal punishment was widely practised in alternate-care settings, employment and at home. CRC urged Burkina Faso to explicitly prohibit corporal punishment by law,<sup>52</sup> and implement recommendations of the UN Study on violence against children.<sup>53</sup>

30. CRC also recommended intensifying efforts to tackle child prostitution and trafficking, including for sexual exploitation; taking appropriate measures to ensure that perpetrators were effectively punished; supporting children who denounced sexual abuse, and strengthening its efforts to support physical and psychological recovery for all child victims.<sup>54</sup> CEDAW expressed similar concerns and recommendations.<sup>55</sup> In 2011, the ILO Committee of Experts requested Burkina Faso to take the necessary measures to ensure that the penalties imposed on individuals found guilty of trafficking of children were sufficiently effective and dissuasive and that they were applied in practice.<sup>56</sup>

31. CRC expressed concerns at exploitation of child labour, particularly in the agricultural sector and cotton farms; and that children worked in dangerous conditions, especially in gold mines and as domestic servants. It urged Burkina Faso to adopt the Plan of Action against child labour and strengthen the labour inspectorate.<sup>57</sup> CRC also recommended ending the *confiage* practice (children domestic workers).<sup>58</sup> In 2011, the ILO Committee of Experts requested Burkina Faso to continue its efforts to remove children from the worst forms of child labour in small-scale gold mines.<sup>59</sup>

32. CRC was concerned about the increasing number of children living in the street and of *garibous* children forced by religious leaders to beg in the street or trafficked to neighbouring countries for that purpose.<sup>60</sup> UNCT expressed similar concerns.<sup>61</sup> CRC urged Burkina Faso, inter alia, to ensure that the National Committee for Combating Begging by Children develop a comprehensive strategy to curb the practice; that they are protected from police brutality; and that it bring to justice the religious leaders and parents who send children to beg in the streets.<sup>62</sup>

### C. Administration of justice, including impunity, and the rule of law

33. The United Nations country team observed many difficulties with respect to realization of the right to a fair trial, particularly the lack of judicial independence from the executive, the slow pace and high cost of legal proceedings and of application of the resulting decisions, the lack of courts, the lack of human, material and financial resources, problems with access to justice for persons in vulnerable groups and the culture of impunity and corruption which undermined the credibility of the judicial system.<sup>63</sup> The team considers that the composition of the Constitutional Council should be changed in order to guarantee its independence from the executive branch.<sup>64</sup>

34. The United Nations country team noted that in 2009, legislation on judicial aid was adopted; however, it was not being put into effect since no judicial assistance fund was yet available.<sup>65</sup>

35. CEDAW was concerned that, in practice, women's ability to access justice and to bring cases of discrimination before the courts is limited. It urged Burkina Faso to remove impediments to women's access to justice; facilitate their access to legal aid services; implement legal literacy programmes; and disseminate knowledge on the available legal remedies against discrimination and their use.<sup>66</sup>

36. CRC was concerned at the absence of procedures governing the function of the juvenile justice system and that the juvenile justice court does not function. It recommended to continue its efforts to improve the juvenile justice system in conformity with the Convention and the United Nations Standard Minimum Rules for the Administration of Juvenile Justice and adopt the rules of procedure for the functioning of the new juvenile justice system.<sup>67</sup>

37. The United Nations country team noted that in accordance with Act No. 017-2009/AN on combating organized crime, during preliminary investigations, house searches were permitted at any time during day and night.<sup>68</sup>

#### **D. Right to privacy, marriage and family life**

38. CRC remained concerned that one third of children remain unregistered at birth. It urged Burkina Faso to establish a sustainable and available national system of free birth registration, including in the most remote areas.<sup>69</sup>

39. CEDAW noted with concern the different types of marriages with no adequate legal protection to women. CEDAW urged Burkina Faso to repeal all discriminatory laws relating to family life; to eliminate those provisions relative to polygamy in accordance with international law, and to take all other necessary measures to combat child marriages.<sup>70</sup>

40. CRC urged Burkina Faso to set the minimum age for marriage for girls and boys at 18 years, and to penalize early and forced marriage.<sup>71</sup> CEDAW made similar recommendations.<sup>72</sup>

41. CRC recommended that Burkina Faso develop an alternative care strategy and adopt a legal regulating framework for the institutions caring for vulnerable children.<sup>73</sup>

#### **E. Freedom of movement**

42. The United Nations country team pointed out that during the political crisis of 2011 and in the face of an uprising by members of the military, a series of curfews was imposed, something that significantly hampered the freedom of movement of the population in the affected areas.<sup>74</sup>

#### **F. Freedom of expression, association and peaceful assembly, and right to participate in public and political life**

43. According to the United Nations country team, there have been numerous violations of civil liberties in Burkina Faso in the past several years, particularly during the political crisis and military uprising of early 2011. Several student marches were suppressed by the police, ending in the arrest and detention of many students.<sup>75</sup>

44. The United Nations country team noted that in 2009, a collective agreement for journalists was signed; however, the agreement envisaged no steps to deal with resistance to change on the part of the proprietors of printed media, and the main challenge was therefore to make the agreement applicable in practice.<sup>76</sup> UNESCO recommended



strengthening capacity in the field of journalism standards and ethics to develop the media self-regulatory mechanism both for media professionals and policymakers.<sup>77</sup> UNESCO also recommended to pursue the investigation and resolution of all cases of attacks against journalists and media workers, including the unsolved case of Norbert Zongo.<sup>78</sup>

45. UNESCO noted that in practice, access to information may be problematic for both journalists and the wider public.<sup>79</sup> It recommended initiating a process to introduce a freedom of information law to enable public information to be accessed easily and freely by the public in accordance with international standards.<sup>80</sup> UNESCO also encouraged Burkina Faso to decriminalize the defamation law.<sup>81</sup>

46. According to the United Nations country team, the population is exercising the right to vote less and less often.<sup>82</sup>

47. CEDAW was concerned about women underrepresentation in the executive and judiciary branches, public administration and international representation.<sup>83</sup> UNCT expressed similar concerns.<sup>84</sup> CEDAW recommended to develop guidelines to apply the Law on the Quota; to establish concrete goals and timetables to accelerate women's equal participation in public and political life at all levels<sup>85</sup> and to implement temporary special measures in that regard.<sup>86</sup>

48. CRC expressed concern at the absence of legal recognition of the right of the child to be heard, and urged Burkina Faso to incorporate this right into all laws, policies and programmes and develop the Child Parliament as an independent body.<sup>87</sup>

## **G. Right to work and to just and favourable conditions of work**

49. According to the United Nations country team, some provisions in the new Labour Code of 2008 might be conducive to wrongful dismissal of workers.<sup>88</sup>

50. CEDAW expressed concern at women discrimination in employment and at the lack of social security or labour protection for women. It recommended that Burkina Faso guarantee equal remuneration for men and women for work of equal value; eliminate occupational segregation; and improve the working and living conditions of women workers, particularly in the informal sector.<sup>89</sup> In 2011, the ILO Committee of Experts requested Burkina Faso to take the necessary steps to bring section 182 of the Labour Code of 2008, into full conformity with the principle of equal remuneration for men and women for work of equal value.<sup>90</sup>

51. In 2011, the ILO Committee of Experts requested once again Burkina Faso to ensure that the labour inspection services have access to data on the number and geographical distribution of agricultural undertakings and the workers employed therein.<sup>91</sup>

52. In 2011, the ILO Committee of Experts requested Burkina Faso to take the necessary measures to amend section 386 of the Labour Code so that the restrictions only applied, inter alia, in cases in which a strike ceased to be peaceful.<sup>92</sup>

## **H. Right to social security and to an adequate standard of living**

53. According to the United Nations country team, poverty has become endemic in Burkina Faso.<sup>93</sup> It is most common in rural areas (48.8 per cent, compared with 20.6 per cent in urban areas), with particularly adverse effects on women, since they have limited access to labour markets and to land, loans and decision-making power.<sup>94</sup>

54. CEDAW urged Burkina Faso to promote gender equality in its development plans, and to promote the economic empowerment of women through their access to employment, credit, land and other resources; and support women's entrepreneurship.<sup>95</sup>

55. CRC urged Burkina Faso to increase its efforts to raise the standard of living among the population living in poverty; to integrate into the Strategy for Accelerated Development the protection of children's rights; and to give priority to establish a social-security system.<sup>96</sup>

56. CRC was concerned at high levels of malnutrition remaining widespread throughout the country, especially in the northern regions.<sup>97</sup>

57. The United Nations country team took note of the favourable trend in access to drinking water; however, regional disparities remained, especially between urban and rural areas, attesting to the need for progress in this sphere. A fairly significant portion of the population continues to consume water from wells, rivers, pools or dams, which has adverse effects on health.<sup>98</sup>

58. The United Nations country team pointed out that, with respect to sanitation systems, efforts have been made in both urban and rural areas to improve latrines in health-care centres, schools and other public places, as well as family latrines. The collective sanitation system has been expanded in urban areas. Nevertheless, the rate of access to sanitation in 2011 remained well below the Millennium Development Goal, having been only 3 per cent nationwide (9.8 per cent in urban and 1 per cent in rural areas).<sup>99</sup>

59. The United Nations country team noted that housing was allocated arbitrarily, and according to a survey of household living conditions carried out in 2009–2010, 70.1 per cent of families lived in precarious housing owing to the high cost of modern building materials.<sup>100</sup>

## **I. Right to health**

60. The United Nations country team pointed out that although significant progress<sup>101</sup> has been made with respect to the right to health, health-care quality remains poor.<sup>102</sup> In order to comply with the requirements of the universal periodic review of 2008, in 2011 Burkina Faso adopted the National Health Development Plan 2011–2020. The team is of the view that the improvement of the health-care system will depend on how well the plan can actually be implemented.<sup>103</sup>

61. CRC remained concerned that health services are inadequate and the major causes of child mortality are preventable and treatable. CRC recommended continuing to prioritize the allocation of financial and human resources to the health sector, and focusing on preventive measures and treatment.<sup>104</sup>

62. CEDAW expressed concern at the high number of unintended pregnancies and the effects of criminalization of abortion regarding the high maternal mortality rate. It called upon Burkina Faso to reinforce the role of "sages femmes"; to introduce a gender perspective in the National Programme of Sanitary Development; and to reconsider the criminalization of women who undergo abortion.<sup>105</sup> CRC expressed similar concerns and recommended that Burkina Faso enhance the availability of contraceptive services and promote sex education, particularly on early pregnancies and sexually transmitted diseases' prevention.<sup>106</sup>

63. CEDAW urged Burkina Faso to address the obstacles to women's access to health care, including discriminatory practices whereby a woman has to request her husband permission to use contraceptive methods, and to involve men in the use of contraceptives to foster responsible parenthood.<sup>107</sup>

64. CEDAW urged Burkina Faso to increase care for women and young girls living with HIV/AIDS; to subsidize treatment for women, girls and children; to strengthen awareness-raising campaigns; and to address the social norms which increase women's vulnerability to sexually transmitted diseases.<sup>108</sup> CRC made similar recommendations.<sup>109</sup>

## **J. Right to education**

65. According to UNESCO, Burkina Faso has had among the lowest literacy rates in the world. Literacy has increased remarkably in recent years. This is mainly due to the literacy programmes that have been adopted.<sup>110</sup>

66. The United Nations country team noted that efforts have been made concerning investment and recruitment in fulfilment of the recommendation made during the universal periodic review 2008, resulting in more widespread enjoyment of the right to education.<sup>111</sup>

67. CRC was concerned that primary and secondary enrolment was extremely low: only 2.8 per cent of GDP was devoted to the education sector and families were still responsible for paying for school supplies; significant disparities persisted in access to education; teacher-student ratio had not decreased to an acceptable level; and the illiteracy rate remains at a very high level.<sup>112</sup> According to UNESCO, in Burkina Faso, rural children run a four time higher risk than urban children of not being educated.<sup>113</sup> The United Nations country team pointed out that with the implementation of structural adjustment programmes, there has been a move towards privatization of education.<sup>114</sup> CRC recommended that Burkina Faso strengthen its efforts to ensure compulsory and free primary schooling for all children; further increase the percentage of GDP allocated to the education sector; continue to take measures to increase the availability of and enrolment rates in secondary education; and reduce disparities between provinces in access to and full enjoyment of the right to education.<sup>115</sup> CEDAW shared similar concerns and recommendations.<sup>116</sup> CEDAW also urged Burkina Faso to implement the legislative order of 2009 on violence at schools; and to improve basic school infrastructures, including dormitory facilities.<sup>117</sup>

68. CEDAW was concerned at obstacles to keeping girls until the end of the education cycle. CEDAW encouraged Burkina Faso to prevent drop outs among girls; and to challenge traditional beliefs among parents, teachers and community leaders regarding the importance of education for girls.<sup>118</sup>

69. UNESCO stated that new opportunities towards literacy had opened up with evening courses for adults. However, while the authorities decided to support these courses, there was a lot to do before these evening courses became a real second chance.<sup>119</sup>

70. According to UNESCO, in February 2011, the Government decided to suspend classes in primary and secondary educational establishments throughout the territory for an undetermined period. The same applied to universities, until further notice. These measures were taken after riots conducted at the city of Koudougou.<sup>120</sup>

## **K. Persons with disabilities**

71. The United Nations country team took note of Act No. 012-2010/AN of 2010 on protection and promotion of persons with disabilities<sup>121</sup> and of the National Strategy 2012 for Protection and Promotion of Persons with Disabilities.<sup>122</sup> Nevertheless, persons with disabilities continue to be subjected to various forms of discrimination.<sup>123</sup>

72. CRC urged Burkina Faso to strengthen services for children with disabilities and policies for their inclusion in regular education; to train professionals and teachers; and to make schools accessible for them.<sup>124</sup>

## L. Migrants, refugees and asylum seekers

73. The Office of the United Nations High Commissioner for Refugees (UNHCR) welcomed the adoption of the 2008 Refugee Law.<sup>125</sup> It recommended establishing a more efficient and expedient asylum procedure, and considering revision of the 2011-119 decree to further strengthen the refugee protection framework.<sup>126</sup>

74. According to UNHCR, Burkina Faso had demonstrated its commitment to ensure the protection of refugees' fundamental rights.<sup>127</sup> Prior to February 2012, 546 persons of various nationalities were recognized as refugees through an individual refugee status determination process.<sup>128</sup>

75. The United Nations country team indicated that the massive influx of refugees in 2012 represented a challenge in terms of the actual realization of their rights.<sup>129</sup>

76. CEDAW was concerned that asylum-seeking and refugee women and girls remained in a vulnerable and marginalized situation, particularly regarding nationality and statelessness at birth. It urged Burkina Faso to protect them and their children in line with international standards.<sup>130</sup> CRC urged Burkina Faso to support the integration of repatriated families and children; ensure their access to land; and combat their stigmatization.<sup>131</sup>

## M. Right to development and environmental issues

77. The United Nations country team observed that a Strategy for Accelerated Growth and Sustainable Development had been adopted in response to the recommendations of the universal periodic review in 2008. Its actual implementation would determine whether the targets for inclusive growth, improvement of human resources and the strengthening of governance would be realized.<sup>132</sup>

78. The United Nations country team noted that as part of investment promotion efforts, the installation of several industries had been facilitated, with negative effects on the environment and the population's living conditions. For example, mining had been significantly expanded in the past few years but had polluted the environment, leading to deforestation, soil erosion and population flight and causing land use disputes. In addition, the use of hazardous substances like cyanide and mercury created a public health problem. According to the United Nations country team, in order to cope with those difficulties, the areas where mining operations were carried out would need to be reforested, the displaced populations rehoused and the victims treated and compensated.<sup>133</sup>

### Notes

<sup>1</sup> Unless indicated otherwise, the status of ratifications of instruments listed in the table may be found on the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>. Please also refer to the United Nations compilation on Burkina Faso from the previous cycle (A/HRC/WG.6/3/BFA/2).

<sup>2</sup> The following abbreviations have been used for this document:  
 ICERD International Convention on the Elimination of All Forms of Racial Discrimination  
 ICESCR International Covenant on Economic, Social and Cultural Rights  
 OP-ICESCR Optional Protocol to ICESCR

ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
CPED	International Convention for the Protection of All Persons from Enforced Disappearance.

- <sup>3</sup> Individual complaints: ICCPR-OP 1, art 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art.5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and CPED, art. 3. Inquiry procedure: OP-CEDAW, art. 8; CAT, art. 20; CPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC-IC, art. 13. Inter-State complaints: ICCPR, art. 41; ICRMW, art. 76; CPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12. Urgent action: CPED, art. 30.
- <sup>4</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.
- <sup>5</sup> 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the Status of Stateless Persons and 1961 Convention on the Reduction of Statelessness.
- <sup>6</sup> Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see Federal Department of Foreign Affairs of Switzerland, at [www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html](http://www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html).
- <sup>7</sup> International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No. 105 concerning the Abolition of Forced Labour; Convention No. 87 concerning Freedom of Association and Protection of the Right to Organise; Convention No. 98 concerning the Application of the Principles of the Right to Organise and to Bargain Collectively; Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation; Convention No. 138 concerning Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.
- <sup>8</sup> International Labour Organization Convention No.169, concerning Indigenous and Tribal Peoples in Independent Countries, and International Labour Organization Convention No.189 concerning Decent Work for Domestic Workers.
- <sup>9</sup> CRC/C/BFA/CO/3-4, para. 78.
- <sup>10</sup> CEDAW/C/BFA/CO/6, para. 48.
- <sup>11</sup> Ibid., para. 21.
- <sup>12</sup> Ibid., para. 6 and CRC/C/BFA/CO/3-4, para. 3.

- <sup>13</sup> CRC/C/BFA/CO/3-4, paras. 8–9.
- <sup>14</sup> According to article 5 of the rules of procedure for the International Coordination Committee (ICC) Sub-Committee on Accreditation, the different classifications for accreditation used by the Sub-Committee are: A: Voting Member (fully in compliance with each of the Paris Principles), B: Non-Voting Member (not fully in compliance with each of the Paris Principles or insufficient information provided to make a determination); C: No Status (not in compliance with the Paris Principles).
- <sup>15</sup> For the list of national human rights institutions with accreditation status granted by the International Coordination Committee of National Institutions for the Promotion and Protection of Human Rights (ICC), see A/HRC/20/10, annex.
- <sup>16</sup> CRC/C/BFA/CO/3-4, para. 14.
- <sup>17</sup> CEDAW/C/BFA/CO/6, paras. 15–16.
- <sup>18</sup> *Ibid.*, para. 13.
- <sup>19</sup> CRC/C/BFA/CO/3-4, para. 5. See also CEDAW/C/BFA/CO/6, para. 25.
- <sup>20</sup> CEDAW/C/BFA/CO/6, para. 4. See also CRC/C/BFA/CO/3-4, para. 44.
- <sup>21</sup> CRC/C/BFA/CO/3-4, para. 45.
- <sup>22</sup> *Ibid.*, paras. 10–11.
- <sup>23</sup> CRC/C/BFA/CO/3-4, paras. 12–13.
- <sup>24</sup> CRC/C/BFA/CO/3-4, para. 29.
- <sup>25</sup> CRC/C/BFA/CO/3-4, para. 9.
- <sup>26</sup> The following abbreviations have been used for this document:
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|--------------|--|
| CERD         | Committee on the Elimination of Racial Discrimination        |
| CESCR        | Committee on Economic, Social and Cultural Rights            |
| HR Committee | Human Rights Committee                                       |
| CEDAW        | Committee on the Elimination of Discrimination against Women |
| CAT          | Committee against Torture                                    |
| CRC          | Committee on the Rights of the Child                         |
| CRPD         | Committee on the Rights of Persons with Disabilities.        |
- <sup>27</sup> CEDAW/C/BFA/CO/6, para. 57.
- <sup>28</sup> For the titles of special procedures, see [www.ohchr.org/EN/HRBodies/SP/Pages/Themes.aspx](http://www.ohchr.org/EN/HRBodies/SP/Pages/Themes.aspx) and [www.ohchr.org/EN/HRBodies/SP/Pages/Countries.aspx](http://www.ohchr.org/EN/HRBodies/SP/Pages/Countries.aspx).
- <sup>29</sup> OHCHR, Annual report 2010, CD rom, OHCHR in the field, Africa, page 127.
- <sup>30</sup> OHCHR, Annual report 2011, CD rom, OHCHR in the field, Africa, page 230.
- <sup>31</sup> CEDAW/C/BFA/CO/6, para. 23.
- <sup>32</sup> CEDAW/C/BFA/CO/6, para. 19. See also CEDAW/C/BFA/CO/6, para. 9, and CRC/C/BFA/CO/3-4, para. 44.
- <sup>33</sup> CEDAW/C/BFA/CO/6, para. 10.
- <sup>34</sup> *Ibid.*, para. 20.
- <sup>35</sup> *Ibid.*, para. 24.
- <sup>36</sup> CRC/C/BFA/CO/3-4, paras. 44, 58 and 59.
- <sup>37</sup> CEDAW/C/BFA/CO/6, paras. 43–44.
- <sup>38</sup> *Ibid.*, paras. 45–46.
- <sup>39</sup> *Ibid.*, paras. 26–27.
- <sup>40</sup> CRC/C/BFA/CO/3-4, paras. 44–45.
- <sup>41</sup> UNCT, para. 38.
- <sup>42</sup> *Ibid.*, para. 40.
- <sup>43</sup> *Ibid.*, para. 39.
- <sup>44</sup> *Ibid.*, para. 41.
- <sup>45</sup> CRC/C/BFA/CO/3-4, paras. 38–39.
- <sup>46</sup> CEDAW/C/BFA/CO/6, paras. 25–26.
- <sup>47</sup> CRC/C/BFA/CO/3-4, paras. 58–59.
- <sup>48</sup> CEDAW/C/BFA/CO/6, paras. 21–22.
- <sup>49</sup> CRC/C/BFA/CO/3-4, paras. 44–45 and 50–51, L'Équipe de pays des Nations Unies, para. 47.
- <sup>50</sup> CRC/C/BFA/CO/3-4, para. 42. See also CRC/C/BFA/CO/3-4, para. 50.
- <sup>51</sup> UNCT, para. 43.
- <sup>52</sup> CRC/C/BFA/CO/3-4, paras. 40–41.
- <sup>53</sup> *Ibid.*, para. 43.

- <sup>54</sup> Ibid., paras. 73 and 75.
- <sup>55</sup> CEDAW/C/BFA/CO/6, paras. 27–28.
- <sup>56</sup> See [www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID,P11110\\_COUNTRY\\_ID,P11110\\_COUNTRY\\_NAME,P11110\\_COMMENT\\_YEAR:2700626,103033,Burkina%20Faso,2011](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:2700626,103033,Burkina%20Faso,2011).
- <sup>57</sup> CRC/C/BFA/CO/3-4, paras. 68–69. See also CRC/C/BFA/CO/3-4, paras. 74–75 and CEDAW/C/BFA/CO/6, para. 27.correct? yes.
- <sup>58</sup> CRC/C/BFA/CO/3-4, para. 48.
- <sup>59</sup> See [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID,P11110\\_COUNTRY\\_ID,P11110\\_COUNTRY\\_NAME,P11110\\_COMMENT\\_YEAR:2700626,103033,Burkina%20Faso,2011](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:2700626,103033,Burkina%20Faso,2011).
- <sup>60</sup> CRC/C/BFA/CO/3-4, para. 70.
- <sup>61</sup> JS1, para. 38, L'Équipe de pays des Nations Unies, para. 53.
- <sup>62</sup> CRC/C/BFA/CO/3-4, para. 71.
- <sup>63</sup> UNCT, paras. 36, 55–58.
- <sup>64</sup> Ibid., para. 57.
- <sup>65</sup> UNCT, para. 63.
- <sup>66</sup> CEDAW/C/BFA/CO/6, paras. 15–16.
- <sup>67</sup> CRC/C/BFA/CO/3-4, paras. 76–77. See also CRC/C/BFA/CO/3-4, paras. 38–39.
- <sup>68</sup> UNCT, para. 69.
- <sup>69</sup> CRC/C/BFA/CO/3-4, paras. 34–35.
- <sup>70</sup> CEDAW/C/BFA/CO/6, paras. 49–50. See also CRC/C/BFA/CO/3-4, paras. 44–45.
- <sup>71</sup> CRC/C/BFA/CO/3-4, paras. 24.
- <sup>72</sup> CEDAW/C/BFA/CO/6, paras. 49–50.
- <sup>73</sup> CRC/C/BFA/CO/3-4, para. 47.
- <sup>74</sup> UNCT, para. 79.
- <sup>75</sup> Ibid., para. 79.
- <sup>76</sup> Ibid., para. 76.
- <sup>77</sup> UNESCO, para. 52.
- <sup>78</sup> Ibid., para. 51.
- <sup>79</sup> Ibid., para. 43.
- <sup>80</sup> Ibid., para. 50.
- <sup>81</sup> Ibid., para. 49.
- <sup>82</sup> UNCT, para. 72.
- <sup>83</sup> CEDAW/C/BFA/CO/6, para. 29. See also CEDAW/C/BFA/CO/6, para. 17.
- <sup>84</sup> UNCT, para. 73.
- <sup>85</sup> CEDAW/C/BFA/CO/6, para. 30.
- <sup>86</sup> Ibid., para. 18.
- <sup>87</sup> CRC/C/BFA/CO/3-4, paras. 32–33.
- <sup>88</sup> UNCT, para. 83.
- <sup>89</sup> CEDAW/C/BFA/CO/6, paras. 33–34.
- <sup>90</sup> See [www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID,P11110\\_COUNTRY\\_ID,P11110\\_COUNTRY\\_NAME,P11110\\_COMMENT\\_YEAR:2699120,103033,Burkina%20Faso,2011](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:2699120,103033,Burkina%20Faso,2011).
- <sup>91</sup> Ibid.
- <sup>92</sup> Ibid.
- <sup>93</sup> UNCT, para. 89.
- <sup>94</sup> Ibid., para. 89.
- <sup>95</sup> CEDAW/C/BFA/CO/6, paras. 35–36.
- <sup>96</sup> CRC/C/BFA/CO/3-4, paras. 62–63.
- <sup>97</sup> Ibid., para. 54 (c).
- <sup>98</sup> UNCT, para. 90.
- <sup>99</sup> Ibid., para. 90.
- <sup>100</sup> Ibid., para. 91.
- <sup>101</sup> Ibid., para. 96.
- <sup>102</sup> Ibid., para. 98.

- <sup>103</sup> Ibid., para. 103.  
<sup>104</sup> CRC/C/BFA/CO/3-4, paras. 54–55.  
<sup>105</sup> CEDAW/C/BFA/CO/6, paras. 39–40.  
<sup>106</sup> CRC/C/BFA/CO/3-4, paras. 56–57.  
<sup>107</sup> CEDAW/C/BFA/CO/6, paras. 37–38.  
<sup>108</sup> Ibid., paras. 41–42.  
<sup>109</sup> CRC/C/BFA/CO/3-4, paras. 56–57 and 60–61.  
<sup>110</sup> UNESCO, para. 30.  
<sup>111</sup> UNCT, para.107–115.  
<sup>112</sup> CRC/C/BFA/CO/3-4, para. 64.  
<sup>113</sup> UNESCO, para. 34.  
<sup>114</sup> UNCT, para. 114.  
<sup>115</sup> CRC/C/BFA/CO/3-4, para. 65.  
<sup>116</sup> CEDAW/C/BFA/CO/6, paras. 31–32.  
<sup>117</sup> Ibid., para. 32.  
<sup>118</sup> CEDAW/C/BFA/CO/6, paras. 31–32. See also CEDAW/C/BFA/CO/6, para. 17.  
<sup>119</sup> UNESCO, para. 31.  
<sup>120</sup> Ibid., para. 38.  
<sup>121</sup> UNCT, para. 117.  
<sup>122</sup> Ibid., para. 121.  
<sup>123</sup> Ibid., para. 119.  
<sup>124</sup> CRC/C/BFA/CO/3-4, para. 53 (e).  
<sup>125</sup> UNHCR p. 2.  
<sup>126</sup> Ibid., p. 4.  
<sup>127</sup> Ibid., p. 1.  
<sup>128</sup> Ibid., p. 1.  
<sup>129</sup> UNCT, para. 122.  
<sup>130</sup> CEDAW/C/BFA/CO/6, paras. 47–48.  
<sup>131</sup> CRC/C/BFA/CO/3-4, para. 67.  
<sup>132</sup> UNCT, para. 94.  
<sup>133</sup> Ibid., para. 125.
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