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### Committee on Economic, Social and Cultural Rights

## Consideration of reports submitted by States parties in accordance with articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights

Initial reports of States parties due in 2000

**Burkina Faso\***

[Date received: 25 February 2015]

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\* The present document is being issued without formal editing.



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## Introduction

1. Burkina Faso ratified the International Covenant on Economic, Social and Cultural Rights on 4 January 1999. A number of measures have been taken to give effect to its obligations under this instrument. This initial report, drawn up in accordance with article 16 of the Covenant, presents information on measures taken to implement the provisions of the Covenant in accordance with the specific instructions contained in pages 29 to 45 of document HRI/GEN/2/Rev.6. Part one gives information on the general framework for the protection of economic, social and cultural rights, and part two provides clarifications on the implementation of the provisions of the Covenant. General information on Burkina Faso, and the general framework for the protection and promotion of human rights have already been described in the core document. That information provides a better understanding of the implementation of the provisions of the Covenant in the context of Burkina Faso.

2. The initial report is a consensus document written collectively by ministerial departments, governmental institutions and civil society human rights organizations. It was the subject of a validation workshop attended by public and private participants. The report was also submitted to the Inter-ministerial Committee on human rights and international humanitarian law, and was adopted by the Council of Ministers.

## Part one General framework for the protection of economic, social and cultural rights

### A. Legal framework

3. Economic, social and cultural rights are recognized in the Constitution of 11 June 1991, as well as in the Transition Charter, which was adopted on 16 November 2014 in the aftermath of the popular uprising that sought to prevent an amendment to the Constitution that would have allowed the former President to stand for another term. The popular uprising led to the President's resignation, and gave rise to a transitional regime whose mission is to guide the country toward presidential and legislative elections within one year.

4. Legislative and regulatory texts set forth the terms in which these rights will be implemented. The most important of them are:

- Act No. 034-2009/AN of 16 June 2009 on rural land tenure;
- Act No. 057-2008/AN of 20 November 2008 on property development in Burkina Faso;
- Act No. 030-2008/AN of 20 May 2008 on combating HIV/AIDS and protecting the rights of persons living with HIV/AIDS;
- Act No. 028-2008/AN of 13 May 2008 on the Labour Code;
- Act No. 024-2007/AN of 13 November 2007 on protecting the cultural heritage of Burkina Faso;
- Act No. 13-2007/AN of 30 July 2007, on education policy;
- Act No. 015-2006/AN of 11 May 2006, on social security for salaried workers and other eligible persons in Burkina Faso;

- Act No. 049-2005/AN of 22 December 2005 on reproductive health in Burkina Faso;
- Resolution No. 2004-1/AN/BAN/PRES of 16 November 2004 on the parliamentary public service;
- Act No. 002-2001/AN of 8 February 2001 on water-management policy;
- Act No. 032-99/AN of 22 December 1999 on literary and artistic copyright protection in Burkina Faso;
- Act No. 013-98/AN of 28 April 1998 on the rules governing public service employment and employees, and its amendment No. 19-2005/AN of 18 May 2005;
- Act No. 23/94/ADP of May 1994 on the public health code;
- Act No. 10/92/ADP of 15 December 1992 on freedom of association.

## **B. Policies and strategies for the implementation of economic, social and cultural rights**

5. In Burkina Faso, national development perspectives are set forth in framework documents. These include, inter alia:

### *The strategy for accelerated growth and sustainable development*

6. The Government of Burkina Faso has launched two policies for combating poverty: the structural adjustment programmes and the Poverty Reduction Strategy Paper. Since 2010, a new benchmark, the strategy for accelerated growth and sustainable development, has been in place. This text presents an economic strategy that emphasizes economic growth and a fair redistribution of its benefits. The implementation of this strategy will cost an estimated 7,268.062 billion CFA francs.

### *The National Solidarity Charter*

7. In 2009, the Government adopted the National Solidarity Charter, which embodies solidarity as a fundamental value of Burkina Faso society. In response to the recent crises and natural catastrophes, in particular the floods of 2009 and 2010, the Government, with support from its development partners, mounted a number of social programmes designed to mitigate the terrible impact of those catastrophes on the population. The programmes comprised subsidies for emergency obstetric neonatal care, school canteens for all, the distribution of food coupons to the neediest households, and the sale of food at reduced prices.

### *The national health policy 2011-2020*

8. The National Health Policy was first adopted in 2001 and implemented via a national health development plan covering the period from 2001 to 2010. The implementation of the plan has achieved significant results. Health-care services have improved, in particular the attendance of qualified staff at childbirth, provision of obstetric emergency services, epidemic control, the introduction of new vaccines for immunization and the treatment of endemo-epidemic diseases. In order to consolidate these achievements, a new national health policy has been adopted for the period from 2011 to 2020. The financial resources required to implement the health policy are estimated at 5,705.72 billion CFA francs. Among the aims of the policy are the reduction of perinatal and infant mortality and guaranteed health care for children through a focus on primary health care, the reduction of disease and malnutrition, the

provision of appropriate care to pregnant women and nursing mothers, and the promotion of preventive care, health education and family planning.

#### *The Plan for Strategic Development of Basic Education*

9. The Plan for Strategic Development of Basic Education is a sectoral development strategy for the basic education system covering the period from 2012 to 2021. It replaces the Ten-Year Plan for the Development of Basic Education (2001 to 2010) and has the following four strategic thrusts: (i) the expansion of preschool education from 3 per cent in 2010 to 11.3 per cent in 2015 and at least 25 per cent by 2021; (ii) the attainment of universal primary education by 2021, with a 75.1 per cent primary school completion rate in 2015 with equal numbers of girls and boys; (iii) removing the bottleneck between primary and post-primary education with a transition rate of 93.2 per cent in 2015, 95 per cent by 2021, and 100 per cent by 2025 with equal numbers of girls and boys; (iv) accelerating literacy, with two aims: firstly, eliminating illiteracy at source by educating all adolescents between the ages of 9 and 14 by 2021, and secondly, literacy training starting at age 15 with special attention for at least 60 per cent of all young people between the ages of 15 and 24 in 2015 and 75 per cent by 2021, 60 per cent of whom should be young women.

#### *National Employment Policy*

10. This policy, adopted in 2008, is a facet of the Government's ongoing efforts to combat poverty, and to promote shared economic development and sustained social progress. The State has gradually established a framework that encompasses a number of institutions: the National Employment Agency, the Employment Promotion Support Fund, the Support Fund for Youth Initiatives, the National Support Programme for the Reinsertion of Redundant Workers, the Professional Development and Apprenticeship Support Fund, and the Support Programme for Rural Microbusinesses.

#### *National Culture Policy*

11. On 19 October 2009 Burkina Faso adopted a cultural and a tourism policy, both with three-year action plans. The policies are based on homegrown values and realities. The national culture policy seeks to strengthen the economy of cultural creativity and the capacity of the cultural sector to produce goods and services, on competitive terms, and to create income-generating jobs and activities. The overall cost of the action plan is 16,268.500 million CFA francs.

#### *National Clean Drinking Water Programme*

12. In the area of water and sanitation, a national clean drinking water programme was adopted in 2006. The programme has significantly increased water availability in homes as well as in schools and health centres. Efforts for the benefit of the most vulnerable sectors by the Government and all parties involved in the provision of clean drinking water have increased the rate of access to drinking water to more than 78 per cent since 2008. In rural areas, that rate is 56.6 per cent. The estimated total cost of the programme for the period from 2007 to 2015 is 406 billion CFA francs.

#### *Housing Policy*

13. The Burkina Faso Housing Bank, was launched in July 2006 as a financial mechanism to support the housing and house-building policy. The housing project administration centre has initiated a programme for the construction of affordable, comfortable and low-cost housing. A vast social housing programme is also under way, offering a satisfactory solution to the housing crisis and providing low-income households with decent dwellings in the country's main urban centres.

*National Gender Policy*

14. Burkina Faso has adopted a national gender policy as part of its efforts to combat gender-based discrimination affecting the exercise of economic, social and cultural rights. The overall objective of the policy is to promote participatory and equitable development for men and women, by ensuring access to, and equal and equitable control over, resources and decision-making processes on the basis of respect for the fundamental rights. A national council for the advancement of women was founded to implement this policy.

*The National Fast Track for Girls Education Policy*

15. To promote education for girls, the National Fast Track for Girls Education Policy was adopted by the Government on 8 June 2012. Its overall objective is to work toward the attainment of universal primary education in 2021, by creating favourable conditions for girls' education, and thereby reducing the gender gap.

*The Special Job Creation Programme for Young People and Women*

16. The overall objective of this programme, covering the period from 2012 to 2014, is to significantly reduce unemployment and underemployment among young people and women. It includes activities for young graduates, young people who have dropped out of school or never attended school, rural youth, the economic empowerment of women, and job-creation incentives for local companies and small and medium-sized businesses. As a whole, these activities will help to generate 54,209 jobs, to create 10,000 work opportunities, and to train an average of 45,100 qualified young rural persons per year. Programmes promoting the economic empowerment of women provide them with equipment suited to their needs (mill, loom, butter press, rice steamer, cart, drying rack, etc.)

**C. Mechanisms for monitoring Government policies and programmes in the area of economic, social and cultural rights**

17. The mechanism for monitoring and evaluating policies, programmes and projects described above generally includes the Council of Ministers, which determines the institutional procedure for monitoring implementation and evaluation, the pilot committees, the supervisory bodies, the permanent secretariats, the institutional support mechanisms for the implementation of projects and programmes and the sectoral frameworks for dialogue and regional consultation — which are formal structures for dialogue and consultation set up in the regions and provinces for the purpose of harmonizing programmes in matters related to development.

**D. Mechanisms for monitoring the obligations of the State under the Covenant****(a) The legislature**

18. In accordance with the Constitution, legislative power rests with the National Assembly. The National Transition Council, established under the Transition Charter, exercises legislative authority until the transition phase ends and pending legislative elections that will permit the establishment of a new National Assembly. The legislature contributes to the implementation of human rights by adopting laws determining how individual and collective rights are to be exercised, by voting on the budget, and by regulating the activities of the Government. The Assembly has created

a committee for general and institutional matters and human rights, which also operates within the National Transition Council.

**(b) National Human Rights Commission**

19. The Commission assists the authorities by giving its views on all questions related to the promotion and protection of human rights in Burkina Faso. On its own initiative, it can call the attention of the authorities to situations in which human rights are violated, and propose measures to stop such violations from occurring. The Commission also draws the attention of the authorities to measures that in its view protect and promote human rights.

**(c) Council of Ministers**

20. The Council of Ministers is the Government's decision-making body. Its role is to consider past actions of the Government, to define future actions, to prepare draft legislation, and to draft communications on such subjects as participation in international bodies. It debates and determines overall policy, adopts draft reports to treaty bodies, submitted to it by the various ministerial departments, and also has the task of ensuring political cohesion among members of the Government.

**(d) Interministerial Committee on Human Rights and International Humanitarian Law**

21. The Interministerial Committee on Human Rights and International Humanitarian Law is a technical support structure for the Government. Its mandate includes helping with the coordination of human rights promotion and protection activities carried out by ministerial departments, studying human rights policies, strategies and cases submitted to it by the Government and providing expert support for drafting reports to the treaty bodies.

**(e) Ministry for Human Rights**

22. The Ministry for Human Rights is responsible for the implementation of governmental human rights policy. It has established a directorate to follow up on the international agreements, which coordinates the preparation of draft reports to the international human rights treaty bodies, and helps to bring national law into agreement with the international human rights treaties.

23. In addition to the mechanisms established by the State for monitoring the fulfilment of its obligations under the Covenant, civil society organizations may call on the State to fulfil the commitments it has undertaken as a result of its ratification of the international human rights instruments.

**E. Incorporation of the provisions of the Covenant into the domestic legal order and their implementation**

**The provisions of the Covenant are reflected in the laws of Burkina Faso**

24. Act No. 13-2007/AN of 30 July 2007 on educational policy recognizes the right to education of all persons, without discrimination, and provides for mandatory schooling through the age of 16. It also sets forth the principle of free primary school education.

25. In the sphere of health:

- Act No. 23/94/ADP of 19 May 1994 on the public health code defines the rights and duties inherent in the protection and promotion of health;

- Act No. 012-2010/AN of 1 April 2010 on the protection and promotion of the rights of persons with disabilities provides, in articles 5 et seq. that the national health policy should include prevention, diagnosis and treatment of children with disabilities, whatever their age, using vaccination, nutrition, consultation and treatment. In addition, any person with a disability who has a disability card and who is recognized to be indigent receives free care and any necessary equipment for the treatment prescribed;
  - Act No. 030-2008/AN of 20 May 2008 on combating HIV/AIDS and protecting the rights of children living with HIV/AIDS bolsters the campaign against the condition and the protection of the right to health of persons living with it;
  - Act No. 005-2006/AN of 17 May 2006 on safety in the field of biotechnology sets out the conditions for the use of genetically modified organisms and their derivatives in Burkina Faso.
26. As regards promotion of the right to housing:
- Act No. 057-2008/AN of 20 November 2008 on the development of real estate provides incentives for real estate developers with a view to furthering the right to housing by expanding the housing stock;
  - Act No. 017-2006/AN of 16 May 2006 on the urban development and building code organizes and regulates urbanization and housebuilding in Burkina Faso. It exempts building owners from the need for a certificate of compliance, which can increase the price of housing.
27. The right to work is implemented in accordance with:
- Act No. 012-2010/AN of 1 April 2010, on the protection and advancement of persons with disabilities, which gives each disabled person the right to hold a job in the public or private sectors, if he or she has the necessary skills;
  - Act No. 028-2008/AN of 13 May 2008 on the labour code in Burkina Faso, which prohibits all discrimination in employment or the professions, as well as forced or compulsory labour;
  - Act No. 015-2006/AN of 11 May 2006 on social security for salaried workers and other eligible persons in Burkina Faso, which establishes that all workers subject to the provisions of the Labour Code are also bound by the social security scheme instituted under that law;
  - Act No. 013-98/AN of 28 April 1998 on the rules governing public service employment and employees, and its amendment No. 19-2005/AN of 18 May 2005. Under this act, access to employment in the civil service is open to all citizens of Burkina Faso who meet the conditions required by each post offered, subject to the specific requirements of certain posts established by decree. The public administration may, when circumstances so warrant, recruit foreign nationals on a contractual basis.
28. With regard to the right to clean drinking water, Act No. 002-2001/AN of 8 February 2001 on water management policy recognizes the right of everyone to access to water in accordance with their needs and with the fundamental demands of life and dignity.
29. With regard to the right to a safe environment, Act No. 006-2013/AN of 2 April 2013 on the Environmental Code establishes basic principles for the preservation of the environment and for improving the quality of life in Burkina Faso.



30. Cultural rights are implemented in accordance with:

- Act No. 024-2007/AN of 13 November 2007 on protecting the cultural heritage in Burkina Faso, whose terms provide that the State, the branches of Government, and to a certain extent the local populations concerned, shall ensure the protection and preservation of the cultural heritage;
- Act No. 032-99/AN of 22 December 1999 on protecting the literary and artistic property of Burkina Faso, which protects creative works, and the moral and ownership rights of authors.

31. Certain provisions of the Covenant have not yet been incorporated into the national law. A study, conducted by the Government in 2010, on bringing legislation into line with international standards on economic, social and cultural rights, identified weaknesses and made recommendations for regularizing the situation. The adoption of measures addressing the topics of housing, food and the promotion of national languages was recommended.

## **F. Effective remedies**

### **(a) Appeals to the courts**

32. The judicial system provides due guarantees for an effective remedy. Referral to a national judge is not conditional on any circumstance related to the nationality of the complainant. It is a recognized right of all persons who believe they have been wronged. Decisions handed down by the courts are binding. The National Justice Policy 2010-2019 identified certain shortcomings, in particular related to delays, and difficulties with access to the courts and to judicial information. To redress these weaknesses, six strategic goals were identified: strengthening overall judicial capacity, revitalizing the management of the judicial sector, improving practical and financial accessibility, improving psychological accessibility, strengthening the criminal justice system and prison management, and raising the status of the individual. As part of the application of this policy, efforts have been made to improve access to the courts. The average time taken to process a case has significantly shortened, from 4 months and 15 days in 2009 to 2 months and 18 days in 2013 for civil matters, according to statistics from the 2013 Statistical Yearbook of the Ministry of Justice. The number of judges increased from 371 in 2008 to 450 in 2013, while the number of court officials (attorneys and bailiffs) rose from 164 to 297 in the same period.

### **(b) Administrative appeals**

33. When an administrative action infringes on a person's rights, he or she may appeal to the administrative authority that carried out the action for reconsideration, or appeal to a higher authority. These remedies require a simple written request to the administrative authority concerned. Citizens may also file complaints with competent authorities when their rights have been violated by any natural or legal person.

### **(c) Recourse to the Burkina Faso Ombudsman**

34. Article 2 of Organic Act No. 22-94/ADP of 17 May 1994 established the office of the Burkina Faso Ombudsman as an independent authority. He or she is a non-contentious mediator empowered to handle all complaints from the public regarding the functioning of the central administrative authorities, local governments, public agencies and any other entity providing a public service. Any persons whose economic, social or cultural rights have been violated may, on their own or through an elected representative, refer the matter to the Burkina Faso Ombudsman; the

Ombudsman may also take up a matter on his or her own initiative. Recourse to the Ombudsman is straightforward and free of charge.

**(d) Recourse to the Counselling and Information Centres of the Ministry for Human Rights**

35. The Ministry for Human Rights has set up Human Rights Counselling and Information Centres in Ouagadougou and within the regional directorates for human rights and the promotion of civic values. The role of the Centres is to provide free counselling and information with a view to enlightening citizens on their rights and on the procedure for fulfilling those rights.

**(e) The National Human Rights Commission**

36. The National Human Rights Commission is an independent consultative body empowered to take complaints from individuals claiming a violation of their human rights or a failure to respect those rights. Individuals, their proxies, and non-governmental organizations or associations may bring a case before the Commission, which favours amicable settlements in conciliatory proceedings.

**(f) Other mechanisms for the defence and protection of human rights**

37. The promotion and protection of human rights is a cross-cutting activity involving the participation of a number of ministries. There are also civil society organizations to which victims of human rights violations may have recourse to uphold their rights. The role of these organizations usually takes the form of legal, judicial and psychosocial assistance to victims.

**(g) Obstacles to the effective enjoyment of economic, social and cultural rights**

38. There are a number of structural challenges affecting the implementation of economic, social and cultural rights: insufficient government funding, the vagaries of the climate, poor educational levels, a harsh natural environment and sociocultural constraints. These factors as a whole hinder the implementation of economic, social and cultural rights, despite the efforts undertaken by the Government.

**(h) Comparative annual statistical data on the enjoyment of rights enshrined in the Covenant**

39. Concerning the right to education, the following table gives statistics showing the change in the enrolment of girls and boys in primary school.

Table 1  
**Change in enrolment rate in primary education from 2009 to 2014**

School year	Gross school enrolment rate			Net school enrolment rate			Completion rate		
	Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total
2009/10	78.3	71.2	<b>74.8</b>	59.8	55.0	<b>57.4</b>	49.2	42.5	<b>45.9</b>
2010/11	80.2	75.0	<b>77.6</b>	62.6	59.1	<b>60.9</b>	55.1	49.1	<b>52.1</b>
2011/12	81.1	78.1	<b>79.1</b>	63.2	61.1	<b>62.2</b>	56.6	53.7	<b>55.1</b>
2012/13	81.6	81	<b>81.3</b>	63.5	62.8	<b>63.2</b>	59.3	59.7	<b>59.5</b>
2013/14	82.8	83.2	<b>83</b>	64.7	64.2	<b>64.4</b>	55.7	59.7	<b>57.6</b>

Source: Directorate of Studies and Planning/Ministry of Education and Literacy, 2014.

40. Regarding the right to health:

- Life expectancy rose from 53.8 years in 2006 to 56.7 years in 2011;
- HIV seroprevalence fell from 2.3 per cent in 2005 to 1.6 per cent in 2011;
- Maternal mortality (per 100,000) fell from 484 in 2005 to 307.3 in 2011.

Table 2

**Change in National Health Development Plan indicators from 2008 to 2013**

Indicators	Years					
	2008	2009	2010	2011	2012	2013
Theoretical average distance to a health-care facility	7.54 km	7.5 km	7.38 km	7.2 km	7.1 km	7 km
Prevalence of underweight children	27.4%	26.0%	25.7%	24.4%	24.4%	21%
Prevalence of severe acute malnutrition	3.8%	2.7%	2.8%	2.4%	1.8%	ND
Percentage of births attended by qualified health workers	66.5%	73.2%	76.0%	78.3%	79.9%	80.5%
Percentage of planned caesarean sections	1.5%	1.4%	1.6%	1.8%	1.9%	2.1%
Percentage of ANC 4-level antenatal care	16.9%	20.5%	22.3%	25.5%	31.2%	29.7%
Percentage of pregnant women receiving IPT <sup>1</sup>	ND	47.1%	62.37%	62%	52.6%	52%
Coverage level of tetanus-toxoid vaccine for pregnant women	84.8%	92.3%	92.3%	90.9%	92.7%	88%
Percentage of HIV-infected pregnant women receiving complete treatment	91.07%	85%	90.05%	92%	92.8%	70.7%

*Source:* Excerpt from the 2013 Health Sector Review.

## Part two

### Information related to articles 1 to 15 of the International Covenant on Economic, Social and Cultural Rights

#### I. Information on the general provisions of the Covenant

##### Article 1

##### The right to self-determination

41. By virtue of the principle of equal rights of peoples and their right to self-determination, all communities in Burkina Faso have the right freely to pursue their economic, social and cultural rights. With regard to the right to dispose of their natural resources, article 14 of the Constitution provides that “the riches and natural resources belong to the people. They shall be used to improve their living conditions.” Moreover, the Constitution recognizes the right of citizens to file suit against acts that endanger natural resources (art. 30).

42. In Burkina Faso there is no divisiveness or discrimination of any kind. Certain sociocultural practices, such as *la parenté à plaisanterie* (kinship mockery) favour social harmony. Under the Ministry of Culture, the State strives to reinforce these

<sup>1</sup> Second dose of intermittent preventive treatment.

positive sociocultural values, by, for example, organizing the biennial national culture week.

43. There are no indigenous communities in Burkina Faso, strictly speaking. Several communities, such as the Fulani and the Tuareg, who are nomadic shepherds from the northern part of the country, present distinct characteristics. The recent local reforms carried out in the context of the decentralization process take the particular needs of these groups fully into account. They enjoy the same rights to lands and territories, in accordance with Act No. 034-2009/AN of 16 June 2009 on rural land tenure, which favours access to land by rural communities, and offers the option of refining or adapting its provisions to fit the characteristics of the rural environment and the specific nature of local needs — through the drawing up of local land charters.

44. The decentralization process under way in Burkina Faso since 1993 enables local communities to participate in public affairs, in making decisions about matters that affect them, and in local development policies. All communities, without exception, participate in this process; they are consulted, and their concerns are heard, within the framework of the municipal councils and the village development councils.

## **Article 2**

### **International cooperation**

#### **A. Impact of assistance and international economic and technical cooperation**

45. Burkina Faso enjoys a privileged position in the realm of international cooperation which takes the form of activities carried out by the United Nations specialized agencies and by a number of partner States with the support of a number of foreign NGOs. Technical and financial partners have also played a part, in development projects related to various aspects of economic, social and cultural rights. At the bilateral level, such cooperation generally takes the form of budget support and/or expert assistance.

#### **B. Comparative statistical data on the effectiveness of specific measures for combating discrimination, and progress made**

46. Burkina Faso has initiated a number of affirmative-action programmes on behalf of women and girls, which have improved the situation of economic, social and cultural rights for the women of Burkina Faso.

Table 3  
Number of public service employees on 31 December 2012, by sex

	2009	2010	2011	2012
Women	29 042	31 396	33 959	37 141
Men	69 564	76 330	81 616	86 451
<b>Total</b>	<b>98 606</b>	<b>107 726</b>	<b>115 575</b>	<b>123 592</b>

*Source:* 2012 Statistical Yearbook of the Ministry of the Civil Service, Labour and Social Security.

Table 4  
**Number of women elected to the National Assembly in the four most recent parliamentary terms**

<i>Years</i>	<i>Total</i>	<i>Number of men</i>	<i>Number of women</i>	<i>Percentage of women</i>
1997-2002	111	102	9	8.01%
2002-2007	111	98	13	11.71%
2007-2012	111	94	17	15.31%
2012-2014	127	107	20	15.75%

*Source:* Update of data gathered by the Burkina Faso Coalition for the implementation of the Convention on the Elimination of All Forms of Violence against Women, 2010.

Table 5  
**Situation of women ministers from 2004 to 2014**

<i>Years</i>	<i>Total number</i>	<i>Number of men</i>	<i>Number of women</i>	<i>Percentage</i>
2004	31	27	4	12.90%
2005	32	28	4	12.5%
2006	36	29	5	14.70%
2007	34	29	5	14.70%
2008	35	28	7	20%
2009	36	29	7	19.44%
2010	35	29	6	17.14%
2011	29	26	3	10.34%
2013	32	27	5	15.62%
2014	26	22	4	15.38%

*Source:* Update of data gathered by the Burkina Faso Coalition for the implementation of the Convention on the Elimination of All Forms of Violence against Women, 2010.

47. In general, there has been a slight change in the participation of women in public and political life. However, if women are to be better represented, there is much work to be done, in particular with regard to sociocultural hindrances and the effective application of quotas.

### C. Information on restrictions imposed in accordance with paragraph 3 on the enjoyment by non-nationals of the economic rights enshrined in the Covenant

48. The Constitution recognizes and protects the economic, social and cultural rights of all persons living in the national territory. However, for economic, political or other reasons, restrictions may apply to the enjoyment of certain rights by foreigners. This is the case of employment in the public service, which is restricted to nationals. However, under article 11 of Act No. 013-98/AN of 28 April 1998 on the rules governing public service employment and employees, the Administration may, where circumstances warrant, recruit foreign candidates on a contractual basis.

### **Article 3**

#### **Gender equality and non-discrimination**

##### **A. Equality and non-discrimination on the basis of gender**

49. Article 1 of the Constitution prohibits all forms of discrimination based on gender. This principle is enshrined in legislative and regulatory texts, as well as in a wide range of programmes and policies. Many awareness campaigns have been launched, by both the Government and civil society, to spread information about all the legislative provisions for the benefit of women. Considerable efforts have been made to narrow the gap between the school enrolment rate of girls, which fell from 12.2 per cent in 2008 to 5.2 per cent in 2011, and that of boys. The implementation of the Ten-year Development Plan for Basic Education, launched in 2001, resulted in the opening of many local schools and in campaigns to raise awareness about school enrolment for girls. The Government has also given priority to literacy for women and for girls who have never been to school or have dropped out, by increasing the number of informal education centres and by adopting affirmative action programmes for girls.

50. Other measures have been taken to reduce the school achievement gap between boys and girls, inter alia:

- The adoption of an action plan for girls;
- The training of teachers and trainers to address issues related to the enrolment and schooling of girls;
- The awarding of secondary-school study grants to girls;
- The allocation of 60 per cent of university dormitory rooms to girls.

51. All these efforts have helped to improve the gross school enrolment and literacy rates for girls, which rose from 65.7 per cent in the period from 2007 to 2008 to 83.2 per cent in the period from 2013 to 2014. The gross enrolment rate also rose from the 2012-2013 level, from 85.7 per cent to 94.8 per cent. In addition to these efforts, the Government has taken measures to introduce inclusive education, so as not to exclude any social group.

52. There is no discrimination between men and women in access to health care, nor is there any discrimination in the right to participate in cultural activities. The Constitution recognizes the right of all citizens to take part freely in cultural life and in the promotion and protection of traditional values. In the area of work, access to public and private employment is open, without distinction of any kind, and as an equal right, to all citizens of Burkina Faso who fulfil the requisite conditions for each job position offered, subject to limitations inherent in certain forms of employment, as defined in the provisions in force.

53. Nor is there any legal form of discrimination in the area of housing and food. The main obstacle continues to be poverty.

##### **B. Legislation on gender equality**

###### **(a) Legislative framework for the promotion of gender equality**

54. Gender equality exists as a reality in the national laws. The Constitution of 11 June 1991 sets forth the principle in these terms: “All citizens of Burkina Faso are born free and equal in rights [...] Discrimination of any kind, based on race, ethnicity,

region, colour, sex, language, religion, caste, political opinion, property or birth, is prohibited.”

55. Article 19 of the Constitution stipulates that no distinction shall be made between men and women in an offer of work or in the amount of the remuneration, in particular when the candidates have the same skills and the same qualifications or diplomas. Article 182 of the Labour Code provides that the salary must be the same when the professional qualifications, the working conditions, and the capacity for work are the same.

56. Article 62 of the Act on agrarian and land reform provides that urban and rural lands on the national territory may belong to any natural person, regardless of sex or marital status.

57. All persons living in the territory of Burkina Faso, without distinction of any kind, enjoy the right to health. This is one of the social rights enshrined in article 18 of the Constitution. Article 6 of the Hospitals Act (No. 034/98/AN of 18 May 1998) establishes that public and private hospitals, whether operated for profit or not, must guarantee equal access to all services they provide.

58. The Personal and Family Code establishes the principle of equality between men and women. Marital rights adhere to the principle that marriage is based on equal rights and duties for spouses. By law, monogamous marriage is the general legal norm; polygamy is permissible under conditions that preserve the fundamental rights of the wife. Article 132 of the Criminal Code punishes any violation of the prohibition against discrimination it contains. Forced marriage has been criminalized so as to prevent girls and widows from being obliged to marry.

59. In spite of legal protections, women are still victims of various sorts of discrimination related to stereotypes and harmful cultural and traditional practices. Awareness programmes are held to combat such practices, which hamper the realization of women’s rights.

**(b) Assessment of the impact of legislation and policy on gender equality**

60. In the area of employment, the Government is carrying out affirmative measures to encourage women to apply for positions once reserved exclusively for men, such as, for instance, recruiting women for the police force, the gendarmerie and the army. In addition, the women’s support fund for income-generating activities, set up in 1991, eases access to credit for women by giving them loans and/or offering them guarantees, or by providing them with training that will help them to better manage their affairs, whether in agriculture, husbandry or craft activities, or as the owner of a restaurant or small business.

61. A special employment-creation programme for young people and women, covering the period from 2012 to 2014, was officially launched by the Government of Burkina Faso on 24 February 2012, with a view to tackling unemployment and underemployment. The role of the vast Burkina Faso National Volunteer Programme is to fill 10,000 posts with volunteers to work in the devolved and decentralized governmental structures and civil society organizations.

62. With respect to education, the adoption of the Burkina Faso Education Policy Act brought about a significant improvement in the school enrolment rate and has reduced the educational gender gap. Free schooling and mandatory attendance between the ages of 6 and 16 has made it necessary for the Government to take steps to improve educational indicators in general, and basic education in particular.

**Articles 4 and 5****Derogations, restrictions and limitations on economic, social and cultural rights**

63. The Constitution of Burkina Faso prohibits any discrimination based on race, ethnicity, region, political opinion, property or birth. Persons belonging to minorities or to indigenous groups enjoy the same rights accorded to citizens of Burkina Faso and foreigners. Foreigners enjoy all rights with the exception of a number of rights associated with Burkina Faso nationality.

**II. Information on specific rights****Article 6****The right to work****A. Combating unemployment**

64. As part of its implementation of the national employment policy, the Government of Burkina Faso, with the help of its partners, has set up national funds to provide financing to micro-, small and medium-sized enterprises and one-stop service points to facilitate operations.

**(a) The impact of employment programmes for disadvantaged groups and persons**

65. The National Agency for Employment makes it possible to identify the real staffing needs of businesses, to channel the existing skilled labour and to identify areas for which training is in increasing demand. The Agency serves as an interface between job seekers and employers. It regularly publishes advertisements for jobs and internships. In addition, the Government has established the Fund to Support Youth Initiatives, which finances projects initiated by young entrepreneurs that lack collateral.

66. According to Ministry of the Economy and Finance statistics, between 2008 and 2011 the Fund made it possible to train 16,981 young people in entrepreneurship, to fund 3,111 microprojects and to create 12,220 jobs. Loans granted during this period totalled 13,973,126,035 CFA francs. From 2000 to 2011 the Fund to Promote Employment provided management training to entrepreneurs and contributed 4,223,583,241 CFA francs to set up and consolidate 1,431 projects, resulting in the creation and consolidation of 6,982 jobs.

67. In addition to providing access to loans, the Government is working to promote training of applicants for jobs and apprenticeships through the Professional Development and Apprenticeship Support Fund. The Fund has made it possible to train 581 apprentices at a total cost of 87,461,945 CFA francs, 989 employees of small and medium-sized enterprises at a cost of 372,106,869,693 CFA francs, 372 farm workers at a cost of 20,286,935 CFA francs, and 986 artisans at a cost of 78,043,478 CFA francs. Moreover, every year 10,000 young people benefit from training in project development and job-seeking skills. A project to help young people obtain driving licences has been operating since 2008 and has enabled 5,000 young people to obtain licences and be in a position to apply for jobs.

68. To facilitate access by entrepreneurs to funding, the Ministry of Labour has established in each regional capital a one-stop service point for all the entrepreneurship promotion funds it oversees.



69. Steps have been taken to improve the situation of older people, particularly retirees. Retirees can now receive short-term bank loans to fund income-generating activities. They are also entitled to a free annual medical examination, and some of their medical expenses are reimbursed. A policy for retraining retirees from the armed forces has also been adopted.

70. To boost agricultural production and promote employment for disadvantaged social groups, including women, in the agricultural sector, the State has taken measures focusing on village-scale irrigation for growing off-season crops. According to the report monitoring actions towards “A World Fit for Children”, issued by the Ministry of the Economy and Finance in March 2010, in 2008 there were:

- 277,000 market gardeners, of whom 35.7 per cent were women;
- 89,530 rice farmers, of whom 41.4 per cent were women;
- 40,700 growers of other crops requiring irrigation, of whom 27.5 per cent were women.

71. Multipurpose platforms directly generated some 2,646 rural jobs and indirectly generated jobs in services such as welding and electricity.

72. The State helps a number of associations of people with disabilities to set up manufacturing workshops. It also sometimes lends staff to associations providing vocational training, and to specialized institutions. Many private entities are also active in this area — for example, in training people with disabilities in skills such as sewing, batik, agriculture, gardening, chalk manufacturing and pottery making.

**(b) The impact of measures to facilitate the reclassification of workers**

73. The Government has set up a national fund to support workers who have retired or been victims of downsizing. The fund was established by Decree No. 2008-049/PRES/PM/MEF/MTSS of 6 February 2008 establishing a national support fund for downsized workers and retirees. It has made it possible to finance microprojects to consolidate employment and generate permanent and temporary jobs.

**B. The scale of the informal sector**

74. According to the National Institute of Statistics and Demography, Burkina Faso’s economy has an average annual growth rate of 5.9 per cent, which is largely attributable to the agricultural sector. The economic achievements of the past five years are largely related to the transformation of agricultural resources and the growth of the private sector.

75. The fact that 73.3 per cent of the workforce is engaged in informal work shows the sizable role of that sector in the country’s economy. Activities in this area are very diverse and are present in all three sectors of the economy. The informal sector is also a source of income for many households. (Six out of seven households receive income from the informal sector.) It is a sector of the economy where women are active. However, it is difficult to account for all the results of their activities. A majority of women (58.1 per cent) work in the informal sector.

76. There are also many women and young people working in the craft sector, in areas such as dyeing, basketry, weaving, pottery, sewing, beauty treatments and hairdressing. The sector attracts them by offering opportunities to sell products at the cultural events organized periodically by Burkina Faso (Ouagadougou International Crafts Show, National Culture Week, etc.).

77. To address the real constraints that handicap the informal economy, in July 2008 the State set up a programme to train 5,000 young people per year in entrepreneurship which focuses on employment-generating initiatives by young people and on their motivation to create micro-, small and medium-sized enterprises. In five years the programme has trained 25,000 young people. After the training, selected projects are financed from the Fund to Support Youth Initiatives. In the first three cycles (2008-2010), a total of 12,388 young people were trained in entrepreneurship. 5,971 project proposals were referred to the Fund and 3,315 projects were financed. The financed projects in turn created 2,122 direct and 6,142 indirect jobs.

78. Financial institutions that used to be reluctant to finance the informal sector are starting to show an interest in it. Similarly, the Fund to Support the Informal Sector (FASI) and the Fund to Support Women's Income-Generating Activities contribute to promoting the sector. FASI representatives work closely with entrepreneurs, helping them to access the traditional banking system. Such support has enabled its beneficiaries to structure their business activities and leave the informal sector. Between 1999 and 2011 FASI funded 14,819 microprojects and made it possible to create 42,432 jobs. Loans granted during this period totalled 6,774,316,762 CFA francs.

79. Under the Ministry of Industry, Trade and Crafts, the decentralization of the business registration centre (CEFORE) enabled 4,951 new businesses to be registered in 2011. During the same period, 25 large companies began operating, creating 528 permanent jobs and making investments of 13,221,124,181 CFA francs.

80. Livestock farming also helps to combat poverty, especially in rural areas. As far as direct job creation is concerned, according to figures for 2005 from the Ministry of Animal Resources, the industry employs more than 900,000 people a year full-time for production activities and 60,000 to 90,000 others for processing and marketing activities. These results have been achieved through measures such as the Livestock Farming Development Fund and State-funded projects, programmes and other support. Since 2010, seven credit operations conducted by the Fund have directly benefited 948 people, including 350 women. Financing for leadership training provided in 2010 to farmers benefited 181 entrepreneurs in that field (including 45 women). The operation generated 482 jobs (including 189 for women).

### **C. Protection of workers against unfair dismissal**

81. The State has implemented legal safeguards to protect workers against unfair dismissal. Act No. 013/98/AN of 28 April 1998 outlines the rules governing public service employment and employees and in its article 162 lists the circumstances under which employees may be dismissed provided proper advance notice is given. To protect workers against unfair dismissal, the procedure follows very strict rules, such as providing a specified period of advance notice, preceding dismissal with warnings, providing compensation, allowing workers leave from work to seek new employment, etc.

82. Any public servant who is unfairly dismissed has access to remedies (including administrative appeals to the body in question or to a higher body, as well as judicial remedies). Public servants who have been unfairly dismissed are entitled to reinstatement and to compensation. Article 99 of the Labour Code requires employers planning to dismiss more than one employee on economic grounds to collaborate with staff delegates to find solutions to preserve their jobs.

## **D. Technical and vocational training programmes**

83. Several measures are in place to improve young people's employability. Since 2006 the latter have had access to Government support for internships and training in various fields through a programme to support the social integration of high school graduates piloted by the National Agency for Employment. In addition, since 2009 a training programme has been in place to train 5,000 young people per year in entrepreneurship. There is also a national policy for technical and vocational education and training and a programme to train 10,000 young people a year in trades. In addition, on International Youth Day on 12 August 2008 the Government launched a drive to help young people acquire driving licences, with about 80 per cent of the costs subsidized. The first two cycles of the programme enabled 2,811 young people to obtain their licence.

84. To expand vocational training opportunities, since 2007 the Government has operated a programme to strengthen vocational training. This programme made it possible to build and equip the Model Professional Training Centre in Ziniaré and to expand the Assessment and Professional Training Centre. In 2006 the Government implemented a national volunteer programme.

85. In the context of friendly relations between Burkina Faso and Algeria, Morocco and Tunisia, more than a hundred young people have received scholarships for technical and vocational training.

### **Article 7**

#### **The right to just and favourable conditions of work**

##### **A. Information on the national minimum wage**

86. In Burkina Faso, the guaranteed minimum wage is set by Decree No. 2006-655/PRES/PM of 29 December 2006 at 30,684 CFA francs per month. It applies to all workers except agricultural employees and apprentices. The minimum wages of workers in agricultural and similar enterprises, except for apprentices, are as follows:

- Hourly minimum agricultural wage: 162.37 CFA francs;
- Daily rate for eight hours of work: 1,298.96 CFA francs.

87. Burkina Faso currently has no accurate statistics on the number of workers earning the minimum wage. This is because many workers are not declared to the authorities, given the considerable size of the informal sector.

##### **B. Information on working conditions**

###### **(a) Working hours and overtime**

88. According to article 137 of the Labour Code, the workweek of workers of both sexes and all ages, whether in hourly work, task work or piece work is limited to 40 hours in all public and private establishments. Farm workers' hours are limited to 2,400 hours per year. The length of the workweek is determined by the Ministry of Labour in consultation with the Labour Advisory Commission. According to article 138 of the Code, hours worked beyond the legal weekly limit are regarded as overtime and remunerated accordingly.

**(b) Leave**

89. Workers are legally entitled to leave. Salaried employees are entitled to paid leave at the rate of two and a half calendar days per month of actual service, except where collective agreements or individual contracts contain more favourable provisions. Workers under the age of 18 are entitled to 30 calendar days of unpaid leave if they request it, irrespective of the duration of their service.

90. Female workers and female apprentices under the age of 22 are entitled to two additional days of leave per dependent child. The exceptional leave granted to workers in connection with events directly affecting their immediate families is not deducted from the 10 working days of annual leave.

91. Any employee can obtain unpaid leave for a period of six months, and can prolong that leave by another six months, to care for his or her child. Workers can also be granted unpaid leave of up to 15 working days, which is not deducted from the paid leave allowance, to attend training, including cultural or sports training, to represent a charity or other association that serves the public interest, to participate in or attend the activities of such an organization, or to represent Burkina Faso at an international sports or cultural competition.

92. Special leave granted other than for public holidays may be deducted from the paid leave allowance if it has not been compensated or made up for. The right to take leave is acquired after a 12-month trial period, unless otherwise stipulated in a collective agreement or an employment contract. Workers hired by the hour or day for short-term work not exceeding one day receive their leave allocation along with their pay, no later than by day's end, in the form of financial compensation.

93. Before workers go on leave and for the duration of the leave, employers are required to pay them an amount at least equal to the average wages and other forms of remuneration enjoyed by them during the 12 months prior to the date of departure on leave. Pregnant women are entitled to 14 weeks of maternity leave, which must begin no earlier than 8 weeks and no later than 4 weeks before the expected delivery date, whether or not the child is born alive.

94. Public officials, except for teachers and those in other occupations falling under special provisions, generally receive 30 days of paid administrative leave per 11 months of service.

**C. Equality and non-discrimination in remuneration**

95. Under article 19 of the Constitution, "the right to work is recognized as an equal right for all. Discrimination in employment and remuneration, including that based on sex, colour, social origin, ethnicity or political opinion, is prohibited." Thus article 182 of the Labour Code states that "pay shall be equal for all workers, regardless of their origin, gender, age or status". The determination of wages and rates of pay must respect the principle of equal pay for men and women for work of equal value. In practice, applications from women are increasingly encouraged through job notices.

**D. Sexual harassment in the workplace**

96. The Labour Code in its articles 37 and 422 defines, prohibits and provides sanctions for sexual harassment. Under article 422, sexual harassment is punishable by a fine of 50,000 to 300,000 CFA francs and/or by a prison term of between 1 month and 3 years.

## **E. Safety and health at work**

97. Under article 20 of the Constitution, “the State strives to ensure that working conditions are constantly improved and workers are protected”.

98. In the private sector, the Labour Code requires employers to take all necessary measures to ensure the safety and protect the physical and mental health of workers. The labour inspectorate regularly inspects workplaces to verify compliance by employers with legal requirements for working conditions. Similarly, Act No. 15-2006/AN of 11 May 2006 on the social security scheme applicable to salaried workers and other eligible persons provides for an occupational hazards branch to oversee prevention of, and the provision of benefits in the event of, work accidents and occupational diseases.

99. The protection of public servants against occupational hazards is governed by specific regulations for each type of job and is managed by the National Social Security Fund and the Civil Servants’ Pension Fund. Victims of a work accident or an occupational illness have a right to appropriate medical care for the particular condition, and to compensation for any resulting disability. In the event of temporary incapacity for work, insured persons are entitled, in addition to the above-mentioned medical care, to continue to receive their salary or wages. In the case of a permanent disability, the person is entitled not only to the medical care necessitated by the injury or its after-effects but also to a disability pension. In this case, the degree of incapacity must be at least 15 per cent. When a public- or private-sector worker dies as a result of a work accident or an occupational disease, the person’s beneficiaries are entitled to a pension or a survivor’s allowance.

### **Article 8**

#### **The right to form and join trade unions**

##### **A. Trade union rights**

###### **(a) Substantive and procedural requirements for establishing and joining trade unions**

100. Freedom of association is guaranteed by article 21 of the Constitution. The conditions for its exercise are laid down in Act No. 10-92/ADP of 15 December 1992 on freedom of association, Act No. 013-1998/AN of 28 April 1998 on the rules governing public-sector employment and employees, and Act No. 028-2008/AN of 13 May 2008 on the Labour Code.

101. Article 44 of Act No. 013-1998/AN recognizes the right of all public servants to establish or join a trade union. However, this right is limited by the special statutes applicable to some categories of public officials. This is true particularly of Act No. 037-2008/AN of 29 May 2008 on the general regulation for members of the armed forces.

102. All workers and employers may freely join trade unions of their choosing within their profession. Children who are at least 16 years old may join trade unions unless their father, mother or guardian objects. Legally registered trade unions are free to form confederations. Similarly, they are free to join international trade union organizations of their choice.

**(b) Independence of trade unions**

103. The independence of trade unions is guaranteed by the Constitution and the Labour Code. Under article 295 of the Labour Code, the authorities may neither suspend nor dissolve workers' or employers' unions, which may be dissolved only by a court order. Members of a union's administration or leadership are protected against dismissal and arbitrary transfers.

104. Heads of firms and their representatives are required to remain neutral towards trade unions in the firm. Professional trade unions enjoy legal personality. They may thus exercise all the rights of a claimant in criminal proceedings in all courts and may allocate part of their resources to creating housing for workers and to purchasing real estate.

105. The buildings and movable property needed by trade unions for their meetings, their libraries and their professional training courses are not subject to seizure. Trade unions must be consulted in all disputes, and on all issues, relating to their profession or branch of activity.

**B. Collective bargaining mechanisms**

106. In Burkina Faso, collective bargaining generally concerns the preparation of collective agreements and takes place within the Labour Advisory Commission. There is also a framework for negotiation between the Government and the unions.

**(a) Collective labour agreements**

107. Collective labour agreements are agreements on working conditions. They are concluded between representatives of one or several trade unions or trade associations of workers, on the one hand, and one or more employers' associations or any other group of employers, or one or more employers, on the other. They may contain more favourable provisions for workers than those of the laws and regulations in force.

**(b) Shop agreements**

108. Shop agreements are collective agreements concluded between, on the one hand, an employer or group of employers and, on the other, organizations of workers. They are designed to adapt the provisions of national collective labour agreements to the circumstances of a particular workplace or workplaces.

**(c) Labour Advisory Commission**

109. The Labour Advisory Commission is attached to the Ministry of Labour. It comprises an equal number of employers and of workers designated by the most representative employers' and workers' organizations or, in the absence of representative organizations, by the Minister of Labour. The Commission may be consulted on all matters relating to work, labour and social security, in addition to cases in which its opinion is mandatory.

**(d) Meetings between the Government and trade unions**

110. Since 2007 an annual meeting has been held between the Government and the trade unions of Burkina Faso. The meeting provides an opportunity for consultations and for considering the grievances of public-sector workers.

111. In addition to the annual meeting between the Government and trade union representatives, the following are organized:

- An annual meeting between government and private-sector representatives to improve the business climate and the labour market;
- A meeting between government and private-sector representatives to consider the sector's concerns;
- An annual meeting between employers and unions to negotiate wages in the private sector.

## **C. The right to strike**

### **(a) Guarantee for the right to strike**

112. The right to strike is set forth in the Constitution. Several statutory provisions also safeguard the right, including the act on the rules governing public-sector employment and employees.

### **(b) Restrictions on the right to strike**

113. The right to strike is exercised within the framework defined by current legislation, namely, Act No. 45-60/AN of 25 July 1960 regulating the right of civil servants and State employees to strike. The law requires a strike's organizers to give advance notice to the office of the President of the Council of Ministers. The notice must indicate the reason, extent, duration, date and time of the strike. It must be filed by the stipulated deadline.

114. Under article 74 of the law on the rules governing public-sector employment and employees, workers with probationary contracts do not have the right to strike.

### **(c) Groups prohibited from striking**

115. Certain categories of workers are prohibited from striking despite the principle that recognizes the right for all workers. The law regulating the right of civil servants to strike states that the right may be circumscribed by specific regulations for certain categories of workers. Those categories include the police, the military, judges and prison wardens.

## **Article 9**

### **The right to social security**

#### **A. The existence of a social security system in Burkina Faso**

116. A social security system was established by Act No. 15-2006/AN of 11 May 2006 on a social security scheme applicable to salaried workers and other eligible persons. The system comprises three branches:

- The family benefits branch, which is responsible for providing family and maternity benefits;
- The occupational hazards branch, which is responsible for preventing, and for providing benefits in case of, accidents at work and occupational diseases;
- The pensions branch, which is responsible for providing old-age and disability benefits and benefits for survivors and orphans.

117. All workers subject to the provisions of the Labour Code must belong to the social security scheme if they are mainly employed on the national territory by one or more employers, regardless of the nature, form and validity of their contract and the nature and amount of their remuneration. Public-sector workers, including those employed by local authorities, who do not, by virtue of particular legal or regulatory provisions, belong to a special social security scheme are also obliged to belong to the regular social security scheme, as are students at schools and vocational training centres and apprentices.

118. The coverage of the social security scheme may be extended to persons exercising a professional activity who are not obliged to be affiliated with a particular scheme. An order of 10 March 2008 on voluntary membership, of payment of contributions to and receipt of benefits from voluntary insurance schemes gives those persons the option of joining an insurance scheme. For public officials, social security includes a pension and protection against occupational hazards.

## **B. The minimum benefits established by law**

119. The law does not set a minimum amount for the welfare benefits provided to persons insured by the National Social Security Fund or the Civil Servants' Pension Fund. The amount is calculated taking into account the year in which the right to a pension begins as well as the insured person's length of service and the bonuses and salary paid to them. However, the minimum quarterly amount of the main pension may not be less than the minimum wage. The State and the social security institutions are working to improve welfare benefits; steps in that direction have included raising pension benefits by 5 per cent in 2007, 4 per cent in 2009 and 5 per cent in 2012.

## **C. Welfare benefits not subject to assessment for individuals and low-income families**

120. The social security system of Burkina Faso has no assessment-free social welfare mechanism for low-income or marginalized individuals or families. However, the Ministry of Social Action and National Solidarity has set up a national solidarity fund based on voluntary contributions, which are collected during November of each year (the so-called month of national solidarity). The fund provides social assistance to poor and disadvantaged individuals and families.

## **D. Private social security schemes**

121. The system of social protection is in principle managed by the National Social Security Fund and the Civil Servants' Pension Fund. However, private insurance companies offer schemes complementing the benefits provided by these entities. Firms in the private and semi-public sectors offer varying levels of benefits in accordance with their financial capacity, which is why local and community-based initiatives have emerged. They make it possible to remedy the shortcomings of the benefits provided by law. They include commercial private insurance, mutual associations, health micro-insurance and prepayment systems.

122. Those working in the informal economy generally have access only to traditional forms of social protection, such as mutual assistance and solidarity based on their membership of particular social groups. Their incomes from professional activities are small and unpredictable. It should be mentioned that 45 per cent of the population lives below the poverty line and about 80 per cent works in the agricultural sector.



## **E. Gender equality in pension rights**

123. All retired public servants enjoy an equal right to pension benefits, under conditions laid down by the relevant legislation, without any discrimination. The right to a pension depends on the fulfilment of certain conditions. First, for the right to be established, appropriate deductions must have been made from a person's wages, at the rate of 8 per cent of the salary scale figure (in the public sector) or of the pensionable salary (for contractual workers). The worker's contribution must be supplemented by the administration's share, which, since 1 January 2004, has amounted to 12 per cent of the salary scale figure or the pensionable salary. The right to a pension also presupposes a minimum length of service, namely 15 years for employees of the national and local administrations and 20 years for parliamentary officials.

124. Private-sector workers enjoy the same pension rights as other workers. The following categories of workers are declared to the National Social Security Fund:

- All workers subject to the provisions of the Labour Code, irrespective of their nationality, who reside in Burkina Faso and work in the private or public sector;
- Apprentices and students at technical educational institutions;
- Self-employed persons, who may elect to be insured by the Fund if they have been registered with it for at least six months.

125. Foreigners are not obliged to contribute to the social security scheme if they already contribute to a similar scheme in their country of origin. Contributions to the other two schemes are compulsory.

## **F. Information on social security programmes**

126. Article 50 of Act No. 022-2006/AN of 16 November 2006, on the occupational risk prevention and compensation regime for public servants, the military and judges, entitles orphaned children of beneficiaries who had or should have received a disability pension to a temporary pension for orphans up to the age of 20.

127. The State intervenes by providing free services through health facilities for vulnerable groups such as orphans and vulnerable children, pregnant women, people living with HIV/AIDS and indigent persons. Funding allocated to emergency obstetric and neonatal care for the period 2006-2015 amounted to 4,196,075,000 CFA francs per year. There are also community-based social security schemes such as through mutual associations. The implementation of a national universal health insurance system is being considered.

## **G. Non-contributory benefit schemes for non-nationals**

128. Foreigners and nationals have access to the regular social security scheme. There is no non-contributory social security scheme for either foreigners or nationals.

## **Article 10**

### **The right to marriage**

#### **A. Rights associated with marriage and the family**

129. Article 23 of the Constitution of 11 June 1991 recognizes the right of every person to marry. It prohibits all forms of discrimination based on race, colour, religion, ethnicity, caste, social origin or wealth. The right of men and women freely to enter into matrimony and to start a family is regulated in Burkina Faso by the Personal and Family Code. The Criminal Code establishes penalties for specific violations of these rights.

130. According to article 231 of the Personal and Family Code, the family, founded on marriage, is the basic unit of society. In addition, article 234 states that marriage is the result of the free and conscious wish of a man and a woman to take each other as spouses. Consequently, forced marriages and impediments and objections to a marriage on the basis of race, caste, colour or religion are prohibited.

131. The Code prohibits the payment of a dowry, whether in cash, in kind or in the form of services. Under the Criminal Code, anyone who requires or agrees to the payment or receipt of a dowry is liable to imprisonment of 3 to 6 months and a fine of 100,000 to 1,000,000 CFA francs.

#### **B. Availability, level of coverage and financing of social services to support specific individuals or groups**

132. To develop parents' sense of responsibility, the Ministry of Social Action and National Solidarity has continued to offer training on learning to live as a family. In 2012 the Ministry held sessions on the subject and on the rights of the family in relation to marriage, filiation, the need for civil registration of children, family planning, nutrition, reproductive health and various other topics. A total of 459,024 people benefited from the training.

133. These efforts helped to resolve 10,316 family conflicts between 2005 and 2009 and 7,629 conflicts in 2010. The conflicts concerned paternity, forced marriage, child support, marital disputes and inheritance.

##### **(a) Childcare services**

134. The Ministry of Social Action and National Solidarity conducts numerous activities on behalf of vulnerable children and oversees monitoring and supervision of facilities for their care. The Government has adopted a strategic framework to support orphans and other vulnerable children for the period 2005-2015, which serves as a frame of reference for all stakeholders working in their respective areas of competence to address factors that render children vulnerable, and to support and rehabilitate victims.

135. The Ministry, through the National Solidarity Fund, the National Council for Emergency Assistance and Rehabilitation and the Ministerial Committee for HIV/AIDS Control, provides food, clothing, other supplies and accommodation to poor families to enable them to survive and care for their children. Poor families also receive help from many NGOs and other associations as well as from individuals.

136. Private and public entities provide social and educational support for street children. Public entities including the André Dupont d'Orodara Children's Home and

the Centre for Special Education and Training in Gampéla provide educational and vocational training to aid children's social and even economic integration.

137. With regard to children affected by HIV/AIDS, the Government is making enormous efforts to step up prevention and to promote behavioural changes. The Ministry of Health is implementing programmes to prevent mother-to-child transmission and to treat children, such as project BKF 6129, Nutritional Support for Vulnerable Groups and People Living with HIV, and a programme to prevent mother-to-child transmission. There are also as many as 1,000 NGOs and other organizations active in HIV/AIDS control and assistance for orphans and vulnerable children, which also benefits from the strong involvement of technical and financial partners. Since the adoption of Act No. 049-2005/AN of 22 December 2005 on reproductive health and Act No. 030-2008/AN of 28 May 2008 on HIV/AIDS control and protection for the rights of persons living with HIV/AIDS, any discrimination on grounds of HIV/AIDS infection has been prohibited. This facilitates the social integration of children affected by HIV/AIDS.

138. Administrative measures include the adoption of a national plan 2011-2013 for the protection of children deprived of a family, the collation of the results of the baseline study on placements and adoptions in seven regions of Burkina Faso, and the setting up of a toll-free number (80 00 11 52) at the children's shelter located at the Regional Directorate for Social Action and National Solidarity in the Centre region.

139. In 2009, these measures and actions as a whole made it possible to place in families or institutions 3,405 children deprived of a family from 65 orphanages. They have also helped to improve regulation of the requirements for opening and operating these establishments and to provide better health care, nutrition and psychological care for children deprived of a family. Despite the tangible impact of these measures on the ground, the protection of vulnerable children remains problematic. The main reasons are failure to implement legislation and the persistence of sociocultural constraints that seriously limit the realization of children's rights. Moreover, factors such as ignorance, poverty, illiteracy, and unfamiliarity with the law should not be overlooked.

**(b) Social services for the elderly and for persons with disabilities**

140. The State, acting through the ministerial departments dealing with human rights, health, social action and education, is responsible for ensuring that the rights of persons with disabilities are respected. In addition to establishing a directorate for the protection and advancement of persons with disabilities, the Ministry of Social Action and National Solidarity, through Decree No. 2012-406/PRES/PM/MASSN/MEF/MS of 15 May 2012, established the Multisectoral National Council for the Protection and Promotion of the Rights of Persons with Disabilities, which has 90 members. Many NGOs belonging to the Federation of Associations of Persons with Disabilities and the National Network of Organizations of Persons with Disabilities are also active in the field and work to ensure that the rights of persons with disabilities are respected.

141. The establishment, in 2005, of the Multisectoral Committee on Rehabilitation and Equal Opportunities for Persons with Disabilities has made possible coordination between various entities involved in the promotion and protection of the rights of persons with disabilities. During the period in question, a noteworthy development affecting persons with disabilities was the adoption of Act No. 012-2010/AN of 1 April 2010 on the protection and promotion of the rights of persons with disabilities. The Act introduced a disability card for persons with disabilities. Holders of a disability card are entitled to benefits in the areas of health, education, vocational training, employment, communication, social integration, transport, housing, sports and leisure, culture and the arts, and social protection.

142. Numerous actions and measures are being taken to assist the elderly, particularly the poorest among them (through donations, home visits, celebration of older persons day, etc.). The Ministry of Social Action and National Solidarity includes a directorate for the protection of the elderly tasked with implementing measures for their protection. In 2011, the Ministry for Human Rights produced a report on the situation of the elderly in Burkina Faso.

### **C. Information on maternity protection**

#### **(a) Situation of women performing atypical work**

143. Prostitution and other atypical occupations (pimping, soliciting and the like) are not legally recognized in Burkina Faso. As a result the maternity protection system does not apply to this category of women. Generally speaking, the Civil Code prohibits commerce involving the human body. Thus, the sale of children, child prostitution and child pornography are prohibited. In that regard, the National Assembly has adopted Act No. 015-2014/AN of 13 May 2014 on the protection of children in conflict with the law or at risk and Act No. 011-2014/AN of 17 April 2014 criminalizing the sale of children, the prostitution of children and child pornography.

#### **(b) Duration of maternity leave**

144. Maternity leave is governed primarily by the legal regime applicable to public service employment and employees and by the Labour Code. Under employment law, public servants are entitled to a total of 14 weeks' maternity leave. It must begin no earlier than 6 weeks and no later than 4 weeks before the expected date of birth.

145. Female workers subject to the Labour Code are also entitled to 14 weeks of maternity leave, which must begin no earlier than 8 weeks and no later than 4 weeks before the expected date of birth.

#### **(c) Information on parental leave and paternity leave**

146. There is no parental or paternity leave as such, but such leave may be categorized as authorized absence to allow workers to deal with formalities such as birth registration.

### **D. Protection and assistance measures for children**

#### **(a) Minimum working age**

147. Under article 152 of the Labour Code, the minimum working age for any type of job or work is 16 years. However, Order No. 2008-0027/MTSS/SG/DGSST of 26 December 2008 derogates from the minimum working age and authorizes children over 13 to undertake light work. Order No. 2009-365/PRES/PM/MTSS/MS/MASSN of 28 May 2009 sets forth the list of hazardous work prohibited for children. Furthermore, Act No. 13-98/AN of 28 April 1998 on the rules governing public service employment and employees sets the minimum age for public sector jobs at 18.

#### **(b) Combating child labour**

148. A study conducted in May 2010 as part of efforts to end child labour in mines identified 19,881 children (10,217 boys and 9,664 girls) at 86 artisanal mines in four regions. In addition, an integrated programme for the promotion of the rights of girl domestic workers in Ouagadougou was launched by the Burkina Faso Coalition for the Rights of the Child and other civil society organizations.

**(c) Impact of protection measures**

149. Through its efforts to combat child labour, the Ministry of the Civil Service, Labour and Social Security has:

- Informed most of the population via the media (radio, television);
- Reached out to 60 community leaders to involve them in long-term prevention efforts;
- Supported the revision of national law and the harmonization of the legislative and regulatory framework on child labour with International Labour Organization (ILO) Minimum Age Convention, 1973 (No. 138) and ILO Worst Forms of Child Labour Convention, 1999 (No. 182);
- Supported school enrolment (200 children), literacy (1,005 children) and vocational training (534 children);
- Supported the promotion of income-generating activities for 72 families;
- Set up the Network of Communicators on trafficking in children.

150. Implementation of the project to combat child labour in the Sahel, Centre-Nord, Sud-Ouest, Centre and Plateau Central regions, made it possible to remove 5,177 children (2,800 boys and 2,377 girls) from 23 artisanal mines and quarries. The children receive support for their educational and economic rehabilitation.

**E. Protection of older persons****(a) Legislative framework**

151. According to the General Population and Housing Census of 2006, persons over 65 represent 3.4 per cent of the population, or 473,611 inhabitants (222,098 men and 251,513 women). Many older persons enjoy the protection and affection of their loved ones and are well integrated in their communities. The social and cultural environment in Burkina Faso is conducive to ensuring the well-being of older persons who are given great consideration and play a very important part in society. Nevertheless, some older persons face isolation, illness and social exclusion.

152. The Government has adopted many measures, including tax relief and access to credit for older persons, the establishment of a pension system for the informal sector and the improvement of basic social services. Legislative measures have also been taken, pursuant to the Constitution, to protect all Burkina Faso nationals and all persons living in the country, including older persons.

**(b) Institutional framework**

153. In addition to the aforementioned national institutions responsible for monitoring the State's compliance with its obligations, other mechanisms have been set up specifically to protect the economic, social and cultural rights of older persons. They consist primarily of ministerial departments and private entities dedicated to protecting this category of the population.

*Ministry for Human Rights*

154. Strengthening specific rights, including those of older persons, is one of the six focuses for action by the Ministry for Human Rights, as set forth in Decree No. 2001-731/PRES/PM/MJPDH of 28 December 2001 on the adoption of the policy and action

plan for the promotion and protection of human rights. In this connection, a report on the situation of older persons in the country was drafted in 2011.

*Ministry of Social Action and National Solidarity*

155. The Ministry of Social Action and National Solidarity has a department for the advancement and protection of older persons. It also oversees the solidarity centre in Sector 12 and the Delwindé Centre in Sakoula, whose purpose is to take in vulnerable persons, including older women accused of witchcraft who have been excluded from their communities. A counselling and care centre for persons with disabilities was set up in 2009 in Sector 28, Ouagadougou.

*The Ministry of Health*

156. The National Health Development Plan stems from the National Health Policy and is designed to promote the health of vulnerable groups, among other specific objectives. A national programme on the health of older persons was adopted in February 2008.

*The Ministry of the Civil Service, Labour and Social Security*

157. The Ministry of the Civil Service, Labour and Social Security is responsible for drafting and revising legislation and regulations regarding the social protection of employees. It oversees the Civil Servants' Pension Fund and the National Social Security Fund and ensures that standards on social security and workplace health and hygiene are observed.

*Residential centres*

158. These are private welfare shelters 13 of which are approved by the Ministry of Social Action and National Solidarity. Their main purpose is to care for older persons, particularly those who are victims of social exclusion.

*Civil society organizations*

159. Broadly speaking, NGOs and associations help promote and protect human rights under the terms of Act No. 10/98/AN of 21 April 1998 on the conditions for State intervention and the sharing of responsibility between the State and other development actors. However, specific associations are involved in promoting and protecting the rights of older persons; they include The Generation Solidarity Association (Association Génération solidaire), the National Pensioners' Association (Association nationale des retraités du Burkina Faso), the Burkina Faso Movement for Old-Age Well-being (Mouvement burkinabé pour une vieillesse de qualité), the International Francophone Association for the Elderly, Burkina Faso branch (Association internationale francophone des aînés/Section du Burkina) and the Antoine Nanga retirement home. Other associations also contribute to the well-being of older persons, including the Association of Dismissed and Forcibly Retired Employees (Association des licenciés déçagés et des retraités d'office) and the National Geriatrics and Gerontology Association (Association burkinabé de gériatrie et de gérontologie).

160. Associations of older persons are confederated in a single entity known as the National Council for Older Persons, which was established with Government support in 2002, in accordance with the statement made by Burkina Faso at the second World Assembly on Ageing in Madrid. The National Council liaises between the Government and civil society. HelpAge International, an NGO, advocates for older persons in Burkina Faso and supports in particular the recommendation contained in the Madrid Plan of Action.

**(c) Implementation of the laws and programmes to protect older persons against violence, abandonment, neglect and ill-treatment**

161. Efforts to promote and protect the rights of older persons are intended to combat social exclusion, especially that of women accused of witchcraft. They focus primarily on raising awareness, training and providing information on the rights of older persons. The Government's efforts, supported by civil society organizations, have made it possible to improve the quality of life of older persons. A forum on older persons that took place on 22-23 October 2012 resulted in recommendations on how to improve their living conditions.

162. These efforts are nonetheless insufficient and do not effectively promote and protect older persons' right to physical and moral integrity. A study conducted in 2006 by the University of Ouagadougou on the social exclusion of older persons in seven provinces revealed that social exclusion affects older persons, women, persons with mental disabilities and street children. Victims are mostly women (87.7 per cent), in particular older women accused of witchcraft. When they are not taken into shelters, of which there are too few in the country, these women live alone in precarious conditions and usually resort to begging.

**F. Information on the economic and social rights of asylum seekers and their families**

**(a) Legislation**

163. Act No. 42-2008/AN of 23 October 2008 on the status of refugees in Burkina Faso applies to all asylum seekers and refugees, without distinction, except persons of whom there are serious reasons to believe that they have committed:

- A crime of genocide, a crime against peace, a crime against humanity or a war crime;
- A serious non-political crime outside the country of refuge, prior to their admission to that country as refugees;
- Acts contrary to the purposes and principles of the African Union;
- Acts contrary to the purposes and objectives of the United Nations (arts. 4 and 5).

164. As a result of the Act, asylum seekers may not be turned back at the border or be subjected to any other measure that would force them to return or remain in a country where their lives, physical integrity or freedom may be threatened (art. 8), except under the circumstances listed above.

**(b) Economic and social rights of asylum seekers**

165. Pursuant to articles 10 to 12 of Act No. 42-2008/AN of 23 October 2008 on the status of refugees in Burkina Faso, refugees in a regular situation in the country enjoy the same rights and have the same obligations as nationals, with no distinction on account of race, ethnicity, religion or country of origin. They are entitled to the same treatment as nationals. In addition, subject to regulations on foreigners in general, they are entitled to be issued with identity and travel documents for refugees, to acquire the nationality of Burkina Faso, in keeping with current legislation and to freedom of association for non-political activities.

166. The National Committee for Refugees (CONAREF) is responsible for determining refugee status and managing and protecting persons with refugee status

and asylum seekers countrywide. The National Committee awards refugee status on the basis of the examination of the asylum seeker's application by the eligibility committee. The committee has the authority to determine and revoke, annul or withdraw the refugee status of asylum seekers.

167. Civil society organizations provide support to the State in assisting refugees. For example, the Christian Relief and Development Organization (CREDO), an NGO, helps child refugees and asylum seekers through their parents. Article 6 of Act No. 42-2008/AN stipulates that refugees' family members accompanying or joining them can receive secondary refugee status, subject to the necessary verifications, unless they are of a different nationality than the refugee and enjoy the protection of the country of which they are nationals.

**(c) Laws and mechanisms for the protection of the rights of migrant workers**

168. Burkina Faso is host to many foreigners. According to the General Population and Housing Census of 2006, there are an estimated 60,074 resident migrants. The fundamental principles enshrined in the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families are clearly reaffirmed in the Constitution, which prohibits all forms of discrimination (art. 1) and stipulates that everyone has the same right to work (art. 19). Furthermore, article 1 of the Labour Code, which applies to all workers and employers in the country, prohibits discrimination in recruitment. The Civil Code also protects the rights of migrant workers, in particular with regard to their assets. The Personal and Family Code states that foreigners enjoy the same civil rights as nationals.

169. Burkina Faso is also a party to many multilateral, bilateral and community agreements regarding migration, including:

- ILO Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19);
- The General Convention on Social Security for Migrant Workers, signed in N'Djamena on 29 January 1971;
- Protocol No. A/P/1/5/79 of 29 May 1979 of the Economic Community of West African States (ECOWAS) on the free movement of persons, residence and establishment;
- ECOWAS Supplementary Protocol No. A/SP/2/7/85 of 6 July 1985 on the code of conduct for the implementation of the Protocol relating to the free movement of persons, residence and establishment;
- ECOWAS Supplementary Protocol No. A/SP/2/7/86 of 1 July 1986 on the implementation of the second phase (right of residence) of the Protocol relating to the free movement of persons, residence and establishment.

170. Bilateral and community agreements include:

- The social security convention between Burkina Faso and Mali of 14 February 1994;
- The bilateral social security convention between Burkina Faso and Côte d'Ivoire of 21 April 1994;
- The agreement on the joint management of migration flows and interdependent development between France and Burkina Faso of 10 January 2009.

171. Regarding the preservation of the family unity of migrant workers and family reunification, the spouse and children of a migrant worker are authorized to live in Burkina Faso for the duration of the migrant worker's stay, in keeping with the principle of family reunion.



172. Female migrant workers have the right of access to all the services to which female workers are entitled under domestic law, including basic maternal health care.

## G. Prohibition of violence

### (a) Prohibition of domestic violence

173. Domestic violence and violence based on cultural beliefs are prohibited in Burkina Faso under the Criminal Code, the Personal and Family Code and laws criminalizing the intentional transmission of HIV/AIDS (2005), female genital mutilation and trafficking in persons and related offences. Of particular note is the adoption of General Assembly resolution A/C.3/67/L.21, on 17 October 2012, on intensifying global efforts for the elimination of female genital mutilation, which was spearheaded by the Group of African States, led by Burkina Faso. A national council against female genital mutilation has been established. Awareness-raising involving traditional and religious leaders is undertaken nationwide.

174. The combined effect of the law, awareness-raising and the extensive involvement of the Government and traditional and religious authorities has led to remarkable progress in the fight against female genital mutilation. Nevertheless, the practice continues in secret and affects increasingly younger girls.

175. In order to facilitate the reporting of violence against children, the Government officially launched a helpline on 13 September 2011 (80 00 11 52). In 2012, the number changed to a three-digit number (116), easier for children to remember. The Regional Directorate for Social Action and National Solidarity in the Centre region recorded 157 cases of violence between September 2011 and April 2012. The tables below provide further details on the scope of domestic violence in the various regions of the country.

Table 6  
Child victims of violence by gender, 2012

<i>Type</i>	<i>Girls</i>	<i>Boys</i>	<i>National total</i>
Abandoned children	85	87	172
Child victims of ill-treatment	4 651	4 509	9 160
Child victims of sexual exploitation	30	16	46
Street children	40	895	935
Foundlings	158	142	300
Child victims of trafficking	232	576	808
Child victims of forced marriage	1 029	104	1 133
Child victims of early marriage	293	14	307
<b>Total</b>	<b>6 518</b>	<b>6 343</b>	<b>12 861</b>

*Source:* 2012 statistical yearbook, Ministry of Social Action and National Solidarity.

Table 7  
Victims of family-related violence by gender, 2012

Type	Women	Men	National total
Unwanted or contested pregnancies	2 796	471	3 267
Unmarried mothers	243	11	254
Domestic violence	388	90	478
Female genital mutilation	64	0	64
Family conflict	1 245	773	2 018
Spousal conflict	2 464	1 070	3 534
Desertion of the matrimonial home	107	67	174
Single-parent families	23	3	26
Divorced/separated	95	50	145
Other forms of violence	564	192	756
<b>Total</b>	<b>7 983</b>	<b>2 727</b>	<b>10 710</b>

Source: 2012 statistical yearbook, Ministry of Social Action and National Solidarity.

176. Persons have been brought to trial and convicted in the criminal courts for female genital mutilation. According to the 2011 statistical yearbook of the Ministry of Justice, the number of persons convicted of this offence and imprisoned was 76 in 2008, 42 in 2009, 20 in 2010 and 16 as of 31 December 2011.

**(b) Information on the national action plan on domestic violence and victim compensation**

177. Combating domestic violence is one of the strategic focuses of the national gender policy adopted in 2009. The goal of the policy is to promote the participatory and fair development of men and women by ensuring that they have equal access to resources and decision-making through the implementation of strategic focuses, including the promotion of rights and the elimination of violence. In order to support victims and assist with their rehabilitation, the relevant government entities offer counselling and guidance to women victims of violence. Many associations are also involved in these efforts and provide counselling and even technical and financial support.

178. A project on the elimination of early marriage was carried out in five regions; it involved over 200,000 people in awareness-raising activities and provided assistance to 885 girls, 143 of whom received scholarships. The effort to eliminate excision benefited from the support of the head of State and of all the religious and traditional leaders during events marking national day against female genital mutilation held in Kaya on 25 May 2009. The Government's commitment was also demonstrated by the adoption of the national action plan for the elimination of female genital mutilation 2009-2013, which includes a zero-tolerance policy.

**(c) Measures for the prevention of domestic violence**

179. In order effectively to combat domestic violence, initiatives have been taken to raise public awareness of the fact that such acts constitute criminal offences. Relevant training has been provided to law enforcement officials and other professionals. In 2010, 104 training sessions on female genital mutilation were held. In addition, awareness-raising activities were conducted in the following areas, benefiting

thousands of people: female genital mutilation (68,215), the promotion of women's rights and the family (8,095), forced and early marriage (7,528), domestic violence (2,946) and family life skills (2,045). Health workers received training in how to repair the damage caused by excision.

180. A module on female genital mutilation was introduced into primary and secondary school curricula in 2003.

## H. Prohibition of trafficking in persons

### (a) Criminalization of trafficking in persons

181. In addition to the Labour Code, whose article 153 prohibits the worst forms of child labour, trafficking in persons in general is specifically covered by Act No. 029-2008/AN of 15 May 2008 on efforts to combat trafficking in persons and related practices.

182. Mechanisms have been put in place to ensure that these provisions are strictly adhered to and that victims and witnesses are protected. For example, judicial and administrative remedies are available to victims. A national body has been established to monitor trafficking in persons and related practices and a national committee has been set up, under the Directorate for Child Protection and the Elimination of Violence against Children at the Ministry of Social Action and National Solidarity, to coordinate efforts in this area.

183. Regarding children specifically, two halfway houses have been built in Est region to assist child victims of trafficking and their families. A number of government actors and technical and financial partners, such as UNICEF, Plan Burkina, the Children's Fund, the sexual health and human rights programme, Terre des Hommes (Lausanne and Germany sections), the Combating the Trafficking of Children for Labour Exploitation in West and Central Africa project (LUTRENA) and Save the Children — Canada, are involved in anti-trafficking efforts. International child abduction also occurs in Burkina Faso. According to the statistical yearbook of the Ministry of Justice, there were 48 cases in 2006 and 58 in 2008. In order effectively to deal with such cases, the Government adopted Decree No. 2010-618/PRES/MASSN/MJ/MEF of 12 October 2010 on the establishment, competence, membership and functioning of a central authority responsible for adoption matters and the civil aspects of international child abduction.

184. The table below lists all the cases of trafficking and related practices brought before the national courts. In all, 349 cases of child abduction and 44 proceedings for trafficking in children were brought before the courts between 2009 and 2011.

Table 8  
New cases brought by prosecution services before all the higher courts, 2009-2012

<i>Offences</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>	<i>Total</i>
Trafficking in children	11	19	14	17	<b>61</b>
Child abduction	103	139	107	139	<b>488</b>
<b>Total</b>	<b>113</b>	<b>158</b>	<b>121</b>	<b>156</b>	<b>549</b>

*Source:* Ministry of Justice, 2012 statistical yearbook.

**(b) National action plan to combat trafficking in persons**

185. The Government adopted a national action plan against trafficking in persons in 2007. As part of its implementation, the Government has run public awareness campaigns in the form of workshops, film discussions, theatre productions and seminars in partnership with NGOs and international organizations. The Government has also used the national radio and television networks to broadcast anti-trafficking programmes. Victims (most of whom are children) are provided with support in an effort to prevent them from falling back into the hands of traffickers.

186. Act No. 029-2008/AN of 15 May 2008 on efforts to combat trafficking in persons and related practices stipulates that the courts may order proceedings to be held in camera, exempt victims and witnesses from testifying in public and take whatever measures are required to protect their identity and privacy. Victims may apply to stay in the country temporarily or permanently.

187. Between 2008 and 2011, more than 15,000 copies of the Act were made available to the main actors and awareness-raising activities were conducted among at-risk groups through informal conferences, film discussions and theatre productions. These campaigns made it possible to reach a broader audience and prevent children from leaving these communities.

Table 9  
**Number of awareness-raising activities**

No.	Activities	2009	2010	2011
1	Film discussions	56	135	89
2	Informal conferences	177	221	398
3	Patrols	78	135	161
4	Counselling	1 105	386	833
5	Radio broadcasts	26	32	30
6	Theatre productions	37	71	28
7	Public talks	0	0	17
8	Appeals			6
<b>Total</b>		<b>1 479</b>	<b>980</b>	<b>1 562</b>

*Source:* Ministry of Social Action and National Solidarity, Directorate for Child Protection and the Elimination of Violence against Children, 2011.

188. Some 70,834 people, including 18,815 men, 19,679 women and 32,340 girls and boys, directly benefited from these various awareness-raising activities.

## **Article 11**

### **The right to an adequate standard of living**

#### **1. The right to the continuous improvement of living conditions**

##### **A. Information on the poverty line**

189. The poverty line marks the minimum income needed for an adult to satisfy his or her nutritional and basic non-food needs. The findings of the comprehensive survey of

household living standards conducted by the National Institute of Statistics and Demography in 2009-2010 demonstrate that the poverty rate has decreased by 2.5 percentage points since 2003. Specifically, 43.9 per cent of the population live below the poverty line (estimated at 108,454 CFA francs) compared to 46.4 per cent in 2003, when the estimated poverty line was 82,672 CFA francs per adult per year. The national extreme poverty line is estimated at 31,749 CFA francs, and 27 per cent of the population falls below it.

## **B. Poverty reduction**

### **(a) National Poverty Reduction Strategy**

190. As part of the Heavily Indebted Poor Countries Initiative, the Poverty Reduction Strategy Paper was prepared in 2000. The assessment of the Paper's implementation revealed that economic growth had not been strong enough to significantly reduce poverty. Despite continually improving since 2000, the human development index of Burkina Faso remains low (0.343 in 2012), compelling the Government to design a new strategy entitled the Strategy for Accelerated Growth and Sustainable Development as a means of tackling the poverty challenge.

### **(b) Policies and programmes for targeted poverty reduction**

191. As part of its poverty reduction efforts, the Government has adopted a number of measures specifically tailored to women and children, including:

- The National Policy for Social Action;
- The Framework of Strategic Guidelines for the Advancement of Children;
- The Strategy on the Care of Orphans and Other Vulnerable Children;
- The National Strategy on the Comprehensive Development of Young Children;
- The National Health Development Plan 2011-2020;
- The National Programme for the Care of Orphans and Other Vulnerable Children;
- The National Action Plan against the Worst Forms of Child Labour;
- The National Action Plan on the Survival, Protection and Development of Children;
- The National Gender Policy and Associated Action Plan.

## **2. Right to adequate food**

### **A. Availability, cost and quality of food**

192. The generalized underdevelopment of the country is a barrier to the enjoyment of economic, social and cultural rights, especially the right to food. The vagaries of the weather, insufficient rainfall and deficient means of production prevent the attainment of food self-sufficiency.

193. In order to ensure food security and promote sustainable rural development, the Government is implementing numerous programmes, plans, projects and policies, including:

- The national programme for the development of agricultural services;

- The SAAGA programme on cloud seeding to induce rainfall;
- The rain-fed rice project, in cooperation with China;
- The project on the development of enhanced seeds;
- The programme to improve the income and food security of vulnerable groups;
- The programme to support the expansion of irrigation.

194. Following the food crisis in 2008, the Government took steps to speed up the growth of agricultural production, in particular of rice. Considerable subsidies for agricultural inputs and production equipment were awarded to producers.

195. The Government has also adopted measures to enhance production in the fishing industry, including the installation and maintenance of hydraulic works.

196. The Government has also set up a warning system to manage situations of food insecurity. In 2011, it took steps to appease social tensions caused by exorbitant consumer goods price hikes.

197. Despite the difficulties stemming from insufficient resources, the Government has put in place, under the Ministry of Social Action and National Solidarity, mechanisms to support vulnerable persons, namely the National Solidarity Fund and the National Council for Emergency Assistance and Rehabilitation.

198. The National Emergency Stock Management Corporation, under the Ministry of Agriculture and Water Resources, sells grains at subsidized prices during the lean season for underprivileged families in the hardest hit regions, without discrimination. The ministry responsible for trade regulates prices. Moreover, Burkina Faso receives assistance from the World Food Programme and its technical and financial partners.

## **B. Information on nutritional principles**

199. In 2007, the national nutrition policy was adopted to improve the population's nutritional status by enhancing the range of nutrition services in health-care facilities and strengthening community involvement. Some 224 regional instructors received training in nutrition activities. A new national protocol on the treatment of acute malnutrition has been rolled out in the country's 13 health districts.

200. The National Health Information System has been reformed in recent years to strengthen its performance and ensure the availability and usability of health information. One of the reforms was the establishment of a general directorate of health information and statistics. In order to improve the System's performance, a strategic plan was formulated for the 2011-2020 period with a view to ensuring timely, good quality and accessible health information.

201. Despite the efforts made, chronic child malnutrition remains high (28.6 per cent in 2009). Accordingly, the Government has adopted a strategic plan on nutrition for the period 2010-2015 to address the issue.

## **C. Access to land by disadvantaged persons or groups**

202. Agricultural landownership is governed by Act No. 14-96/ADP of 23 May 1996 on agrarian and land reform, whose shortcomings, especially in terms of the security of rural land tenure, were made up for by Act No. 34-2009/AN of 16 June 2009 on rural land tenure. This Act was designed to ensure rational and sustainable management of rural land, to combat property speculation in rural areas, to enhance rural land for the well-being of its inhabitants, to bring about the legal recognition of

the legitimate local land rights of rural populations in practice and to ensure the protection of national interests and the preservation of national rural land assets.

#### **D. Adoption of voluntary directives**

203. While the Government is striving to enhance the enjoyment of the right to food, no directive has been adopted to support the gradual realization of the right to adequate food in the context of national food security.

### **3. Right to water**

204. The national water supply and sanitation programme is the means by which Burkina Faso intends to achieve the Millennium Development Goals.

#### **A. Access to drinking water**

##### **(a) Cost, quality and quantity of water**

205. Access to drinking water and adequate sanitation systems are among the Government's main strategic focuses with regard to the population's well-being. Initiatives targeting the most vulnerable groups undertaken by the Government and all the actors in the drinking water sector since 2008 have increased access to drinking water in urban areas to 78 per cent. The rate in rural areas is 56.6 per cent. The initiatives have consisted primarily in reducing connection costs and increasing the number of people entitled to subsidized services. The cost for households to connect to the drinking water network has shifted to a flat rate of 30,500 CFA francs from the previous distance-based rate that was much higher in many areas. According to tests run by the National Water and Sanitation Bureau at the treatment centre, the quality of the water distributed in Ouagadougou usually meets international standards.

206. In Burkina Faso, social segments designate the various income brackets determining persons entitled to progressive payment rates on the basis of fairness. The following changes have been made to the social segments:

- The increase of the first segment from 6 m<sup>3</sup> to 8 m<sup>3</sup> at an unchanged rate of 188 CFA francs/m<sup>3</sup>;
- The introduction of a second segment ranging from 9 m<sup>3</sup> to 15 m<sup>3</sup> at a rate of 445 CFA francs/m<sup>3</sup>;
- The introduction of a third segment ranging from 16 m<sup>3</sup> to 25 m<sup>3</sup> at a rate of 535 CFA francs/m<sup>3</sup>;
- The introduction of a fourth segment for consumption of over 25 m<sup>3</sup> at a household rate of 1,070 CFA francs/m<sup>3</sup>.

207. Thanks to the quality of the water provided to the public, the National Water and Sanitation Bureau was certified in 2008 as compliant with ISO 9001:2000 by the certification committee of the French Standardization Association.

##### **(b) Measures for affordable water utilities**

208. In order to make water utilities more affordable, the National Water and Sanitation Bureau has set up standpipes and connections to its supply network. Drinking water drawn from the standpipes is sold to the public for 5, 10 or 60 CFA francs for a 20-litre jug, a 40-litre jug or a 220-litre barrel.

209. In rural areas, the local authorities are responsible for drinking water distribution services. They manage the drinking water supply at the village and main town levels. The local authorities appoint a service provider to manage the drinking water facilities, while at the village level, the management is entrusted to associations of water users. The associations set prices, taking into account infrastructure maintenance and upgrading costs as well as the users' payment capacity.

210. In main towns, where drinking water is provided through simplified drinking water networks or independent water points, the price of water is set by the municipal council and the provider on the basis of either a lease agreement or a service provision contract.

**(c) Quality control**

211. Household drinking water is tested at a minimum of three points: when it leaves the treatment plant, at the communal or private distribution point and upon consumption in the home. The National Water and Sanitation Bureau is responsible for monitoring the quality of water, to which end it also works in partnership with the National Public Health Laboratory, a government agency for the promotion of public health. The Laboratory conducts tests on water packaged in both plastic bags and bottles.

**B. Information on water management**

212. The management of water resources is governed by Act No. 002-2001/AN of 8 February 2001 on water management, which prioritizes meeting the population's demand for drinking water over other uses. The Act safeguards everyone's right to enough water to meet their needs and the basic requirements for their life and dignity.

213. Pursuant to the Act, a general directorate for water resources was established under the relevant ministry. Its mission is to formulate, implement and monitor the national policy on the integrated management of water resources, the water supply and sanitation. It also oversees the entities that manage water resources, such as the Regional Centre for Low-Cost Drinking Water and Sanitation, which became the Pan African Intergovernmental Agency for Water and Sanitation for Africa in 2011. Thirty-two African countries are members of Water and Sanitation for Africa, which has been striving since 1988 towards development and poverty reduction through the promotion of sustainable access to hygiene, sanitation and drinking water for disadvantaged persons living in rural, peri-urban and urban areas.

214. The mechanisms for water services management are fundamentally different in rural, peri-urban and urban areas. In urban areas, most of the population depends on water supplied by the National Water and Sanitation Bureau while, in rural areas, most depend on water point committees, NGOs and various private companies. The community model is primarily found in rural areas: a group of inhabitants (usually a village), who are represented by a committee or an association, is responsible for producing and distributing water via equipment that is often funded through a project and is almost always State-owned. The sale of the water is entrusted to a standpipe operator who is either an employee or a pieceworker and a service provider is contracted to perform maintenance work. The population's participation and the transmission of its requests are provided for in the municipal action plan for water supply and sanitation.



#### **4. Right to adequate housing**

##### **A. Information on the situation of homeless and inadequately housed persons**

215. Burkina Faso is not highly urbanized. Most people live in rural areas where homes are predominantly self-built, traditional buildings. Homes are built primarily with makeshift materials, such as clay and straw.

##### **B. Access to housing**

###### **(a) Measures to ensure access to adequate and affordable housing**

216. Access to housing is a major concern for the Government. Large-scale projects to divide plots and build housing estates and social housing have been undertaken by successive governments with a view to providing everyone with decent accommodation.

217. Pursuant to the national housing and development policy, the Government set up the Building Permit Facilitation Centre on 15 May 2008 to encourage investment in construction. To this end, the requirements for building permits have been considerably simplified. The time needed to issue permits has fallen from 226 to 30 days, i.e. a 753 per cent reduction, although the law allows for a maximum of 90 days. Moreover, the fees have been reduced to 40 per cent of their level prior to the establishment of the Centre.

###### *Construction of adequate housing*

218. The Government has adopted a national programme for the construction of social housing, the 10,000 Homes Programme (Programme 10 000 logements), which has been implemented in successive phases since 12 July 2008. It is bolstered by a programme to support self-construction by providing the public with model blueprints and technical advice on how to monitor the construction of their homes.

219. Following the flooding on 1 September 2009, the Government has taken steps to facilitate access to housing for the victims, including the establishment of reception areas and the provision of plots, construction materials and financial support.

###### *Adoption of Act No. 057-2008/AN of 20 November 2008 on property development*

220. The objective of the Act is to allow the establishment of robust property development organizations in order to help the State increase the availability of housing, to specify the terms governing operations in this field, to define the conditions for the construction of social housing and to provide the population with adequate housing and living environments.

###### *Planning and sanitation projects*

221. Planning and sanitation projects have been carried out mainly in rural towns and were first piloted in 2008 in 18 towns across the country. With a view to improving the division of plots, a new plot division method, set forth in the Urban Planning and Construction Code, has been implemented.

**(b) Impact of social housing measures**

222. The implementation of the social housing policy is an appropriate response to the housing issue in Burkina Faso. The impact is visible and demand never ceases to grow. The Government has called on private investors to help it ensure that almost the entire population is adequately housed in the medium term.

**(c) Access of vulnerable persons to housing**

223. In order to restore hope among vulnerable persons, solidarity homes have been set up in the country's large cities. Following the establishment of the first such home in Sector 23, Ouagadougou, the second was opened in Sector 17 on 11 November 2011. Their purpose is to provide temporary accommodation and guidance to disadvantaged persons with housing problems until they are ready to leave, with the support of social workers.

**(d) Legislation on housing construction**

224. Several legislative measures have been taken to promote social housing. The Government has set up a housing bank and adopted a national housing policy in May 2008.

225. Previously, many laws had been adopted, including:

- Act No. 057-2008/AN of 20 November 2008 on property development;
- Act No. 029-2006/AN of 7 December 2006 on a special land deed issuance;
- Act No. 017-2006/AN of 16 May 2006 on the Urban Planning and Construction Code;
- Act No. 210-96/ADP of 10 July 1996 on a user tax on the occupation and use of land on State-owned national territory.

226. Article 154 of Decree No. 97-054/PRES/PM/MEF of 6 February 1997 on the terms and conditions of the implementation of the Agrarian and Land Reform Act sets forth the principle that all individuals should have access to land, irrespective of their gender or matrimonial status.

227. Steps have also been taken to take into account the situation of low-income groups. Article 3 of Act No. 210-96/ADP of 10 July 1996 stipulates that individuals whose state of destitution has been officially recognized by the competent administrative authority are exempt from the user tax.

**(e) Evictions and the rights of disadvantaged groups**

228. Under current property laws and regulations, evictions can be carried out for reasons of public order, demolition, unlawful settlement and plot division. In the specific case of plot division and public order, the law generally provides for compensation. Except for measures taken to displace inhabitants to facilitate plot division and promote their resettlement, no eviction measures targeting underprivileged groups have been taken.

## **Article 12**

### **The right to health**

#### **A. National health-care policy**

229. The national health-care system in Burkina Faso has been built up since the 1960s through various reforms aimed at increasing its effectiveness. The national health-care policy that was adopted in 2000 and implemented through the National Health Development Plan 2001-2010 has been revised to reflect changes that have taken place over the past 10 years. The overall aim of this extensive programme is to reduce morbidity and mortality rates among the population.

230. Not all treatments are provided free of charge under the country's health-care system. Primary health care is guaranteed, however, and the introduction of universal health insurance is currently under consideration. Primary health care is provided through the health-care districts, which are divided into two levels:

- The first level of care is provided by health and welfare centres, which are the basic health-care facilities within the health-care system. In 2013, there were 1,606 such centres. As part of the health-care reform, since 2012 the Government has been converting health and welfare centres in the capitals of rural communes into medical centres;
- The second level of care offered by the health districts is provided in medical centres with surgical units. These set the standard for health-care facilities at the district level. In 2013, there were 45 such centres.

231. In addition to public facilities, there are also many private health-care facilities in Burkina Faso (384 in 2013 according to the Statistical Yearbook of Health Care), and the importance of traditional medicine is recognized under the Public Health Code (Act No. 23/94/ADP) of 19 May 1994.

#### **B. Measures taken**

##### **(a) Access to health-care facilities, goods and services**

232. The number of public health-care facilities has grown in recent years. The number of health and welfare centres rose from 1,352 in 2008 to 1,606 in 2013. The number of health-care facilities run by religious organizations increased by one, from 66 in 2008 to 67 in 2009. Four new private facilities have been added, bringing the total number up from 316 in 2008 to 320 in 2009. In 2013, the theoretical average distance to a health-care facility in Burkina Faso was 6.5 km.

233. Despite these efforts, generally speaking national infrastructure coverage is inadequate; moreover, health-care facilities are unequally distributed across the different regions. The coverage of health-care infrastructure remains poor in rural and semi-rural areas. Many health-care facilities still lack the proper technical equipment to treat diseases.

##### **(b) Cost of health-care services and health insurance**

234. The actions taken to build on the achievements made in terms of making health-care services more financially accessible are primarily focused on providing free or subsidized care. The free services provided include gradual expansion of treatment in public health-care facilities for severe malaria cases among children under 5 years of age and pregnant women, the distribution of insecticide-treated nets to children and

pregnant women, vaccinations administered under the Expanded Programme on Immunization, antenatal care, treatment for tuberculosis and leprosy and free antiretroviral drugs (since 31 December 2010). Subsidized services include child delivery and emergency neonatal and obstetric care.

235. In order to improve the health-care situation in the country, the Second National Health Development Plan was developed and adopted in 2011. This plan calls for measures to make health care more affordable, notably by establishing universal health insurance.

**(c) Monitoring of drug quality and the effectiveness of hospital equipment**

236. Burkina Faso has adopted an essential drugs policy aimed at making effective drugs of a reasonable standard available to the largest number of people possible at an affordable price. The Ministry of Health has established two bodies to fulfil this task, namely, the Directorate of Pharmaceutical Services and the Technical Inspectorate of Social and Health Services. The Directorate of Pharmaceutical Services is responsible for giving practical effect to the Government's pharmaceutical policy and promoting traditional medicine and medicines. It monitors drug imports into Burkina Faso on a daily basis.

237. The Technical Inspectorate of Social and Health Services is a general inspectorate that includes a pharmaceutical inspection service responsible for drafting and monitoring the implementation of regulations on the work of pharmacists, on operational standards for private pharmacies and on non-drug-related aspects of pharmacy.

238. The drugs available in Burkina Faso are listed in two documents: the National Index of Special Pharmaceutical Products and Generic Medicines and the List of Essential Drugs. The National Index of Special Pharmaceutical Products and Generic Medicines is a document that lists all the drugs authorized in Burkina Faso. All health districts have functional cold chains, and they generally have the necessary storage facilities for vaccines. However, non-performance of maintenance contracts and the lack of spare parts undermine health-care services. Monitoring of vaccine conservation and storage procedures has shown that there are not enough temperature-monitoring instruments available.

239. The overall coverage of health infrastructure in the country remains inadequate, and coverage still varies from one health region to another. Norms and standards relating to equipment are in place, and there are maintenance services at the regional level and in some districts. Efforts have been made to strengthen the capacity of the Directorate of Infrastructure, Equipment and Maintenance. Given the complexity of maintaining equipment throughout the country, however, government institutions are currently reflecting on ways of providing the Ministry of Health with more reliable maintenance services. It was with this in mind that a biomedical maintenance and equipment agency was established.

240. Doctors and pharmacists have established professional associations to help themselves improve their work. These associations serve as excellent discussion forums for the workers involved.

**(d) Staff training**

241. Basic training for paramedical staff is provided by the National School of Public Health and by certain private schools. The number of graduates per year has generally increased since 1993, thanks to the priority given to social sectors under the Structural Adjustment Programme. The National Civil Service and Judiciary Training School also trains hospital managers and health-care service managers. Despite this, however,

their numbers are still too few. Doctors, pharmacists and senior laboratory technicians undergo their training in either national or foreign universities. On average, 30 doctors and 15 pharmacists graduate each year from the unit for health science training and research. Some 800 paramedics graduate from the National School of Public Health each year. This is not enough to meet the needs of the Ministry of Health, even though budgetary limitations sometimes prevent the Ministry from hiring all graduates who have completed their training.

242. In-service training is provided through career development courses and refresher seminars. Human rights training is included in both academic and vocational education programmes.

243. As a rule, physicians receive training in specialized fields of medicine outside Burkina Faso.

## **C. Information on maternal, child and public health**

### **(a) Maternal and child health**

244. The level of infant and child mortality in Burkina Faso is a matter of concern. This is mostly due to infectious and parasitic diseases and the spread of HIV. In order to strengthen efforts to combat this scourge, in 2011 the Government adopted a programme for the period 2011-2015 to prevent mother-to-child transmission of HIV.

245. With regard to preventing malaria by means of insecticide-treated bed nets and intermittent preventive treatment, the results of the Roll Back Malaria study conducted in 2005 and 2009 show that the use of insecticide-treated nets among children under 5 years of age rose from 23.7 per cent in 2005 to 59.6 per cent in 2009, while the rate among pregnant women rose from 27.5 per cent in 2005 to 58.1 per cent in 2009.

246. Integrated Management of Childhood Illness is a strategy designed to reduce mortality among children under 5 years of age. The following key achievements in this area were made in the first half of 2012: providing support to health-care facilities for the treatment of malaria and diarrhoea in nine districts in the Nord and Centre-Nord regions of Burkina Faso; training 28 health-care professionals in the clinical Integrated Management of Childhood Illness and training 65 health-care professionals in screening, evaluation and emergency treatment; and expanding the implementation of the Integrated Management of Childhood Illness to cover 78 per cent of the health-care facilities concerned.

### **(b) Prevention and treatment of waterborne diseases**

247. The Neglected Tropical Diseases project includes mass campaigns to eradicate certain diseases such as guinea worm disease, urban schistosomiasis and lymphatic filariasis. There have been no cases of guinea worm disease originating in Burkina Faso since 2009. However, there have been four reported cases imported from Ghana — three in 2007 and one in 2008.

### **(c) Implementation and strengthening of immunization programmes**

248. The Health Development Plan 2011-2020 calls for expanding nationwide health coverage and improving the quality and use of health-care services. It establishes the Expanded Programme on Immunization as a government priority for the coming decade. According to data from the programme, 95 to 99 per cent of targeted children are covered annually by the country's vaccination programme. Each health district has a storage depot for the Expanded Programme on Immunization that ensures the supply

of vaccines to the health and welfare centres and to the medical centres with surgical units.

249. The World Health Organization resolutions on the elimination of neonatal tetanus from the African region, the eradication of poliomyelitis and the reduction of maternal morbidity and mortality from measles have all been adopted by the health authorities in Burkina Faso. Activities carried out in this regard include efforts to strengthen the routine Expanded Programme on Immunization, comprehensive monitoring, and mass immunization campaigns against measles, poliomyelitis and tetanus.

250. With regard to resources, considerable efforts have been made by both the State and its major development partners in the field of health: some 900 permanent immunization centres are in operation, and numerous logistic facilities are provided to maintain supplies and ensure the implementation of outreach strategies for people who live far away from the permanent immunization centres.

**(d) Combating alcohol, tobacco and drug addiction**

251. Tobacco addiction is a problem in Burkina Faso, and epidemiological data show that addiction is most widespread among young people. Although illicit drug trafficking and use has not yet reached an alarming level in the country, public awareness of the issue has been heightened by the dangerous trend taken by the situation, leading to the implementation of strategies and policies to combat the problem, which include the establishment of the National Committee on Illicit Drugs and the strengthening of the relevant legal framework. A strategic plan to combat tobacco addiction was also adopted in 2009.

252. Other legislative measures have been taken to prevent alcohol and tobacco addiction and the use of illicit drugs and other harmful substances, including:

- The Public Health Code (Act No. 23/94/ADP) of 19 May 1994, articles 79 to 82 of which establish punishments for acts that encourage alcohol, tobacco and drug addiction and prostitution;
- The Drugs Code (Act No. 017-99/AN) of 29 April 1999;
- The Advertising Code of Burkina Faso (Act No. 025-2001/AN) of 25 October 2001.

253. The Ministry of Health, together with authorities from all relevant sectors, organizes information and awareness-raising campaigns and measures to prevent the spread of social ills such as prostitution and alcohol, tobacco and drug addiction.

**(e) Prevention of HIV/AIDS and other sexually transmitted infections**

254. The National Council to Combat AIDS and Sexually Transmitted Infections is the highest-level coordinating body of the National Programme to Combat AIDS and Sexually Transmitted Infections. Organizations have been established to bring together sectoral implementing bodies at the central, regional and provincial levels, such as the branches of the Institutional Committees to Combat AIDS, the Ministerial Committees to Combat AIDS and the Works Committees to Combat AIDS, village committees, sectoral committees, NGOs, associations, community-based organizations and implementation units for projects and programmes.

255. In 2008, activities to monitor early warning indicators were carried out in nine pilot sites located in eight different health regions. Over the course of 2009, 30 representative sites were chosen for the monitoring of early warning indicators.

256. A programme has been set up to prevent mother-to-child transmission of HIV. Implementation began in 2000 and relied on the decentralized health-care system. Despite the obstacles faced with respect to mother-to-child transmission of HIV, the situation improved in 2008, including in terms of coverage. The percentage of pregnant women receiving comprehensive treatment to prevent mother-to-child transmission increased from 91.07 per cent in 2008 to 92.26 in 2012, according to a review of the health sector.

257. According to the fourth Population and Health Survey, HIV prevalence stood at 1 per cent in 2010, compared with 1.9 per cent in 2003. The number of AIDS patients receiving antiretroviral treatment increased from 36,248 in 2011 to 37,464 as at 30 June 2012. Those patients included 1,899 children and 35,565 adults, of whom 24,626 were women. The same upward trend can be seen in the number of health-care centres offering antiretroviral treatment.

**(f) Access to essential drugs**

258. In the light of the failure of the for-profit supply chain to ensure completely free access to medicines, in 1992 the Government established a global procurement hub for essential generic medicines, in order to make them available to public and non-profit private health facilities. This procurement hub is meant to ensure essential drugs are accessible and affordable for all public health and other similar facilities. The non-profit supply chain is operated by religious communities or associations.

259. Burkina Faso has been offering antiretroviral treatment since 2003. On 1 January 2010, the effort to control the HIV/AIDS pandemic was strengthened when antiretroviral treatment was made available free of charge. The Government, with support from the World Health Organization and cooperation agencies, has taken a number of steps to improve the distribution system and avoid shortages of pharmaceuticals.

**(g) Care provided in mental health institutions**

260. Article 110 of the Public Health Code provides that, when persons with a mental disorder pose a threat or a danger to themselves or others, they may be admitted to a psychiatric hospital without the need for the consent of their parents or legal representative (art. 73).

261. The Part-Time Treatment Centre for Children and Adolescents, which opened on 5 January 2005 within the Yalgado Hospital, treats autistic children and those suffering from language disorders, learning difficulties and psychosis. The centre meets parents' need for a specially adapted treatment unit. It receives support from the Ville-Evrard public health-care institution in France.

**Articles 13 and 14  
The right to education**

**A. Purpose and objectives of education**

262. The main challenge facing Burkina Faso today is that of educating as many children as possible in order to bring about the socioeconomic changes that are vital for the country's development. The purpose of education is thus to provide citizens with the skills that will enable them to assume greater responsibility for themselves, while at the same time contributing to the country's development. To this end, the ongoing education reform takes into account the need for general human rights

education, which is the foremost priority of the action plan and guidelines for the promotion and protection of human rights adopted by the Ministry of Human Rights.

## **B. The principle of free primary education**

263. The principle of free primary education is recognized in Act No. 013-2007/AN of 30 July 2007 on education policy in Burkina Faso. Article 6 of the Act stipulates that basic public education is free of charge in Burkina Faso. No student should be given cause for concern, suspended or expelled or have their grades withheld for failure to pay fees. Recognition of this principle has led to an increase in the number of students enrolled in primary school. The gross enrolment rate, which stood at 71.8 per cent in the 2007/08 school year, increased to 83 per cent in 2013/14.

### **(a) Levels of education or classes affected**

264. Schooling is compulsory for children from 6 to 16 years of age. Formal basic education is divided into three levels:

- Preschool education (3 to 6 years);
- Primary education (7 to 12 years);
- Post-primary education (13 to 16 years).

265. Education is compulsory and free of charge at the primary and post-primary levels. However, the high levels of poverty in the country are not conducive to retaining students in school, especially in rural areas.

### **(b) Direct costs**

266. The State of Burkina Faso has opted for a progressive structure under which all direct costs have been eliminated at the primary level. However, parents' associations still collect a number of fees that vary from school to school, in order to pay operating costs (salaries for support staff, electricity and water bills, etc.).

### **(c) Indirect costs**

267. Parents are still responsible for paying indirect costs, including examination fees, transport and school uniforms. In order to lighten the burden for impoverished families and give effect to the right to education, the State has embarked on a comprehensive reform of the educational system. Measures have been taken to provide free textbooks and school supplies to students in primary and post-primary education.

## **C. Measures taken to make secondary education available and accessible**

### **(a) The issue of free secondary education**

268. Currently, free education does not extend to the secondary level. However, annual subsidies are paid to public schools so that they can keep school fees at an acceptable level.

### **(b) Information on technical and vocational education**

269. Technical and vocational education is available and growing rapidly in Burkina Faso thanks to support from Taiwan, and vocational schools have been opened in Ziniaré, Koudougou and Gaoua. The subjects taught include crafts and industrial occupations, agriculture and livestock raising, business education, engineering



science, transport and communications, and training for support staff in fields such as education, health and sports. Technical and vocational training prepares young people to join the labour market by offering them the opportunity to master the labour standards and skills relevant to their chosen profession or subject.

#### **D. Access to higher education**

270. Higher education faces difficulties related, in particular, to the increasing number of university students, a shortage of university facilities and staff and an over-centralization of universities. The sector is booming, however, thanks to a number of measures taken. The number of students in public universities rose from 27,942 during the 2004/05 academic year to 47,755 during the 2008/09 academic year. Action in this sector has boosted the University of Ouagadougou's admission capacity and enabled the universities of Bobo, Koudougou, Ouaga II, Ouahigouya, Fada-NGourma and Dédougou to be opened.

271. In order to make higher education accessible to all, the Government and the private sector are taking steps to improve living and working conditions for students. These include the following:

- Doubling the number of scholarships awarded, from 500 in 2003 to 1,000 in 2009;
- Increasing the value of scholarships by 8 per cent;
- Increasing the number and value of student aid packages awarded;
- Increasing the value of loans awarded to students without scholarships;
- Increasing the accommodation capacity of university residence halls with the opening of new halls;
- Increasing the number of meals served in university cafeterias.

272. There are about 13 private higher education institutions, and these help to increase access to higher education in Burkina Faso. They receive 100 million CFA francs annually in State subsidies. The State has also increased the number of teachers in the various public universities. Indicators for the various measures taken are described in the common core document.

#### **E. Promotion of literacy and continuing education**

273. Literacy training and non-formal education are provided through complementary education systems. Literacy training is intended for persons 15 years of age or older. Non-formal basic education is an innovation that enriches formal education by providing a bridge between non-formal and formal education. It is intended for children 9 to 15 years of age with little or no education and offers them access to a full course of primary education that focuses on practical and vocational skills. Initially, instruction is in national languages, with French (the official language) being gradually incorporated.

#### **F. Promotion of indigenous or minority languages through the education system**

274. There is a trend towards inclusive education in Burkina Faso. Public schools are freely accessible without distinction on the basis of race, ethnic group or social origin.

Particular attention is given to children from the most disadvantaged groups in society, both when implementing the infrastructure development plan and when deploying teaching staff. The Government's overall vision is to expand bilingual education in order to promote and strengthen the learning process.

### **G. Measures taken to ensure equal eligibility criteria for boys and girls**

275. The State has taken a number of measures aimed not only at restoring gender balance but also at supporting parents, such as awarding scholarships to girls, distributing free textbooks to students, eliminating school fees at the primary level and, gradually, the post-primary level, establishing school canteens, using alternative forms of education, combating violence against women and girls and expanding education opportunities.

276. There were 2,594,024 students enrolled in primary school during the 2013/14 school year, representing an increase of 6.03 per cent compared with the 2012/13 school year. The number of new students enrolled in the first year of primary school rose from 499,401 in 2012/13 to 541,877 in 2013/14 (256,285 of whom were girls). The gross admission rate also increased in comparison with 2012/13, rising from 92.8 per cent to 97 per cent. The gross school enrolment rate increased from 81.3 per cent in 2012/13 to 83 per cent in 2013/14, representing an increase of about 2 percentage points. The increase was higher among girls, standing at 2.2 percentage points compared with 1.2 percentage points for boys.

277. Measures taken to raise awareness among parents, teachers and decision makers about the importance of girls' education range from creating discussion forums to running advertising campaigns in the media.

### **H. Measures to reduce dropout rates**

278. The gross enrolment rate was 83 per cent in 2013/14 according to the basic education progress scoreboard for the 2012/13 school year. This represented an increase of 5.4 percentage points compared with 2010/11.

279. The measures taken to reduce dropout rates are the same as those taken to ensure that boys and girls are enrolled in school. The following specific measures have also been taken:

- Opening up the entrance examination for post-primary education to all candidates regardless of their age;
- Lifting measures that excluded candidates for the entrance examinations to post-primary education and to secondary education on the grounds that their civil status records had been drawn up after the established deadline (after completion of the second year of primary school);
- Easing requirements so as to make it easier for children to enter higher grades (repetition of grades is now rare); implementing alternative approaches to basic education and innovative teaching methods aimed at bringing schools closer to communities;
- Setting a maximum limit on school fees at the secondary level.

## **Article 15**

### **Cultural rights**

#### **A. Information on institutional infrastructure**

280. The Ministry of Culture and Tourism is responsible for making major artistic works accessible to as many people as possible, and in particular for making national artistic works accessible to as many of the country's citizens as possible, so as to ensure the widest possible audience for our cultural heritage and to promote the production of works of art and the creative spirit. Most of the bodies involved in this effort are public institutions: the Panafrican Film and Television Festival of Ouagadougou; the Higher Institute of Image and Sound, the National Centre for Reading and the Promotion of Culture, the National Audio-Visual and Performing Arts Centre, the National Museum, the National Library of Burkina Faso, the Copyright Office of Burkina Faso and the National Tourist Office of Burkina Faso.

##### **(a) Access to cultural activities**

281. Concerts, theatre performances, film screenings, sporting events and other cultural activities are accessible to all sectors of society. Participation in cultural life takes place through public and private cultural activities and facilities. Most cultural activities take place on an almost daily basis in the 8,000 villages in the country, which are home to nearly 90 per cent of the population. Medium-sized towns also have a rich cultural landscape. The performing arts are a significant category in terms of the number of participants and activities carried out. Traditional as well as modern or contemporary art forms are performed within this sector. A study conducted by BERCOF-Études in 2005 on the performing arts identified more than 1,500 dance, music and theatre groups.

##### **(b) Access to world cultural heritage through new information technologies**

282. The Internet offers a new platform for tourism in Burkina Faso, as it can be used for informational, promotional and marketing purposes. To that end, the websites of the Ministry of Culture ([www.culture.gov.bf](http://www.culture.gov.bf)) and the National Tourist Office ([www.ontb.bf](http://www.ontb.bf)) serve as gateways to world cultural heritage.

283. In large cities, the Internet can be easily accessed through cybercafes. There are currently three telephone companies that provide Internet connections covering the whole country. In rural areas, there are several obstacles impeding the use of technology to promote cultural heritage, such as illiteracy and the country's limited electricity grid.

##### **(c) Children's participation in cultural life**

284. The right of all children to take part in cultural life is recognized, regardless of their social origin or nationality. Legislative and administrative measures have been taken with respect to recreational and cultural activities for children. For example, the State and civil society leaders organize summer camps or clubs for children. Children also participate in major cultural events, such as the National Week of Culture, the Ouagadougou Panafrican Film and Television Festival, the Ouagadougou International Crafts Show and the National Secondary School and University Arts Festival.

285. In addition to taking measures itself, the State also encourages the private sector, NGOs and institutions to make efforts in this area. There are several theatre and artistic troupes that teach drama to children, such as the Burkina Faso Theatre Workshop, the *Troupe de la fraternité*, the Feeren Company, the Wamde troupe and the

*Carrefour International de Théâtre* (International Crossroads Theatre) in Ouagadougou.

**(d) Participation in cultural life of older persons and persons with disabilities**

286. The Ministry for Human Rights and the Ministry of Social Action and National Solidarity are responsible for ensuring that the rights of persons with disabilities are implemented. Much has changed regarding the rights of persons with disabilities in Burkina Faso with the adoption of Act No. 012-2010/AN of 1 April 2010 on the protection and promotion of the rights of persons with disabilities.

287. Pursuant to article 21 of the Act, any newly built public or private infrastructure that is open to the public must be made accessible to persons with disabilities. Buildings must have an access ramp with handrails and with a gradient of no more than 5 per cent. In addition, persons with disabilities have priority access to the service desks in administrative offices and public and private services and to ticket offices in leisure and entertainment facilities. Sports grounds and recreational and cultural facilities must be accessible to and/or adapted to the needs of persons with disabilities. Persons with disabilities who hold a disability card pay discounted entry fees.

288. In accordance with Act No. 03/96/ADP of 11 April 1996 on the organization and development of physical education and sports in Burkina Faso, the Government has taken measures to encourage and promote participation in sports by persons with disabilities. These measures offer persons with disabilities the opportunity to participate in community-based cultural, sporting and recreational activities and also enable them to expand and develop their artistic and intellectual potential.

289. Associations are also working to integrate persons with disabilities in the cultural life of their communities. They organize cultural events to promote the artistic talents of persons with disabilities and offer them the opportunity to communicate and express themselves within their communities.

290. Older persons play an important role in the promotion and protection of culture. As guardians of tradition, they help to develop culture through their efforts to preserve it and adapt it to a changing world.

**B. Promotion and protection of cultural heritage**

291. The Constitution guarantees freedom of expression, media pluralism, multilingualism, equal access to artistic expression, to scientific and technological knowledge and to scientific culture, and the possibility for all cultures to have access to the means of expression and dissemination. The culture of Burkina Faso is disseminated and promoted through the active use of multimedia systems, the performing arts, books, museums, public libraries and exhibits and through the production of works of art and audio recordings, seminars and workshops, etc. The architects, planners and designers of public works projects as well as building engineers are encouraged to draw upon traditional knowledge and know-how when designing homes and public infrastructure.

292. Burkina Faso has always successfully balanced State action in the cultural sphere with private initiatives to promote culture. This positive vision has led to the growth and flourishing of cultural events, which today are among the most important and most well-known in Africa. These events include:

- The Panafrican Film and Television Festival of Ouagadougou;
- The National Culture Week;

- The Laongo Granite Sculpture Symposium;
- The Ouagadougou International Crafts Fair;
- The Ouagadougou International Tourism and Hospitality Trade Fair;
- Atypical Koudougou Nights.

293. In addition to these major international events, each year there are more than 100 other events that mark the cultural calendar in Burkina Faso. The State, its agencies and — to some extent — the local populations concerned protect and safeguard cultural heritage. Generally speaking, offences related to cultural heritage are punishable under the Criminal Code and are subject to the same procedural regime as under ordinary law.

### **C. Information on academic and vocational training in the field of culture**

294. Education curricula in Burkina Faso include cultural elements that enhance students' knowledge of and interest in modern and cultural values. Thus, courses in subjects such as history and geography teach students about the value and importance of cultural heritage, its various constituent parts, and the conditions of access to cultural heritage sites. There is also a traditional system for transmitting knowledge and know-how that has not yet been codified but that remains a very important means of perpetuating cultural practices and knowledge.

295. In an effort to make the tourism industry more appealing, the State has begun to train or retrain local and national tourist guides as well as restaurant owners and travel agents in ways of communicating, protecting and promoting tourist sites and welcoming tourists. The Ministry of Culture is encouraging the teaching and learning of the arts as a recreational activity in community centres and community groups.

296. The training provided for artists, government employees working in the field of culture, and stakeholders, technicians and operators in that field serves to ensure that artists thrive in Burkina Faso and that original works of art are produced. Specialized education in arts and culture is provided through special schools, conservatoires and universities, centres that train people for cultural occupations, private art schools, etc.

### **D. The right to enjoy the benefits of scientific progress and its applications**

#### **(a) Access to scientific progress and its applications**

297. The Constitution of Burkina Faso recognizes the right of all persons to take part in cultural life and to enjoy the benefits of scientific progress and its applications. The implementation of this right can clearly be seen in the field of education. Several public and private institutions have already received or purchased computers, are connected to the Internet or are seeking funding to incorporate the use of computers into their curricula. Multimedia centres have been set up by the local governments of Ouagadougou and Bobo Dioulasso. They are open to the general public for an annual fee of 500 CFA francs for elementary school students, 1,000 CFA francs for secondary school students, 2,500 CFA francs for university students and 5,000 CFA francs for workers. There are currently 530 users of these centres, with an average use rate of 84 users per day.

298. In addition, there are also private computer centres with computer access to a landline telephone network. Measures have also been taken to establish technology services in government departments. Projects are currently under way to expand these measures in administrative districts and local communities as part of decentralization

efforts. To this end, the Ministry of Territorial Administration and Security and the Ministry of the Civil Service, Labour and Social Security have developed a project to encourage good governance through the optimal use of information and communications technology in the decentralization process.

**(b) Prohibition on the use of scientific and technical progress for purposes which are contrary to the enjoyment of human dignity**

299. The use of scientific and technical progress for purposes which are contrary to the enjoyment of human dignity is prohibited by the laws and regulations currently in force in Burkina Faso. For example, Act No. 010-2004/AN of 20 April 2004 on the protection of personal data stipulates that personal data may be used only with the consent of the persons concerned, save any exceptions provided for by law. The Commission on Information Technology and Freedoms is responsible for ensuring observance of this law. The High Council on Communication monitors advertising and sponsored programmes and imposes penalties commensurate with the gravity of the violation. The Information Code, the Advertising Code and the Criminal Code are applied in the event of a criminal offence.

300. Lastly, given the nature of genetically modified organisms and the issues surrounding them, Burkina Faso has ratified the Cartagena Protocol on Biosafety to the Convention on Biological Diversity, which deals specifically with biosafety.

**E. Protection of the moral and material interests of authors**

301. The right of everyone to benefit from protection of the moral and material interests resulting from their own scientific, literary or artistic production is guaranteed in Burkina Faso under the Constitution (art. 28). Pursuant to this provision, legislative measures have been taken to promote and protect these rights. Act No. 032-99/AN of 22 December 1999 on the protection of literary and artistic property is one such example.

**(a) Copyright protection**

302. Copyright is recognized and protected by Act No. 032-99/AN of 22 December 1999 on the protection of literary and artistic property. The author of a work is the primary holder of moral and property rights over that work.

303. Unless otherwise specified, the property rights over intellectual works are protected during the author's lifetime and for 70 years after his or her death. Once the protection of those property rights has expired, the collective management organization, namely the Copyright Office of Burkina Faso, also holds the legal authority to enforce authors' moral rights. Related rights are also protected.

304. In addition to their property rights, and even after those rights have expired, performing artists still retain the rights over their audio or audiovisual interpretations or performances, live or recorded, and may demand recognition as rights holders — except where the interpretation or performance is used in such a way that requires the omission of any such reference — or oppose any distortion, misrepresentation or other changes to their interpretations or performances that would adversely affect their reputation. They also have the right to respect for their name, profession and interpretation. This right is personal and may not be restricted or be made subject to the statute of limitations.

**(b) Protection for authors' basic material interests**

305. A professional public institution known as the Copyright Office of Burkina Faso has been established in the country. Its core mandate is the collective management of copyright and related rights and the protection of expressions of traditional cultural heritage that are part of the national heritage. Within Burkina Faso, it manages the interests of foreign collective management organizations on the basis of mutual agreements.

306. The key challenge facing artists is music piracy. In an effort to counter this scourge, in February 2008 the Government developed a plan to combat piracy in Burkina Faso. The Copyright Office ensures respect for artists' rights by carrying out awareness-raising activities and by monitoring and punishing piracy within the production and distribution channels for artistic works. It is also authorized to engage in legal proceedings to defend the interests for which it is responsible.

**(c) Protection of the moral and material interests of indigenous peoples**

307. There are no indigenous peoples in Burkina Faso. The measures taken to protect moral and material interests apply to everyone without distinction as to social or ethnic origin or other ground.

**(d) Protection of authors' moral and material interests in the context of the State's treaty obligations**

308. Effective protection of authors' moral and material interests is provided without prejudice to the State's obligations concerning the other Covenant rights.

**F. Freedom for research and creative activity**

309. Individuals may freely engage in cultural, intellectual, artistic and scientific activities in accordance with current legislation (article 28 of the Constitution). There are several laws governing the management and administration of culture in Burkina Faso. The State's cultural policy, which is based on the Constitution and the United Nations Educational, Scientific and Cultural Organization (UNESCO) Universal Declaration on Cultural Diversity, aims to protect freedom of artistic expression. The State supports and guarantees freedom of expression for creators of intellectual works.

310. In the light of the importance of culture and cultural activities for the society of Burkina Faso as a whole, the State provides material and financial support to the most deserving creators of cultural works and takes any steps and measures necessary to encourage the business community and local governments to support cultural creation.

**G. The promotion of culture****(a) Steps necessary for the conservation, the development and the diffusion of science and culture**

311. Given the existence of thriving universities and of the National Centre for Scientific and Technical Research, the institutional environment in Burkina Faso fosters the development of scientific and technical culture. In 1995, the Government of Burkina Faso adopted a strategic plan for research, which stipulates that all national research should be conducted within the National Centre for Scientific and Technical Research. Furthermore, it outlines the main pillars of research as reflected in the establishment of four institutions: the Institute of Science and Society, the Institute of Science and Health, the Institute for Research in Applied Science and Technology and

the National Institute for Environmental and Agricultural Research. In addition to these, the Institute of Black Peoples also contributes to the conservation, development and dissemination of science and culture.

312. From a cultural point of view, Burkina Faso is well-known internationally for the Ouagadougou Panafrican Film and Television Festival and the Ouagadougou International Crafts Fair. There are also other events held in the country, such as the KUNDE music awards, the FET'ARTS arts festival, Artists in Celebration, the Ouagadougou International Theatre and Puppet Festival, Atypical Koudougou Nights and the National Week of Culture in Bobo Dioulasso.

313. Events in the field of scientific and technical culture include the Forum for Scientific Research and Technical Innovation, which was established in 1994 to inform the public about the results of scientific and technological innovation and research.

314. The various bodies responsible for disseminating the findings of research include the National Agency for the Promotion of Research Findings. The Agency works in close collaboration with the Copyright Office to protect and raise awareness among researchers. The Directorate of Scientific and Technical Information is also responsible for disseminating the results of scientific research.

315. The preservation, conservation and enhancement of cultural heritage are also achieved by building museums, regulating archaeological excavations and developing cultural heritage sites for tourism. The State has undertaken to promote the physical and cultural environment by building theme parks, continuing to erect monuments and shrines and implementing a policy of urbanization inspired by the national heritage.

**(b) International cooperation**

316. The State's cultural policy places particular emphasis on protecting, cataloguing, preserving and enhancing the legal framework regulating all forms of cultural heritage. For example, the Ruins of Loropéni in Poni Province have been inscribed on the UNESCO World Heritage List. One way the nation's tangible and intangible heritage is enhanced is by negotiating the necessary agreements for the return of cultural property held by private collectors and foreign States.

317. Burkina Faso engages in harmonious cultural cooperation with many countries, mainly in Europe, sub-Saharan Africa, the Maghreb, North America and the Far East. These various forms of cooperation are beneficial both to the work of the State and to that of private stakeholders in the cultural sector and associations. They facilitate activities in the areas of training, creation, dissemination/promotion and provision of amenities.

318. Through INTERPOL, the Burkina Faso intelligence services cooperate in an exemplary manner with their counterparts in other countries, mainly with other States in the subregion, through agreements on mutual legal assistance, support and cooperation in security matters to punish violations of the laws protecting cultural heritage.

## **Conclusion**

319. Since the ratification of the International Covenant on Economic, Social and Cultural Rights, the Government has taken many legal and institutional measures to ensure the enjoyment of human rights in general, and of economic, social and cultural rights in particular, in Burkina Faso.



320. Significant progress has been made in all areas. However, despite the State's efforts to promote and protect economic, social and cultural rights, the lack of resources is a clear obstacle to the realization of these rights. Challenges remain, particularly with respect to education, health, employment and housing. With this in mind, Burkina Faso, with support from its partners, is taking concrete steps to overcome these challenges.

321. Burkina Faso is confident that giving effect to human rights in the country will serve as a guarantor of peace, progress and sustainable development, and is making further efforts to consolidate human rights.

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