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National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21*

Burkina Faso

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Introduction

1. Burkina Faso is a democratic, unitary and secular State. Located in the heart of West Africa, it is a Sahelian country that covers an area of 274,200 km². Its territory is divided into 13 regions, 45 provinces and 351 communes. Ouagadougou, the political and administrative capital, is made up of 12 districts, while Bobo-Dioulasso, the economic capital, is made up of 7. As at 31 December 2011, the population, which is mostly young and primarily rural, was estimated by the National Institute of Statistics and Demography to be 16,751,455. According to the 2006 general population and housing census, it is growing at a rate of 3.1 per cent per year.

2. The economy is based on agriculture, livestock and mining, which account for 25 per cent, 12 per cent and 8 per cent of the country's gross domestic product (GDP) respectively. Ninety per cent of the active population works in the agriculture, forestry and livestock sector. Mining is the main export sector, accounting for 62 per cent of export earnings.

3. This national report has been prepared in accordance with Human Rights Council resolution 16/21 of 25 March 2011 on the outcome of the review of the work and functioning of the United Nations Human Rights Council, and with Human Rights Council decision 17/119 of 17 June 2011 on issues of review and procedure relating to the universal periodic review. It follows the country's first report, reviewed in December 2008 and adopted by the Human Rights Council on 19 March 2009. The report's structure is based on the following six themes: the procedure followed when preparing the report, changes in the normative and institutional framework and public policies, the promotion and protection of human rights, the implementation of accepted recommendations, priorities and initiatives to improve the human rights situation, and the needs for capacity-building and technical assistance.

I. Procedure followed when preparing the report

4. The preparation of this report was inclusive and participatory and encompassed the following stages:

- A multisectoral committee comprising Government departments, institutions and civil society organizations was established to monitor the implementation of the recommendations and the preparation of the report;
- A drafting committee was established;
- The two aforementioned committees received training in report-writing techniques;
- Public and private institutions were consulted;
- The draft report was prepared;
- The monitoring committee considered and adopted the draft report;
- Participants in a national workshop, including 90 representatives from 26 Government departments, 7 institutions and 33 civil society organizations, approved the draft report;
- The Interministerial Committee on Human Rights and International Humanitarian Law reviewed the draft report;
- The Council of Ministers adopted the report.

II. Changes in the normative and institutional framework and public policies for the promotion and protection of human rights

A. Normative framework

5. The legal framework contributing to the protection of human rights includes international human rights instruments, the Constitution, legislation and regulations. Several normative advances have been made since the first universal periodic review of Burkina Faso. These include the ratification of: the United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention against Discrimination in Education, on 4 May 2012; the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa, on 26 April 2012; the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, on 7 July 2010; the African Charter on Democracy, Elections and Governance, on 6 July 2010; the International Convention for the Protection of All Persons from Enforced Disappearance, on 3 December 2009; the Convention on the Rights of Persons with Disabilities and its Optional Protocol, on 22 August 2009; and the Bamako Convention on the Ban of the Import into Africa and the Control of Transboundary Movement and Management of Hazardous Wastes within Africa, on 10 June 2009.

6. At the national level, the following laws have been adopted:

- Act No. 2012-034/AN of 2 July 2012 on agrarian and land reform;
- Act No. 033-2012/AN of 11 June 2012 amending the Constitution;
- Act No. 003-2011/AN of 5 April 2011 establishing the Forestry Code;
- Act No. 012-2010/AN of 1 April 2010 on the promotion and protection of the rights of persons with disabilities;
- Act No. 062-2009/AN of 21 December 2009 establishing a national human rights commission;
- Act No. 60-2009/AN of 17 December 2009 punishing acts of terrorism;
- Act No. 61-2009/AN of 17 December 2009 on combating the financing of terrorism;
- Act No. 0034-2009/AN of 24 July 2009 on rural land tenure;
- Act No. 017-2009/AN of 5 May 2009 punishing organized crime;
- Act No. 22-2009/AN of 15 May 2009 establishing commercial courts;
- Act No. 010-2009/AN of 16 April 2009 setting quotas for legislative and municipal elections;
- Act No. 009-2009/AN of 14 April 2009 on the status of opposition parties;
- Act No. 057-2008/AN of 20 November 2008 on property development;
- Act No. 42-2008/AN of 23 October 2008 on the status of refugees;
- Act No. 033-2008/AN of 22 May 2008 governing employment and civil servants in State institutions;
- Act No. 029-2008/AN of 15 May 2008 on combating trafficking in persons and related practices.

B. Institutional framework

Establishment of the Ministry of Human Rights and the Promotion of Civic Responsibility

7. The Ministry was established under its current name by Decree No. 2012-122/PRES/PM of 23 February 2012 on the composition of the Government. Previously, it had been merged with the Ministry of Justice during the cabinet reshuffle of April 2011. The changes wrought in the institution with the inclusion of the promotion of civic responsibility reflect the Government's will to promote responsible citizenship through a culture of values and respect for human rights. The start of operations in 2009 of four regional human rights directorates, and the establishment in 2012 of human rights counselling and documentation centres in Ouagadougou and in the regional directorates, enables the population to access human rights services locally.

Founding of the National Human Rights Commission

8. Originally established by Decree No. 2001-628/PRES/MP/MJPDH of 20 November 2001, the National Human Rights Commission was instituted under Act No. 062-2009/AN of 21 December 2009 to bring it into line with the Paris Principles. It provides a national framework for dialogue between public and private stakeholders on the promotion and protection of human rights. Its work is governed by the principles of independence, impartiality, plurality, complementarity and cooperation. It assists the Government by offering its opinions on all matters relating to the promotion and protection of human rights. It may, on its own initiative, draw the Government's attention to human rights violations and, if appropriate, propose measures to put an end to them.

Establishment of the National Council to Combat Female Circumcision

9. Established by Decree No. 2011-116/PRES/PM/MASSN of 2 February 2011, the Council replaces the National Committee to Combat Female Circumcision established on 18 May 1990 and has broader decision-making powers. Its mission is to work to eliminate female circumcision.

Establishment of the leader of the political opposition

10. The leader of the political opposition was established by Act No. 009-2009/AN of 14 April 2009. He or she is the leader of the opposition party with the largest number of representatives elected to the National Assembly and serves as the appointed spokesperson for the opposition. He or she can be consulted by the Head of State or the Government. The establishment of this institution provides the opposition with a framework for official consultations.

Establishment of the National Council of Civil Society Organizations

11. The National Council of Civil Society Organizations was established on 11 January 2011. It provides a framework for consultation with private stakeholders in the field of human rights and works to strengthen their work on the ground.

Establishment of the National Council for the Advancement of Women

12. Established on 11 February 2010 by Decree No. 2010-048/PRES/PM/MPF/MEF, the National Council for the Advancement of Women is responsible for monitoring implementation of the national gender policy. Its secretariat is responsible for implementing decisions and recommendations and for coordinating work for the advancement of women.

Establishment of the National Education Council

13. Provided for in Act No. 13-2007/AN of 30 July 2007 on education policy, the Council is an advisory body responsible for helping the Government to develop and implement the national education policy. Its functions include: issuing opinions on all matters of national interest relating to education and training; drafting annual reports on the state of education in Burkina Faso; drawing the Government's attention to problems in education; drafting recommendations for ministers responsible for education; and conducting studies on all kinds of issues relating to education. It has a permanent secretariat, which serves as a technical support body.

C. Public policies

14. The State's actions are guided by sectoral strategies and policies. The concerns of the various social classes are taken into account when developing these policies. These concerns are expressed via forums for dialogue between the political authorities and these social classes. Such forums for dialogue include the National Youth Forum, Farmers' Day, the National Women's Forum, the Forum for the Elderly, the National Conference on Secularism, meetings between the Government and trade unions, the National Council on Political Reforms and the regional forums for consultation. The relevant public policies include the following:

The strategy for accelerated growth and sustainable development

15. The strategy, developed in 2010, serves as a policy paper for the period 2011–2015. It is part of the series of reforms undertaken to implement the poverty reduction strategy framework. The third theme of the strategy for accelerated growth and sustainable development establishes the effective enjoyment of human rights as a condition for strengthening democracy and consolidating social harmony.

The national policy on human rights and the promotion of civic responsibility 2013–2022

16. The national policy and its action plan (2013–2015), currently being drafted, follow on from the 2001 policy on the promotion and protection of human rights and take account of new developments at both the national and international levels.

The national gender policy

17. Adopted by decree on 8 July 2009, the national gender policy is the Government's response to its commitments at both the regional and the international levels. It is based on the urgent need to continually struggle for gender equality and equity with strict respect for fundamental human rights. The Government's determination to do so was reaffirmed when gender equality was enshrined in the Constitution as part of the constitutional review enacted through Act No. 33-2012/AN of 11 June 2012.

The national employment policy

18. Adopted on 15 May 2008, this policy is part of a series of Government efforts to combat poverty and promote economic development and social progress. The policy outlines actions to be taken in the form of projects supported by technical and financial partners. The State, for its part, has gradually established an operational framework that includes the National Agency for the Promotion of Employment, the Support Fund to Promote Employment, the Fund to Support Youth Initiatives, the National Programme to Support the Reintegration of Retrenched Workers, the Vocational Training and

Apprenticeship Fund, the Support Fund for the Informal Sector and the Special Job Creation Programme.

Special Job Creation Programme for Young People and Women 2012–2014

19. This programme aims to reduce unemployment and underemployment among young people and women. It includes actions to aid young graduates, young persons who have dropped out or have never been to school, young rural persons and women, and also includes incentives for local businesses and small and medium-sized businesses to create jobs. All of these actions combined will help to generate 54,209 jobs, create 10,000 work opportunities and train 45,100 young rural graduates on average per year. Women are provided with technologies adapted to their processing needs (such as mills, weaving looms, shea butter presses, rice steamers, carts, dryers, etc.) through action to empower them.

The national microfinancing strategy

20. This strategy and its action plan for the period 2012–2016 adopted by the Government, using an inclusive approach to finance, promote access for a large percentage of the population to diversified and adapted financial products and services offered by financial systems operating in a favourable legal, regulatory and fiscal framework.

The national health policy 2011–2020

21. The national health policy, adopted in 2000 and implemented through the National Health Development Plan 2001–2010, was revised in 2011 with a view to improving the health and well-being of the population by 2020. The implementation of the National Health Development Plan 2001–2010 has improved the coverage, quality and use of health services and the provision of health services such as assistance during childbirth, treatment of obstetric emergencies, prevention of epidemics, immunization — including the introduction of new vaccines — and treatment of endemoepidemic diseases.

The National Solidarity Charter

22. Adopted in 2009, the Charter, which has been warmly embraced by the various communities, embodies the culture of mutual aid, solidarity and compassion that has always been evident in the society of Burkina Faso.

The national justice policy 2010–2019

23. The national justice policy follows on from the plan to consolidate the national action plan to reform the justice system, adopted on 20 December 2007. Under the national justice policy, the vision for 2019 is of a credible, fair, independent, transparent, decentralized and competent justice system accessible to all.

Other public policies

24. In addition to the aforementioned public policies, the Government has adopted many other sectoral strategies and policies that help make its action in the relevant sectors more effective. These include the following:

- The national policy to implement a health insurance system;
- The sectoral cyberstrategy on electronic government;
- The 10-year strategic plan to modernize Government administration 2011–2020, adopted on 9 August 2011;

- The national labour policy;
- The Programme for Strategic Development in Basic Education 2012–2021, adopted on 1 August 2012;
- The Subsectoral Policy on Secondary and Higher Education and Scientific Research 2010–2025, adopted on 21 September 2010.

III. Promotion and protection of human rights in Burkina Faso

A. Fulfilment of international obligations

25. Article 151 of the Constitution stipulates that duly ratified or adopted treaties and agreements take precedence over national laws from the moment they are published. Thus, the human rights treaties and agreements that Burkina Faso has ratified are part of its domestic legal system.

26. At the institutional level, the Ministry of Foreign Affairs and Regional Cooperation acts as an intermediary between the national technical bodies and the rest of the world. It thus monitors cooperation and the fulfilment of international obligations. In addition, within the Ministry of Human Rights and the Promotion of Civic Responsibility there is a directorate responsible for monitoring compliance with international human rights agreements. Moreover, the Interministerial Committee on Human Rights and International Humanitarian Law monitors compliance with international obligations relating to human rights and international humanitarian law in Burkina Faso.

B. Efforts to educate and raise public awareness about human rights

27. The Government has taken measures to educate the public and raise awareness about human rights. In 2008, the Ministry of Human Rights adopted its 2008–2010 Strategic Plan. The Strategic Plan, which was extended until 2011, includes a “human rights education” programme for persons working in the formal, non-formal and informal education systems, social and professional groups and civil society organizations.

28. The process of introducing human rights into formal primary education began in 2009 with the development of a teacher’s guide. Two training sessions were held in 2010 to teach 300 educational counsellors to use the guide. Two more workshops on incorporating human rights into formal education curricula and two trainers’ training sessions on the guide were organized in 2012. The process should eventually be expanded to include other levels of education.

29. With regard to the informal system, several activities have been organized to raise awareness among the population, such as National Citizenship Week, which has been organized every year since 2004. Every year during that week, human rights-themed competitions are held in secondary schools, while others related to good citizenship and cleanliness are held in primary schools. Public lectures, a travelling cinema and theatrical forums are organized, and awareness-raising advertisements are broadcast in the public and private media.

30. Conferences, training sessions and awareness-raising sessions on human rights, good citizenship and international humanitarian law have been organized for various social and professional groups: defence and security forces, justice system employees, health-care workers, teachers, etc. From 2009 to 2011, a total of 225 criminal investigation officers were trained on the Convention against Torture. Similar training was provided for 50

health-care workers in July 2012. In addition, lectures on the Convention are held each year at the National Police Academy, the National School for Non-Commissioned Officers on Active Duty, the National School for Non-Commissioned Officers of the Gendarmerie and the Georges Namoano Military Academy. From 2010 to 2012, a total of 120 trainee Army officers, 300 non-commissioned officers, 2,700 trainee police officers and 600 trainee gendarmes attended these lectures.

31. With regard to capacity-building among civil society organizations, a training manual on basic human rights and specific rights (such as those of women and children) was prepared in 2009. From 2010 to 2012, six trainers' training sessions were conducted for 150 representatives of civil society organizations.

32. Several human rights documents have also been prepared and disseminated; they include the Citizen's Manual, the Personal and Family Code, the Constitution, a bilingual glossary of legal and administrative terms in national languages, and pamphlets on the right to vote, the rights and duties of political parties, marriage and birth registration. Actions to educate and raise awareness about human rights are also carried out on special days devoted to human rights, such as the National Day of Remembrance, Democracy and the Promotion of Human Rights (30 March), African Human Rights Day (21 October), the International Day for Tolerance (16 November) and International Human Rights Day (10 December). Other actions to educate and raise awareness about human rights are carried out by other public bodies.

C. Efforts to protect and defend human rights

33. In the judicial system, the average time required to process cases has decreased significantly, from 4 months and 15 days in 2009 to 2 months and 26 days in 2011 for civil cases, according to the 2011 judicial statistical yearbook. In 2011, judgements were pronounced in 5,972 of the 6,747 new civil and commercial cases registered by the *tribunaux de grande instance* (courts of major jurisdiction). In the appeals courts, decisions were issued in 876 of the 890 new civil, commercial and social cases. The number of judges increased from 371 in 2008 to 428 in 2011. The number of legal officials increased from 164 to 173 over the same period.

34. The Ministry of Human Rights, through the human rights counselling and documentation centre, helps to protect human rights by counselling victims of human rights violations. In addition, several studies have been conducted with a view to strengthening the system to defend and protect human rights, focusing in particular on efforts to bring national legislation into line with international human rights standards, the security-related challenges in the north of the country and the Sahel, and manifestations of racial discrimination, xenophobia and related intolerance in Burkina Faso. Similarly, reports and manuals have been prepared on the status of the rights of older persons (September 2011), the status of the rights of persons with disabilities (September 2011) and the prevention and management of conflicts between farmers and herders (2010).

35. The State and other stakeholders are also conducting many mediation and awareness-raising activities on preventing and managing social and community conflicts, which often lead to serious human rights violations. From 2008 to 2012, the Ministry of Agriculture held 758 training sessions attended by 33,310 participants. In 2012, 36 rural land services were established at the commune level to authenticate the ownership of rural land. In addition, 551 village land commissions and 419 village land conciliation commissions have been established to manage rural land issues. These measures have helped to build capacity in preventing and managing community conflicts. Regarding labour inspections, the number of collective labour disputes dealt with increased from 20 in

2008 to 35 in 2011, while the number of individual disputes increased from 3,962 in 2008 to 4,191 in 2011.

D. Cooperation with human rights mechanisms

36. Burkina Faso regularly participates in regional and international meetings on human rights, including the annual seminar held jointly by the International Committee of the Red Cross and the Economic Community of West African States, the sessions of the African Commission on Human and Peoples' Rights, the sessions of the United Nations General Assembly, the sessions of the Human Rights Council and the General Assembly of States parties to the International Criminal Court. It has also been a member of the Human Rights Council since 2008. It collaborates with the special procedures mandate holders of the Human Rights Council and the African Commission on Human and Peoples' Rights. In 2009, it received a visit from the African Commission on Human and Peoples' Rights Special Rapporteur on indigenous peoples. Further visits are planned, including visits from the Special Rapporteur on the fight against terrorism and the Special Rapporteur in the field of cultural rights. The Office of the United Nations High Commissioner for Human Rights has helped Burkina Faso to prepare its action plan for implementation of the universal periodic review recommendations and to conduct a study on manifestations of racial discrimination, xenophobia and related intolerance, and has provided training in drafting reports to treaty bodies.

37. In addition, Burkina Faso participates in several forums for dialogue at the international, regional and subregional levels on issues relating to human rights, peace and security, and economic and social development. It is actively involved in resolving conflicts in Africa through its President's mediation efforts, notably in conflicts in Togo, Guinea, Côte d'Ivoire and Mali.

IV. Implementation of accepted recommendations

A. Good practices

38. The good practices followed include:

- Holding a feedback workshop, a press conference and a briefing session for members of parliament on the country's first universal periodic review;
- Developing an action plan to implement the recommendations of treaty bodies, including the recommendations made during the universal periodic review;
- Establishing a multisectoral committee comprising representatives of civil society organizations to monitor implementation of the recommendations;
- Holding a subregional workshop to exchange best practices with the Niger;
- Participating in meetings with French-speaking nations on the implementation of the recommendations made during the universal periodic review.

B. Progress achieved

Recommendation No. 1: Accession to the 1960 UNESCO Convention against Discrimination in Education

39. Burkina Faso deposited its instruments of ratification of the Convention on 23 July 2012.

Recommendation No. 2: Implementation of the United Nations Convention against Corruption

40. The Government is taking action to prevent corruption and punish those guilty of it. Public and private institutions such as the Higher State Supervisory Authority, the Audit Court, the National Brigade against Fraud in the Gold Sector, the Network of Members of the Parliament of Burkina Faso against Corruption (the Burkindi Network), and the National Anti-Corruption Network are all involved in the fight against corruption. The strategy for accelerated growth and sustainable development reaffirmed that new tools should be established to make public finance management more effective and transparent. It served as a reference point for establishing the sectoral policy of the Ministry of the Economy and Finance, theme six of which is the sound management of public finances and the fight against counterfeiting, fraud and corruption.

41. According to reports from Transparency International, from 2008 to 2009 Burkina Faso ranked eighth among countries in sub-Saharan Africa with the lowest corruption levels. It was ranked first among the top 10 least corrupt West African Economic and Monetary Union countries and third among members of the Economic Community of West African States. In addition, it ranked 83rd out of 176 countries in the 2012 Corruption Perceptions Index. It rose from 100th place in 2011 to 83rd place in 2012, and its grade improved from 30 to 38 out of 100. These results reflect the Government authorities' commitment to the fight against corruption. A national conference on corruption held from 19 to 21 December 2012 was attended by 650 participants, and a number of important recommendations were made on that occasion.

42. Encouraging results have been achieved with the implementation of the regulations on finance and accounting and on customs and tax, the monitoring of gambling regulations, quality control of products and services, the authentication of administrative acts and financial transactions, and the monitoring of regulations on public procurement. Training, monitoring and activities to raise awareness about corruption are carried out by the technical inspectorates of Government departments, and a biometric census of civil servants has also been conducted. The 2010 report of the Public Procurement Regulatory Authority showed, inter alia, a reduction in public procurement lead times from 18.52 per cent within the validity period in 2009 to 59.85 per cent in 2010.

43. Between 2008 and 2012, the Council of Ministers dismissed some mayors because of managerial failings. Legal proceedings were initiated against senior State officials accused of corruption. In addition, on 14 September 2012 the Prime Minister sent a memorandum to all members of Government instructing them to send him monthly reports on the activities carried out to ensure transparency and good governance.

Recommendation No. 3: Application of the Convention against Torture, ratification of the Optional Protocol thereto and establishment of a national preventive mechanism

44. Burkina Faso ratified the Optional Protocol to the Convention against Torture on 7 July 2010. Two bills, one on defining and punishing torture and related practices and one on establishing a national mechanism for the prevention of torture, were approved by a workshop on 27 March 2012.

45. The Convention against Torture and its Optional Protocol have been widely disseminated. The Ministry of Human Rights regularly organizes training activities for law enforcement officials (including police officers, gendarmes and military personnel) and health-care workers so that they can incorporate the associated rights and duties into their daily practices. A citizen of Burkina Faso has been elected to the Subcommittee on Prevention of Torture.

Recommendation No. 4: Conformity of the National Human Rights Commission with the Paris Principles

46. Originally established by decree, the National Human Rights Commission is now governed by Act No. 062-2009/AN of 21 December 2009. It is independent and enjoys autonomy over its management and operation. In addition, Decree No. 2010-559/PRES/PM/MPDH on the organization and operation of the National Human Rights Commission was adopted on 21 September 2010 with a view to making the new institution operational. Also, Decree No. 2012-869/PRES/PM/MDHPC on the appointment of commissioners to the National Human Rights Commission was adopted on 3 October 2012.

Recommendations No. 5 and No. 6: Regular submission of reports and the implementation of recommendations

47. Several measures have been taken to ensure the regular submission of reports to the treaty bodies and to implement their recommendations. These measures include strengthening staff members' capacity in report-writing techniques. Thus, in 2010 Burkina Faso submitted its reports on the implementation of the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women and the African Charter on the Rights and Welfare of the Child. In April 2011 it submitted its periodic report on the African Charter on Human and Peoples' Rights. In 2012, its initial report on implementation of the International Covenant on Civil and Political Rights, its initial report on the implementation of the Convention against Torture, its periodic report on the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination and its initial report on the implementation of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families were all submitted. Its initial report on the implementation of the International Covenant on Economic, Social and Cultural Rights and its national report on the implementation of the International Labour Organization (ILO) Conventions will soon be reviewed by the Council of Ministers with a view to their submission to the relevant bodies.

Recommendation No. 7: Combating discrimination against persons with disabilities

48. The Government ratified the Convention on the Rights of Persons with Disabilities on 8 July 2009 and adopted Act No. 012-2010/AN of 1 April 2010 on the protection and promotion of the rights of persons with disabilities. Four implementing decrees were adopted on 18 July 2012 concerning: conditions for issuing disability cards to persons with disabilities; social measures for persons with disabilities in the areas of health and education; social measures for persons with disabilities in the areas of vocational training, employment and transport; and the adoption of the national strategy for the protection and promotion of persons with disabilities. This strategy places particular emphasis on preventing the marginalization and exclusion of persons with disabilities and ensuring their access to factors of production and basic social services. In addition, the Labour Code and Decree No. 2009-5030/PRES/PM/MTSS/MASSN/MS of 17 July 2009 include provisions promoting access to employment for persons with disabilities.

49. In addition, a multisectoral national council for the protection and promotion of persons with disabilities was established by Decree No. 2012-

406/PRES/PM/MASSN/MEF/MS of 15 May 2012, and its members took office on 8 November 2012. Its purpose is to unite the efforts of the various stakeholders involved in the promotion and protection of the rights of persons with disabilities and to ensure that the latter's concerns are better taken into account.

50. The Ministry of Human Rights, the Ministry of Social Action and the Ministry of Education regularly take action to promote the rights of persons with disabilities. Several public buildings have been made accessible to persons with disabilities. Children with disabilities are also effectively included in school classes.

Recommendation No. 8: Respect for women's rights

51. Reducing inequalities in access to the benefits of growth and to equitable participation in development is a priority for Burkina Faso. Several strategies have thus been launched to reduce the extent to which women lag behind men in all areas. A national gender policy and the related action plan have been adopted. Act No. 10-2009/AN of 16 April 2009 setting quotas for legislative and municipal elections and Act No. 034-2009/AN of 24 July 2009 on rural land tenure were adopted taking into account women's right to participation and their access to land respectively. Act No. 033-2012/AN of 11 June 2012 amending the Constitution incorporated the promotion of gender equality in the provisions of the Constitution.

52. Gender units have been established within Government departments and institutions, and a process is under way to eliminate sexist stereotypes from textbooks. Awareness-raising and training activities are organized for women. In order to promote maternal and child health, emergency obstetric and neonatal care is subsidized, and insecticide-treated mosquito nets are distributed free of charge. In addition, the third National Women's Forum from 13 to 15 September 2012 provided an opportunity for dialogue between the Head of State and women so that their concerns may be better taken into account. The Forum recommended, *inter alia*, that a national gender fund be established to support efforts to reduce inequalities.

53. A fund to support income-generating activities for women has been established to improve women's access to credit. Similarly, a special job creation programme for young people and women covering the period 2012–2014 has been established at an annual cost of 11,086,139,000 CFA francs. Each year it is expected to generate 54,000 jobs on average, create 10,000 work opportunities and train 45,100 young graduates and rural youth with the aim of reducing unemployment and underemployment among young people and women.

54. Safe houses have been established for victims of social exclusion, including women who have been accused of witchcraft and excluded from their communities.

Recommendation No. 9: Establishing a moratorium on the death penalty and adopting legislation aimed at abolishing it

55. Burkina Faso has signed the moratorium as an abolitionist country. A draft bill was prepared ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty. However, no consensus was reached on the abolition of the death penalty during the relevant consultations held by the Consultative Council for Political Reforms in 2011. Nevertheless, consultations are still being held to better prepare opinion to accept ratification of the aforementioned Optional Protocol.

Recommendation No. 10: Improving prisoners' conditions and training law enforcement officials in human rights

56. From 2008 to 2010, efforts were made to relieve prison overcrowding by building a new prison and reform institution, thus increasing the number of such establishments from 23 to 24. Living and detention conditions in prison and reform institutions are being improved by: increasing the capacity of prisons; increasing the budget for food, health care and hygiene; better informing detainees; building water towers and grain mills; and building wings for women and boys. A "prisoners' day" devoted to sport, recreational and awareness-raising activities has been held annually since 2007 in all places of jurisdiction. Civil society also helps to manage production activities in prisons and provide each prison facility with a nurse and a social worker.

57. Efforts to individualize sentences (for example through outside placement, semi-detention and home leave), general interest work experience in Gaoua and the expansion of prison labour also help to humanize conditions of detention.

58. The Laye Centre, the Centre for Special Education and Training in Gampèla, and the André Dupont d'Orodara Children's House provide care for minors in conflict with the law. NGOs such as Terre des Hommes also provide care for these children.

59. The national justice policy 2010–2019 and the national policy on human rights and the promotion of civic responsibility include measures to improve the management of prisons, promote and protect the rights of detainees, promote the social reintegration of prisoners and humanize places of detention.

60. The measures taken have involved providing an education for children in detention, building a high security prison in Ouagadougou, and offering detainees the chance to participate in vocational activities and play sports. The Ministry of Human Rights also organizes annual professional visits of places of detention and makes recommendations on how to improve the situation of detainees. In addition, regular training sessions are held every year for prison guards, defence and security forces and health-care workers on the norms governing detainees' rights. Several other departments, including the Ministry of Health, the Ministry of Security and the Ministry of Social Action, are involved in humanizing places of detention within their areas of responsibility.

Recommendations No. 11 and No. 12: Sharing best practices regarding female genital mutilation and continuing efforts to fully eradicate it

61. Article 380 of the Criminal Code prohibits female genital mutilation. In addition, the National Council to Combat Female Circumcision has been established. Its mission is to work to eliminate female circumcision.

62. With a view to strengthening parliamentary cooperation to speed up the elimination of cross-border female circumcision, the National Assembly held a follow-up meeting in Ouagadougou on 5 September 2012 as part of the project entitled "The role of parliamentarians in eliminating female genital mutilation", in collaboration with European Parliamentarians with Africa (AWEPA) and the United Nations Population Fund (UNFPA). This meeting was followed by awareness-raising activities.

63. In October 2008, a subregional meeting on cross-border female circumcision was held in Ouagadougou with representatives from Burkina Faso, Benin, Côte d'Ivoire, Ghana, Mali, the Niger and Togo. The meeting provided an opportunity to reiterate the need for subregional cooperation to eliminate female circumcision by 2015.

64. A joint UNFPA-UNICEF programme on eliminating cross-border female circumcision was implemented in 2011, along with the relevant action plan covering the period 2009–2013. The programme aims to achieve zero tolerance of female circumcision

by 2015. According to the 2011 statistical yearbook of the Ministry of Justice, the number of persons convicted and sentenced to prison for female genital mutilation dropped from 76 in 2008 to 16 as at 31 December 2011. Lastly, the United Nations General Assembly adopted resolution A/C.3/67/L.21 of 17 October 2012 on intensifying global efforts for the elimination of female genital mutilation, which was submitted by Burkina Faso on behalf of the African Group. The teaching of modules on female genital mutilation in primary and secondary education programmes is still being expanded in six regions of the country.

Recommendations No. 13 and No. 14: Combating trafficking in children

65. In addition to the Labour Code, article 153 of which prohibits the worst forms of child labour, Act No. 029-2008/AN of 15 May 2008 on combating trafficking in persons and related practices specifically regulates trafficking in persons in general in Burkina Faso. A multisectoral committee to monitor the fight against trafficking in persons and related practices has been established in six regions of Burkina Faso.

66. A total of 23 transit centres are operating in various regions and provinces to help fight trafficking in children. Thus, from 2009 to 2011 a total of 2,616 child trafficking victims received care. From 2008 to 2011 a total of 480 children were rehabilitated. They received support in the form of literacy training, re-enrolment in school and vocational training in sewing, construction, hairdressing and cloth dyeing. Thirty children received starter kits as part of the Non-Institutional Educational Action. Fifty children were placed in apprenticeships and 140 families were trained and supported in income-generating activities.

67. As part of the implementation of the action plan against human trafficking adopted on 11 April 2007, public awareness-raising campaigns have been organized in partnership with NGOs and international organizations. Programmes on combating trafficking in persons have also been broadcast in the media. Similarly, 33.92 awareness-raising activities have been organized, reaching 74,568 persons.

68. International child abduction is also known to occur in Burkina Faso. According to the Ministry of Justice statistical yearbook, the number of abductions rose from 58 in 2008 to 139 in 2010. However, it has since decreased to 107 in 2011. In order to handle such cases effectively, on 12 October 2010 the Government established a central authority on adoption matters and civil aspects of international child abduction.

69. The National Council for the Survival, Protection and Development of Children also conducts awareness-raising activities in at-risk areas and provides training for social workers and law enforcement officials.

Recommendations No. 15, No. 16 and No. 17: Protecting children's rights: implementing the international instruments ratified, combating child labour

70. The administrative measures taken include adopting a strategic policy framework for the promotion of children's rights covering the period 2008–2017 and establishing the National Council for the Survival, Protection and Development of Children, which is responsible for monitoring the implementation of legal instruments on the rights of the child. In addition, a hotline for reporting child abuse has been in operation since 13 September 2011. Similarly, Decree No. 2009-365/PRES/PM/MTSS/MS/MASSN of 28 May 2009 established which types of work were prohibited for children.

71. A national action plan to combat trafficking and other types of child abuse covering the period 2008–2011 was adopted. The activities carried out under this plan include: initiating and/or updating the mapping of areas prone to the trafficking and sexual abuse of children; producing training modules, including curricula on trafficking and abuse; training employees of school social services about the trafficking and sexual abuse of children; and

holding awareness-raising sessions. These actions have helped to reduce the trafficking and sexual abuse of children and to protect and rehabilitate the victims.

Recommendations No. 18 and No. 19: Strengthening education and health policies, and pursuing efforts to ensure the schooling of girls

72. Burkina Faso has implemented some significant education programmes, including the 10-year Development Plan for Basic Education 2001–2010 and other measures that have helped to substantially raise the gross enrolment rate in primary school, from 46.5 per cent in 2001/02 to 79.1 per cent in 2011/12.

73. According to Statistical bulletin No. 01-2012 on basic education, in 2011/12 there were 11,545 schools in Burkina Faso, compared with 10,796 the previous year. The number of private schools rose from 1,965 in 2010/11 to 2,279 in 2011/12. The number of classrooms also rose from 40,912 in 2010/11 to 43,661 in 2011/12, representing an increase of 2,749 classrooms. The increase in the number of classrooms is greater in private schools, where it stands at 13.1 per cent compared with 5.4 per cent in public schools. The total number of teachers rose from 45,739 to 48,592 from 2010/11 to 2011/12, representing an increase of 6.2 per cent. There were 9,387 teachers in private schools in 2011/12, compared with 8,263 in 2010/11. The student/teacher ratio in 2011/12 was 54.1:1, compared with 54.3:1 the previous year.

74. In order to improve girls' education, a directorate for the promotion of girls' education was established within the Ministry of Education, and several measures have been developed to encourage girls to stay in school and complete their studies. These include:

- Drafting comprehensive communication plans for the education of girls and women, holding all local stakeholders responsible for raising awareness;
- Providing incentives such as the "minimum kit" and payment by the State of contributions for parents of girls newly enrolled in the first grade;
- Offering support for mothers' educational associations to help them launch income-generating activities and promote girls' education;
- Establishing school canteens that offer take-home rations for girls;
- Holding regional symposiums on the problem of girls' enrolment in school, leading to the drafting of provincial and regional action plans to speed up enrolment among girls;
- Opening a community home for enrolled girls in difficult situations in Manga in the central southern region, with a view to building similar homes in other regions of the country;
- Building separate latrines;
- Implementing the BRIGHT project in the 10 provinces with the poorest records in girls' education, with the aim of improving the rates of enrolment, retention and completion of education among girls.

75. Enormous efforts are being made in secondary education and have led to significant results. Thus, the gross enrolment rate rose from 20.1 per cent in 2008/09 to 25.7 per cent in 2011/12. The number of secondary schools increased from 1,160 in 2008/09 to 1,578 in 2011/12. The number of private schools rose from 700 in 2008/09 to 919 in 2011/12, representing an increase of 219 schools over four years. The number of classrooms increased from 6,952 in 2008/09 to 9,888 in 2011/12. In total, 10,619 teachers were registered for the 2011/12 school year, compared with 7,271 in 2008/09, representing an

increase of 3,348 teachers, or 46 per cent, the number growing by 49 per cent in public schools and 30 per cent in private schools.

76. At the institutional level, the Directorate of Girls' Education and Gender Equality was established within the Ministry of Secondary and Higher Education in 2011. The work carried out by this directorate includes:

- Intervening to help girls in difficulty, placing girls in shelters, resolving guardianship issues, etc.;
- Establishing a national committee to monitor parity between girls and boys in school enrolment;
- Establishing a quota for girls in university residences and incentives to encourage deserving girls;
- Conducting three studies on: gender-based violence in schools; the situation of girls in post-primary and secondary education and impediments to their access; and girls staying in school and completing their studies at the post-primary and secondary levels;
- Developing an advocacy strategy to speed up girls' education at the post-primary and secondary levels.

77. The Government's efforts in the area of health are focused mainly on a strategy to enhance the provision of health care, particularly in terms of geographic and financial access to health facilities. With regard to geographic access, the average distance to health centres decreased from 7.51 km in 2008 to 6.5 km in 2011. The number of doctors increased from 483 in 2009 to 738 in 2011. During the same period, the number of nurses rose from 5,105 to 6,066. With regard to financial access, treatment for certain conditions is provided free of charge (severe malaria among children under 5 years of age and pregnant women, HIV/AIDS), and insecticide-treated mosquito nets are distributed. The State has also taken measures to reduce the cost of contraceptives, childbirth, emergency obstetric and neonatal care, doctors' consultations and uncomplicated appendectomies. This is coupled with a strategy to encourage the population to use health services, to provide comprehensive care (education, health, nutrition, etc.) for children infected or affected by HIV/AIDS, and to improve maternal health through preventive measures.

Recommendation No. 20: Reinforcing the human rights protection system, fighting impunity, improving access to the justice system and ensuring its independence

78. In order to improve access to justice, legal aid was established by Decree No. 2009-558/PRES/PM/MJ/MEF/MATD of 22 July 2009. This enables all economically disadvantaged persons to better assert their rights in court. In an effort to make the system more affordable, registration fees were abolished in 2008.

79. In order to improve geographic access to justice, the number of courts of major jurisdiction was increased from 20 in 2008 to 24 in 2010. In 2012, the judge/population ratio stood at 2.4 per 100,000 inhabitants. There are 139 lawyers, 33 bailiffs and 13 notaries in Burkina Faso. The number of registry staff stands at 321. The average distance to the nearest court is 52.5 km. Also, a court of appeal was established in Fada N'Gourma and commercial courts were established in Ouagadougou and Bobo-Dioulasso in 2009 to improve the business environment.

80. To improve the psychological dimension of access to justice, open days, prisoners' days and mobile courts are organized. In addition, communication has been strengthened by holding press briefings on sensitive cases and producing brochures containing legal information.

81. In an effort to strengthen the judiciary and make it more effective, the Act on the Status of the Judiciary and the Act on the Composition and Operation of the Supreme Council of Justice are currently under review. Judges' salaries have been increased, as has the budget allocated to the Ministry of Justice, which rose from 2,167,600,000 CFA francs in 2008 to 4,436,700,000 CFA francs in 2011.

Recommendation No. 21: Protecting and promoting human rights in conformity with the commitments made regarding development

82. Burkina Faso has adopted a new national policy on human rights and the promotion of civic responsibility and a related action plan. In addition, other policies, programmes and action plans, most of which have been described in this report, take into account the promotion and protection of human rights.

Recommendation No. 22: Cooperating with the Office of the United Nations High Commissioner for Human Rights to reinforce national capacity in human rights

83. In the context of its implementation of the universal periodic review recommendations, the Government of Burkina Faso has received technical and financial support from the Office of the United Nations High Commissioner for Human Rights (OHCHR), which has helped it to prepare and produce an action plan and also strengthen the capacity of those involved in preparing reports to international bodies. In addition, a panel discussion on International Migrants Day was organized with the support of the OHCHR West Africa Regional Office.

Recommendation No. 23: Continuing efforts in economic, social and cultural rights with the support and cooperation of the international community

84. Government efforts have resulted in significant progress in the availability of drinking water, the fight against HIV/AIDS and sexually transmitted infections, health-care coverage and schooling. The strategy for accelerated growth and sustainable development aims to strengthen those gains and realize the vision set out in the national forecast study entitled "Burkina 2025". Burkina Faso is receiving support from technical and financial partners to implement the strategy. Several projects and actions are under way to combat poverty and ensure an adequate standard of living, such as: the Bagré economic growth point, the building of the Samandeni dam, the development of the mining industry, the special job creation programme, the implementation of the regional planning blueprint, the creation of multifunctional platforms and the social housing construction programme.

Recommendations No. 24, No. 25, No. 26 and No. 27: Enhancing the country's capacity to fulfil its human rights obligations

85. Burkina Faso receives technical and financial support from its partners to help give effect to human rights. For example, the changes in the amount of official development assistance provided by partners to the health sector since 2008 can be summarized as follows: in 2008 the sector received 34,702,842,327 CFA francs; in 2009 it received 62,160,694,612 CFA francs; in 2010 it received 61,537,439,969 CFA francs; and in 2011 it received 48,152,281,603 CFA francs.

86. Burkina Faso has carried out many activities to implement the recommendations on the promotion and protection of human rights. Despite the significant achievements made, however, shortcomings still remain. Indeed, the human rights violations committed during the 2011 political crisis demonstrated once again that the promotion and protection of these rights is a never-ending struggle.

C. Difficulties and constraints

87. Burkina Faso is experiencing some difficulties and constraints that are hindering the free exercise of human rights. From a sociocultural point of view, these include the persistence of harmful traditional practices including female circumcision (as well as the social exclusion of persons accused of witchcraft, forced marriage and wife inheritance (where a widow is forced to marry a brother of her deceased husband)), illiteracy, a growing lack of patriotism, an unfamiliarity with human rights instruments among most of the population, and national opinion that opposes the abolition of the death penalty.

88. The economic, financial and political constraints include poverty, the persistence of practices such as corruption and mismanagement of public resources by some State officials, and a lack of resources (both financial and material).

89. Women's right to access land in some rural areas, the right of persons with disabilities to access public buildings and certain jobs, prison overcrowding, and unsuitable infrastructure in some prison and reform institutions are still of major concern.

V. Priorities and initiatives to improve the human rights situation

A. Priorities

90. The country's priorities in the area of human rights are as follows:

- Promoting and defending human rights by counselling and advising victims;
- Improving conditions of detention;
- Enhancing civic responsibility through civic education, so as to promote best practices in that area;
- Further decentralizing services related to human rights and the promotion of civic responsibility, as begun in 2010;
- Ensuring better management of the human rights and civic responsibility sector by developing managerial skills, improving resource management, strengthening the system that produces statistics on human rights and civic responsibility, and improving the coordination, monitoring, evaluation and visibility of the actions carried out;
- Supporting efforts to build capacity among human rights stakeholders.

91. The priorities in reference to gender are as follows:

- Improving men and women's access to basic social services;
- Making participation in decision-making more equal between men and women;
- Promoting gender equality so as to change behaviour and encourage equality between men and women in all areas of socioeconomic life and access to resources.

92. The priorities in the field of education are as follows:

- Continuing to incorporate human rights education in school curricula;
- Enabling better enjoyment of the right to education, including human rights education;

- Ensuring free primary and post-primary education;
 - Improving access to education for girls and persons with disabilities.
93. The priorities with regard to the promotion and protection of the rights of persons with special needs are as follows:
- Improving access to basic social services for vulnerable persons;
 - Combating the social exclusion of women accused of witchcraft and protecting the rights of the elderly.
94. The priorities in the field of health are as follows:
- Developing leadership and governance through planning and resources so as to improve the health-care services available to the population in general and to specific groups in particular;
 - Promoting programmes and measures to fight diseases;
 - Building capacity in health facilities by providing them with qualified staff, equipment and health products;
 - Improving the management of the health information system;
 - Developing health research;
 - Making health services more affordable.
95. The priorities in the area of justice are as follows:
- Strengthening the overall capacity of the judicial system;
 - Revitalizing the management of the judicial sector;
 - Improving physical, psychological and financial accessibility;
 - Strengthening the criminal justice system and prison management;
 - Consolidating the civil status of the individual;
 - Promoting alternatives to custodial sentences.
96. The priorities in the area of employment are as follows:
- Strengthening projects and programmes to promote job creation;
 - Improving job readiness, and the organization and functioning of the labour market.

B. Initiatives

97. In order to better give effect to human rights, Burkina Faso has undertaken initiatives such as:
- Developing the national policy on human rights and the promotion of civic responsibility;
 - Establishing the Consultative Council for Political Reforms and holding consultations and a national conference in an effort to ensure peace and social cohesion in the country through consensual measures, as well as establishing a multisectoral committee to monitor the implementation of recommendations;
 - The organizations themselves establishing the National Council of Civil Society Organizations;

- Enshrining gender equality in the Constitution through Act No. 033-2012/AN of 11 June 2012 amending the Constitution;
- Establishing a biometric electoral register to better ensure the transparency and fairness of elections;
- Establishing the crime control brigade;
- Operating a free birth certificate issuance scheme;
- Implementing “Operation: A Birth Certificate for Every Woman”;
- Instituting the Month of Solidarity and the National Solidarity Fund;
- Improving the management of housing projects in the communes by establishing an interministerial committee;
- Celebrating collective marriages in order to regularize the marital status of a large number of couples.

C. The commitments made by Burkina Faso

98. The country’s commitments are aimed at, inter alia, responding appropriately to the challenges it faces within a complex international environment. Consolidating human investment is one of the major focuses of these commitments. Particular emphasis will be placed on health, education, vocational training, young people and capacity-building by:

- Implementing plans to develop human resources and the health-care delivery system and further reforming the management of health facilities;
- Consolidating medicine distribution channels;
- Designing schools that are in tune with the wider world;
- Orienting secondary and higher education towards vocational courses;
- Establishing training facilities tailored to meet demand, particularly in the sectors of agriculture, livestock, environment, construction and public works, crafts, transportation, culture, mining and energy, information technology and telecommunications;
- Fairly redistributing the fruits of growth;
- Consolidating democratic process and strengthening local governance;
- Continuing to pursue environmental education and sustainable development;
- Achieving an average real GDP growth rate of 10 per cent;
- Alleviating extreme poverty and hunger in the country;
- Promoting primary education for all;
- Promoting the values of integrity, transparency and efficiency in the management of public affairs;
- Strengthening coordination and effectiveness in official development assistance.

VI. The country's needs for capacity-building and technical assistance

99. What the country needs in order to better undertake activities to promote and protect human rights can be summarized as follows:

- Funding for the action plan to implement the recommendations. The cost of implementing the action plan is estimated at 31,190,300,000 CFA francs, or 47,618,778 euros, while the State's contribution is estimated at 16,687,800,000 CFA francs, or roughly 25,477,550 euros. Funding is therefore needed in the amount of 14,502,500,000 CFA francs, or 22,141,221 euros;
- Capacity-building in the areas of human rights and international humanitarian law for the multisectoral committee to monitor the implementation of the recommendations and for the Interministerial Committee on Human Rights and International Humanitarian Law;
- Capacity-building for those involved in giving effect to human rights;
- Support and capacity-building for the National Human Rights Commission;
- Help in decentralizing services for the promotion and protection of human rights;
- Support for the establishment of a human rights database and indicators;
- Capacity-building in the preparation of reports;
- Capacity-building in monitoring and evaluation.

Conclusion

100. This report outlines the advances made in the enjoyment of human rights, as well as the measures taken to implement the recommendations made during the first universal periodic review of Burkina Faso. Notwithstanding the progress made in the area of human rights, some difficulties remain. This demonstrates that giving effect to human rights is a never-ending struggle. Burkina Faso reaffirms its support for the universal periodic review and its commitment to implement the relevant recommendations made during its second universal periodic review.
