

# Burkina Faso

## Mid-term Implementation Assessment



**UPR-INFO.ORG**  
PROMOTING AND STRENGTHENING THE UNIVERSAL PERIODIC REVIEW

## Introduction

### 1. Purpose of the follow-up programme

*The second and subsequent cycles of the review should focus on, inter alia, the implementation of the accepted recommendations and the development of the human rights situation in the State under review.*

A/HRC/RES/16/21, 12 April 2011 (Annex I C § 6)

The Universal Periodic Review (UPR) process takes place every four years; however, some recommendations can be implemented immediately. In order to reduce this interval, we have created an update process to evaluate the human rights situation two years after the examination at the UPR.

Broadly speaking, *UPR Info* seeks to ensure the respect of commitments made in the UPR, but also more specifically to give stakeholders the opportunity to share their opinion on the commitments. To this end, about two years after the review, *UPR Info* invites States, NGOs and National Institutions for Human Rights (NHRI) to share their comments on the implementation (or lack thereof) of recommendations adopted at the Human Rights Council (HRC).

For this purpose, *UPR Info* publishes a Mid-term Implementation Assessment (MIA) including responses from each stakeholder. The MIA is meant to show how all stakeholders are willing to follow and implement their commitments: civil society should monitor the implementation of the recommendations that States should implement.

While the follow-up's importance has been highlighted by the HRC, no precise directives regarding the follow-up procedure have been set until now. Therefore, *UPR Info* is willing to share good practices as soon as possible and to strengthen the collaboration pattern between States and stakeholders. Unless the UPR's follow-up is seriously considered, the UPR mechanism as a whole could be affected.

The methodology used by *UPR Info* to collect data and to calculate index is described at the end of this document.

Geneva, 20 October 2011

## Follow-up Outcomes

### 1. Sources and results

All data are available at the following address:

[http://followup.upr-info.org/index/country/burkina\\_faso](http://followup.upr-info.org/index/country/burkina_faso)

We invite the reader to consult that webpage as all recommendations, as the full reports and the unedited comments can be found at that very internet address.

7 NGOs were contacted. Both the Permanent Mission to the UN in Geneva and the State were contacted. The domestic NHRI was contacted as well.

2 NGOs responded to our enquiry. The State under Review did not respond to our enquiry. The domestic NHRI did not respond to our enquiry either.

*IRI:* 2 recommendations are not implemented, 7 recommendations are partially implemented, and 6 recommendations are fully implemented. No answer was received for 70 out of 86 recommendations.

### 2. Feedbacks on recommendations

Recommendation n°8: *Continue to strengthen educational policies.* (Recommended by Angola)

*IRI: not implemented*

+

Recommendation n°22: *Pursue its efforts to ensure the schooling of girls and the re-schooling of children who have dropped out of or who have never gone to school, with the support of the United Nations.* (Recommended by Burundi)

*IRI: partially implemented*

+

Recommendation n°33: *Meet challenges, particularly high poverty and illiteracy, with the technical and financial assistance of the international community.* (Recommended by China)

*IRI: not implemented*

+

Recommendation n° 34: *Make even greater efforts in the right to education.*  
 (Recommended by Cote d'Ivoire)

*IRI: partially implemented*

+

Recommendation n° 48: *With the assistance of the international community, strengthen its human and institutional capacity in education and health.*  
 (Recommended by Ghana)

*IRI: partially implemented*

+

Recommendation n° 83: *Take all necessary measures to ensure that employment of children does not interfere with their right to education.* (Recommended by United Kingdom)

*IRI: -*

Franciscans International - response:

- Les enfants **ne redoublant plus**, les enfants en échec scolaire sont en danger de se retrouver très jeunes dans la rue à travailler dans le secteur informel
- La **gratuité scolaire** en tant que telle n'existe pas ; les parents doivent payer une cotisation par élève et les fournitures scolaires.
- Les écoles professionnelles font cruellement défaut au Burkina Faso,
- Le **ratio d'élèves** par professeur est d'environ 80 élèves
- Concernant la scolarisation des enfants en échec scolaire ou jamais scolarisés (Burundi) des **paliers de rattrapages** sont organisés notamment par l'UNICEF et la Coopération Suisse.
- L'UNICEF et L'UNESCO font des campagnes de sensibilisation **en faveur de la scolarisation**

Recommendation n° 18: *Consider fostering national strategies to combat child labour and to promote decent work.* (Recommended by Brazil)

*IRI: partially implemented*

+

Recommendation n° 9: *Recommended the implementation of a national strategy to combat the issue of trafficking in girls and women for sexual exploitation.*  
 (Recommended by Australia)

*IRI: partially implemented*

+

Recommendation n° 39: *Make further efforts to ensure that the social services provided for children remain a priority.* (Recommended by Djibouti)

*IRI: fully implemented*

+

Recommendation n° 57: *Take appropriate measures to protect the most vulnerable children, particularly girls, disabled children and rural children, and ensure effective protection of children against sexual abuse, all forms of violence and exploitation, trafficking and child labour.* (Recommended by Luxembourg)

*IRI: partially implemented*

+

Recommendation n° 60: *Intensify efforts to combat trafficking in girls and women for sexual exploitation through the implementation of a national strategy to combat this issue.* (Recommended by Malaysia)

*IRI: fully implemented*

+

Recommendation n° 75: *Develop and implement preventative and protection policies and measures for the victims of child labour.* (Recommended by Slovenia)

*IRI: partially implemented*

Franciscans International - response:

### Mesures prises, efforts poursuivis

- Le 20/01/10, Le Burkina a soumis un **rappor du Protocole facultatif** se rapportant à la Convention relative aux droits de l'enfant, concernant la vente, d'enfants, la prostitution des enfants et la pornographie mettant en scène des enfants.
- Un **Plan d'Action nationale en faveur des enfants** (SPAN) a été mis en place. Un secrétariat permanent en est chargé du suivi.
- Un **plan d'action national de lutte** contre le trafic interne et transfrontalier (signé entre le Mali, la côte d'Ivoire et le Burkina Faso) des enfants existe. Des comités de vigilance et de surveillance (CVA) fonctionnent dans les départements mais **demeure inconnue du grand public**
- Une campagne de lutte **AU.COMMIT 2009-2010** a été créée pour la poursuite de criminels impliqués dans le trafic des êtres humains et pour la prévention (OIM, ONUDC ; UNICEF, OIT, HCR, CEA, la délégation de l'UE et la délégation des Etats-Unis auprès de l'Union africaine y contribuent.
- Le ministère de la Solidarité et de l'Action sociale initie des **campagnes de sensibilisation** (Canada).
- Des **campagnes de sensibilisation** relatives aux risques liés à la migration et aux déplacements des enfants sont organisées régulièrement par des ONG et les communautés religieuses.
- Une **loi concernant les jeunes travailleurs domestiques** devrait voir le jour d'ici la fin de l'année.

- **Les auteurs** sont rarement poursuivis. Et s'il le sont, ils sont très **rapidement relâchés**. S'ils sont professeurs, ils sont transférés à une autre école.
- La charge de la preuve incombe à **la victime**. Celle-ci peut difficilement les fournir car dépendante du bon vouloir des services de police et de santé pour les recevoir. Les victimes ignorent la loi et rien n'est fait pour les aider.
- Les victimes ne bénéficient **pas d'assistance** médicale, psycho-sociale et de réhabilitation aux victimes. Il n'y a pas centres de refuges prévus pour les victimes chassées de leur famille/communauté.
- 05/11/10, **Interpol** a sauvé plus d'une centaine d'enfants victimes de la traite.
- **Des reportages, des émissions de télévision, des articles sont trop rarement consacrés sur la question dans les médias**
- **La situation des enfants** (mais aussi des femmes et des hommes) **travaillant sur les sites miniers/aurifères est particulièrement grave**. On parle de « sauve qui peut ! » de « carnage total », d'une « véritable catastrophe humaine, morale, sanitaire, médicale...» Des enfants dès 4/5 ans y vannent, lavent le sable pour en extraire des pépites d'or. L'Etat semble se désintéresser totalement de la question.

Recommendation n° 25: *Continue efforts so that the language referring to human rights truly reflects gender equality.* (Recommended by Canada)

*IRI: fully implemented*

+

Recommendation n° 54: *Ensure that full access is given to rural women to education, health care and credit, as well as to land and housing as recommended by the Committee on the Elimination of Discrimination against Women.* (Recommended by Luxembourg)

*IRI: fully implemented*

+

Recommendation n° 66: *Redouble efforts to eliminate discrimination against women and apply the Convention on the Elimination of All Forms of Discrimination against Women fully.* (Recommended by Mexico)

*IRI: fully implemented*

+

Recommendation n° 79: *Increase efforts to strengthen the respect of women's rights and to promote gender equality.* (Recommended by Sweden)

*IRI: fully implemented*

Franciscans International - response:

- Une **Politique Nationale Genre (PNG)** a été adoptée par le gouvernement le 08/07/09

- Le 16 avril 2009, la loi n°10-2009/AN sur le **quota féminin** aux élections législatives et municipales de 30 % a été adopté La **participation des femmes** au Parlement est de 15,3%, et 17,9% ont un portefeuille ministériel.

- Un décret offrant une **aide légale**, particulièrement aux femmes a été annoncé le 29 juillet 2009

On remarque que des **progrès ont été réalisés** au niveau de :

- l'emploi, « à travail égal, salaire égal »,
- l'accès des femmes dans les conseils municipaux et régionaux notamment depuis 2010

- dans l'engagement des femmes au niveau politique jusque dans les villages les plus reculés.

Elles se réunissent en associations et ont l'audace de dire leurs préoccupations, de s'exprimer en public, d'aller trouver la police/gendarmerie. On observe sur le terrain une **plus grande liberté d'expression** même si les femmes ne sont pas forcément écoutées.

- Nombreuses sont les femmes, les communautés, les ONG, (de **nombreuses ONG** organisent des colloques pour la promotion de la femme)... qui se battent sur la question de genre sur le terrain. On observe un changement de mentalité dans la population. Des problèmes subsistent notamment concernant les femmes chassées de chez elles car accusées d'être « **sorcières** »

- dans la poursuite de la scolarisation des filles

- des bourses sont consenties aux filles dès le secondaire

- L'ancienne ministre des droits humains, nouvellement nommée ambassadrice **Monique Ilboudo**, vient d'écrire un livre : « *Etre femme au Burkina Faso* »

### **3. Index**

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Hereby the issues which the MIA deals with:

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33 Right to education, Technical assistance, Poverty,	page 3
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66 International instruments, Women's rights,	page 6
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## Methodology

### A. First contact

Although the methodology has to consider the specificities of each country, we applied the same procedure for data collection about all States:

1. We contacted both the delegate who represented the State at the UPR and the Permanent Mission to the UN in Geneva or New York;
2. We contacted all NGOs which took part in the process. Whenever NGOs were part of coalitions, each NGO was individually contacted;
3. The National Institution for Human Rights was contacted whenever one existed.

We posted our requests to the States and NHRI, and sent emails to NGOs.

The purpose of the UPR is to discuss issues and share concrete suggestions to improve human rights on the ground. Therefore, stakeholders whose objective is not to improve the human rights situation were not contacted, and those stakeholders' submissions were not taken into account.

However, since the UPR is meant to be a process which aims at sharing best practices among States and stakeholders, we consider positive feedbacks from the latter.

### A. Processing the recommendations

The persons we contact are encouraged to use an Excel sheet we provide which includes all recommendations received by the State reviewed.

Each submission is processed, whether the stakeholder has or has not used the Excel sheet. In the latter case, communication is split up among recommendations we think it belongs to. Since such a task opens the way of misinterpretation, we strongly encourage using the Excel sheet.

If the stakeholder does not clearly mention neither the recommendation was “fully implemented” nor “not implemented”, UPR Info usually considers the recommendation as “partially implemented”, unless the implementation level is obvious.

While we do not mention recommendations which were not addressed, they can be accessed on the follow-up webpage.

## B. Implementation Recommendation Index (IRI)

UPR Info developed an index showing the implementation level achieved by the State for the recommendations received at the UPR.

The **Implementation Recommendation Index (IRI)** is an individual recommendation index. Its purpose is to show both disputed and agreed recommendations.

The *IRI* is meant to take into account stakeholders disputing the implementation of a recommendation. Whenever a stakeholder claims nothing has been implemented at all, the index score is noted as 0. At the opposite, whenever a stakeholder claims a recommendation has been fully implemented, the *IRI* score is 1.

An average is calculated to fully reflect the many sources of information. If the State under Review says the recommendation has been fully implemented and a stakeholder says it has been partially implemented, score is 0.75.

Then the score is transformed into an implementation level, according to the table hereafter:

Percentage:	Implementation level:
0 – 0.32	Not implemented
0.33 – 0.65	Partially implemented
0.66 – 1	Fully implemented

Example: On one side, a stakeholder comments on a recommendation requesting the establishment of a National Human Rights Institute (NHRI). On the other side, the State under review claims having partially set up the NHRI. As a result of this, the recommendation will be given an *IRI* score of 0.25, and thus the recommendation is considered as “not implemented”.

## Contact

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