

**SHADOW REPORT ON THE 6TH
REPORT OF THE GOVERNMENT OF BURKINA FASO ON
THE ENFORCEMENT OF THE
CEDAW -CONVENTION ON THE ELIMINATION OF DISCRIMINATION
AGAINST WOMEN**

**Drafted with the support of National Democratic Institute for Foreign Affairs - NDI
Burkina Faso**

January 2010



ACRONYMS AND ABBREVIATIONS

AN	:	Assemblée Nationale
APE	:	Accord pour le Partenariat Économique
CEDEF	:	Convention sur l'Élimination de toutes formes de Discrimination à l'Égard des Femmes
CNSEF	:	Conseil National de Suivi des Engagements en faveur de la Femme
CPF	:	Code des Personnes et de la Famille
CSPS	:	Centre de Santé et de Promotion Sociale
CT	:	Code du Travail
FAARF	:	Fond d'Appui aux Activités Rémunératrices des Femmes
FAAGRA	:	Fonds d'Appui aux Activités Génératrices de Revenus des Agriculteurs
INSD	:	Institut National des Statistiques et du Développement
MASSN	:	Ministère de l'Action Sociale et de la Solidarité Nationale
NDI	:	National Democratic Institute
ONG	:	Organisations Non Gouvernementales
OSC	:	Organisation de la Société Civile
PNPF	:	Politique Nationale de Promotion de la Femme
PTF	:	Partenaires Techniques et Financiers
PTME	:	Programme de Prévention de la Transmission Mère Enfant
SN/CNLS	:	Secrétariat National/ Comité National de Lutte contre le Sida
UNICEF	:	Fonds des Nations Unies pour l'Enfance
VFFF	:	Violences Faites aux Femmes et aux Filles
VIH/SIDA	:	Virus de l'Immunodéficience Humaine/Syndrome Immuno Déficitaire Acquis



EXECUTIVE SUMMARY

On November 28th, 1984, the government of Burkina Faso ratified, unconditionally, the CEDAW, however the ratification instruments were not submitted until October 4th, 1987. Ratification of the Convention implies that the government has committed to take all administrative, legal and political measures to timely address discrimination against girls and women in social, economic, cultural and political areas. Effective enforcement of CEDAW in Burkina Faso requires that the government aligns the provisions of this international tool with the national laws.

This shadow reports aims to improve the information provided in the 6th report submitted by the government of Burkina to the CEDAW committee. This report assesses how the CEDAW has been enforced by some Civil Society Organisations of Burkina. Through joint effort involving many CSOs, it is our belief that this report will help the Committee to gain more insight on the enforcement level of the Convention in Burkina Faso in order to engage in a positive dialogue with the relevant government and other stakeholders.

The government's report seems to highlight that remarkable progress was made by the country in the implementation of the CEDAW. If this is true to some extent, the shadow report seeks on the one hand, to raise awareness about the gaps and challenges in the enforcement of the Convention, and on the other hand, highlight how far the comments and recommendations of CEDAW committee have been considered.

This report is built around the following priority areas based on CEDAW articles:

- Article 1: Definition of discrimination,
- Article 4 : Specific transitional measures,
- Article 7 : Women's involvement in politics and public life,
- Article 8 : Women's involvement in International decision making bodies,
- Article 10 : Education and job training of girls and women,
- Article 12 : Access to health services,
- Article 13 : Economic empowerment of women,
- Article 15 : Equality under law,
- Overall recommendation 19 on Violence against girls and women.

Article 1: Definition of discrimination

As stated in the CEDAW, there is no legal definition for discrimination. For the purposes of the enactment of the quota law, which aims to increase the number of women in decision making bodies and to avoid going against the Constitution's arrangements which ban positive discrimination for a given sex or social group, legislators of Burkina have adopted a neutral position of at least 30% for each sex. To effectively enforce the Convention's provisions and achieve equality (sometimes possible through temporary positive discrimination), there is need to include CEDAW into the legal materials of the country.



Article 4 : Specific transitional measures

In view of the social context, the enactment of a quota law in April 2009 is a remarkable achievement. But this law includes significant gaps which thwart the scope of the initial objective intending to find effective mechanism which would quickly increase the number of women in political decision making. This law provides no positive discrimination for women and for the legislative elections; it is likely to be enforced in only 9 out of the 45 districts.

Other measures exist and include scholarships for secondary school girls, support and care of the HIV AIDS infected mothers. But the structures in charge of implementing these measures generally lack the necessary resources and adequate systems to perform at their best.

Article 7: Women in Politics and public life

Men and women have the same political rights in Burkina Faso. In practice however, the proportion of women in the government, National Assembly, public and judicial administrations remains limited. Few women also hold decision making positions in the political parties. As the election system is based on a list which is drawn, very few women are in first position on the list, which would help them to be easily elected.

Article 8: Women in the International decision making bodies

In theory, both men and women have the rights and opportunity to represent the country at the international level. Actually, the number of Burkinabe women in international institutions and bodies remains negligible. Therefore, the government needs to take temporary actions to increase their number in these diplomat functions.

Article 10: Equal right to education and job training

Huge and remarkable efforts are recorded towards reducing the gap between girls and boys in education. With the 10-year basic education Programme, many schools were built close to communities, financial support to parents and sensitisation campaigns organised to promote girls' education. Furthermore, the government has encouraged and prioritised elimination of illiteracy of girls and women not attending schools or who dropped out by increasing the informal training centres and introducing positive discrimination measures for girls. All these efforts have led to the increase of the gross literacy rate. In spite of all this, the girls' enrolment rate remains lower than boys'. The government needs to do more to: minimise and prevent girls from dropping out of schools mainly at the secondary and university level as well as in rural area; increase the number of teachers and improve the education quality and stop using school books and materials which display gender stereotypes.

Article 12: Equal access to health care

On legal grounds, there is no discrimination between men and women's access to health services but in practice the reality is different. The government has taken initiatives to



improve women's access to health services- sexual and reproductive health, fighting malaria and stereotyping HIV/AIDS as a woman disease, building health infrastructures. Actually, the government partially covers the childbirth expenses, obstetrical costs, neonatal emergency costs. This support substantially contributes to reducing the costs of vaginal and caesarean child deliveries. Another focus area of the government is free family planning since 2005 in health centres of the country.

However, other efforts are still needed to reduce maternal mortality rate, improve the use of health centres mainly in rural areas and ensure effectiveness of all zero-fee policies initiated by the government.

Article 13 : Social and economic conditions

Although the national law is not gender-biased on family allowances, in practice, most married women do not directly benefit from these allowances which go their husbands. Women are paid such allowances when they are households with salaries and registered at the social security fund.

Some credit provision arrangements exist, including FAARF –Support Fund to women's income generating activities) and FAAGRA –micro credits for female farmers. The ministry of Finance and Budget has also put in place a micro finance strategic plan since 2005.

Despite all the above efforts, women are still not empowered as most of them face challenges meeting the traditional banks' requirements on credit provision. Though they seem more flexible, the conditions set by the micro finance institutions are inefficient and inappropriate.

The law is not gender-biased on the right to engage in recreational, sport and cultural activities; however, poverty, work load particularly in rural areas, and persistent insecurity are hindering factors to women's participation in these activities.

Article 15 : equality under the law

The government has built new law courts in provinces, recruited penal institution staff and issued an order re-organising legal aid for the poorest, mainly women to bring judicial institutions closer to them and ensure enforcement of legal decisions. But justice is still not open to many women for reasons like costs of legal services, ignorance of procedures, distance to the courts, etc.

General recommendation 19: Violence against women

The most common categories of violence against women in Burkina include wife abuse or domestic violence and violence for cultural beliefs. Target groups are children, adults and sometimes, elderly people but violence also persists at schools. Except for laws on practices considered as crimes and including the intentional transmission of HIV/AIDS (2005), Female Genital Mutilation, child trafficking and like-minded practices, no legislative provision exists on girls and women who experience violence. Considering FGM as a crime has brought about remarkable change with the prevalence rate dropping from 70 to 40%. Note however that the



practice is being secretly and increasingly carried out on younger girls. Strong vigilance is therefore recommended to avoid falling back into this old and harmful practice. Some initiatives have also been undertaken by ministries like the Social Welfare, Women's Promotion, and Human Rights ministries to provide support and advice to violence victims. Information/sensitisation campaigns on the bad consequences of violence have also been organised. However, all these measures are unsuitable and not enough to fully address the issue.



MEMBERS OF THE FOLLOW UP COMMITTEE OF CEDAW ENFORCEMENT

1. **ADEPROH**: Association pour la Défense et la Promotion des Droits des Personnes Handicapées
2. **AFJ/B** : Association des Femmes Juristes du Burkina
3. **APAC**: Association des Professionnels Africains de la Communication
4. **CBDF**: Coalition Burkinabé pour les Droits de la Femme
5. **CCJI/MMF/ANBF** : Centre Cyber Jeunes Infos de la Marche Mondiale des Femmes/Action Nationale du Burkina Faso
6. **CIEFFA** : Centre International pour l'Éducation des Filles et des Filles en Afrique
7. **CIFRA**: Centre International de Formation en Recherche-Action
8. **CN/OSC** : Cellule Nationale de Renforcement des Capacités des OSC
9. **COA/FEB**: Coordination des Organisations des Femmes
10. **CRIGED**: Centre de Recherche et d'Intervention en Genre et Développement
11. **FAWE/Burkina**: Forum des Éducatrices Africaines
12. **GTFEP**: Groupe de Travail pour la Promotion Politique des Femmes
13. **MBDHP** : Mouvement Burkinabé pour la Promotion des Droits de l'Homme et du Peuple
14. **MMF/ANBF** : Marche Mondiale des Femmes/Action Nationale du Burkina Faso
15. **ONG Voix de Femmes**
16. **RAJS/BF** : Réseau Africain Jeunesse Santé et Développement
17. **RECIF/ONG**: Réseau de Communication d'Information et de Formation des Femmes dans les ONG au Burkina Faso
18. **SP/CNLPE** : Comité National de Lutte contre la Pratique de l'Excision
19. **WILDAF/FeDDAF**: Women in Law and Development in Africa/Femmes Droit et Développement en Afrique

