

Combined second and third periodic reports

Burkina Faso

(22nd session)

239. The Committee considered the combined second and third periodic reports of Burkina Faso (CEDAW/C/BFA/2-3) at its 458th and 459th meetings, on 27 January 1999 (see CEDAW/C/SR.458 and 459).

Introduction by the State party

240. The representative of Burkina Faso informed the Committee that since ratifying the Convention on the Elimination of All Forms of Discrimination against Women in 1984, the Government had formulated new policies and legislation on the equality of rights of both spouses and children, women's access to land ownership, income-generating programmes and employment-support initiatives for women. She noted that the ratification of the Convention and the Optional Protocol was incorporated into the country's struggle for development and she expressed gratitude to the United Nations for initiatives to promote women's empowerment.

241. The representative informed the Committee that women in her country faced sociocultural and economic discrimination, particularly in the rural areas where 84.6 per cent of the population lived and where deeply-rooted traditions and customs shaped daily life. The representative drew attention to the extreme poverty of 44.4 per cent of the population, a majority of them women, and the slim possibilities they had to participate in major economic enterprises. She noted that inequality between women and men resulted from poverty, illiteracy, traditional norms and stereotypes nurtured by the patriarchal system.

242. The representative indicated that, despite efforts to promote and improve the situation of women, challenges remained. The maternal mortality rate was very high (531 per 100,000 live births), as was the fertility rate, and contraceptive use was low. In addition, the majority of the population was under 18 years of age.

243. Taking into consideration the high levels of illiteracy (in rural areas the female literacy rate was 5 per cent, compared to 15.5 per cent for men) and the persisting bias against educating girls, a national plan for the education of girls had been developed and the goal of reducing the gap between the educational levels of girls and boys by one third had been established. Public funds for education had been increased, teachers recruited, school infrastructures constructed and special programmes and incentives to support girls' education introduced. In addition, 50 per cent of the students in newly established satellite schools had to be girls.

244. The representative informed the Committee that maternal and child health programmes had been revised and a multisectoral plan to address HIV/AIDS had been introduced. Training programmes for medical personnel to assist older people had also been developed. Insufficient health coverage in rural areas and lack of resources and of qualified health personnel hampered the decentralization of health services, while reproductive health services did not take the needs of groups such as men and adolescent girls and boys into account.

245. The representative drew attention to the different forms of violence, including physical and psychological violence, perpetrated by men against women in vulnerable situations. Steps had been taken to eradicate traditional harmful practices against women, particularly prevalent in the rural areas. Female genital mutilation had been prohibited by the Penal Code in 1996, which established severe punishments for perpetrators of all forms of genital mutilation. The practice of levirate had been prohibited by the Individual and Family Code, while legislation existed with regard to rape, adultery and polygamy.

246. Despite specific legislation on agrarian reform, which established equality of women and men with regard to access to land, traditional inheritance practices weakened women's security and access to land that they customarily owned. The Government was committed to elaborating adequate legislation to promote the upward economic mobility and development of rural women. Such women had access to training, material and agrarian extension services. Many of the projects were supported by international and bilateral donor countries.

247. The representative informed the Committee that credit was available to women through savings and credit banks. A Support Fund for Women's Gainful Activities had been established in 1990, but obstacles persisted with respect to women's access to finance, including lack of information with regard to credit

opportunities and the disapproval expressed by husbands of the economic and entrepreneurial activities of their wives. The representative added that legislation had been enacted in 1998 to ensure equal access to employment and equal income for women and men in the public sector.

248. The representative drew attention to the fact that, in spite of deeply rooted sociocultural practices, illiteracy and the social division of labour that prevented women's empowerment, the Government of Burkina Faso had been able to promote women to public decision-making posts. Since the presentation of the initial report, the number of women ministers, deputies, members of parliament and ambassadors had considerably increased. The representative highlighted strategies and policies that had been adopted to promote women to decision-making posts in the public and private sectors and noted that the national plan of action included the social mobilization of different sectors, encompassing political parties, ministries, non-governmental organizations and civil society, so as to ensure the portrayal of a positive image of women.

249. The representative described the establishment of coordination structures, institutional mechanisms and information and research centres for the promotion of women, and the introduction of focal points in various ministries, which were all part of efforts to mainstream a gender perspective into all policies, programmes and public life.

250. In conclusion, the representative noted that the Government had introduced specific measures to assist particularly vulnerable women, such as women with disabilities, prostitutes, older women and women victims of violence. Measures included policies to prevent discrimination and trafficking in women and to increase the empowerment of women, through protective legislation and economic and social programmes.

Concluding comments of the Committee

Introduction

251. The Committee commends the Government of Burkina Faso on the excellent presentation of its second and third periodic reports and the objective analysis of the situation of women in Burkina Faso.

252. The Committee expresses its appreciation to the Government of Burkina Faso for sending a large, high-level delegation, headed by the Minister for the Advancement of Women. The Committee welcomes the fact that the delegation established a constructive, frank and sincere dialogue with the members of the Committee and provided, in its replies to the Committee's questions and in its oral statement, additional information and recent statistics concerning areas of concern to the Committee, namely, education, health and employment, particularly in rural areas.

253. The Committee applauds the Government of Burkina Faso for its steadfast political will and its determination to achieve progress in the status of women, despite a difficult socio-economic situation, and to explain the provisions of the Convention.

254. The Committee also commends the Government of Burkina Faso for having involved women's associations and non-governmental organizations in the preparation of its reports and for continuing to work in close collaboration with them.

255. The Committee applauds the Government for its expressed desire to ratify the Optional Protocol.

Positive aspects

256. The Committee commends the Government for having adopted new legal and institutional measures since the submission of the initial report in order to implement the Convention and fulfil its commitments vis-à-vis the international community. The Committee notes with satisfaction that the Individual and Family Code restores to women their fundamental rights and establishes the principles of equal consent to marriage, choice of residence of the spouses during the marriage and the right to succession for the surviving spouse. The Code also regulates the marriageable age and establishes monogamy as the legal form of marital union.

257. The Committee congratulates the Government on the fact that the 1991 Constitution recognizes the principle of equality and non-discrimination against women.

258. The Committee commends the Government on the fact that, as a result of the revision of the labour code in 1992, the principle of equality has been confirmed and a definition of discrimination has been established.

259. The Committee notes that the May 1996 law on agrarian and land reorganization has accorded women the same rights and conditions of access to land as men.

260. The Committee welcomes the establishment in June 1997 of the Ministry for the Advancement of Women, which demonstrates the Government's interest in the development of women's rights. The Committee also notes with satisfaction that the Ministry for the Advancement of Women has designated a focal point in all the ministries involved in the follow-up of national policies and programmes to benefit women in order to incorporate a gender-specific approach at the level of analysis and to evaluate the results achieved.

261. The Committee particularly commends the Government of Burkina Faso on the provisions and policies adopted in conjunction with all civil society to eradicate the practice of genital mutilation, which infringes on the right to personal security and the physical and moral integrity of girls and threatens their lives and health.

262. The Committee notes with satisfaction the promulgation of a provision in the penal code in 1996 which prohibits and punishes female genital mutilation.

Factors and difficulties affecting the implementation of the Convention

263. The Committee notes that the economic difficulties, resulting mainly from the scarcity of State resources and the discriminatory customary and traditional practices, which are still a heavy burden for the women of Burkina Faso, exacerbate the very high illiteracy rate and therefore hinder the implementation of the Convention.

264. The Committee also notes that all the human development indicators — particularly in rural areas — are among the lowest in the continent and constitute a serious obstacle to the implementation of the Convention.

Principal areas of concern and recommendations

265. The Committee is concerned about the prevalence of discriminatory traditions and customs which accentuate stereotypes and resist all change. These social practices, attitudes and beliefs derive from an overwhelmingly rural population with low levels of literacy and are contributing to the delay in the advancement of women.

266. The Committee urges the Government to adopt all appropriate measures and policies to develop the sociocultural climate to the benefit of women. The Committee calls on the Ministry for the Advancement of Women, with the cooperation of non-governmental organizations, intellectuals, religious leaders and the media, to encourage a change in people's way of thinking and accelerate the process of the emancipation of women through law reform, information, education and communications, particularly in rural areas, so that a change takes place in women's view of themselves and society as a whole recognizes that the participation of women is necessary for the development of Burkina Faso.

267. The Committee is very concerned about the female illiteracy rate, particularly in rural areas, which is one of the highest in the world.

268. The Committee recommends that the Government accord priority to the education of girls and women, seeking international assistance, in order to ensure and promote universal enrolment of girls and preclude dropouts. It calls on the Government to allocate more financial and human resources to the education sector, to recruit more women teachers and to ensure that school textbooks no longer carry negative images of women.

269. The Committee also recommends that, in addition to formal education, the Government should focus its efforts on informal education and the campaign against illiteracy through programmes targeted at girls and women. The Committee urges the Government to take into account the importance of civic education for women and the family and the teaching of human rights throughout the school curriculum.

270. The Committee, while welcoming the State party's efforts to analyse and identify the various forms of violence against women, is concerned about the absence of legislative texts and policies which would specifically protect women who are victims of domestic and sexual violence.

271. The Committee recommends that the Government should take adequate legislative and structural measures and provide assistance to those women. The Committee also recommends that, as in the case of the campaign to combat genital mutilation, education and awareness-raising activities on the phenomenon of violence within the family and sexual violence should be directed towards the police force, judges, health-care providers and the media, so that their efforts can be more effective. A legal education campaign directed at women is desirable, so that they are better aware of their rights.

272. The Committee is concerned about the low level of representation of women, particularly in elective bodies.

273. The Committee recommends that the State party implement temporary special measures set forth in article 4, paragraph 1, of the Convention and use a quota system in order to achieve a substantial improvement in the number of women in Parliament and increase their participation in political life and decision-making.

274. The Committee is particularly concerned about the precarious state of women's health, especially in rural areas. The high rates of maternal and infant mortality caused by infectious diseases and malnutrition result from the lack of local health-care centres and adequate health-care providers. The Committee notes with concern the lack of access for women to family planning services.

275. The Committee recommends that the Government pay particular attention to this problem in order to improve the indicators of women's health. It recommends that national reproductive health programmes be drawn up both for women and for girls in order to prevent early pregnancy and induced abortion.

276. The Committee recommends that the access of women to primary health services and drinking water be facilitated. It encourages the Government to integrate family planning services in primary health care so that women can have easier access to them. The Committee recommends that the State party organize awareness-raising and information activities for women about contraceptive measures and involve men in those activities. It also recommends that the State party review its legislation on abortion and provide for coverage by social security. The Committee further recommends that the female population be made aware of the risks and consequences of sexually transmitted diseases, including HIV/AIDS.

277. The Committee is concerned that, despite the law on agrarian and land reform, which establishes equality between men and women with regard to land, prejudices and customary rights are once again hindering the implementation of this law.

278. The Committee recommends that the State party encourage the services concerned to take into account the rights of women to property and to provide them with the necessary credit.

279. The Committee stresses, with concern, that although the laws prohibit all discrimination against women at the level of employment, men and women are segregated and differentiated at the time of recruitment and in the allocation of responsibilities, as well as in levels of remuneration.

280. The Committee recommends that, in both the public and the private sectors, the State party ensure strict respect for labour laws, and take measures to eliminate discrimination in employment.

281. The Committee notes that the Government has taken measures in the Individual and Family Code to place restrictions on the practice of polygamy, but it remains concerned that the great majority of women are unaware of these rules.

282. The Committee recommends that the Government work towards the elimination of the practice of polygamy. It recommends that it ensure enforcement of the Individual and Family Code and protect the rights of women. It also recommends that the Government embark on a comprehensive public effort, in cooperation with non-governmental organizations, directed at both women and men, to change existing attitudes regarding polygamy, and in particular to educate women on their rights and how to avail themselves of these rights. The Committee also recommends that the Government take measures to protect the human rights of women who are already in polygamous unions.

283. The Committee urges the Government to deposit its instrument of acceptance of the amendment to article 20, paragraph 1, of the Convention relating to the time of meetings of the Committee.

284. The Committee also urges the Government to sign and ratify the Optional Protocol to the Convention as soon as possible.

285. The Committee calls upon the Government of Burkina Faso to include information on the subjects of concern raised in these concluding comments in the next periodic report, which it is required to submit in accordance with article 18 of the Convention.

286. The Committee requests the wide dissemination in Burkina Faso of the present concluding comments so that the people, and particularly administrators and politicians, are made aware of the steps to be taken to ensure de jure and de facto equality for women, and the further steps required in that regard. It also requests the Government to disseminate widely, in particular to women's and human rights organizations, the Convention, its Optional Protocol, the Committee's general recommendations, the Beijing Declaration and the Platform for Action.