



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS  
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REFERENCE: BJ/follow-up/Burkina Faso/78

5 March 2021

Excellency,

In my capacity as Rapporteur on follow-up to concluding observations of the Committee on the Elimination of Discrimination against Women (CEDAW), I have the honor to refer to the examination of the seventh periodic report of Burkina Faso, at the Committee's sixty-eighth session, held in October 2017. At the end of that session, the Committee's concluding observations ([CEDAW/C/BFA/CO/7](#)) were transmitted to your Permanent Mission. You may recall that in paragraph 59 on follow-up to the concluding observations, the Committee requested Burkina Faso to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 23 (b) and (f), 25 (d) and 43 (c).

The Committee welcomes the follow-up report received with a six-month delay in May 2020 ([CEDAW/C/BFA/FCO/7](#)) under the CEDAW follow-up procedure. At its seventy-eighth session, held remotely due to the ongoing COVID-19 pandemic in February 2021, the Committee examined this follow-up report and adopted the following assessment.

Regarding the recommendation made in **paragraph 23 (b)** of the concluding observations, urging the State party to **“expedite the revision of article 14 (2) of Act No. 061-2015/CNT in order to criminalize marital rape”**

The Committee takes notes of the adoption of the law No. 025-2018/AN of 31 May 2018, which introduced a higher fine for marital rape than in the Act No. 061-2015/CNT. However, it regrets the lack of information on steps taken to criminalize marital rape. It considers therefore that the recommendation **has not been implemented**.

The Committee notes that the information provided by the State party is incomplete and fails to respond fully to the recommendation. It thus considers that the quality of the information provided is **unsatisfactory**.

With regard to the recommendation made in **paragraph 23 (f)** of the concluding observations, urging the State party to **“increase the number and coverage of shelters, especially in rural areas, and provide medical treatment, psychosocial rehabilitation and reintegration programmes and legal assistance to victims of gender-based violence”**:

The Committee welcomes the creation of a shelter in Baskuy (Ouagadougou) in 2017 which accommodated 247 victims between its creation and June 2019, as well as the preparation to open new centres in Bobo-Dioulasso and Tenkodogo. However, the Committee stresses the

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need to increase the number and coverage of shelters, especially in rural areas. Regarding medical treatment, psychosocial rehabilitation, reintegration programmes and legal assistance to victims of gender-based violence, the Committee welcomes the various initiatives in that area, including by civil society. The Committee also acknowledges with appreciation the measures taken in 2018 to train the judiciary on gender-based violence, and elaborate an action plan, protocols and guidelines for care and support of victims of gender-based violence. The Committee considers that the State party took some steps to implement the recommendation. It considers that the recommendation **has been partially implemented**.

The Committee notes that the information provided by the State party is thorough and extensive, but it fails to respond fully to the recommendation. It thus considers that the quality of the information provided is **partially satisfactory**.

The Committee recommends that, in relation to **paragraph 23** of the concluding observations, the State party provide, **in its next periodic report**, information on actions taken to:

- 1. Amend article 533-12 of the Criminal Code to criminalize marital rape;**
- 2. Increase the number and coverage of shelters, especially in rural areas, and provide medical treatment, psychosocial rehabilitation and reintegration programmes and legal assistance to victims of gender-based violence.**

In relation to the recommendation made in **paragraph 25 (d)** of the concluding observations, urging the State party to **“broaden the definition of forced marriage in article 376 of the Criminal Code to cover forced conjugal unions celebrated in traditional or religious practices.”**

The Committee welcomes the information provided by the State party about the law No. 025-2018/AN of 31 May 2018, which broadens the definition of marriage to include forced conjugal unions celebrated in traditional or religious practices. The Committee considers that the State party took significant steps to implement the recommendation. It considers that the recommendation **has been implemented**.

The Committee considers that the information provided by the State party is thorough and extensive, and responds directly to the recommendation. It thus considers that the quality of the information provided is **satisfactory**.

Regarding the recommendation made in **paragraph 43 (c)** of the concluding observations, urging the State party to **“facilitate the acquisition and retention of land and natural resources by women, including by increasing their awareness of how to claim land reserved for them, reinforcing the capacity of the commissions mandated to monitor the application of the 30 per cent quota for land earmarked for women and assisting women to file complaints about violations concerning discrimination with regard to access to land”**:

The Committee welcomes the information provided by the State party on the various measures implemented to facilitate women's participation and leadership in natural resource management and governance, including through technical trainings, in line with the 2014 – 2018 national strategy. It also welcomes the creation of measures to promote women's access to land such as the creation of village land commissions, and in particular the training in 2017 of 191 women and 191 men in the land title acquisition procedures. The Committee further takes note of the increase in the percentage of newly developed areas distributed to women. Nevertheless, the Committee regrets the lack of information from the State party on the measures taken to reinforce the capacity of the commissions mandated to monitor the application of the 30 per cent quota for land earmarked for women as well as on the measures taken to assist women in filing complaints about violations concerning discrimination with regard to access to land. The Committee



considers that the State party took some steps to implement the recommendation. It considers that the recommendation has been **partially implemented**.

The Committee notes that the information provided by the State party is thorough and extensive, but it fails to respond fully to the recommendation. It thus considers that the quality of the information provided is **partially satisfactory**.

The Committee recommends that, in relation to **paragraph 43 (c)** of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

**Facilitate the acquisition and retention of land and natural resources by women, including by increasing their awareness of the process of claiming land reserved for them, reinforce the capacity of the commissions mandated to monitor the application of the 30 per cent quota for land earmarked for women and assistwomen to file complaints about violations concerning discrimination with regard to access to land**

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,

Louiza Chalal  
Rapporteur on follow-up  
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