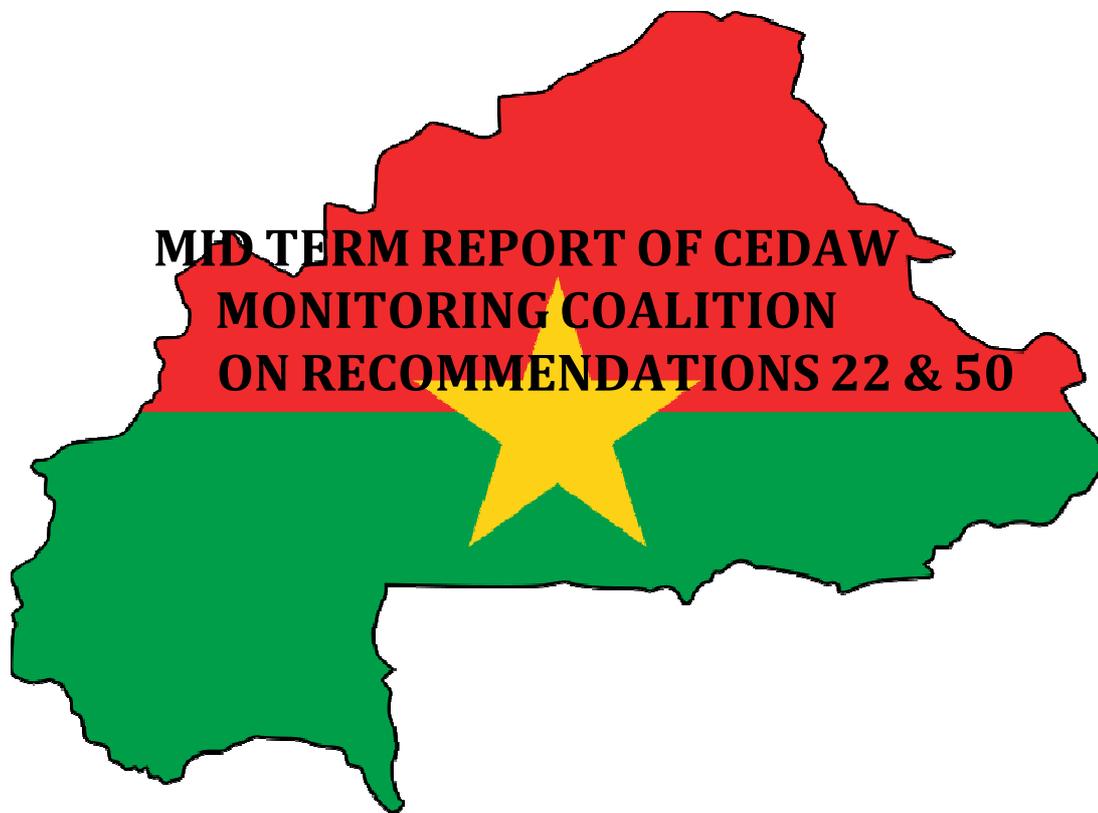


Burkina Faso

**BURKINA MONITORING COALITION OF CEDAW-
CONVENTION ON THE ELIMINATION OF ALL FORMS
OF DISCRIMINATION AGAINST WOMEN**



Drafted by the Civil Society of Burkina

*With the support of the
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ACCRONYMS

NA: National Assembly

CEDAW: Convention on the Elimination of all forms of Discrimination Against Women

CPF: Family and People's Code

MASSN: Ministry of Social services and National Solidarity

NDI: National Democratic Institute

NGO: Non Governmental Organization

CSO: Civil Society Organisation

FGM: Female Genital Mutilation

FTP: Technical and Financial Partners

VAWG: Violence Against Women and Girls

MPDH: Human Rights' Promotion Ministry

INTRODUCTION

Since the Convention on the Elimination of all forms of Discrimination Against Women-CEDAW was ratified on October 14th, 1987, the government of Burkina has published 06 reports taking stock on progress made to address inequalities between men and women, girls and boys at economic, social and political levels.

In October 2010, when the government was sharing their 6th report at the 47th session of CEDAW committee in Geneva, Burkina monitoring coalition which includes 19 CSOs has presented a consensus-built report for the first time.

This report gives a critical analysis of government's 6th report covering 2001-2006.

Subsequent to this session, CEDAW Committee has submitted to the government forty recommendations for consideration. Some 2 years later, Burkina government was expected to update the implementation status of recommendations 22 and 55 focusing respectively on violence against women and girls and repealing laws which discriminate women.

Also, the CEDAW Coalition has committed to monitor the implementation of the 2 recommendations and submit of a mi term report to CEDAW committee.

This is a report on a findings from monitoring some concerns raised and which were subject of recommendations from the CEDAW committee to the government.

I. METHODOLOGY IN THE REPORTING PROCESS

1. Work flow

The mid-term report is subsequent to a monitoring process of initiatives undertaken by the Burkina government to implement the 2 recommendations from 2010 to 2012. CEDAW coalition has been effective through a technical system put in place to:

- Identify and monitor initiatives of the public institutions -government, national assembly, judiciary branch to address concerns raised in recommendations 22 & 50.
- Gather with various sources, some relevant information to develop the mid-term report in accordance with commitment made in 2010.

This mid-term report was drafted by a team of men and women set up by the Coalition. This drafting committee was tasked to collect from various stakeholders – institutional, organisational, resource people, data on any new initiative undertaken in connection to recommendations 22 and 50. Thereafter, the drafting committee has produced a draft report for sign off by the General Assembly of CEDAW Coalition.

2. Data collection process

The Coalition has set up an information monitoring system to keep abreast of major initiatives carried by public authorities in relation to the 2 recommendations. This system has led to an engagement of not only the drafting committee which played a coordination role but also the member organisations which were assigned specific tasks.

The gradual data collection process has allowed to:

- Carry out literature review of written documents produced by the public players
 - interview resource people from ministries and institutions to provide additional information or explain further the initiatives we identified;
 - task each Coalition member-based on their specific area of work, to collect data on any new measure identified from 2010 to 2012 and implementation level of such initiatives

- Break each recommendation into various concerns to measure the extent to which these were factored in by the efforts and initiatives of the authorities.

3. Report development approach

Findings from our research have been used to map out the following key stakeholders involved in implementing CEDAW in Burkina:

- The government,
- National Assembly,
- Legal institutions,
- Opinion leaders,
- Civil society organizations.

II. MONITORING OF RECOMMENDATION N°22

1. Content of recommendation 22.

«The Committee maintains the previous recommendation in full and, in accordance with general recommendation N. 19, calls on the State Party to pass a law on violence against women, including domestic violence; this will ensure that such forms of violence are banned and punished; immediate measures exist to protect victimized girls and women or remedy the situation and finally, that the guilty are prosecuted and punished. The Committee therefore calls on the State Party to give paramount importance to implementation of global measures taken to address all forms of violence against girls and women. The Committee invites the State Party to provide legal assistance to victims. The State Party is also recommended to raise awareness and train public and judicial authorities and in particular law enforcers, health workers, social workers and the grand public; the State Party is also advised to sensitize and share information on the fact that all forms of violence against women are unacceptable and to provide appropriate support to victims. The Committee furthermore reiterates to the State Party its recommendation to provide houses and counselling/advisory services to those victims of violence»

2. Key concerns raised under recommendation N°22

In the opinion of the Coalition, this recommendation deals with any government initiative linked to one or many of the below:

- 1- General recommendation N° 19 in full
- 2- Enacting laws on violence against women, including domestic violence
- 3- Providing immediate measures/means to protect victimized girls/women
- 4- Applying sanctions to those found guilty of VAWG
- 5- Global measures against all forms of violence;
- 6- Providing legal aid or assistance to victims;
- 7- Awareness raising and training sessions for the public and judicial authorities, law enforcers, health and social workers, community leaders and the grand public;
- 8- Briefing/sensitization sessions on the unacceptable nature of any form of violence against women and girls;
- 9- Providing houses/centres, social services, advisory support to victims of violence.

3. Update on how above concerns have been considered

a. The Government -concerns 3, 7 and 8.

- **MPF –Women’s Empowerment Ministry**

Briefing, discussions and sensitization sessions held on Violence Against Women and Girls (VAWG):

- Gender-focused thematic groups created in ministries in 2011-2012;
- 2011: rally for peace and against VAWG;
- 25th November 2011: Global Campaign titled «fighting VAWG: early and/or arranged marriage of girls» for Elimination of VAWG;
- 2012: meeting of the MPF with religious and traditional leaders on VAWG with particular focus on polygamy;
- 2012: training communities from 13 regions on VAWG;
- July 2012: study on more legal instruments on VAWG.

- **MASSN – Ministry of Social Welfare and National Solidarity**

- Training religious and traditional leaders on early marriages in 5 regions including: Central-South, Central-East, Sahel, East and Central-North;
- Set up of various networks: opinion leaders (religious and traditional), CSO and medias to fight FGM in Burkina Faso;
- Measures in place to specifically protect women and infant children in 2009 (security task force), availability of toll-free numbers: 10.10; 17 and 80.00.11.45 for reporting all violence cases;
- A national action plan (2012-2016) against social exclusion of people accused of witchcraft. This plan includes rehabilitation of equipment and drop-in centres for use by the marginalized.

- **MDHPC –Ministry of Human Rights and Civic Education**

- «Human rights watch centres» or counselling centres in some regions of BF
- 2011: rally against exclusion of women accused of witchcraft organised by the CNDH -national Commission for Human Rights.

- **MATDS –Ministry of Security, decentralisation and Local Governments**

- Toll-free phone lines made available to fight insecurity and organized crime
- ‘within reach police’ to support police force in 13 regions of Burkina to help secure people and assets in rural, semi urban and urban settings and in production areas.

- **MESRS-Ministry of Scientific research and higher education ministry**

2009: set up of a national council against violence in schools and universities.

National Assembly (concerns 2-5-8)

2011:

- Establishment of a partnership with the CEDAW coalition;
- Bill issued by the national assembly on violence against women and girls
- Organization of two (2) seminars for parliamentarians in April 2011 on a) the role of parliament in CEDAW implementation and b) the enactment of laws to fight VAWG for Central and West Africa Parliaments.

2012:

- After advocacy efforts of female politicians (MPs, women in political parties, opinion leaders, CSO leaders, etc.) the Parliament has elected to enshrine gender in the constitution at a workshop held on May 4th, 2012.

b. Judicial Institutions (concern 4)

- Institute hearings to deal with actual time violence
- Statistics say that in 2010, twelve people got sentenced for robbery against 20 found guilty for FGM; things have improved in 2011: 13 and 16 people respectively for robbery and FGM (source: ministry of justice statistics, 2011)
- New cases recorded in the public prosecutors' offices: 179 cases of robbery and 20 FGM in 2010 against 115 for robbery and 23 FGM in 2011 (source: ministry of justice statistics, 2011);
- 2010 and 2011: respectively 188 and 137 people were charged and imprisoned for robbery (source: ministry of justice statistics, 2011)

c. Opinion leaders (concern 1, 5 and 8)

- Appeal of Mogho Naaba Baongo (Mossi emperor) to all his constituency leaders to a) not exclude women accused of witchcraft and b) reintegrate/rehabilitate those who are already victims;
- 2012: Larlé Naaba (a minister of the Mossi emperor) gave a presentation at the National Assembly on the involvement of authorities in fighting FGM.

d. Civil society (concerns 2, 3, 5, 6, 7 and 8)

Rally against exclusion of people accused of witchcraft organized by the « Peace and Justice» group.

■ Update on work undertaken by CEDAW coalition:

- 2010: CEDAW Coalition members received a feedback of the recommendations made by the CEDAW Committee;
- 2010: roundtable to feedback the recommendations to various representatives from government, national assembly, financial and technical partners;
- March 2011: CEDAW Coalition participated in parliamentarian seminars on CEDAW and VAWG. This was an opportunity to share our concerns with MPs and CSO representatives from Central and West Africa regions;

- Presentation on the strengths and weaknesses of the legal instruments related to VAWG during seminars funded by IPU;
- 2 presentations on CEDAW and VAWG during parliamentarians' seminars;
- 2011: involved in a video conference during the International Conference on human rights organized by CIVICUS, Montreal;
- 2012: a simple module on CEDAW was developed to be used for briefing, sensitization; French language used in this module was simplified to meet the education level in rural Burkina;
- 2012: trips to popularize CEDAW and recommendations of the Coalition in various regions: East, Hauts Bassins, Boucle du Mouhoun, Sahel and South West. Target groups were local authorities, local CSO and media.
- 25 October 2012: strategic partnership with the MPF;
- 2012: participated in the drafting process of a bill on VAWG.

■ update on the work carried by member organisations of CEDAW Coalition in 2010-2012:

- System put in place by an association called ADEP (young girls' support and awareness raising Group) to assist girls who are victims of violence in general, particularly in schools;
- ADEP has organized 337 sensitization talks on various themes including early and arranged marriages, sexual harassment of girls in schools, sexual and reproductive health, hygiene and FGM;
- Judicial and legal assistance by Coalition members such as AFJ/BF –Burkina lawyers' associations; MBDHP –Burkina movement on people's and human rights; Voix de Femmes;
- AFJ/BF built the capacities of national CSO on CEDAW and other national and regional instruments related to women's rights –e.g. Protocol to the African charter of people's & human rights which is linked to Africa women's rights;
- Information, communication et sensitization session on CEDAW in 3 provinces in Central South region by the national CSO council;
- December 2012: training provided by AFJ/BF to the law practitioners and police detectives on the national, regional and international instruments related to protection of women's rights;
- Advocacy day held by AFJ/BF for judges on the theme "human rights and gender based violence";
- AFJ/BF developed and broadcast 06 TV programmes called "Parlons-en" focusing on themes like marriages, marital status, parentage, divorce, access of women to justice, etc.;
- Equipment providing to 3 counselling and monitoring centres and legal assistance by MASSN in Central, Central East and Sahel regions. A firm of barristers which is partner of AFJ/BF has provided legal assistance to women seriously stricken by violence;
- In 2011, seventy-seven people have used the services of AFJ/BF. Some victims have directly liaised with AFJ/BF while others were guided by ministries such as MPF, MASSN and bodies like MBDHP

- July 2011: 30 AFJ/BF members trained on rural land and the national policy on protecting rural land
- May 2011: 30 AFJ/BF members trained on the right to sexual and reproductive health
- 2 studies on the needs of 2 counselling/monitoring and legal support centres (MASSN, MPF, MPDH), construction by the AFJ/BF of 2 drop-in centres at central level and 2 other assistance centres in the Central, Central East and Sahel regions.
- November 2010: 4 conferences organised by COAFEB (Women NGOs and Associations in BF) on women's rights
- CBDF (Burkina Coalition for Human Rights) trained women on how to organise campaigns to fight VAWG, training of female leaders on rural land in 3 Local Governments, lobbying opinion leaders in 15 Local Governments to secure women's access to land;
- 2011-2012 Progress report on human rights, debates on women's rights, advisory support from MBDHP-Burkina movement for people & Human's rights
- Training workshop of media professionals on VAWG
- A play produced by MMF/ANBF and called « Torments of Women»
- Feeding back the research findings on articles produced by CEDAW (MMF/ANB, WILDAF et AFJ/B)
- Training on VAWG - MMF/ANBF;
- 2012: training the youth on early marriages and parenthood by RAJS/BF – African Youth Network for health and Development in Burkina;
- Voices of Women (Voix de Femmes) trained local authorities (of both sexes) on FGM, human rights and on national, regional and international legal instruments
- Training for 300 adolescent girls to understand sexual and reproductive health, hygiene and health, financial management to help them exercise their rights
- 2010 to 2102: advocacy to eliminate FGM. These efforts have led to public announcement for ending FGM in the rural Local Government of Pabré.
- Mwangaza Action held debates and projected a film followed by discussions on human rights and gender equity
- May 7th, 2011 in Boussouma: public announcement to give up FGM witnessed by 104 communities from Sanmantenga, Ganzourgou provinces

III. MONITORING OF RECOMMENDATION N°50

1. Content of the recommendation

*CEDAW committee seeks from the State Party to remove all laws related to the family which are discriminatory and reiterates its previous recommendation which is to remove from the Code the provisions on polygamy (articles 257-26) in compliance with articles 16 and 14 of the Convention on the child's right and building on the committee's general recommendation Number 21. The Committee expects the State Party to accelerate legislative reforms of the Family and People's Code and consider 18 as the minimum legal age for men and women to marry (article 238) to ensure equal laws in families. The Committee expects the State Party to take all legal and any relevant measures against child marriage (**Coalition's recommendations 1 and 2**)*

2. Key concerns raised under recommendation 50

To the opinion of the Coalition, this recommendation deals with any government initiative linked to one or many of the below:

1. Repeal of all discriminatory laws which affect women in the family
2. Remove from the Code the provisions on Polygamy (articles 257-26) in accordance with articles 16 and 14 of the Convention on the child's right and building on the committee's general recommendation Number 21
3. Accelerate legislative reforms of the Family and People's Code and consider 18 as the minimum legal age for men and women to marry (article 238) to ensure equality regarding family laws.
4. Take all legal and any relevant measures to fight child marriage.

3. Update on how above concerns have been considered

a. Repeal all discriminatory laws which affect women in their families

✓ Government level

- October 2012: the MPF has carried a study on the review of the Code provisions and organized feedback workshop. *At the feedback workshop, polygamy was a hot discussion issue.*

✓ National Assembly

- 2011: the national seminar of parliamentarians on CEDAW has recommended to increase the marriage age of girls and to review provisions of the Code which are discriminatory.

✓ **Civil society**

▣ **CEDAW coalition**

- 2010- 2012: recommendation of CEDAW to repeal discriminatory laws was followed by sensitization and advocacy at government and parliament levels.

▣ **Work carried out by the Coalition members from 2010 to 2012**

This mainly includes awareness raising, advocacy and data collection:

- 2012: AFJ/BF: research commissioned by the MPF on reviewing the People and Family Code
- Sensitization of communities through radio and TV programmes on laws related to the Family and People's Code, rural land in Burkina Faso;

b. Remove from the Code provisions on polygamy (articles 257-26) in accordance with articles 16 and 14 of the Convention on the child's right and building on the committee's general recommendation Number 21.

✓ **Government**

- process is ongoing, especially after the October 2012 research by the MPF on reviewing the discriminatory provisions in the Code

✓ **Civil Society**

▣ Work undertaken by CEDAW Coalition and CSO members:

- 2010: CEDAW committee recommendations were disseminated at the round table of national and international partners and this gave a big push to the legislative reforms of the Family and People's Code;
- .
- 2011: lobbying MP women at national and international seminars of parliamentarians to remove provisions of the Code on polygamy

c. Accelerate legislative reforms of the Family and People's Code and consider 18 as the minimum legal age for men and women to marry (article 238) to ensure equality of laws in families.

✓ **Government**

MPF

- 2012: commissioned 2 studies on a) review of discriminatory laws in Code and b) passing more legal instruments to fight violence against women and girls in Burkina.

✓ **National Assembly**

- National & international level seminars of parliamentarians with focus on compliance to conventions ratified by Burkina Faso

✓ **Opinion leaders**

- Awareness raising for their peers and communities to ban early marriages.

✓ **Civil society**

CEDAW Coalition and CSO members:

- 2010: CEDAW committee's recommendations disseminated at the round table of national and international partners and this gave a big push to the legislative reforms of the Family and People's Code
- 2011-2012: popularization of CEDAW and the Committee recommendations during briefing sessions and sensitization visits in rural and urban Local Governments in 45 provinces of the country.

4. Take all legal and any relevant measures against child marriage

✓ **Government**

- **MDHPC – ministry of Human rights, women empowerment and civil education)**
- 2011: ongoing reforms on increasing and harmonizing the age of marriage
- **MASSN-ministry of solidarity and social welfare:**
- 2011: training on early marriages for religious and traditional leaders from five regions -Central South, Central East, Sahel, East, Central North.

✓ **National Assembly**

- 2011: reforms on increasing and harmonizing the age of marriage.

✓ **Les leaders d'opinion**

- Awareness raising for their peers and communities to ban early marriages.

✓ **Civil society**

☒ CEDAW Coalition and CSO members:

- At the April 2011 parliamentary seminar, the National Assembly chair person was lobbied to pass new laws on the age of marriage in Burkina Faso.
- Briefing and sensitization on the legal age to marry in Burkina.

IV. REVIEW OF THE IMPLEMENTATION STATUS OF RECOMMENDATIONS N° 22 AND 50

1. Public authorities' efforts under recommendation 22

N°	Concerns	Actions undertaken	Comments
01	General recommendation N. 19 in full	Process on passing laws to fight VAWG: <ul style="list-style-type: none"> ✓ local 'within reach/or informal police' to support the police, security task force in place, toll-free telephone line, human rights watch/monitoring centres, intelligence bodies, gender work group in ministries ✓ Hearings to deal with actual time violence, rallies, awareness raising sessions, studies 	Some measures exist but are not enough given that VAWG still goes on and even worsens. Immediate, visible and appropriate sanctions are still missing <i>E.g.: In the first 6 months of 2011, we recorded many cases of rapes? during social events</i>
02	Enact laws on VAWG, including domestic violence	<ul style="list-style-type: none"> ✓ Process is on-going with a bill sent to government in 2012 	Good progress at the level of National Assembly which took the initiative but law yet to be enacted. <i>Must follow up the process with the newly established National Assembly. Harmonize approaches between MPs and the Gender and Women Empowerment ministry.</i>
03	Provide immediate measures to protect women/girls who are victims of violence	Creation of counselling/advisory support centres, 'within reach police', security task force	<i>Limited number of centres given the scope of the issue (exclusion of girls for undesired and/or early pregnancies and women accused of witchcraft).</i>
04	Punish those found guilty of violence against women and girls	Availability of regulations which punish offenders (cases of FGM).	Inadequate, not properly applied and not specifically related to women <i>Public authorities must do more to ensure effectiveness of agreed measures.</i>

05	Provide legal aid to victims	Availability of legal assistance provisions	Insufficient and not yet implemented
06	Hold training and awareness raising sessions for the public and judicial authorities, law enforcers, health workers, social workers, community leaders and the general public.	A few training sessions organized	Sessions are insufficient and need more fine-tune tools and appropriate methods to get buy-in from people.
07	Create reception/accommodation centres, provide social services for victims of violence	Counselling centres set up by MPDH and reception/accommodation centres by MASSN	<i>The centres have limited coverage and must be better coordinated and communicate more effectively</i>

2. Public authorities' efforts under recommendation 50

N°	Concerns	Actions undertaken	Comments
01	a) Repeal all discriminatory laws which are discriminatory against women	Ongoing amendment of the Code	<i>Process is slow. Political will exists but also reluctance and resistance from some pressure groups like religious and traditional leaders.</i>
02	Eliminate provisions of the Code on Polygamy (articles 257-26) in accordance with articles 16 and 14 of the CEDAW Convention on the child's right and building on the committee's general recommendation Number 21	Ongoing amendment of the Code	Removing polygamy from the Code has faced many and various challenges which may bring the process to a failure.
03	Accelerate legislative reforms of the Family and People's Code to consider 18 as the minimum legal age for men and women to marry (article 238) to ensure equality in family laws.	Ongoing amendment of the Code	Slow process with some reluctance here and there.
04	Take all legal and any relevant measures against child marriage	Ongoing amendment of the Code	Slow process with some resistance here and there.

CONCLUSION

Over the 2 years of monitoring CEDAW implementation, we see a lot of achievements by the State and non State stakeholders in terms of awareness raising, information, training and advocacy.

Joint initiatives involving State institutions, NGOs, CSOs and financial and technical partners have been undertaken to fight violence against women and girls.

This impetus born from this strategic partnership has resulted in greater engagement of all stakeholders to promote and protect women's rights.

However, there still are issues (such as early and/or arranged marriages, polygamy) which require further awareness raising so that these are not perceived as taboos. Also some of the government initiatives must be followed up to ensure they are effective in addressing the concerns raised. Efforts must continue towards enactment and implementation of legal regulations.

Building on what many local NGOs achieved in terms of sensitizing communities and reducing some forms of violence, we must ensure adequate linkages between public initiatives and our actions if we are to achieve a bigger impact.

It is the intention of CEDAW Coalition to continue their monitoring efforts and develop new partnerships to keep going, especially with NDI support coming soon to an end.

ANNEXES

Membership of the Country Coalition following up CEDAW implementation

N°	Name of Organisation
1	ADEPROH Association pour la Défense et la Promotion des Droits des Personnes Handicapées- Association for Promoting and defending the Rights of the Disabled
2	AFJ/BF Association des Femmes Juristes du Burkina Faso –Association of Female Lawyers in Burkina
3	APAC Association des Professionnelles Africaines de la Communication –Association of media professionals
4	CBDF Coalition Burkinabé pour les Droits de la Femme-Burkina Coalition for Women’s Rights
5	CNOSC-BF

	Conseil National des OSC du Burkina Faso –National CSO Council
6	COAFEB Coordination des ONG et Associations des Femmes du Burkina –Representative of Committee of Burkina Faso Women’s Associations and NGOs
7	CRIGED Centre de Recherche et d’Intervention en Genre et Développement –Research Centre on Gender and Development
8	FAWE/Burkina Forum des Educatrices Africaines du Burkina –Forum for African Women Educationalists
9	GTFEP Groupe de Travail pour la Promotion de la Femme en Politique –Working Group on Promotion Women in Politics
10	MBDHP Mouvement Burkinabé pour les Droits de l’Homme et des Peuples-Burkina Movement for Human and People’s Rights
11	MMF/ANBF Marche Mondiale des Femmes / Action Nationale du Burkina Faso –Women’s World Rally/Burkina representative
12	ONG Voix de Femmes
13	RAJS/BF Réseau Africain Jeunesse Santé et Développement / Burkina Faso –African Network on Youth, health and Development
14	RECIF/ONG Réseau de Communication d’Information et de la Formation des Femmes dans les ONG au Burkina Faso –Communication, Information and Training Network for Women working in NGOs in Burkina
15	WILDAF/FEDDAF- BURKINA Women in Law Africa and Development in Africa /Femmes, Droit et Développement en

	Afrique
16	ADEP Association d'Appui et d'Eveil Pugsada
17	Coalition FIMBA pour le genre
18	ONG Mwangaza Action
19	AGI –F EM Association Agir pour le développement économique et social de la Femme

Members holding an observer status:

1. CIEFFA : Centre International pour l'Éducation des Femmes et des Filles en Afrique-
International Centre for Girls and Women's Education in Africa
2. SP/CNLPE : Secrétariat Permanent du Comité National de Lutte contre la Pratique de
l'Excision-Permanent Secretariat of the national Committee Against FGM.