



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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REFERENCE: CAT/Follow-up

4 November 2021

Excellency,

In my capacity as Rapporteur a.i. for Follow-up to Concluding Observations of the Committee against Torture, I have the honour to refer to the follow-up to the examination of the second periodic report of Burkina Faso, in accordance with the Guidelines for follow-up to concluding observations (CAT/C/55/3).

At the end of its 68th session held from 11 November to 6 December 2019, the Committee transmitted its concluding observations to your Permanent Mission. The Committee's concluding observations (CAT/C/BFA/CO/2, para. 29) requested the State party to provide within one year further information on the specific areas of concern identified in paragraphs 18 (a), 22 (a) and 26 of the concluding observations.

On behalf of the Committee, allow me to express appreciation for your letter of 4 August 2021 providing your Government's response to the above-mentioned paragraphs (CAT/C/BFA/FCO/2) and to make the following comments:

Actions of non-State armed groups (para. 18 (a) of the Committee's concluding observations)

The Committee takes note of the information provided by the State party regarding the recruitment of additional police officers, soldiers and prison staff. However, it remains concerned about ongoing reports of numerous grave crimes committed by the self-defence groups, commonly known as "Koglweogo". Moreover, according to the information before the Committee, in January 2021 the National Assembly passed the Volunteers for the Defense of the Homeland law, which provides funding and training to vigilante militias, such as Koglweogo (1/E).

.../...

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Conditions of detention (para. 22 (a) of the Committee's concluding observations)

The Committee takes note of the information provided by the State party on the criminal proceedings initiated against nine police officers in relation to the deaths of 11 prisoners detained on the night of 14 to 15 July 2019 at the anti-drug unit in Ouagadougou. It would appreciate receiving further information on the outcome of the criminal proceedings against the accused in this case, as well as the measures taken by the State party to prevent such incidents in the future. In this connection, the Committee would also appreciate detailed information on the outcome of the investigations and on disciplinary and criminal proceedings concerning the death of 12 men in gendarme custody in Tanwalbougou who had been detained on 11 May 2020 during a counterterrorism operation near Fada N'Gourma.

The Committee appreciates the efforts made by the State party to reduce overcrowding and to improve health-care services and material conditions of detention in prisons and other places of deprivation of liberty, including police holding cells. Nevertheless, it regrets that the State party's follow-up replies do not include information on the allocated budget for the implementation of the penitentiary administration strategic development plan adopted in May 2021 (2/B2).

National mechanism for the prevention of torture (para. 26 of the Committee's concluding observations)

The Committee welcomes the designation of the National Human Rights Commission as the national preventive mechanism under the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. It also takes note of the information provided by the State party regarding the budget and staffing resources allocated to the National Human Rights Commission, but would appreciate receiving additional clarifications on the number of full-time staff assigned exclusively to tasks and activities related to the national preventive mechanism, as well as the specific financial resources allocated to it. In this regard, the Committee calls on the State party to ensure that the mechanism has the necessary resources to fully carry out its mandate effectively and independently, in conformity with the provisions of the Optional Protocol to the Convention (2/B2).

Implementation plans (para. 29 of the Committee's concluding observations)

Lastly, the Committee notes that the State party has not provided information about its plans for implementing, within the coming reporting period, the other recommendations included in its concluding observations (C).

The Government of Burkina Faso is encouraged to provide additional information, if there is any, which would further contribute to the Committee's analysis of the progress made regarding the specific issues of concern cited above. This additional information may be provided in any subsequent report by the State party pursuant to the Committee's request in its concluding observations on the second periodic report of Burkina Faso or other future periodic reports.



The Committee looks forward to a continued constructive dialogue with the authorities of Burkina Faso on the implementation of the Convention.

Accept, Excellency, the assurances of my highest consideration.

p.p.

A handwritten signature in black ink, appearing to be 'B.T.' followed by a long, sweeping flourish.

Bakhtiyar Tuzmukhamedov
Rapporteur a.i. for follow-up to concluding observations
Committee against Torture