



NGO Submission to the Human Rights Committee (Burkin Faso's Compliance with the ICCPR on Digital Rights and Inclusion)

Submitted by the *African Internet Rights Alliance (AIRA)*

For Consideration at the Review of Burkina Faso's Second Periodic Report under the ICCPR at the 143rd session.





I. General information on the national human rights situation, including new measures and developments relating to the implementation of the Covenant

1.1 Overview of Digital Rights in Burkina Faso

Burkina Faso has faced significant challenges in upholding digital rights, particularly concerning freedom of expression, press freedom, and internet accessibility. Recent political instability, including multiple coups, has exacerbated these issues, leading to increased censorship, surveillance, and restrictions on media outlets.

1.2 Burkina Faso's International and Constitutional Obligations on Digital Rights

As a party to the International Covenant on Civil and Political Rights (ICCPR), Burkina Faso is obligated to uphold rights such as freedom of expression (Article 19) and privacy (Article 17). The country's constitution also guarantees these rights; however, recent actions by the government have raised concerns about their commitment to these obligations.

1.3 Legal and Policy Framework on Digital Rights

The legal framework in Burkina Faso includes provisions that can be used to restrict digital rights. For instance, the law permits a judge, at the request of a prosecutor, to block internet websites or email addresses being used to spread “false information,” which can be subjectively interpreted and potentially abused to suppress dissent.¹

II. Specific information on the implementation of articles 1 to 27 of the Covenant

2.1 Article 19: Freedom of Expression & Access to Information

In recent years, Burkina Faso has seen a decline in press freedom and freedom of expression. Some examples include:

¹ USAID “2023 Country Reports on Human Rights Practices: Burkina Faso”, <https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/burkina-faso/>



- **Suspension of Media Outlets:** In April 2024, the government suspended the broadcasts of Voice of America (VOA) and the BBC, accusing them of undermining the morale of the armed forces through their coverage of militant violence.²
- **Harassment of Journalists:** Journalists have faced intimidation and abduction. For example, in June 2024, Atiana Serge Oulon, the publishing director of the investigative newspaper L'Evenement, was reportedly abducted by armed men posing as secret service agents. Following this incident, the newspaper suspended its publication due to safety concerns.³

2.2 Article 17: Right to Privacy, Data Protection & Surveillance

The government's actions have raised concerns regarding the right to privacy:

- **Internet Monitoring:** The Superior Council of Communication (SCC) monitors Internet websites and discussion forums to ensure compliance with existing regulations, which can lead to self-censorship among users.⁴

2.3 Article 21 & 22: Freedom of Assembly and Association in the Digital Space

The government's restrictions have also impacted digital assembly and association:

- **Internet Disruptions:** In November 2021, the government restricted cellular connectivity for eight days amid anti-government protests, hindering citizens' ability to organise and communicate.⁵
- **Censorship of Online Content:** Authorities have the power to block websites or email addresses deemed to be spreading false information, which can suppress legitimate dissent and assembly online.⁶

² VOA “Burkina Faso suspends VOA, BBC/Africa broadcasts”

<https://www.voanews.com/a/burkina-faso-suspends-voa-bbc-africa-broadcasts/7585907.html>

³ Reuters, “Burkina Faso newspaper suspends publication after reported abduction of journalist”

<https://www.reuters.com/world/africa/burkina-faso-newspaper-suspends-publication-after-reported-abduction-journalist-2024-08-15>

⁴ USAID “2023 Country Reports on Human Rights Practices: Burkina Faso”,

<https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/burkina-faso/>

⁵ Freedom House, “Freedom on the Net Report 2022 - Burkina Faso”,

<https://freedomhouse.org/country/burkina-faso/freedom-world/2022>

⁶ Reporters Beyond Borders, “Burkina Faso blocks access to nine more news sites, bringing banned media total to 13”

<https://rsf.org/en/burkina-faso-blocks-access-nine-more-news-sites-bringing-banned-media-total-13>



III. Key Concerns & Violations

1. **Suppression of Press Freedom:** The suspension of media outlets and harassment of journalists undermine freedom of expression.
2. **Internet Restrictions:** Disruptions to connectivity during protests limit freedom of assembly and access to information.

IV. Recommendations to the Human Rights Committee

1. **Protect Press Freedom:** Refrain from suspending media outlets and ensure journalists can operate without fear of harassment or abduction.
2. **Ensure Privacy Rights:** Amend laws to require warrants for surveillance activities and establish oversight mechanisms to prevent abuse.
3. **Maintain Internet Access:** Commit to keeping the Internet accessible, even during times of protest or unrest, to uphold freedom of assembly and expression.

V. Conclusion

Burkina Faso faces significant challenges in upholding digital rights as outlined in the ICCPR. The government should take immediate steps to align its policies and practices with its international obligations, ensuring that all citizens can enjoy their rights to freedom of expression, privacy, and digital inclusion.

About Reporting Organisation

The African Internet Rights Alliance (AIRA) is a coalition of 10 leading internet rights CSOs in Africa with a strategic focus on influencing regional and global policies and addressing critical digital rights challenges emerging on the continent, particularly around issues of network disruptions, information integrity, and the protection of digital rights in electoral and democratic processes.

Our key goals are to build a rich and Afro-centric network of stakeholders and promote collaborative learning, peer support, and actionable policy engagement.

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