



Article 9	11
Article 10	11
Article 11	13
Article 12	16
Article 13	20
Article 14	22
Article 15	25
Article 16	25
Annex	29
Abbreviations	30

themselves to taking such measures as they deemed appropriate to put an end to this practice, unfortunately still widespread, which is both unacceptable and in breach of

(b) Ownership of land

Under article 341 of the preliminary draft penal code, any man who, having entered into a monogamous marriage, enters into another before the first is dissolved, is sentenced to three months to a year in prison with a fine of 50,000 to 300,000 francs.

Article 382 of the preliminary draft penal code rectifies the discrimination that used to be practised against women in cases of adultery. In future, men and women will be treated equally in terms of adultery and desertion.

However, even though women enjoy legal protection in the same way as men, socio-cultural lag, traditional practices, reticence, ignorance of the law, illiteracy, the cost of legal action and the geographical remoteness of the courts all limit their access to justice.

There is no doubt that an awareness campaign about women's rights conducted jointly with women's associations and non-governmental organizations would help them break out of their reserve, as the traditional methods of settling lawsuits do not always favour them.

One may also deplore the absence in substantive law of appropriate measures to combat discriminatory acts and practices by the State, which are ever-increasing in number whether in public administrations, in semi-public and para-military administrations, in public or in private companies, in international organizations and diplomatic missions, or at the individual level, despite the proclamation of the principle of non-discrimination. So, what is to be done to make sure that this principle becomes effective? Setting quotas for female staff in public and private jobs could be considered an incentive.

Article 3

In Burkina Faso, there has been a positive trend over the last decade in national awareness about the status of women. Thus, programmes and an action plan have been set in motion at the political level with a view to the sustainable promotion of women's social and economic development.

In this connection, the Department of the Promotion of the Family, which was set up within the Ministry for Social Affairs and the Family, has as its fundamental mission stimulating and coordinating all legislative, administrative and economic measures aimed at promoting women's status, and providing follow-up to all activities relating to the implementation of those measures.

Alongside the administrative structure provided by the Department for the Promotion of the Family, there are many associations and non-governmental organizations which are also endeavouring to promote women's status and whose

fundamental goals are to keep a watchful eye on the observance of women's rights and freedoms and to contribute to the genuine integration of women into the development plans and policies put in place by government authorities. We would, however, note that there are certain inadequacies in terms of the administrative structure that have to do with a lack of social indicators that would make it possible to measure the impact of the services provided to the various groups in the population, and with a lack of human and material resources.

Article 4: Temporary special measures and special measures aimed at accelerating de facto equality between men and women

1. Temporary special measures

Such temporary measures include the following:

- The Bantaaré operation, through which 17,000 women received literacy training in 1988;
- A workshop for consultation between His Excellency the President and the women of Burkina Faso (Koudougou, 18 and 19 June 1994);
- The distribution, free of charge, of 13,000 textbooks to

- Adoption of Act No. 013/96/ADP on education guidance;
- Adoption of Act No. 33/94/ADP on the Public Health Code;
- Adoption of *Raabo* (Decree) No. AN IV-244/EDUC/IPB introducing population education into school curricula in Burkina Faso;

Article 5: Modification of social and cultural patterns of conduct with a view to eliminating

various disciplines and professional specializations is aimed at the following objectives:

- Acquisition of knowledge, attitudes and values that promote behavioural changes in relation to population problems;
- Application of skills to improve individual and collective quality of life;
- Implementation of a national plan of action to combat the practice of excision by making the population aware of the consequences of practices which are harmful to the health of women and children.

These measures have had the following impacts on the population's social and cultural conduct in relation to issues concerning women:

- Increased awareness concerning women's situation of inferiority to men;
- Changes in behaviour and mentality in relation to population problems (excision, women's rights, family planning, sexually transmitted diseases);
- Improvement of women's living conditions;
- Strengthening of knowledge concerning health, social,

Measures:

to study prostitution;

elaborate information, awareness and socio-economic rehabilitation programmes for prostitutes;

- 1986: Promulgation of the Act of 13 April 1946 prohibiting, by decree, soliciting by prostitutes;

establishments, bars, dance halls and cinemas;

- *Raaba*No. AN VII-000526/FP/SAN-AS/SEAS/MAT

- Follow-up visits to certain provinces and gold mines;
 - Job placement for some prostitutes;
 - Involvement of prostitutes in the various steps taken by the authorities;
 - Involvement of prostitutes in certain national events (commemoration of national holidays);
 - Organization of a training seminar on family life education (10 prostitutes took part);
 - Revision of regulations on hiring in drinking
- Poor functioning of the provincial commissions owing
 - Reluctance of some prostitutes to use condoms;
 - Poverty and unemployment among girls;
- visual, etc.), which has affected the implementation of some activities.

Number of women high commissioners and mayors

Years	High Commissioners		Mayors	
	Men	Women	Men	Women
1985–1987	24	6	106	2
1987–1993	25	5	89	19
1994	30	0	89	19

Source: Ministry of Territorial Administration

Number of deputies during the parliamentary regimes in Burkina Faso, by sex

Deputies	1978/per cent		1992/per cent	
	Men	Women	Men	Women
Men	56	98.25	103	96.27
Women	1	1.75	4	3.73
Total	57	100.00	107	100.00

Participation of women in the highest State functions

Years	Ministers		Deputy Ministers		Ambassadors		Secretaries-General	
	Men	Women	Men	Women	Men	Women	Men	Women
1980	15	1			19	—	16	—
1985	19	3			18	1	21	1
1994	20	2	2	1	19	2	20	2

Source: The data for the years 1980 to 1985 are taken from "Nos Gouvernants" by Jean Baptiste Kinane (Keeper of Archives).

For the year 1994: Decree No. 93-276/PRES/PM on the reorganization of the Government of Burkina Faso.

In 1987 there were:

Five (5) women ministers: the Ministers of Public Health, Family Welfare and National Solidarity, Environment and Tourism, Budget and Culture;

Three (3) high commissioners and several prefects;

Five (5) ambassadors to China the Federal Republic of Germany, Ghana, Mali and Nigeria.

From 1988 to 1990 there were:

Five (5) women, respectively, heading the Ministries of Financial Resources, Trade and Public Supply, Primary Education and Mass Literacy, Information and Culture;

One woman high commissioner in the province of Kadiogo (Ouagadougou, capital of Burkina Faso);

One woman ambassador of Burkina Faso to Denmark.

Several women heading major State offices and services and, finally, women elected to the position of alternates to the National Union of the Elderly of Burkina Faso (UNAB), the National Union of Young People of Burkina Faso (UNJB) and the provincial revolutionary authorities. At the same time, the Department for the Mobilization and Organization of Women was established in 1984. The action undertaken by this political department within the National Secretariat for the Committees for the Defence of the Revolution in 1984 led to the establishment of the Union of Women of Burkina Faso (UFB) on 19 September 1985. This structure is intended to mobilize Burkina Faso women and heighten their economic and social awareness.

The participation of women in the Government was at its highest level in 1987; currently, their numbers have been reduced considerably.

At present, there is one woman in the post of Secretary-General of a Ministry (the Ministry of Social Affairs and the Family, and a woman head of cabinet in the Ministry of Foreign Affairs).

Following the legislative elections in May 1991, the electorate sent to the Assembly of People's Deputies four (4) women out of 107 Deputies.

After the municipal elections of 12 February 1995, of the 108 elected in the national territory, only nineteen (19) were women. In the political arena, there were two women heading political parties. There is also a woman Vice-President of the Supreme Court.

Lastly, women have been appointed to head administrative districts and local collectives, and to the post of prefect and high commissioner (five in 1993). However, their proportion compared with men remains minuscule.

At the same time, many non-governmental women's organizations and associations (about 100) exist in Burkina Faso and are active in various fields: political, economic, social, research and training.

All these associations work in close collaboration with the Ministry of Social Affairs and the Family through a coordination committee consisting of 16 members.

Alongside this collective action by women, it should be noted that women participate individually in the activities of many other non-governmental organizations. Women are greatly in demand during election campaigns, but in civic management their numbers are declining. They remain passive in these situations, often because of a lack of confidence in themselves.

conspicuous even though Burkina Faso is often up to date with its contributions.

In resolutions of the Annual Conference on Public Administration (CAAP) it has been proposed that the number of Burkina Faso nationals in international bodies should be increased, but these results are not yet visible.

Second, when posts fall vacant, or revert to Burkina Faso, they are often occupied by men, to the detriment of women.

By way of obstacles, one may note:

Shortcomings in the follow-up and placement of candidates;

A persistence of socio-cultural influences;

A lack of validation of national skills;

A low level of determination in women.

In the future, the following are envisaged:

Validation of national expertise;

Establishment of a structure for sponsoring candidates to international posts; and

Establishment of a data bank on expertise.

Article 9: Nationality

The Individual and Family Code grants women equal rights with men with respect to nationality.

The regulations governing acquisition and loss of nationality are the same for men and for women.

(1) The nationality of Burkina Faso is acquired either

The school enrolment rate in Burkina Faso – 37.7 per cent in 1995–1996 – remains one of the lowest in the world.

Education policies and systems adopted since independence have proved to be inadequate, selective and discriminatory. In 1995, girls accounted for approximately 28.55 per cent of the total school-age population and boys for

Similarly, the literacy rate – approximately 20 per cent – is far from satisfactory. Illiteracy is increasingly

Programmes and plans of action in Burkina Faso include:

- Since 1989, the elaboration and implementation of a

- Implementation of the project for non-formal basic education centres (CEBNF) in conjunction with the

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- Girls’ domestic and household burdens which prevent them from studying properly and performing satisfactorily;
 - Reluctance to educate girls in certain milieux for stereotypical socio-cultural reasons (a girl is supposed to leave her father’s house to marry);
 - Inadequacy of financial and technical resources to ensure the continuity of projects and programmes;
 - Scarcity of resources available to grass-roots communities which makes it impossible to finance recurring educational costs;
 - High cost of education, both to the Government and to households;
- (a) To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;
 - (b) To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;
 - (c) To encourage the provision of the necessary supporting social services to enable parents to combine family

In theory, all these texts establish that men and women are equal in respect of the search for employment. They organize the function and give direction within the context of the country's economic and social development.

- Women's social status;

1 (d), (e) and (f): The right to equal wages and treatment for equal working conditions, skills and productivity is recognized for all, irrespective of origin, gender or status.

In the public sector the general regulations governing the civil service establish a salary scale according to grade.

In the private sector, the guaranteed minimum interprofessional wage and, where appropriate, the seniority and merit bonuses are set by decree of the Council of Ministers upon consultation with the consultative commission for labour.

Workers may only be fined if the legislation provides for such punishment. For personnel governed by the general regulations of the civil service, the retirement age is set at 55 years for senior and middle management, and 54 and 53 years for lower ranks.

The right to social security, retirement benefits and to paid holidays is recognized.

In rural areas there is no social security for agricultural workers even though they make up a sizeable proportion of

– Lack of information concerning the situation of women in these areas;

- Adopting incentives, such as tax exemptions, texts and so forth, for enterprises with women employees.

2 (c): Different programmes and projects have been established to enable women to combine their family and professional responsibilities while also participating in public life. They include:

- Creation of 76 community day-care facilities, of which 16 will be seasonal;
- The reproductive health programme (under ABBEF);
- The family life education (EVF);
- Provision of appropriate technologies to village women's groups and women's cooperatives.

Notwithstanding the establishment of these programmes there are constraints relating to:

- Women's illiteracy;
- Lack of means (material, human and financial);
- Socio-cultural difficulties.

In future, efforts will focus on:

- Training for women;
- Extending consciousness-raising projects and impact studies;
- Harmonizing approaches; and
- Establishing informal community day-care facilities.

Article 12: Measures taken to eliminate discrimination against women in the area of health care

Burkina Faso is one of the poorest countries in the world. According to the UNDP Human Development Report 1993, Burkina Faso occupies 170th place among 173 nations.

The health of the population is extremely precarious. The high infant and maternal mortality rates are largely attributable to infectious diseases, poor hygiene, malnutrition, inadequate health infrastructure and the high cost of health care despite a policy of providing basic generic medicines.

Analysis of the situation:

According to estimates,

- 40 per cent of pregnant women benefit from health-care services;
- 10 per cent of children aged 0 to 5 years benefit from health-care services;

- 42 per cent of births are assisted by medical workers;
- 42 per cent of pregnant women do not receive prenatal care;
- 36 per cent of women are not vaccinated against tetanus;
- The contraception rate is 8 per cent, with a difference between towns and rural areas;
- The maternal mortality rate is very high:
 - 610 per 100,000 live births in 1985 and 566 per 100,000 live births in 1991;
- The infant mortality rate stands at 115 per 1,000.

The high incidence of maternal mortality is attributable to the persistence of the principal causes of maternal death, namely, haemorrhages, infections, difficult or prolonged childbirth, abortion and anaemia.

Childbirth

Table No. 1
Breakdown by percentage of women who have given birth during the last five years (1989–1993), according to the location and area of residence

<i>Location of birth</i>	<i>Urban</i>	<i>Rural</i>	<i>Both</i>
Hospital or maternity ward	87.4	35.5	50.1
Home or parent's home	9.5	62.2	47.4
Other locations	3.1	2.3	2.5
Total	100.0	100.0	100.0

Source: National Institute of Statistics and Demography (INSD), December 1993

Despite efforts undertaken by the authorities and the various partners to improve the health of mothers and children, problems persist in the areas of health services and the health of mothers and children. The health of the population, and especially that of mothers and children, is a matter of deep concern.

Measures and programmes

National health-care policy is currently based on principles defined in the Bamako Initiative, whose target is total coverage by the year 2000.

It emphasizes the promotion of primary health care through programmes designed, *inter alia*, to:

(1) Mobilize community participation;

– To contribute to nutritional recovery;

- Establishment of 40 maternity shelters and 311 solidarity funds;
- Acquisition of 300 health kits;
- Management of community health workers;
- Recruitment and training of 519 health organizers and 600 midwives from among village women;
- Establishment of a standard system for the collection and technical analysis of demographical and social health data at the village level.

Difficulties

- Lack of financial resources;
- Shortage of material and human resources;
- Male reluctance to use contraceptives;
- Weak skill levels among health workers;
- Inadequate literacy levels of health workers and among the population;
- Lack of motivation among health workers;
- Lack of trust of women health teachers;
- Mass departure of women health teachers from the BKF/92/P07 programme;
- Awareness concerning the management and improvement of community benefits.

Impact

The following results have been noted:

- An improvement in the health of women resulting in a decrease in maternal and infant mortality;
- A decrease in the abortion rate;
- An improvement in birth spacing.

Expectations

- Enhancement of women's skills, and the political and economic empowerment of women;
- Standard use of the Population Education Programme (EMP) at the three educational levels by the year 2000;
- Wide dissemination of legal and judicial texts ensuring the protection of the rights of women by the year 2000 throughout the country;
- Total abolition of excision and levirate by around the year 2005;

- Support for investments by women in the production of documents, films and dramatic works about the advancement of women in Burkina Faso;
- Literacy campaigns to be conducted by non-governmental organizations and associations in support of national programmes;
- Training women to manage social and economic activities;
- Establishment of enforcement measures to combat violence against women;
- Development of forestry with a view to improving the nutrition and health of women;
- Training of women in forestry with a view to increasing their income;
- Support to women in the processing of fish products;
- Expansion into 45 provinces of the project "Support for the promotion of self-managed social health programmes in rural environments";
- Expansion of the training of women and of women health organizers in family-living education;
- From 1997, the development of national policy in the areas of:

Family Life Education (EVF);

Social protection of the family;

Social L

conomic advancement of women-26

- Establishment of EVF and family rights information centres;

Table No. 2

Trends in the number of girl pupils and their enrolment rate for the period 1990–1995 in comparison to boys*Academic years*

Table No. 4
Enrolment in non-formal basic education centres (CEBNF) (1996)

Number	Provinces	Number of schools	Number of classes	Enrolment			Percentage of girls out of total enrolment	Remarks
				Boys	Girls	Total		
01	Comoé	05	05	78	90	168	53.57	
02	Gnagna	—	—	—	—	—	—	
03	Gourma	02	02	22	10	32	31.25	
04	Kadiogo	03	03	44	42	86	48.83	
05	Namentenga	05	05	82	65	147	44.21	
06	Poni	03	03	49	39	88	44.31	
07	Sanmatenga	05	05	80	75	155	48.38	
08	Sanguié	02	02	31	36	67	53.73	
09	Soum	03	03	35	34	69	49.27	
10	Zoundwéogo	—	—	—	—	—	—	
	Total for all provinces	28	28	421	391	812	48.15	

Source: Project ES/CEBNF-DEP/MEBA.

- Adoption of legislative texts criminalizing the practice of excision within two years;
- Creation of a data bank concerning the problems of excision, social exclusion and all other forms of violence against women;
- Support for women in the management of household waste, especially in urban environments;

technical and financial areas to ensure lasting overall development.

Their situation is still heavily influenced by an inappropriate legal status, an excessive workload and a lack of means.

(a) The right to family benefits is recognized and applies only to wage-earners, who represent only 3 per cent

Situation regarding loans granted according to year

Year	Province number	Individual loans		Group loans		Loans for young graduates		Total
		Number	Amount	Number	Amount	Number	Amount	
1991	2	761	35 535 000	10	4 400 000	—	—	39 953 000
1992	1	822	42 695 000	9	4 300 000	—	—	46 995 000
1993	3	583	34 210 000	12	4 607 500	—	—	38 817 500
1994	9	279	23 170 000	61	25 836 500	—	—	49 572 720
1995	25	1 916	84 390 000	566	257 294 350	SME:2	450 000	342 134 350
1–31 May 1996	30	394	23 345 000	616	313 785 650			313 785 650

Characteristics of clients in the informal sector

Married women	86.15 per cent
Divorced women	2.69 per cent
Widows	8.43 per cent
Unmarried women	2.72 per cent
Illiteracy	93.5 per cent
Primary education	4.13 per cent
Secondary education	2.29 per cent
Higher education	0.06 per cent
Average number of children	5

(c) With regard to participation in recreational activities, sports and all aspects of cultural life, it should be pointed out that women are very active in all areas of sports, particularly volleyball, handball and basketball, where there are female junior teams.

The president of the volleyball federation is a woman.

(g) To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes;

(h) To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.

Paragraphs 1 and 2 (b), (f) and (g)

In Burkina Faso, rural women account for 44.11 per cent of the population. In 1985, 93.48 per cent of employed women worked in a rural environment; this percentage fell to 90.1 per cent in 1995.

– In 1986, the development and adoption of a plan of action in the field of family planning (*Zatu AN IV – 008/CNR/NEF-SN* of 24 October 1986;

organization act;

support is provided for projects which include small business loans for fattening sheep, agricultural loans, the establishment of business unity, management training and literacy projects.

This support enables women to earn income and to make a substantial improvement in their own living conditions and in those of their families.

Successful projects involving women have included:

- A project for the promotion of women in Comoé (in the south-western part of the country);
- A project to support the promotion of independently managed social and health activities in rural areas;
- Integrated development projects in the provinces of Zoundwéogo, Sanmatenga, Sanguié, Bulkiemdé and Tapoa;
- A development project in the Tougan region (in the north-western part of the country);
- A soil management and resource conservation project on the central plateau; and
- A water, soil, agriculture and forestry conservation project.

All of these projects either focus specifically on women or involve activities which benefit both women and men. The goals pursued are those established in the 1991–1995 five-year plan for the promotion of women.

However, we shall describe in detail two projects which

It must be said that women were not taken into account at the beginning of the “Comoé Rice project”. They were extremely interested in rice-growing but were aware of the

At the beginning of the project, land was distributed by the customary chiefs, and women in traditional society could

Insufficient financial resources, weather constraints and failure to maintain wells are the primary obstacles to the development of housing, transport, communications and electricity and water supplies in the rural areas of Burkina Faso.

equal footing to men under the 1991 Constitution and as spelt out in the Individual and Family Code.

In order for the rural women of Burkina Faso to enjoy

own assets, while article 300 states that each spouse may,

1. Matrimonial freedom;
2. Obligation to record the marriage in an official register;
3. Equality of rights and duties between spouses;
4. Protection of children;
5. Non-pecuniary and pecuniary protection of women;
6. Freedom to decide on the number and spacing of children and access to information and education.

(c) Equality of spouses' rights and duties

Marriage entails identical rights and duties for the couple. Specifically, they must help each other, stay faithful

(a) Matrimonial freedom

Women as well as men have the right to choose their

(d) Protection of children

The Individual and Family Code stresses the principle of protection for children by eliminating all forms of legal discrimination based on birth or descent. As a result, legitimate children and children born out of wedlock have the same rights.

The question of child custody is governed by the same Code. With the aim of protecting children's interests, custody is not linked to the outcome of the divorce hearing. Thus, depending on what is in their best interests, children may be entrusted to one or the other parent with no consideration given as to who was at fault. However, if the child is under seven, custody must preferentially be awarded to the mother unless *force majeure* intervenes or if the interests of the child require otherwise.

The notion of parental authority is replacing that of paternal power, with the aim of establishing equality between spouses.

The person exercising parental authority over a minor is legally the minor's guardian, unless there are impediments that are deemed valid by the family council.

Adoption has been made possible by law with a view to helping unhappy or abandoned children.

(e) Non-pecuniary and pecuniary protection of women

The law declares that each spouse keeps his or her own name during the marriage and that the wife may use the husband's name.

Similarly, it accords each spouse the right to practise a profession without the other's consent. However, it stipulates that if a spouse claims that the practice of a particular profession by his or her spouse would endanger the family's interests, he or she may apply to civil court, which may issue a substantiated order interdicting the practice of that profession.

The Code sets out the principle of the spouses' freedom to choose the rules for administering and managing their assets. However, this freedom must be exercised within the limits of the law and public morality.

The management of the conjugal estate must be conducted in such a manner as to ensure decent living conditions for the family. Assets acquired jointly or separately by the spouses during the marriage form part of the conjugal estate, as do any wages or fees the spouses receive as a couple or individually, any income deriving from assets covered by the regime of community of property or immovable and

movable property brought to the marriage or acquired during it.

(f) Number and spacing of births

The Code does not contain a ruling on this question. In consideration, however, of the principle of parental responsibility under which parents are responsible for the birth, growth and general well-being of their children, parents have the right to choose the number of children they wish to have. The couple should make a free, voluntary and informed decision, taking into account its standard of living.

Although for many years the effort to promote awareness of contraceptive methods in the women of Burkina Faso has been met with various forms of resistance based on outmoded traditional, religious and cultural ideas, in recent years women's attitudes and behaviour have become more favourable towards contraception.

In fact, although the number of women familiar with contraceptive methods accounted for 20 per cent of the urban population and 50 per cent of the rural population in the 1980s, those figures are currently 81 per cent in urban and 65 per cent in rural areas.

Educational level largely determines the dissemination and use of modern contraceptive methods, which means that illiterate women are less likely to use contraceptives than are educated ones.

Although marital engagements are not regulated, if the

The resource persons will select and train members of the groups and communities that have been chosen for inclusion in the project as group leaders, who in turn will

Annex

Individual and Family Code

General principles

Abbreviations

	CONALDIS	–	National Committee to Combat Discrimination
Deputies	ADP	–	Assembly of People's
	EVF	–	Family Life Education
	DPF	–	Department for the