



Convention on the Rights of the Child

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Committee on the Rights of the Child

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Implementation of the Convention on the Rights of the Child

List of issues to be taken up in connection with the consideration of the combined third and fourth periodic reports of Burkina Faso (CRC/C/BFA/3-4)

Part I

Under this section the State party is requested to submit in written form additional and updated information, if possible before 19 November 2009

1. Please indicate whether the framework of strategic guidelines for the promotion of children (COSPE) (2006–2015) and the national action plan for the survival, protection and development of children, mentioned in paragraphs 30 and 31¹ of the report, have been adopted, whether they cover all the areas within the scope of the Convention and whether they have now been implemented. Please indicate the reasons for the delay in their adoption and explain how children were actually involved in drafting these documents. Please also give details of the resources allocated for their implementation as part of the decentralization process (para. 32).
2. Please indicate whether the activities to disseminate and raise awareness of the Convention have been assessed, and, if so, what impact they have had. Please also indicate whether the experimental project to teach the rights of the child in primary and secondary education during the 2006/07 school year (para. 49) was conducted in all schools in Burkina Faso, and has been continued since then.
3. Please indicate whether the “gender” policy mentioned in paragraph 66 of the report has been adopted, and whether it has now been applied in Burkina Faso. Please also indicate what specific steps have been taken to eliminate persistent forms of discrimination against women.
4. Please indicate whether forced or early marriages have been explicitly prohibited by law, as stated in paragraph 61 of the report, and what specific steps have been taken to end

¹ Paragraph numbers mentioned in this document refer to the State party’s report, issued as document CRC/C/BFA/3-4.

such practices and to provide girls who are victims of forced/early marriages with the accommodation and support that they need nationwide. Please also indicate whether the State party has studied or plans to study the links between early and forced marriages and the practice of polygamy as well as the consequences of such marriages, specifically in terms of population growth.

5. Please indicate clearly what steps the State party has taken or plans to take to end, as a matter of urgency, the situations described in paragraph 107 of the report, namely, those where children come into contact, in police and gendarmerie station cells, with adults who are sometimes persistent repeat offenders. Please also provide detailed information on detention facilities and conditions for children and whether situations persist in which children are held in detention with adults.

6. Please provide information on the social welfare system for families in the State party, specifying exactly which social assistance measures are available for parents of children in the most disadvantaged groups, as mentioned in paragraph 67 of the report, and to what extent families have so far benefited from such measures.

7. Please furnish information on the results of the implementation in the State party of the International Labour Organization-International Programme on the Elimination of Child Labour (ILO-IPEC) project on the prevention and elimination of child labour in West African mines (2005–2008). Please also indicate whether the study on child labour conducted in 2008 led to the drafting of a comprehensive action plan to combat child labour.

8. In connection with the reform of the Criminal Code currently under way in the State party, please indicate whether the sale of children, child prostitution and child pornography have been made criminal offences punishable by appropriate penalties, in accordance with the Optional Protocol to the Convention to which the State party has recently acceded.

9. Please indicate the questions relating to children which the State party considers as having priority and requiring urgent attention with a view to the implementation of the Convention.

Part II

Under this section, the State party is to briefly (3 pages maximum) update the information provided in its report with regard to:

New bills or enacted legislation:

- Progress made in drafting the Children's Code, referred to in paragraph 27 of the report
- Act No. 028-2008/AN of 13 May 2008 amending the Labour Code
- Act No. 029-2008/AN of 15 May 2008 on combating trafficking in persons and similar practices
- Legislation regulating the conditions for establishing and running institutions for the care of orphans and abandoned children

New institutions, including:

- Regional brigades for the protection of children established by decision No. 2009-0091 SECU/CAB of 1 July 2009 and in particular the type of duties that they perform
- Juvenile justice divisions in the Bobo-Dioulasso and Ouagadougou courts

- Coordination and follow-up mechanisms for the campaign to issue civil status certificates established by decision No. 2009-001-MPDH/MATD/MJ of 16 June 2009
 - General Directorate for Solidarity, Permanent Secretariat of the National Solidarity Fund and National Council for Emergency Assistance and Rehabilitation
 - National Committee to Combat Female Genital Mutilation
- Newly implemented policies, including:
- National policy on rehabilitation and equalization of opportunities for persons with disabilities
 - Results of the implementation of public health policies, and the establishment of mechanisms to assess their impact

Newly implemented action plans, programmes and projects and their scope, including:

- 2009 “Year of universal and free-of-charge birth registration” programme
- Action plan for the promotion of the family (para. 112)
- Strategic framework for providing care for orphans and vulnerable children (2005–2014), and programme for its implementation (2006–2010)
- “Zero tolerance for female genital mutilation” action plan
- National action plan on violence inflicted on children
- Results of the health programme for young persons and adolescents (2004–2008)
- Action plan against human trafficking adopted on 11 April 2007

Part III

Data and statistics, if available

1. In the light of article 4 of the Convention, and with reference to paragraph 46 of the report, please provide further details of progress made with the development of an ongoing data-collection system.
2. Please provide data relevant to the implementation of the Convention collected from the 2006 census, in particular on children belonging to vulnerable groups, including disabled children, children infected or affected by HIV/AIDS, children separated from their families, children who head households and street children.
3. Has the comprehensive study on violence against children referred to in paragraph 142 of the report been conducted? If so, please give a brief description of the results of this study and of the statistical data collected during the study. Please provide disaggregated data by sex, age group and geographical area covering the years 2006, 2007 and 2008 on child victims of abuse, neglect and other forms of violence, and in particular:
 - Number of reported cases
 - Number and percentage of cases that resulted in prosecution, conviction or other type of follow-up
 - Number and percentage of child victims who have benefited from legal aid and rehabilitation measures

4. With regard to the cases of abuse and/or neglect mentioned in paragraphs 110, 143 and 144 of the report, please provide detailed information on the penalties applied to the guilty parties. Please also indicate whether centres such as the so-called “rebirth centre” have been opened in other parts of the country to provide assistance to children who are victims of abuse and neglect.

5. Please provide disaggregated data by sex, age group and geographical area covering the last three years on the number of child victims of sexual exploitation, including prostitution, pornography and trafficking, and the number of those children who were provided with access to rehabilitation and social reintegration services, specifying the type of services. Please also furnish details on the number of cases brought before the courts and on the sentences handed down.

Part IV

The following is a preliminary list of major issues (which does not contain issues already covered in part I) that the Committee proposes to take up during the dialogue with the State party. They do not require written answers. This list is not exhaustive, as other issues might be raised in the course of the dialogue.

1. The State party’s strategy to significantly enhance the overall implementation of the Convention, with particular emphasis on the general principles of the Convention and, in particular, article 3 (best interests of the child) and article 12 (respect for the views of the child).

2. Judicial pluralism and its consequences for the implementation of the Convention, and the implementation of newly adopted legislation.

3. Amendments to the statutes of the National Commission on Human Rights (financial autonomy, rights of the child mandate, capacity to receive individual complaints).

4. Corporal punishment (its legal prohibition and the activities conducted by the National Commission to Combat Violence against Children in educational establishments).

5. Children deprived of a family environment (shelters, foster homes, informal adoption and *confiage* (fostering)).

6. Violence against children, including domestic violence (adoption of any legislation to combat domestic violence).

7. Children with disabilities (integration into the community, accessibility of facilities, measures to combat their stigmatization).

8. Children consuming alcohol and drugs.

9. Health (including access to health services, affordability of health care, vaccinations, harmful traditional practices, adolescent health and mental health).

10. Education (including the availability of qualified teachers and adequate facilities, girls’ access to education, geographic disparities in access to education and the promotion of non-formal education).

11. Street children (including the Non-institutional Educational Action (AEMO) programme for girls living on the streets).

12. Economic exploitation, including child labour (worst forms of child labour, children working in mines and in cotton farms and child domestic workers).

13. Sexual exploitation and trafficking of children.

14. Administration of juvenile justice (including the implementation of Decree No. 6 introducing legal aid, alternatives to detention and living conditions of juveniles in detention centres).
