



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**
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Summary record of the 695th meeting

Held at Headquarters, New York, on Thursday, 14 July 2005, at 10 a.m.

Chairperson: Ms. Belmihoub-Zerdani (Vice-Chairperson)

Contents

Consideration of reports submitted by States parties under article 18 of the
Convention (*continued*)

Combined fourth and fifth periodic reports of Burkina Faso

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In the absence of Ms. Manalo, Ms. Belmihoub-Zerdani, Vice-Chairperson, took the Chair.

The meeting was called to order at 10.05 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Combined fourth and fifth periodic reports of Burkina Faso (CEDAW/C/BFA/4-5)

At the invitation of the Chairperson, the representatives of Burkina Faso took places at the Committee table.

1. **Ms. Guigma** (Burkina Faso), introducing the combined fourth and fifth periodic reports of Burkina Faso (CEDAW/C/BFA/4-5), said that, since the Committee's consideration of the combined second and third periodic reports, her Government, together with NGOs, associations and development partners, had adopted a number of new legislative and policy measures to achieve gender equality. In May 2005, the National Assembly had ratified the Optional Protocol to the Convention and the Protocol to the African Charter of Human and Peoples' Rights on the Rights of Women in Africa. Furthermore, a review of all existing plans of action, strategies and policies relating to gender issues had been conducted and the Policy Letter on Sustainable Human Development explicitly addressed the issue of women in the context of optimal human resources development.

2. Although the Constitution did not define the term itself, it outlawed all forms discrimination, and, since international law took precedence over domestic legislation in Burkina Faso, citizens could use the definition of discrimination contained in the Convention as the basis for complaints that their rights had been violated.

3. In an effort to eradicate gender-based stereotypes, activities to raise awareness of the rights of women and girls, including the widespread dissemination of the Individual and Family Code and the Convention, the establishment of legal entities and the revision of school textbooks, had been undertaken and, as a result, a growing number of women were approaching the courts to seek redress for violations of their rights.

4. Both male and female births were now being registered and the work of the National Committee to Combat the Practice of Excision, the National

Commission to Combat Discrimination Against Women and the Office of Legal Affairs in the Department for the Advancement of Women had been further strengthened. Additional measures had been taken to reinforce existing laws prohibiting levirate, dowry, early and/or forced marriage and female genital mutilation and, in recent years, perpetrators of the latter had been sentenced to prison terms.

5. Burkina Faso's Penal Code criminalized prostitution, which had nevertheless taken on worrying proportions owing to impoverishment and a slackening of moral standards. However, the Government was committed to combating the phenomenon while also ensuring that prostitutes had access to health care. Within the framework of the decentralization process, a multisectoral commission had been established in order to review legislation on prostitution and make proposals for strategies to be adopted by the various regions.

6. While trafficking in women was rare in Burkina Faso, trafficking in children was a growing problem. Accordingly, the Government had taken a number of preventive and protective measures, including the conclusion with Mali of an agreement to combat cross-border trafficking in children. Awareness-raising campaigns and training for educators, together with victim protection programmes and the establishment of 19 operational transit centres, had led to a significant decrease in the number of trafficked children. Prostitution and trafficking in children were both closely linked to poverty and ignorance. Consequently, all the programmes and projects designed to combat them provided women and girls with the opportunity to emerge from poverty and gain access to education and training.

7. Turning to the question of education, she said that, despite the reform of the educational system and the subsequent implementation of an affirmative action policy for girls, disparities still existed between the number of boys and girls enrolled in school owing, inter alia, to the persistence of certain traditional and religious practices and attitudes that discriminated against women and the high cost of education. However, a number of innovative measures had been introduced to increase girls' access to primary education, such as the adoption in 1999 of the Ten-year Basic Education Development Plan, the construction of community and satellite schools and the launch of promotional campaigns to encourage enrolment. As a

result, the overall enrolment rate had increased from 41.3 per cent in 1999 to 57.1 per cent in 2004 and, during the same period, the overall literacy rate had climbed from 36.8 per cent to 72.01 per cent.

8. Improving the literacy rate among women and children who had not completed their education or who had never been to school was a priority for the Government and, to that end, it had appointed a Minister for Literacy and Non-formal Education. Fifty-two non-formal basic education centres had been operational in 2002-2003 and the authorities hoped to open 15 additional centres by the end of 2005. It was worth noting that more women than men enrolled in basic literacy and training courses.

9. The principle of equality between women and men was enshrined in employment legislation governing both the private and the public sectors. Nevertheless, a number of additional measures had been taken with a view to further promoting women's participation in the labour market, such as the establishment of training centres and a guidance unit for women and the grant of subsidies to cover the cost of training.

10. The Government of Burkina Faso was aware of the need to ensure that women had access to primary health-care services and, in particular, to modern contraceptives, which were heavily subsidized to ensure that their cost was not prohibitive. Accordingly, at least two modern methods of contraception were available at each of the country's 1,351 health-care facilities and at least one provider in each facility was qualified to offer family planning services. Furthermore, in 2003, the Ministry of Health, in partnership with a number of associations, had launched a project to provide health-care facilities and specific groups with female condoms.

11. Rural women played an important role in the economic life of their communities, particularly in non-monetary sectors. The Agricultural Development Policy Letter made specific mention of the issue of the advancement of women, since one of its objectives was the promotion of women and young people in the agricultural sector. In that context, a number of initiatives, including support for income-generating activities and training in the areas of literacy and simple management techniques, had been adopted. Moreover, within the framework of decentralization, the presence of women in local bodies such as the

Regional Chamber of Agriculture and the Village Land Management Committees allowed them to participate in decision-making processes.

12. Matters relating to the family and marriage in Burkina Faso were governed exclusively by the Individual and Family Code. Under that law, marriages were legal only if they had been solemnized by a civil registry official and they could be pronounced null and void if it was established that one of the spouses had not given his or her consent to be married. The Penal Code provided for penalties for anyone who forced an individual into marriage. While monogamy was the preferred form of marriage, polygamous unions were legal under certain conditions and, in practice, occurred more frequently. However, in order to promote monogamy, awareness-raising and training campaigns on texts relating to the advancement of women had been developed.

13. Both spouses had equal rights and responsibilities and shared parental authority over any children. Children born out of wedlock enjoyed the same rights as those born to married parents. In addition, article 295 of the Individual and Family Code provided that each spouse was entitled to exercise a profession without obtaining the consent of the other, unless the nature of that profession was detrimental to the interests of the family as a whole. The rules on divorce did not contain any discriminatory provisions and custody of children could be granted to either parent. However, more needed to be done to change attitudes in certain traditional communities where it was thought that children belonged only to their fathers. Lastly, while both spouses had equal inheritance rights, some widows were still subject to discriminatory practices. To improve that situation, efforts were being made to ensure that the courts or notaries dealt with the liquidation of assets.

14. By way of conclusion, she acknowledged that Burkina Faso had not yet achieved all its objectives in the area of the elimination of discrimination against women. However, the Committee's comments and recommendations would guide the Government in its efforts to implement the Convention and the Optional Protocol in an effective manner.

Articles 1-6

15. **The Chairperson** invited members of the Country Task Force to pose questions on articles 1 to 6 of the Convention.

16. **Ms. Bokpe-Gnacadjia** commended the Government of Burkina Faso on the submission of its combined fourth and fifth periodic reports, particularly since the economic situation of the country meant that the preparation of reports was not a priority. She also welcomed the recent ratification by the Government of the Optional Protocol to the Convention and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa.

17. However, despite the Government's political will to eliminate all forms of discrimination against women, their de facto situation was still far from ideal. Although international law took precedence in Burkina Faso, the Convention was not particularly visible in the country's domestic legislation. Consequently, she wondered whether cases could be brought before the national courts on the basis of its provisions and, if so, whether any such cases had been brought. She also wished to know the extent to which members of the judiciary were aware of the Convention. Lastly, she enquired as to the measures taken by the Government to raise awareness of the Convention among the population and, more specifically, among female members of Parliament. Had it been translated into all the national languages?

18. **Ms. Morvai**, referring to the national machinery for the advancement of women, observed that the sheer number of institutions responsible for implementing and monitoring activities to protect and promote the rights of women could undermine the effectiveness of that work. Consequently, she would be grateful for a more detailed explanation of the national machinery and its working methods and an indication of the budgeting resources available to it. She wished to know what kinds of legislation had been initiated by the various bodies described in the report and how those bodies monitored the implementation of the National Plan of Action. She also requested more information about the latter and asked specifically how it related to the Beijing Platform for Action.

19. She wished to know how many women's organizations were active in Burkina Faso and how such organizations were funded. Were there any

established structural mechanisms for cooperation between NGOs and the Government?

20. While poverty was partly to blame for women's lack of access to land and basic social services, she wondered whether the Government had sufficient political will to improve that situation and asked whether it envisaged using legislation as a means to effect change. According to the report, there was no specific legal remedy for female victims of discrimination and, in that connection, she would be grateful to know whether women were entitled to seek redress for violations of their rights.

21. **Ms. Dairiam** said that the report lacked data and information that would have helped the Committee assess the State party's compliance with its obligations under the Convention. The report referred to the practice of child marriage (CEDAW/C/BFA/4-5, sect. 2.1) but said nothing about the extent of the problem or about the regions and ethnic groups in which it was most prevalent. Similarly, the employment data given in the responses to the list of issues were insufficient. More details should have been provided on the implementation of the programmes and policies enumerated: on their coverage, content, participants, targets and benchmarks, and on how they were monitored. She asked how the strategic framework for poverty reduction 2003-2006 would expand opportunities for employment and income-generation and how many women had benefited from it thus far. A description of its programmes for women should have been provided. How did those programmes promote gender equality, a key principle of the entire initiative? Did the strategic framework contemplate specific measures to address the kinds of socio-cultural factors described in the report as traditions that perpetuated the submission of women (CEDAW/C/BFA/4-5, sect. 2.1)? How did it mobilize and empower women to address those obstacles? Did it provide them with a legally enforced support system?

22. No specific information had been given on the number of women granted loans under the National Solidarity Fund. It would have been useful to know how the objectives for women under the National Good Governance Plan were being monitored. Did more women have decision-making powers in development activities? It would also be interesting to know the results of the decentralized rural development policy.

23. **Ms. Patten** deplored the States party's failure to implement the Committee's recommendation on introducing quotas to increase women's participation in political life. Not all the measures enumerated in section 2.2 of the report were temporary special measures. The State party might wish to review the Committee's general recommendation No. 25 on article 4, paragraph 1, on temporary special measures for an explanation of how positive action should be utilized. General social policy to advance the status of women was not necessarily the same as temporary special measures, which involved allocating additional resources; targeted recruitment, hiring and promotion; numerical goals; time frames; and quota systems. She hoped that those elements would be specified in Burkina Faso's next periodic report.

24. She urged Burkina Faso to translate the Convention into its national and local languages, and to disseminate it widely among government entities and civil society. Like other Committee members, she felt that the report lacked vital details. For example, no information was given on the resources allocated for the distribution of free school supplies to girls or for scholarships for girls, or on the number of girls who had benefited from such measures. References to the promotion of girls' education, or new women's rights organizations, were equally vague.

25. **Ms. Simms** expressed regret that soliciting by prostitutes was criminalized and that the State party attributed the "slackening of moral standards" to the prostitutes instead of holding those who exploited the prostitutes accountable. While she welcomed the provision of health services to prostitutes, she wondered why the law of Burkina Faso did not specifically prohibit child prostitution. She would appreciate clarification of the age of consent, which the report gave as 15 years old in the context of sexual relations with a minor (sect. 2.4) and 18 years of age elsewhere. Did Burkina Faso have a definition of carnal abuse? She wished to know how many men had been convicted of the sexual abuse of children, and whether the State party had sufficient facilities to punish offenders. The problem of early marriage and its impact on girls' education represented a major challenge facing government leaders responsible for women's affairs.

26. She noted that Burkina Faso had no legislation against cross-border trafficking and that the victims were repatriated without receiving therapeutic services.

Back in their villages, however, trafficked women and children were viewed as damaged goods.

27. **Ms. Morvai** said that the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, to which the State party had acceded, prohibited the criminalization of prostitutes, who were victims. She urged the State party to alter its perspective and to criminalize those who operated prostitution rings and their clients instead.

28. **Ms. Ye** (Burkina Faso) said that early marriages were prevalent throughout the country, in all ethnic groups, although the practice was waning somewhat thanks to awareness-raising initiatives. The authorities were alerted to early marriages when complaints were filed. The government social services, which were authorized to handle complaints, had settled 14 out of 22 complaints in the first quarter of 2004; the others had been referred to the courts.

29. In Burkina Faso, children were generally trafficked for child labour rather than sexual exploitation. Rural children were sent to urban areas, or to other countries, to work and bring back income to their families. Burkina Faso had signed protocols on the protection of children with Mali and Côte d'Ivoire, the main countries that used its children as labour. Burkina Faso was also a transit zone for children being trafficked from other countries in the subregion. Recognizing the magnitude of the phenomenon, the Government had adopted legislation in 2000 defining and prohibiting trafficking in children. Under that law, the authorities had tracked down and dismantled four out of five child trafficking networks and were actively on the trail of the fifth one. Children rescued from cross-border trafficking were sent back to school or for training in a trade or skill that would be helpful to them.

30. Female genital mutilation was rampant in Burkina Faso, spanning all regions, ethnic groups and religions. A National Committee to Combat the Practice of Excision had been set up, and in 1996 the Government had enacted legislation to protect victims, focusing on the prosecution of perpetrators and awareness-raising. As the prevalence of female genital mutilation was largely due to ignorance, the 1996 law had been translated into the country's three national languages (to ensure its dissemination to the many who were illiterate) as well as French. The population was encouraged to report incidents, or suspected incidents,

of female genital mutilation over a hotline established for that purpose. Thus far, 52 perpetrators and accomplices had been convicted. The Government health services had opened a small clinic to treat victims of female genital mutilation.

31. **Ms. Ilboudo** (Burkina Faso) said that Burkina Faso's legal system was based on French law, which recognized a hierarchy of norms: international norms took precedence over national norms and were automatically incorporated into domestic law — from the Constitution to the most minor legislation — immediately upon ratification. The provisions of the Convention were therefore fully integrated in domestic legislation and could be invoked in court. The Convention was widely circulated among all branches of Government and the authorities were currently contemplating its translation into the more than 100 ethnic languages spoken in the country, starting with the main ones. Burkina Faso's periodic reports had been disseminated in all parts of the country and at the local level. The law was progressively being used as a tool of change, although such initiatives had to be balanced with the multiple priorities of an African developing country. The leaders of Burkina Faso were determined to bring about change and much progress had already been achieved.

32. Domestic law criminalized soliciting because it constituted hard proof of the exploitation of prostitution. The health services provided to prostitutes were not intended to encourage or perpetuate the phenomenon, but rather were an acceptance of reality and the need to deal with it in the face of the HIV/AIDS pandemic. She clarified that the age of consent for marriage was 18 years old but that 15 and 16 years of age were used as criteria to determine the severity of the punishment for the sexual abuse of minors. The Government was attempting to harmonize the various age criteria it had set with those laid down in the African Charter on the Rights and Welfare of the Child.

33. **Ms. Bagre** (Burkina Faso) said that the Government had conducted mass campaigns to promote the education of girls, which aimed at both enrolling them in school and keeping them in school. It was also recruiting teachers for rural posts, building local schools and developing curricula designed to keep girls in school. Human rights and gender equality modules were being introduced into teacher training programmes; mother-educator programmes were being

established, with emphasis on developing awareness activities. In 2005, Burkina Faso had announced its intention to become eligible for the Millennium Challenge Account, a two-year programme that would provide for education in ten provinces of the country.

34. There was also a programme to promote the training of literacy workers, which was equipped with a fund to enable such workers to conduct literacy training, especially for women, in the most secluded areas of the country. In addition, nurseries were being built to make it possible for girls and women to attend school.

35. Resources for education for girls came from the State budget as well as from funds provided by the World Bank, Canada, the Netherlands, Sweden, Denmark and Japan. Children in Burkina Faso received school textbooks free of charge, in reading and arithmetic.

36. **Ms. Guigma** (Burkina Faso) said that, shortly after the Fourth World Conference on Women in Beijing, a committee had been formed to follow up on recommendations, and in 1997 the Ministry for the Advancement of Women had been created, along with the Ministry of Social Services and National Solidarity. Their roles were distinct, but complementary. Their principal functions were to coordinate all programmes for the benefit of women in Burkina Faso and to provide a liaison between the Government and women. The National Committee to Combat Discrimination, although attached to the Ministry for the Advancement for Women, was nearly autonomous. The National CEDAW Follow-Up Committee had 36 members, some of whom were representatives of NGOs and human rights associations. Its budget allocation from the Ministry was small, but it also received funding from the World Bank, the United Nations Children's Fund (UNICEF), and other bodies. UNICEF, in fact, had funded the preparation of the report. The Government worked closely with NGOs, and the Ministry took charge of coordinating the work of NGOs involved with the promotion of women's rights. The mission of the Ministry cut across that of all other ministries, each of which had a gender focal point responsible for informing it of developments affecting women. NGOs had been fully consulted for their views on the report before it had been transmitted to the Committee. The budgetary allocation, unfortunately, was a tiny percentage of the State budget.

37. When Burkina Faso became eligible for the Heavily Indebted Poor Countries (HICP) Initiative, the Ministry for the Advancement of Women had been taken into consideration. More than half the population was women, 86 per cent of whom lived in rural areas. In order to redress the imbalance between women in rural and urban areas, the resources deriving from that initiative were allocated to rural areas, in particular to building infrastructure and housing for women, and to providing them with training, literacy skills and technology so that they could participate in the development of the country.

38. Wells were being drilled under the management of women because it was women who stood to benefit: when water had to be fetched, it was the women who carried it. The National Anti-Poverty Strategy was currently better at addressing issues of gender than previously; it was up to the Ministry for the Advancement of Women to ensure that programmes were carried out to improve the situation of women.

39. In 2000, there had been an increase in the number of women elected to municipal councils. Was it necessary to institute a quota system? The answer was yes. The World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance in Durban, South Africa, had agreed that quotas for women's participation should be set at 30 per cent. A campaign must be waged to establish such a quota in Burkina Faso, not only for the higher levels of governance, but also for all decision-making bodies.

40. Other initiatives to improve the situation of women included microcredit programmes and a network of popular banks, as well as a Catholic group that was working in the field to reduce poverty among women.

41. **Mr. Flinterman** said it was clear that rights without remedies could be illusory. He was pleased that Burkina Faso would soon be ratifying the Optional Protocol; that act would, however, make the need for national remedies more pressing. Since, according to the report, there were no specific legal remedies for victims of discrimination, women had to seek recourse through the regular courts. He would like to know, in that regard, how many women had done so in recent years, whether such recourse was effective, and whether there were any other low-cost and effective ways of remedying violations. In addition, it would be useful to know whether a national commission on

women's rights existed. Moreover, he wondered if women had access to the Constitutional Court and whether such access was difficult. Thus far, the Convention had never been invoked in a Burkina Faso court of law, which made the Committee's task more difficult: every effort should be made to introduce the Convention into the jurisprudence.

42. **Ms. Saiga** commended the Government for its attentiveness to the Committee's concluding comments. She asked what was the composition of the National CEDAW Follow-up Committee, and whether it had been involved in the drafting of the report. She was still unsure whether the Ministry for the Advancement of Women and the Department for the Advancement of Women were the same body.

43. **Ms. Popescu** said she was pleased that Burkina Faso had sent a high-level delegation with a diverse membership, and that it would soon be ratifying the Optional Protocol. She urged the State party to translate and disseminate the Convention. Noting that the traffic in children was a priority of the Government, she said that Burkina Faso seemed to look on work by children with tolerance, and to find the sexual exploitation of children unacceptable. And yet, both practices were harmful to children, and both were prohibited by protocols to the Convention on the Rights of the Child. She would like to know whether Burkina Faso had ratified those protocols, and urged the Government to take measures to halt the practice of allowing children to work.

44. **Ms. Coker-Appiah** enquired whether legal aid services were available to rural women subject to such practices as female genital mutilation, forced marriage, accusations of witchcraft and levirate marriage. She requested the Government to include more information on violence against women in its next report, and on measures it was taking to implement legislation prohibiting discriminatory practices. In addition, she encouraged Burkina Faso to review the provisions of the Individual and Family Code setting different marriage ages for boys and girls, and in particular the exception for 15-year-old and 16-year-old girls, and enquired what were the exceptional circumstances allowing girls of that age to marry.

45. **Ms. Pimentel** said that the frank, serious report of Burkina Faso should be used as an instrument for achieving equality for women in that country. She understood the difficulty of bringing about change in a

traditional culture that did not view women as free political and legal subjects. The Convention required a critical and constructive dialogue which must also be open and accessible. The end of the report contained a series of recommendations to the Government. She suggested that a set of political, legal and research-related measures should be undertaken with a view to advancing the rights of women, and that such information should be included in the next report. She hoped also that in the near future the theme of equality for women would fully engage the Government and society of Burkina Faso.

46. **Ms. Morvai** said that the matter of gender equality must be introduced into the jurisprudence, and lawyers must be trained to comprehend the Convention and to use it to advance the situation of women. Policies and programmes were clearly not enough. If, as the report indicated, women were denied credit and loans from banks, the banks must be sued. In cases of levirate marriages, for example, criminal prosecutions must be initiated.

47. There was a basic misunderstanding regarding the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others. That instrument sought the punishment of persons who exploited the prostitution of women: it did not criminalize prostitution. It was essential to remember that prostitutes themselves were not criminals.

48. **Ms. Bokpe-Gnacadjia** said that the civil societies of States parties should mobilize to produce shadow reports; that was not the responsibility of the Government. With regard to the traffic in children, she pointed out that many children sent to work abroad were exploited sexually; it was therefore important to conduct research to determine to what extent such exploitation was occurring.

49. **The Chairperson**, speaking as an expert, said she welcomed the clarity of the report. She noted the courage shown by Burkina Faso in introducing legislation to protect the rights of women, which some other African countries had as yet been unable to do. However, the failure to implement legislation amounted to a relinquishment of sovereignty. All Burkina Faso legislation designed to benefit women must be implemented.

50. **Ms. Guigma** (Burkina Faso) said she welcomed the Committee's encouragement on the implementation

of legislation promoting women's rights. The 36 members of the National CEDAW Follow-up Committee represented ministerial departments, human rights organizations, NGOs and civil society, as well as religious denominations and traditional groups. The Convention had been translated and widely disseminated, including to legislators, and had been the topic of numerous seminars.

51. She was convinced that Burkina Faso had no trade in children for the purposes of sexual exploitation, though there was trafficking in children for labour purposes. And yet, since sexual exploitation of children existed in neighbouring countries, it could probably reach Burkina Faso as well. The Convention on the Rights of the Child had been ratified, along with its Optional Protocol on the sale of children, child prostitution and child pornography. The Ministry had brought to the attention of the Cabinet the need to harmonize the marriage provisions of the Individual and Family Code and the Convention on the Rights of the Child.

52. Burkina Faso was a party to the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, was actively involved in its promotion, and had chaired its meeting of experts. The Ministry for the Advancement of Women was working to bring about change among political decision makers and religious and political leaders, and was conducting gender awareness seminars for them.

53. The Ministry was intensifying its work to raise awareness, in conjunction with women's associations, about such harmful practices as levirate and sororate marriage, which were increasingly understood as acts of violence against women. The Association of Women Jurists supported the work of the Ministry in matters of that kind. A hotline for victims of violence had been established, with support from the United States of America. A forum had been held in 2000, at the request of the Head of State, to identify measures that should be taken on a priority and urgent basis to assist women without means. When women came to the Ministry for assistance, they were provided with a copy of the Convention. There were various recent cases when women had invoked the Convention before the local authorities; in a recent case, a woman victim had invoked the Convention and had settled out of court. There were many courts to which women had recourse.

54. **Ms. Ilboudo** (Burkina Faso) said that women found access to legal services particularly difficult. Many were illiterate, and Burkina Faso's laws were written in French, the official language, in any case. To tackle the problem, the Office of Legal Affairs of the Ministry for the Advancement of Women, the National Committee to Combat Discrimination against Women and civil society were working to make sure that women knew their legal rights.

55. Access to legal services was also beyond many women's financial reach. A legal aid board had been established in 2000, and the conditions to qualify for legal aid had recently been relaxed. That was an important step in helping women, who had often been overwhelmed by demands for documentary evidence that they were eligible. Although every citizen could appeal to the Constitutional Court, it was difficult to imagine who would have the specialist legal and constitutional knowledge to do so.

56. The lack of legal cases regarding women's rights must be remedied, as such cases would provide inspiration for future legislation. The Government was working to ensure that judges and magistrates knew about the Convention. Women had established a presence in the judiciary, especially in Ouagadougou and Bobo Dioulasso, and most were members of the women lawyers' association.

57. The Government acknowledged the discrimination in marriageable ages between men (20) and women (17). It would like to see the door closed to early marriage. In tackling prostitution, meanwhile, the law must prevail, and legal action must be taken against men, as the instigators of prostitution. The law was currently confined to banning procuring; it did not target prostitutes' clients.

58. **Ms. Guigma** (Burkina Faso) said that banks deserved condemnation for refusing to grant loans to women. However, 83 per cent of women lived in rural areas; they were usually active in agriculture or the informal economy, and would not be considered creditworthy. Even men in salaried jobs were frequently not considered creditworthy. With the help of the Ministry for the Advancement of Women, programmes to provide microcredit facilities, and also credit in the form of inputs (such as tools or seed), had been set up. A mainstream bank, BACB, had begun offering women loans.

Articles 7-9

59. **Ms. Zou Xiaoqiao** welcomed the increase in women's participation in public and political life in Burkina Faso, but regretted the lack of statistics on women's presence in the National Assembly and the lack of compulsory measures to redress the gender balance. Among the 12 critical areas of concern identified by the Beijing Platform for Action was inequality between men and women in the sharing of power and decision-making at all levels. One hundred countries had enacted legislation to address that area of concern, but she wondered why Burkina Faso had not been among them, and what specific obstacles it had met (opposition from political parties or the Government, women's lack of confidence or other factors). Burkina Faso's report had described NGO efforts, but no Government efforts, to combat gender stereotyping. It was vital for Governments to show commitment in that regard. Even though women were acknowledged to be as able as men to represent their countries, Burkina Faso seemed to have few women diplomats or international organization officials.

60. **Ms. Guigma** (Burkina Faso) said that the Government was taking action to improve women's involvement in decision-making. Some political parties had decided that 25 per cent of their candidates at all levels should be women. The existence of the policy was positive, even if the figure was low. Progress had been made in the National Assembly, which had had four women members in 1992, 10 in 1997 and 13 in 2005. Holding more than one official post at a time was prohibited; therefore, a member of the National Assembly could not also be a minister. It would take more than 14 years of democratic government to effect real change in women's representation, especially given the high rate of illiteracy among women in the past. The Government was working with civil society to improve women's education and confidence.

61. Women were present at all levels of public life in Burkina Faso. Five of the country's 22 ambassadors were women; women were also becoming better represented at lower levels of the diplomatic service and in international institutions. In the Government, three ministers and one secretary-general were women. Progress was slow. It must be acknowledged that being a woman politician was difficult anywhere, but especially in Africa. Women must have not only the confidence, but also the financial resources, to campaign. Political parties must be persuaded to place

women high up on their lists of election candidates. Quotas had worked, and she hoped that the 30-per-cent target adopted in Durban would be adhered to throughout Africa. Noting that the delegation reporting to the Committee included men, she said that men must also be involved in the effort to achieve equality.

62. **Ms. Gaspard** said that the improvement in women's representation in political and public life was positive, but the figures were still low. In its responses to the Committee's list of issues and questions, Burkina Faso had indicated that political parties had been recommended to allocate at least 30 per cent of seats to women. She wondered whether results would be achieved through voluntary or mandatory measures. She took the view that only legislation would lead to results.

63. Mainstreaming of gender issues was important in many fields. As mayor of a town in France which had been twinned with Koudougou in Burkina Faso, she had received many delegations consisting only of men. Believing that decentralized cooperation was far more effective than official development assistance, she urged an effort to involve women in all forms of bilateral cooperation.

64. **The Chairperson**, speaking as an expert, said that if women occupied visible and strategic decision-making positions, the public would believe in their capabilities and be tempted to emulate them. Political parties should be persuaded to place women high on their lists of candidates, perhaps by obliging them to do so in order to receive funding. If the Government was committed to having more women ministers, prefects and ambassadors, stereotypes would be challenged, equality would be improved and discrimination would decrease.

65. **Ms. Guigma** (Burkina Faso) said that the number of women candidates in the 2002 elections had probably suffered because of a move from provincial lists to regional and national lists. She trusted that the situation would improve in the course of the presidential elections in November 2005, the rural community elections in February 2006 and the National Assembly elections in 2007. While she hoped that political parties would adopt a uniform 30-per-cent level of women candidates, she agreed that, realistically, quotas were the only effective method.

The meeting rose at 1 p.m.