

BURKINA FASO 2015 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Burkina Faso is a constitutional republic led by an elected president. On November 29, the country held peaceful and orderly presidential and legislative elections, marking a major milestone in the country's transition to democracy. President Roch Mark Christian Kabore won with 53 percent of the popular vote, and his party--the People's Movement for Progress (MPP)--won 55 seats in the 127-seat National Assembly. The Union for Progress and Change (UPC) won 33 seats, and the former ruling party, the Congress for Democracy and Progress (CDP), won 18. National and international observers characterized the elections as free and fair. Civilian authorities at times did not maintain effective control over the security forces.

In October 2014 Blaise Compaore, who had served as president since 1987, resigned and left the country following massive public demonstrations against his efforts to revise the constitutional articles on term limits to run for re-election in 2015. In November 2014 a transitional government led by interim president Michel Kafando and interim prime minister Yacouba Isaac Zida was established. On September 16, the transition was disrupted when members of the Presidential Security Regiment (RSP) interrupted the weekly meeting of the Council of Ministers and detained the interim president, prime minister, and cabinet members. On September 17, General Gilbert Diendere, former head of the RSP, seized power and proclaimed himself president of a National Council for Democracy (CND). RSP soldiers killed and injured civilians, attacked journalists, raided media offices, and destroyed media equipment. On September 23, following a public outcry and mediation led by the Economic Community of West African States (ECOWAS), Kafando was reinstated as interim president. Subsequently, a decree of the Cabinet of Ministers dissolved the RSP, and the regular military forces disarmed it. Authorities arrested and prosecuted General Diendere along with a number of military members, political leaders, and civilians for destabilizing the country.

The most significant human rights problems included security force killings and use of excessive force, including torture, against civilians and detainees; harsh and life-threatening prison conditions; and violence and discrimination against women and children, including female genital mutilation/cutting (FGM/C).

Other human rights problems included arbitrary arrest and detention; judicial inefficiency and lack of independence; violence against journalists; restrictions on

freedoms of speech, expression, and assembly; official corruption; trafficking in persons; discrimination against persons with disabilities; societal violence; discrimination against members of the lesbian, gay, bisexual, transgender, and intersex (LGBTI) community; discrimination against persons with HIV/AIDS; and forced labor, including by children.

The transitional government took steps to investigate and prosecute officials who committed violations, whether in the security forces or elsewhere in government, but impunity remained a problem.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary or Unlawful Deprivation of Life

There were reports the transitional government or its agents committed arbitrary or unlawful killings.

Following the September 16 attempted coup, RSP members shot and killed 14 protestors and bystanders, including two children. None of those killed had been armed or posed any threat to security forces, according to Amnesty International (AI). For example, on September 17, RSP members arrived at a peaceful protest in front of the palace of the traditional king, the Moogho Naaba, and began shooting in the air and towards the crowd. RSP members shot and killed two demonstrators in the square. A member of the RSP on a motor bike chased protestors and fatally shot another man in the back of the neck. According to medical evidence seen by AI of other incidents between September 16 and 20, authorities shot six persons in the back and killed them while running away from security forces. Authorities shot and killed others with gunshots in the head, chest, and thorax, “indicating that soldiers who had opened fire had not attempted to minimize fatal injury,” according to AI. The government reported an additional 251 persons injured in violence following the attempted coup, many by live ammunition. The RSP whipped and beat others, according to AI.

At year’s end authorities formally indicted 63 individuals as part of related investigations, including Leonce Kone, a CDP leader, and Hermann Yameogo, president of the National Union for Democracy and Development (UNDD). General Diendere faced 11 charges, including treason, threatening state security, collusion with foreign forces to destabilize the country, murder, concealment of corpses, forgery, and crimes against humanity. Former minister of foreign affairs Djibril Bassole faced six charges, including threatening state security and collusion

with foreign forces. Both men were detained at a military correctional facility. The director of military justice declined to name all individuals who authorities charged. In addition to judicial proceedings, the government created a commission of military officers and magistrates to investigate September events and identify perpetrators and their accomplices.

In July prosecutors opened judicial investigations against individuals connected to the October to November 2014 violence that resulted in the deaths of 28 persons and the injuring of 625 during protests in response to former president Compaore's efforts to force a National Assembly vote to change presidential term limits. According to a government temporary committee, nine of the 28 deaths were believed to be the result of gunshot injuries inflicted by RSP members; several other deaths occurred during or as a result of acts of vandalism.

On December 6, the Office of the Military Prosecutor confirmed to local and international media that General Diendere had been charged with "assassination attempt, murder, and concealment of corpses" in the 1987 killing of former president Thomas Sankara during the coup that brought Blaise Compaore to power. On October 16, the director of military justice announced that eight persons had been charged in the Sankara case, four of whom were in custody at year's end. Results of DNA testing were inconclusive on the identity of the remains of the 13 victims, including the former president and 12 of his colleagues.

After reopening the case of Norbert Zongo, a journalist killed in 1998 along with three other individuals while investigating the death of the driver of Francois Compaore (brother of the former president), judicial authorities indicted Wampasba Nacoulma, Banangoulo Yaro, and Christophe Kombacere, three soldiers of the former RSP. On December 14, the government announced that the families of the four victims would receive 233,135,409 CFA francs (\$404,000) as financial compensation in compliance with a June decision of the African Court on Human and Peoples' Rights.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution and law prohibit such practices, and in May 2014 the National Assembly adopted a law to define and prohibit torture and all related practices. Nevertheless, there were reports that members of the security forces tortured, threatened, beat, and otherwise abused individuals (see section 1.a.).

For example, in April, Alaye Diallo, a herder living in the village of Zoetgomde, filed a complaint against the gendarmerie of Koudougou, claiming a gendarme tortured him and severely burned his back during his 20-day detention in June 2014 for allegedly stealing 10 cows from the village chief. Authorities subsequently arrested the gendarme who inflicted the abuse.

Prison and Detention Center Conditions

Conditions in prisons and detention facilities were harsh and at times life threatening due to overcrowding and inadequate sanitary conditions and medical care.

Physical Conditions: According to the Ministry of Justice, Human Rights, and Civic Promotion, as of June 30, authorities incarcerated more than 6,200 inmates nationwide, including approximately 100 women and 200 minors. Authorities held juveniles and adults separately at the Maison d'Arret et de Correction de Ouagadougou (MACO), but there were no separate facilities for juveniles in provincial prisons. Pretrial detainees usually were held with convicted prisoners. Female prisoners had better conditions than those of men, in large part due to less crowding. Although regulations require the presence of a doctor and five nurses at MACO's health unit, only three nurses were on duty to treat detainees, and a doctor came only once a week. Prisoners' diets were inadequate, and inmates often relied on supplemental food from relatives. Prison infrastructure throughout the country was decrepit. In MACO and other prisons, severe overcrowding exacerbated inadequate ventilation, although each cell had electricity and inmates could have fans. Sanitation was rudimentary.

On August 24 and 25, officials from the Ministry of Justice, Human Rights, and Civic Promotion visited prisons, correctional facilities, gendarmeries, and police stations in Bob-Dioulasso to verify compliance with standards of detention and human rights. Their subsequent report cited overcrowding, ineffective separation of prisoners by gender and age, and insufficient financial, material, and human resources.

According to human rights organizations, deaths occurred in prisons and jails due to harsh conditions and neglect. Human rights activists estimated that one or two inmates died monthly as a result of harsh prison conditions.

There were no appropriate facilities or installations for prisoners or detainees with disabilities, who relied on other inmates for assistance.

Administration: Unlike in the previous year, there were no reports that prisons lost inmate files, and authorities generally investigated credible allegations of inhuman prison conditions, according to a human rights nongovernmental organization (NGO).

Independent Monitoring: The government permitted monitoring by independent nongovernmental observers. Prison authorities regularly granted permission to representatives of local and international human rights groups, media, foreign embassies, and the International Committee of the Red Cross to visit prisons without advance notice.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention, but security forces did not always respect these prohibitions.

Role of the Police and Security Apparatus

The National Police and municipal police, under the Ministry of Territorial Administration, Decentralization, and Security, and the gendarmerie, under the same ministry as well as the Ministry of Defense, are responsible for internal security. The military, under the Ministry of Defense, is responsible for external security but sometimes assisted with missions related to domestic security.

Use of excessive force, corruption, a climate of impunity, and lack of training contributed to police ineffectiveness. Inadequate resources also impeded police effectiveness.

The Military Justice Administration examines all killings involving military personnel or gendarmes and evaluates whether they occurred in the line of duty or were otherwise justifiable. If not, authorities referred the case to civilian courts. Civilian courts automatically handle killings involving police. The gendarmerie is responsible for investigating abuse by police and gendarmes, but the results of their

investigations were not always made public. Military courts held a number of public trials in which civilians pressed charges against military personnel; verdicts were reported in the press.

NGOs and the Ministry of Justice, Human Rights, and Civic Promotion conducted training activities on human rights for security forces. On August 28, in Bobo-Dioulasso, the ministry held a workshop on prisoner rights for law enforcement agents and civil society organizations rights. From July 27 to August 1, AI initiated a series of workshops for police in Bobo-Dioulasso on the protection of human rights during operations to maintain public order.

Arrest Procedures and Treatment of Detainees

By law police must possess a warrant based on sufficient evidence and issued by a court to apprehend a suspect, but authorities did not always follow these procedures. Authorities did not consistently inform detainees of charges against them. By law detainees have the right to expeditious arraignment, bail, access to legal counsel, and, if indigent, access to a lawyer provided by the state after being charged. Authorities seldom respected these rights. The law does not provide for detainees to have access to family members, although authorities generally allowed detainees such access through court-issued authorizations.

The law limits detention without charge for investigative purposes to a maximum of 72 hours, renewable for a single 48-hour period. Police rarely observed the law, and the average time of detention without charge (preventive detention) was one week. Once authorities charge a suspect, the law permits judges to impose an unlimited number of six-month preventive detention periods while the prosecutor investigates charges. Authorities often detained defendants without access to legal counsel for weeks or months before appearing before a magistrate.

Arbitrary Arrest: Security forces arrested demonstrators, opposition activists, and journalists (see sections 2.a., 2.b., and 3).

In April security forces arrested and detained several former cabinet members and dozens of former mayors for alleged embezzlement and mismanagement of funds during their tenure as ministers (see section 4). Authorities released all detainees after a judicial ruling declaring the arrests illegal since only the High Court of Justice can judge cabinet members. The former ruling party, the CDP, denounced the arrests as arbitrary and complained that due process was not followed. The Burkinabe bar association publically complained that authorities did not give

detainees access to their lawyers after their arrest, in violation of national and regional legislation.

Pretrial Detention: Government officials estimated that 48 percent of prisoners nationwide were in pretrial status. In some cases authorities held detainees without charge or trial for longer periods than the maximum sentence they would have received if convicted of the alleged offense. A pretrial release (release on bail) system exists, although the extent of its use was unknown.

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary, but the judiciary was corrupt, inefficient, and subject to executive influence, according to NGOs. Magistrates were poorly paid and corrupt, legal codes were outdated, there were not enough courts, and legal costs were excessive. Citizens' poor knowledge of their rights further weakened the courts.

Military courts try cases involving military personnel charged with violating the military code of conduct. Rights provided in military courts are equivalent to those in civil criminal courts. Military courts are headed by a civilian judge, hold public trials, and publish verdicts in the local press.

Trial Procedures

Trials are public, but authorities use juries only in criminal cases. The law presumes defendants are innocent. Defendants have the right to legal representation, consultation, and adequate time and facilities to prepare a defense. Defendants have the right to be present at their trials and to be informed promptly and in detail of charges against them, with free interpretation of proceedings if necessary. Defendants have the right to provide evidence and to have access to government-held evidence. Defendants have the right not to be compelled to testify or confess guilt, but a refusal to testify often resulted in harsher decisions. Defendants may challenge and present witnesses and have the right of appeal. In civil cases where the defendant is destitute and files an appeal, the state provides a court-appointed lawyer. In criminal cases court-appointed lawyers are mandatory for those who cannot afford one. The law extends these rights to all citizens, but the government did not always respect these rights, due in part to popular ignorance of the law and a continuing shortage of magistrates and court-appointed lawyers.

The Ministry of Justice, Human Rights, and Civic Promotion claimed authorities usually tried cases within three months, although human rights organizations reported major court case backlogs. In 2011 the government introduced “processing of criminal penalties in real time,” a reform to shorten pretrial detention. The reform allows the prosecutor and investigators (police and gendarmerie) to process a case prior to the criminal hearing. This approach allows authorities to inform defendants of the charges and trial date before authorities release them pending trial. The reform at first applied only to cases introduced in the High Court of Ouagadougou, but authorities extended it nationwide during the year.

Political Prisoners and Detainees

There were reports of political prisoners or detainees during the year.

On April 8, in Bobo-Dioulasso security forces reportedly arrested Sita Ouattara--an activist and vocal member of the opposition New Alliance of Faso party--during a demonstration against an April revision to the electoral code that precludes individuals from running for office if they supported the former president’s 2014 attempt to revise presidential term limits. Six other activists were arrested with Ouattara but released within hours. Authorities charged Ouattara with “conspiracy against the security of the state” and detained him at the Bobo-Dioulasso correctional facility until May 6, when she appeared before a judge, who ordered her release.

On May 30, police in Bobo-Dioulasso arrested Pascal Zaida--the coordinator of the National Coordination for a Successful Transition (CNTR)--following a complaint by the Ministry of Territorial Administration, Decentralization, and Security for “disturbing public order and inciting revolt against authority.” The CNTR, a coalition of civil society organizations that opposed the April revisions to the electoral code, stated that police offered to release Zaida if he cancelled a CNTR general assembly meeting planned for May 31 and returned immediately to Ouagadougou. Zaida, whom police questioned and detained for three days, said he was only notified of the ministry’s complaint upon his release. The CNTR denounced his arrest as an “intimidation” designed to deter the coalition and other organizations from participating in the political debate.

Civil Judicial Procedures and Remedies

There is an independent judiciary in civil matters, but it was often inefficient, corrupt, and subject to executive influence. As a result citizens sometimes preferred to rely on the ombudsman to settle disputes with the government.

The law provides for access to a court to file lawsuits seeking damages for, or cessation of, a human rights violation, and both administrative and judicial remedies were available for alleged wrongs. Victims of human rights violations may directly appeal to the ECOWAS Court of Justice, even before going through national courts. For civil and commercial disputes, authorities may refer cases to the Abidjan Common Court of Justice and Arbitration. The courts issued several such orders during the year.

There were problems enforcing court orders in sensitive cases involving national security, wealthy or influential persons, and government officials.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The constitution and law prohibit such actions, and the government generally respected these prohibitions. In cases of national security, however, the law permits surveillance, searches, and monitoring of telephones and private correspondence without a warrant.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution and law provide for freedom of speech and press, and the government generally respected these rights. On September 4, the government adopted a law decriminalizing press offenses. The law replaces prison sentences with penalties ranging from one million to five million CFA francs (\$1,730 to \$8,670). Some editors complained that few newspapers or media outlets could afford such fees.

Despite the new law, journalists occasionally faced criminal prosecution for libel and other forms of harassment and intimidation.

Freedom of Speech and Expression: The law prohibits persons from insulting the head of state or using derogatory language with respect to the office. Individuals generally criticized the government without reprisal, but security forces arrested political leaders for their statements during the year (see sections 1.e. and 3).

On May 6, the Superior Council of Communications (CSC)--a semiautonomous body under the Office of the President--suspended all broadcasts of live interactive radio and television programs for three months to prevent inflammatory speech in public that could incite violence. The decision applied to approximately 150 radio stations and 15 television channels across the country. On May 30, the CSC lifted the suspension following criticism from media professionals, civil society organizations, and some government officials. Subsequently, many media outlets voluntarily signed the CSC's charter of good conduct, which prohibits insults, defamation, libel, and inflammatory/hateful/criminal statements in interactive programs; and commits call-in shows to implement a 10-second delay in broadcasts (along with other steps) to allow producers to monitor calls.

Press and Media Freedoms: There were numerous independent newspapers, satirical weeklies, and radio and television stations, some of which highly criticized the government. Foreign radio stations broadcast without government interference. Government media outlets--including newspapers, television, and radio--sometimes displayed a progovernment bias but allowed significant opposition participation in their newspaper and television programming.

All media are under the administrative and technical supervision of the Ministry of Communications, which is responsible for developing and implementing government policy on information and communication. The CSC monitored the content of radio and television programs, newspapers, and internet websites to enforce compliance with standards of professional ethics and government policy. The CSC may summon journalists and issue warnings for subsequent violations. Hearings may concern alleged libel, disturbing the peace, inciting violence, or violations of state security.

Violence and Harassment: According to the Association of Burkina Journalists (AJB), the RSP physically assaulted at least 15 journalists and vandalized or destroyed technical equipment, vehicles, and offices belonging to media outlets. In September the AJB criticized RSP violence, intimidation, and harassment.

Censorship or Content Restrictions: In addition to prohibitions on insulting the head of state, the law also prohibits the publication of shocking images or material that demonstrates lack of respect for the deceased. Journalists practiced self-censorship.

Internet Freedom

The government did not restrict access to the internet, although the CSC monitored internet websites and discussion forums to enforce compliance with regulations. According to International Telecommunications Union data, 4.4 percent of the population used the internet in 2013.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The constitution and law provide for freedom of assembly, but the government did not always respect this right. Authorities sometimes banned or violently dispersed demonstrations.

For example, following the September 16 attempted coup by General Gilbert Diendere, RSP soldiers used force, including gunfire, to disperse and prevent public gatherings in Ouagadougou, resulting in numerous deaths and injuries (see section 1.a.).

Political parties and labor unions may hold meetings and rallies without government permission, although advance notification is required for street demonstrations that might affect traffic or threaten public order. If a demonstration or rally results in violence, injury, or significant property damage, penalties for the organizers include six months' to five years' imprisonment and fines between 100,000 and two million CFA francs (\$173 and \$3,470). These penalties may be doubled for an unauthorized rally or demonstration. Demonstrators may appeal denials or imposed modifications of a proposed march route or schedule before the courts.

Freedom of Association

The constitution and law provide for freedom of association, and the government generally respected this right. Political parties and labor unions could organize without government permission.

c. Freedom of Religion

See the Department of State's International Religious Freedom Report at www.state.gov/religiousfreedomreport/.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights. The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations to provide protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

Protection of Refugees

Access to Asylum: The law provides for granting asylum or refugee status, and the government has established a system for providing protection to refugees.

According to a 2013 biometric census conducted by UNHCR and the National Committee for Refugees (CONAREF), there were 57 asylum seekers, as well as 247 refugees from Burundi, the Republic of the Congo, the Central African Republic, the Democratic Republic of the Congo, and Chad in the country.

In 2012 fighting resumed in northern Mali between government forces and Tuareg rebels, resulting in the flight of more than 250,000 Malians to neighboring countries, including Burkina Faso. According to UNHCR approximately 50,000 Malians--most of them Tuaregs and Arabs--fled across the border to Burkina Faso and registered with local authorities as displaced persons. Authorities granted all displaced persons from Mali prima facie refugee status, pending the examination of all applications individually. Authorities settled most of the refugees in Soum and Oudalan provinces, in the Sahel Region. The Ministry of Social Action and National Solidarity, aided by CONAREF, is the government focal point to help coordinate all national and international efforts to assist more than 34,000 refugees in the country at year's end.

Section 3. Freedom to Participate in the Political Process

The constitution provides citizens the ability to choose their government in free and fair periodic elections based on universal and equal suffrage, and citizens

exercised this ability during presidential and legislative elections held on November 29.

Elections and Political Participation

Recent Elections: Consistent with the November 2014 charter requiring the transitional government to organize presidential and legislative elections within one year of adoption, on November 29, the country held peaceful and orderly presidential and legislative elections. President Kabore won with 53.49 percent of the popular vote, followed by Zephirin Diabre (29.65 percent). President Kabore's party--the MPP--won 55 seats in the 127-seat National Assembly, followed by the UPC (33 seats) and the former ruling CDP (18 seats). Both elections, which national and international observers characterized as free and fair, marked a major milestone in the country's transition to democracy. Authorities scheduled elections to replace municipal and regional councils dissolved by the transitional government in November 2014 for May 22, 2016.

In April the interim National Assembly established in November 2014 approved a new electoral code that excluded certain members of the former majority from participating as candidates in the November legislative and presidential elections. The new law specified that persons who had "supported a constitutional change that led to a popular uprising" would be ineligible as candidates in the legislative and presidential elections. On July 13, the ECOWAS Court of Justice ruled against the electoral code, arguing that it was a "violation of the right of free participation in elections." The ECOWAS court ordered the government to "lift all obstacles to the expression of these rights of participation in the elections" and to pay all costs associated with this legal procedure. Nevertheless, the Constitutional Council's final ruling on candidate eligibility excluded a number of legislative candidates and four presidential candidates on this basis.

Political Parties and Political Participation: Political parties generally operated freely. Authorities allowed members of political parties, including members of the CDP, to participate in the transitional government, although the charter excluded anyone who was a member of the previous government or "openly" supported amending the constitution to remove term limits. (In December 2014 the Ministry of Territorial Administration, Decentralization, and Security suspended the CDP, Alliance for Democracy and Federation-African Democratic Rally (ADF/RDA), and Federation of Associations for Peace and Progress with Blaise Compaore (FEDAP/BC) for supporting the constitutional amendment to extend presidential term limits, but authorities lifted the suspension later in the month.) Individuals

and parties may declare their candidacies and compete in presidential elections, provided the Constitutional Council validates their candidacies. Individuals must be members of a registered political party to run in legislative or municipal elections. Unlike in previous years, CDP membership did not confer advantages, particularly for businesspersons and traders seeking government contracts.

Parties of the former ruling coalition were allotted 10 of the 90 seats at the legislative National Transitional Council.

The government sometimes restricted the activities of opposition leaders. For example, on June 16, security forces arrested and detained Soumane Toure, secretary general of the opposition Party for Independence, Labor, and Justice, for “libel, slanderous denunciation, and call to rebellion.” During a June 12 press conference, Toure alleged that Prime Minister Zida had given money to civil society organizations to support the interim government’s actions. Toure, who authorities released on June 17, also suggested the transition was the result of actions by military and civilian actors with hidden agendas, and that it essentially constituted a coup against the Compaore government.

Participation of Women and Minorities: The gender law, which took effect during the 2012 joint elections, requires political parties to name women to fill at least 30 percent of the positions on their candidate lists in legislative and municipal elections. The law provides financial incentives for political parties that reach the 30 percent requirement and mandates fines ranging from 2,500 CFA francs to five million CFA francs (\$4.33 to \$8,670) for parties that fail to comply with the law. Of the 7,036 primary candidates and alternates in the November 29 legislative elections, 2,040 (29 percent) were women; women held 15 seats (12 percent) of the 127 seats in the National Assembly. Nine of the 14 parties and political groups represented at the National Assembly did not reach the minimum 30 percent of female candidates on their lists.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, but the government did not implement the law effectively, and officials often engaged in corrupt practices with impunity. Local NGOs criticized what they called the overwhelming corruption of senior civil servants. They reported pervasive corruption in the customs service, gendarmerie, tax agencies, national police, municipal police, public health service, municipal governments, education sector,

government procurement, and the Ministry of Justice, Human Rights, and Civic Promotion.

The transitional government prosecuted several former senior government officials for corruption.

Corruption: On June 20, the Ouagadougou Court of Appeals sentenced former director of customs Ousmane Guiro to a two-year suspended prison term in connection with a 2012 corruption case involving 900 million CFA francs (approximately \$1.5 million). The court ordered the confiscation of his assets and fined him 10 million CFA francs (\$17,300).

On August 18 and 29, security forces arrested and detained three former ministers--Arthur Kafando, Jerome Bougouma, and Bertin Ouedraogo--for embezzlement, illicit enrichment, and misappropriation of public funds. The three awaited trial at year's end.

Financial Disclosure: On March 3, the CNT adopted a new anticorruption law that requires government officials--including the president, lawmakers, ministers, ambassadors, members of the military leadership, judges, and anyone charged with managing state funds--to declare their assets and any gifts or donations received while in office. Infractions are punishable by a maximum jail term of 20 years and fines of up to 25 million CFA francs (\$43,300). The law also punishes persons who cannot reasonably explain an increase in lifestyle beyond the threshold set by regulation in connection to lawful income. Offenders risked imprisonment for two to five years and a fine of five to 25 million CFA francs (\$8,670 to \$43,300).

The Constitutional Council is mandated to monitor and verify compliance with such laws and may order investigations if noncompliance is suspected. Disclosures are not made public, however, and there were no reports of criminal or administrative sanctions for noncompliance.

Public Access to Information: On August 30, the CNT adopted a law establishing the right of access to public information and administrative documents. In the past ministries generally did not respond to requests for information, citing national security and confidentiality.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A variety of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were generally cooperative and responsive to their views.

Government Human Rights Bodies: The Office of the Ombudsman addresses citizen complaints regarding government entities, public institutions, and other bodies entrusted with a public service mission. The ombudsman, whom the president appoints for a nonrenewable five-year term and who may not be removed during the term, was generally viewed as effective and impartial. During 2013, the most recent year for which statistics were available, the office registered 737 complaints, of which it resolved 82 percent.

The Ministry of Justice, Human Rights, and Civic Promotion is responsible for the protection and promotion of human and civil rights and conducts education campaigns for security force members to raise their awareness of human rights.

The governmental National Commission on Human Rights serves as a permanent framework for dialogue on human rights concerns. Its members included representatives of human rights NGOs, unions, professional associations, and the government. The Burkinabe Movement for Human and People's Rights, which did not participate on the commission, charged that it was subject to government influence. Although inadequately funded the commission was more effective and visible in promoting human rights than in previous years.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The constitution and law prohibit discrimination based on race, gender, disability, language, or social status, but the government did not effectively enforce these prohibitions. Discrimination against women and persons with disabilities remained problems.

Women

Rape and Domestic Violence: On September 6, the government passed the Law on the Prevention and Repression of Violence Against Women and Girls and Support for Victims. As before, rape is punishable by five to 10 years' imprisonment, but the new law makes spousal rape punishable by 100,000 to 500,000 CFA francs (\$173 to \$866). Police generally investigated reports of rape, but victims often did not file reports due to cultural barriers and fear of reprisal. According to human

rights NGOs, rape occurred frequently. Although authorities prosecuted rape cases during the year, no statistics were available on the number of cases reported or prosecuted. Several organizations--including Roman Catholic and Protestant missions, the Association of Women Jurists in Burkina Faso, the Association of Women, and Promofemmes (a regional network that worked to combat violence against women)--counseled rape victims.

Domestic violence against women occurred frequently, primarily in rural areas. According to the Inter Parliamentary Union, 33.9 percent of women had experienced physical violence, committed in 68 percent of cases by their husbands.

Victims seldom pursued legal action due to shame, fear, or reluctance to take their spouses to court. For the few cases that went to court, the Ministry of Justice, Human Rights, and Civic Promotion could provide no statistics on prosecutions, convictions, or punishment. There were no government-run shelters in the country for victims of domestic violence, but there were counseling centers in each of the 13 regional "Maison de la Femme" centers. The Ministry of Women's Protection sometimes provided counseling and housing for abused women.

The Ministry of Social Action and National Solidarity, which has a legal affairs section to educate women on their rights, and several NGOs cooperated to protect women's rights. The ministry organized a number of workshops and several sensitization campaigns to inform women of their rights.

The September 6 law makes "abduction to impose marriage or union without consent" punishable by six months to five years in jail and/or a fine of 500,000 to one million CFA francs (\$866 to \$1,740). Sexual abuse or torture is punishable by two to five years in prison and a fine of 500,000 to one million CFA francs (\$866 to \$1,730). Sexual slavery is punishable by two to five years in prison and a fine of one to two million CFA francs (\$1,740 to \$3,480).

The new law requires police officers aware of violence against a woman or girl to provide for protection of the victim and her minor children. It also mandates the establishment of chambers in the High Court with exclusive jurisdiction over cases of violence against women and girls. The new law creates special structures within each police and gendarmerie unit to assist female victims of violence (or those threatened with violence) and provides for the structures to undertake urgent measures required by the circumstances.

The new law also created care and protection centers in each commune for female victims of violence and a government support fund for their care. The centers receive victims on an emergency basis, offer them security, provide support services (including medical and psychosocial support), and, when possible, refer the victims to court.

Female Genital Mutilation/Cutting: The law prohibits FGM/C, but it was practiced widely, particularly in rural areas, and usually performed at an early age.

According to UN Children's Fund (UNICEF) statistics from 2013, the incidence of FGM/C fell 27.5 percent in the last 12 years. Seventy-six percent of girls and women nevertheless between ages 15 and 49 and 13 percent of girls under age 15 reported being subjected to FGM/C, according to UNICEF. Perpetrators, if convicted, are subject to a fine of 150,000 to 900,000 CFA francs (\$260 to \$1,560) and imprisonment of six months to three years--or up to 10 years if the victim dies.

Security forces and social workers from the Ministry of Social Action and National Solidarity arrested several FGM/C perpetrators and their accomplices, all of whom were serving prison sentences at year's end.

For example, on August 6, police in Manga arrested Pinda Kady Bande for perpetrating FGM/C on eight girls ages two to 17 in the village of Bere. The victims were transferred to Bere's health center. Bande and the parents of the girls were arrested and referred to the Public Prosecutor's Office in Manga.

The government coordinated its efforts through the National Committee for the Fight against Excision. The government conducted awareness campaigns, training, and programs to identify and support FGM/C victims. The government operated a toll-free number to report FGM/C cases. The government, through the Regional Committees to Combat Excision, worked with local populations to end FGM/C. The regional committees included representatives of numerous government ministries, police, gendarmerie, and local and religious leaders. The Network for Human Rights and the Ministries of Justice, Defense, and Security raised awareness among lawyers, judges, and police about the effects of FGM/C. The government also integrated FGM/C prevention in prenatal, neonatal, and immunization services at 35 percent of public health facilities.

Other Harmful Traditional Practices: The September 6 law makes the physical or moral abuse of women or girls accused of witchcraft punishable by one to five years in jail and/or a fine of 300,000 to 1.5 million CFA francs (\$520 to \$2,600). Elderly women without support, living primarily in rural areas and often widowed,

sometimes were accused of witchcraft by their neighbors and banned from their villages. Villagers accused such women of “eating” the soul of a relative or a child who had died. Victims seldom took legal action due to fear of repercussions to their families and sought refuge at centers run by governmental or charitable organizations in urban centers. During the year the Delwende Center in Ouagadougou, operated by the Roman Catholic Church, supported 260 women accused of witchcraft. A similar government-run center in Ouagadougou’s Paspanga area housed 84 women.

Sexual Harassment: The September 6 law makes sexual harassment punishable by three months to one year in jail and/or a fine of 300,000 to 500,000 CFA francs (\$520 to \$866); the maximum penalty applies if the perpetrator is a relative, in a position of authority, or if the victim is “vulnerable.” The government was ineffective in enforcing the law, in large part because many considered sexual harassment culturally acceptable. There were no statistics available on the number of cases reported, prosecutions, or convictions.

Reproductive Rights: The law entitles couples and individuals to decide freely and responsibly the number, spacing, and timing of their children free from discrimination, coercion, or violence. Government and private health centers were open to all women and offered reproductive health services, skilled medical assistance during childbirth (essential obstetric and postpartum care), and diagnosis and treatment of sexually transmitted diseases. Remote villages, however, often lacked these facilities or did not have adequate transportation infrastructure to permit easy access

According to the 2010 Demographic and Health Survey, 95 percent of women received prenatal care from skilled personnel, 67 percent of births were attended by skilled personnel, and 14 percent of women who wanted to space their pregnancies had access to modern birth control methods. The Regional Directorate of Health reported the national average of contraceptive use was 17 percent in 2012. Cultural norms that left decisions regarding birth control to husbands contributed to the limited use of contraceptives. Observers attributed the maternal mortality ratio of 341 per 100,000 live births to lack of access to health care in rural areas. AI reported maternal deaths also resulted from inadequate training of health workers. Post-abortion care services and emergency health care were generally available in urban areas but often not in rural areas.

Discrimination: Although the law generally provides the same legal status and rights for women as for men--including under family, labor, property, and

inheritance laws--discrimination frequently occurred in practice. Women occupied a subordinate position in society and often experienced discrimination in education, jobs, property ownership, access to credit, management or ownership of a business, and family rights. According to local labor laws, all workers--men and women alike--must receive equal pay for equal working conditions, qualifications, and performance. Women nevertheless generally received lower pay for equal work, had less education, and owned less property. The law permits polygyny, but a woman must agree to it prior to marriage. A wife may oppose further marriages by her husband if she provides evidence he abandoned her and their children. Each spouse may petition for divorce, and the law provides that custody of a child may be granted to either parent, based on the child's best interest. Mothers generally retained custody until their children reached age seven, at which time custody reverted to the father or his family.

Women represented approximately 45 percent of the labor force in the formal sector and were primarily concentrated in low-paid, low-status positions. Although the law provides equal property and inheritance rights for women and men, land tenure practices emphasized family and communal land requirements more than individual ownership rights. As a result authorities often denied women the right to own property, particularly real estate. This condition was exacerbated by the fact that the law defined 75 percent of marriages as common-law unions (with only a religious or traditional ceremony) and not legally binding. For example, in rural areas land owned by a woman becomes the property of the family of her husband after marriage. Many citizens, particularly in rural areas, held to traditional beliefs that did not recognize inheritance rights for women and regarded a woman as property that could be inherited upon her husband's death.

The government conducted media campaigns to change attitudes toward women. The Ministry of Women's Promotion is responsible for increasing women's awareness of their rights and worked to facilitate their access to land ownership. The government sponsored a number of community outreach efforts and awareness campaigns to promote women's rights.

Children

Birth Registration: Citizenship derives either by birth within the country's territory or through a parent. Parents did not register many births immediately, particularly in rural areas, where registration facilities were few, and parents were often unaware of the requirement to register. Lack of registration sometimes resulted in denial of public services, including access to school. To address the problem, the

government periodically organized registration drives and issued belated birth certificates.

Child Abuse: The penal code mandates a one- to three-year prison sentence and fines ranging from 300,000 to 900,000 CFA francs (\$520 to \$1,560) for inhuman treatment or mistreatment of children. Authorities tolerated light corporal punishment, and parents widely practiced it. The government conducted seminars and education campaigns against child abuse.

The Ministry of Social Action and National Solidarity had a toll-free number to enable persons to report cases of violence against children anonymously.

Early and Forced Marriage: The legal age for marriage is 17 for girls and 20 for boys, but early and forced marriage was a problem. According to a 2015 UNICEF report, 10 percent of women ages 20 to 24 were married or in a union before age 15, and 52 percent were married before age 18. The law prohibits forced marriage and prescribes penalties of six months to two years in prison for violators--and a three-year prison term if the victim is under age 13. There were no reports of prosecutions during the year. A government toll-free number allowed citizens to report forced marriages.

On March 3, authorities launched the African Union Campaign to End Child Marriage in Dori, the Sahel region, which had the highest rate of child marriage; 80 percent of girls ages 15 to 17 in the region already were married.

On March 2, the Ministry of Social Action and National Solidarity held an advocacy session for religious and traditional leaders to raise awareness of the problem of early marriage in the Sahel region.

Female Genital Mutilation/Cutting: See information for girls under 18 in women's section above.

Sexual Exploitation of Children: The law provides penalties of between five to 10 years' imprisonment, a fine of 1.5 to three million CFA francs (\$2,600 to \$5,200), or both for child prostitution. The minimum age of consensual sex is 15. The law also prohibits child pornography and provides for a sentence of five to 10 years' imprisonment with a fine ranging from 1.5 million to three million CFA francs (\$2,600 to \$5,200) for individuals engaging in such activity. In April 2014 the National Assembly enacted a law criminalizing the sale of children, child prostitution, and child pornography. There were no government statistics on child

prostitution, but government services and human rights associations believed it was a problem. According to a 2014 study conducted by the international NGO End Child Prostitution, Child Pornography, and Trafficking of Children for Sexual Purposes, there were at least 243 children exploited in commercial sex, among whom 63 percent were Burkinabe. Children from poor families were particularly vulnerable to sex trafficking.

Infanticide or Infanticide of Children with Disabilities: The law provides for a sentence of 10 years' to life imprisonment for infanticide. No statistics were available on the number of cases reported or prosecuted during the year. Newspapers, however, reported several cases of abandonment of newborn babies. For example, in August 2014 a 33-year-old woman threw her newborn baby in a well in the village of Diabo. Authorities arrested the mother, who was in jail pending trial at year's end.

Displaced Children: There were numerous street children, primarily in Ouagadougou and Bobo-Dioulasso. Many children ended up on the streets after their parents sent them to the city to study with an unregistered Quranic teacher or to live with relatives and go to school. According to the Ministry of Social Action and National Solidarity, in 2013 there were 5,721 street children in the country. Several NGOs assisted street children. Two directorates of the ministry also ran educational programs, including vocational training for street children, funded income-generating activities, and assisted in the reintegration and rehabilitation of street children. Nevertheless, the number of street children exceeded the capacity of these institutions.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For more information see the Department of State's report on compliance at travel.state.gov/content/childabduction/english/legal/compliance.html, as well as country-specific information at travel.state.gov/content/childabduction/english/country/burkinafaso.html.

Anti-Semitism

There was no known Jewish community. There were no reports of anti-Semitic acts.

Trafficking in Persons

See the Department of State's Trafficking in Persons Report at www.state.gov/j/tip/rls/tiprpt/.

Persons with Disabilities

The law prohibits discrimination against persons with physical or mental disabilities in employment, education, access to health care, or the provision of other state services, but the government did not effectively enforce these provisions. According to the most recent general census of population and housing, the portion of the population with disabilities in the country was estimated to be 1.2 percent. In 2012 the Council of Ministers adopted further decrees to protect the rights of persons with disabilities, including in transportation. The government enacted legislation to provide persons with disabilities less costly or free healthcare and access to education and employment. The law also includes building codes to provide for access to governmental buildings. Authorities did not implement all of these measures effectively.

Although some children with disabilities attended primary and secondary school as well as institutions of higher learning, 66 percent of persons with disabilities had no education, and only 16.5 percent completed primary level education, according to the Burkina Faso Federation for the Promotion of People with Disabilities.

Persons with disabilities encountered discrimination and reported difficulty finding employment, including in government service. Exacerbating these problems was the common perception that persons with disabilities should be under the care of their families and not in the labor force.

A 2012 decree created the Multi-Sectoral National Council for the Promotion and Protection of People with Disabilities, which included 90 members from different ministries, NGOs, and civil society organizations. State-owned television provided newscasts in sign language for persons with hearing disabilities.

The government had limited programs to aid persons with disabilities, but NGOs and the National Committee for the Reintegration of Persons with Disabilities conducted awareness campaigns and implemented integration programs. High commissioners, teachers, and NGOs worked together to inform citizens about the rights of persons with disabilities, specifically the rights of children with disabilities. A number of NGOs provided vocational training and equipment to persons with disabilities.

Since 2014 the government made the necessary arrangements to allow candidates with visual disabilities to take part in the public administration recruitment exams by providing the tests in braille. Additionally, authorities opened special counters at enrollment sites to allow persons with disabilities to register more easily for public service admission tests.

National/Racial/Ethnic Minorities

Longstanding conflicts between herders and sedentary farmers sometimes resulted in violence. Herders commonly triggered incidents by allowing their cattle to graze on farmlands or farmers attempting to cultivate land set aside by local authorities for grazing. The number of such incidents averaged 700 yearly between 2005 and 2011 but dropped significantly in 2012 and 2013, according to the Ministry of Animal Resources. According to the ministry, government efforts at dialogue and mediation attributed to the decrease. Conflict between ethnic groups also occurred as a result of disputes over the designation of local traditional chiefs.

On April 22, the local population of Pousgzig, who believed Fulani residents were responsible for most of the cattle theft in town, burned several granaries belonging to the Fulani and killed cattle and other animals belonging to Fulani residents.

Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

Societal discrimination against LGBTI persons was a problem and exacerbated by religious and traditional beliefs. LGBTI individuals were occasionally victims of verbal and physical abuse, according to LGBTI support groups. There were no reports that the government responded to societal violence and discrimination against LGBTI persons.

LGBTI organizations had no legal status in the country but existed unofficially. The Ministry of Territorial Administration, Decentralization, and Security did not approve repeated attempts by LGBTI organizations to register, and they provided no explanation for the refusals. There were no reports of government or societal violence against such organizations, although incidents were not always reported due to stigma or intimidation.

The country has no hate crime laws or other criminal justice mechanisms to aid in the investigation, prosecution, or sentencing of bias-motivated crimes against the LGBTI community.

On May 24, youth in Sikasso-Cira, a neighborhood of Bobo-Dioulasso, violently demonstrated against LGBTI individuals whom they accused of pedophilia and tarnishing the image of their neighborhood. The youth, who carried cudgels, machetes, and large knives, threatened to kill LGBTI individuals. Police intervened to disperse the crowd but did not arrest any of the youth. LGBTI advocacy organizations reported that some LGBTI individuals fled Bobo-Dioulasso for Ouagadougou.

HIV and AIDS Social Stigma

Societal discrimination against persons with HIV/AIDS was a problem, and persons who tested positive were sometimes shunned by their families. Families sometimes evicted HIV-positive wives from their homes, although families did not evict their HIV-positive husbands. Some landlords refused to rent lodgings to persons with HIV/AIDS.

The government distributed free antiretroviral medication to some HIV-positive persons who qualified according to national guidelines.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law allows workers to form and join independent unions of their choice without prior authorization or excessive requirements, but essential workers, such as magistrates, police, military, and other security personnel, may not join unions. The law provides unions the right to conduct their activities without interference.

The law provides for the right to strike, although it stipulates a narrow definition of this right. For strikes that call on workers to stay home and that do not entail participation in a rally, the union is required to provide eight to 15 days' advance notice to the government. If unions call for a march, advance notice must be provided to the city mayor. The law also gives the government extensive requisitioning powers, authorizing it to requisition private and public sector workers to secure minimum service in essential services. Authorities hold march

organizers accountable for any property damage or destruction that occurs during a demonstration.

The law prohibits antiunion discrimination and allows a labor inspector to reinstate immediately workers fired because of their union activities, although in private companies such reinstatement was considered on a case-by-case basis. Relevant legal protections cover all workers, including migrants, workers in the informal sector, and domestic workers. There were no reports of antiunion discrimination during the year.

Despite limitations on the right to strike, the government generally respected freedom of association and the right to collective bargaining. Private sector employers did not always respect freedom of association, especially in the gold mining sector.

The government generally respected the right of unions to conduct activities without interference. Employers dismissed or transferred union members working in mining companies for participating in union activities. Government resources to enforce labor laws were not sufficient to protect worker rights.

Unions have the right to bargain directly with employers and industry associations for wages and other benefits. Worker organizations were independent of the government and political parties. There were no reports of strikebreaking during the year.

There were no reports of government restrictions on collective bargaining during the year. There was extensive collective bargaining in the formal wage sector, but this sector included only a small percentage of workers. Employers sometimes refused to bargain with unions. In the private sector, particularly in mining and other industries, employers' use of subcontracting made it difficult to enforce worker rights systematically.

b. Prohibition of Forced or Compulsory Labor

While the law prohibits all forms of forced labor, the government did not effectively enforce the law. Forced child labor occurred in the agricultural (particularly cotton), informal trade, domestic labor, restaurant, and animal husbandry sectors, as well as at gold panning sites and stone quarries. Educators forced some children sent to Quranic schools by their parents to engage in begging

(see section 6). The government did not have a significant, effective program in place to address or eliminate forced labor.

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

c. Prohibition of Child Labor and Minimum Age for Employment

The law sets the minimum age for employment at 16 and prohibits children under age 18 from working at night, except in times of emergency. The minimum age for employment was consistent with the age for completing educational requirements, which was 16. In the domestic labor and agricultural sectors, the law permits children who are 13 and above to perform limited activities for up to four and one-half hours per day.

The law prohibits the worst forms of child labor, including the commercial sexual exploitation of children, child pornography, and jobs that harm the health of a child. In 2013 the government adopted the National Action Plan (NAP) to combat the worst forms of child labor and to reduce significantly exploitative child labor. Antitrafficking legislation provides for penalties of up to 10 years for violators and increases maximum prison terms from five to 10 years. The law also provides for terms as long as 20 years' to life imprisonment under certain conditions.

Despite efforts by the government and several NGOs, violence against children, child labor, and child trafficking occurred. The NAP against the worst forms of child labor coordinated the efforts of several ministries and NGOs. Its goals included greater dissemination of information in local languages, increased access to services such as rehabilitation for victims, revision of the penal code to address the worst forms of child labor, and improved data collection and analysis. During the review period, the National Coordination Committee adopted a monitoring tool to aid in data collection and analysis. The country enacted a law in April 2014 to criminalize the sale of children, child prostitution, and child pornography.

Punishment for violating child labor laws includes prison terms of up to five years and fines of up to 600,000 CFA francs (\$1,040). The government did not consistently enforce the law. The Ministry of Civil Service, Labor, and Social Security, which oversees labor standards, lacked sufficient inspectors, transportation, and other resources to enforce worker safety and minimum age laws. No data were available on number of prosecutions and convictions during the year.

The government organized workshops and conferences to inform children, parents, and employers of the dangers of exploitative child labor.

According to 2011 statistics compiled by the National Institute of Statistics, 76 percent of children between ages five and 17 engaged in some form of economic activity, 81 percent of whom worked in the agricultural sector. Children commonly worked with their parents in rural areas or in family-owned small businesses in villages and cities. There were no reports of children under age 15 employed by either state-owned or large private companies.

Children also worked in the mining, trade, construction, and domestic labor sectors. According to a 2012 UNICEF study, more than 20,000 children between ages eight and 18 worked at gold mining sites as servants, gold washers, or diggers. Some children, particularly those working as cattle herders and street hawkers, did not attend school. Many children under age 15 worked long hours. A study by the International Labor Organization reported that children working in artisanal mining sometimes worked six or seven days a week and up to 14 hours per day. Street beggars often worked 12 to 18 hours daily. Such children suffered from occupational illnesses, and employers sometimes physically or sexually abused them. Child domestic servants earned from 3,000 to 6,000 CFA francs (\$5 to \$10) per month and worked up to 18 hours per day. Employers often exploited and abused them. Criminals transported Burkinabe children to Cote d'Ivoire, Mali, and Niger for forced labor or sex trafficking.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at www.dol.gov/ilab/reports/child-labor/findings/.

d. Discrimination with Respect for Employment and Occupation

The law and regulations prohibit discrimination regarding race, sex, gender, disability, language, sexual orientation, and/or gender identity, HIV-positive status or other communicable diseases, or social status. The government did not effectively enforce those laws and regulations. Discrimination occurred based on the above categories with respect to employment and occupation.

By law persons with disabilities may receive a disability card allowing them to benefit from lower health care costs and access to education and employment. The law also includes building codes to provide for their access to governmental buildings. Penalties for violations range from 50,000 to one million CFA francs

(\$87 and \$1,733). The government did not consistently enforce these rights. Discrimination in employment and occupation occurred with respect to persons with disabilities and persons with HIV/AIDS (see section 6).

e. Acceptable Conditions of Work

The law mandates a minimum monthly wage of 32,218 CFA francs (\$56) in the formal sector, which does not apply to subsistence agriculture or other informal occupations.

The law mandates a standard workweek of 40 hours for nondomestic workers and a 60-hour workweek for household employees. The law provides for overtime pay, and there are regulations pertaining to rest periods, limits on hours worked, and prohibitions on excessive compulsory overtime.

The government sets occupational health and safety standards. There were explicit restrictions regarding occupational health and safety in the labor law. Employers must take measures to provide for safety and protect the physical and mental health of all their workers and assure that the workplace, machinery, materials, substances, and work processes under their control do not present health or safety risks to the workers.

The law requires every company with 10 or more employees to have a work safety committee. If an employee decides to remove himself due to safety concerns, a court rules on the relevancy of the decision.

The Ministry of Civil Service, Labor, and Social Security is responsible for enforcing the minimum wage. Ministry inspectors and labor tribunals are responsible for overseeing occupational health and safety standards in the small industrial and commercial sectors, but these standards do not apply in subsistence agriculture and other informal sectors. The government allocated 136.3 million CFA (\$236,000) to the regional directorates of labor and social security to build labor inspectors' capacities and provide them with better working tools.

These standards were not effectively enforced. The Labor Inspector Corps, which employed 155 inspectors and 133 controllers, lacked sufficient resources, including offices and transport. Labor inspectors went on strike several times during the year for better pay and resources. There were no reports of effective enforcement of inspection findings during the year.

Employers often paid less than the minimum wage. Employees usually supplemented their income through reliance on extended family, subsistence agriculture, or trading in the informal sector. Mining sector companies generally respected hours of work, overtime, and occupational safety and health standards. Employers subjected workers in the informal sector, which makes up approximately 50 percent of the economy, to violations of wage, overtime, and occupational safety and health standards.