Burkina Faso

Country: Burkina Faso
Year: 2016
Freedom Status: Partly Free
Political Rights: 4
Civil Liberties: 3
Aggregate Score: 59
Freedom Rating: 3.5
Overview:

In November 2015, voters in Burkina Faso elected a new president and parliament in polls described by national and international observers as the freest and most competitive ever to be held in the country. In late December, the inauguration of President Roch Marc Christian Kaboré and the seating of a new legislature marked the close of a transitional period that began in October 2014, when mass protests led to the resignation of longtime president Blaise Compaoré. Kaboré’s People’s Movement for Progress (MPP) won a plurality of seats in the parliament.

In September 2015, the presidential guard—the Régiment de Sécurité Présidentielle (RSP), which was loyal to Compaoré—attempted to stage a military coup. However, the attempt failed when, amid massive popular protests against the RSP’s actions, segments of the military backed the transitional government. RSP members shot and killed two dozen civilians during the unrest, which lasted about a week. The failed coup led interim authorities to delay the elections by over a month.

The transitional government passed a number of reforms in 2015, including the decriminalization of defamation and laws designed to improve conditions for women. Authorities during the transitional period also reopened investigations into two long-unsolved assassinations—those of journalist Norbert Zongo and of former president
Thomas Sankara. Both cases saw high-profile individuals linked with Compaoré charged by the year’s end, with Compaoré himself accused of involvement in the latter.

**Trend Arrow:**

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**Political Rights and Civil Liberties:**

**Political Rights:** 21 / 40 (+12) [Key]

**A. Electoral Process:** 6 / 12 (+4)

Compaoré took power after ousting Sankara in 1987, and remained in office for nearly three decades. Supported by his Congress for Democracy and Progress (CDP) party, Compaoré won Burkina Faso’s first multiparty presidential election in 1991, and subsequent elections in 1998, 2005, and 2010. The CDP won a majority in each of the parliamentary elections during Compaoré’s time in office. International monitors judged elections in Burkina Faso during Compaoré’s rule to be generally free but not entirely fair, due to the CDP’s privileged access to state resources and the media.

A reform in 2000 introduced a limit of two five-year presidential terms. The constitution gives members of the National Assembly five-year terms. Electoral reforms in 2009 extended the right to vote in presidential elections and referendums to Burkinabé living abroad, but they have yet to be implemented.

In 2014, Compaoré attempted to amend the constitution to allow himself a third presidential term. The move prompted profound political instability and violent protests, leading the military to dissolve the National Assembly that October; Compaoré then stepped down from office. Following a brief period of military rule, a transitional government was established in late 2014, composed of representatives from civil society, the former political opposition, the military, and the former ruling party.

The transitional government successfully organized and administered the November 2015 presidential and legislative elections. Kaboré, of the MPP, a party formed to oppose Compaoré’s proposed term-limit amendment, was elected president with just over 53 percent of the vote; turnout was more than 60 percent. Kaboré’s closest rival, Zéphirin Diabré of the Union for Progress and Change (UPC), won 29 percent. The MPP won a plurality, but not a majority, in the National Assembly, with 55 of the 127 seats. The UPC took 33 seats, and the former ruling party, the CDP, won 18. Kaboré and the newly elected members of parliament were inaugurated in late December.

Election observers from local civil society groups, the Independent National Electoral Commission, and international missions noted only minor irregularities in the polls, with many describing the elections as the freest, fairest, and most competitive ever to be held in the country.

**B. Political Pluralism and Participation:** 9 / 16 (+3)
The Burkinabé constitution guarantees the right to form political parties. Following the 2015 legislative elections, 14 parties held seats in the National Assembly. In April 2015, the interim legislature voted to modify the electoral code, barring individual politicians who had supported Compaoré’s term-limit changes from running in the upcoming presidential and legislative elections. The CDP contested the modifications at the Economic Community of West African States (ECOWAS) Community Court of Justice, which in July ruled that the modifications were invalid. The Constitutional Court of Burkina Faso nevertheless upheld the reforms in August, leading to the exclusion of a number of candidates from the elections.

However, in general the end of Compaoré’s regime gave way to a freer environment in which opposition parties were able to consolidate popular support during the campaigning period and gain power through the elections.

Efforts by the transitional government to reform the RSP were met with hostility from the military elite unit and, ultimately, its leaders attempted a military coup in September 2015. The maneuver sparked widespread protests, and failed after the national military’s chief of staff moved to support the transitional government. The coup attempt delayed the presidential and legislative elections, originally scheduled for October, for several weeks. Transitional authorities declared the RSP dissolved in late September.

Minority rights are generally respected in politics, though a small educated elite, the military, and labor unions have historically dominated political life. Under the military and transitional regimes, the ability of all groups to exercise full political rights and participate in political life was hindered, but this has been mostly reestablished with the return of an elected government.

C. Functioning of Government: 6 / 12 (+5)

The creation of the transitional government allowed for policymaking and legislative action, which had come to a standstill following the dissolution of the National Assembly and suspension of the constitution in 2014. The government made several constitutional changes, including removing presidential term limits from the category of rules that may be modified, and setting them at two five-year terms, served either consecutively or separately. The transitional government also removed language regarding a second chamber of the legislature from the constitution; the chamber had never functioned during Compaoré’s rule.

The selection of the members, ministers, president, and prime minister of the interim government was led by elites, leaving the government with little accountability to ordinary citizens. The successful elections and installation of a civilian government at the end of 2015 signified a marked improvement in government representation, accountability, and transparency. Corruption continued to be a problem in 2015, though prosecutors have pursued some high-level cases against former members of the Compaoré administration. Burkina Faso was ranked 76 out of 168 countries and territories surveyed in Transparency International’s 2015 Corruption Perceptions Index.
Civil Liberties: 38 / 60 (+2)

D. Freedom of Expression and Belief: 14 / 16 (+1)

Although the constitution guarantees freedom of expression, which is generally respected, many media workers practice self-censorship, linked in part to years of impunity for Zongo’s murder. The transitional government decriminalized defamation in September 2015. While defamation convictions can no longer result in jail time, the new law prescribes hefty fines of between 1 and 5 million CFA francs ($1,700 to $8,400) for violations; observers caution that such fines, if levied, could force many outlets out of business. There are several private television stations and dozens of private radio stations and newspapers. In July, the transitional government set plans to grant greater legal and financial autonomy to state-owned media outlets; it also set plans to establish publishing regulations that would improve ownership transparency. Journalists were generally able to report freely and critically on the 2015 elections. A number of reporters were attacked while covering events related to the failed coup, during which several media outlets also saw severe property damage inflicted. Large segments of the media community nevertheless continued to disseminate high-quality information during the crisis. The government does not restrict internet access, though penetration is low, with about 11 percent of people accessing the medium in 2015.

Burkina Faso is a secular state, and freedom of religion is respected. Academic freedom is unrestricted, though Compaoré had relied on repression to quell student-led protests and political agitation. Authorities are not known to engage in intrusive surveillance activities.

E. Associational and Organizational Rights: 8 / 12

The constitution provides for the right to assemble, though demonstrations have often been suppressed or banned. The RSP had a history of employing violence to repress mass gatherings. In October 2015, Amnesty International reported that RSP members fired on civilian protesters and bystanders during the unrest that accompanied the failed coup, killing 14 people and injuring hundreds more.

While many nongovernmental organizations operate openly and freely, human rights groups have reported abuses by security forces. During the attempted coup, leaders of prominent civil society organizations were targeted by the former presidential guard, and in some cases their property was destroyed.

The constitution guarantees the right to strike, and unions frequently and freely engage in strikes and collective bargaining. Although only a minority of the work force is unionized, unions play an important role in the politics of the country and have used general strikes to effectively shut down the public and formal sectors.

F. Rule of Law: 8 / 16 (+1)
The judiciary is formally independent but has historically been subject to executive influence and corruption. The courts are further weakened by a lack of resources and citizens’ lack of awareness of their rights.

The last few months of 2015 saw high-profile legal proceedings initiated against a number of officials associated with the former regime. Shortly after the failed coup, its leader, RSF general Gilbert Diendéré, was taken into custody along with more than a dozen others; he was charged with murder and threatening state security. In November, Diendéré was charged with involvement in the 1987 killing of former president Sankara, though the specifics of the allegations were not immediately publicized. In December, authorities issued an international arrest warrant for Compaoré in connection with Sankara’s killing; at the close of 2015 the former leader was thought to be in neighboring Côte d’Ivoire. Also that month, authorities charged three former RSF members with involvement in Zongo’s 1998 murder.

Police often use excessive force and disregard pretrial detention limits. Discrimination against ethnic minorities occurs, but is not widespread. LGBT (lesbian, gay, bisexual, and transgender) people, as well as those infected with HIV, routinely experience discrimination.

G. Personal Autonomy and Individual Rights: 8 / 16

The constitution provides for freedom of movement within the country, although security checks on travelers are common. Equality of opportunity has improved somewhat since the establishment of the transitional government; previously, CDP members often received preferential treatment in business matters, including for the acquisition of public contracts.

While illegal, gender discrimination remains common in employment and education, as well as in the upholding of property and family rights; it is particularly common in rural areas. In September 2015, the transitional government adopted two laws aimed at the prevention and punishment of domestic violence against women and children. Especially in the northern regions, early marriage contributes to lower female school enrollment and a heightened incidence of obstetric fistula. Human rights groups have recorded a significant drop in the prevalence of female genital mutilation since its criminalization in 1996.

Burkina Faso is a source, transit, and destination country for trafficking in women and children. Child labor is present in the agricultural and mining sectors, among other industries. Women from neighboring countries are recruited by traffickers and transported to Burkina Faso, where they are forced into prostitution.

Scoring Key: X / Y (Z)

X = Score Received
Y = Best Possible Score
Z = Change from Previous Year

Full Methodology

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