

Burkina Faso | Freedom House

POLITICAL RIGHTS: 23 / 40

A. ELECTORAL PROCESS: 7 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 2 / 4

The president is head of state and is directly elected to no more than two five-year terms. Roch Marc Christian Kaboré, of the People's Movement for Progress (MPP), won the 2015 presidential election with just over 53 percent of the vote. Observers described the election as the most competitive ever to be held in the country. However, a number of politicians who had supported an ultimately unsuccessful attempt by former president Blaise Compaoré to amend the constitution to allow himself a third presidential term were barred from contesting the election. (Compaoré's 2014 move to amend the constitution had prompted profound political instability and violent protests; Compaoré subsequently stepped down from office. Following 16 days of provisional military control, a transitional government was established in late 2014, and administered presidential and parliamentary elections in 2015.)

The prime minister is head of government and is appointed by the president with the approval of the National Assembly, and is responsible for recommending a cabinet that is formally appointed by the president. Kaboré appointed economist Paul Kaba Thiéba to the post in early 2016.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

The 127 members of the National Assembly are directly elected to five-year terms under a proportional representation system. The 2015 legislative elections were held concurrently with the presidential election and were viewed as generally credible, despite the exclusion of a number of candidates who had supported Compaoré's term-limit changes. The MPP won a plurality, but not a majority, in the National Assembly, with 55 of the 127 seats.

Municipal elections held in 2016 reflected continuing erosion of support for the Congress for Democracy and Progress (CDP), the former ruling party, and increasing support for the MPP. Election observers from local civil society groups and international missions noted only minor irregularities in the polls. However, election-related violence prevented polling in a number of districts, which, according to some observers, contributed to relatively low turnout. Makeup elections for several constituencies were held peacefully in 2017, though once again some candidates were reportedly excluded.

A3. Are the electoral laws and framework fair, and are they

implemented impartially by the relevant election management bodies? 3 / 4

The Independent National Electoral Commission (CENI) is responsible for organizing elections, and the 2015 and 2016 polls were generally well administered.

A new electoral code adopted in July 2018 was criticized by opposition parties for imposing new restrictions on voters living abroad. The 2018 code requires either the national identity card or a Burkinabè passport for those living abroad to register to vote, whereas a consular card was considered an acceptable document in the previous code. Opposition critics claimed that many Burkinabès abroad, particularly those in Côte d'Ivoire, would not possess the required documents and would therefore be disenfranchised.

B. POLITICAL PLURALISM AND PARTICIPATION: 10 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

The constitution guarantees the right to form political parties. Following the 2015 legislative elections, 14 parties held seats in the National Assembly, though 99 parties had participated in the elections. The 2015 Election Code prohibited some former ruling party members from participating in the 2015 presidential election.

The MPP and the CDP both have extensive patronage networks and disproportionate access to media coverage, making it difficult for other political parties to build their support bases.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

The end of former president Compaoré's 27-year regime in 2014 has given way to a freer environment, in which opposition parties were able to consolidate popular support and gain power through recent elections. However, a history of rotation of power between parties has yet to be firmly established.

B3. Are the people's political choices free from domination by the military, foreign powers, religious hierarchies, economic oligarchies, or any other powerful group that is not democratically accountable? 2 / 4

Burkina Faso's military maintains a significant presence in the political sphere. In 2015, the presidential guard, which was loyal to former president Compaoré, attempted to stage a military coup. The maneuver sparked widespread protests, and failed after the national military's chief of staff moved to support the transitional government. The history of military intervention poses a persistent threat to democratic stability in Burkina Faso.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and

electoral opportunities? 3 / 4

The constitution enshrines full political rights and electoral opportunities for all segments of the population. However, a small educated elite, the military, and labor unions have historically dominated political life.

Women are underrepresented in political leadership positions, and within parties are frequently relegated to women's secretariats that have little influence. However, there have been some initiatives aimed at establishing greater legal protections for women and encouraging women's political participation, including proposed revisions to an unevenly enforced quota law.

C. FUNCTIONING OF GOVERNMENT: 6 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4**

Laws are promulgated and debated by the elected National Assembly members. While democratic institutions continue to develop, they are not yet strong enough to withstand the influence of the military and other elite groups. Attacks by Islamic militants, which have increased in frequency in recent years, severely impede the government's ability to implement its policies in the insecure north and east.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Corruption is widespread, and particularly affects the police force. Anticorruption laws and bodies are generally ineffective, though local nongovernmental organizations (NGOs) provide some accountability by publicizing official corruption and its effects.

C3. Does the government operate with openness and transparency? 2 / 4

The successful 2015 elections and installation of a civilian government signified a marked improvement in government representation, accountability, and transparency. However, government procurement processes are opaque, and procedures meant to increase transparency are often not followed. Government officials are required to make financial disclosures, but the information is rarely made public, and the penalties for noncompliance do not appear to be enforced.

CIVIL LIBERTIES: 37 / 60**D. FREEDOM OF EXPRESSION AND BELIEF: 13 / 16****D1. Are there free and independent media? 3 / 4**

The environment for media has improved since the end of Compaoré's rule. Since then, defamation has been decriminalized, reporters at the public broadcaster have experienced less political interference, self-censorship among journalists has eased,

and journalists are generally able to report freely and critically on the government and its activities. There are several private television stations and dozens of private radio stations and newspapers.

Nevertheless, libel convictions still carry onerous financial penalties, journalists at times have experienced pressure from government officials, and media workers face a challenging economic environment. In July 2018, activist Naïm Touré was sentenced to two months in jail after being convicted of “incitement to revolt” for a Facebook post that criticized a military counterterrorism operation.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Burkina Faso is a secular state, and freedom of religion is generally respected. The population is predominately Muslim with a large Christian minority. Followers of both religions often engage in syncretic practices. Recent actions by Islamic militant groups, which have attacked and intimidated civilians in the north and east, contributed to increased tensions between Muslims and Christians, although religious tolerance remains the norm.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom is unrestricted, though due to the former regime’s repressive tactics against student-led protests, a legacy of tension between the government and academic organizations persists. Islamic militant groups in the north have threatened teachers in an effort to force them to adopt Islamic teachings, resulting in the closure of schools.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Private discussion is unrestricted in much of the country. However, attacks and intimidation by militant Islamic groups in the north and east, and an increased security presence in response to their activities, have dissuaded people from speaking about local news and politics and other sensitive topics.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 9 / 12

E1. Is there freedom of assembly? 3 / 4

The constitution guarantees freedom of assembly, which is largely upheld in practice. Under the new government, space for demonstrations and protests has opened. Several peaceful protests took place in 2018. However, past government repression of peaceful demonstrations can still discourage such events, and the ability to demonstrate is restricted in areas affected by militant activity.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 3 / 4

While many NGOs operate openly and freely, human rights groups have reported abuses by security forces in the past. NGOs still face harassment in carrying out their work, and NGO leaders argue that some legal provisions, including vaguely worded terrorism laws, are vulnerable to being misused to silence human rights defenders.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

The constitution guarantees the right to strike, and unions frequently and freely engage in strikes and collective bargaining, although a minority of workers are unionized. Labor organizers can face fines or prison time if a labor action results in property damage.

F. RULE OF LAW: 7 / 16

F1. Is there an independent judiciary? 2 / 4

The judiciary is formally independent but has historically been subject to executive influence and corruption. In February 2018, a highly anticipated military trial of 84 people accused of involvement in the failed 2015 coup commenced. Some analysts have questioned whether the accused could receive a fair trial, since the members of the military tribunal ruling on the case are appointed by the Defense Ministry and the president, and the government body tasked with ensuring judicial independence does not have control over military courts. The trial was suspended several times throughout the year, and was ongoing at year's end.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Constitutional guarantees of due process are undermined by corruption and inefficacy of the judiciary and police force. A 2017 report by the Anticorruption National Network (REN-LAC) identified the municipal police as the government office perceived to be the most corrupt. Police often disregard pretrial detention limits.

The military has been accused of arbitrarily detaining large groups of men in the vicinity of attacks by Islamic militants. While most detainees are released in a matter of days, some have been held for months.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

The security environment has declined in recent years due to activity by Islamic militant groups and bandits. In March 2018, attacks by armed militants in downtown Ouagadougou targeted the military's headquarters and the French embassy, claiming at least 30 lives. Dozens have been killed in attacks by militant groups and bandits in the north, mainly along the borders with Mali and Niger. Insecurity also grew in the east in 2018, with regular attacks against civilians and the military. In December, President Kaboré declared a state of emergency in 14 provinces in response to the growing crisis.

In some cases, security forces have reportedly responded to the insecurity with

extrajudicial killings and torture. In September, for example, at least 29 individuals were summarily executed by security forces in the northern province of Soum. Authorities claimed that those executed were militants. Victims have complained that the authorities have largely failed to investigate human rights abuses perpetrated by security forces.

Allegations of torture and abuse of suspects in custody by the police are common, and prisons are often overcrowded.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

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. While illegal, gender discrimination remains common in employment and education.

Reports of growing racial, ethnic, and religious stigmatization within historically tolerant Burkinabè society emerged in the wake of continuing terrorist activities in the north. This increased prejudice has most affected people appearing to be of Tuareg, Fulani, or Arab descent.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 8 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

Due to increasing insecurity, the government has established a number of heavily guarded checkpoints on roads near the northern border and the capital, and has instituted curfews in some places. The deteriorating security situation in the east has also impinged on freedom of movement there. Since 2017, schools have been targeted by armed groups in the north, and the number of people that have fled their homes has increased.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

In recent years, the government has implemented reforms in the business sector by reducing the amount of capital necessary to start a business, facilitating the ability to obtain credit information, and improving the insolvency resolution process. However, the business environment is hampered by corruption. Laws and practices involving inheritance discriminate against women.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Women face discrimination in cases involving family rights. Early marriage remains an issue, especially in the north. The practice of female genital mutilation is less common than in the past, but still takes place. Domestic violence remains a problem

despite government efforts to combat it.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

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. In the US Department of State's 2018 *Trafficking in Persons Report*, Burkina Faso was upgraded to a Tier 2 country by accelerating efforts to combat human trafficking through increased convictions and improved efforts to protect victims of trafficking.