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President Blaise Compaore continued to dominate the Government of the Fourth Republic, assisted by members of his party, the Congress for Democracy and Progress (CDP), despite increasing challenges from a number of fronts within society. In spite of the existence of dozens of political parties, there is little viable opposition to the President and his Government. The Government includes a strong presidency, a Prime Minister, a Council of Ministers presided over by the President, a two-chamber National Assembly, and the judiciary. In November 1998, President Compaore was reelected to a second 7-year term with 88 percent of the vote; 56 percent of the electorate voted. Both national and international observers described the presidential election as substantially free and fair and an improvement over the 1997 legislative elections, particularly in regard to logistical organization of the balloting and the functioning of the polling stations. However, there were a limited number of voting irregularities. The national observers identified a number of systemic weaknesses in the Electoral Code that precluded the serious assurance of a perfectly regular and transparent vote, and a coalition representing a number of opposition parties boycotted the election. The CDP now controls 102 of 111 seats in Parliament. International observers considered the 1997 legislative elections to be substantially free and fair, although a collective of 14 local nongovernmental organizations (NGO's) cited generalized and systematic corruption and voter list irregularities.

The security apparatus consists of the armed forces, the gendarmerie, controlled by the Ministry of Defense, and the police, controlled by the Ministry of Territorial Administration. Some members of the security forces committed human rights abuses.

Over 80 percent of the population of almost 11 million persons engages in subsistence agriculture. Frequent drought, and limited communication and transportation infrastructures, in addition to a 77 percent illiteracy rate, are longstanding problems. The 50 percent devaluation of the CFA franc in 1994 made imports more expensive for salaried workers and civil servants, but improved the competitiveness of livestock and cotton exports. Since 1991 the Government has adopted a series of structural adjustment

programs designed to open the economy to market forces and to reduce government deficits, while shifting resources to the education and health sectors. In recent years, the country has registered strong gains in life expectancy, literacy, and school attendance rates, although it remains a very poor country with annual per capita income of about \$220.

There continued to be serious problems in the Government's human rights record. Although the Government continued attempts to improve its respect for human rights, a general climate of impunity for members of the security forces along with a lack of progress in identifying or punishing those responsible for abuses committed continued to tarnish its record. The continued dominance of President Compaore and his ruling party limited citizens' right to change their government, although the 1998 presidential election represented a further step toward democratic government. The security forces were responsible for two extrajudicial killings and continued to mistreat detainees. Prison conditions remained harsh. Arbitrary arrest and detention are problems, and authorities do not ensure detainees due process. Courts are subject to executive influence, and authorities do not ensure fair trials. At times authorities restricted media activity, and the media practices self-censorship. The death of internationally respected journalist Norbert Zongo, his brother, and two other men in a suspicious car fire in December 1998 remained a focus of public concern during the year. The Government's reaction to public demonstrations and general strikes triggered by those deaths was, on balance, moderate and nonconfrontational. The Government succeeded in reducing tensions somewhat during the year by displaying an increased openness to dialog, including with opposition leaders, and by making concessions on occasion to civil society, including to the Collective of Mass Democratic Organizations and Political Parties. (The Collective, which was created in response to the killings is made up of 57 organizations, including labor unions, opposition political parties, human rights groups, and development, student, and women associations.) However, the Government withdrew certain privileges from a leading human rights advocate. Societal discrimination against women persisted. Violence against women and children, particularly female genital mutilation (FGM), remained a problem. The Government took steps to educate citizens about the dangers of this practice. Child labor is a problem. Killings of criminal suspects by vigilante mobs remained a problem.

RESPECT FOR HUMAN RIGHTS

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

a. Political and Other Extrajudicial Killing

There were no reports of political killings; however, there were two reports of extrajudicial killings. On January 22, Auguste Pepin Ouedraogo, an employee of the national electric company SONABEL, died from injuries he had suffered a couple of weeks earlier in a beating by gendarmes in Bobo-Dioulasso. The gendarmes detained Ouedraogo on January 11, 3 days after he had tried to help resolve an argument involving a traffic dispute between one of his friends and a gendarme commander. In response to news of Ouedraogo's death, unions representing SONABEL workers shut off both power and water throughout much of the country on January 22. Defense Minister Albert de Millogo, called for public calm and announced on the same day that the gendarmes involved had been arrested. On June 22, SONABEL workers again cut power and water to

pressure authorities to move the gendarmes implicated in the killing from a gendarme facility to the main civilian prison in Ouagadougou. They were subsequently moved. As of September, Ouedraogo's murder was still under investigation in the military justice system. On December 11, the criminal court handling Ouedraogo's case rendered its decision. One of the gendarmes involved received a 5-year prison sentence one a 3-year sentence, and three 2-year sentences each.

In August gendarmes shot and killed mechanic Mamadou Kone when he was in their custody in Banfora, a village in the province of Comoe. Kone had been arrested as a result of an investigation involving stolen car engines. As he was being booked, Kone struck at two gendarmes in an attempt to escape and was then shot by a third gendarme. The officer who shot Kone was handed over shortly thereafter to judicial authorities in Bobo-Dioulasso. As of year's end, the case was being investigated in the military justice system, and the officer who shot Kone remained under detention.

The January 1998 extrajudicial killing of David Ouedraogo, the chauffeur of President Compaore's brother Francois, remained unresolved. Ouedraogo, along with two other domestic employees of Francois Compaore, had been taken to the Presidential Guard barracks in December 1997 after being accused of stealing money from the home of the President's brother. Francois Compaore's refusal to cooperate with judicial authorities impeded the official investigation, and he was never arrested. In March the civil court handling the case declared itself incompetent to rule on the matter since Ouedraogo had died at the hands of members of the Presidential Guard within their barracks. As a result, the case was sent to a military tribunal. The civil court decision was prompted by arguments put forth by Francois Compaore's lawyer that the charges of murder and concealing a body filed against the President's brother in January should be dropped because of technical errors made in the filing of the case. The civil court agreed that there had been errors.

In June authorities arrested 3 members of the Presidential Guard who were implicated in Ouedraogo's murder in response to a recommendation made by the Council of Wisemen, a 16-member Council made up of former heads of state, religious and traditional leaders, and otherwise respected persons. The three men arrested also had been named as "serious suspects" in the Independent Investigatory Commission's final report on the Zongo killing.

In June the two domestic employees of Francois Compaore who had been accused, along with David Ouedraogo, of stealing money from the home of the President's brother were released provisionally after spending over a year in preventive detention. Their release was prompted by a recommendation made by the Wisemen's Council.

In January in response to pressure from the Collective of Mass Democratic Organizations and Political Parties, the Government agreed to modify the composition of the Independent Investigatory Commission looking into the deaths of journalist Norbert Zongo, his brother, and two other men in a suspicious car fire in December 1998. In May the Commission released its final report. The report, which was based in part upon evidence obtained by a pathologist, a forensic doctor, and French ballistic and fire experts, determined that the four men had died for "purely political motives." The report did not identify the authors of the crime because of a lack of formal proof but named six members of the Presidential Guard who had offered contradictory testimony about their

whereabouts on the day of the murders. The Commission stated that this did not render them guilty but did make them "serious suspects." The six included two soldiers, one corporal, two sergeants, and one warrant officer. The Commission noted that the official documents from the Presidential Guard and the army that might have clarified the issue of their whereabouts could not be found and probably had been destroyed intentionally.

After discrediting other hypotheses, the Commission argued that the most probable motive for Zongo's murder was to put an end to the articles that he had been writing on the January 1998 killing of David Ouedraogo, the chauffeur of President Compaore's younger brother Francois, allegedly by members of the Presidential Guard. The Independent Investigatory Commission's final report recommended that the Government pursue the results of the Commission's work in court; that the separation of functions between the police and the military be enforced; that the Presidential Guard limit its duties to the protection of the Chief of State; that unresolved cases of disappearances and killings in the recent past be settled; and that the National Assembly pass a law to eliminate any time limit for resolving the Zongo case. As of year's end, the courts were continuing work on the Zongo case, and the separation of functions between the police and military was being enforced. However, the presidential guard had not officially limited its duties to protecting the President, no unresolved cases of disappearances and killings in the recent past had been settled, and the National Assembly had not passed a law to eliminate any time limit for resolving the Zongo case.

In May the Council of Ministers ruled in extraordinary session to send the Zongo case to the Justice Ministry for further action. It also decided that the six suspects could not be arrested at that time since the Independent Investigatory Commission had not established their guilt firmly. As of year's end, five of the six were in detention but only because they also had been implicated in the killing of David Ouedraogo, the chauffeur of President Compaore's brother Francois, who had died in January 1998 while in the custody of members of the Presidential Guard.

On May 21, in a rare address to the nation, President Compaore announced actions to carry out the recommendations made by the Independent Investigatory Commission. He ordered that the judge handling the Zongo case be given all the necessary material and financial means to pursue it; that the Defense Minister accelerate the military tribunal's investigation of the Presidential Guard members implicated in the death of David Ouedraogo; that the Defense Minister proceed immediately with reorganization of the Presidential Guard; that all demonstrators arrested for acts of vandalism and violence over the preceding weeks be released, except for those involved in suits that already had been filed by individual citizens; and that a Council of Wisemen be set up and given 45 days to review the political crimes that have taken place since Burkina's independence, and to make recommendations for restoring social peace in the wake of the Zongo killings. As of year's end, five of the six presidential guard members implicated in the death of David Ouedraogo were in detention, and all demonstrators arrested for acts of vandalism and violence were released. The Presidential Guard had not been reorganized.

On August 2, the Council of Wisemen issued its final report, which recommended reform of the judicial system; creation of an ad hoc consensual commission to review certain articles of the Constitution, particularly Article 37, which was amended in 1997 to allow a president to run for an unlimited number of terms; formation of a government of national unity; creation of a truth and justice commission to direct the nation's reconciliation

process; and dissolution of the National Assembly. On October 8, President Compaore instructed the Prime Minister to reshuffle the Government. The new Government included no officials from civil society and only four members of the opposition. The major opposition group, the Group of 14 February, refused to participate. On October 29, the Council of Ministers passed decrees creating a Commission for Political Party Consultations and a Commission of National Reconciliation. The Commission for Political Party Consultations issued a final report on December 22. The President announced in his traditional New Year's Eve address that he would accept all of the report's recommendations, including designating a formal leader of the opposition in Parliament and reintroducing presidential term limits beginning in 2005. He said that he would call new parliamentary elections "if necessary."

No progress was made in punishing those responsible for abuses reported in previous years. The major problem with law enforcement remains a general climate of impunity for human rights abusers fostered by the failure of the government's investigations to result in guilty findings and appropriate sanctions. Inquiries tend to continue until they are overshadowed by subsequent incidents or quietly shelved. Appeals by human rights organizations generally go unanswered. The failure to prosecute previous abuses remains the most important hindrance to further human rights progress.

The 1996 incident in which members of the police in the town of Reo shot and killed an unarmed villager during an operation to fine owners of unregistered vehicles remained unresolved. An official investigation into the 1995 shooting death of two unarmed high school demonstrators in Garango yielded no results. There were no further developments regarding the 1994 corruption scandal that led to the death in custody of two suspects under suspicious circumstances.

To date, the authorities have provided no explanation of the death of Doin Redan, who was found dead in 1994 a day after being detained by police. The Government continued to make no real effort to investigate the fate of a Ghanaian detainee reportedly killed in 1993 while in police custody. International and local human rights groups pressured the official commission investigating the 1991 killing of Clement Ouedraogo, a prominent opposition leader, to submit a report of preliminary findings to the Prime Minister. The report has not been made public and the case remains open, as do the cases of the 1989 disappearance of Professor Guillaume Sessouma, detained for allegedly participating in a coup plot, and of medical student Dabo Boukary in 1990, detained following student demonstrations. Credible reports indicated that security forces tortured and killed both men. The Government failed to respond to students' calls for information on Boukary's death, which was included in a list of demands issued during university strikes in 1997.

There were some killings of criminal suspects by vigilante mobs.

b. Disappearance

There were no reports of politically motivated disappearances.

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

The law prohibits the mistreatment of detainees; however, members of the security forces continued to mistreat persons, often to extract confessions. There are credible reports that

officials at Maco prison continued to employ degrading treatment. The Government is not known to have taken any disciplinary action against those responsible, and the climate of impunity created by the Government's failure to prosecute abusers remains the largest obstacle to ending abuses.

Police used tear gas to disperse protesters (see Section 2.b.).

Prison conditions are harsh, overcrowded, and can be life threatening. The federal prison in Bobo-Dioulasso, built in 1947, houses about 1,000 prisoners, although it was designed to hold less than half that number. There are separate facilities for men, women, and children. The prison diet is poor, and inmates often must rely on supplemental food from relatives.

According to human rights monitors, prison visits are granted at the discretion of prison authorities. Permission is granted routinely, and advance permission is not required.

d. Arbitrary Arrest, Detention, or Exile

Arbitrary arrest and detention were problems, and authorities did not ensure due process. The Constitution provides for the right to expeditious arraignment and access to legal counsel. The law limits detention for investigative purposes without charge to a maximum of 72 hours, renewable for a single 48-hour period; however, in practice police rarely observe these provisions. The average time of detention without charge is 1 week, and the law allows judges to impose an unlimited number of 6-month "preventative detention" periods.

On May 17, following violent student demonstrations in Ouagadougou and Bobo-Dioulasso, and the closure of schools in both cities, the Government detained three opposition leaders: Burkinabe Movement for Human Rights (MBDHP) president and head of the Collective of Mass Democratic Organizations and Political Parties Halidou Ouedraogo; head of the Sankara Association Thibault Nana; and Alliance for Democracy and Federation and Democratic African Assembly (ADF/RDA) president Hermann Yameogo, who as a deputy elected to the National Assembly enjoys parliamentary immunity. Ouedraogo was released after 2 hours of police questioning, and Nana was freed early on May 18. Yameogo, who was accused of having incited students to riot during a series of speeches, was released at the end of the statutory 72-hour period for preventive detention.

In November 1998, eight armed policemen temporarily detained opposition Party for Democracy and Progress (PDP) deputy Gerard Karambiri and a PDP supporter. Police awakened both men in their respective homes in Bobo-Dioulasso in the early hours of the morning, apparently searching for opposition parties' materials calling for a boycott of the presidential election. The officers lacked the required warrants and entered their homes at times other than the 6 a.m. to 9 p.m. "legal hours." Police took them to headquarters, interrogated them for about 2 hours, then released them. Parliamentarians believed that the detention of Deputy Karambiri was a violation of the parliamentary immunity granted to all deputies under the Constitution. Several days later, after demanding that the detentions be investigated fully, PDP deputies walked out of a National Assembly plenary session in protest. In response the governing CDP parliamentary group sent three of its leading deputies to express support for the PDP, and National Assembly President

Melegue Traore addressed a letter to the Prime Minister asking that the incident be investigated. The Government has never responded.

Police arrested and detained protesters and detained a journalist in September (see Sections 2.a. and 2.b.).

The Government does not use forced exile.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary; however, in practice the judiciary is subject to executive influence. The President has extensive appointment and other judicial powers. The Constitution stipulates that the Head of State is also the President of the Superior Council of the Magistrature, which can nominate and remove some high-ranked magistrates and can examine the performance of individual magistrates.

The Zongo killing and its aftermath have focused attention on the severe weaknesses in the justice system, including removability of judges, outdated legal codes, an insufficient number of courts, a lack of financial and human resources, and excessive legal costs.

The Constitution provides that the Supreme Court is the highest court in the country. Beneath it are 2 Courts of Appeal and 10 provincial courts ("de grande instance"). There is also a High Court of Justice, with jurisdiction to try the president and senior government officials for treason and other serious crimes. In 1995 the National Assembly passed legislation reforming the military court system, making military courts less susceptible in principle to executive manipulation; however, their independence has not yet been demonstrated.

In addition to the formal judiciary, customary or traditional courts, presided over by village chiefs, handle many neighborhood and village problems, such as divorce and inheritance disputes. The population generally respects these decisions but citizens also may take a case to a formal court.

The Constitution provides for the right to public trial, access to counsel, and has provisions for bail and appeal. While these rights generally are respected, the ability of citizens to obtain a fair trial remains circumscribed by an ignorance of the law because 77 percent of the population is illiterate and by a continuing shortage of magistrates. Amendments to the Penal Code to make it more relevant to modern requirements, such as the revision making FGM a crime, were adopted by Parliament during its last session in 1996 and entered into effect early in 1997.

There were no reports of political prisoners.

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

The Constitution provides for these rights, and in practice the authorities generally do not interfere in the daily lives of ordinary citizens. However, in national security cases a special law permits surveillance, searches, and monitoring of telephones and private correspondence without a warrant. By law and under normal circumstances, homes may be searched only with the authority of a warrant issued by the Attorney General.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The 1991 Constitution and the 1990 Information Code provide for freedom of speech and of the press; however, in practice these freedoms still remain circumscribed both by government action and by a certain degree of self-censorship. The President and his Government remain sensitive to criticism. Provisions in the Code granting the Government strong legal powers to intimidate the press through a broad interpretation of defamation were removed in 1993. As a result, journalists charged with libel may defend themselves in court by presenting evidence in support of their allegations. The independent press, particularly the written press, continued to exercise greater freedom of expression. However, the suspicious death of internationally respected journalist and newspaper editor Norbert Zongo in December 1998 raised serious questions on the limits to the exercise of this freedom (see Section 1.a.). Zongo was well known for his investigative reports on government scandals.

On December 1, police in Ouagadougou detained two journalists and six leaders of the Collective of Mass Democratic Organizations and Political Parties, including its president Halidou Ouedraogo, to question them about a communique that they addressed to the armed forces, calling upon the military to guarantee demonstrators' safety and right to demonstrate. One of the men detained was Paulin Yameogo, editor of the weekly newspaper *San Finna*, which had just printed on its cover a photo of the scarred back of one of the men allegedly tortured by the Presidential Guard at the same time as David Ouedraogo, the murdered chauffeur of President Compaore's brother. The eight were arrested 2 days later and charged with "attempts against the army's morale," a charge that carried the penalty of 1 to 5 years in prison. On December 27, the case against them was dropped when the judge ruled that procedural flaws in their arrest and indictment prevented a fair trial.

All media are under the administrative and technical supervision of the Ministry of Communication and Culture. The audiovisual media are further regulated by the Superior Council of Information (CSI).

The official media, including the daily newspaper *Sidwaya*, and the national radio and television displayed progovernment bias. The independent press includes 6 daily and 12 weekly newspapers. There are 20 independent radio stations and 1 religious television station. The only private commercial television station ceased to broadcast, due to financial difficulties. These media outlets include stations that are critical of the Government.

In 1998 the CSI released new regulations for private and independent radio and television. All new regulations were fully in effect as of February. The new regulations allowed reinstatement of call-in shows, which had previously been suspended in 1997. However, radio stations are held responsible if their call-in programs threaten the public order or the rights of any third party. In May employees from two radio stations were called in for questioning after broadcasting a call-in show on the Zongo killings that featured the secretary general of Reporters Without Borders, Robert Menard. After being threatened with formal expulsion, Menard involuntarily left the country. In September he was denied entry into the country.

National and international observers reported that the CSI effectively fulfilled its responsibilities under the Electoral Code to assure equal media treatment of the candidates during the period prior to the November 1998 presidential election. The collective of independent election observers stated after the election that the press generally had been open to the different candidates and that press reporting on candidates' campaigns, with the exception of the national television and state-owned newspaper, which initially gave the President more attention than the other two candidates, became more balanced after a complaint presented to the CSI early in the campaign by Green Party candidate Ram Ouedraogo.

Academic freedom is respected.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly, and the Government generally respected this right in practice. Political parties and labor unions usually have been allowed to hold meetings and rallies without requesting Government permission since early 1990. In October 1997, the National Assembly passed a law to replace an existing 1992 law regulating public demonstrations. The new law requires that authorities be notified in advance of planned demonstrations and gives the executive the right to use reasons of public order to forbid demonstrations. In addition penalties for violations were increased from 6 months to 5 years to 2 to 5 years. Permits must be obtained from municipal authorities for political marches. Applicants must indicate the date, time, duration, and itinerary of the march or rally, and authorities may alter or deny requests on grounds of public safety. Denials or modifications may be appealed before the courts.

After the January 3 incident, the Government permitted many marches and protests with or without the required prior notice, and its handling of demonstrations was, on balance, moderate and nonconfrontational. In January the Government agreed to the Collective's demand to end the "state of siege," a term referring to the use of strong-arm police tactics to prevent the formation of demonstrations. In February some 400 intellectuals were not permitted to meet with the President but were allowed to present a petition against impunity to the Minister of Territorial Administration. In March a crowd estimated at 1,000 persons marched peacefully to Norbert Zongo's grave during the FESPACO film festival. Also in March, some 3,000 to 5,000 demonstrators marched peacefully to the office of the President without interference. On November 27, between 10,000 and 20,000 persons participated in a peaceful march in Ouagadougou that was organized by the Collective to press for justice in the case of Norbert Zongo's killing. On December 13, to mark the first anniversary of Zongo's death, approximately 25,000 persons walked more than 2 miles from the labor union headquarters in Ouagadougou to the cemetery where the journalist was buried. Security forces did not interfere with either demonstration.

The Constitution provides for freedom of association, and the Government generally respects this in practice. Since early 1990, political parties and labor unions usually have been permitted to organize without seeking government permission.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government respects this right in practice. The country is a secular state. Islam, Christianity, and traditional religions

operate freely without government interference.

The Government requires that religious groups register with the Ministry of Territorial Administration. Registration establishes a group's legal presence in the country but entails no specific controls or benefits. There are no penalties for failure to register.

d. Freedom of Movement Within the Country, Foreign

Travel, Emigration, and Repatriation

The Constitution provides for freedom of movement, and authorities respect this right in practice. Gendarmes routinely stop travelers for identity and customs checks and the levying of road taxes at police and military checkpoints. There is no restriction on foreign travel. In May the secretary general of Reporters Without Borders was forced to leave the country involuntarily. In September he was denied entry into the country (see Section 2.a.).

The law include provisions for the grant of refugee and asylee status in accordance with the provisions of the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. Refugees are accepted freely. The Government provides first asylum. The Government cooperated with the office of the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees. The approximately 25,000 refugees and displaced persons remaining in the country in 1997, mostly Tuaregs from Mali and Niger, were repatriated by the beginning of 1998. A few hundred refugees from the Great Lakes region remain. There were no reports of the forced return of persons to a country where they feared persecution. There were no reports of the forced expulsion of persons with a valid claim to refugee status.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens have the constitutional right to change their government through multiparty elections; however, although the November 1998 presidential election represented a further step toward democratic government, in practice citizens are unable to exercise this right fully due to the continued dominance of the President and his ruling party. President Compaore won 88 percent of the vote; 56 percent of the eligible voters went to the polls. The irregularities cited by observers in the actual voting process were limited in number and scope and did not appear to have an impact on the ultimate outcome of the election. However, the national observers identified a number of systematic weaknesses in the electoral code that precluded a perfectly regular and transparent vote, and a coalition representing a number of opposition parties boycotted the election. On November 24, 1998, the Supreme Court confirmed the final vote count released by the independent National Electoral Commission (CENI) 6 days earlier. Neither of the two candidates opposing President Compaore contested the results.

The 1997 legislative elections gave the ruling CDP 101 out of 111 parliamentary seats. (The CDP now controls 102 seats because of a defection to the ruling party by an opposition deputy.) The victory reflected both general support for policies of the governing party and a lack of viable opposition alternatives. While international observers described the elections as substantially free and fair, a collective of 14 local NGO's cited generalized and systematic corruption and voter list irregularities. The Supreme Court

annulled the results in four constituencies because of these irregularities.

In May 1998, the National Assembly approved the establishment of an Independent National Electoral Commission (CENI) to replace the National Committee for the Organization of Elections (CNOE) that supervised the 1997 legislative elections. The law creating the CENI gave it responsibility for creating a census bureau, installing voting stations and training poll workers, organizing election observation, ensuring election security, and distributing election material. However, developing electoral lists is still the responsibility of the Ministry of Territorial Administration and Security. The law also called for the CENI to be headed by an elected president and vice president who could not come from the hierarchy of any political party. The president and vice president are elected by CENI members. In July 1998, the CENI was installed with 26 members, of which 6 came from the opposition, 6 from the ruling party, 3 from the religious community, 3 from the traditional tribal community, 6 from the labor movement, and 3 from a human rights organization. A committee of six persons from various government ministries is available to advise the CENI. However, there were concerns regarding CENI's independence since its funding was channeled through the Government, and it was scheduled to cease operations 60 days after the election. During the November 1998 election, the CENI was not able to carry out its functions in some of the country's 45 provinces due to inadequate staffing.

The Compaore Government includes a strong presidency, a Prime Minister, a Council of Ministers presided over by the President, a two-chamber National Assembly, and the judiciary. The legislature is independent, but it remains susceptible to external influence from the executive branch.

In January 1997, the CDP-dominated National Assembly amended the Constitution to allow a president to run for an unlimited number of terms. Previously, the Constitution had restricted the mandate to two 7-year terms.

There are no restrictions in law or practice on the participation of women or minority group members in politics; however, women are underrepresented in positions of responsibility. Only 3 of the 29 ministers and 8 of the 111 National Assembly deputies are women. The President of the Social and Economic Council is a woman. In part because of the important role that women played in reelecting President Compaore in 1998, the Congress for Democracy and Progress voted at its first ordinary Congress held in July to increase the number of women on its National Executive Council from two to six.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government's attitude toward local human rights organizations was mixed. According to monitors, the Government did not interfere with the activities of any such group during the year. However, on March 21, the Council of Ministers terminated the agreement that had existed between the Government and the InterAfrican Human Rights Union (UIDH) since 1995. The Council stated that UIDH head Halidou Ouedraogo, who also served during the year as president of the Burkinabe Movement for Human Rights (MBDHP) and as president of the Collective of Mass Democratic Organizations and Political Parties, had mixed politics with human rights and thus had acted in ways incompatible with the agreement. The Council also considered illegal the UIDH's

participation on a parallel inquiry commission that was set up in January by the Collective to investigate the Zongo killings. Under the 1995 agreement, the UIDH had benefited from tax exemptions, a government subsidy that paid \$500 (300,000 CFA) a month to rent temporary offices for the organization, and Ouedraogo, a Burkinabe national, had enjoyed diplomatic immunity as head of an international organization. In addition the Government again has failed to answer inquiries from international human rights organizations concerning past abuses. Amnesty International (AI) still is awaiting the results of the Government inquiry into the 1995 killings in Garango and the 1995 extrajudicial executions of seven men from Kaya Navio, Nahouri Province, but the Government has not responded to AI's request for information.

In 1994 the Government announced the creation of the Office of Ombudsman, called "Mediateur du Faso." Retired General Marc Garango was appointed to the position, which is responsible fo