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07 April 2004

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Burkina Faso: Domestic violence, including possible remedies, the protection offered by the state, and refuge/shelter for victims; whether an educated woman can live alone in the city and work (March 2004)
Research Directorate, Immigration and Refugee Board, Ottawa

In correspondence sent to the Research Directorate, a researcher from the West Africa Division of Women in Law and Development in Africa (WiLDAF/FeDDAF), a non-governmental women's rights organization located in Ouagadougou, Burkina Faso, stated that [translation] "the most common forms of violence in Burkina are forced marriage, polygamy, levirate, inheritance and estate problems, the absence of civil marriages, women's lack of decision-making authority in the education of their children, shunning by reason of witchcraft, female genital mutilation, closely spaced pregnancies, lack of schooling for girls, and physical violence against women (assault and battery)" (2 Apr. 2004). According to the same source, [translation] "female genital mutilation, shunning by reason of witchcraft, physical abuse of women (assault and battery), rape, and adultery" are punishable by law (WiLDAF/FeDDAF 2 Apr. 2004).

The researcher also explained that educated women in Burkina Faso are also victims of domestic violence at the hands of their husbands (ibid.). To escape this violence, however, many educated women choose to divorce their husbands and live alone, with or without their children (ibid.).

A recent Integrated Regional Information Networks (IRIN) report indicated that, though prohibited by law, early marriages remain a serious social problem in Burkina Faso, and that one in three girls is married before the age of 18 (23 Mar. 2004). The same source indicated that "girls as young as eight are married off to men often older than their own fathers" (IRIN 23 Mar. 2004). The IRIN report cited the case of a 16-year-old girl who managed to find "asylum with some Catholic nuns at a convent in Kaya" after her parents had arranged for her to marry a polygamist (ibid.). According to this source, "hundreds of girls are thought to run away to convents [which they see] as their only refuge" (ibid.).

A representative of Burkina Faso stated before a United Nations commission that "women in her country were the victims of violence on a daily basis. . . . [V]iolence took the form of early or forced marriages, harmful traditional practises, and domestic violence" (M2 Communications 6 Mar. 2003). *Country Reports 2003* noted that in Burkina Faso, "[d]omestic violence against women, especially wife beating, occurred frequently. Cases of wife beating usually were handled through customary law and practice" (25 Feb. 2004, Sec. 5).

With regard to female genital mutilation (FGM), Agence France Presse (AFP) indicated that, [translation] "despite the legal arsenal outlawing these practices, the national prevalence rate for FGM is 63.35 per cent" in Burkina Faso (1 Aug. 2003). The same source reported that [translation] "out of 295 documented cases of flagrant FGM offences in Burkina, 58 perpetrators received suspended sentences, despite the fact that the law prescribes punishments of six months to ten years in prison" (AFP 1 Aug. 2003).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as

to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

References

Agence France Presse (AFP). 1 August 2003. "Burkina Faso : une infirmière burkinabé révoquée pour avoir pratiqué l'excision." <<http://africatime.com>> [Accessed 1 Apr. 2004]

Country Reports on Human Rights Practices for 2003 . 25 February 2004. United States Department of State. Washington, DC. <<http://www.state.gov/g/drl/rls/hrrpt/2003/27714.htm>> [Accessed 31 Mar. 2004]

Integrated Regional Information Networks (IRIN). 23 mars 2004. UN Office for the Coordination of Humanitarian Affairs. "Burkina Faso: Government Tackles Tradition of Girl-Brides." <http://www.irinnews.org/report.asp?ReportID=40209&SelectRegion=West_Africa> [Accessed 2 Apr. 2004]

M2 Communications. 6 March 2003. "UN: Women's Social, Economic Inequality Leads to Trafficking, Domestic Violence, Exploitation, Say Speakers in Women's Commission." (Dialog)

Women in Law and Development in Africa (WILDAF/FeDDAF) [Ouagadougou]. 2 April 2004. Correspondence from a researcher.

Additional Sources Consulted

Publications: *Africa Confidential* , Resource Centre country file.

Internet sites, including: Amnesty International, Human Rights Watch (HRW), International Federation for Human Rights (FIDH), Women Living Under Muslim Laws, Women's International League for Peace and Freedom.

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