

**Economic and Social Council**

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Committee on Economic, Social and Cultural Rights**List of issues in relation to the initial report of Burkina Faso*****I. General information**

1. With reference to the information provided in paragraph 108 of the core document (HRI/CORE/BFA/2012), please indicate if the International Covenant on Economic, Social and Cultural Rights is directly applicable in the State party. Indicate also if the rights enshrined in the Covenant have been invoked before or applied by domestic courts, either as grounds for a case or as interpretative guidance for legal norms.

II. Issues relating to the general provisions of the Covenant (arts. 1-5)**Article 1, paragraph 2****Right to dispose freely of natural wealth and resources**

2. Please indicate what monitoring arrangements have been put in place to ensure that the economic, social and cultural rights of communities displaced by mining activities, including at the Essakane mine, are protected. Indicate how the new Mining Code applies to current holders of mining licences. Indicate also if the right of citizens to file suit against acts that endanger natural resources (art. 30 of the Constitution) has been exercised and, if so, what the impact has been.

Article 2, paragraph 2**Non-discrimination**

3. Please comment on the impact of measures taken to combat discrimination against minority groups, such as the Silanko. Concerning the information provided in paragraph 43 of the State party's report (E/C.12/BFA/1), describe how the reform measures address the specific needs of nomadic groups such as the Fulani and the Tuareg, in particular with regard to land access.

4. Please provide information on the impact of steps taken to protect persons with disabilities from social exclusion and discrimination in their enjoyment of economic, social and cultural rights. Provide information on the support provided by the State

* Adopted by the pre-sessional working group at its fifty-sixth session (12-16 October 2015).



party to associations of persons with disabilities and on the percentage of persons with disabilities benefiting from the services provided by private associations and entities mentioned in paragraph 72 of the report.

5. Please describe the impact of action taken by the State party to prevent discrimination and physical attacks against persons with albinism as well as the measures taken to ensure that any and all attacks on persons with albinism are prosecuted.

Article 3

Equal rights of men and women

6. Please provide information on changes made to domestic legislation to repeal provisions that discriminate against women, including the 2015 act on the national armed forces.

7. Please provide information on the impact of awareness-raising and other actions taken to eliminate stereotypes and practices that perpetuate discrimination against women.

8. Please describe the progress made towards eliminating de facto discrimination against women in land access matters and towards halting the use of customary law in matters involving women and girls inasmuch as it is often discriminatory towards them, in particular with regard to inheritance. Indicate the progress made towards banning polygamy and discouraging the practice of levirate marriage.

9. Please describe the impact of legislation adopted to protect women against accusations of sorcery.

10. Please supply updated information on steps taken to provide women with better access to credit.

III. Issues relating to specific provisions of the Covenant (arts. 6-15)

Article 6

Right to work

11. Please provide statistics on underemployment and unemployment in the State party for the past five years, including rates broken down for each year by sex, area (urban/rural) and age group. Provide as well information on the outcomes of the 2012-2014 Special Job Creation Programme for Young People and Women referred to in paragraph 16 of the report. Provide statistics on jobless persons having availed themselves of the services of the National Employment Agency.

12. Please provide information on the impact of steps taken to match education and training offerings to labour market requirements in a way that the enhanced offerings do not trigger an increase in unemployment, as mentioned in paragraph 34 of the core document.

13. Please indicate what steps have been taken to stop employers from firing or not renewing contracts of pregnant women.

Article 7

Right to just and favourable working conditions

14. Please provide detailed information on the impact of steps taken to improve working conditions under the Labour Code and with regard to the prevailing situation in the informal economy.

15. Please provide information on steps taken to raise the minimum wage so as to ensure a decent living for workers and their families, as called for in article 7 of the Covenant.

16. Please provide statistics on cases of exploitation of migrant workers, including investigations conducted, prosecution brought, sentences handed down and redress and rehabilitation offered to victims.

Article 8

Trade union rights

17. Bearing in mind the statement in paragraph 101 of the report that the right to join a trade union is restricted by the special statutes applicable to some categories of public officials, please indicate all groups so restricted aside from members of the armed forces. Describe the steps that the State party has taken both to ensure effective exercise of the right to strike and to protect workers, including those employed in the civil service, against reprisal for taking part in trade union activities.

Article 9

Right to social security

18. Please describe the steps taken and progress made towards implementing a social protection floor that also provides coverage to individuals active in the informal economy and their families.

Article 10

Protection of the family, mothers and children

19. Please provide information on the preventive measures implemented and the progress made in the effort to counter the worst forms of child labour. Provide information on steps taken to remove more children from work in mines and from certain types of domestic work where they are vulnerable to abuse. Provide statistics on inspections conducted, infractions detected, prosecution brought and sentences handed down as a result of the enforcement of child labour legislation. Provide statistics on direct assistance given for the rehabilitation and social integration of these children and of street children.

20. Please provide information on advances made towards establishing spousal abuse and marital rape as criminal offences as such. Provide statistics on spousal abuse victims who have received legal assistance, have moved temporarily to a shelter or have moved out and been relocated permanently. Provide information on the impact of steps taken, including through school curriculum content, to ensure that gender violence is viewed as unacceptable to society in all circumstances.

Article 11

Right to an adequate standard of living

21. Please indicate to what extent the steps taken have reduced extreme poverty among women.
22. Please indicate to what extent the programmes, plans, projects and policies mentioned in paragraphs 193 to 198 of the report have reduced hunger, malnutrition and food insecurity, especially among children. Describe the progress made in the fight against noma and the care provided to children afflicted with this disease.
23. Please indicate to what extent land legislation protects smallholder families from land grabbing.
24. Please provide information on the impact of steps taken to reduce the disparity in access to drinking water between urban and rural areas. Indicate the measures taken by the National Water and Sanitation Bureau to reduce interruptions in the drinking water supply.
25. Please provide information on the housing deficit in the State party and indicate how the new home-building programmes are remedying that deficit. Indicate what measures are in place to protect tenants from exorbitant rents or excessive rent increases.
26. Please describe to what extent current legislation complies with international standards on protection against forced eviction, in particular with regard to (a) the real possibilities for consultation with the persons concerned; (b) sufficient and reasonable advance notice for all persons involved; (c) appropriate compensation or suitable relocation of displaced individuals; (d) provision of legal aid to persons needing such assistance in order to seek recourse before the courts; and (e) the guarantee that no one subjected to eviction shall be left homeless or at risk of having other human rights violated. Indicate to what degree these standards have been respected in evictions conducted by the State party, including in the eviction of the residents of Kounkoufouanou.

Article 12

Right to physical and mental health

27. Please provide information on the progress made, in particular through the implementation of the national policy for the period 2011-2020 mentioned in paragraph 8 of the report, towards increasing the availability of qualified health professionals and of medical equipment and supplies, in particular drugs, hospital beds, ambulances and lighting, throughout the country and especially in rural areas. Provide information also on the impact of steps taken to address the rise in prevalence of non-communicable diseases.
28. Please provide information on the steps taken to increase the availability and accessibility of sexual and reproductive health services for women, especially in terms of empowering women with respect to decisions on their own health. Describe the progress made towards lowering the high rate of maternal mortality. Given the high number of women who resort to clandestine, dangerous abortions to terminate their pregnancy, indicate what steps have been taken to provide access to medical abortion in those cases permitted under the law.
29. Please provide information on the implementation of the law prohibiting female genital mutilation. Also provide information on the main obstacles standing in the way

of eradication of that practice, which continues to be performed clandestinely, and indicate to what extent those obstacles are taken into account in efforts undertaken by the State party.

30. Please indicate what steps have been taken to ban the marketing and use of hazardous pesticides in the State party.

31. Please indicate what impact the measures to improve the sanitation system have had, in particular with regard to the treatment and disposal of solid waste and wastewater.

Articles 13 and 14 Right to education

32. Please provide updated statistics on school enrolment and completion rates at the primary and secondary levels, broken down by year, sex, area (urban/rural) and school type (public/private). Indicate to what extent the State party's education sector policy takes into account the access-related problems faced by marginalized and underprivileged groups, such as rural children and children with disabilities. Provide information on the impact of steps taken to eliminate the direct and indirect costs associated with access to education mentioned in paragraphs 266 and 267 of the report.

33. Please indicate to what extent literacy and non-formal education initiatives have boosted the literacy rate, especially among women, and if they have extended access to the full basic educational cycle for children not currently enrolled.

Article 15 Cultural rights

34. Please indicate the steps taken to protect and promote the cultural heritage of minority groups, in particular the Dioula, Peul, Lobi, Dagiri, Bobo and Gurunsi. Provide information on the steps taken to preserve minority languages, in particular threatened languages such as Sininkere (in the department of Pensa), Pana, Blé, Natioero and Wara (in Léraba). Describe the role played by the National Commission on Languages in this regard.

35. Please provide information on the steps taken or envisaged by the State party to improve Internet access and to expand the electricity grid to cover the entire country.