

Shadow Reporting Tools

- XI. Citizen Questionnaire developed by COAMEX – Mexico (Spanish)
- XII. Participation in the CEDAW Reporting Process: Process and Guidelines for Writing a Shadow/Alternative Report
- XIII. Shadow Report on the 6th Report of the Government of Burkina Faso on the Enforcement of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) – Burkina Faso

XI. CITIZEN QUESTIONNAIRE DEVELOPED BY COAMEX

This questionnaire was developed by COAMEX, NDI's partner coalition in Mexico, in order to collect information on the perspectives of citizens concerning the government's implementation of the UN Convention on the Rights of Persons with Disabilities (CRPD). It is an in depth questionnaire specifically targeting the disabled and family of the disabled, but could also be adapted to capturing the perspectives and experiences of any marginalized population.

First Section: General Information

- 1) Name of pollster:
- 2) Association:
- 3) The person being polled is:
 - a. An individual with disabilities.
 - b. An individual with disabilities helped by a person who assists them with technical issues (translation etc.).
 - c. An individual with disabilities helped by a person who assists them with issues of comprehension (explaining certain terms, helping to provide information the individual doesn't know etc.).
 - d. A family member of a person with disabilities, if the person has significant difficulties answering for his or herself.
- 4) Do you have a disability?
 - a. Yes. *If yes skip to question 9 of this section.*
 - b. No.
- 5) Do you have a close family member who suffers from a disability?
 - a. Yes.
 - b. No.
- 6) Are you answering this poll because a family member suffers from such severe disabilities that they are unable to answer for his or herself?
 - a. Yes.
 - b. No. *If no, this ends the poll.*
- 7) Do you have specific knowledge of their disability?
 - a. Yes.
 - b. No. *If no, this ends the poll.*
- 8) Are you able and permitted to answer this poll for your family member?
 - a. Yes.
 - b. No. *If no, this ends the poll.*
- 9) What type of disability do you have?
 - a. Auditory.
 - b. Autism.
 - c. Motor.
 - d. Mental/Intellectual.
 - e. Multiple. *Specify.*
 - f. Mental/ Psychological or Social.
 - g. Low IQ.
- 10) How did you acquire your disability?
 - a. Accident.
 - b. Illness.
 - c. Medical Error.
 - d. Genetics.
 - e. At Birth.
- 11) How long have you had this disability?
- 12) Do you use a prosthetic or other apparatus to help you cope with your disability?

- a. Yes.
 - b. No. *Skip to the second section of questions.*
- 13) What type of prosthetic or apparatus?
- a. Hearing Aid
 - b. Walking Stick
 - c. Wheelchair
 - d. Other. *Skip to the second section of questions.*
- 14) Do you use the services or belong to a civil society of or for persons with disabilities?
- a. Yes. *Which?*
 - b. No. *Skip to the second section of questions.*
- 15) What services do you use? *Mark all options that apply.*
- a. Rehabilitation services.
 - b. Health and medical services.
 - c. Educational.
 - d. Work training.
 - e. Other. *Specify.*

Second Section: General Questions

- 1) Gender:
 - a. Male.
 - b. Female.
 - c. Other. *Specify.*
- 2) Age:
- 3) Height:
- 4) Weight:
- 5) Civil Status:
 - a. Married.
 - b. Divorced.
 - c. Separated.
 - d. Single.
 - e. Civil Union.
 - f. Widow/er.
- 6) Do you have Children?
 - a. Yes.
 - b. No. *Skip to question 8 of this section.*
- 7) How many children do you have?
- 8) Place of origin: City or municipality?
- 9) What type of instillation were you born in?
 - a. Public Hospital.
 - b. Private Hospital.
 - c. House.
 - d. Other. *Specify.*
 - e. Don't know.
- 10) Who assisted your birth?
 - a. Doctor.
 - b. Nurse.
 - c. Midwife.
 - d. Family member.
 - e. Other. *Specify.*
 - f. Don't know.
- 11) What state of the republic were you born in?
- 12) What municipality or local do you live in?
- 13) What colony do you live in?
- 14) How long have you lived in your current residence?

- 15) What kind of residence do you live in?
- House.
 - Apartment.
 - Room.
 - Hut.
 - Other. *Specify.*
- 16) The residence where you live is...?
- Self owned.
 - Rented.
 - Family owned.
 - Group home.
 - Assisted living.
 - Medical center. *Skip to question 29 of this section.*
 - Community.
 - Other. *Specify.*
- 17) Your place of residence is made of...?
- Concrete.
 - Wood.
 - Adobe (Brick cooked in the sun).
 - Cardboard.
 - Tin.
 - Other. *Specify.*
- 18) The floor in your place of residence is made of...?
- Concrete.
 - Wood.
 - Adobe (Brick cooked in the sun).
 - Earth.
 - Other. *Specify.*
- 19) Does your place of residence have water?
- Yes.
 - No.
- 20) Where do you obtain your drinking water?
- Bottle or jug.
 - Inside faucet.
 - Outside faucet.
 - Body of water near your place of residence.
- 21) Does your place of residence have electricity?
- Yes.
 - No.

- 22) How many bedrooms does your place of residence have?
- 23) Is Spanish the only language spoken in your place of residence?
- Yes. *Skip to question 25 of this section.*
 - No.
- 24) Aside from Spanish, what other languages are spoken in your place of residence?
- 25) Who do you live with?
- Family.
 - Friends.
 - Alone. *Skip to question 28 of this section.*
 - Group home.
 - Assisted living.
 - Medical center. *Skip to question 29 of this section.*
 - Community.
 - Other. *Specify.*
- 26) Aside from yourself, how many people with disabilities live in your place of residence?
- 27) How many adults and how many children live in your place of residence?
- 28) Do you receive help from the program LICONSA (milk) or other public programs?
- Yes. *Specify.*
 - No.
- 29) Have you applied for and been rejected for a credit from INFONAVIT?
- Yes. *Provide details.*
 - No. *Skip to question 31 of this section.*
- 30) Is your house equipped to accommodate your disability?
- Yes.
 - No.
- 31) Do you know of the program 'Hogar a tu Medida'?
- Yes.
 - No.

Third Section: Education Questions

- 1) Do you study?
 - a. Yes. *Skip to question 3 of this section.*
 - b. No. *Answer through question 3 of this section then skip to section four.*
- 2) Why did you stop studying?
 - a. I no longer wished to study.
 - b. I finished a level of school and did not wish to advance to the next (ex. finished primary did not wish to go to secondary).
 - c. Finished a level of school and there was not a higher education level available to people with my disability.
 - d. Economically impossible.
 - e. Education aggravated my disability making studies impossible.
 - f. Other. *Specify.*
- 3) What level of school are you currently in, or what was the last level you finished?
 - a. No formal education.
 - b. Special education center not recognized by SEP.
 - c. Part of primary school.
 - d. Completed primary school.
 - e. Part of secondary school (up to what year?)
 - f. Completed secondary school.
 - g. Part of high school completed (up to what year?)
 - h. High school completed.
 - i. Part of university completed (up to what year?)
 - j. University completed.
 - k. Post-graduate studies.
 - l. Technical training (indicate using the above options the highest level of education reached before technical training was received).
 - m. Program for work training (indicate using the above options the highest level of education reached before technical training was received).
- 4) Do you attend a public school located in your area?
 - a. Yes. *Skip to question 10 of this section.*
 - b. No.

- 5) Do you attend a public school located out of your area?
- Yes. *Skip to question 8 of this section.*
 - No.
- 6) Do you attend a private school located in your area?
- Yes. *Skip to question 9 of this section.*
 - No.
- 7) Do you attend a private school located out of your area?
- Yes. *Skip to question 9 of this section.*
 - No.
- 8) Why do you attend a school located outside of your area?
- The program that I require isn't available at the local school. *Skip to question 10 of this section.*
 - The quality of education is higher at the school outside of my area. *Skip to question 10 of this section.*
 - The local school isn't physically accessible to me. *Skip to question 10 of this section.*
 - I have no other option available to me. *Skip to question 10 of this section.*
- 9) Why are you attending a private school rather than a public one?
- The program that I require isn't available at the public school.
 - The quality of education is higher at the private school.
 - The public school isn't physically accessible to me.
 - I have no other option available to me.
- 10) Which of the following options best describes the type of program that you are currently taking at your school?
- Regular education.
 - Special education.
 - Regular education with assistance.
 - Regular education with some special needs courses.
 - Other. *Specify.*
- 11) Does your school present the curriculum in a way that is tailored to your needs?
- Yes.
 - No. *What ways do you need your education tailored to you?*
 - I have no need for this.
- 12) Has your school made itself physically accessible to people with your type of disability?
- Yes.
 - No. *What changes does your school need to make for this to occur?*
 - I have no need for this.
- 13) Are your teachers prepared to teach you in a way that is adequate based on your disability?
- Yes.
 - No. *What changes does your teacher need to make for this to occur?*
 - I have no need for this.

- 14) Does the school allocate the resources necessary for you to learn, move and participate in the same way that your fellow students are able to?
- Yes.
 - No. *What would your school need to do for this to happen?*
 - I have no need for this.
- 15) Does the school provide educational services in your native tongue? *Only ask this question to those who have stated a language other than Spanish is spoken in the home.*
- Yes.
 - No.
- 16) Does the school have at least one functioning computer available for student use?
- Yes. *How many times have you used it in the past school year?*
 - No.
- 17) What expenses do you incur in order to study? *Mark all that apply.*
- Tuition.
 - Uniforms.
 - Text books.
 - School Supplies.
 - Teachers for particular classes or special education.
 - Transport.
 - Adaption of materials for your disability.
- 18) Do you receive any economic help from outside your family in the form of financing or scholarships to help with your school expenses?
- Yes.
 - No. *Skip to question 20 of this section.*
- 19) Who supplies you with economic help?
- Local government – municipality.
 - Local government – state.
 - Federal Government.
 - Association by or for people with disabilities.
 - Your school.
 - International scholarship.
 - Other. *Specify.*
- 20) Do you receive health check-ups from your school?
- Yes.
 - No.
- 21) Do you receive information about the prevention of HIV/AIDS?
- Yes.
 - No.
- 22) Are you provided the special assistance needed to travel to and from school?
- Yes.
 - No.
 - I have no need for this.

- 23) Has the school ever required you to perform any actions that harm you?
- Yes. *If desired the pollster may fill out the incident form at the back of the questionnaire.*
 - No.
- 24) At school do you feel as though you have the same rights as your peers?
- Yes.
 - Always.
 - Sometimes.
 - Almost never.
 - No. *Specify.*
- 25) At school do you comply with the same obligations as your peers?
- Yes.
 - Always.
 - Sometimes.
 - Almost never.
 - No. *Specify.*
- 26) Do you feel, in general, that you are treated equal to others in the school?
- Yes.
 - No. *Specify.*
- 27) Does the place where you study on a daily basis have all of the elements/adaptations required for you to work?
- Yes.
 - No. *Specify.*
 - I have no need for this.
- 28) Have you been physically mistreated at the school?
- Yes. *If desired the pollster may fill out the incident form at the back of the questionnaire.*
 - No.
- 29) Has any member of the school, the professors, or other persons who work at the school used any derogatory word that offends your dignity or violates our rights because of your disability?
- Yes. *If desired the pollster may fill out the incident form at the back of the questionnaire.*
 - No.
- 30) Have you suffered any other type of mistreatment?
- Yes. *If desired the pollster may fill out the incident form at the back of the questionnaire.*
 - No.

Fourth Section: Work Questions

- 1) Are you currently working?
 - a. Yes. *Skip to question 3 of this section.*
 - b. No.
- 2) What is your reason for not working? *Answer then skip to the fifth section.*
 - a. I am studying.
 - b. I am not of age to legally work.
 - c. I have difficulty finding that is suitable to my needs.
 - d. There is no work available due to the economy.
 - e. My disability affects my ability to work.
 - f. My family does not wish me to work.
 - g. I don't wish to work.
 - h. Other.
- 3) Do you have a work contract?
 - a. Yes.
 - b. No.
- 4) How are you paid for your work?
 - a. Bi-weekly.
 - b. Salary.
 - c. Tips.
 - d. Other. *Specify.*
- 5) Do you work in a family business, self-owned business, private or public?
 - a. Family or self-owned.
 - b. Private. *Skip to question 7 of this section.*
 - c. Public. *Skip to question 7 of this section.*
- 6) Why do you work in a family or self-owned business?
 - a. Personal decision.
 - b. Family decision.
 - c. Other. *Specify.*
- 7) How did you find out about the job?
 - a. Announcement in the newspaper.
 - b. Announcement on the internet.
 - c. Job Fair.
 - d. Recommendation from other workers.
 - e. Friends or relatives.
 - f. Other. *Specify.*

- 8) What kind of industry do you work in?
- a. Services.
 - b. Livestock.
 - c. Agriculture.
 - d. Administrative/Office.
 - e. Manufacturing.
 - f. Commercial.
 - g. Tourism.
 - h. Education.
 - i. Sports.
 - j. Other. *Specify.*
- 9) At what level are you currently employed?
- a. Director.
 - b. Management.
 - c. Leadership.
 - d. Supervision.
 - e. Operational.
 - f. Office worker.
 - g. Laborer.
 - h. Unskilled labor.
 - i. Other. *Specify.*
- 10) Is this your first job?
- a. Yes.
 - b. No.
- 11) How many years have you been working in your current position?
- 12) How old were you when you obtained your first formal job?
- 13) How many hours a week do you work?
- 14) What shift do you work?
- a. Day.
 - b. Night.
 - c. Mixed.
- 15) Which of the following are applicable to you?
- a. No security.
 - b. Permanent.
 - c. Temporary.
 - d. Self-employed.

16) Do you receive fringe benefits in compliance with the law? *Mark all that apply.*

- a. No.
- b. Social Security.
- c. INFONAVIT.
- d. AFORE.
- e. Vacations.
- f. Vacation Premium.
- g. Christmas Bonus.
- h. Others. *Specify.*

17) Do you receive fringe benefits above what the law requires? *Mark all that apply.*

- a. No.
- b. Medical expenses.
- c. Life insurance.
- d. Savings fund.
- e. Prizes.
- f. Meal tickets.
- g. Child care.
- h. Others. *Specify.*

18) How do you commute to work?

- a. Car (owned and driven by the disabled person).
- b. Car (driven by a family member).
- c. Car (driven by the disabled person but owned by a family member).
- d. Taxi.
- e. Public Transport.
- f. Transport provided by the employer.
- g. Other. *Specify.*

19) When applying for a job, have you had the option of mentioning the need for any changes or adaptations needed for your disability?

- a. Yes.
- b. No.
- c. I have no need for this.

20) Did they make any changes or adaptations for your entry into their business?

- a. Yes.
- b. No. *Skip to question 22 of this section.*
- c. I have no need for this. *Skip to question 22 of this section.*

- 21) Where these changes sufficient?
- Yes.
 - No, why not?
- 22) Do you feel as though you have the same rights as your co-workers at your place of employment?
- Yes.
 - Always.
 - Sometimes.
 - Almost never.
 - No, please provide details.
- 23) Are you able to perform to the same work standards as your co-workers?
- Yes.
 - Always.
 - Sometimes.
 - Almost Never.
 - No. *Specify.*
- 24) Do you feel, in general, that you are treated the same as your co-workers in your job?
- Yes.
 - No. *Specify.*
- 25) At your place of employment do you have all the necessary tools to comply with your job requirements?
- Yes.
 - No, what would you need to do this?
 - I have no need for this.
- 26) Have you been physically mistreated at your place of employment?
- Yes. *If desired the pollster may fill out the incident form at the back of the questionnaire.*
 - No.
- 27) Have your co-workers or supervisors used any disrespectful work that has offended your dignity or violated your rights because of your disability?
- Yes. *If desired the pollster may fill out the incident form at the back of the questionnaire.*
 - No.
- 28) Have you suffered from any other form of mistreatment?
- Yes. *If desired the pollster may fill out the incident form at the back of the questionnaire.*
 - No.

Fifth Section: Health

- 1) Can you think of a public health service provider in your area?
 - a. Yes.
 - b. No.
- 2) Are you affiliated with any of the following services?
 - a. No.
 - b. IMSS.
 - c. ISSSTE.
 - d. SSA.
 - e. SEDENA.
 - f. SEMAR.
 - g. PEMEX.
 - h. Seguro Popular.
 - i. ISEMMYM.
 - j. Another type of public service. *Specify.*
- 3) Have you ever been affiliated with any of the following services?
 - a. No.
 - b. IMSS.
 - c. ISSSTE.
 - d. SSA.
 - e. SEDENA.
 - f. SEMAR.
 - g. PEMEX.
 - h. Seguro Popular.
 - i. ISEMMYM.
 - j. Another type of public service. *Specify.*
- 4) Does the public health service you use have the capacity to treat your disability?
 - a. Yes. *Skip to question 6 of this section.*
 - b. No.
- 5) If you are not affiliated with any of the previously mentioned health services, what type of service do you use?
 - a. Private.
 - b. Services from an association.
 - c. Services from a religion.
 - d. None.

- 6) Do you have your vaccination card up to date, or do you have current vaccinations?
 - a. Yes.
 - b. No, Why?
 - c. I don't know.
- 7) Do you receive information about the prevention of HIV/AIDS?
 - a. Yes.
 - b. No.
 - c. I don't know.
- 8) How do you travel to your clinic?
 - a. Without transport.
 - b. Public transport.
 - c. Family car.
 - d. Self-owned car.
 - e. Taxi.
 - f. Ambulance.
 - g. Hitchhike.
- 9) Has the public health service provided you with apparatuses, prosthesis or other forms of assistance that you require for your disability?
 - a. Yes.
 - b. No.
 - c. I have no need for this.
 - d. I don't know.
- 10) Has your public health service provided you with the necessary medications to treat your disability (or to a family member depending on the case)?
 - a. Yes.
 - b. No.
 - c. I have no need for this.
 - d. I don't know.
- 11) How much do you estimate you spend monthly (not reimbursed) for medications related to your disability?
- 12) How much do you estimate you spend monthly (not reimbursed) for health services (therapy, transport, housing, food etc.)?
- 13) How much do you estimate you spend monthly (not reimbursed) for transport to and from your health service provider for issues relating to your disability?
- 14) Does the health care building that you use most frequently have all of the necessities which enable you to move easily and independently (answer specifically for the building only)?
 - a. Yes.
 - b. No. *Specify.*
 - c. I have no need for this.

- 15) Does the area immediately surrounding the health service building that you principally use have all the necessary accessibility for you to move easily and freely?
- Yes.
 - No, what do you need?
 - I have no need for this.
- 16) As a woman, have you had access to specialized equipment for specialized testing, such as mammograms?
- Yes.
 - No.
 - I'm not of the recommended age for such tests to be conducted.
 - I haven't wanted to participate in such tests.
- 17) As a woman, have you been able to visit with a gynecologist?
- Yes.
 - No.
 - I haven't wanted to receive medical attention.
 - I'm a man.
- 18) If your community receives visits from traveling medics, have they provided you with service?
- Yes.
 - No.
 - I haven't wanted to receive medical attention.
 - I'm a man.
- 19) Have you been asked to consent when interned in the hospital for reasons of your disability?
- Yes. *If desired the pollster may fill out the incident form at the back of the questionnaire.*
 - No.
- 20) Have you been physically mistreated while receiving health services?
- Yes. *If desired the pollster may fill out the incident form at the back of the questionnaire.*
 - No.
- 21) Have your doctors, nurses or other people who have attended you during your health service visits used any disrespectful words that have offended your dignity or violated your rights due to your disability?
- Yes. *If desired the pollster may fill out the incident form at the back of the questionnaire.*
 - No.
- 22) Have you suffered any other type of mistreatment?
- Yes. *If desired the pollster may fill out the incident form at the back of the questionnaire.*
 - No.

Sixth Section: Political Participation

- 1) Did you vote in the last election?
 - a. Yes. *Skip to question 4 of this section.*
 - b. No.
- 2) Why didn't you vote in the last election?
 - a. I was not given time to vote.
 - b. I didn't know where to vote.
 - c. I lost my credentials to vote.
 - d. I have never had credentials to vote. *Skip to the seventh section of questions.*
 - e. I'm not interested in voting.
 - f. It wasn't accessible.
 - g. I didn't know there were elections.
 - h. I was out of my residential area during elections.
 - i. I wasn't allowed to go to vote.
 - j. I wasn't allowed to vote.
 - k. The place where voting was held wasn't accessible to me.
 - l. The place where voting was held was very far from my residence.
 - m. I wasn't old enough to vote.
- 3) Have you ever voted?
 - a. Yes.
 - b. No. *Skip to question 6 of this section.*
- 4) Are you able to vote without assistance?
 - a. Yes. *Skip to the seventh section of questions.*
 - b. No.
- 5) Does the place where you regularly vote have provide the assistance necessary for you to vote? *Skip to the seventh section of questions.*
 - a. Yes.
 - b. No.
 - c. I have no need for this.
- 6) Why have you never voted?
 - a. I was not given time to vote.
 - b. I don't know where to vote.
 - c. I lost my credential to vote.
 - d. I have never had a credential to vote.
 - e. I'm not interested in voting.
 - f. Voting isn't accessible to me.
 - g. I didn't know there were elections.
 - h. I was out of my voting area.
 - i. I was not allowed to go vote.
 - j. I was not permitted to vote.
 - k. The place where the voting was held wasn't accessible to me.
 - l. The place where voting was held was very far from my residence.
 - m. I wasn't old enough to vote.

Seventh Section: Other

- 1) Have you been denied or given conditional access to a public service due to your disability?
 - a. Yes. *If desired the pollster may fill out the incident form at the back of the questionnaire.*
 - b. No.
- 2) Have you been physically mistreated in other public services (that we haven't already mentioned)?
 - a. Yes. *If desired the pollster may fill out the incident form at the back of the questionnaire.*
 - b. No.
- 3) Have you suffered any other type of mistreatment?
 - a. Yes. *If desired the pollster may fill out the incident form at the back of the questionnaire.*
 - b. No.

XII. PARTICIPATION IN THE CEDAW REPORTING PROCESS: PROCESS AND GUIDELINES FOR WRITING A SHADOW/ALTERNATIVE REPORT

This resource is an International Women's Rights Action Watch (IWRAP) Asia Pacific document used by NDI and its partners in Burkina Faso as a guideline for planning, researching and writing a CEDAW shadow report. It presents describes in detail the steps to be taken by CSOs in preparing shadow reports to the UN CEDAW Committee, as well as a set of guidelines for writing a report.

Introduction

This document is prepared by IWRAW Asia Pacific¹ to guide NGOs in their participation in the CEDAW reporting process, including the preparation of CEDAW shadow/alternative reports.

The document is divided into **two parts**:

I. **PART I** describes in detail the steps to be taken by NGOs in preparing shadow / alternative reports to the CEDAW Committee.

PART I: Steps to be taken by NGOs in preparing shadow/alternative reports

- STEP 1: Identifying priorities: What are the major issues for women in your country
- STEP 2: Gathering and analysing relevant information
- STEP 3: Preparing your shadow/alternative report
- **STEP 4: Disseminating and using your shadow/alternative report**
 - CEDAW Pre-Session
 - CEDAW Session

II. **PART II** is a set of guidelines to assist NGOs in the writing of an NGO report.

Part II: Guidelines on How to Write a Shadow/Alternative Report

- General Guidelines
- Guidelines for Writing Shadow/Alternative Report, Articles 1-5
- Guidelines for Writing Shadow/Alternative Report, Articles 6-16

¹ International Women's Rights Action Watch Asia Pacific (IWRAW Asia Pacific) is an international women's human rights organisation based in the South that plays a critical role in filling the gap between the promise of women's human rights embodied in human rights treaties, and their actual realisation at the national level. This involves mobilising women's groups at all levels to draw accountability from governments on the domestic application of human rights standards. This is done primarily through the lens of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and other international human rights treaties. Established in 1993, IWRAW Asia Pacific currently works throughout South and Southeast Asia and over 100 countries globally. For further information see our website, <http://www.iwraw-ap.org>.

PART I: STEPS TO BE TAKEN BY NGOS IN PREPARING AND DISSEMINATING SHADOW/ALTERNATIVE REPORTS

Governments of countries that have ratified the CEDAW Convention² are obliged to submit periodic progress reports to the CEDAW Committee³. NGOs can also submit their own reports to the CEDAW Committee to facilitate its preparations and strengthen its capacity to draw accountability from governments.

NGOs can ensure that they are representing the voices of women who may not be visible to the bureaucrats who write the State party report. In particular, they can critically engage with the reporting and monitoring process by providing:

- Data (especially those collected through micro-studies) that provides:
 - Information on the real situation of women
 - Information on impact and progress made by the State in implementing the CEDAW Convention
 - Violations of the human rights of women
 - Inadequacies and gaps in laws and policies and their implementation
 - Information about obstacles to the realization of the human rights of women

This data helps to reveal why women's rights commitments often remain *de jure* (in law) commitments rather than representing *de facto* (in reality) change. It enables NGOs to identify areas for intervention as well as where the state may not be able to intervene effectively, and where NGOs may provide support services to create enabling conditions for women's rights to be achieved.

Preparatory Steps

STEP 1: Identifying priorities through a coordinated effort

In preparation for your involvement in the CEDAW reporting process, have a meeting with as many women's groups as possible in your country to identify and come to a consensus on the main issues affecting women at the national level. In all cases, coordination of efforts is likely to make your advocacy more effective as it will represent the voices of large numbers of women. Further more you will have a larger base for advocacy at home after the review.

STEP 2: Gathering and analysing alternative information

Upon agreeing on issues of concern, gather data on the key issues and analyse the actual situation for women on the ground. The CEDAW Convention should be used as your main tool for evaluating the steps and measures adopted by your government. You should use this information as a starting point for making recommendations on ways to eliminate barriers to women's equality at the national level.

If your country has reported to the CEDAW Committee before, you should assess the implementation of the Concluding Observations⁴ from the last review as one basis for information to be included in the report.

Alternative information for consideration by the CEDAW Committee can be provided in various ways. Some women's groups have preferred to submit a comprehensive report on women's status at the national level, the result of a coordinated effort among several NGOs. In this case, women's groups interested in monitoring the implementation of CEDAW have agreed to divide areas of concern among each of the organisations and as a result, each organisation contributes alternative information on a different area of concern (e.g. women's health, women's education, etc.).

2 The UN Convention on the Elimination of All Forms of Discrimination Against Women (the CEDAW Convention) is a human rights treaty that obliges countries that have accepted to be bound by it to take necessary steps to promote women's rights. The Convention sets out standards and outlines areas of concern. The CEDAW Convention came into force in 1981.

3 The CEDAW Committee is an independent body composed of 23 experts on women's rights. The mandate of the Committee is to monitor the implementation of the Convention in individual countries.

4 In line with efforts to harmonize the working methods of the human rights treaty bodies, the CEDAW Committee recently changed the title of its "Concluding comments" to "Concluding observations". See UN Doc E/CN.6/2008/CRP.1, "Results of the fortieth session of the Committee on the Elimination of Discrimination against Women".

In some instances if there is limited capacity or insufficient time, women's groups may be selective and write a report on a few priority issues.

In order to maximise your efforts, please consider the following:

- Try to have a better understanding of the CEDAW Convention. Read the Concluding Observations that the CEDAW Committee or other treaty bodies prepared when reviewing past reports submitted by your government. Read about the main principles of the CEDAW Convention⁵, the general recommendations⁶ of the CEDAW Committee and the Optional Protocol to CEDAW⁷. Most of these documents are available on the IWRAP Asia Pacific website <<http://www.iwraw-ap.org>> and others can be provided upon request <email us at iwraw-ap@iwraw-ap.org>.
- Collect papers, laws or other documents that will provide useful data on the status of women in your country. Try to surface information on the success or failure of the State in fulfilling international commitments made toward women's advancement (e.g. obligations undertaken upon ratification of the CEDAW Convention or other human rights treaties or obligations contained in plans of action and outcome documents of World Conferences such as the Beijing World Conference on Women).
- Collect information on the efficiency or effectiveness of State machinery meant to promote human rights in general and women's rights in particular. If there are discriminatory laws in your country, it is particularly useful to bring the texts of such laws with you as well as key court decisions on women's rights.
- You can also send your completed CEDAW shadow/alternative report to other treaty bodies, since many of the issues in CEDAW are also relevant under other major human rights treaties. While collecting data and preparing your report, try to consider how issues and rights under CEDAW intersect with those under other treaties, and include relevant information about those issues and rights. In particular, make sure you have information about how girl children are affected under the CEDAW articles, since that information can easily be sent to the Committee on the Rights of the Child.

STEP 3: Preparing your Shadow/Alternative Report

You may decide to take any of the following approaches when organising your information and compiling recommendations on measures to be taken:

- **Preparing a shadow report:** This is possible if you have access to the government/State party report. We recommend that you try to obtain reports from your government in advance⁸. State party reports and further details on CEDAW sessions can be found on the webpage of the United Nations Office of the High Commissioner for Human Rights (OHCHR), the Secretariat⁹ for the CEDAW Committee <<http://www2.ohchr.org/english/bodies/cedaw/>>. Contact the OHCHR <cedaw@ohchr.org> if you have not been able to obtain a copy of your government's report.
- **Preparing an alternative report:** This is a report written independent of the government report, where, for example, no government report is available. This report could be a comprehensive one touching on all the articles of the CEDAW Convention or it could be done on just one or two priority concerns identified through consultation with other women's groups.

5 <<http://www.iwraw-ap.org/convention/principles.htm>>

6 <<http://www.iwraw-ap.org/convention/general.htm>>

7 <<http://www.iwraw-ap.org/protocol.htm>>

8 Note that the process for preparing State party reports is changing. Each State currently writes separate reports for each treaty it has ratified, e.g., one report for CEDAW, a separate report for CRC, etc. In 2006, however, representatives of the treaty bodies accepted a set of harmonised reporting guidelines for writing State party reports on issues common to all of the treaties, and each of the committees will be developing treaty-specific guidelines for issues specific to each treaty. This means that States will submit one common report for all of the treaties they have ratified covering facts and issues common to all treaties, and treaty-specific reports for each ratified treaty that focus on the issues specific to each treaty. For example, a State would submit the common report and a report on women to CEDAW, the common report and a report on children to the CRC, and the common report and a report on torture to the CAT Committee. For more information on treaty body reform, contact IWRAP Asia Pacific at <iwraw-ap@iwraw-ap.org>.

9 As of 1 January 2008, responsibility for servicing the Committee on the Elimination of Discrimination against Women was transferred from the Division for the Advancement of Women to the Office of the High Commissioner for Human Rights. However, the website of the DAW is still very useful for information prior to 1 January 2008 <<http://www.un.org/womenwatch/daw/cedaw>>.

Part II of this document provides guidelines on how to write a shadow or alternative report.

STEP 4: Disseminating your shadow/alternative report

There are a number of points at which NGOs can intervene in the CEDAW review process and contribute information on issues concerning women in their country. The first is during a CEDAW pre-session, and second at the actual CEDAW session that government reports are presented and reviewed. In addition, NGOs can also share their draft or final reports with other NGOs or government agencies or officials within their countries as an advocacy, public education or capacity building tool, or send their reports to committees for other human rights treaties their States have ratified.

CEDAW Pre-Session

The CEDAW review process begins when a working group of the CEDAW Committee first meets to identify gaps in all States parties' reports. The working group prepares a List of Issues and Questions relating to the States Party report that is sent to the reporting State, and the State is required to provide a written reply to the questions before the session in which it will be reviewed.

The pre-session working group meets for one week before the start or after the conclusion of an earlier CEDAW session.

The pre-session is **very important**, as it determines the direction, tone and issues for dialogue between the CEDAW Committee and your government during the CEDAW Session. It is also the **last chance** to get the government to submit written information on certain issues that the government may have overlooked or may be trying to avoid in its report. Therefore, it is a very important time for NGOs to intervene in the process by submitting information on the most important issues for women in your country. This can assist the CEDAW pre-session working group in identifying gaps and framing the questions it will ask your government.

If you are working on a shadow/alternative report, you can extract these issues and send the information in bullet-point form. Your list of critical issues should include the most important issues facing women in your country, what is missing in the government's report and what you want the CEDAW Committee to ask your government during the CEDAW review. If you already have a shadow report, you can send either the Executive Summary of this report or the report itself. Even if the existing shadow report is in draft form and still needs to be finalised for presentation, it can be sent for the pre-session. The final report can be produced in time for the CEDAW review itself.

As stated in the UN Office of the High Commissioner for Human Rights (OHCHR)¹⁰ NGO Information Note¹¹, IWRAP Asia Pacific collects pre-session submissions from NGOs to submit to the CEDAW Committee. You can send your list of critical issues, executive summary, or draft shadow/alternative report to IWRAP Asia Pacific at <iwraw-ap@iwraw-ap.org> and <iwraw_ap@yahoo.com> between **2 – 4 weeks** before the pre-session meeting. IWRAP Asia Pacific will then submit all of the NGO submissions to the OHCHR in time for the pre-session meeting. You may also submit the list of critical issues directly to the UN Secretariat responsible for servicing the CEDAW Committee (the Office of the High Commissioner for Human Rights, OHCHR) at cedaw@ohchr.org, at least 2 weeks before the pre-session meeting.

CEDAW Session

IWRAP Asia Pacific has been designated by the CEDAW Committee as the conduit through which shadow/alternative reports are distributed to the CEDAW Committee prior to the CEDAW Session. In this role, IWRAP Asia Pacific prints, and mails hard copies as well as email electronic copies of the shadow/alternative reports to the individual members of the Committee.

Therefore, once you have finalised your report, please email your report to <iwraw-ap@iwraw-ap.org> with a copy to <iwraw_ap@yahoo.com>. Please be sure to send us your report **no later than seven weeks** before the CEDAW session, and we will then forward it along by post and email.

You should also email your report to OHCHR at cedaw@ohchr.org for their records. They will also make it available to the Committee members in electronic copies just prior to the CEDAW session. Please note that the OHCHR will put all NGO

¹⁰ As of 1 January 2008, responsibility for servicing the Committee on the Elimination of Discrimination against Women was transferred to the Office of the High Commissioner for Human Rights.

¹¹ <<http://www2.ohchr.org/english/bodies/cedaw/docs/ngoparticipation.doc>>

information on the official website (which is publicly accessible). If you have concerns with security please ensure that you advise the OHCHR not to make your report available on their website.

You should plan to bring at least 30 copies of your alternative / shadow report to the CEDAW session for distribution to the Committee members as well as any other organisations (such as UN agencies) attending the CEDAW session.

PART II: GUIDELINES ON HOW TO WRITE A SHADOW OR ALTERNATIVE REPORT.

GENERAL GUIDELINES

What is the difference between a shadow report and an alternative report?

First it is important to note the difference between a shadow report and an alternative report. When an NGO writes its report, with access to the government report submitted to the CEDAW Committee, and critiquing the information in the report of the government report, this is called a **shadow report**.

When an NGO writes its report where no government report is available (e.g. either because the government has not written one or it is not willing to share the report with NGOs and the posting of the government report on the web page for the Division for the Advancement of Women is too late to start the processes for the writing of the shadow report), this is called an **alternative report**.

What is the purpose of the shadow/alternative report?

The purpose of the shadow/alternative report is to provide the CEDAW Committee with information on the achievement of the substantive rights outlined in the CEDAW Convention. So for example since Article 10 of the CEDAW Convention is on the right to education, the report would contain information on the right to education, which will include information on the status of access, exercise and enjoyment of this right by women, as well as your suggestions / recommendations of steps needed to address / improve it.

The shadow report would have an **added element**. It would not only include the status of that right in your country (as explained above) but also provide a **critical analysis** of the **information provided in the State party report**.

Such NGO reports help the CEDAW Committee to raise certain issues that may not be presented in the official report, or to check on the validity or veracity of government reports using the alternative information provided by NGOs. They also help counterbalance the information provided to the Committee during the constructive dialogue with the State.

How should the report be organised?

Organisation: The best way to organise a shadow/alternative report is by the Articles of the CEDAW Convention, because the CEDAW Committee reviews the government report Article-by-Article.

The broad structure of the CEDAW Convention is as follows:

- Articles 1 - 5 provide the general obligations of the State to provide a legal and policy framework for the implementation of the Convention as well as the social context that may impede the achievement of women's right to equality;
- Articles 6 - 16 provide specific substantive areas of equal rights for women under the Convention;
- Articles 17 - 23 outline the role of the CEDAW Committee and the procedures pertaining to the Convention and finally;
- Articles 23 - 30 outline the administration and interpretation of the Convention.

The shadow/alternative report need only provide information on the **substantive articles** of the CEDAW convention, **i.e. Articles 1 - 16**.

The commentary on Articles 1 – 5 and 15 of the CEDAW Convention should be written differently as compared to the discussion on Articles 6 - 16 since they cover substantive issues which are general in nature and set out the underlying principles of the CEDAW Convention, whereas Articles 6 – 16 enumerated specific issues. For more information on this, see the **specific guidelines** for these articles below.

Framing the content in each article of your report: In framing the information under each Article in your report, the following (in priority) should be taken into account

- The text of the CEDAW Convention¹².
- State party report¹³: Where there is access to the government report. State party reports are also made available on the website of the OHCHR.
- Concluding Observations¹⁴ of the CEDAW Committee: If your country has been reviewed by the CEDAW Committee previously, you must look at the Concluding Observations and discuss whether the government has addressed the concerns and recommendations raised by the CEDAW Committee during the last review.
- General Recommendations¹⁵: The General Recommendations contain the latest interpretation of the normative standards in the CEDAW Convention. You should look to the General Recommendations in consonance with the Articles, for e.g. Article 12 on Health with General Recommendation 24, and/or to clarify and expand on issues which are not specifically covered in the Convention, e.g. General Recommendation 19 on Violence Against Women. There are currently 25 General Recommendations.
- Reports of other UN Human Rights Mechanisms (such as special rapporteurs on health, housing, violence against women, etc): The reports by the special rapporteurs also expand on normative standards and provide data on violations of human rights and can well contribute to your report.
- Concluding Observations of other UN Treaty Bodies: In the event your country has reported to other treaty bodies, the relevant portions of those Concluding Observations which relate to women's rights should also be referred to.
- Summary Records¹⁶: The Summary Records capture the dialogue between the government and CEDAW Committee at the review and will contain information which is not reflected in the Concluding Observations. They provide an accurate and official record of the dialogue and will help guide your analysis. The Summary Records is also very useful for advocacy to get the government to honour its promises and to raise awareness of the views of the CEDAW Committee.

Executive Summary: You must have an Executive Summary of your shadow/alternative report, as it assists the CEDAW Committee members in understanding what is contained in the report and where they should read more carefully on specific issues. The Executive Summary would include:

- A summary of the main critical points (by Articles) of the shadow/alternative report;
- A summary of the recommendations to the critical points above and to the challenges encountered in the implementation of the CEDAW Convention.

The Executive Summary should be organised by Articles of the Convention, in the same way the report is organised.

Make the report reader friendly by having a table of contents and page numbers.

What language should our shadow/alternative report be in?

Since shadow reports are not official UN documents, they are not translated by the UN. Therefore, while the shadow report can be prepared in any language for your national advocacy purposes, you are strongly advised to also submit your report to the Committee in English because all of the CEDAW Committee members understand English. If it is not possible to submit your report in English, you should at least have an English translation of the Executive Summary.

What if a shadow/alternative report had already been prepared?

You should update the information and amend the report to include any recent developments made by the government, progression or even stagnation of the implementation of the rights of women in your country. We strongly recommend that

12 <<http://www.un.org/womenwatch/daw/cedaw/cedaw.htm>>

13 <<http://www.un.org/womenwatch/daw/cedaw/reports.htm>> and <<http://tb.ohchr.org/default.aspx>>

14 These can be found using the search engine on the OHCHR website <<http://tb.ohchr.org/default.aspx>> and also the DAW's CEDAW website, <<http://www.un.org/womenwatch/daw/cedaw/>>, under the relevant session.

15 These are available on the OHCHR website on CEDAW, <<http://www2.ohchr.org/english/bodies/cedaw/comments.htm>>.

16 These are available on the DAW's CEDAW website, <<http://www.un.org/womenwatch/daw/cedaw/>>, from the 28th – 39th CEDAW session. Later sessions can be found at the OHCHR's CEDAW website <<http://www2.ohchr.org/english/bodies/cedaw/>>.

you send one integrated updated report rather than two separate reports to the CEDAW Committee (i.e., an old report and another updated report), since this makes it easier for the Committee to process the information.

How many shadow / alternative reports can be submitted per country?

We strongly recommend that women's groups get together to collaborate on one shadow report. Such collaborative efforts is likely to make your advocacy more effective as it will represent the voices of large numbers of women, as well as enhance the credibility of the report. Please be aware that the CEDAW Committee has finite capacity and time to process a large amount of information for each CEDAW session, hence a coordinated effort is likely to make your intervention more effective.

However, there may be circumstances where it is imperative to prepare a separate report, to bring out:

- the status of a particular minority group which is facing marginalisation;
- the status of geographical areas under conflict which is experiencing specific kinds of violence or oppression;
- issues on which consensus cannot be reached.

Instead of invisibilising or marginalising an issue, a group of people, or an area – it is strongly encouraged that a separate report that captures its specificity, be submitted by groups/NGOs working on that issue, group, area.

Can committees for other human rights treaties use this report?

Shadow/alternative reports submitted to the CEDAW Committee may also be useful for the other committees established under these treaties when they review States that are party to the relevant treaty. Therefore, in writing your report, you should consider how women are affected by the issues addressed in these other treaties. If possible, you should include this information under the relevant CEDAW article of your report. For instance, in your chapters on education, employment, health and violence against women, you can include subsections on how girl children are affected within these areas (consider the issues of education, child labour, teenage pregnancy, HIV/AIDS, access to health care, sexual abuse of girl children, etc.), which makes the report very relevant for the Committee on the Rights of the Child. Including data disaggregated by race and ethnicity and information about the rights of women within minority groups will make the report relevant for the CERD Committee. Various articles in the CEDAW Convention also overlap with articles in the ICCPR and ICESCR. If your report addresses issues that relate to the other treaties, you can submit the entire report or chapters from the report to the relevant committee when your country is scheduled to report to that Committee. Please contact us at <iwraw-ap@iwraw-ap.org> for more information about submitting your report to other committees.

GUIDELINES FOR WRITING SHADOW/ALTERNATIVE REPORT, ARTICLES 1 - 5

Articles 1 - 5 are general in nature and set out the underlying principles of the CEDAW Convention: Equality, Non-Discrimination and State Obligation.

Below we have set out a series of questions for each article. Note these are not meant to be an exhaustive list. Note also that you are not meant to answer each question specifically, but rather use them as a way to prompt information related to the specific article.

Article 1: Definition of discrimination

1. Has the definition of discrimination as given in Article 1 of the CEDAW Convention been incorporated into the Constitution or laws of your country?
2. Do the laws also address both direct and indirect (or unintended) discrimination?¹⁷

Article 2: Policy measures to be undertaken to eliminate discrimination

1. Has the government taken action legally for the CEDAW Convention to be incorporated into domestic laws?
2. Is the CEDAW Convention applicable in the courts?

17 An example of indirect discrimination is discrimination experienced as a result of a facially gender neutral law.

- Have any of the provisions of the CEDAW Convention been directly invoked in domestic courts to gain equal rights for women? Is there any case law?
 - Are lawyers and advocates able to directly cite the CEDAW Convention in court?
 - Do judges refer to the CEDAW Convention or international human rights principles in their decisions?
3. Are there national laws that conflict with the CEDAW Convention?
- Where there is a conflict between national laws and the CEDAW Convention, which one takes precedence?
 - Has a comprehensive review of discriminatory legislation been done and a plan developed for legal reform.
4. Has any legislation been enacted as a means of incorporating the CEDAW Convention into domestic law and to make discriminatory acts in the public and private actors actionable? Such legislation could take the form of an Equal Opportunities Act, Gender Equality Act or Anti-Sex Discrimination Act.
- Are adequate sanctions in place for discrimination against women by the public and private actors?
 - What steps have been taken by the government to ensure that women are informed about their rights?
 - What legal remedies are available to women who have been discriminated against or have had their rights violated?
 - Are the remedies available to women whose perpetrators are from the public or private sector?
5. Are legal mechanisms in place to draw compliance from all sectors of government at all levels, vertically and horizontally especially within a federated system and where there is devolution of powers?
6. What measures, if any, has the government undertaken to ensure the practical realisation of the principles of equality and non-discrimination?
- Does the government monitor the effect of the laws protecting women's rights on women and whether laws are enforced and or implemented and take appropriate action?
 - Is there a process for monitoring discriminatory practices?
7. Are there competent and sensitised tribunals to hear cases on discrimination and inequality and are there procedures for women to claim their right to equality and non-discrimination?
- Do specific institutions exist and are procedures laid out for women to be able to make complaints such as Office of the Ombudsman or special tribunals?
 - If these institutions and procedures are in place, how effective are they in addressing the violations and providing the remedies? Is there data on cases brought by women to these institutions?
8. Have all relevant government officers in all sectors as well as the judiciary and relevant legal personnel and parliamentarians been trained to carry out their obligations under the CEDAW Convention?

Article 3: Guarantee of basic human rights and fundamental freedoms

1. What legislation has the State enacted to ensure women's equality in all fields (political, social, economic and cultural fields)?
2. Has the government created national machineries which address the development of women, create equal opportunities for women, and ensure women's equal access to those opportunities and equal results? E.g. Ministry of Women or Office of Gender Equality?
 - What are the competence and mandate of these machineries? Do they have authority to coordinate, resources and competence to play a catalytical role with other sectors? Can these machineries be more effective? How?

- Has an inter-sectoral monitoring mechanism been established to monitor compliance with the obligations under the CEDAW Convention?
 - What is the level of coordination with other institutional machineries?
3. Have the national development plans in your country addressed women's development and advancement on a scale that is representative of the population or women?
 - In the national development plans (including poverty eradication strategies), has the government incorporated macro-economic and social policies that will ensure women's access and enjoyment to overall economic and social development based on the principles and framework of the Convention? How is women's rights mainstreamed in all sectors? Are Action Plans for Women integrated into the national development plans or do they run parallel to the national development plans.
 - What percentage of the budget in the national development plans is geared towards the goals for the development and advancement of women?
 - Do the national development plans include specific provisions for specific groups of women in your country including rural women, indigenous women, disabled women, migrant women, minority women, refugee women and marginalised women in your country?
 - Are there any monitoring systems in place to evaluate the implementation of the national development plans in relation to women's development?
 - Are there mechanisms in place to address the shortfall of the national development plans implementation especially in relation to women's development?
 4. How are the women in your country affected by the World Trade Organisation (WTO) or other bi-lateral or multi-lateral trade agreements?
 - Have there been any assessments made on the impact of these agreements on the rights of women in your country?
 5. Are there human rights action plans in your country and do they address the human rights of women.
 6. Are there adequate data to assess progress made in the implementation of the CEDAW Convention, such as data disaggregated by sex, ethnicity and other relevant variables?
 - Is information or data collected to identify obstacles to the achievement of de facto rights for women and to assess the effects of laws and policies on women?
 - Does the government make data available and use the data to formulate policies?
 7. Is there a plan for implementation of the CEDAW Convention that sets out benchmarks for progress?
 8. Has the government involved NGOs in planning any of the above?
 9. Does the government/State party report mention specific commitments and institutional arrangements for implementation of the Beijing Platform for Action that includes accountability to NGOs?
 10. What are your recommendations for government action under each of the issues or problems you have identified?

Article 4: Temporary special measures to achieve equality

(refer also to General Recommendation 25)

1. Has the government instituted any temporary special measures to improve specific situations of women in your country that would bring them closer to experiencing equality with men, i.e. the implementation of affirmative action policies in education, employment, political decisionmaking?
2. Are the temporary special measures limited to the public sector or are they also extended to be applicable in the private sector as well?

3. Are there temporary special measures that address specific groups of women such as rural women, indigenous women, disabled women, migrant women, minority women, girl children or other marginalised women in your country?
4. Are there mechanisms in place to monitor the implementation of temporary special measures and to measure their progress in accelerating de facto equality for women?

Article 5: Sex roles and stereotyping

1. What has the government done to overcome negative perceptions of women and stereotyping of women's roles within the family and the society?
 - What policies or programmes is the government implementing to change prevailing mind sets among the population?
 - How have gender equality campaigns addressed the issue of stereotyping of women and men and the roles that they play within the family and society?
2. What actions has the government taken to eliminate harmful traditional practices? Initiatives to raise awareness on harmful traditional practices are critical but not sufficient to change harmful cultural and religious practices. Has the government taken steps to put in place relevant laws to eliminate these harmful practices?

GUIDELINES FOR WRITING SHADOW/ALTERNATIVE REPORT, ARTICLES 6 - 16

Articles 6 - 16 are very specific in nature, as seen below:

- *Article 6: Trafficking and Prostitution*
- *Article 7: Political and Public Life (refer also to General Recommendation 23)*
- *Article 8: Participation at the International Level*
- *Article 9: Nationality*
- *Article 10: Equality in Education*
- *Article 11: Employment*
- *Article 12: Healthcare and Family Planning (refer also to General Recommendation 24)*
- *Article 13: Economic and Social Benefits*
- *Article 14: Rural Women*
- *Article 15: Equality before the Law*
- *Article 16: Marriage and Family Life (refer also to General Recommendation 21)*

A series of questions can be asked for each of these articles, focusing on the specific issues covered in each article. The same set of questions can be used for each article. Note once again that you are not meant to answer each of these questions specifically, but rather use them to prompt the type of data and information you bring out for each article.

Article 15: Equality before the law

Note that article 15 is not about everything related to the law. For instance, discriminatory provisions, practices related to the law, and biases in the implementation of the law should be covered in Article 2. The emphasis in article 15 specifically relates to the legal capacity of a woman (e.g., her ability to enter into a contract, to move about freely, etc.) and her equal access to the law. Some questions you can think about when reporting on this article are:

1. *Do women have full equality with men in all civil and business matters, i.e., is the legal persona of women equal to that of men?*

- *Are women able to enter into contracts, receive loans, own/buy/sell and administer their and their children's property, travel freely, apply for a passport. etc., on their own, without the consent of their husbands, fathers, or other male guardians?*
 - *Are women recognised as legal adults in the law? Are they deemed to have equal capacity to that of men? With respect to their interactions before the law, are they treated as independent adults before the law, or as dependents?*
2. *Are women treated as equals at all stages of procedure in courts and tribunals? Can they bring cases on their own and serve equally with men as lawyers, judges and witnesses? Are women able to use the laws and remedies available on an equal basis with men?*
 3. *What steps has the State taken to ensure that women and men are equal before the law and are equally able to exercise their legal capacity?*
 4. *Are women able to choose where they live and their domicile, and do women have full equality in their ability to move around the country and outside of the country?*

Articles 6 – 16

1. What is the status of women in your country under the article concerned according to the issues and rights raised in the CEDAW article concerned? Are there violations of women's rights as well under this article and what are they? Which categories of women are most affected? Provide data disaggregated by sex and other variables if possible. If there is no data, indicate this as a gap in state action.
2. What are the obstacles or contributing factors preventing women from enjoying the rights provided for in the article concerned? (immediate, historical, systemic, etc)
3. What is the effect on women when they are denied rights under the article concerned? This should surface the interrelatedness of rights.
4. Has the government acknowledged these issues / low status of women in their report to CEDAW? If so, how has it presented these issues/problems and are you in agreement in relation to:
 - Prevalence and magnitude of the situation
 - Contributing factors.
5. What does the government say should be done to address the problems and what does it say it is already doing? What is your analysis of this with regard to:
 - Appropriateness of what the government says should be done?
 - Effectiveness of government action. Are there statistics or evidence of the scale or effectiveness of government action? Does the government monitor its own actions?
6. If in your opinion the government's actions are not effective, what are the contributory factors?
 - Have the relevant actors been identified?
 - Is there an allocation of adequate resources?
 - Are there laws or policies that are adequate and are these enforced/ implemented?
 - Are there institutional arrangements to facilitate the action?
 - Are relevant personnel being trained?
 - Is there a public awareness programme?
 - Is there a plan for support services if needed?
7. For countries presenting periodic reports, what action has the government taken to follow-up on the Concluding Observations made by the CEDAW Committee in relation to this right at the previous State party report review?
8. What are your recommendations for government action under each of the issue(s) or problems(s) that have been identified?
9. For each article, include information on how girl children experience these issues and rights, particularly in relation to education, health (including infanticide, nutrition, adolescent health, HIV/AIDs and access to health care), violence and sexual abuse, child labour, street children, girls held in detention centres, teenage pregnancy, etc. [**Note:** If such information is included, the report or selected chapters of the report can easily be submitted to the Committee on the Rights of the Child.]

GENERAL RECOMMENDATION 19: VIOLENCE AGAINST WOMEN

We strongly advise that NGOs prepare a separate section on violence against women, and refer to General Recommendation 19, and the UN Secretary-General's in-depth Study on All Forms of Violence Against Women¹⁸ in writing this section.

1. What are the various forms of violence faced by women (including but not limited to domestic violence, sexual harassment at work or schools, harmful traditional practices such as female circumcision, sexual violence in conflict situations, etc.)
 - What is the extent of this gender-based violence? Provide statistical data on the incidence of violence of all kinds against women, as well as on the different groups of women (migrant women, rural women etc) who are the victims / survivors of violence.
2. What legislation is in force to protect women against these forms of violence?
3. How effective are these laws in addressing the forms of violence faced by women and in providing remedies to women?
 - Are women accessing these laws? Is there data on women accessing these laws?
 - What are the obstacles to women accessing the law and how can these obstacles be addressed?
 - What remedies are available to women under these laws and how appropriate / effective are they?
4. What other preventive and protective measures have been adopted by the government to eradicate violence against women (such as training and awareness raising to modify gender-based stereotypes and socio-cultural patterns of behaviour that that legitimize, exacerbate or tolerate violence against women)? How effective are these measures?
5. What kind of infrastructure and support services is available for women who are victims / survivors of aggression or abuses? Are women able to access these services? What are the obstacles for access and use of these services and how can these obstacles be addressed?

OTHER ISSUES

1. *Has the government integrated the strategies, objectives and activities recommended under the Beijing Platform for Action under the relevant articles of the Convention?*
2. *If there are reservations to the Convention, what plans does the State have to remove them?*
3. *Has the Optional Protocol to CEDAW been ratified in your country? If not, what are the reasons?*

18 <<http://www.un.org/womenwatch/daw/vaw/SGstudyvaw.htm>>

XIII. SHADOW REPORT OF THE GOVERNMENT OF BURKINA FASO ON THE ENFORCEMENT OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW)

This is an example of a CEDAW shadow report created by NDI's partner coalition in Burkina Faso.

CEDAW IMPLEMENTATION MONITORING COALITION OF BURKINA FASO

SHADOW REPORT ON THE 6TH REPORT OF THE GOVERNMENT OF BURKINA FASO ON THE ENFORCEMENT OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW)

**Drafted with support from the National Democratic Institute for International Affairs-
NDI - Burkina Faso**

October 2010

CONTENTS

Abbreviations	4
General summary	5
List of coalition members	9
Introduction	10
Detailed analysis of the government’s sixth report to the CEDAW	12
Article 1: Definition of discrimination	13
1. General overview.	13
2. Main concerns	13
3. Status of consideration of the CEDAW Committee’s recommendations	13
4. Recommendations	14
Article 4: Temporary Special Measures	14
1. General overview.	14
2. Main concerns	14
3. Status of consideration of the CEDAW Committee’s recommendations	15
4. Recommendations	15
Article 7: Women’s participation in public and political life	15
1. General overview.	15
2. Main concerns	18
3. Status of consideration of the CEDAW Committee’s recommendations	18
4. Recommendations	18
Article 8: Women’s participation in international decisionmaking bodies.	19
1. General overview.	19
2. Main concerns	19
3. Status of consideration of the CEDAW Committee’s recommendations	19
4. Recommendations	19
Article 10: Equal rights to education and vocational training	20
1. General overview.	20
2. Main concerns	20
3. Status of consideration of the CEDAW Committee’s recommendations	20
4. Recommendations	21
Article 12: Equal access to healthcare	22
1. General overview.	22

2. Main concerns . . . . .	.22
3. Status of consideration of the CEDAW Committee’s recommendations . . . . .	.23
4. Recommendations . . . . .	.23
Article 13: Economic and social life of women . . . . .	.24
1. General overview. . . . .	.24
2. Main concerns . . . . .	.24
3. Status of consideration of the CEDAW Committee’s recommendations . . . . .	.25
4. Recommendations . . . . .	.25
Article 15: Equality before the law . . . . .	.25
1. General overview. . . . .	.25
2. Main concerns . . . . .	.25
3. Status of consideration of the CEDAW Committee’s recommendations . . . . .	.26
4. Recommendations . . . . .	.26
General Recommendation 19: Violence against women . . . . .	.26
1. General overview. . . . .	.26
2. Main concerns . . . . .	.27
3. Status of implementation of the CEDAW committee’s recommendations . . . . .	.27
4. Recommendations . . . . .	.29
Conclusion . . . . .	.29

ABBREVIATIONS

AN: Assemblée Nationale [National Assembly]

EPA: Economic Partnership Agreement

CEDAW: Convention on the Elimination of All Forms of Discrimination against Women

CNSEF: National Council to Monitor Actions taken to Advance the Status of Women [*Conseil National de Suivi des Engagements en faveur de la Femme*]

CPF: Persons and Family Code [*Code des Personnes et de la Famille*]

CSPS: Health and Social Welfare Center [*Centre de Santé et de Promotion Sociale*]

LC: Labor Code

FAARF: Support Fund for Women's Income-Generating Activities [*Fonds d'Appui aux Activités Rémunératrices des Femmes*]

FAAGRA: Support Fund for Income-Generating Activities for Women Farmers [*Fonds d'Appui aux Activités Génératrices de Revenus des Agricultrices*]

INSD: National Statistics and Development Institute [*Institut National des Statistiques et du Développement*]

MASSN: Ministry of Social Services and National Solidarity [*Ministère de l'Action Sociale et de la Solidarité Nationale*]

NDI: National Democratic Institute

NGO: Non-Governmental Organization

CSO: Civil Society Organization

NGP: National Gender Policy

PNPF: National Policy for the Advancement of Women

TFP: Technical and Financial Partners

PPMTCT: Program for the Prevention of Mother-to-Child Transmission

NS/NCCA: National Secretariat/National Committee to Combat AIDS

UNICEF: United Nations Children's Fund

VAWG: Violence Against Women and Girls

HIV/AIDS: Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome

GENERAL SUMMARY

Burkina Faso signed the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), without reservation, on November 28, 1984, and the instruments of ratification were deposited on October 14, 1987. In ratifying the Convention, the government of Burkina Faso committed to taking all administrative, legal, political and other measures needed to remedy, as expeditiously as possible, discrimination against women and girls in the socio-political, economic and cultural arenas. To ensure effective implementation of the CEDAW in Burkina Faso, the government must harmonize the provisions of this international instrument with national legislation.

This shadow report was established to further contribute to the data presented in the sixth periodic report submitted to the CEDAW Committee by the government of Burkina Faso. As such, this report represents the assessments of a group of civil society organizations. It is our bold hope that this report, as a product of collaboration between several civil society organizations, will allow the Committee to gain a deeper perspective on the degree to which the Convention has been implemented in Burkina Faso—and as such, to begin constructive dialogue with the government and other stakeholders regarding how to best implement the Convention.

A reading of the government's report gives the impression that Burkina Faso has accomplished considerable progress in implementing the CEDAW. Although this is true to a certain degree, this shadow report seeks not only to point out shortfalls and challenges in implementing the Convention, but also to shed light on the degree to which the CEDAW Committee's recommendations and observations have been taken into account.

This report is structured around the following priority areas of focus, based on the articles of the CEDAW:

- Article 1: Definition of discrimination
- Article 4: Temporary special measures
- Article 7: Women's participation in political and public life
- Article 8: Women's participation in international decisionmaking bodies
- Article 10: Equal rights to education and vocational training
- Article 12: Equal access to healthcare
- Article 13: Economic and social life of women
- Article 15: Equality before the law
- General Recommendation 19: Violence against women and girls

Article 1: Definition of discrimination

No legal definition of discrimination as stipulated in the CEDAW exists in national legislation. This could justify the fact that, in relation to enacting the law on quotas seeking to increase female representation within decisionmaking bodies, Burkina Faso's legislators opted for a neutral law stipulating a minimum of 30% representation of each gender, to preserve the integrity of all provisions of the fundamental law that is the Constitution, which prohibit implementing measures that discriminate in favor of one sex over the other or a given marginalized sector of society. The CEDAW must be incorporated into national legislation to ensure the effective implementation of some of its provisions and thus attain equality in fact, which in some instances can only be attained via temporary affirmative action measures.

Article 4: Temporary Special Measures

In terms of new measures, the enactment, in April 2009, of the law on quotas for electoral lists in legislative and local elections constitutes progress in the legislative arena, given the social environment. The law presents significant shortcomings, however, which limit the scope of its initial objective of finding an effective mechanism for boosting participation of a critical number of women in political institutions. As a result, the law does not introduce an affirmative action measure in favor of women, and its applicability risks being limited to only 9 of 45 districts for legislative elections.

Other measures, such as granting secondary school scholarships to girls and caring for mothers infected with HIV/AIDS, have been taken. It must nonetheless be noted that the institutions charged with implementing these measures do not always have access to sufficient resources or appropriate mechanisms for ensuring optimal operation.

Article 7: Participation of Women in Political and Public Life

Women and men enjoy the same political rights in Burkina Faso. The percentage of women actually participating in the governmental, parliamentary, administrative and judiciary decisionmaking arenas remains very low, however. An underrepresentation of women in political party leadership positions is also observed. Elections in Burkina Faso are based on the list system, and few female candidates appear at the top of those lists, slots from which they would have improved chances of being elected.

Article 8: Participation of Women in International Decisionmaking Bodies

In theory, women have the same rights and possibilities as men in terms of representing the government at the international level. The percentage of women representing Burkina Faso in international institutions and organizations nonetheless remains negligible. It is important that the government initiate temporary special measures to increase female participation in diplomacy.

Article 10: Equal rights to education and vocational training

Efforts aimed at decreasing educational gaps between girls and boys are considerable and striking. Implementation, in 1999, of the Ten-Year Plan for the Development of Basic Education resulted in several new neighborhood schools, financial assistance to parents and campaigns to encourage the enrollment of girls in school. The government also prioritized literacy training for women and girls who have dropped out of or never been to school, by increasing the number of informal training centers and adopting affirmative action measures in favor of girls. Each of these measures contributed to an increase in the gross enrollment and literacy ratio of girls and women. Despite these advances, it is observed that school enrollment rates remain lower among girls than among boys.

The government must redouble its efforts to reduce and prevent drop-outs among girls, particularly at the secondary and higher education levels and in rural areas; increase the number of female teachers and the quality of teaching; and continue efforts to eradicate sexist stereotypes from textbooks.

Article 12: Equal Access to Healthcare

From a legal perspective, no discrimination between men and women exists in access to healthcare, but discrepancies do exist in practice. The government of Burkina Faso has taken measures toward improving women's access to healthcare in the areas of sexual and reproductive health, efforts to combat the feminization of HIV/AIDS, efforts to combat malaria and the construction of healthcare infrastructures. In concrete terms, the government is partially covering the costs of deliveries and emergency neonatal and obstetrical care, which has resulted in a considerable decrease in the costs of routine

deliveries and deliveries by Cesarean section. The government has also placed special emphasis on family planning, which since 2005 has been provided free of charge in healthcare centers nationwide.

Work remains to be done, however, to decrease maternal mortality, increase use of healthcare facilities, particularly in rural areas, and render all free-of-charge services adopted by the government accessible in practice.

Article 13: Economic and social life of women

Legislation in Burkina Faso is not discriminatory in terms of family allowances, but in practice, most married women do not ever receive family allowances, which are paid directly to male spouses. Female heads of household who earn wages and have filed with the fund receive nonetheless do receive the allowances for their children.

Certain measures have been taken to promote women's access to credit. Microcredit institutions such as the Support Fund for Women's Income-Generating Activities (FAARF) and the Support Fund for Income-Generating Activities for Women Farmers (FAAGRA) have been established. Likewise, the Ministry of Finance and the Budget adopted a strategic microfinance plan in 2005.

Despite these measures, efforts to empower women in economic terms have remained futile, for most women have difficulty meeting the criteria for receiving credit from traditional banks. Additionally, the terms offered by microfinance institutions remain unsuitable and ineffective, despite appearing to be more flexible.

The laws in Burkina Faso are not discriminatory with regard to the right to participate in recreational, athletic and cultural activities. Excessive workloads (in rural areas in particular), poverty among women and growing insecurity, however, hinder women's access to these activities.

Article 15: Equality before the law

The government has built new courthouses in the provinces, hired penitentiary personnel and, in July 2009, issued a decree providing for legal aid to impoverished individuals, and women in particular, to bring the legal system closer to the people and ensure that legal rulings are enforced. Despite these efforts, the legal system remains inaccessible to women for reasons of geographic distance, cost and lack of knowledge about legal procedures.

General Recommendation 19: Violence against women

Domestic/spousal abuse and abuse based on cultural beliefs are most widespread in Burkina Faso. This abuse is committed against young children, adults and, at times, elderly women. Violence also occurs in schools. With the exception of laws criminalizing the intentional spread of HIV/AIDS (2005), Female Genital Mutilation (FGM), trafficking in persons and related practices, legislation protecting women and girls who are victims of abuse is lacking. Remarkable progress has been observed in the area of FGM, as the criminalization of this practice seems to have greatly contributed to a decrease in prevalence, which has dropped from 70% to 40%. It cannot be disregarded, however, that these practices now occur in growing secrecy and at an increasingly young age, which consequently requires increased vigilance to avoid setbacks. In addition, measures have been taken by the Ministries of Social Work and National Solidarity, the Promotion of Women, and Human Rights to advise and refer female victims. Awareness and information campaigns relating to the detrimental effects of violence have also been organized. These measures nonetheless remain insufficient and inadequate.

MEMBERS OF THE CEDAW IMPLEMENTATION MONITORING COALITION

1. **ADEPROH:** Association pour la Défense et la Promotion des Droits des Personnes Handicapées [Association for the Defense and Promotion of the Rights of the Disabled]
2. **AFJ/BF:** Association des Femmes Juristes du Burkina Faso [Female Lawyers of Burkina Faso Association]
3. **APAC:** Association des Professionnelles Africaines de la Communication [Association of African Communications Professionals]
4. **CBDF:** Coalition Burkinabé pour les Droits de la Femme [Burkina Faso Coalition for Human Rights]
5. **CCJI/MMF/ANBF:** Cyber Youth Info Center of the World March of Women/Burkina Faso National Action
6. **CIEFFA:** International Center for Girls' and Women's Education in Africa
7. **CIFRA:** Centre International de Formation en Recherche-Action [International Training and Action Research Center]
8. **CN/OSC:** Cellule Nationale de Renforcement des Capacités des OSC [National Unit to Build CSO Capacity]
9. **COAFEB:** Coordination des Organisations des Femmes du Burkina [Representative Committee of Burkina Faso Women's Organizations]
10. **CRIGED:** Centre de Recherche et d'Intervention en Genre et Développement [Gender and Development Research and Intervention Center]
11. **FAWE/Burkina:** Forum for African Women Educationalists
12. **GTFEP:** Groupe de Travail pour la Promotion de la Femme en Politique [Working Group for the Promotion of Women in Politics]
13. **MBDHP:** Mouvement Burkinabé pour les Droits de l'Homme et des Peuples [Burkina Faso Movement for Human and Peoples' Rights]
14. **MMF/ANBF:** Marche Mondiale des Femmes/Action Nationale du Burkina Faso [World March of Women/Burkina Faso National Action]
15. Voix de Femmes NGO
16. **RAJS/BF:** Réseau Africain Jeunesse Santé et Développement/Burkina Faso [African Youth Health and Development Network/Burkina Faso]
17. **RECIF/NGO:** Réseau de Communication d'Information et de Formation des Femmes dans les ONG au Burkina Faso [Communication, Information and Women in NGOs Training Network in Burkina Faso]
18. **SP/CNLPE:** Secrétariat Permanent du Comité National de Lutte contre la Pratique de l'Excision [Permanent Secretariat of the National Committee to Combat the Practice of Excision]
19. **WILDAF/FeDDAF/Burkina:** Women in Law and Development in Africa/Femmes, Droit et Développement en Afrique

INTRODUCTION

Since the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) was ratified in October 1987, the government of Burkina Faso has published six reports on the status of measures taken and progress made to remedy inequalities between men and women, girls and boys in the socio-political and economic arenas.

Although many women's associations exist, no system exists whereby civil society organizations (CSOs) can monitor implementation of the CEDAW. To date, the role of CSOs has been limited to approving governmental reports. Upon invitation by the Ministry for the Promotion of Women, certain associations contribute to the process of legalizing the official report, yet have no opportunity to comment on or advocate for consideration of their concerns.

Conscious of shortcomings in CSO knowledge of the CEDAW, the National Democratic Institute (NDI) made the commitment to support them in order to provide them with tools to effectively monitor and document the degree to which the Convention has been implemented, by preparing shadow reports.

Process to establish the CEDAW implementation monitoring coalition

Burkina Faso's Civil Society Organizations became aware of the need to fulfill their roles in monitoring various policies and questioning the government about implementation of commitments made at the national, regional and international levels. This desire is what led the CSOs involved in promoting women's rights to work together toward monitoring implementation of the CEDAW. Nineteen (19) organizations active in the promotion of women's rights thus attended, from November 3-5, 2009, a CEDAW training and discussion workshop arranged with technical and financial support from the National Democratic Institute (NDI). This workshop resulted in the establishment of a coalition to monitor implementation of the CEDAW. Over the course of this workshop, the organizations decided on seven (7) priority areas of focus around which this civil society report is structured. These priority areas of focus are as follows:

1. Adoption of special measures for integrating a gender-sensitive budgeting policy.
2. Women's participation in the management of political and public life.
3. Education and vocational training.
4. Women's access to healthcare.
5. Economic empowerment of women and access to financial products and credit in particular.
6. Equality before the law.
7. Efforts to combat violence against women.

To facilitate reflection around these areas of focus, working groups were established. Group work was presented in a plenary session and a drafting committee was established to finalize drafting of the report. Composed of eight (8) members selected for their proficiency in the priority areas of focus identified, the committee produced a draft report at the close of a week of work. This draft was adopted in plenary on November 11, 2009 by the nineteen CSOs listed below, following incorporation of the observations, amendments and contributions of the CSOs involved in this process from the beginning of the CEDAW workshop.

This report is the first consensus-built report from civil society in Burkina Faso. It provides a critical analysis of the sixth government report, covering the 2001-2006 period. The CEDAW Committee will review the report during its October 4-22, 2010 session.

List of participants at the CEDAW training workshops

Order	Organization	First and Last Names of Participants
1	ADEPROH	Élisabeth KIENTEGA
2	AFJ/BF	Franceline TOE-BOUDA Korotimi NAZE-SAWADOGO Maimouna DERME-TRAORE
3	APAC	Pauline YAMEOGO
4	CBDF	Mariam SIRIMA Larissa ZONGO-NANA Yvette COMPAORE/TIENDREBEOGO
5	CCJI/MMMF/ANBF	Sheila Sandrine SANOUIDI
6	CN/OSC Cellule Nationale des OSC	Françoise PIOUPARE
7	CIEFFA	Aminata Elisabeth OUEDRAOGO/BANCE
8	CIFRA	Djamilat SOMBIE - OUATTARA
9	COAFEB	Mariam KADEOUA - KOUSSOUBE Ramata OUEDRAOGO
10	CRIGED	Pascaline KABORE S Norbert KAMBIRE
11	FAWE/Burkina	S. Berthe Andrée MEDA - DABIRE
12	GTFEP	Cecile SOW - NONGUEGNAGHMA Marlène ZEBANGO
13	MBDHP	Dothié SOMA Angèle NACOULMA
14	MMF/ANBF	Awa OUEDRAOGO
15	NGO Voix de Femmes	Katia TAPSOBA Rodrigue BILGHO
16	RAJS/BF	Daouda DJOUMA
17	RECIF/NGO	M Madeleine POUSSI - PITROIPA
18	SP/CNLPE	Korotoumou OUEDRAOGO
19	WILDAF	Tara NACANABO Ervé DABONE

ACKNOWLEDGEMENTS

The coalition is grateful to NDI's Resident Director in Burkina Faso, Ms. Aminata Faye Kassé, for her support in ensuring the success of this project, and to the entire NDI team.

The coalition expresses sincere thanks to Ms. Doris Mpoumou, international consultant, for her contribution to our gaining a more comprehensive understanding of CEDAW texts and procedures.

DETAILED ANALYSIS OF THE GOVERNMENT'S SIXTH CEDAW REPORT, BASED ON THE ARTICLES AND PRIORITY AREAS OF FOCUS SELECTED BY THE COALITION

Introduction

Given the fact that the official report covers the full array of legal, political and administrative measures that the government has taken toward implementing the CEDAW, for each article selected, this report seeks to:

1. Provide commentary on the official report.
2. Identify areas of principal concern that warrant immediate attention.
3. Establish the degree to which the final observations and recommendations presented by the CEDAW Committee to the government, following review of the report submitted in 2005, were taken into consideration.
4. Propose recommendations paving the way for effective and successful implementation of the Convention in Burkina Faso.

Article 1: Definition of discrimination

1. General overview

National laws in Burkina Faso enshrine the principle of gender equality. Nonetheless, no legal definition of discrimination in accordance with the obligatory CEDAW standards exists. Discriminatory laws and practices persist, despite the provisions of Article 151 of the Constitution: "Duly ratified or approved treaties or agreements shall, upon their publication, override laws, subject, for each agreement or treaty, to its application by the other party."

2. Main concerns

- Ratification of the CEDAW and its Optional Protocol does not in and of itself suffice for changing behaviors and attitudes that have grown entrenched over the centuries, particularly given the coexistence of customary law and modern law.
- Twenty-five years out from ratification of the CEDAW, most laws that are discriminatory towards women (particularly those related to women's lives within the family) remain practically unchanged.
- The government of Burkina Faso has shown no willingness to incorporate a suitable definition of discrimination into national legislation.

3. Status of consideration of the Committee's recommendations

The CEDAW Committee's recommendation relates to harmful traditional or customary practices that infringe upon the rights of women and that constitute a form of discrimination against them. The Committee also recommended raising the awareness of all societal groups and improving women's access to methods of legal recourse by improving their knowledge of basic principles of law.

Despite the creation of new organizations to promote and defend women's rights, the adoption of policies (National Policy for the Advancement of Women, National Gender Policy) and action plans, and the ratification of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women, discrimination persists. Governmental measures have been inadequate in their effect.

4. Recommendations

The government should:

- Repeal all laws that are discriminatory towards women by 2012, and in particular eliminate those provisions in the Persons and Family Code relative to polygamy (Articles 257-262).
- Reformulate all laws that are discriminatory towards women by 2011, and in particular standardize the legal marriage age for young girls and boys (Article 238 of the CPF).
- Incorporate the definition of discrimination and all CEDAW provisions into national legislation.

- Ensure that the Convention is indeed invoked within national courts.
- Incorporate the Convention into the preamble to the Constitution.

Article 4: Temporary special measures

1. General overview

Although the government's sixth report made no mention of this point, the government adopted a certain number of measures that have contributed positively to boosting gender equality in terms of education and access to healthcare. These measures include literacy training for women and girls who have dropped out of or never been to school, efforts to keep girls in school, and caring for mothers infected with HIV/AIDS. Other positive steps have been taken, including restructuring the Ministry for the Advancement of Women, adopting a National Policy for the Advancement of Women and a National Gender Policy and full communalization.

In 2009, the government of Burkina Faso enacted a quota law, which could be considered progress on the legislative front, given the socio-cultural context that applies. The law nonetheless presents significant shortcomings, which limit the scope of its initial objective of finding an effective mechanism for boosting the participation of a critical number of women in political institutions. It therefore is not certain that the law can be implemented without significant difficulty, given its shortcomings. Indeed, the law introduces a neutral quota of at least 30% representation of women and men, but does not apply to elected positions. It in no way guarantees any strategic positioning for women (male/female alternation) on electoral lists to maximize their chances of being elected, and it applies only to districts with more than two seats. Based on current district lines, its applicability will be limited to just 9 out of 45 districts in legislative elections. What remains to be seen is whether or not women in those 9 districts will be placed at the top of electoral lists, which would allow them to win seats.

2. Main concerns

- Efforts put forth by the government to boost gender equality have been inadequate. Even those measures that have been taken benefit only a limited number of women. Reference can be made to the quota law, which presents significant shortcomings.
- Although measures have been taken in the area of education (such as secondary school scholarships for girls and second-chance schools) and in the area of HIV/AIDS (care for infected mothers), they continue to lack the resources necessary to ensure their effectiveness and adequate mechanisms for monitoring their application.
- The absence of gender considerations in the national and local government budgeting process prevents visibility into government efforts to advance the standing of women.
- Moreover, adequate measures are not being taken to allocate substantial sums to the agencies tasked with meeting the objectives the government has set. The budget of the Ministry for the Advancement of Women currently accounts for 0.01% of the national budget.

3. Status of consideration of the CEDAW Committee's final observations

To comply with recommendation 273 of the Committee's final observations relative to the lack of temporary special measures aimed at increasing women's participation in public and political life, the government of Burkina Faso adopted a law stipulating a 30% quota for each gender on electoral lists presented at local and legislative elections. It is noted with regret that this recommendation, first made in 1999, was not adopted until ten years later.

4. Coalition Recommendations

The government should:

- Work with Burkina Faso's legislators to improve measures for enforcing the quota law (districting that follows the provisions stipulated in the quota law, for example), so that the law can be effective and operational in terms of national and international appointed positions.
- Proceed with an immediate review of the budget nomenclature for gender-sensitive budgeting considerations. This is a necessary step for taking into account the specific needs of women and girls, which must appear in the detailed budgets of ministerial departments and local authorities to ensure improved visibility of government measures in favor of women.

- Train technical staff in charge of budgeting at the national and local levels on how to establish gender-sensitive budgets.
- Increase the budget of the Ministry for the Advancement of Women to at least 7% of the national budget, thereby allowing the Ministry to take concrete steps toward improving women's living conditions and promoting gender equality.

Article 7: Women's participation in political and public life

1. General overview

Burkina Faso promotes the principle of gender equality in political and public life through its legislation. This principle can be seen in:

- The Constitution, Article 1 of which reaffirms the rejection of all forms of discrimination.
- The Persons and Family Code, a provision of which grants women the right to practice the profession of their choice without formal authorization from their spouse.
- Act 013-1998/AN of April 28, 1998, which stipulates legal principles applicable to civil servants and also enshrines the principle of gender equality in access to civil service positions.
- Act 014-2001/AN of July 3, 2001, Article 162 of which provides for an Election Code, and Act 019-2009/AN, which amends Act 014-2001/AN of July 3, 2001, Article 241 of which provides for an Election Code in Burkina Faso.

Despite the high number of political parties in Burkina Faso (approximately 147), few women hold positions of responsibility on their staffs. Most women who do hold such positions are tasked with responsibilities similar to the roles that society has traditionally reserved for the female sex (Treasury, Women's Mobilization, Advancement of Women, etc.). Key positions such as presidency, vice-presidency and general secretariat are rarely granted to women.

Elections are based on an electoral list system. This system in principle favors candidates placed high on the lists, but it is generally observed that few female candidates appear in the first few slots on these lists.

Poverty is an increasingly female phenomenon, despite a number of measures put forth by the government and some NGOs to improve women's financial status (Support Fund and microcredit). And yet, participation in political life costs money (contributions, travel for meetings, electoral campaigns, etc.).

Neither the government, which grants public funding to political parties, nor political parties themselves have established systems or specific means capable of providing financial or material support to women running for elected office.

Notable progress due to governmental and private initiatives has been made in the education of women and girls, particularly in terms of skills. This progress partially explains a slight increase observed in the number of women equipped with the skills to hold positions in public and private institutions. There remain very few women in decisionmaking positions, however (presidents of governmental or private institutions, secretaries-general of ministerial departments, directors, department heads and other such positions in the capital and nationwide).

In Burkina Faso's sixth periodic CEDAW report, the government acknowledges that:

- Very few women are represented in policymaking positions; i.e., within the government, parliament, high administrative and local posts, where issues of national policy and the development of administrative departments and regions are addressed. (Cf.: Statistics)

Status of women's participation in political and public life				
	Number of women	Number of men	Total	Percentage of women (%)
Local elected officials	6,400	11,477	17,877	35.80%
Mayor	23	336	359	6%

2010 Source: Coalition

Status of women in the National Assembly, over 3 terms				
Years	Total	Number of men	Number of women	Percentage of women
1997-2002	111	102	9	8.01%
2002-2007	111	98	13	11.71%
2007-2012	111	94	17	15.31%

Source: Coalition

Status of female ministers from 2000-2010				
Years	Total number	Number of men	Number of women	Percentage of women
2000	36	32	04	11.11%
2002	30	27	03	10.00%
2004	31	27	04	12.90%
2005	32	28	4	12.50%
2006	34	29	5	14.70%
2007	34	29	5	14.70%
2008	35	28	7	20.00%
2009	36	29	7	19.44%
2010	35	29	6	17.14%

Source: Coalition

- The main actions having contributed to a slight improvement in female representation within the parliament and local government were carried out by civil society and the National Assembly. These were as follows: advocating to political leaders, for improved standing of women on electoral lists; advocating to customary and religious leaders, to promote the involvement of women in politics; establishing a gender caucus; holding a forum on female representation in decisionmaking bodies; preparing a draft law stipulating a quota of at least 30% representation of each sex on electoral lists.

Regarding this situation, the Coalition deplores the weak level of commitment displayed by the government, which has not risen to the hopes of the population and women in particular; it has deployed no national initiatives for promoting improved participation of women in political and public life.

The Coalition also deplores the absence of measures taken by political parties to improve the political participation of women.

2. Main concerns

The under-representation of women in appointed positions in the executive and judiciary branches and public administration (governorships, High Commission, prefecture, institutional joint action frameworks at the centralized and decentralized levels).

The quota law, which does not line up with the way electoral districts are drawn (the quota law can begin to be truly enforced only in three-seat districts: 9/45; whereas the current system has more electoral districts with one or two seats than three: 36/45).

The absence of financial, safety, training and other measures taken by the government to support women running for office.

3. Status of consideration of the CEDAW Committee's recommendations

The Committee recommended applying temporary special measures and setting concrete objectives with corresponding time-lines to increase the number of women participating in political and public life and occupying decisionmaking positions. The government did pass a law instituting a quota of 30% for each sex on the electoral lists presented at legislative and local elections. This temporary measure does not, however, take into account appointed positions, nor does it guarantee the results of elections

in which women are running for office. This measure does not comply with the Committee’s recommendation to set a concrete objective, and it includes no associated timelines.

4. Coalition Recommendations

The government should:

- Incorporate Article 1 of the CEDAW into Burkina Faso’s Constitution. Article 1 defines the meaning of the word “discrimination” with regard to women, and its enactment would open the door to full use of the provisions of Article 4.1.
- Establish parity in appointed positions at the national level to display its true willingness and to comply with the spirit of national and international texts such as the Constitution, the Maputo Protocol, the Solemn Declaration on Gender Equality in Africa and the Beijing Platform.
- Commit to taking specific steps towards remedying gender gaps in political and public life.
- Encourage political parties to promote gender equality in their enactments, staff, campaign financing for female candidates and election procedures.
- Encourage and educate female candidates about electoral duties.
- Increasingly work in partnership with NGOs and donor organizations on awareness campaigns to improve the political participation of women.
- Appoint women equally qualified as men to leadership positions in government administration.
- Use a legal text to eliminate certain costly expenses (gimmicks) not essential to the smooth running of electoral campaigns, to minimize the expenses of all candidates and, among other benefits, contribute some encouragement to women running for office.

Article 8: Female representation in international decisionmaking bodies

1. General overview

No texts in Burkina Faso display discrimination in the possibilities of representing the government at the international level or participating in the work of international organizations.

The current situation sees few women in international positions (diplomacy) and participating in the work of international organizations, as indicated by the table below:

Table: Female representation in international decisionmaking bodies				
Position	Women	Men	Total	Percentage of women (%)
Ambassador	04	28	32	12.5
Consul General source:	0	5	05	0
Consulate staff	10	19	29	34.48
Diplomatic mission staff	91	154	245	37.14

(Source: Ministry of Foreign Affairs and Regional Cooperation, Human Resources Division, April 2009)

2. Main concerns

- The insignificant number of women in decisionmaking positions within international organizations and Burkina Faso’s embassies.
- The absence of positive measures taken to increase female representation in diplomatic positions and international organizations.

3. Status of consideration of the Committee's recommendations

In Burkina Faso's sixth periodic report on implementation of the CEDAW, the government acknowledges that in the area of international representation, much work remains to be done in terms of female participation.

4. Coalition Recommendations

The government should:

- Establish a gender-based inventory of Burkina Faso nationals assigned abroad, to then monitor changes in female representation at the international level.
- Ensure greater transparency in the process for appointments to international posts.
- Implement mechanisms for promoting the involvement of women at the international level.
- Recommend more women to high-level positions in international institutions and organizations.

Article 10: Equal rights to education and vocational training

1. General overview

Considerable efforts in this area have been made in the field, with the aim of decreasing existing gaps between the education of girls and boys:

- Free tuition offered to girls in their first year, resulting in an average 13.7% annual increase (Cf.: 2006 annual statistical yearbook for education).
- The action plan for young girls.
- 300 secondary-school scholarships granted exclusively to girls in the 10 districts registering the lowest enrollment rates over the 1996-2001 period.
- Priority given to girls in 60% of university housing.

Despite these efforts, gaps between the enrollment rates of girls and boys remain significant, as do success rates. This same gap is observed in the literacy rates of men and women (Cf.: 6th government report).

2. Main concerns

Regarding the education and training of women and girls, the Coalition makes reference to the three main points seen in the recommendation associated with the Committee's final observations in 2005:

- Seek additional international assistance to help ensure and promote the enrollment and retention of girls in school, with the aim of preventing drop-outs.
- Increase the human and financial resources of the educational sector and hire more teachers.
- Remove negative images of women from textbooks.
- Eliminate the practice whereby parents must pay dues to Parent-Teacher Associations (APEs) as a prerequisite for keeping students in school and receiving report cards.

3. Status of consideration of the CEDAW Committee's recommendations

Despite efforts observed to establish "second-chance schools" in the cities of Ouagadougou, Bobo Dioulasso and Tougan since 1994, shortfalls have been noted in terms of financial resources and a lack of awareness about this strategy for reintegrating children who have dropped out of or never been to school. Moreover, the government's report does not present enough statistics to assess the progress and efforts made in this area of CEDAW implementation. The government has taken significant measures towards implementing the final observations, but more must be done to close the gap between boys and girls, women and men.

4. Coalition Recommendations

The government should:

Reduce and prevent drop-outs among girls

- Qualitatively stepping up implementation of the “second-chance schools” by establishing an annual schedule of infrastructure expansion that follows a rational geographic pattern focusing at once on rural and urban areas.
- Providing completely free education, to include specific training to empower girls, much like the resource and training centers tried out by certain local NGOs.
- Establishing boarding facilities for young girls in each provincial seat and in administrative departments where junior high schools exist.
- Continuing the measures, started in the 2000’s, aimed at providing scholarships to girls in secondary school. Providing assistance to girls unconditionally and scholarships for higher education.

Increase financial resources and female human resources

- Streamline school costs and local contributions to cover them (eliminate dues paid to Parent-Teacher Associations), which will allow for effective implementation of completely free education.
- Improve the quality of teaching staff.
- Boost training and recruitment of skilled teachers.

Ensure that negative images of women are removed from textbooks and teaching content.

- Continue to sanitize textbooks, removing sexist stereotypes and stereotypes carried in the media.
- Incorporate into teacher training, and into the content used to train teachers, a training module on issues including gender, human rights, citizenship, the culture of excellence, sexual and reproductive health, etc.
- Continue to raise the awareness of parents and community leaders regarding the importance and value of educating young girls.
- Strengthen basic infrastructures (roads, housing, water, etc.) in city outskirts and rural areas so that teachers can provide quality education in the best working conditions.

Article 12: Equal Access to Healthcare

1. General overview

In accordance with the various international human rights texts ratified by Burkina Faso and legislation passed at the national level, no gender discrimination exists in terms of access to healthcare. In this area, the government of Burkina Faso has adopted measures to combat malaria and mother-to-child transmission of HIV/AIDS.

Measures have also been taken to make quality healthcare services more accessible to the population and to treat obstetrical emergencies, in order to maintain the health and wellbeing of women and their families. Efforts to decrease the costs of (routine) deliveries can also be cited, having dropped from 4,500 CFAF to 900 CFAF in CSPS centers, and the costs of deliveries by Cesarean section, which dropped to 11,000 CFAF from 55,000 CFAF. An appreciable expansion in healthcare infrastructure is also noted. The sixth government report cites increased use of healthcare facilities in urban and rural areas alike.

2. Main concerns

- Socio-cultural obstacles to women’s access to healthcare. For example, 74.9% of women say that they first ask permission from their spouse before visiting a health clinic.¹⁹
- Maternal mortality persists; it is decreasing at a very slow rate. The rate progressed from 190.79 per 1,000 to 192 per 1,000.¹
- Infrequent use of contraception negatively impacts the reproductive health of women and girls, particularly in rural areas. In terms of young girls, for example, a demographic and healthcare survey in 2003 revealed that the sexual and reproductive health of adolescent girls was marked by early and unwanted pregnancies (14.4% in urban areas and 28.4% in rural areas) and high HIV/AIDS prevalence.

¹⁹ UNICEF. Calculations based on the data derived from demographic and health surveys, 2006.

- The feminization of HIV/AIDS, as seen in higher infection rates among women; of 5,144 reported cases in 2006, 3,309 were women (64.3%).
- The inadequacy of healthcare infrastructures, characterized by a concentration of healthcare centers in urban areas.
- The weak economic status of women in rural and urban areas alike is an obstacle to women's access to healthcare.

3. Status of consideration of the CEDAW Committee's recommendations

The Committee's recommendations to the government cover both general health and reproductive health.

In terms of general health, the Committee recommended that the government take measures toward improving women's access to healthcare and related services and information. These recommendations have in general been followed. Measures have indeed been taken to improve women's access to healthcare.

Shortfalls nonetheless persist in terms of the distribution and applicability of these measures; the women who are intended to benefit from these measures are unaware that they exist and consequently cannot assert their rights. Moreover, measures taken have not always met targeted objectives. Decreases in maternal mortality remain insignificant and HIV/AIDS continues to have a female face. Of the 5,144 cases reported in 2006, for example, 3,309 were among women (64.3%). Statistics provided by the SP/CNLS indicate that in 2006, 6 to 7 of every 100 pregnant women were infected with HIV and 2 to 3 of those women risked transmitting HIV to their babies in the absence of preventive measures.

The percentage of women visiting healthcare centers remains low.

In terms of reproductive health, the Committee recommended that the government place greater focus on reproductive health and sex education services, and in particular family planning, with the objectives of: preventing clandestine abortions; increasing contraceptive services; widely promoting sex education by targeting girls as well as boys; and placing particular emphasis on preventing early pregnancies and sexually transmitted diseases.

The government has taken measures toward improving the sexual and reproductive health of women and young girls. Measures to this effect have included establishing a reproductive health policy and service standards in 1999, implementing a pilot program for promoting sexual and reproductive health among adolescents in 2004, and implementing a strategic plan for youth. The government has also passed legislative provisions to protect the sexual and reproductive health of women and young girls, in particular via Act 49-2005/AN of December 21, 2005, relative to reproductive health.

It is observed that the government has granted specific attention to the sexual and reproductive health problems encountered by women and young girls. Many shortfalls are nonetheless noted in this regard; care for women and young girls living with HIV/AIDS remains scarce, early and unwanted pregnancies continue to be a cause of concern for young girls, and information on sexual and reproductive health remains inaccessible to women in rural areas. These women, for example, remain unaware of measures taken toward decreasing the number of deliveries by cesarean section, for example.

4. Coalition Recommendations

The government should:

- Establish more reproductive health information and training outposts for youth, in youth centers.
- Fully subsidize treatment options for women, girls and children infected with HIV/AIDS.
- Ensure that all free treatment or subsidized options adopted by the government are actually available.
- Place particular emphasize on monitoring the work of healthcare personnel (patient intake, quality of care, etc.).
- Improve staffing and material support of healthcare centers in rural areas.
- Raise awareness further via campaigns related to HIV/AIDS and other STDs.
- Institutionalize data and statistics collection during office visits related to gender-based violence to assess prevalence and develop strategies for combating the problem.

Article 13: Economic and social life of women

1. General overview

In 2004, the government adopted a National Policy for the Advancement of Women (PNPF) and established two divisions at the Ministry for the Advancement of Women: the first responsible for developing and implementing strategies to promote and protect the rights of women and young girls, and the second in charge of developing suitable strategies for placing greater value on female expertise.

Certain measures have been taken to promote women's access to credit. Microcredit institutions such as the Support Fund for Women's Income-Generating Activities (FAARF) and the Support Fund for Income-Generating Activities for Women Farmers (FAAGRA) have been established. Likewise, the Ministry of Finance and the Budget adopted a strategic microfinance plan in 2005.

Despite these measures, efforts to empower women have remained futile, for most women have difficulty meeting the criteria for receiving credit from traditional banks, and the terms required by microfinance institutions remain inadequate and ineffective, despite appearing more flexible.

Burkina Faso's national laws are not discriminatory with regard to the right to participate in recreational, athletic and cultural activities, but excessive workloads (in rural areas in particular), poverty among women and growing insecurity hinder women's access to these activities.

2. Main concerns

- Lacking sufficient collateral to seek credit from suitable institutions, women make do with either informal funding (ton-tines, dividends) or microloans that often do not meet their needs.
- The inadequacy of effective measures for combating poverty among women and the unsuitable measures and mechanisms for accessing and granting credit (collateral requirements that are incompatible with women's capacities, high interest rates, cumbersome procedures for granting credit, loan repayment timelines).

3. Status of consideration of the CEDAW Committee's recommendations

The government has made efforts to consider the Committee's recommendations with regard to the economic and social life of women. Shortfalls nonetheless persist in the implementation of measures to promote women's access to employment, credit, land and other resources.

4. Coalition Recommendations

The government should:

- Run awareness campaigns targeting men and women, on the purpose of credit and the responsibility of repayment.
- Adopt new credit-granting measures that take into account women's needs, including women living with disability and women living with or affected by HIV/AIDS.
- Simplify procedures for granting credit to women and at-risk populations.
- Create opportunities by relieving regional isolation and organizing production, processing and marketing chains.
- Create a bank with decentralized branches that offers products suited to women's activities.

Article 15: Equality before the law

1. General overview

The Constitution of Burkina Faso and other legal instruments such as the Persons and Family Code, the Elections Code, the Agricultural and Land Reform Act, the Criminal Code and the Labor Code establish gender equality before the law. Additionally, the government built new courthouses and hired new judges and penitentiary personnel to improve community access to public legal services. A decree providing for legal aid to impoverished individuals and women in particular was issued on July

22, 2009.²⁰ Despite these efforts, the legal system remains inaccessible to women for reasons of geographic distance, cost and lack of knowledge about legal procedures.

2. Main concerns

- A lack of knowledge about legal procedures, and their complexity, particularly in cases of injury to the integrity and/or morals of women (rape, female genital mutilation, battery, forced marriages).
- Difficulties in enforcing court rulings: refusal and/or reticence on the part of officials responsible for enforcement (for example, liquidations of community of property or child custody in divorce cases).
- Discriminatory laws persist. The content of the Persons and Family Code relative to the option of polygamy, in Articles 257 and following, is discriminatory towards women.

3. Status of consideration of the Committee's recommendations

Generally speaking, the principle of gender equality before the law is affirmed in all constitutional and legislative texts. Prejudice, poverty, illiteracy and a lack of knowledge about these texts among women shatter this equality in practice, however.

4. Coalition Recommendations

The government should:

- Make legal aid accessible to all impoverished women by simplifying procedures for benefiting from this aid.
- Ensure that court rulings are drafted as promptly as possible, issued free of cost and enforced without in the least hindering those that have become definitive and written in enforceable language.
- Apply sanctions in cases of obstruction of justice.
- Harmonize national legislation with the Convention (CEDAW).

General Recommendation 19: Violence Against Women

1. General overview

Issues related to violence against women and girls constitute a health problem and breach of human rights. Burkina Faso, in ratifying the CEDAW, has legally recognized the existence of Violence Against Women and Girls (VAWG) in Burkina Faso. Several types of violence²¹ against women and girls in Burkina Faso exist. Studies have nonetheless shown that spousal/domestic and cultural violence are the most widespread. A 2006 study by the Ministry of Social Action and National Solidarity (MASSN) revealed that elderly, poor, widowed, sterile and/or abandoned (by their children) women are often accused of being “soul eaters” and are driven out of their home villages and families. The same report indicates that housewives who do not consent to sex are subject to battery and remain constantly traumatized, and that women described as having characteristics such as “red eyes, no teeth, chubby cheeks, beards or hairiness” are also accused of being “soul eaters.” Finally, a report on the status of sexual harassment of girls in schools, published in 2008, reveals that the perpetrators are often teachers—149/219 cases in urban areas and 70/219 cases in rural areas.

With the exception of laws criminalizing the intentional spread of HIV/AIDS (2005), Female Genital Mutilation (FGM), trafficking in persons and related practices, legislation protecting women and girls who are victims of violence is lacking. Progress has been considerable in the area of Female Genital Mutilation (FGM). The criminalization of FGM has significantly contributed to a decrease in prevalence, which has dropped from 70% to 40%. It cannot be disregarded, however, that FGM practices now occur in growing secrecy and at an increasingly young age, which consequently requires increased vigilance to avoid setbacks.

²⁰ Decree No. 2009-558/PRES/PM/MJ/MEF/MATD providing for legal aid in Burkina Faso.

²¹ Spousal/domestic violence (sexual, spousal rape, incest, sexual/physical harassment, battery, scarification, psychological/emotional, intentional transmission of HIV/AIDS, etc.)

Measures have been taken, in particular by the Ministries for Social Action and National Solidarity, the Advancement of Women, and Human Rights, to advise and refer female victims. These measures include awareness and information campaigns relating to the detrimental effects of violence. Nonetheless, they remain insufficient and inadequate.

2. Main concerns

- The absence of legislation on spousal/domestic, economic, political/administrative and cultural violence, as well as violence in school and at the workplace.²²
- The absence of a national policy for combating VAWG in Burkina Faso.
- The inadequacy and/or absence of adequate care facilities (drop-in centers, lodging, support/coaching and therapy for women/girls who are victims of abuse or in precarious situations).
- The absence of a specific national mechanism for monitoring and evaluating implementation of the CEDAW in Burkina Faso.

3. Status of consideration of the CEDAW Committee's recommendations

Passing new legislation to combat VAWG as a crime:

- To date, the government of Burkina Faso has taken no legal measures to combat VAWG in accordance with the recommendation.
- Although the Persons and Family Code is favorable towards women, it remains difficult to enforce given the duality between modern and customary law, among other factors.

Periodically implementing IEC/CCC measures and activities in interactions with policymakers, guardians of habits and customs, opinion leaders and communities, to help eradicate VAWG:

- Education, awareness-raising and advocacy work has been carried out by the government, through the Ministries for the Advancement of Women, Social Action and National Solidarity, and Human Rights, as well as by numerous women's and human rights organizations.

Passing new legislation:

- Apart from the legal text on sexual harassment in the workplace (2004 Labor Code), Act 49-2005/AN of December 21, 2005 relative to reproductive health, Act 030-2008/AN of May 20, 2008 relative to combating HIV/AIDS and protecting the rights of individuals living with HIV/AIDS, and Act 029-2008/AN of May 15, 2008 condemning "trafficking in persons and related practices," no other legal provisions specific to VAWG have been enacted.
- These texts have been inadequately enforced, and have almost no effect on those guilty of crimes related to VAWG.

Establishing a detailed list of government services provided to victims of violence, including access, scope and effectiveness.

Current systems for access and effective implementation are inadequate for combating violence against women and girls in Burkina Faso.

- In rare cases where women/girl victims provide medical or legal evidence, the perpetrators of violence are rarely punished; in the case of teachers, they are at best transferred to other posts or at worst summoned and later released due to protection from higher authorities.
- Legal and paralegal institutions (legal system, law enforcement, gendarmerie) require physical evidence of violence, which victims often cannot provide due to: the absence of medical, psychological and legal support; lack of sufficient information

22 Economic abuse (barring women from having a wage-earning job or carrying out income-generating activities, confiscating women's financial property, destroying property, etc.).

Political/administrative abuse (barring women from participating in political activities, placing women in undesirable positions on electoral lists, exploiting the mobilization capacities of women, sexual harassment, etc.).

Cultural abuse (female genital mutilation, levirate, sororate, early and/or forced marriages, scarification, breast ironing, etc.) and

Abuse in schools: rape, sexual harassment (of students and teachers)

at some paralegal institutions; ignorance of laws on the part of most victims; incorrect application of the laws; poverty, which hinders the filing of motions at additional levels of the justice system; the absence of collaboration between these institutions and victims; and the absence of any shelters/support centers for young mothers banished or driven away from their families.

It is noted that the majority of services to victims of VAWG are provided by women's NGOs, which have developed expertise in counseling, legal aid and medical support, without receiving any government assistance.

4. Coalition Recommendations

The government should:

- Pass new legislation on VAWG: spousal/domestic violence, cultural violence, rape and sexual harassment in schools.
- Consistently and in a spirit of consensus, operationalize efforts and strategies to prevent and combat violence and care for victims (education, psychological, safety and health-related).
- Revise criminal law to meet three urgent needs: i) investigate perpetrated violence; ii) punish perpetrators to bring an end to impunity in this area; and iii) compensate victims for harm suffered.
- Establish a drop-in center/shelter and a system for meeting the medical, psychological and legal needs of victims of violence free of charge within the women's centers (*Maisons de la Femme*) located in each of the 45 provinces and in city districts.
- Take the necessary measures to incorporate Articles 5, 6, 11, 13 and 16 of the CEDAW into National Gender Policy documents.
- Establish a unit charged with monitoring and evaluating CEDAW implementation in Burkina Faso.

CONCLUSION

The government has adopted legislative and political measures, in particular relating to sexual and reproductive health, trafficking in persons, women's participation in decisionmaking institutions, reducing delivery costs, combating the spread of HIV/AIDS and strengthening institutional mechanisms. The government has also taken measures to strengthen its partnerships with civil society and development partners. Appreciable progress has been made in the enrollment of girls in school and access to healthcare for women and girls. Implementation of the CEDAW nonetheless remains problematic in light of certain factors, including: a socio-cultural environment that continues to be unfavorable to women; the weak resources and capacity of the Ministry for the Advancement of Women responsible for the issue; low commitment to the Convention by key players; a lack of coordinated action between the government, parliament, civil society and other stakeholders involved in the field.

With regard to this observation, and in addition to those measures cited in the government report toward eliminating continued discrimination against women and thereby promoting respect of their basic rights, investments must be made in the following areas to protect progress and prevent setbacks:

- Repeal all discriminatory laws.
- Promote implementation of national and international instruments that guarantee gender equality.
- Work to eradicate the social attitudes that hinder legal equality and equality in fact between men and women.
- Improve women's access to legal, political and economic information and information on gender-related issues.
- Incorporate gender considerations into all laws, policies and programs.
- Pass a law on violence against women and girls.
- Adopt new, suitable measures for granting credit, which take into consideration the needs of women, including women living with disability and women living with or affected by HIV/AIDS.
- Ensure that all free treatment or subsidized options adopted by the government are actually available.
- Commit to taking specific steps toward remedying gender gaps in political and public life.

- Identify indicators for monitoring and evaluating progress in the status of women.
- Ensure continued support (human and financial resources) of the Ministry for the Advancement of Women, to allow the Ministry to better fulfill its leadership role in implementing and monitoring the Convention.