



Refugee Documentation Centre (Ireland)
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Burkina Faso - Researched and compiled by the Refugee Documentation Centre of Ireland on 13 July 2009

Problems faced by anti-government protestors

The *Amnesty International* May 2009 annual report for Burkina Faso, under the heading 'Arbitrary arrests and detentions', states:

"In February, there were several demonstrations against rising living costs in the capital Ouagadougou and in Bobo-Dioulasso, the second largest town. The protests became violent, with demonstrators destroying property and hurling rocks at the police. The security forces arrested several hundred people and at least 80 of them were sentenced in March to prison terms without having access to a lawyer.

Nana Thibaut, leader of the opposition party, the Democratic and Popular Rally (Rassemblement démocratique et populaire, RDP) was sentenced to three years' imprisonment." (Amnesty International (28 May 2009) - *Amnesty International Report 2009 - Burkina Faso*)

The *US Department of State* 2008 Country Report on Human Rights Practices for Burkina Faso, published in February 2009, states:

"Burkina Faso is a parliamentary republic with a population of 14.25 million. In 2005 President Blaise Compaore was reelected to a third term with 80 percent of the vote. Observers considered the election to have been generally free, despite minor irregularities, but not entirely fair due to the ruling party's control of official resources. The president, assisted by members of his party, the Congress for Democracy and Progress (CDP), continued to dominate the government. The CDP won a majority in the May 2007 legislative elections, which observers declared generally free and orderly despite irregularities, including fraud involving voter identification cards. While civilian authorities generally maintained effective control of the security forces, there were instances in which elements of the security forces acted independently." (US Department of State (Bureau of Democracy, Human Rights and Labor) (25 February 2009) – *2008 Country Reports on Human Rights Practices: Burkina Faso*)

Section 2b of the same report, under the heading 'Freedom of Assembly', states:

"Although the constitution and law provide for freedom of assembly, the government at times restricted this right.

Political parties and labor unions may hold meetings and rallies without government permission; however, advance notification is required for

demonstrations that might threaten public peace. Penalties for violation of the advance notification requirement include two to five years' imprisonment. Denials or imposed modifications of a proposed march route or schedule may be appealed to the courts.

Police forcibly dispersed several violent demonstrations during the year over the rising cost of living.

On February 20 and 21, demonstrators in Bobo Dioulasso and Ouahigouya marched to protest increased taxes and the rising cost of basic commodities such as gasoline, cooking oil, salt, soap, and bread. The demonstrators, who had not obtained a permit, looted and burned several government and privately owned properties in both cities, including one bank and three gas stations. Demonstrators also destroyed traffic lights and burned tires on the road. Riot police used batons and tear gas to disperse demonstrators, resulting in numerous injuries; 153 demonstrators were arrested, of whom 124 had been released by year's end. The 29 remaining demonstrators were convicted of holding illegal demonstrations and destroying property and were sentenced to prison terms ranging from three to 36 months.

On February 28, in Ouagadougou, demonstrators demanding lower prices for fuel and food attacked government buildings with rocks and metal bars, set fire to piles of tires, and set up roadblocks. Riot police used shotguns, batons, and tear gas to disperse demonstrators and arrested 184 persons, including Thibaut Nana, the opposition leader who allegedly organized the event. On March 11, 169 persons stood trial in Ouagadougou for their involvement in the February 28 demonstrations: 15 received suspended prison terms; 109 were cleared of all charges and released; and 45 were convicted of holding illegal demonstrations and destroying property and sentenced to prison terms ranging from 12 to 36 months. Thibaut Nana received the maximum prison term of 36 months. Civil society and human rights groups charged that sentences were excessive and the trials lacked due process. None of the accused, including Nana, had access to an attorney, and the trials were held late at night in a room too small to accommodate interested observers. Critics charged that the verdicts would have been different if the trials had been more transparent." (ibid)

The *Freedom House 2008 Freedom in the World* report for Burkina Faso, under the heading 'Political Rights and Civil Liberties', states:

"Burkina Faso is not an electoral democracy. President Blaise Compaore's CDP party dominates politics. International monitors concluded that the 2005 presidential election was generally free, although not entirely fair, due to Compaore's privileged access to state resources and the media. The president is currently serving his final five-year term in office and will step down in 2010. Likewise, international observers considered the 2006 municipal elections, in which CDP members secured the vast majority of seats, to be free but not fair, due to the greater resources available to CDP candidates. The 111-seat National Assembly is unicameral, and members serve five-year terms. The legislature is independent, but subject to executive influence. Although election monitors from

the African Union (AU) concluded that the voting in the May 2007 legislative elections was free and transparent, members of the opposition complained that the ruling party distributed gifts to potential voters in advance of the election.

The constitution guarantees the right to form political parties, and as of May 2007, a total of 126 parties were registered. However, Burkina Faso lacks a coherent party system, and only 13 parties are represented in the legislature. Opposition members have been critical of 2004 revisions to the electoral code, saying they favor larger parties. Many parties have unclear ideologies, and while some private media outlets have organized political debates, opposition parties' access to the state media is limited.

Corruption remains widespread, despite a number of public and private anticorruption initiatives. The courts have been unwilling or unable to adequately prosecute many senior officials charged with corruption. However, the National Network to Fight Against Corruption (RENLAC), a countrywide anticorruption network, has been successful in raising awareness about corruption. Burkina Faso was ranked 105 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Although freedom of expression is constitutionally guaranteed and generally respected in practice, many media outlets practice self-censorship. There are over 50 private radio stations, a private television station, and several independent newspapers, and the government does not restrict internet access. However, in January 2007, a court convicted two journalists of libeling Compaore's brother as part of their coverage of the Norbert Zongo murder case, and in March, a journalist was arrested for allegedly insulting an official in the National Gendarmerie. In April, a presenter at a private radio station received death threats for coverage critical of Compaore's regime and, in October, his car was destroyed in a fire. In May, another journalist received death threats from a group insulted by his reporting." (Freedom House (02 July 2008) - *Freedom in the World 2008 - Burkina Faso*)

A March 2008 *IRIN News* report states:

"OUAGADOUGOU, 4 March 2008 (IRIN) - Some 184 people have been imprisoned in Burkina Faso over the last fortnight, among them Thibault Nana, the leader of a small opposition party who is accused of masterminding a demonstration in the capital Ouagadougou in late February.

"There are reports that some [detainees] have been tortured, and some have been sent to jail without being heard by an investigative judge," Phillipe Ouédraogo, the leader of the "G14" coalition of opposition political groups told IRIN.

The government's spokesman and transport minister Phillipe Sawadogo told journalists on 4 March that Nana, the opposition leader, is accused of "holding seditious sentiments." (IRIN News (04 March 2008) – *BURKINA FASO: Human Rights concerns in wake of mass arrests*)

References:

Amnesty International (28 May 2009) - *Amnesty International Report 2009 - Burkina Faso*

<http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=printdoc&docid=4a1fadfa5a>

(Accessed 13 July 2009)

Freedom House (02 July 2008) - *Freedom in the World 2008 - Burkina Faso*

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<http://www.irinnews.org/Report.aspx?ReportId=77112>

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US Department of State (Bureau of Democracy, Human Rights and Labor) (25 February 2009) – *2008 Country Reports on Human Rights Practices: Burkina Faso*

<http://www.state.gov/g/drl/rls/hrrpt/2008/af/118988.htm>

(Accessed 10 July 2009)

This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

Sources Consulted:

All Africa

Amnesty International

BBC News

ECOI: European Country of Origin Information Network

Freedom House

Human Rights Watch

International Crisis Group (ICG)

IRB: Immigration and Refugee Board of Canada

IRIN News

Lexis Nexis

Refugee Documentation Centre Query Database

United Kingdom: Home Office

UNHCR Refworld

United States Department of State