

Burkina Faso 2024 Human Rights Report

Executive Summary

There were no significant changes in the human rights situation in Burkina Faso during the year.

Significant human rights issues included credible reports of: arbitrary or unlawful killings; disappearances; torture or cruel, inhuman, or degrading treatment or punishment; arbitrary arrest or detention; transnational repression against individuals in another country; serious abuses in a conflict; serious restrictions on freedom of expression and media freedom, including violence or threats of violence against journalists, unjustified arrests or prosecutions of journalists, or censorship; and trafficking in persons, including forced labor.

The government took credible steps to identify and punish officials who committed human rights abuses.

The country experienced deadly attacks by terrorist groups or violent extremist organizations against both civilian populations and security forces, including state sponsored militias, during the year. Jama'at Nusrat al-Islam wal-Muslimin, the Islamic State in the Greater Sahara, and the homegrown Ansaroul Islam, perpetrated these attacks. Authorities investigated and prosecuted such actions.

Section 1. Life

a. Extrajudicial Killings

There were numerous reports state security forces and state-sponsored militias, known as the Volontaires pour la defense de la Patrie (Volunteers for the Defense of the Fatherland, or VDPs), committed arbitrary or unlawful killings during the year. The VDPs, initially composed of civilian militia, served as an auxiliary force to the regular military, often under the command of military personnel.

There were numerous reports that violent extremist organizations (VEOs) committed killings of civilians, members of the security forces, and members of state-sponsored militias. For example, on May 22, VEOs killed more than 70 persons, including civilians, children, military personnel, and VDPs, at Seguenega in the Nord Region, according to security sources.

b. Coercion in Population Control

There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

c. War Crimes, Crimes against Humanity, and Evidence of Acts that May Constitute Genocide, or Conflict-Related

Abuses

Both state security forces and VDPs were credibly accused of abuses against civilians, including killings. The country experienced numerous attacks by VEOs Jama'at Nusrat al-Islam wal-Muslimin (JNIM), the Islamic State in the Greater Sahara, and Ansaroul Islam during the year, such as targeted killings; abductions; attacks on schools, health centers, and mining sites; and theft of food assistance, contributing to a humanitarian crisis and creating significant internal displacement.

Local sources reported soldiers and VDPs allegedly executed 45 civilian men in Gorouol Kadge village, Sahel Region, on April 20, and another 31 Fulani civilians, including 20 women on April 27, in the villages of Niagassi and Aligaga, Sahel Region, for supposed complicity with terrorist groups in the area. Following the attacks, JNIM and ISIS-affiliated terrorists reportedly arrived, recorded victims' names, and vowed retaliation, also issuing death threats to survivors to warn against collaborating with state forces.

Section 2. Liberty

a. Freedom of the Press

The constitution provided for freedom of expression, including for the press, but the military-led Transitional Authority (TA) claimed the legal authority to limit this right. Restrictions on journalists reporting any security-related

news remained in place.

A 2019 revision of the penal code criminalized communicating the position or movements of defense forces, sites of national interest or of a strategic nature, and the publication of any terrorist crime scene without authorization. The amendment also significantly increased penalties for the crime of publicly insulting another person if electronic communications were used to publish the insult; previously the law only prohibited persons from insulting the head of state or using derogatory language with respect to the office.

During the year, the TA arrested numerous civil society leaders who had been critical of the TA's policies. In early June, Arouna Loure was abducted a second time, following his three-month conscription in 2023. On May 21, state security officials summoned Loure to discuss his formation of the *Rassemblement pour le Salut National*, a civil society organization advocating for an end to repression and promoting inclusive governance as a long-term solution to the terrorist threat. As of year's end, his whereabouts remained unknown.

Physical Attacks, Imprisonment, and Pressure

Social media and public platforms were frequently used to intimidate media professionals, vilifying journalists for reporting on sensitive topics such as governance, increased insecurity in the country, the end of the transition, or

the lack of elections. Several journalists and their family members reported receiving death threats or other acts of intimidation from TA supporters because of their criticism of the TA.

On June 24, Serge Oulon, a journalist who was the publishing director of the investigative newspaper *l'Evenement*, was abducted by state security agents. The abduction took place four days after the suspension of the newspaper by the Supreme Communications Council for one month for disseminating information deemed potentially destabilizing to the country.

Censorship by Governments, Military, Intelligence, or Police Forces, Criminal Groups, or Armed Extremist or Rebel Groups

The TA appealed to the press's "patriotism," warning them to refrain from comments that could divide the citizens or distract from the counterterrorism effort. On April 25, after Human Rights Watch reported details of firsthand accounts of the execution of at least 223 civilians, including 56 children, in the villages of Nondin and Soro in Burkina Faso's Yatenga Province, the TA suspended media outlets, including Voice of America and the BBC, blocked Human Rights Watch's website, and placed restrictions on all media from reporting on their articles.

b. Worker Rights

Freedom of Association and Collective Bargaining

The law allowed workers to form and join independent unions, bargain collectively, and conduct legal strikes. The law prohibited antiunion discrimination and provided unions the right to conduct their activities without interference.

For example, the law placed restrictions on the labor rights of public employees such as magistrates, police, military, and other security personnel considered essential public servants. The law significantly limited the right to strike. For strikes that called on workers to stay home and that did not entail participation in a rally, the union was required to provide eight to 15 days' advance notice to the employer. If unions called for a march, they had to provide three days' advance notice to the city mayor. The TA held march organizers accountable for any property damage or destruction that occurred during a demonstration. The law strictly prohibited all strikes that included occupying the workplace, including nonviolent strikes. The law also gave the TA extensive requisitioning powers, authorizing them to requisition private- and public-sector workers to secure minimum service in essential services. The TA defined essential services more broadly than international standards, including services such as mining and quarrying, university centers, and slaughterhouses.

The law prohibited antiunion discrimination and allowed a labor inspector to reinstate immediately workers fired because of their union activities.

Relevant legal protections covered all workers, including migrants, workers in the informal sector, and domestic workers. International organizations reported contract workers and agency workers faced antiunion discrimination from employers. The TA did not effectively enforce the law. The law listed sanctions for violations, including warnings, penalties, suspension, or dissolution. Penalties consisted of imprisonment and fines and varied depending on the gravity of the violation. Penalties were less than those for comparable offenses. Amendments to the law awarded a legal existence to labor unions and nongovernmental organizations (NGOs), created a commission of mediation, and required that all unions and NGOs abide by the law concerning funding terrorism and money laundering. The law also stated that no one could serve as the head of a political party and the head of an association at the same time.

The TA generally respected freedom of association and the right to collective bargaining, and the right of unions to conduct activities without interference. Unions had the right to bargain directly with employers and industry associations for wages and other benefits. Worker organizations were independent of the government and political parties. There were no reports of strikebreaking during the year. Government resources to enforce labor laws were not sufficient to protect workers' rights. Penalties were rarely applied against violators.

Employers did not always respect freedom of association and sometimes discouraged union membership. For example, workers in the mining industry were often intimidated, transferred, or fired when they chose to join a union. National unions reported that domestic workers, workers hired through employment agencies and subcontractors, and other contract workers were fired for joining unions and were unable to utilize complaint mechanisms because they were employed in the informal wage sector.

There were no reports of TA restrictions on collective bargaining during the year. There was extensive collective bargaining in the formal wage sector, where workers utilized complaint processes to report worker rights violations. No official records counted violations in the informal sector. No known strikes were recorded to have taken place during the year.

Forced or Compulsory Labor

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Acceptable Work Conditions

Wage and Hour Laws

The law mandated a minimum monthly wage in the formal sector, which did not apply to subsistence agriculture or other informal occupations. The minimum wage was less than the poverty income level, which was 45,000

CFA francs (\$74) per month.

The law mandated a standard workweek of 40 hours for nondomestic workers and a 60-hour workweek for household employees. The law provided for overtime pay, and there were regulations pertaining to rest periods, limits on hours worked, and prohibitions on excessive compulsory overtime. Employers often paid less than the minimum wage. Employees usually supplemented their income through reliance on extended family, subsistence agriculture, or trading in the informal sector.

Occupational Safety and Health

Existing occupational safety and health (OSH) standards provided general, not industry-specific, guidance, and did not actively identify unsafe conditions in particular industries. The labor law required employers to provide for worker safety, to protect the physical and mental health of their workers, and to verify that the workplace, machinery, materials, substances, and work processes under their control did not present health or safety risks to the workers.

The law required every company with 30 or more employees to have a work safety committee. The law provided that employees in such companies had the right to remove themselves from dangerous situations without jeopardy to their employment. If an employee working for a company with fewer than 30 employees decided to remove themselves due to safety concerns, a

court ruled on whether the employee's decision was justified.

No official data were available on work-related injuries or death.

Wage, Hour, and OSH Enforcement

The TA was responsible for enforcing the minimum wage and hours of work standards. Ministry inspectors and labor tribunals were responsible for overseeing OSH standards in the small industrial and commercial sectors.

The TA did not effectively enforce the law. Penalties for violations were commensurate with those for comparable offenses, but the penalties were seldom applied. Although inspectors had the authority to make unannounced inspections and initiate sanctions, they lacked transport and training, and the number of inspectors was insufficient. There were no reports of effective enforcement of inspection findings during the year for wage, hour, and safety regulations.

The informal sector accounted for an estimated 90 percent of those employed. Wage and OSH standards did not apply in subsistence agriculture and other informal sectors.

c. Disappearance and Abduction

Disappearance

There were reports of enforced disappearances by or on behalf of security

forces and state-sponsored VDPs during the year.

The TA forcibly removed individuals, including leaders and staff of civil society organizations, political figures, union leaders, and journalists. These individuals were later found to have been conscripted into military service, arbitrarily detained on suspicion of activities against state security, or potentially killed, as many remained missing by the end of the year. The Mouvement Burkinabé des Droits de l'Homme et des Peuples (MBDHP) and the Collectif Contre l'Impunité et la Stigmatisation des Communautés received hundreds of reports of persons missing by their families during the year.

In an August 20 press release, the prodemocracy movement Le Balai Citoyen condemned the illegal arrests and conscription of members and demanded the immediate release and clarification of their members' status, including Rasmane Zinaba, a key figure of the movement. On February 20, Rasmane Zinaba was abducted from his home in Ouagadougou by unidentified armed men and forcibly conscripted into the VDPs. Despite a court order suspending his conscription, Zinaba and another member, Bassirou Badjo, remained detained in violation of the ruling. On June 10, Zinaba appeared in a TA propaganda video on national television, voicing support for the regime's antijihadist campaign. This video was widely seen as an effort to intimidate dissenters and highlight the regime's oppressive tactics.

There were numerous reports of enforced disappearances of civilians by

VEOs.

Prolonged Detention without Charges

The constitution and law prohibited arbitrary arrest and detention and provided for the right of persons to challenge the lawfulness of their arrest or detention in court. Arbitrary arrests occurred, however, and lack of access to defense counsel and inadequate staffing of the judiciary prevented many detainees from seeking pretrial release in court.

By law police and gendarmes were required to possess a court-issued warrant based on sufficient evidence before apprehending a person suspected of committing a crime, but authorities did not always follow these procedures. Authorities did not consistently inform detainees of charges against them. Detainees had the right to expeditious arraignment, bail, access to legal counsel, and, if indigent, access to a government-provided lawyer after being charged. Attorneys, however, were not appointed until a trial began. A judge could order temporary release without bail pending trial. Authorities seldom respected these rights. The law provided detainees access to family members through court-issued authorizations.

The law limited detention without charge for investigative purposes to a maximum of 72 hours, renewable for a single 48-hour period. In terrorism investigations, the law allowed detention without charge for a 15-day period with an extension of 10 days. In cases not related to terrorism, police did

not always comply with the law, and the average time of detention without charge was one week. Once authorities charged a suspect, the law permitted investigative judges to impose extensions for pretrial detention up to one year for correctional matters, and up to two years for criminal matters (involving sentences of 10 years and above). Individuals charged with terrorism offenses could be detained indefinitely until trial. Authorities often detained defendants without access to legal counsel for weeks, months, or even years before the defendant appeared before a magistrate. There were instances in which authorities detained suspects incommunicado.

Local independent rights groups alleged security forces regularly arrested individuals arbitrarily for suspected involvement in terrorism. An official with the Ministry of Justice reported hundreds of individuals detained at the maximum-security prison in Ouagadougou remained in detention without being charged. Judiciary leaders decried what they saw as a “broad net” cast by security forces in the field, which they suspected of rounding up large groups of suspects without sufficient cause.

Arrests and the processing of terrorism detainees were problematic. Often, no probable cause was established at the time of arrest. Five to six years later, when a prosecutor finally reviewed the evidence and found it insufficient, cases were dismissed either by the prosecutor or by a judge who acquitted the defendant. This created a significant burden on the

judicial system, which had to manage hundreds of cases that critics said never should have been initiated.

On January 24, well known lawyer Guy Herve Kam was abducted in Ouagadougou by men in civilian clothes, and later experienced a series of detentions and releases at the hands of officials. On June 8, the National Bar Association completed a five-day strike to protest Kam's repeated arrests and demand enforcement of legal decisions, as well as adherence to criminal procedure rules.

In many cases, authorities held detainees without charge or trial for periods longer than the maximum sentence for the alleged offense; this was especially true in cases involving terrorism, including children detained for alleged association with armed groups. While a pretrial release system existed, the extent of its use was unknown. In 2023, authorities estimated 52 percent of prisoners nationwide were in pretrial status, but local independent human rights groups estimated it to be as high as 70 percent. Local media regularly reported on cases of persons detained more than one year without trial. The acquittal rate for terrorism cases stood at approximately 40 percent, with pretrial detention often lasting years before the accused faced trial. After years of prolonged detention of terrorism arrestees without trial at Ouagadougou's maximum-security prison, the Burkinabe Specialized Counterterrorism Court began to hear cases in late 2023. During the year, it tried 54 persons charged with terrorism-related

offenses, resulting in nine acquittals, seven individuals sentenced to life imprisonment, 14 sentenced to 21 years of jail, two sentenced to five years, and six individuals released, with some cases being remanded for additional proceedings.

d. Violations in Religious Freedom

See the Department of State's annual *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

e. Trafficking in Persons

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Section 3. Security of the Person

a. Torture and Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution and law prohibited such practices, but there were credible reports government officials employed them. According to the law, a guilty verdict of torture or similar practices was punishable by a term of three years to life imprisonment.

Several conscripted (self-reported) activists anonymously reported in the

early part of the year to local media that they had been tortured by state security agents at a villa in Ouagadougou before being transferred to a training camp for conscripts. The victims, some of whom were severely injured, were accused of conspiracy against the state and subjected to harsh conditions at the camps, including beatings, daily physical and psychological humiliation, and exhausting drills.

In a July 19 workshop organized jointly with the UN Office of the High Commissioner for Human Rights, the director general of human rights for the Ministry of Justice addressed accountability of officials who might have committed human rights abuses, noting that 20 cases were opened against members of the security forces for alleged human rights abuses. These cases implicated 34 individuals, 18 of whom were convicted, including two sentenced to life imprisonment, and 12 of whom were dismissed from the security forces. The director general also noted that a training-of-trainers approach yielded 123 instructors, nearly all VDP members at that time.

Sexual violence, including rape, forced pregnancy, and sexual slavery occurred during the year, both on the front lines and among returning soldiers. Terrorists increasingly used violence against women and girls as a tool to intimidate and destabilize communities. Testimonies from World Food Program workers revealed that women were routinely kidnapped during these excursions and subjected to rape and sexual slavery by violent extremist organizations and national defense forces.

The practice of female genital mutilation/cutting (FGM/C) was prohibited by law. The TA enforced the law. According to the minister of national solidarity, the FGM/C prevalence rate was 18 percent in 2023. According to a local association, Excision, Parlons-en, the prevalence of female genital mutilation in the country was 13 percent among girls up to age 14 and 76 percent among women and girls ages 15 to 49.

b. Protection of Children

Child Labor

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/>.

Child Soldiers

There were no reports of the TA recruiting or using child soldiers. The rise of armed groups in the country exacerbated the recruitment and use of children in conflicts. Armed groups exploited vulnerable children by coercing them into joining or luring them with promises of protection, food, or ideology. In many cases, children were forced to serve as combatants, spies, messengers, or for other roles within the group. The TA detained and prosecuted children for alleged association with violent extremist groups, some of whom might have been trafficking victims. Under an established protocol between the TA and the United Nations regarding the treatment of

children detained by security forces during counterterrorism operations, some children were placed in foster care following social services' assessments, while older children were held in a specialized children's unit within a maximum-security prison.

Child Marriage

The legal minimum age for marriage for women was 17 and for men was 20, but there was the option to request an exemption by a civil court, and the government did not effectively enforce the law. The law prohibited forced marriage and provided for prison sentences ranging from six months to two years for offenders, and a three-year prison sentence if the survivor was younger than 13. Humanitarian actors reported pregnancies in girls as young as 11 in the Est Region. They faced malnutrition and uncertainty regarding how they would care for themselves or their newborns, if they survived childbirth at such a young age.

Data from UNICEF indicated 10 percent of girls were married before age 15 and 52 percent before age 18.

c. Protection to Refugees

The TA cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, asylum seekers, stateless

persons, and other persons of concern.

Provision of First Asylum

The law provided for the granting of asylum or refugee status. The TA established a system for providing protection to refugees. The Ministry of Humanitarian Action and National Solidarity, aided by the National Committee for Refugees, was the focal point for coordination of national and international efforts. Authorities maintained an open-door policy towards individuals seeking asylum.

d. Acts of Antisemitism and Antisemitic Incitement

There was no known Jewish community and no reports of antisemitic incidents.

e. Instances of Transnational Repression

During the year, the government or its proxies engaged in transnational repression by taking actions against family members in the country to exert pressure on individuals outside the country.

Threats, Harassment, Surveillance, or Coercion

Proxies pressured the TA and its supporters to intimidate and harass the family members of the regime's opponents. Ibrahima Maiga, an activist who strongly supported the transitional authorities, stated in a video released on

social media that the regime and its allies should begin threatening and harassing the family members of those living outside the country who were working against the regime. In September, the wife of former Mayor and Deputy Aziz Diallo was kidnapped in Ouagadougou and later released. The adult children of former Foreign Minister Djibril Bassole were also abducted, and their whereabouts remained unknown at the end of the year. On September 23, the minister of security, in a televised speech, appealed to the families of the “terrorists” to persuade them to stop all activities against the transition.