

# Women in prison: Burkina Faso

Analysis by the National Preventive  
Mechanism

| March 2024



association pour la prévention de la torture  
asociación para la prevención de la tortura  
association for the prevention of torture

With the support of the  
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# Burkina Faso



UNCAT ratification  
4 January 1999

OPCAT ratification  
7 July 2010

National Preventive Mechanism (NPM)

## National Human Rights Commission (CNDH)

NPM legal framework

Act n°002-2021/AN of 31 March 2021 amending Act n°001-2016/AN of 24 March 2016 (article 6 bis)

NPM operationalisation

From 2022

NPM structure

No specific structure for the NPM. The creation of a permanent sub-committee responsible for the NPM is being envisaged through a review of the decree on the organisation and operation of the CNDH.

NPM composition

Vice-Chairman and Chairman of the CNDH. No specific staff dedicated to the NPM. There are plans to review the decree on the organisation and operation of the CNDH, which provides for an NPM directorate with dedicated staff.

## I. Facts and figures

Prison population

Total prison population **8,800**

Women in prison

**158 | 1.8%**

Source: World Prison Brief, 2022<sup>2</sup>

Prisons for women

Number of women's prisons<sup>1</sup>

**26**

Number of mixed prisons with separate units for women

**26**

Source: National Human Rights Commission, 2023

Prison staff

Total prison staff

**3257**

Women prison staff

**527**

Source: National Human Rights Commission, 2022<sup>3</sup>

## II. Recommendations

### Accommodation and food

- + Build prisons specifically for women
- + Update the regulations on food for women deprived of their liberty

<sup>1</sup> Information as of 30 September 2023

<sup>2</sup> Information as of 31 December 2022, World Prison Brief, consulted on 15 April 2024: <https://www.prisonstudies.org/country/burkina-faso>

<sup>3</sup> Information provided by the National Human Rights Commission concerning data as of 31 December 2022.

### Sanitary facilities and personal hygiene

- + Ensure that women deprived of their liberty are regularly and adequately provided with dignity kits

Improve the sanitary facilities of prisons and correctional facilities so that they take into account the specific needs of women

### Contact with the outside world

- + Provide prisons with correspondence, radio and television kits

### Life in prison: regime and activities

- + Provide prisons with libraries stocked with a wide range of documents
- + Strengthen the financial and geographical capacity of production units in pre-trial and correctional facilities.

### Staff

- + Increase the number of women judicial police officers and prison security guards

## III. Detention Issues

### a. Legal and regulatory framework

Burkina Faso has enacted laws and regulations governing and defining the rights of persons deprived of their liberty, including women, and protecting them from torture. These include the following texts:

- The Constitution of 02 June 1991 (article 03)
- Penal Code of 2018 amended in 2019
- Code of Criminal Procedure of 2019;
- Law No. 010-2017/AN of 10 April 2017 on the prison system in Burkina Faso
- Order No. 2018-094 MJDHPC/CAB on the internal regulations of prisons in Burkina Faso

### b. General observations

Some of the rights of women deprived of liberty are effective in Burkina Faso, although the government still has some way to go. These include compliance with time limits for pre-trial detention, the right to freedom of religion, and the absence of torture and similar practices against women deprived of their liberty.

However, the separation of women detainees by status, the right to health and the right to food are insufficiently implemented. Burkina Faso does not have a prison exclusively for women, but there are detention units for women in the general prisons. Improvements in detention conditions are more visible in these wards than in the others. The CNDH's findings also show that pre-trial detention periods for women are generally respected. However, difficulties persist in certain aspects of women's detention, such as the absence of gender-sensitive internal regulations, the shortage of women staff in the prison security guard (GSP), the lack of resources to meet health, hygiene and training needs, and the absence of crèches for newborn babies.

Women deprived of their liberty generally come from disadvantaged social backgrounds and cannot

read or write. This has an impact on their ability to familiarise themselves with the rules and regulations of places of detention, let alone exercise their rights.

### Physical and psychological violence

Following interviews with women deprived of liberty and prison officials, the CNDH has noted cases of women who were victims of physical and/or moral or psychological abuse, most of which involved incidents between fellow prisoners.

### Contact with the outside world

The data collected by the CNDH revealed that, in general, women detained in prisons receive visits from their relatives or parents. In addition, some establishments have television and radio sets for women deprived of liberty. In others, there are no such facilities, but women who have the means are allowed to have television or radio sets for their information and entertainment.

However, it should be pointed out that none of the prisons visited by the CNDH receive any newspapers or magazines from the State. Nor do women, like other persons deprived of liberty, receive "*correspondence kits*".

Furthermore, although visits are permitted, it is important to point out that no prison has conjugal cells to facilitate conjugal visits for legally married women. However, a criminal conviction (deprivation of liberty) must not lead to the loss of all the detainee's other rights.

### Access to healthcare

Women's right to health care in remand and correctional facilities is insufficiently implemented. The CNDH's findings show that health services in some prisons are only partially operational or have closed down altogether due to a shortage of pharmaceutical products and medical staff. This state of affairs has weakened health provision, with the result that the most serious cases of illness are transferred to regional hospitals.

### Accommodation and food

According to the NPM's findings on site, women in prisons are provided with separate facilities from men and do their own cooking in their quarters. Given that women are generally few in number, their conditions appear to be much better than those of men. Nonetheless, these conditions remain unsatisfactory, given that women detainees or their families have to pay for certain food-related expenses, such as condiments and certain grains like rice.

The CNDH's findings show that almost all the women's cells have good ventilation, lighting and running drinking water.

### Sanitary facilities and personal hygiene

The observations made, corroborated by the interviews, show that women prisoners receive soap and sometimes bleach to clean their cells and to keep their bodies clean. With regard to the provision of dignity kits, consisting of intimate hygiene products, interviews with women showed that they sometimes receive them, depending on their availability, from the stewardship department.

### Life in prison: regime and activities

#### a. Sports and cultural activities

The findings of the CNDH show that there is no sports field or specific sports discipline for women detainees. However, women can go walking for those who wish to do so, and this becomes compulsory for those whose health requires it.

As far as cultural activities are concerned, overcrowding and a lack of financial and logistical resources mean that most prisons in Burkina Faso do not organise such activities for detainees, even for women. However, in some establishments, certain civil society organisations do initiate socio-cultural activities for the benefit of the detainees. Apart from this, no specific cultural activities are organised for women detainees.

#### b. Religion

During its monitoring of places of deprivation of liberty, the CNDH noted that the right to freely practise one's religion within prisons was a reality for women detainees. The team noted the existence of places of worship. Ministers of religion (Muslim, Catholic and Protestant) also provide spiritual, material and psychological assistance to women deprived of their liberty.

#### c. Education and work

The data collected shows that women in some prisons benefit from a literacy programme at least once or twice a week. This programme is generally provided by the social action department in two languages, namely French, and a local language. However, most prisons do not have a library.

Production units and workshops for socio-professional reintegration have been developed in all the prisons to encourage work placement and apprenticeship for women detainees. However, it is important to emphasise that these units and workshops are encountering enormous difficulties that are having a negative impact on their operation and productivity.

This report is part of the NPM's global report on women in prison.

The full report is available here: [www.apr.ch/global-report/](http://www.apr.ch/global-report/)