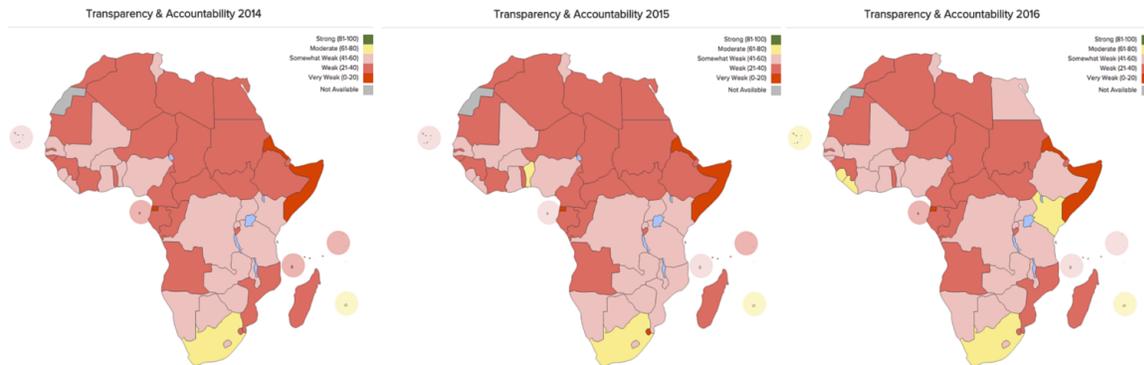


## Africa Integrity Indicators – Country Findings



### Who is Global Integrity?

Global Integrity supports progress toward open and accountable governance in countries and communities around the world. We focus on generating research and data, supporting the work of country-level reformers, and influencing global conversations on open governance. Our work covers a number of themes, with data, learning and citizen engagement at the core of everything we do. To know more about us, visit our website at [www.globalintegrity.org](http://www.globalintegrity.org).

### What are the Africa Integrity Indicators?

In 2012, Global Integrity embarked on a five-year collaboration with the Mo Ibrahim Foundation to generate the Africa Integrity Indicators (AII), which assesses key social, economic, political and anti-corruption mechanisms at the national level across the continent. Global Integrity staff recruits and manages teams of in-country contributors in 54 countries to generate original governance data on an annual basis.

The questionnaire has 114 indicators and is divided in two main categories: Transparency & Accountability and Social Development. The Transparency & Accountability category consists of 59 indicators examining issues divided in the thematic areas of rule of law, accountability, elections, public management, civil service integrity, and access to information. The Social Development indicators category consists of 51 indicators about gender, rights, welfare, rural sector, business environment, health and education.

The rich data set is designed to be particularly fruitful in identifying both bright spots as well as areas for improvement at the country level. The years of data include [2013](#), [2014](#), [2015](#), [2016](#); the next round of research will begin later in 2016 and be published in April 2017. To access our data, visit our project website at <http://aii.globalintegrity.org>.

Note: Each round of research is named from its year of publication. Thus, the 2016 round of research covers the period from September 2014 to September 2015, with only sources relevant to this period of study being accepted.

### Get in touch with us

Global Integrity is dedicated not only to producing high quality data, but ensuring that it is as useful as possible for reformers (both inside and outside of government) around the world. If you're interested in working with this data to identify opportunities to support open governance efforts in your country, contact us at [aai@globalintegrity.org](mailto:aai@globalintegrity.org).

# Burkina Faso – Country Findings Summary

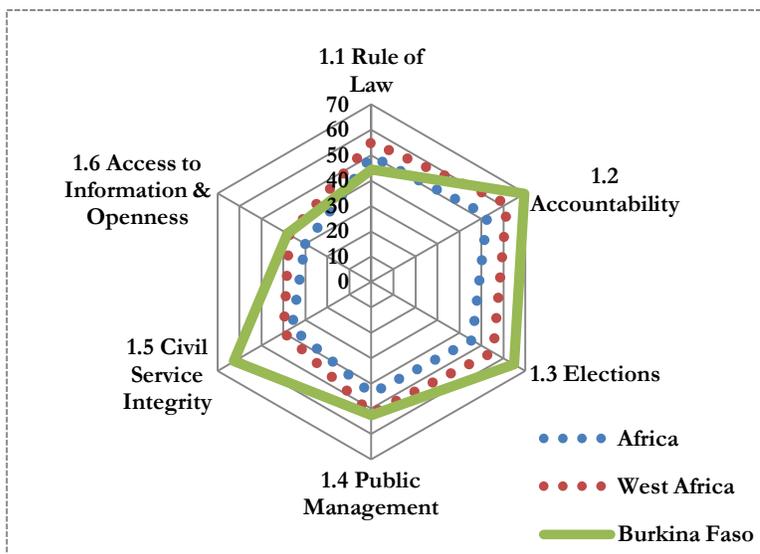
## 1. Transparency & Accountability

The Transparency & Accountability category consists of 59 indicators examining issues divided in the thematic areas of rule of law, accountability, elections, public management, civil service integrity, and access to information & openness. The indicators look into transparency of the public procurement process, media freedom, asset disclosure requirements, independence of the judiciary, and conflict of interest laws, among others.

The overall category score shows a substantial change, increasing by 9 points from 46 in 2015 to 55 in 2016. This, however, still keeps Burkina Faso in the “somewhat weak” area on the Global Integrity scale.<sup>1</sup> Scoring changes were mostly driven by the adoption of new laws aimed at promoting public integrity, which affected indicators of the two subcategories Access to Information & Openness and Civil Service Integrity.

On four out of the [six subcategories](#), Burkina Faso’s aggregate scores were higher than the West African and the continental average scores.

With a score of 69, Accountability remained the highest performing subcategory, but is still in the “moderate” area on the Global Integrity scale. The most significant score increase was observed in the Civil Service Integrity subcategory where the score almost doubled, from 33 in 2015 to 63 in 2016, primarily due to the adoption of an anti-corruption law. The Rule of Law subcategory recorded the second most significant score increase (+17) from 28 in 2015 to 44 in 2016. This increase, which moves the subcategory from the “weak” to the “somewhat weak” area on the Global Integrity scale, can be attributed to improvements in the transparency of the judiciary. The score for Access to Information & Openness also increased (+7), primarily due to the adoption of a law on access to information. The score for the Elections subcategory remained unchanged from the previous year at 65, while a decrease was observed in the score for Public Management from 59 in 2015 to 53 in 2016.



< Figure 1 > Burkina Faso’s subcategory scores in comparison to the region and the continent. The radar chart depicts the country’s aggregate scores of each of the six subcategories under Transparency & Accountability, in comparison to average scores of the continent (blue dotted lines) and the country’s region (red dotted lines).

<sup>1</sup> The Global Integrity scale on the Africa Integrity Indicators website is as follows: 81-100 (Strong), 61-80 (Moderate), 41-60 (Somewhat weak), 21-40 (Weak), 0-20 (Very Weak)

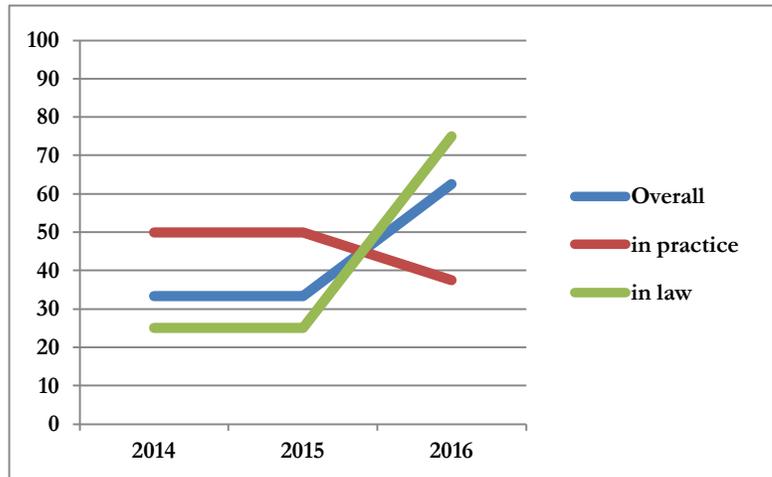
## Selected highlights

- Transparency increased within the judiciary, but challenges remained regarding its independence.** Over the study period, Burkina Faso was in the midst of a political transition following the fall of President Blaise Compaoré in October 2014. [Indicator 4](#) reports that transparency increased within the highest courts of the country thanks to the newly adopted anti-corruption Law n°004-2015/CNT of March 5, 2015, which provides for citizens' access to information from state bodies. Judges abide by the requirements to give reasons for their decisions/judgments, and unlike in the previous years, these decisions are made publicly accessible within two weeks. This improvement explains the score increase of this indicator from 0 in 2015 to 75 in 2016. However, the judiciary still faces attempts to reduce its independence. [Indicator 2](#) reports that over the study period, the judiciary's independence was undermined when the Prime Minister refused to abide by a judicial decision in a lawsuit brought against him by his neighbor. The lawsuit was triggered by the Prime Minister's non-standard construction of a building in the upscale neighborhood of Ouaga 2000. At the same time, the indicator notes that owing to the political transition, judges became more vocal in opposing practices that undermine their independence, such as the appointments at the Cassation Court and the Council of State in March 2015 during which the seniority criterion was disregarded.

- Political interference remained widespread within the civil service despite the adoption of a law to improve integrity.** Over the study period, the National Transitional Council (CNT), the transitional parliament of Burkina Faso, passed the anti-corruption Law n°004-2015/CNT of March 5, 2015. Article 79 of this law makes it

mandatory for civil servants to report cases of alleged corruption in the public sector and criminalizes refusal to

report such cases. Article 32 of this law protects whistleblowers within the civil service from direct or indirect recrimination or other negative consequences, such as retaliatory actions on their salary, transfer, contract renewal, etc. The adoption of the new law led to score improvements in [indicators 35](#) and [36](#), which both increased from 'No' in 2015 to 'Yes' in 2016. However, [indicator 40](#) remained a 0 as the new law falls short of restricting civil servants from entering the private sector after leaving the government, in cases where that would present a conflict of interest. Contrary to the provisions



< Figure 2 > *De jure* and *de facto* gap of Burkina Faso's indicators on civil service integrity (35-40): This provides an overview of the aggregate gap between in law indicators (green) and in practice indicators (red) of a particular subcategory, and how they affect the change of the overall aggregate score (blue) between the three rounds of research 2014, 2015 and 2016.

of the new law, [indicator 38](#) reports that in practice retaliatory and arbitrary transfers of civil servants were rampant, and civil servants were removed when a new administration took power. Such was the case when the transitional government succeeded President Compaoré in October 2014. Nonetheless, [indicator 39](#) notes that over the study period, low-level civil servants were recruited through a competitive process and evaluations were carried out based on professional criteria.

- **Adoption of a new law on public access to information positively affected citizens' access to legislative processes and documents, and to asset disclosures of senior officials. However, media freedom faced restrictions.** The score of [indicator 41](#), which assesses the existence of a law on access to information, increased significantly from 'No' in 2015 to 'Yes' in 2016, because article 34 of the newly adopted Law n°004-2015/CNT of March 5, 2015 requires public entities to grant citizens access to information regarding their operations, to respond to citizens' request within a reasonable timeframe, to give reasons for denying access, and to specify the appeal mechanisms in cases of denial. While the implementation of the law still leaves much to be desired as citizens still face hurdles in accessing information as noted in [indicator 42](#), [indicator 43](#) reports that citizens' access to legislative processes became easier. Except for the roll call vote, all relevant records were published on the legislature's new website within a week of the proceedings. Another notable improvement brought about by this law concerns citizens' access to asset disclosures of senior officials of the three branches of the government. [Indicator 45](#) notes that within 45 days of the adoption of the law, all 25 members of the transitional government disclosed their asset statements in the Government gazette. The statements were also posted online.

On the other hand, the media faced censorship and journalists were forced to self-censor throughout the political transition and particularly in the wake of the failed coup d'Etat of September 2015. [Indicator 55](#) notes that on several occasions, members of the presidential guard (RSP) went on a rampage against media houses, destroying premises, burning equipment and assaulting journalists for what they perceived as critical reporting towards them.

- **Transparency decreased in the public procurement sector.** As noted in [indicator 25](#), while the law requires competitive bidding for major public procurements, contracting through mutual agreements increased during the study period. A report of the audit institution ASCE revealed that this type of contracting increased from 14% in 2014 (below the West African regionally agreed standard of 15%) to 18.56% at the end of September 2015. Transparency decreased also in regards to citizens' access to documents associated with procurement contracts. Although bids are published on a daily basis during the week and the identity of winning bidders were made public, the public had no access to information regarding the full contract, proposals, execution reports, and financial audits, as noted in [indicator 26](#).

## 2. Social Development

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This category covers seven subcategories, including rights (civil society space and minority rights), gender, business environment and infrastructure, rural sector, welfare, health, education, and civil registration. Because the Social Development portion of the research only includes a small number of questions per each topic area, we only provide the scores for each individual indicator and don't provide aggregated category or subcategory scores. However, the individual indicators themselves contain a wealth of information across a breadth of topics, a select few highlights of which are noted below.

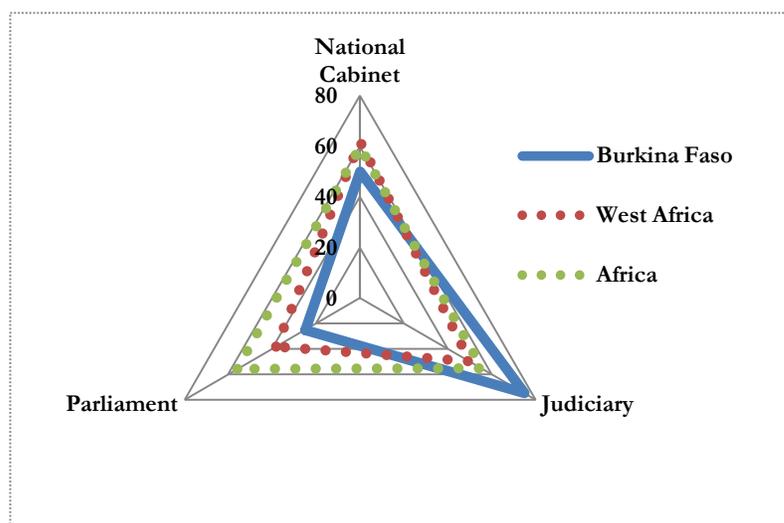
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### Selected highlights

- **Civic space presented a mixed picture: while workers' unions and NGOs did not face any obstacles in their operations, freedom of assembly was severely restricted.** In comparison to the 2015 research, unions were more at liberty to take actions to ensure better working conditions for workers during the study period. For instance, as [indicator 65](#) notes, unions for magistrates, such as SAMAB, SMB and SBM, were able to take a strong position condemning the attempted coup d'Etat in September 2015. There were no barriers in establishing new NGOs as noted in [indicator 68](#), and despite active role of civil society during the political transition, none of the NGOs already operating in the country was shut down by the government, as reported in [indicator 70](#). [Indicator 69](#) also reports that there was no case of NGO employees being physically threatened, intimidated, imprisoned or killed in retribution to their work. However, [indicator 67](#) reports that in the weeks leading up to the fall of President Compaoré in October 2014, there were cases of citizens being prevented from assembling. Also during the subsequent political transition, the Prime Minister warned citizens against demonstrating their dissatisfaction in public venues, and a sit-in by employees on the premises of the Ministry of Finance was dispersed by security forces. Finally, during the attempted coup d'Etat of September 2015, demonstrators were shot dead by the presidential guard.
- **Apart from general constitutional principles, there are no legal frameworks for the protection of ethnic, religious and sexual minorities.** As reported in [indicators 71](#) and [73](#), Burkina Faso has no specific laws to protect ethnic and religious minorities from discrimination. Members of these groups can only rely on ad hoc mechanisms, such as the General Directorate for the Defense of Human Rights (DGDDH) within the Ministry of Justice, or the National Human Rights Commission (CNDH), as noted in [indicator 72](#). [Indicator 74](#) specifies that in order to prevent religious conflicts, the government established the National Observatory for Religious Affairs (ONAFAR) in January 2015, which however was not operational during the study period. [Indicator 75](#) notes that no law prohibits discrimination based on sexual orientation, and the family code allows only marriages between spouses of the opposite sex. Even though the country houses the headquarters of the West Africa LGBT network, LGBT persons are victims of abuse in practice, as noted in [indicator 76](#).
- **Laws on property and employment do not discriminate against women, but customary laws restrict women's rights to land, inheritance, divorce and independent travel.** No law restricts women's ability to purchase, own and sell property as noted in [indicator 78](#), nor to access employment opportunities and benefits in the workplace, as noted in [indicator 83](#). However,

[indicator 77](#) reports that the Law n°034-2009/AN, which grants equal access to land to all citizens and provides for additional measures aimed at vulnerable groups such as women, is not implemented. In most communities, women can only borrow but not own land they want to use. Local land charters are interpreted at women’s disadvantage, and in some communities, such as the Moaga, women cannot be issued a deed of land ownership. [Indicator 79](#) reports that in Muslim communities, women and men do not have equal rights to inheritance, and in societies where marriages are celebrated according to local customs, women are even considered part of the heritage left by their late husband. Finally, [indicator 80](#) notes that although the Family Code grants equal rights to spouses to petition for divorce, customary laws grant this right to men only. Most marriages are still based on the latter.

- Women’s representation in the highest echelons of the three branches of government is uneven.** Three out of ten (30%) Constitutional Court judges are women, as reported in [indicator 86](#). Burkina Faso’s score of 75 is higher than the regional average of 50 and the continental average score of 56. However, with only four women out of the 25 (16%) members of the the national cabinet, as reported in [indicator 85](#), Burkina Faso’s score of 50 is lower than both the regional average score of 62 and the continental average score of 60. Women’s representation in the legislature is even lower, as [indicator 87](#) reports that there were only 11 women out of the 90 members (12%) in the transitional parliament. The country’s score of 25 is lower than the regional average of 38 and the continental average of 56.



< Figure 3 > Burkina Faso’s female representation in the three branches of government compared to the country’s region and the continent.

- The National Institute of Statistics and Demography (INSD) shows uneven capacity in regards to statistics on youth unemployment, poverty and infrastructure.** The Institute collects statistics on infrastructure on an annual basis and publishes them in the Statistical Directory and the Economy Scorecard, as reported in [indicator 93](#). This stands in contrast to indicators [91](#) and [92](#), which note that the Institute has not collected data on youth unemployment since 2007 and that the most recent data on poverty date from 2003.

*The above findings capture selected highlights and are not an exhaustive analysis of the collected data. We encourage interested users to access our website [here](#) for detailed comments and sources for 114 individual indicators.*