



Office of the Special Representative of the Secretary-General for **CHILDREN AND ARMED CONFLICT**

Input for the UPR on Burkina Faso Office of the Special Representative of the United Nations Secretary-General for Children and Armed Conflict

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Background

From 2018 to December 2022, there was an alarming increase in grave violations against children. There were clashes between armed groups, in particular, the Islamic State in the Greater Sahara (ISGS) and Jama 'a Nusrat ul-Islam wa al-Muslimin (JNIM), as well as fighting between the Volontaires pour la défense de la patrie (VDP) and armed groups. Armed groups expanded their territorial influence and gained significant control over the population, including children, through the use of restrictions, such as illegal taxes and the imposition of dress and behavioural codes. Civilians, including children, continued to pay a heavy price and faced large-scale killings and indiscriminate attacks, including religiously motivated attacks.

In June 2021, the President of Burkina Faso signed a Decree creating a "Special Forces Unit" within the defence forces to be placed under his direct authority. The Decree provided that members of the Unit cannot be prosecuted for wrongdoings committed in the exercise of their functions.

Also in 2021, to increase the availability and improve the quality of education in a humanitarian context, the previous Government endorsed a National Action Plan on education in emergencies. In this regard, the Government reinforced its Safe Schools programmes to ensure schools are safe and secure spaces for students, especially within the six regions with the highest humanitarian needs.

Children, and women, were particularly targeted for rape and other forms of sexual violence and cases continued to increase from 2018 to 2022. In the same period, the recruitment and use of children, attacks on schools and hospitals and denial of humanitarian access faced a critical increase as well. Incidents of denial of humanitarian access, including attacks and hijacking of water points and telecommunication installations also increased, restricting the population's access to water supply and communication means and obstructing the delivery of humanitarian assistance to children. Such restrictions were also combined with COVID-19-related constraints. In 2022, the killing and maiming of children was the highest verified violation with an increase of more than 300% compared to 2021.

In his last report on children and armed conflict (A/76/871 - S/2022/493), the Secretary-General listed JNIM under section A of Annex II ¹for the recruitment and use, killing and maiming, and abduction of children.

¹ Annex II of the Secretary-General Annual Report on children and armed conflict, pursuant to Security Council resolutions 1379 (2001), 1882 (2009), 1998 (2011) and 2225 (2015), lists parties that commit grave violations affecting children in situations of armed conflict not on the agenda of the Security Council, or in other situations. Section A of Annex II includes listed parties that have not put in place measures during the reporting period to improve the protection of children.

Children were also detained for association or alleged association with armed groups in the High-Security Prison of Ouagadougou. On 12 September 2022, the United Nations and the transitional authorities signed a handover protocol for the transfer of children allegedly associated with armed groups to civilian child protection actors. A plan of action was developed for the implementation of the Handover Protocol.

Recommendations to the transitional authorities in Burkina Faso

- Comply with their obligations under international human rights and humanitarian law and take all necessary measures to protect children during military operations, in line with the principle of precaution, and to avoid confrontations in areas where civilians and children are present.
- Provide armed and security forces, including the Special Forces Unit with adequate training on child protection, including during military operations, and disseminate command orders to prevent grave violations against children.
- Systematically implement the handover protocol for the transfer of children allegedly associated with armed groups to civilian child protection actors and its action plan, including treating children associated with armed groups primarily as victims and releasing all detained children.
- Ensure that children detained on charges of association with armed groups are treated primarily as victims and handed over to child protection services for reintegration purposes. Ensure that detention is only used as a measure of last resort and for the shortest appropriate period of time with alternatives to detention being prioritized. Ensure that children are not detained or prosecuted solely for their association with or membership in any armed group and that any prosecution of children respects internationally recognized standards of juvenile justice.
- Ensure accountability for grave violations against children and bring perpetrators of all grave violations against children to justice.
- Ensure that adequate and child-friendly programmes are accessible to all survivors of rape and other forms of sexual violence.