

Independent Reporting Mechanism (IRM): Burkina Faso Design Report 2019–2021

This report was prepared by the Independent Reporting Mechanism.

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Executive Summary: Burkina Faso

Burkina Faso improved the co creation process for the second action plan with increased transparency and access to information. It resulted in an action plan that addresses priorities surfaced during consultations (including transparency in the mining sector, inclusion of gender and youth and tax collection at the local level) as well as government priorities (security and good governance). Moving forward, Burkina Faso should ensure the timely publication of the budget's audit report and public access to asset declarations and consider expanding the work on the beneficial ownership register and improve governance of the extractive sector in future action plans.

The Open Government Partnership (OGP) is a global partnership that brings together government reformers and civil society leaders to create action plans that make governments more inclusive, responsive, and accountable. The Independent Reporting Mechanism (IRM) monitors all action plans to ensure governments follow through on commitments. Burkina Faso joined the OGP in 2016. This report covers the development and design of Burkina Faso's second action plan for 2019-2021.

General overview of action plan

The co-creation process for this action plan improved in terms of transparency and access to information vis-à-vis the process of their first action plan. It had significant participation from non-governmental actors with opportunities to provide input and receive feedback on how their contributions were considered. Nonetheless, not all advocacy and awareness-raising activities took place, and in some instances, the mechanisms for engagement did not ensure the participation of all actors and the quality of input, mainly due to insufficient financial resources.

The current action plan comprises commitments that are organized in 5 policy areas: civic participation, transparency, public administration effectiveness, equality and social justice, and access to information. The action plan reflects some of the priority needs discussed during consultations, such as transparency in the mining sector and inclusion of gender and youth (new areas), and tax collection at the local level. The action plan addresses priority areas of government such as security and good governance. Compared to the 2017-2019 action plan, the current action plan is more diverse, not focusing primarily on tackling corruption and improving access to information (Freedom of Information Act). While some commitments have an ultimate objective to enhance civic engagement and participation, the mechanisms used to achieve this objective tend toward information campaigns rather than active participatory processes. Burkina Faso still faces some challenges regarding budget transparency that affect its OGP Eligibility Score¹, particularly due to the decrease in availability of budget information for not producing the Audit Report².

Table 1. At a glance

Participating since: 2016
Action plan under review: Second
Report type: Design
Number of commitments: 11

Action plan development

Is there a multistakeholder forum: Yes
Level of public influence: Involve
Acted contrary to OGP process: No

Action plan design

Commitments relevant to OGP values: 11 (100%)
Transformative commitments: 0
Potentially starred commitments: 0

Table 2. Noteworthy commitments

Commitment description	Moving forward	Status at the end of implementation cycle
Commitment N° 4: Implement the reform on the obligation for taxpayers other than politicians to declare interest and wealth	To maximize transparency, ensure public access to information on asset declarations, equip ASCE-LC to process the asset declarations with the new platform, provide staff with resources to verify the accuracy of asset declarations and strengthen mechanisms to ensure sanctions against officials who fail to submit them. Finally, consider participatory audits that enable civil society organizations to contribute to verification and oversight efforts	<i>Note: this will be assessed at the end of the action plan cycle.</i>
Commitment N° 5: Modernize the civil status system by using the innovative and integrated technological solution "ICIVIL" in the six launching communes	Ensure that birth registration data is secure, with civil society involvement in developing and implementing safeguards on data use, and publicly available assessments related to the ethics, human rights, and fairness of data processing. Expand the ICIVIL platform to other communes and aim to increase accuracy of data by standardizing the civil register.	<i>Note: this will be assessed at the end of the action plan cycle.</i>
Commitment N° 7: Improving access of vulnerable people to the Legal Aid Fund	Prioritize timely disbursements to the Legal Assistance Fund; continue the expansion of coverage and resources; consider evaluations that help identify factors that may be preventing citizens from applying for legal assistance to address them in the program's design and; improve access to information about laws and procedures to enable individuals to identify their legal needs and sources of legal advice.	<i>Note: this will be assessed at the end of the action plan cycle.</i>
Commitment N° 9: Increase the representation of women in decision-making spheres	The IRM recommends addressing other barriers preventing women's engagement in public life, like promoting citizenry education with an emphasis on gender equality in the nation's education system, increase support for women candidates in financing, media exposure and advocacy. Additionally, ensure sanctions are imposed for non-compliance of the quota law.	<i>Note: this will be assessed at the end of the action plan cycle.</i>

Recommendations

IRM recommendations aim to inform the development of the next action plan and guide implementation of the current action plan. Please refer to Section V: General Recommendations for more details on each of the below recommendations.

Table 3. Five KEY IRM Recommendations

Develop a strategy to ensure the sustainability of the open government agenda and OGP action plans by addressing issues with the eligibility score like ensuring the timely publication of the budget's audit report.
Leverage open government principles in an open response and open recovery to the COVID-19 pandemic.
Strengthen the open government focus of commitments by going beyond the publication of data to include meaningful participation of citizens in decision making (e.g. creating local spaces and capacities for citizen participation and deliberation on budgets or creating opportunities for participatory audits, involving citizens at the local level in oversight activities along with oversight institutions)
Expand the work on the beneficial ownership register and improve governance of the extractive sector in future action plans.
Align and articulate the connections between commitments that aim at building institutional capacities in government, so they become instrumental to the policy reforms prioritized in the action plan.

About the IRM

The Independent Reporting Mechanism (IRM) is a key means by which all stakeholders can track Open Government Partnership (OGP) progress in participating countries. It assesses the development and implementation of national action plans to foster dialogue among stakeholders and improve accountability.



¹ Database of OGP Eligibility Scores:

https://docs.google.com/spreadsheets/d/1PK_bRjYYZrYCILTWwW0R9Z3qpfqUgT7WZNypld9Y/edit#gid=1406221191

² Open Budget Survey, Burkina Faso, 2019: <https://www.internationalbudget.org/sites/default/files/country-surveys-pdfs/2019/open-budget-survey-burkina-faso-2019-en.pdf>

I. Introduction

The Open Government Partnership is a global partnership that brings together government reformers and civil society leaders to create action plans that make governments more inclusive, responsive, and accountable. Action plan commitments may build on existing efforts, identify new steps to complete ongoing reforms, or initiate action in an entirely new area. OGP's Independent Reporting Mechanism (IRM) monitors all action plans to ensure governments complete commitments. Civil society and government leaders use these evaluations to reflect on their own progress and determine if actions have impacted people's lives.

Burkina Faso joined OGP in 2016. This report covers the development and design of Burkina Faso's second action plan for 2019-2021.

The IRM aims to inform ongoing dialogue around development and implementation of future commitments. For a full description of the IRM's methodology, please visit <https://www.opengovpartnership.org/about/independent-reporting-mechanism>.

II. Open Government Context in Burkina Faso

Burkina Faso joined OGP in December 2016, one year after the elections and at the end of a 27-year regime in 2014. In this period of political transition,³ the country's first action plan (2017-2019) focused on increasing access to information through law, addressing civic participation on local budgetary issues and promoting accountability to reduce corruption in government practices. The current action plan (2019-2021) includes 11 commitments to increase public participation, transparency, service delivery, social justice, and access to information. It attempts to address some salient issues such as the challenging situation Burkina Faso currently faces in terms of security. Acceleration of confrontations between terrorists, bandits, vigilante non-state local community security structures (SCLS), and state security forces have resulted in over 2,000 deaths since 2019, and have displaced over 850,000 people since 2016.⁴ When Burkina Faso declared its first COVID-19 case in March 2020, 12% of health centers in six emergency-affected regions were closed due to attacks by armed groups.⁵ In response to the difficulties on the part of state security forces to counteract local conflict, SCLS like the Koglweogo have strengthened across the country.⁶ The current action plan includes a commitment to institutionalize and train SCLS (Commitment 1).

Transparency and Access to Information

The Global Right to Information Index ranks Burkina Faso in 75th position out of the 128 countries assessed, reflecting deficiencies in Law No. 051-2015. This law governs the right of access to public information and administrative documents, excluding information on state security, military secrets, strategic economic interests, ongoing investigations, or legal proceedings.⁷ In practice, accessing government information remains difficult, as few government agencies provide customer-friendly services (for example on websites).⁸

Burkina Faso was ranked 67 out of 114 countries assessed in the latest edition of the Open Data Barometer.⁹ It states that the government was particularly strong in making available online data on health sector performance and primary or secondary education performance. These datasets are machine-readable and reusable, openly licensed and easy to find. However, it highlights that the country is lagging behind publishing information on most of the 15 datasets reviewed. For example, data related to land ownership, crime statistics, public contracts and detailed data on government spending. Most datasets reviewed by the Barometer were not easily accessible, and none were regularly updated.¹⁰

The current action plan includes two commitments to improve access to information through communication campaigns publicizing the OGP national action plan (Commitment 11) and the Virtual Window of Public Administration (Commitment 10), which became operational under the previous action plan. However, the commitments focus on awareness of information rather than increasing disclosure.

Civil Liberties and Civic Space

The rights to freedom of assembly and freedom of association are constitutionally guaranteed, but Civicus qualifies Burkina Faso's civic space as obstructed.¹¹ Although protests frequently take place, some protesters have faced repression by security forces, particularly the anti-riot brigade. A state of emergency declared in 2018 restricts freedom of assembly,¹² which is further restricted by COVID-19 measures.¹³ In terms of civil society engagement, in the Afrobarometer's Round 7 survey, one third of respondents reported being a member of a CSO. Moreover, Burkina Faso is categorized by Freedom House as "partly free."¹⁴ It states that civil society and organized labor remain strong forces for democracy and for the respect of civil liberties.¹⁵

In terms of freedom of expression, the Reporters Without Borders' (RSF) 2020 World Press Freedom Index reports that Burkina Faso is one of Africa's success stories, ranked 38 out of 180 countries assessed. Defamation was decriminalized, but in June 2019, the parliament amended the criminal code to penalize "false information" and speech that could "demoralize" the defense and security services, imposing restrictions on critical coverage of terrorism. The non-state-owned media is relatively independent and often critical of the government, although journalists are sometimes jailed or penalized for insulting an officeholder.¹⁶

The current action plan includes five commitments to increase civic participation. It aims to operationalize the platform for citizen complaints about government services (Commitment 6), which was developed under the previous action plan. Regarding vulnerable populations, two commitments plan to increase economic empowerment in youth and women through small business funding and capacity building (Commitment 8), as well as to bolster women's political participation and representation (Commitment 9). The current action plan also intends to conduct a dialogue-based communication campaign on tax compliance (Commitment 2) and launch the use of ICIVIL, a platform to facilitate birth registration, in six communes (Commitment 5).

Accountability and Anticorruption

In the 2019 Corruption Perception Index, Burkina Faso dropped to a ranking of 85 out of 198 countries with a score of 40—above the average score of 32 for Sub-Saharan Africa.¹⁷ Burkina Faso ratified the UN Convention against Corruption in 2006,¹⁸ and it criminalized illicit enrichment, embezzlement, extortion under its penal code¹⁹ and 2015 anti-corruption legislation (N° 04-2015 / CNT).²⁰ However, enforcement of this legislation is weak.²¹ In terms of public services, Transparency International's Global Corruption Barometer reported a 21% bribery rate for the police, 12% for utilities, 11% for IDs, 9% for public schools, and 5% for public clinics and health centers.²² According to reports released in 2019, the government embezzled F CFA 31,000 million in 2017.²³

The current action plan includes two commitments (3 and 4) promoting anticorruption, establishing a beneficial ownership register for the mining sector and increasing asset declarations on the part of public officials. Building on the previous action plan, the current action plan also aims to increase public accountability by increasing the number of vulnerable citizens with access to justice through the Legal Assistance Fund (Commitment 7).

Budget Transparency

Burkina Faso publishes insufficient material to support informed public debate on the budget, with a 2019 Open Budget Index (OBI) ranking of 87 out of 117 countries assessed. Since 2017, Burkina Faso increased availability of budget information by publishing in-year reports online, publishing the citizen's budget on time, and increasing information provided in the pre-budget statement. However, according to the index, the government did not produce an audit report, and its mid-year review and year-end report were produced for internal use only. Additionally, after examining the practices of central government's executive, the legislature and the supreme audit institution, the OBI concluded that Burkina Faso did not offer opportunities for meaningful public participation in the different stages of the budget process, and legislative and audit oversight were limited.²⁴

³ "BTI 2020 Country Report – Burkina Faso," Gütersloh: Bertelsmann Stiftung, 2020.

⁴ Ruth Maclean, "When the Soldiers Meant to Protect You Instead Come to Kill," The New York Times, 22 June 2020, <https://www.nytimes.com/2020/06/22/world/africa/burkina-faso-terrorism.html>.

⁵ "COVID-19 in the Humanitarian Settings in West and Central Africa," Plan International, June 2020.

⁶ "BTI 2020 Country Report — Burkina Faso," Bertelsmann Stiftung, 2020, <https://www.bti-project.org/en/reports/country-report-BFA.html>.

⁷ "By Country," Global Right to Information Rating, <https://www.rti-rating.org/country-data/>.

⁸ "BTI 2020 Country Report — Burkina Faso," Bertelsmann Stiftung, 2020, <https://www.bti-project.org/en/reports/country-report-BFA.html>.

⁹ "The Open Data Barometer," The World Wide Web Foundation, 2016, https://opendatabarometer.org/4thedition/?_year=2016&indicator=ODB.

¹⁰ "Burkina Faso," The World Wide Web Foundation, 2016, https://opendatabarometer.org/4thedition/detail-country/?_year=2016&indicator=ODB&detail=BFA.

¹¹ "Monitor Tracking Civic Space," Civicus, <https://monitor.civicus.org/>.

¹² "Freedom in the World 2020," Freedom House, 2020, <https://freedomhouse.org/country/burkina-faso/freedom-world/2020>.

¹³ "COVID-19 Civic Freedom Tracker," International Center for Not-For-Profit Law, <https://www.icnl.org/covid19tracker/?location=&issue=&date=&type=>.

¹⁴ "Freedom in the World 2020," Freedom House, 2020, <https://freedomhouse.org/country/burkina-faso/freedom-world/2020>.

¹⁵ "BTI 2020 Country Report — Burkina Faso," Bertelsmann Stiftung, 2020, <https://www.bti-project.org/en/reports/country-report-BFA.html>.

¹⁶ "2020 World Press Freedom Index," Reporters Without Borders, 2020, <https://rsf.org/en/burkina-faso>; "BTI 2020 Country Report — Burkina Faso," Bertelsmann Stiftung, 2020, <https://www.bti-project.org/en/reports/country-report-BFA.html>; "Freedom in the World 2020," Freedom House, 2020, <https://freedomhouse.org/country/burkina-faso/freedom-world/2020>.

¹⁷ "Corruption Perception Index 2019," Transparency International, 2020.

¹⁸ Marthe ZONGO, "Combating corruption in public administration," Sidwaya, 16 December 2018, in <https://www.sidwaya.info/blog/2018/12/16/lutte-contre-la-corruption-combattre-le-phenomene-dans-ladministration-publique/>

¹⁹ Iñaki Albisu Ardigo, “Burkina Faso: Overview of corruption and anti-corruption,” U4 Anti-Corruption Resource Centre, Transparency International, 4 November 2019, in <https://www.u4.no/publications/burkina-faso-overview-of-corruption-and-anti-corruption.pdf>, p.10.

²⁰ Iñaki Albisu Ardigo, “Burkina Faso: Overview of corruption and anti-corruption,” U4 Anti-Corruption Resource Centre, Transparency International, 4 November 2019, in <https://www.u4.no/publications/burkina-faso-overview-of-corruption-and-anti-corruption.pdf>, p.10.

²¹ Cryspin Masneang Laoundiki, “State of corruption in 2018: Customs downgrades municipal police and takes the lead”, Le Faso.net, 30 September 2019, in <https://lefaso.net/spip.php?article92258>.

²² “Global Corruption Barometer Africa 2019,” Transparency International, 7 November 2019.

²³ Eliane SOME, “ASCE-LC report: Falling indicators of good governance,” Sidwaya, 4 January 2019, in <https://www.sidwaya.info/blog/2019/01/04/rapport-asce-lc-baisse-des-indicateurs-de-bonne-gouvernance/>.

²⁴ “Open Budget Survey 2019: Burkina Faso,” International Budget Partnership, <https://www.internationalbudget.org/open-budget-survey/country-results/2019/burkina-faso>.

III. Leadership and Multistakeholder Process

3.1 Leadership

This subsection describes the OGP leadership and institutional context for OGP in Burkina Faso.

The Ministry of Public Service, Labor and Social Welfare is in charge of the OGP process in Burkina Faso. Burkina Faso has four institutional bodies that coordinate OGP in the country: two decisional bodies and two technical bodies. The National Council for a Modern Administration and Good Governance (CN-MABG) coordinates, guides and monitors the implementation of OGP.²⁵ The Prime Minister presides over the CN-MABG which meets yearly.²⁶ The Minister of Public Service, Labor and Social Welfare presides over the Pilot Committee for a Modern Administration and Good Governance (CP-MABG). The CP-MABG is responsible for monitoring and evaluating activities in the OGP action plan. It meets twice a year.²⁷ The Technical Committee for monitoring implementation of the OGP action plans produces assessment reports, convenes actors and checks uptake of recommendations from the CN-MABG and the CP-MABG.²⁸ The Technical Committee provides for equal representation for government and civil society actors. A Technical Secretariat (held by the Permanent Secretariat for Administration Modernization and Good Governance, SP-MABG, within the Ministry of Public Service) coordinates the drafting of the country's action plan with the Technical Committee.²⁹

The Technical Committee operates as the Multi-Stakeholder Forum (MSF). The MSF facilitates discussion between government and non-government actors on the development, follow-up and evaluation of the implementation of the country's national action plan under the OGP framework.³⁰ As per Burkina Faso's mandate, the MSF should meet every two months, or more frequently in case of need.³¹ The MSF's minutes do not seem to be available online at the country's OGP website³² to verify the actual number of meetings that the MSF held during the co-creation process. The MSF's mandate sets out the opportunities for MSF members to jointly make decisions regarding the MSF membership, consensus, and others.³³ Information on the forum's membership, and governance structure is available on Burkina Faso's OGP website/page.^{34 35}

Burkina Faso's MSF includes governmental and nongovernment representatives. The MSF's mandate provides for equal representation, stipulating that the MSF is to be made of 8 members, 4 of them coming from government.³⁶ Although Burkina Faso's OGP website states that 5 members come from the CSOs and three come from the government,³⁷ from interviews with stakeholders, it has been revealed that the MSF is much bigger in practice, comprised of 24 members. 12 are government representatives, 10 are from civil society, 1 is from the private sector and 1 is from technical and financial partners.³⁸ Burkina Faso's mandate sets out the procedure for recruiting nongovernment representatives. For instance, a selection committee is responsible for conducting interviews and publishing the shortlisted candidates as well as the procedure for recruiting and deciding on the final candidates.³⁹ The government representative at the MSF with the highest ranking is the Permanent Secretary of the Modernization of Administration and Good Governance.^{40 41} The Prime Minister is involved in the OGP Burkina Faso process, for instance, as he presides over the National Council for a Modern Administration and Good Governance (CN-MABG)⁴² but not necessarily as part of the MSF. The MSF mandate permits the invitation of non-MSF members, for instance, to discuss topics relevant to the action plan, even hosting meetings that are open to the public for discussion.⁴³ The Permanent Secretariat provides opportunities to MSF members to participate through video or teleconferences, although attendance in person is strongly encouraged.⁴⁴

High-level political figures have supported the OGP process in Burkina Faso. On 10 September 2019, the Minister of Public Service, Labor, Social Welfare and the Minister of Development of the Digital Economy and Posts launched the regional consultations and the co-creation process of Burkina Faso's 2nd National Action Plan.⁴⁵ On 24 October 2019, the Prime Minister presented the evaluation report of Burkina Faso's 1st action plan and provided instructions to continue the 2019-2021 action plan co-creation process and finalize it by the end of 2019.⁴⁶ On 27 December 2019, the General Secretary of

the Ministry of Public Service, Labor, Social Welfare led a national workshop to validate the country's 2nd action plan.⁴⁷ Yet, findings from the study "Open Government, Guide for good practices and successful experiences in French-speaking Africa" conducted by the Program to Support French-speaking Open Government (PAGOF) revealed that political support was still low and might constitute a potential obstacle for the OGP process in the country.⁴⁸

3.2 Action Plan Co-creation Process

The co-creation process for this action plan improved vis-à-vis the co-creation process of the 2017-2019 action plan in terms of transparency and access to information. The country's OGP website and Facebook page provide information on the mandate and the MSF's composition, equal representation, opportunities for remote participation, as well as the communication activities regarding the co-creation process, from development until validation of the action plan.⁴⁹ Representatives from the Permanent Secretariat for Administration Modernization and Good Governance acknowledged that openness and communication to citizens were not fully developed in implementing the 1st action plan.⁵⁰ In that regard, the current action plan includes an explicit commitment to promoting open government in the country.⁵¹ The country can still improve its co-creation process in terms of documenting the discussions via meeting minutes, as well as ongoing reasoned response to communicate rationale of decisions during all key moments of the action plan development.

The government officially launched the co-creation process of the 2nd action plan with the attendance of CSOs, media and other stakeholders on 10 September 2019.⁵² The Permanent Secretariat for Administration Modernization and Good Governance (SP-MABG) held public consultations from 12 to 18 September in all 13 regions, in collaboration with local authorities, governors and free citizen participation, to collect the concerns and input of citizens.⁵³ Approximately 60 people in each region engaged through regional workshops to prepare ten 'priority commitments' and ten commitments of lower priority.⁵⁴ Public consultations, including the online consultation organized from 10 September to 10 October⁵⁵, resulted in the identification of the main topics to be addressed by the action plan and in over 180 commitment projects.⁵⁶

Once stakeholders who participated in the regional and online consultations had identified the main axes and problems and suggested possible solutions, *"the work thereafter consisted of refocusing on the essential, by grouping and prioritizing proposals so as to lead to realistic and achievable commitments, in number and content."*⁵⁷ The multi-stakeholder forum reorganized the commitment proposals to form thematic groups comprised of CSO and governmental members. They were tasked to discuss and define the commitments proposed. The 2nd OGP Action Plan for Burkina Faso was finalized during a multi-day workshop that took place in November/December 2019.⁵⁸ It was shared online for 10 days for comments. However, little feedback was received, according to a government representative of the SP-MABG in charge of the process.⁵⁹ In parallel, sectorial meetings were organized with the different ministerial departments with a view to refining the commitments and ensuring institutional ownership of the plan. Finally, a national validation workshop was held on December 27, 2019, with around 100 participants. The 2nd action plan was adopted by the Council of Ministers in February 2020.

Both government and CSO actors consulted acknowledged that the selection of themes and the formulation of commitments stemmed from collaboration.⁶⁰ Despite the lack of access to the minutes from the Steering Committee/MSF, the IRM could confirm through interviews with different stakeholders that feedback from civil society was taken into account at all stages of the process. A World Bank specialist affirmed that the co-creation of the 2nd action plan *"favored a participatory approach through the involvement of actors from ministerial departments, institutions, territorial communities, civil society organizations, the private sector and technical and financial partners."*⁶¹ A CSO representative involved in the process assured that *"commitments were not dictated by the government. Everything was discussed by stakeholders on an equal footing between government and civil society. Civil society ensured that commitments addressed real and essential needs; the government provided information which showed relevance or, on the contrary, invalidated a possible commitment."*⁶² Furthermore, *"the decision to keep or not a commitment, or to reformulate it, was taken jointly"*.⁶³ If the government considered that a commitment

could not be kept, it justified this “by a clear argument in view of the current security and humanitarian situation,” as another CSO member reported.⁶⁴

Among the priority issues identified were education and job opportunities, security, local development, public administration efficiency, corruption, justice and access to information. The main issues of concern described under the local development area were the mining sector—the absence of the Mining Local Development Fund, artisanal exploitation, management of resources—gender inclusion in plans and decision powers, low funding at the territorial community levels, insufficient transfer of competencies and low civic engagement in local governance.⁶⁵ These topics and the resulting commitments reflected the priorities raised through citizen consultations. Open Burkina’s representative mentioned that Commitments 1, 3 and 4 were direct proposals from CSOs.⁶⁶ Beog-Neere focused on promoting the rise of women to elective positions and their effective participation in politics, a contribution that resulted in Commitment 9.⁶⁷ The representative from the Center for Democratic Governance (CDG) took part in drafting commitments on mining (3) and security (1). REN-LAC’s representative mentioned that commitments related to governance and transparency in the mining sector (3), asset declarations (4), and equal access to information (10, 11) were some of the issues his organization is interested in as part of its mission.⁶⁸

He praised the OGP process as it involves civil society in public policy-making, in some cases for the first time (security policies). Finally, a World Bank specialist agreed that several commitments listed in the action plan covered their priorities for the country and current programs (Commitments 2, 4, 6, 10, 11).⁶⁹

Stakeholders and citizens were regularly informed about the process through different channels. The OGP Burkina Faso Facebook page provided feedback to the public on the themes and topics adopted as priorities for the action plan and invited citizens to provide feedback on the final selection of commitments.⁷⁰ It reported steps made and new developments, like financial support from the MDTF, peer-learning collaboration with foreign counterparts, like the Government of Morocco.⁷¹ Additionally, Burkina Faso has a national OGP webpage.⁷² The website describes the country’s OGP process, action plans, assessment reports, the MSF’s composition and mandate, news, activities, and information about open response-open recovery.

In line with IRM guidance, Burkina Faso’s repository (OGP Burkina Website) is available online without barriers to access.⁷³

Concerning the financial aspects of the co-creation process, representatives from the Permanent Secretariat for Administration Modernization and Good Governance acknowledged that the lack of resources, coordination difficulties among actors and a low level of communication have affected the OGP process in Burkina Faso, particularly in the first action plan.⁷⁴ To enhance the co-creation of the 2nd action plan, Burkina Faso received resources from the Multi-Donor Trust Fund (MDTF) Open Government Partnership-World Bank.⁷⁵ In 2019, the OGP-WB-led MDTF granted awards to Open Burkina, in partnership with the National Network against Corruption (REN-LAC), the Center for Democratic Governance (CGD), and the CSO BEOG-NEERE.⁷⁶

According to government and CSO representatives consulted on the role of the MDTF in the development of the second action plan, the funds significantly contributed to adding transparency and civil society participation to the process, in comparison with the first action plan, by covering “the costs of the first workshop, accommodation and handling of workshop facilitators and public consultations as well as certain aspects of communication.”⁷⁷ A CSO representative, part of the multi-stakeholder forum, acknowledged that the fund was instrumental for the creation of the forum, “by funding the participation of CSOs in regional consultations, but also by raising awareness and training more widely women and youth associations so that they can integrate the forum.”⁷⁸ Another CSO member pointed out that these resources supported the dissemination of information as they helped “set up a website that was very rich in information and very much consulted by citizens. In addition, this fund has enabled us to better communicate in the regions and in local languages on the OGP process through radio and TV spots.”⁷⁹

However, the MDTF presented some challenges as well. As stated by stakeholders, its amount was insufficient to finance the action plan development process (*"It has not made possible to remove language barriers and many documents are not available in French, the main language of the country."*)⁸⁰ But the biggest constraint for governments and CSOs alike in relation to the MDTF was the mode of disbursement. The funds were disbursed in installments that did not coincide with the schedule of activities.⁸¹ As a member of the Permanent Secretariat for Administration Modernization and Good Governance put it, *"this is a fund to finance the co-creation process which is already finished (as of December 2019), but to this day there are still a few million unspent (not disbursed). A one-time payment would be much better."* A public sector specialist from the World Bank considered that for CSOs *"the main challenge was the process of granting and justifying grants. If the grant awarded for a certain period is used up quickly, it is not possible to be awarded another grant until the grant period has ended. This situation penalizes CSOs which carry out their activities quickly."*⁸²

In addition to resources from the MDTF, the PAGOF provided financial support to train government and CSO representatives to hold the public consultations. It also released funds to help launch a communication campaign in local languages via TV and radio to inform citizens about OGP and the consultations taking place in the country.⁸³

In sum, the co-creation process of the 2nd action plan had significant participation from non-governmental actors with opportunities to provide input and receive feedback on how their contributions were considered. Nonetheless, there were obstacles that can be addressed in future action plan co-creation processes to improve the level of public influence. Not all advocacy and awareness-raising activities took place, and in some instances, the mechanisms for engagement did not ensure the participation of all actors and the quality of input, mainly due to insufficient financial resources. A CSO member considered that the security context posed a significant challenge, by compromising the lack of accessibility to certain rural areas affected by terrorism or the participation in workshops of representatives from these areas.⁸⁴ For another CSO member, the biggest challenges were, among others: an insufficient amount of funds compared to the ambition of the process, the rigor of quarterly disbursements which do not necessarily fit with the OGP agenda in the country, and the difficulties of managing change both for government and for CSOs. Indeed, respect for OGP principles requires changes from all actors, and change is still perceived as a threat by some who fear losing their power.

Table 4: Level of Public Influence

The IRM has adapted the International Association for Public Participation's (IAP2) "Spectrum of Participation" to apply to OGP.⁸⁶ This spectrum shows the potential level of public influence on the contents of the action plan. In the spirit of OGP, most countries should aspire to reach the "collaborate" level.

Level of public influence		During development of action plan
Empower	The government handed decision-making power to members of the public.	
Collaborate	There was iterative dialogue AND the public helped set the agenda.	
Involve⁸⁵	The government gave feedback on how public input was considered.	✓
Consult	The public could provide input.	
Inform	The government provided the public with information on the action plan.	
No Consultation	No consultation	

OGP Participation and Co-Creation Standards

In 2017, OGP adopted OGP Participation and Co-Creation Standards to support participation and co-creation by civil society at all stages of the OGP cycle. All OGP-participating countries are expected to meet these standards. The standards aim to raise ambition and quality of participation during development, implementation, and review of OGP action plans.

The following table provides an overview of Burkina Faso's performance implementing the Co-Creation and Participation Standards throughout the action plan development.

Key:

Green = Meets standard

Yellow = In progress (steps have been taken to meet this standard, but standard is not met)

Red = No evidence of action

Multi-stakeholder Forum	Status
1a. Forum established: "The country has a Multi-Stakeholder Forum. The MSF facilitates discussion between government and non-government actors on the development, follow-up and evaluation of the country's national action plan implementation under the OGP framework." ⁸⁷	Green
1b. Regularity: How often did the forum meet? "As per Burkina Faso's mandate, the MSF should meet every two months, or more frequently in case of need. ⁸⁸ At the time of writing, there was no evidence available to determine the frequency of meetings (MSF's are not available online on the country's OGP website." ⁸⁹	Yellow
1c. Collaborative mandate development: "The MSF's mandate sets out the opportunities for MSF members to jointly make decisions regarding the MSF membership, consensus, and others.. ⁹⁰	Green
1d. Mandate public: "Information on the forum's membership and governance structure is available on Burkina Faso's OGP website/page." ^{91 92}	Green
2a. Multi-stakeholder: Burkina Faso's MSF includes governmental and nongovernment representatives. The forum had 10 CSO members. ⁹³	Green
2b. Parity: The MSF's mandate provides for equal representation. ⁹⁴ In practice, there are 10 CSO members, 10 government representatives, 1 representative of local authorities and one from the private sector." ⁹⁵	Green
2c. Transparent selection: Civil society organizations led their own process to nominate 10 representatives, and the administration nominated 10 representatives to be part of the MSF." ⁹⁶	Green
2d. High-level government representation: "The government representative at the MSF with the highest ranking is the Permanent Secretariat for Administration Modernization and Good Governance. ^{97 98} The Prime Minister is involved in the OGP Burkina Faso process, for instance, as he presides the National Council a Modern Administration and Good Governance ⁹⁹ ."	Green
3a. Openness: "The MSF mandate allows for inviting non-MSF members, for instance, to discuss topics relevant to the action plan, even hosting open meetings for the public to discuss." ¹⁰⁰	Green
3b. Remote participation: "The Permanent Secretariat provides for opportunities to MSF members to participate through video or teleconferences, although	Green

attendance in person is strongly encouraged. ¹⁰¹ Also, Burkina Faso set out opportunities for public to participate in the co-creation process, by establishing online platforms ¹⁰² to propose themes ¹⁰³ and topics ¹⁰⁴ to include as priorities in the country's second action plan." ^{105 106}	Green
3c. Minutes: "Through OGP Burkina Faso's Facebook page, the country has provided feedback, for instance, on the themes and topics taken into account for the action plan during the early stages of the co-creation process. ¹⁰⁷ Yet, there was no indication that this practice extended to later stages of the development process.	Yellow

Action Plan Development	
4a. Process transparency: OGP Burkina Faso's official website describes the country's OGP process, action plans and assessment reports, as well as the MSF's composition and mandate, news, activities, and information about open response-open recovery. The IRM suggests to include the minutes from the MSF discussions.	Green
4b. Documentation in advance: As confirmed through interviews with CSOs, the government shared information about OGP to stakeholders in advance to facilitate informed and prepared participation in all stages of the process.	Green
4c. Awareness-raising: "Burkina Faso's Secretariat of Good Governance held public consultations in 13 regions in collaboration with local authorities and governors to collect the concerns and input of citizens for co-creating and implementing the country's second action plan. ¹⁰⁸ The PAGOF provided financial support to the country to help launch a communication campaign in local languages via TV and radio to inform citizens about OGP and the consultations in the country. ¹⁰⁹ "	Green
4d. Communication channels: Mainly through social media and during workshops, the government facilitated direct communication with stakeholders to respond to action plan process questions, particularly during times of intense OGP activity. ¹¹⁰	Green
4e. Reasoned response: Reasoned response was provided on priorities included in the action plan. However it is unclear if further feedback was provided to the public on concrete commitments that were adopted in the final version of the action plan.	Yellow
5a. Repository: "In line with IRM guidance, Burkina Faso's repository (OGP Burkina Website) is available online and is not subject to restrictions and is kept up to date. ¹¹¹ Burkina Faso's website offers only one piece of evidence of the implementation of commitments as shown in the self-assessment report. ¹¹² The website provides more than one piece of evidence regarding the development of the 2019-2021 national action plan." ¹¹³	Yellow

- ²⁵ 2019-2021. National Action Plans Project. Open Government Partnership. Ministry of Public Service, Labour, Social Welfare, Government of Burkina Faso, December 2019, in <https://www.opengovpartnership.org/documents/burkina-faso-action-plan-2019-2021/>, p. 9.
- ²⁶ 2019-2021. National Action Plans Project. Open Government Partnership. Ministry of Public Service, Labour, Social Welfare, Government of Burkina Faso, December 2019, in <https://www.opengovpartnership.org/documents/burkina-faso-action-plan-2019-2021/>, p. 9.
- ²⁷ 2019-2021. National Action Plans Project. Open Government Partnership. Ministry of Public Service, Labour, Social Welfare, Government of Burkina Faso, December 2019, in <https://www.opengovpartnership.org/documents/burkina-faso-action-plan-2019-2021/>, p. 10.
- ²⁸ 2019-2021. National Action Plans Project. Open Government Partnership. Ministry of Public Service, Labour, Social Welfare, Government of Burkina Faso, December 2019, in <https://www.opengovpartnership.org/documents/burkina-faso-action-plan-2019-2021/>, p. 10.
- ²⁹ 2019-2021. National Action Plans Project. Open Government Partnership. Ministry of Public Service, Labour, Social Welfare, Government of Burkina Faso, December 2019, in <https://www.opengovpartnership.org/documents/burkina-faso-action-plan-2019-2021/>, p. 10.
- ³⁰ "Burkina Faso: Multi-stakeholder Forum. Mandate," OGP Burkina Faso, in https://docs.google.com/document/d/1tIRrt2Uj-Mq5LSRVQZnDRT01jCpWGPxEkt0T_mEkEwY/edit
- ³¹ "Burkina Faso: Multi-stakeholder Forum. Mandate," OGP Burkina Faso, in https://docs.google.com/document/d/1tIRrt2Uj-Mq5LSRVQZnDRT01jCpWGPxEkt0T_mEkEwY/edit
- ³² "Meeting minutes" OGP Burkina Faso website, in <http://ogp.gov.bf/documents/pv-de-reunions/>
- ³³ "Burkina Faso: Multi-stakeholder Forum. Mandate," OGP Burkina Faso, in https://docs.google.com/document/d/1tIRrt2Uj-Mq5LSRVQZnDRT01jCpWGPxEkt0T_mEkEwY/edit
- ³⁴ "Burkina Faso: Multi-stakeholder Forum. Mandate," OGP Burkina Faso, in https://docs.google.com/document/d/1tIRrt2Uj-Mq5LSRVQZnDRT01jCpWGPxEkt0T_mEkEwY/edit
- ³⁵ "Meeting minutes" OGP Burkina Faso website, in <http://ogp.gov.bf/documents/pv-de-reunions/>
- ³⁶ "Burkina Faso: Multi-stakeholder Forum. Mandate," OGP Burkina Faso, in https://docs.google.com/document/d/1tIRrt2Uj-Mq5LSRVQZnDRT01jCpWGPxEkt0T_mEkEwY/edit
- ³⁷ "Steering Committee (MSF)", OGP Burkina Faso website, accessed in August 31, 2021 in <http://ogp.gov.bf/msf/>. Screen shots of the website on the day it was accessed, can be found here.
- ³⁸ Interviews held in August 2020:
- Interview with Sidi Barry from the Ministry of Public Service/ SP-MABG/: "We asked civil society organizations to nominate 10 representatives, and the administration also nominated 10 representatives. Then we included a representative of the private sector, 1 representative of local authorities, 1 representative of technical and financial partners. The forum is currently being restructured. The new forum is expected to have 11 administration members and 10 CSO members."
 - Interview with Teg-Wende Idriss TINTO from Open Burkina: "The multi-stakeholder forum is made up of 24 people, including 12 government representatives, 10 from civil society, 1 from the private sector and 1 from technical and financial partners."
- ³⁹ "Burkina Faso: Multi-stakeholder Forum. Mandate," OGP Burkina Faso, in https://docs.google.com/document/d/1tIRrt2Uj-Mq5LSRVQZnDRT01jCpWGPxEkt0T_mEkEwY/edit
- ⁴⁰ "PERMANENT SECRETARIAT FOR ADMINISTRATION MODERNIZATION AND GOOD GOVERNANCE: The new manager is named Rimlawend Etienne KABORE" Government of Burkina Faso, Ministry of Public Service, Labour and Social Welfare, 10 October 2019, in https://www.fonction-publique.gov.bf/accueil/actualites/details?tx_news_pi1%5Baction%5D=detail&tx_news_pi1%5Bcontroller%5D=News&tx_news_pi1%5Bnews%5D=141&cHash=38328c2cea76885a1e2787cf9fe62772
- ⁴¹ "Steering Committee (MSF)", OGP Burkina Faso website, in <http://ogp.gov.bf/msf/>
- ⁴² 2019-2021. National Action Plans Project. Open Government Partnership. Ministry of Public Service, Labour, Social Welfare, Government of Burkina Faso, December 2019, in <https://www.opengovpartnership.org/documents/burkina-faso-action-plan-2019-2021/>, p. 9.
- ⁴³ "Burkina Faso: Multi-stakeholder Forum. Mandate," OGP Burkina Faso, in https://docs.google.com/document/d/1tIRrt2Uj-Mq5LSRVQZnDRT01jCpWGPxEkt0T_mEkEwY/edit
- ⁴⁴ "Burkina Faso: Multi-stakeholder Forum. Mandate," OGP Burkina Faso, in https://docs.google.com/document/d/1tIRrt2Uj-Mq5LSRVQZnDRT01jCpWGPxEkt0T_mEkEwY/edit
- ⁴⁵ Malick Lingani, "Workshop to launch the co-creation activities of the OGP Second National Action Plan (PAN 2019-2021) - A word from the Civil Society", Open Government-Burkina Faso, 10 September 2019, in <http://ogp.gov.bf/atelier-de-lancement-des-activites-de-co-creation-du-second-plan-daction-national-pgo-pan-2019-2021-mot-de-la-societe-civile/>
- ⁴⁶ "The National Council for Modernization of Administration and Good Governance was held this morning under the Presidency of the Prime Minister. The PAN I PGO monitoring and evaluation report was presented and validated. Instructions have been given to continue the process of co-creation of PAN2 and its adoption before the end of the year." Open Government Partnership Burkina Facebook Page, 24 October 2019, in <https://www.facebook.com/PGOBurkina/>
- ⁴⁷ "OPEN GOVERNMENT PARTNERSHIP: Validation of the 2019-2021 Draft National Action Plan", Ministry of Public Service, Labour and Social Welfare, 27 December 2019, in [https://www.fonction-publique.gov.bf/accueil/actualites/details?tx_news_pi1\[action\]=detail&tx_news_pi1\[controller\]=News&tx_news_pi1\[news\]=228&cHash=8a18b35ea4dc2d4ab7d76cb90f6239c4&fbclid=IwAR24xaJUoN-xysWOT9kvUtBjPTNaz93mq0LOMaCCF2m7VqlyViHXXn37ez0](https://www.fonction-publique.gov.bf/accueil/actualites/details?tx_news_pi1[action]=detail&tx_news_pi1[controller]=News&tx_news_pi1[news]=228&cHash=8a18b35ea4dc2d4ab7d76cb90f6239c4&fbclid=IwAR24xaJUoN-xysWOT9kvUtBjPTNaz93mq0LOMaCCF2m7VqlyViHXXn37ez0)

- ⁴⁸ “Open Government, Guide for good practices and successful experiences in French-speaking Africa. 2nd Regional Workshop, Abidjan, Ivory Coast, 5,6 November 2019,” Program to Support French-speaking Open Governments, Expertise France, French Cooperation Agency, Revolution, Development Medias, in https://www.pagof.fr/wp-content/uploads/2020/04/ef_pagof_guide_2019_180x250_final-1.pdf, p.55.
- ⁴⁹ “Independent Reporting Mechanism (IRM): Burkina Faso Design Report 2017–2019,” Open Government Partnership, 29 January 2020, in. <https://www.opengovpartnership.org/documents/burkina-faso-design-report-2017-2019/>, p.62-63 (English), p.66-67.(French)
- ⁵⁰ “Open Government Partnership, National Action Plan” Government of Burkina, Information Service, 23 September 2019, in <https://www.youtube.com/watch?v=-tiu83C1bVWw&t=38s>, Minute 4:34.
- ⁵¹ “OPEN GOVERNMENT PARTNERSHIP: Validation of the draft national action plan 2019-2021,” Government of Burkina Faso, 27 December 2019 in https://www.fonction-publique.gov.bf/accueil/actualites/details?tx_news_pi1%5Baction%5D=detail&tx_news_pi1%5Bcontroller%5D=News&tx_news_pi1%5Bnews%5D=228&cHash=8a18b35ea4dc2d4ab7d76cb90f6239c4
- ⁵² Malick Lingani, “Workshop to launch the co-creation activities of the OGP Second National Action Plan (PAN 2019-2021) - A word from the Civil Society,” Open Government – Burkina Faso, 10 September 2019, in <http://ogp.gov.bf/atelier-de-lancement-des-activites-de-co-creation-du-second-plan-daction-national-pgo-pan-2019-2021-mot-de-la-societe-civile/>
- ⁵³ Adams OUEDRAOGO, “Open Government Partnership (OGP): improving relations between state structures and civil society for the successful implementation of development actions,” Government of Burkina Faso, Information Service, 24 September 2019, in <https://www.sig.bf/2019/09/parteneriat-pour-un-gouvernement-ouvert-pgo-ameliorer-les-relations-entre-les-structures-etatiques-et-la-societe-civile-pour-une-mise-en-oeuvre-reussie-des-actions-de-developpement/#:~:text=L'Etat%20burkinab%C3%A8%20adh%C3%A9r%C3%A9,redévabilité%C3%A9%20et%20implication%20des%20citoyens>
- ⁵⁴ Sidi Barry (SP-MABG) offered a summary of the co-creation process through a phone interview on 28 August 2020, while Malick Lingani (email interview, 21 August 2020) described the regional consultations in detail: “In each region, some members of civil society were invited (co-optation of the multi-stakeholder forum, following their specialization), while others were selected following an open application call online. In each region, two rapporteurs, one from civil society and one from the government recorded the discussions and proposals of the regional meetings. All regional authorities were also invited. There were thus around sixty participants per regional workshop.”
- ⁵⁵ Malick Lingani, “Online public consultations: submit your proposals before October 10, 2019,” <https://docs.google.com/forms/d/e/1FAIpQLSfwPOHN7UaPuzqtqNXPB-ljWPWXW599tz7fEjke7gHdf5NeGO/viewform>
- ⁵⁶ Malick Lingani, “Consultations_Regions,” in https://docs.google.com/spreadsheets/d/1x7FFmqHeQwEmjXlIaPlzEX_Bh3AgIVZZIG9plwVWusc/edit#gid=266986208; “Participate in the co-creation of NAP 02: Submit your proposal here (Responses),” in https://docs.google.com/spreadsheets/d/1TvjQpWkQJZhqT8TxDIiCO_-MvqeQ2eq3mECFOhfh6_c/edit#gid=652532538; “Co-Creation. National Action Plan 2. Burkina Faso,” Github, 16 October 2019, in <https://github.com/lingani/Cocreation-PAN2-Burkina-Faso?fbclid=IwAR2FN5Ei8eVP9-gEKRYt12EsYcpW0YHyUjPX4hBsQgyZZpw5W4Cog-qX8Fk>
- ⁵⁷ Anselme Somda (Centre pour la Gouvernance Démocratique), phone interview, 21 August 2020.
- ⁵⁸ Malick Lingani (BEOG-NEERE), email interview, 24 August 2020, and Teg-Wende Idriss Tinto (Open Burkina), email interview, 21 August 2020.
- ⁵⁹ Sidi Barry (SP-MABG), phone interview, 28 August 2020.
- ⁶⁰ Interviews by email and/or phone to Teg-Wende Idriss Tinto (Open Burkina), Anselme Somda (CDG), Malick Lingani (Beog-Neere), Sidi Barry (SP-MABG), August 2020.
- ⁶¹ Ousmane Kolie (World Bank), email interview, 16 August 2020.
- ⁶² Anselme Somda (Centre pour la Gouvernance Démocratique), phone interview, 21 August 2020.
- ⁶³ Idem.
- ⁶⁴ Malick Lingani (BEOG-NEERE), email interview, 24 August 2020.
- ⁶⁵ Github de Malick Lingani, <https://github.com/lingani/Cocreation-PAN2-Burkina-Faso>
- ⁶⁶ Teg-Wende Idriss Tinto (Open Burkina), email interview, 21 August 2020.
- ⁶⁷ Malick Lingani (BEOG-NEERE), email interview, 24 August 2020.
- ⁶⁸ Harouna Sinon (REN-LAC), email interview, 13 September 2020.
- ⁶⁹ Ousmane Kolie (World Bank), email interview, 16 August 2020.
- ⁷⁰ “OGP Burkina Faso website Page,” 14 October 2019, in <https://www.facebook.com/PGOBurkina/>
- ⁷¹ OGP Burkina Faso Facebook page, in <https://www.facebook.com/PGOBurkina/>
- ⁷² “OGP Burkina Faso,” in <http://ogp.gov.bf>
- ⁷³ At the time of writing, the website had been updated on 2 April 2020. “Activities and News,” OGP Burkina Faso, in <http://ogp.gov.bf/activites/>
- ⁷⁴ “Open Government Partnership, National Action Plan” Government of Burkina, Information Service, 23 September 2019, in <https://www.youtube.com/watch?v=-tiu83C1bVWw&t=38s>, Minute 4:34.
- ⁷⁵ “Training / awareness workshops on OGP: Calls for applications” , OGP Burkina Faso, 5 March 2020, in <http://ogp.gov.bf/ateliers-de-formation-sensibilisation-sur-le-pgo-appels-a-candidatures/>
- ⁷⁶ “Advancing Thematic Priorities and Co-creation through the OGP Multi-Donor Trust Fund” Tonusree Basu,Shreya Basu and Aichida UI-Aflaha, 25 May 2019, in <https://www.opengovpartnership.org/stories/stronger-open-government-advancing-ogps-thematic-priorities/>
- ⁷⁷ Sidi Barry (Permanent Secretariat for Modernization and Good Governance (SP-MABG), Ministry of Public Service, Labour and Social Protection), phone interview, 28 August 2020.
- ⁷⁸ Teg-Wende Idriss Tinto (Open Burkina), email interview, 21 August 2020.
- ⁷⁹ Malick Lingani (President of BEOG-NEERE), email interview, 24 August 2020.
- ⁸⁰ Sidi Barry (SP-MABG), phone interview, 28 August 2020.

- ⁸¹ Sidi Barry (SP-MABG), phone interview, 28 August; Teg-Wende Idriss Tinto (Open Burkina), email interview, 21 August 2020.
- ⁸² Ousmane Kolie (World Bank), email interview, 16 August 2020.
- ⁸³ "Burkina Faso is developing its second National Action Plan" CFI, 3 November 2019, in <https://www.cfi.fr/fr/actualites/le-burkina-faso-elabore-son-second-plan-daction-national>
- ⁸⁴ Malick Lingani (BEOG-NEERE), email interview, 24 August 2020.
- ⁸⁵ OGP's Articles of Governance also establish participation and co-creation requirements a country must meet in their action plan development and implementation to act according to OGP process. Based on these requirements, Burkina Faso did not act contrary to OGP process during the development of the (2019–2021) action plan.
- ⁸⁶ "IAP2's Public Participation Spectrum" (IAP2, 2014), http://cymcdn.com/sites/www.iap2.org/resource/resmgr/foundations_course/IAP2_P2_Spectrum_FINAL.pdf.
- ⁸⁷ "Burkina Faso: Multi-stakeholder Forum. Mandate," OGP Burkina Faso, in https://docs.google.com/document/d/1tIRrt2UJ-Mq5LSRVQZnDRT01jCpWGPxEkt0T_mEkEwY/edit
- ⁸⁸ "Burkina Faso: Multi-stakeholder Forum. Mandate," OGP Burkina Faso, in https://docs.google.com/document/d/1tIRrt2UJ-Mq5LSRVQZnDRT01jCpWGPxEkt0T_mEkEwY/edit
- ⁸⁹ "Meeting minutes" OGP Burkina Faso website, in <http://ogp.gov.bf/documents/pv-de-reunions/>
- ⁹⁰ "Burkina Faso: Multi-stakeholder Forum. Mandate," OGP Burkina Faso, in https://docs.google.com/document/d/1tIRrt2UJ-Mq5LSRVQZnDRT01jCpWGPxEkt0T_mEkEwY/edit
- ⁹¹ "Burkina Faso: Multi-stakeholder Forum. Mandate," OGP Burkina Faso, in https://docs.google.com/document/d/1tIRrt2UJ-Mq5LSRVQZnDRT01jCpWGPxEkt0T_mEkEwY/edit
- ⁹² "Meeting minutes" OGP Burkina Faso Website, in <http://ogp.gov.bf/documents/pv-de-reunions/>
- ⁹³ Open Burkina response to IRM survey: "There is a discrepancy in the number of forum members reported by the MFPTPS and by Open Burkina. However, if we consider that a local authorities' representative is also government, and we add the SP-MABG, which I am not sure whether Mr. Barry had counted among government representatives, the total number of forum members is in both cases 24; 12 from government and 10 from civil society"
- ⁹⁴ "Burkina Faso: Multi-stakeholder Forum. Mandate," OGP Burkina Faso, in https://docs.google.com/document/d/1tIRrt2UJ-Mq5LSRVQZnDRT01jCpWGPxEkt0T_mEkEwY/edit
- ⁹⁵ See Open Burkina response to IRM survey above (footnote 124).
- ⁹⁶ Survey responses from civil society and government representatives confirmed that CSO led their own selection process.
- ⁹⁷ "PERMANENT SECRETARIAT OF ADMINISTRATION MODERNIZATION AND GOOD GOVERNANCE: The new manager is named Rimlawend Etienne KABORE" Government of Burkina Faso, Ministry of Public Service, Labour and Social Welfare, 10 October 2019, in https://www.fonction-publique.gov.bf/accueil/actualites/details?tx_news_pi1%5Baction%5D=detail&tx_news_pi1%5Bcontroller%5D=News&tx_news_pi1%5Bnews%5D=141&cHash=38328c2cea76885a1e2787cf9fe62772
- ⁹⁸ "Steering Committee (MSF)", OGP Burkina Faso website, in <http://ogp.gov.bf/msf/>
- ⁹⁹ 2019-2021. National Action Plans Project. Open Government Partnership. Ministry of Public Service, Labour, Social Welfare, Government of Burkina Faso, December 2019, in <https://www.opengovpartnership.org/documents/burkina-faso-action-plan-2019-2021/>, P. 9.
- ¹⁰⁰ "Burkina Faso: Multi-stakeholder Forum. Mandate," OGP Burkina Faso, in https://docs.google.com/document/d/1tIRrt2UJ-Mq5LSRVQZnDRT01jCpWGPxEkt0T_mEkEwY/edit
- ¹⁰¹ "Burkina Faso: Multi-stakeholder Forum. Mandate," OGP Burkina Faso, in https://docs.google.com/document/d/1tIRrt2UJ-Mq5LSRVQZnDRT01jCpWGPxEkt0T_mEkEwY/edit
- ¹⁰² Malick Lingani, "Online public consultations: submit your proposals before October 10, 2019," in <https://docs.google.com/forms/d/e/1FAIpQLSfwPQHn7UaPuzqtqNXPB-ljWPWXW599tz7fEjke5gHdf5NeGQ/viewform>
- ¹⁰³ Malick Lingani, "Consultations_Regions", in https://docs.google.com/spreadsheets/d/1x7FFmqHeQwEmJxIaPlzEX_Bh3AgIVZZJG9plwWusc/edit#gid=266986208
- ¹⁰⁴ Malick Lingani, "Participate in the co-creation of PAN 02: Submit your proposal here (Responses)," in https://docs.google.com/spreadsheets/d/1TvjQpWKOJZhqT8TxDIiCO_-MvqeO2eq3mECFOhfh6_c/edit#gid=652532538
- ¹⁰⁵ Malick Lingani, "Co-Creation. National Action Plan 2. Burkina Faso," Github, 16 October 2019, in <https://github.com/lingani/Cocreation-PAN2-Burkina-Faso?fbclid=IwAR2FN5Ei8eVP9-gEKRYt12EsYcpW0YHyUiPX4hBsggyZZpw5W4Cog-qX8Fk>
- ¹⁰⁶ "OGP Burkina Faso Website Page" in <https://www.facebook.com/PGOBurkina/>
- ¹⁰⁷ "OGP Burkina Faso Website Page" in <https://www.facebook.com/PGOBurkina/>
- ¹⁰⁸ Adams OUEDRAOGO, "Open Government Partnership (OGP): improving relations between state structures and civil society for the successful implementation of development actions." Government of Burkina Faso, Information Service, 24 September 2019, in <https://www.sig.bf/2019/09/parteneriat-pour-un-gouvernement-ouvert-pgo-ameliorer-les-relations-entre-les-structures-etatiques-et-la-societe-civile-pour-une-mise-en-oeuvre-reussie-des-actions-de-developpement/#:~:text=L'Etat%20burkinab%C3%A8%20a%20adh%C3%A9%20r%C3%A9,de%20redevabilite%C3%A9%20et%20implication%20des%20citoyens>
- ¹⁰⁹ "Burkina Faso is developing its second National Action Plan" CFI, 3 November 2019, in <https://www.cfi.fr/fr/actualites/le-burkina-faso-elabore-son-second-plan-daction-national>
- ¹¹⁰ Stakeholders were informed and could send their feedback at any stage of the process through social media (mostly the Facebook page <https://www.facebook.com/PGOBurkina/>), as well as during meetings and workshops.
- ¹¹¹ Update confirmed on 2 April 2020: "Activities and News," OGP Burkina Faso, in <http://ogp.gov.bf/activites/>
- ¹¹² "Reports," OGP Burkina Faso, in <http://ogp.gov.bf/category/documents/rapports/>
- ¹¹³ "Activities and News," OGP Burkina Faso, in <http://ogp.gov.bf/activites/>

IV. Commitments

All OGP-participating governments develop OGP action plans that include concrete commitments over a two-year period. Governments begin their OGP action plans by sharing existing efforts related to open government, including specific strategies and ongoing programs.

Commitments should be appropriate to each country's circumstances and challenges. OGP commitments should also be relevant to OGP values detailed in the *OGP Articles of Governance and Open Government Declaration* signed by all OGP-participating countries.¹¹⁴ Indicators and methods used in the IRM research can be found in the IRM Procedures Manual.¹¹⁵ A summary of key indicators the IRM assesses can be found in the Annex of this report.

General Overview of the Commitments

The current action plan comprises commitments that are organized in 5 policy areas: civic participation, transparency, public administration effectiveness, equality and social justice, and access to information. The action plan reflects some of the priority needs discussed during consultations, such as transparency in the mining sector and inclusion of gender and youth (new areas), and tax collection at the local level. The action plan addresses priority areas of government such as security and good governance. Compared to the 2017-2019 action plan, the current action plan is more diverse and does not focus primarily on tackling corruption and improving access to information (Freedom of Information Act). While some commitments have an ultimate objective to enhance civic engagement and participation, the mechanisms used to achieve this objective tend toward information campaigns rather than active participatory processes.

¹¹⁴ "Open Government Partnership: Articles of Governance" (OGP, 17 Jun. 2019), <https://www.opengovpartnership.org/articles-of-governance/>.

¹¹⁵ "IRM Procedures Manual" (OGP), <https://www.opengovpartnership.org/documents/irm-procedures-manual>.

I. Commitment N° 1: Continue the operationalization of Decree 2016-1052 on the modalities of participation of populations in the implementation of community policing

Main Objective

"Issue: Strengthening the security system (security network) through community participation

Goals: Ensure better protection of people and property by involving the populations

Expected results: Security services are built; Safety tranquility is improved."

Milestones

- "Host five awareness sessions for the general public on the theme "community participation in security management" in the Sahel, East and North regions
- Advocate for the construction of security services to improve access for populations
- Train and raise awareness in 100 local community security structures
- Organize ten (10) training sessions on Information communication education / behavior change (IEC / CC) on the mechanisms of collaboration between populations and SDS"

Editorial Note: For the complete text of this commitment, please see Burkina Faso's action plan at <https://www.opengovpartnership.org/documents/burkina-faso-action-plan-2019-2021/>.

IRM Design Report Assessment	
Verifiable:	Yes
Relevant:	Yes: Civic Participation
Potential impact:	None

Commitment Analysis

The commitment seeks to tackle security threats and terrorism by engaging communities and developing security services at the local level. The security context in Burkina Faso has deteriorated considerably in recent years. Terrorist attacks were responsible for the death of over 2,000 people in Burkina Faso in 2019.¹¹⁶ As a response to challenges relating to security, villagers have formed self-defense forces, or *structures communautaires locales de sécurité (SCLS)*, including the *Koglweogo* movement.¹¹⁷ According to the UN, as of 2020, there are roughly 40,000 self-defense groups.¹¹⁸

The commitment seeks to raise awareness and train local security community structures or *structures communautaires locales de sécurité (SCLS)*. The activities also comprise providing training on forging cooperation ties between the citizenry and the security forces through dialogue. The commitment text does not clearly state what these activities for dialogue entail.¹¹⁹ This commitment represents a new policy area in the context of the country's OGP action plans. Moreover, the commitment intends to provide training to 100 SCLS, which accounts for only 0.25% of the country's total number of SCLS, as reported by the UN (40,000).¹²⁰

Over the past few years, the government has begun to institutionalize and train SCLS. In October 2016, the government adopted a decree to regularize the status of the self-defense forces by constituting them as local security community structures (SCLS).¹²¹ As defined by the decree, the SCLS are associations legally constituted to fight terrorism. The government established SCLS to provide opportunities to identify security threats, to allow citizens to cooperate with security forces, and to oversee, prevent,

and denounce cases of crimes.¹²² However, these efforts have not succeeded in preventing SCLS from committing violent abuse.¹²³

The most recent expert consensus concludes that tensions and community violence are escalated by SCLS, particularly in the central-north and Sahel regions.¹²⁴ According to the International Crisis Group, increasing popular legitimacy has emboldened them to encroach on the local government's traditional control over trials, levying taxes, and imposing fines.¹²⁵ A recent government attempt to further formalize SCLS came through a decree that created the status of "Defence Volunteers." Upon receiving a fourteen-day training, defense volunteers are provided with a weapon and placed with a village group. The groups are placed loosely under military chains of command and this raises accountability concerns.¹²⁶ Human rights activists fear that in the long term, institutionalizing SCLS would further aggravate the conflict rather than solve it. Self-defense forces have been found liable for ethnic killings and committing human rights abuses.¹²⁷ Experts have voiced concerns about the uncertainty of the mechanisms to oversee non-state actors and hold them accountable in case of such abuses.¹²⁸ In addition, a study from the Institute of Sciences and Societies (INSS) found that citizens identified the security and defense forces as an element of security instability due to blackmail, abuses, and lack of respect for traditions.¹²⁹ The study from the INSS recommended building trust between security forces and civilians,¹³⁰ and while some of the training and awareness-raising activities could contribute to that goal, the scope is not enough to impact the increasing number of SCLS.

With the growing concerns of the role of non-state actors in the country's security landscape, the complexity of reforms the security system requires, and the lack of specificity regarding the scope or substance of the dialogue that the milestones aim to carry out, this commitment may not be a sustainable path forward and could inadvertently escalate tensions of an already fragile security context in Burkina Faso. Nevertheless, the security system calls for a deeper and more profound reform that surpasses the role of SCLS. Adopting measures to prevent abuses and ensure justice in cases of impunity by security forces is essential to building trust with citizens, as is an open and demand-driven approach to a security sector reform, which Burkina Faso may leverage future OGP action plans for.

Following expert recommendations and analysis of the security sector in Burkina Faso, the IRM recommends that future commitments include:

- A focus on enhancing public oversight of all security providers and the strengthening of civic spaces to allow it.
- Setting up community reporting mechanisms on abuses by formalized SCLS and state security forces with sufficient protections for citizens to avoid reprisals.
- Develop commitments that aim to improve dialogue and conflict resolution at the local level, which can contribute to ease tensions and reconcile the population's interest in addressing root causes of violence. This may also include initiatives that improve access to justice at the local level.

¹¹⁶ "More than 4,000 people killed in attacks in Mali, Burkina Faso and Niger during 2019," Global Centre for the Responsibility to Protect, 15 May 2020, in <https://www.globalr2p.org/countries/burkina-faso/>

¹¹⁷ "Burkina Faso: Stopping the Spiral of Violence," International Crisis Group, 24 February 2020, in <https://www.crisisgroup.org/africa/sahel/burkina-faso/287-burkina-faso-sortir-de-la-spirale-des-violences>

¹¹⁸ "Burkina Faso approves state backing for vigilantes fighting jihadists," Reuters, 22 January 2020, in <https://www.reuters.com/article/us-burkina-security/burkina-faso-approves-state-backing-for-vigilantes-fighting-jihadists-idUSKBNIZLIUT>

¹¹⁹ As reported by Abdoulaye Gandema (Director of community policing, Operational Security Services Coordination (COSS), Ministry of Security), in a phone interview on September 1, 2020, the commitment's objectives are to:

"1) Help formalize local self-defense initiatives so that they are officially recognized as SCLS.
2) Improve the practices of these groups (...) in terms of respect for human rights."

The commitment's activities include: general public awareness-raising sessions on the theme 'community participation to security management'; advocacy for the establishment of security services aimed at improving access by populations; training, information, education communication sessions / change in behavior on the mechanisms of collaboration between the populations and the Defense and Security Forces (Burkina Faso OGP National Action Plan 2019-2021, <https://www.opengovpartnership.org/documents/burkina-faso-action-plan-2019-2021/>).

¹²⁰ “Burkina Faso approves state backing for vigilantes fighting jihadists”, Reuters, 22 January 2020, in <https://www.reuters.com/article/us-burkina-security/burkina-faso-approves-state-backing-for-vigilantes-fighting-jihadists-idUSKBN1ZLIUT>

¹²¹ “Integration of Koglweogo into community policing: adopted decree,” Burkina 24, 5 October 2016, in <https://www.burkina24.com/2016/10/05/integration-des-koglweogo-dans-la-police-de-proximite-le-decret-adopte/>

¹²² “DECREE N ° 2016 - 1052 / PRES / PM / MATDSI / MJDHPC / MINEFID / MEEVCC bearing definition of the methods of participation of the populations in the implementation of the local police. OJ N ° 51 OF DECEMBER 22, 2016”, Burkina Faso, Police Academy, 22 December 2016, in <https://webcache.googleusercontent.com/search?q=cache:rDp7xXWSH6sJ:https://academiedepolice.bf/index.php/services-en-ligne/telechargement/category/34-police-de-proximite%3Fdownload%3D136:decret-n-2016-1052-portant-definition-des-modalites-de-participation-des-populations-a-la-mise-en-oeuvre-de-la-police-de-proximite+&cd=3&hl=en&ct=clnk&gl=us>

¹²³ “Burkina Faso: Stopping the Spiral of Violence,” International Crisis Group, Report 287, 24 February 2020, <https://www.crisisgroup.org/africa/sahel/burkina-faso/287-burkina-faso-sortir-de-la-spirale-des-violences>; David Vigneron, Stéphane Bertrand Andenga, « Les Kogl-wéogo du Burkina », Réseau de Réflexion Stratégique sur la Sécurité au Sahel (2r3s), Les Carnets du Sahel, February 2018.

¹²⁴ For instance, Tanguy Quidelleur, from the Institut des sciences sociales du politique - CNRS (France), replied in a phone interview (25 August 2020) that local safety or self-defense initiatives have not improved safety in the country, but on the contrary have worsened it. “While they have not proved effective against petty crime, when faced with the jihadists, the members of self-defense groups are being massacred. Certainly, some operations have gone well ... but the cost is too high compared to the result. What is happening in Burkina Faso is also a regional trend: the use of militia auxiliaries in the face of failing defense and security forces. These militiamen are more or less supervised by a Burkinabé army which itself already commits many atrocities—not to mention the violence introduced from outside by the jihadists. In addition, it puts people against the ropes and forces them to choose their side.”

¹²⁵ “Burkina Faso: Stopping the Spiral of Violence,” International Crisis Group, Report 287, 24 February 2020.

¹²⁶ Jonathan Pedneault, “The Country of Honest Men at a Crossroad”, Human Rights Watch, 18 March 2020, in <https://www.hrw.org/news/2020/03/18/country-honest-men-crossroad> and DCAF/ISSAT, case study on Burkina Faso current critical security issues <https://issat.dcaf.ch/Learn/Resource-Library/Case-Studies/Burkina-Faso-Current-Critical-Security-Issues>

¹²⁷ “Burkina Faso approves state backing for vigilantes fighting jihadists,” Reuters, 22 January 2020, in <https://www.reuters.com/article/us-burkina-security/burkina-faso-approves-state-backing-for-vigilantes-fighting-jihadists-idUSKBN1ZLIUT>

¹²⁸ Clair MacDougall, “Burkina Faso plans to recruit volunteers to battle Islamic terrorist groups,” Quartz Africa, 24 January 2020, in <https://qz.com/africa/1790808/burkina-faso-recruits-volunteers-to-battle-islamic-terrorists/>; Julie Vignaud, “Community vigilante groups: solution to local insecurity? – fr” Pharos Observatory, in <https://www.observatoirepharos.com/pays/burkina-faso/les-groupes-dautodefense-communautaires-solution-a-linsecurite-locale-fr/>

¹²⁹ Dimitri Ouédraogo, “Study on insecurity in Burkina: Citizens accuse the old regime.” Le Faso, 13 December 2018, in <https://lefaso.net/spip.php?article86946>

¹³⁰ Dimitri Ouédraogo, “Study on insecurity in Burkina: Citizens accuse the old regime.” Le Faso, 13 December 2018, in <https://lefaso.net/spip.php?article86946>

2. Commitment N ° 2: Carry out communication and awareness-raising actions on tax evasion in forty-five (45) pilot municipalities in Burkina Faso

Main Objective

"Issue: Encouraging public participation in the mobilization of revenue

Objective: Improve the contribution to tax revenue

Expected result: The contributory share of municipal tax revenue has increased."

Milestones

- Organize an awareness session on tax compliance in each of the 45 pilot municipalities
- Organize spaces for dialogue and community inquiry (EDIC) with an emphasis on tax compliance in each of the 45 pilot municipalities

Editorial Note: For the complete text of this commitment, please see Burkina Faso's action plan at <https://www.opengovpartnership.org/documents/burkina-faso-action-plan-2019-2021/>.

IRM Design Report Assessment	
Verifiable:	Yes
Relevant:	Yes: Civic Participation
Potential impact:	Minor

Commitment Analysis

This commitment's goal is to increase tax revenue collection by encouraging public engagement in tax compliance. Tax evasion poses a significant challenge to Burkina Faso's public finance system. Between 2014 and 2018, the country lost over CFA francs 100,000 million, on average per year, to fraud and tax evasion.¹³¹ Tax revenues accounted for only 18% of the GDP in 2017 and 15.7% in 2018.¹³²

One of the main reasons behind the lack of tax revenue is the lack of citizens' trust in the government's financial management of tax revenue. Sixty-seven percent of citizens surveyed in a research study believed that this was a significant driver of tax evasion.¹³³ Citizens believe that funds do not end up on public investments,¹³⁴ and therefore, complying with taxes is not warranted.¹³⁵ Some government practices have fueled citizen mistrust of the government's capacity to manage public resources.¹³⁶ Those practices include excessive expenditures¹³⁷ and tax exemptions granted based on political criteria or in favor of economic groups,¹³⁸ in addition to the failure by judicial entities to prosecute cases of embezzlement of public funds, clientelism,¹³⁹ corruption, and illicit enrichment.¹⁴⁰

At the local level, there is a need for further communication from local authorities with citizens on the use of public finances.¹⁴¹ In some cases, tax agents and local authorities have failed to communicate the destination of funds collected through taxes to citizens, and dialogue between tax authorities and citizens has proved contentious.¹⁴²

Concretely, the commitment proposes two approaches to engaging citizens. One is through communication and awareness-raising campaigns with 45 local communes on tax compliance and the second is the facilitation of community dialogues through the Community Dialogue and questioning on local budget management (EDIC).¹⁴³ The key topics that will be covered in the community dialogues are not made explicit in the action plan. This commitment builds on the established EDIC dialogues from Commitment 13 of Burkina Faso's 2017-2019 National Action Plan.¹⁴⁴ The current commitment expands

the number of target communes, from 20 to 45. While most of the communities engaged in the 2017-2019 action plan implementation process managed to hold meetings with representatives yearly, Burkina Faso experienced difficulties in identifying some of the target communities. Despite the establishment of committees, they lacked a legislative framework that could support their effectiveness.¹⁴⁵

The government of Burkina Faso has carried out communication strategies on tax avoidance in the past. The country's general tax division has used TV and public platforms to encourage compliance with a punitive approach. However, these campaigns focused less on shifting citizens' attitudes towards their tax liabilities.¹⁴⁶ In 2016, INADES-Formation Burkina led a campaign to engage citizens with support from the World Bank. The focus of the campaign was to inform citizens of the law, the purpose of tax and civic responsibilities.¹⁴⁷ Findings from a study on the health of public finance in Burkina suggest that there are few opportunities to encourage voluntary compliance of fiscal obligations and prevent tax evasion.¹⁴⁸

The country's previous experience in carrying out information campaigns, having a 'compliance' approach did not prove to be entirely successful.¹⁴⁹ The coverage of the commitment is also limited to 45 pilot communes, which represent only 13% of the country's total number of communes (351).¹⁵⁰ There is no indication of how the commitment will address the difficulties experienced in the previous action plan, which were providing the committees with legal mandates and identifying the target communities to ensure EDIC dialogues being an adequate space for their awareness-raising efforts.¹⁵¹ This precedent suggests that the project's scope might not be scalable. Most importantly, the commitment activities do not address a key issue that has affected tax collection in the past which stems from the lack of trust in how tax revenue is used and how public funds are managed. Therefore, while this commitment may represent a step in the right direction, its potential to impact the policy problem at hand is minor.

The IRM recommends that during implementation, the awareness-raising campaigns and community dialogues focus predominantly on providing citizens with more information and opportunities to engage with officials on how tax revenue has been used and applied to the benefit of better public services or projects. Additionally, the messages can be designed to reinforce positive behavior by emphasizing tax payment as a social norm and outlining consequences for not paying, as with the case of Guatemala, where they designed messages that centered on being part of a group of good citizens. This approach proved effective, generating 35 times the return on investment.¹⁵² For future action plans, the IRM recommends building more on the transparency of tax collection, revenue use and how it translates into concrete improvements to the living conditions of citizens. The IRM also encourages commitments that give citizens the means to participate in the budget cycle to be informed on how tax revenue is used.¹⁵³

¹³¹ Amidou Kabré, "Burkina Faso: tax evasion, gangrene that makes the state lose billions," *Toute Info*, 17 February 2020, in <http://touteinfo.com/spip.php?article2825>

¹³² Etienne Lankoandé, "Burkina: The causes of fiscal inactivism examined in a study," *Le Faso*, 26 June 2019, in <https://lefaso.net/spip.php?article90447>

¹³³ Ambèternifa Crépin SOMDA, "Tax evasion: A crisis of trust between taxpayers and governments," *L'Economiste du Faso*, 15 July 2019, in <https://www.leconomistedufaso.bf/2019/07/15/incivisme-fiscal-crise-de-confiance-entre-contribuables-et-gouvernants/>

¹³⁴ Joseph HARO, "Tax evasion in Burkina: a study reveals the causes," *Sidwaya*, 26 June 2019, in <https://www.sidwaya.info/blog/2019/06/26/incivisme-fiscal-au-burkina-une-etude-revele-les-causes/>

¹³⁵ Ambèternifa Crépin SOMDA, "Tax evasion: A crisis of trust between taxpayers and governments," *L'Economiste du Faso*, 15 July 2019, in <https://www.leconomistedufaso.bf/2019/07/15/incivisme-fiscal-crise-de-confiance-entre-contribuables-et-gouvernants/>

¹³⁶ Ambèternifa Crépin SOMDA, "Tax evasion: A crisis of trust between taxpayers and governments," *L'Economiste du Faso*, 15 July 2019, in <https://www.leconomistedufaso.bf/2019/07/15/incivisme-fiscal-crise-de-confiance-entre-contribuables-et-gouvernants/>

¹³⁷ Adama Ouedraogo, "The origins of tax evasion in Burkina," *Libre Afrique*, 22 January 2014, in <http://www.libreafrique.org/ouedraogo-fiscalite-210114>

¹³⁸ Adama Ouedraogo, "The origins of tax evasion in Burkina," *Libre Afrique*, 22 January 2014, in <http://www.libreafrique.org/ouedraogo-fiscalite-210114>

- ¹³⁹ Ambèternifa Crépin SOMDA, "Tax evasion: A crisis of trust between taxpayers and governments," L'Economiste du Faso, 15 July 2019, in <https://www.leconomistedufaso.bf/2019/07/15/incivisme-fiscal-crise-de-confiance-entre-contribuables-et-gouvernants/>
- ¹⁴⁰ Ambèternifa Crépin SOMDA, "Tax evasion: A crisis of trust between taxpayers and governments," L'Economiste du Faso, 15 July 2019, in <https://www.leconomistedufaso.bf/2019/07/15/incivisme-fiscal-crise-de-confiance-entre-contribuables-et-gouvernants/>
- ¹⁴¹ Mahamadi SEBOGO, "Mobilizing own resources: rural communities' gordian knot," Sidwaya, 28 February 2020, in <https://www.sidwaya.info/blog/2020/02/28/mobilisation-des-ressources-propres-le-noeud-gordien-des-communes-rurales/>
- ¹⁴² Mahamadi SEBOGO, "Mobilizing own resources: rural communities' gordian knot," Sidwaya, 28 February 2020, in <https://www.sidwaya.info/blog/2020/02/28/mobilisation-des-ressources-propres-le-noeud-gordien-des-communes-rurales/>
- ¹⁴³ As replied by Harouna Sinon (REN-LAC), to an email interview on 13 September 2020, prior to this commitment "the government (Direction Générale des Impôts) has carried out awareness campaigns on the payment of different types of taxes, through spots on national television. Citizen budgets are also being drawn up for the benefit of citizens, even if they are not sufficiently accessible by all. Unfortunately, governance weakness does not allow to highlight the connection between collection of taxes and provision of public services so as to improve the willingness of citizens to pay taxes."
- ¹⁴⁴ 2017-2019. National Action Plans Project. Open Government Partnership. Ministry of Public Service, Labour, Social Welfare, Government of Burkina Faso, October 2017, in <https://www.opengovpartnership.org/documents/burkina-faso-action-plan-2017-2019/>, P. 40.
- ¹⁴⁵ "2017-2019 Burkina Faso National Action Plan. Implementation Report," Open Government Partnership, Ministry of Public Service, Labour, Social Welfare, Government of Burkina Faso, July 2019, in <http://ogp.gov.bf/documents/rapports/>. Pp, 40-42, 85-86.
- ¹⁴⁶ Adama Ouedraogo, "The origins of tax evasion in Burkina," Libre Afrique, 22 January 2014, in <http://www.librefrique.org/ouedraogo-fiscalite-210114>
- ¹⁴⁷ Moussa Diallo, "Tax evasion: INADES-Formation raises awareness in the Plateau central region," Le Faso, 11 July 2016, in <https://lefaso.net/spip.php?article72208>
- ¹⁴⁸ "Public Finance Report. 2017," General Direction of Studies and Sector Statistics. Ministry of Economy, Finance and Development, Government of Burkina Faso. July 2018, in http://cns.bf/IMG/pdf/rfp_version_final.pdf, p.22.
- ¹⁴⁹ Adama Ouedraogo, "The origins of tax evasion in Burkina," Libre Afrique, 22 January 2014, in <http://www.librefrique.org/ouedraogo-fiscalite-210114>
- ¹⁵⁰ "Control of Neglected Tropical Diseases. Burkina Faso FY 2016. Annual Work Plan," USAID, Hellen Keller, FHI 360, 18 August 2015, in <https://endinfrica.org/wp-content/uploads/2018/04/Burkina-Faso-Work-Plan-FY2016.pdf>, p.2
- ¹⁵¹ "2017-2019 Burkina Faso National Action Plan. Implementation Report," Open Government Partnership, Ministry of Public Service, Labour, Social Welfare, Government of Burkina Faso, July 2019, in <http://ogp.gov.bf/documents/rapports/>. Pp, 40-42, 85-86.
- ¹⁵² Oscar Calvo-Gonzalez, Abel Cruz, and Marco Hernandez, "The ongoing impact of 'nudging' people to pay their taxes," World Bank Blogs, 4 December 2018, <https://blogs.worldbank.org/voices/ongoing-impact-nudging-people-pay-their-taxes>
- ¹⁵³ Ambèternifa Crépin SOMDA, "Tax evasion: A crisis of trust between taxpayers and governments," L'Economiste du Faso, 15 July 2019, in <https://www.leconomistedufaso.bf/2019/07/15/incivisme-fiscal-crise-de-confiance-entre-contribuables-et-gouvernants/>

3. Commitment N° 3: Strengthen transparency in the mining sector

Main Objective

“Issue: Promote accountability to the population for mining activities

Objective: Improve transparency in the mining sector

Expected result: Information on the mining sector is made available to the population,”

Milestones

- Establish the register of beneficial owners of mining companies
- Produce and publish the 2018 EITI report
- Set up an IT platform for collecting and publishing open data on the mining sector
- Simplify the 2018 EITI report
- Translate the 2018 simplified EITI report into local languages (mooré, dioula, fulfuldé, lyélé, dagara, bisia and gourmantchéma)

Editorial Note: For the complete text of this commitment, please see Burkina Faso's action plan at <https://www.opengovpartnership.org/documents/burkina-faso-action-plan-2019-2021/>.

IRM Design Report Assessment	
Verifiable:	Yes
Relevant:	Yes: Access to Information
Potential impact:	Minor

Commitment Analysis

The commitment aims to increase transparency in the mining sector. The commitment intends to develop a platform to collect and publish open data on the extractives sector, produce a general and simplified version of the 2018 EITI report and make it available in different languages. The commitment also includes a register of beneficial ownership companies in the extractives sector.

Burkina Faso's mining sector is often characterized as being opaque. Gold mining accounts for 65.6% of the country's exports¹⁵⁴ and 16% of the country's fiscal revenue.¹⁵⁵ A study revealed that some processes like royalty collection, mineral exports, contract allocation, and customs were the least transparent and sources of corruption. Trackability of funds is one of the main challenges to ensure transparency in the sector.¹⁵⁶ In the context of community dialogues to discuss findings from the Extractives Industries Transparency Initiative (EITI), local authorities and citizens, including youth, expressed the need for further transparency by mayors about how local authorities spend money from gold mining taxes in the communities. They have also called for greater engagement from mining companies in local development discussions.¹⁵⁷ Experts also agree that capacity building is necessary for citizens to analyze and process data.¹⁵⁸ A CSO member involved in its drafting expressed high expectations for this commitment, with the aim of improving transparency and governance in the mining sector and allowing benefits to reach the most disadvantaged population groups.¹⁵⁹

Burkina Faso has been a member of EITI since 2009. EITI's 2017 report provides data on beneficial ownership of 11 out of 21 companies.¹⁶⁰ As part of the country's EITI efforts, it has prepared a roadmap for beneficial ownership, effective from 1 January 2020. The goal is to provide citizens with data on license registers, contracts, and owners of both shares and companies in Burkina Faso's mining sector. Some of the risks identified by EITI validations to the implementation of the roadmap include lack of

financing, poor buy-in by mining companies, poor coordination between institutions involved and lack of reliable information.¹⁶¹ The country currently has a simplified version of EITI's 2017 report, both in French and in local languages.¹⁶² Burkina Faso's EITI reports provide information on the allocation of tax revenue to communities and regions, applicable taxes in the mining sector, licenses and titles granted, old production and exports, money paid by companies to government and money received by the government from companies, job employment per company, and social expenditures per company.¹⁶³

The commitment would not imply a significant improvement in terms of type or quantity of information already available through the EITI report. However, the commitment does signal incremental steps to improve uptake of the data available beyond audiences of EITI reports to engage citizens in general. One component of this commitment worth highlighting is the beneficial ownership registry.¹⁶⁴ As it is conceived in the action plan, it would still be limited to the scope of EITI reporting, which already happens and does not consider measures to mitigate the risks that threaten successful implementation of a beneficial ownership register. This commitment does not include a broader policy and legal reform applicable to the mining sector in the country to be more ambitious. As it has been recommended by EITI evaluations, countries are encouraged to establish beneficial ownership registers, taking into consideration the institutional and legal framework to enable their functionality, identifying the government institution where a register of this type would be owned, the opportunities for synergies between ongoing reforms in the mining sector and the work done through the EITI framework, and ensuring that a register of this kind is publicly available, online, updated and in open formats.¹⁶⁵

To improve implementation of the commitment, the IRM recommends adopting measures to ensure that the Beneficial Ownership register is functional, is known by the public, and individuals can use it. Moving forward, future action plans could continue to expand or focus on this component from this commitment by:

- Expand the scope of companies that participate in EITI to increase buy-in and advance beneficial ownership information of a greater subset of the sector through EITI reporting;
- Develop the legal and institutional framework required to enable disclosure of beneficial ownership of all companies in the sector;
- Work with private sector, civil society organizations and oversight bodies to train and develop guidance that will ensure a standard for data production and collection;
- Conduct validation of data disclosed to reassure reliability of information;
- Seek engagement with [OGP's Beneficial Ownership Leadership Group](#) for peer exchange and technical assistance opportunities that can enhance the overall beneficial ownership framework in Burkina and support actions directed to increase coordination and buy-in for this reform.

¹⁵⁴ "Burkina Faso," Export Enterprises SA, July 2020, <https://import-export.societegenerale.fr/en/country/burkina-faso/trade-country-risk>.

¹⁵⁵ Franza Drechsel, Bettina Engels & Mirka Schäfer, " 'Mines impoverish us': Industrial Mining Exploitation in Burkina Faso", Country Report No 2, Global Change-Local Conflicts, December 2018, in https://www.land-conflicts.fu-berlin.de/_media_design/country-reports/country_report_FRA_BURKINA-FASO.pdf

¹⁵⁶ "Rapport de l'étude sur les perceptions et présomptions de la corruption dans le secteur minier au Burkina Faso," National Network for Anti-Corruption (RENLAC), UNDP, 2014, in <http://renlac.com/download/renlac/autres/RAPPORT-DETUDE-SUR-LES-PERCEPTIONS-ET-PRESOMPTIONS-DE-CORRUPTION-DANS-LE-SECTEUR-MINIER-AU-BURKINA-FASO.pdf>

¹⁵⁷ Tiga Cheick Sawadogo, "Gold mining: In Yalgo, the mayor's concerns and misunderstandings", Le Faso, 4 October 2018, in <https://lefaso.net/spip.php?article85720>

¹⁵⁸ Jean-Paul Van Belle, Danny Lämmerhirt, Carlos Iglesias, Paul Mungai, Hubeidatu Nuhu, Mbongeni Hlabano, Tarik Nesh-Nash, and Sarang Chaudhary, "Africa Data Revolution Report 2018: The Status and Emerging Impact of Open Data in Africa," United Nations Development Programme, United Nations Economic Commission for Africa, World Wide Web Foundation, and Open Data for Development Network, 2019, p. 64.

¹⁵⁹ Anselme Somda (CGD), phone interview, 21 August 2020: "During my experience in the National Transition Council (as a representative of civil society), I was able to observe dysfunctions in the mining sector, largely connected to the lack of transparency and poor governance. In addition, recent scandals in the sector also stem from the lack of transparency. The commitment reflects the desire to improve governance in the mining sector, in particular with a view to ensuring that the benefits go to the most disadvantaged populations."

¹⁶⁰ Burkina Faso 2017 EITI Report (EITI, July 2019), p.55, in https://eiti.org/files/documents/final_bf_report_eiti_2017.pdf. On the basis of the materiality criteria established by EITI, the selection of extractive companies included in the 2017 report included 21 companies. Concerning the actual number of mining companies, Guillaume Dabire (EITI Permanent Secretariat)

replied to an email interview on 26 August 2020: “Under industrial operating permits, there are 17 companies that are actually in operation.”

¹⁶¹ “Burkina Faso, Overview,” EITI Burkina Faso, 24 January 2020, in <https://eiti.org/burkina-faso>

¹⁶² EITI Burkina Faso Report. Exercise 2017. Simplified version, and in local languages. EITI Burkina Faso, 28 April 2020, in <http://www.itie-bf.gov.bf/spip.php?article219>

¹⁶³ “EITI Burkina Faso Report. Exercise 2017. Simplified version. 9th report,” EITI Burkina Faso, September 2019, in http://www.itie-bf.gov.bf/IMG/pdf/rapport_itie_2017_simplifie_vf.pdf

¹⁶⁴ According to EITI / Burkina Faso website, <https://eiti.org/burkina-faso#eiti-reports-and-other-key-documents> (accessed on 23 October 2020): “There is currently no government policy for beneficial ownership disclosure.(...) Burkina Faso published a beneficial ownership roadmap for the publication of beneficial owners in the mining sector by 1 January 2020.” Guillaume Dabire (EITI Permanent Secretariat), replied to an email interview (26 August 2020): “Regarding the register of beneficial owners, it is planned that it can be consulted either on the portal (www.portail.itie.gov.bf) or on the EITI Burkina Faso website (www.itie-bf.gov.bf) once the obligation to disclose and keep the register has been approved.”

¹⁶⁵ Beneficial Ownership Pilot Evaluation Report, EITI, 2015.

4. Commitment N° 4: Implement the reform on the obligation for taxpayers other than politicians to declare interest and wealth

Main Objective

“Issues:

- Ensure sound, effective and efficient management of public resources
- Hold public officials more accountable in the management of public funds

Overall objective: Fight against illicit enrichment of taxable persons other than politicians

Expected results:

- All taxable persons declare their assets in accordance with Law No. 04-2015 / CNT of March 3, 2015 on the prevention and punishment of corruption in Burkina Faso
- Cases of illicit enrichment are detected and the culprits are punished”

Milestones

- “Develop an online reporting platform
- Developing an inquiry and investigative procedures manual
- Validating the latest version of the asset declaration platform
- Notifying the lists of offenders to their direct supervisors for further action
- Making and exhaustive census of taxpayers
- Verifying the sincerity of one hundred (100) asset declarations made
- ASCE-LC capacities building (training, equipment, study trip for State controllers)”

Editorial Note: For the complete text of this commitment, please see Burkina Faso's action plan at <https://www.opengovpartnership.org/documents/burkina-faso-action-plan-2019-2021/>.

IRM Design Report Assessment	
Verifiable:	Yes
Relevant:	Yes: Public Accountability
Potential impact:	Moderate

Commitment Analysis

The commitment seeks to fight illicit enrichment of non-politician taxpayers by strengthening the institutional oversight mechanism. Specifically, to achieve its goal, the government will develop an online platform for internal reporting. As confirmed by a CSO representative involved in the action plan development, the platform is not intended for information disclosure to the public.¹⁶⁶ The commitment also includes capacity building activities for the Higher Authority for Government Oversight and Anti-Corruption (ASCE-LC), the development of investigation guidelines and verification of asset declarations with internal redress actions that would increase detection and punishing of illicit enrichment when identified.

Burkina Faso's legislation criminalizes illicit enrichment, embezzlement, extortion under its penal code.¹⁶⁷ The country's anti-corruption law includes provisions for economic and corruption crimes and introduced the asset declaration regime.¹⁶⁸ Civil servants are required to submit their asset declarations to the Higher Authority for Government Oversight and Anti-Corruption (ASCE-LC). The law applies to members of the executive, legislative and judicial branches, as well as politicians, members of institutions,

independent administrators, territorial communities, specific individuals posted in the civil and military service, the press service, union representatives, and other public agents at the request of the ASCE-LC.

¹⁶⁹ This provision extends to spouses and minor children of civil servants.¹⁷⁰ The law also sanctions cases where declarations are incomplete, false, and not accurate. Civil servants must submit their asset declarations 30 days after assuming and leaving office.¹⁷¹ The law mandates that a list of individuals complying and not complying with the law be published in the official journal.¹⁷²

The government created the ASCE-LC in 2015.¹⁷³ Yet, the ASCE-LC faces significant challenges. The council of ministers has not adopted decrees providing a legal foundation for ASCE-LC to operate appropriately.¹⁷⁴ The ASCE-LC has struggled to compel public officials to submit their asset declarations¹⁷⁵ and requires significant funding to conduct its missions to verify properties and assets. Additionally, it does not have the capacity to process a considerable number of paper-based asset declarations.¹⁷⁶ This commitment responds to this issue with a planned online platform, consistent with the UN's suggestion to digitalize asset declarations.¹⁷⁷

This commitment may also contribute to increasing the number of asset declarations submitted and the compliance with the required information. As per the ASCE-LC's Director, the target number of civil servants who must submit their asset declarations is 13,000.¹⁷⁸ Figures from the most recent available ASCE-LC annual report indicate that the agency received 194 asset declarations in 2017.¹⁷⁹ In addition, the NGO RENLAC found that some asset declarations did not have an explicit reference to the source of revenue or had missing addresses in the case of properties. Additionally, ID data were incomplete, and in some cases, the submissions took place a year after the date of taking office.¹⁸⁰ To encourage asset declaration, some of the activities outlined include verification of declarations, notifying supervisors of officials that do not comply and an exhaustive list of officials required to submit a declaration.

This commitment could represent an important step forward towards addressing the failure to declare assets. However, its milestones are limited in scope, not addressing significant obstacles that prevent taxpayers to fulfil their obligation. The commitment does not include activities seeking to address ASCE-LC's legal challenges, through the adoption of the necessary implementing decrees to make it functional and fix its legal status. Without these changes, the agency is likely to continue facing difficulties, as it has until now, in fulfilling its organizational mandate. Moreover, while one of the commitment's activities aims to develop manuals to guide investigations, no specific activity clarifies the process through which public officials will be held accountable as a result of the verification results.

To improve commitment implementation, the IRM recommends ensuring that there be public access to information on asset declarations, that the ASCE-LC be well equipped to process the asset declarations with the new platform, and that staff be provided with resources to verify the accuracy of asset declarations. The passing of the implementing decrees governing ASCE-LC's organizational structure is key to enabling effective oversight. The IRM suggests strengthening mechanisms to ensure sanctions against officials who fail to submit their asset declarations. One example could be the establishment and strengthening of discipline councils within ministries and government agencies,¹⁸¹ an initiative that the country's 2017-2019 action plan included.¹⁸² The IRM suggests that ASCE-LC consider participatory audits that enable civil society organizations to contribute to verification and oversight efforts. This can contribute to human resource constraints and bring openness to their oversight efforts. The IRM also suggests increasing disclosure of information on declared assets to invite public monitoring.

¹⁶⁶ Harouna Sinon (REN-LAC), email interview, 13 September 2020: "The online platform is a device to allow all liable officials to make their asset declarations online. This format avoids the declaration in paper version, which is difficult to process and above all requires a large filing space. Only the Supreme Authority for State Supervision and Anti-Corruption (ASCE-LC) has access to the information and can use it for audit purposes. Citizens therefore cannot have access to the data on this platform."

¹⁶⁷ Iñaki Albisu Ardigo, "Burkina Faso: Overview of corruption and anti-corruption," U4 Anti-Corruption Resource Centre, Transparency International, 4 November 2019, in <https://www.u4.no/publications/burkina-faso-overview-of-corruption-and-anti-corruption.pdf>, p. 10.

- ¹⁶⁸ Iñaki Albisu Ardigo, “Burkina Faso: Overview of corruption and anti-corruption,” U4 Anti-Corruption Resource Centre, Transparency International, 4 November 2019, in <https://www.u4.no/publications/burkina-faso-overview-of-corruption-and-anti-corruption.pdf>, p.10.
- ¹⁶⁹ Special guide to interest and asset declaration, Higher Authority for Government Oversight and Anti-Corruption, 2 August 2018, in <https://www.asce-lc.bf/index.php/declaration-d-interet-et-de-patrimoine/faq-sur-les-dip>
- ¹⁷⁰ “2019 Country Reports on Human Rights Practices: Burkina Faso,” U.S. Department of State Bureau of Democracy, Human Rights, and Labor, <https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/burkina-faso/>
- ¹⁷¹ Special guide to interest and asset declaration, Higher Authority for Government Oversight and Anti-Corruption, 2 August 2018, in <https://www.asce-lc.bf/index.php/declaration-d-interet-et-de-patrimoine/faq-sur-les-dip>
- ¹⁷² “Law n° 033-2018 / year Amending the Law N° 004-2015 / CNT of 03 March 2015 on the prevention and repression of corruption in Burkina Faso,” Burkina Faso National Assembly, in https://lavoixdujuristebf.files.wordpress.com/2019/05/loi_033_portant_prevention_et_repression_de_la_corruption.pdf
- ¹⁷³ “Burkina Faso. Submission for the adoption of the list of points relating to the second periodic report of Burkina-Faso to the PIDCP. Thematic report on the link between corruption and human rights violations,” Burkina Journalists Association (AJB), Center for Civil and Politic Rights (CCPR), January 2020, in https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/BFA/INT_CCPR_ICSC_BFA_41121_F.pdf, p.3,4.
- ¹⁷⁴ “Burkina Faso. Submission for the adoption of the list of points relating to the second periodic report of Burkina-Faso to the PIDCP. Thematic report on the link between corruption and human rights violations,” Burkina Journalists Association (AJB), Center for Civil and Politic Rights (CCPR), January 2020, in https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/BFA/INT_CCPR_ICSC_BFA_41121_F.pdf, p.5.
- ¹⁷⁵ “Burkina Faso. Submission for the adoption of the list of points relating to the second periodic report of Burkina-Faso to the PIDCP. Thematic report on the link between corruption and human rights violations,” Burkina Journalists Association (AJB), Center for Civil and Politic Rights (CCPR), January 2020, in https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/BFA/INT_CCPR_ICSC_BFA_41121_F.pdf, p.3.
- ¹⁷⁶ Hermann Guingané, “Fight against corruption in Burkina: ‘it lacks a firm and rigorous application of these texts,’ According to Luc Marius Ibriga” <https://www.zoodomail.com/index.php/fr/actualites-associatives/lutte-contre-la-corruption-au-burkina-il-manque-une-application-ferme-et>
- ¹⁷⁷ Conference of the States Parties to the United Nations Convention against Corruption. Review of the implementation of the United Nations Convention against Corruption, UNODC, 17 January 2018, in <https://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/ExecutiveSummaries2/V1800156f.pdf>
- ¹⁷⁸ Oui Koueta, “Fight against corruption: The heart cry of ASCE-LC,” 10 August 2019, in <https://www.burkina24.com/2019/08/10/lutte-anti-corruption-le-cri-du-coeur-de-lasce-lc/>
- ¹⁷⁹ After an extensive search and attempt to engage with ASCE-LC, the IRM did not find an updated report. This information is based on: 2017 Annual General Activity Report, Higher Authority for Government Oversight and Anti-Corruption (ASCE-LC), 2017, in <http://www.ouagafm.bf/wp-content/uploads/2019/01/RGAA-2017.pdf>, p.116.
- ¹⁸⁰ State of corruption in Burkina Faso, RENLAC, 2017, in <http://renlac.com/download/rapports/Rapport-REN-LAC-2017.pdf>, p. 52-53.
- ¹⁸¹ Eliane SOME, “ASCE-LC report: Falling indicators of good governance,” Sidwaya, 4 January 2019, in <https://www.sidwaya.info/blog/2019/01/04/rapport-asce-lc-baisse-des-indicateurs-de-bonne-gouvernance/>
- ¹⁸² “2017-2019 Burkina Faso National Action Plan. Implementation Report,” Open Government Partnership, Ministry of Public Service, Labour, Social Welfare, Government of Burkina Faso, July 2019, in <http://ogp.gov.bf/documents/rapports/>, p. 27.

5. Commitment N° 5: Modernize the civil status system by using the innovative and integrated technological solution "ICIVIL" in the six launching communes (Kaya Nanoro, Soaw, Nouna, Bourasso, Dokuy)

Main Objective

"Issue: Ensure the security of individual data linked to civil status

Objective: To improve the effectiveness and efficiency of the civil registration system

Expected result: Socio-demographic statistics useful for development planning are produced."

Milestones

- Develop and popularize the communication plan in favor of civil status registries in the six launching communes
- Train trainers and stakeholders in the use of ICIVIL software in the six launching municipalities
- Ensure system maintenance
- Launch digitization of civil status registries in a municipality
- Acquire the national server and ICIVIL equipment from the civil status centers of the six launching municipalities

Editorial Note: For the complete text of this commitment, please see Burkina Faso's action plan at <https://www.opengovpartnership.org/documents/burkina-faso-action-plan-2019-2021/>.

IRM Design Report Assessment	
Verifiable:	Yes
Relevant:	Yes: Civic Participation
Potential impact:	Moderate

Commitment Analysis

This commitment seeks to improve the efficiency of the country's system for registering vital statistics. Within 60 days of a child's birth, parents are expected to manually register children in local health units and chief town offices.¹⁸³ However, 23% of births are not registered,¹⁸⁴ which prevents children from attending school and benefiting from social and legal assistance.¹⁸⁵ Many parents are unaware of the registration timeline or procedures,¹⁸⁶ and registration centers are inaccessible to residents of rural areas, who cannot afford to travel.¹⁸⁷ Legal, institutional, and operational issues also produce bottlenecks in the registration system.¹⁸⁸ Without a centralized, efficient state register, registration units usually lack registration forms and struggle to manage archives.¹⁸⁹ Overall, the registration and production of vital statistics is not standardized.¹⁹⁰ A reliable civil register with accurate data on births and deaths is crucial for citizens to access education, employment, social benefits, etc., and can serve as a backbone to democratic processes and help prevent electoral fraud.

In response to this issue, the commitment aims to implement ICIVIL, a platform to facilitate birth registration in Kaya Nanoro, Soaw, Nouna, Bourasso, and Dokuy. The commitment also includes dissemination and capacity-building activities, albeit not specific enough to understand their scope and scale. It foresees carrying out communication campaigns on vital statistics in the selected communities and providing training on the use of the ICIVIL platform. The commitment also intends to ensure system maintenance. This commitment addresses a fundamental element of civic participation. The right and access to birth certification is closely linked to the expression of other rights and increases inclusion of

citizens in public life. It enables citizens to be counted for public services, is essential for the right to identification, education, social welfare, and electoral registration.¹⁹¹

During the 2015-2016 ICIVIL pilot project in ten Ouagadougou maternity wards, the platform led to the registration of more than 3,000 births, with an efficiency rate of 100%.¹⁹² The platform's success has garnered support from multilateral organizations like the World Bank and the UN, and its founders currently foresee implementing the tool across the African region.¹⁹³ In practice, ICIVIL birth registration works as follows: When a baby is born in a medical facility, a unique recognition code is attached to a bracelet on the baby's arm. With the ICIVIL application downloaded on a mobile phone, a nurse scans the code, with no internet connection required. A questionnaire on the newborn's birth data pops up. Once the questionnaire is completed, a coded SMS goes to the ICIVIL central server. The ICIVIL central server processes the SMS, and the nurse gets another SMS on her mobile phone to confirm reception. The newborn's birth data goes to the ICIVIL central server and then to the government's National Centre of Civil Status. The data is then registered and ready for print out, which constitutes a birth certificate. Then, parents can obtain the birth certificate by showing the bracelet.¹⁹⁴

If fully implemented, this commitment could be an important step forward to transition from a non-standardized manual system to a centralized digital system that can increase reliability of the civil register and ensure basic rights to citizens. However, its potential contribution to increasing the number of births registered is limited. Under this commitment, ICIVIL would only be used in 6 out of the country's 351 communes and its usage would only impact children born in medical facilities. However, within these parameters, ICIVIL is an effective tool that could resolve difficulties travelling to registration centers, prevent falsification risks, centralize data within a single platform, facilitate data retrieval, and ease access to birth certificates.¹⁹⁵ This data has the potential to be used for health, legal, business, and ID purposes.¹⁹⁶

To enhance the open government approach to this type of commitment, the IRM recommends that actions be included so that birth registration data is secure, with civil society involvement in developing and implementing safeguards on data use, and publicly available assessments related to the ethics, human rights, and fairness of data processing.¹⁹⁷ In addition to expanding the use of the ICIVIL platform to other communes, the IRM also recommends that future commitments focus on the standardization and accuracy of data in the civil register. This may also include actions to ensure transparency in its management, which can yield benefits in electoral processes.

Finally, future OGP action plans can further contribute to information provision and public awareness on the importance of this issue. According to the Human Rights Council, these two approaches are among the most valuable tools to encourage birth registration. Efforts to support provision of information to facilitate registration must be accessible. This includes information provided in local and simple language, presented in a simple format and readily available at the time of registration and during constant awareness-raising activities. ¹⁹⁸

¹⁸³ "Burkina Faso. Birth Registration," UNICEF, in <https://data.unicef.org/crvs/burkina-faso/>

¹⁸⁴ Samantha Lynch, "Innovative mobile digital identity solutions. Financial inclusion and Birth Registration," GSMA, UK DfID, 2018, in https://www.gsma.com/mobilefordevelopment/wp-content/uploads/2018/07/DI-Companies-Case-Study_v5_WEB_Singles.pdf, p.8; "Civil status in Burkina Faso: the challenge of modernization", Planete Enfants and Development, 17 February 2020, in <https://planete-eed.org/en/2020/02/17/civil-status-in-burkina-faso-the-challenge-of-modernization/>

¹⁸⁵ Morgane Le Cam, "Burkina Faso: to recover their identity, ghost children wait for the civil status to decide between two technologies," Le Monde, 6 February 2017, in https://www.lemonde.fr/afrique/article/2017/02/06/burkina-pour-retrouver-leur-identite-les-enfants-fantomes-attendent-que-l-etat-civil-tranche-entre-deux-technologies_5075271_3212.html

¹⁸⁶ "Fifth Conference of African Ministers responsible for the Registration of Vital Statistics. Modernization of the civil registration system and the compilation of vital statistics in Burkina Faso thanks to the innovation iCivil," African Union, UN, CEA, African Development Bank, APAI-CRVS, Government of Zambia, Lusaka, 14-18 October 2019, in <http://www.apai-crvs.org/sites/default/files/public/CRVS-V-FR-Modernization%20of%20the%20civil%20registration%20and%20vital%20statistics%20system.pdf> p. 1.

¹⁸⁷ Esma Ben Said, "Burkina Faso: The civil status revolution," Anadolu Agency, 27 May 2016, in <https://www.aa.com.tr/fr/afrique/burkina-faso-la-r%C3%A9volution-de-l%C3%A9tat-civil-/579561>

- ¹⁸⁸ Ylkohanno Somé, “Civil status acts: the Burkinabè government advocates for immediate registration,” Fasozone, 27 February 2018, in <http://www.fasozone.com/actualite/politique/3614-actes-d-etat-civil-le-gouvernement-burkinabe-prone-l-enregistrement-immediat.html>
- ¹⁸⁹ “Fifth Conference of African Ministers responsible for the Registration of Vital Statistics. Modernization of the civil registration system and the compilation of vital statistics in Burkina Faso thanks to the innovation iCivil,” African Union, UN, CEA, African Development Bank, APAI-CRVS, Government of Zambia, Lusaka, 14-18 October 2019, in <http://www.apai-crvs.org/sites/default/files/public/CRVS-V-FR-Modernization%20of%20the%20civil%20registration%20and%20vital%20statistics%20system.pdf> p. 1.
- ¹⁹⁰ “Burkina Faso. Birth Registration,” UNICEF, in <https://data.unicef.org/crvs/burkina-faso/>
- ¹⁹¹ “Burkina Faso. Birth Registration,” UNICEF, in <https://data.unicef.org/crvs/burkina-faso/>; “Fifth Conference of African Ministers responsible for the Registration of Vital Statistics. Modernization of the civil registration system and the compilation of vital statistics in Burkina Faso thanks to the innovation iCivil,” African Union, UN, CEA, African Development Bank, APAI-CRVS, Government of Zambia, Lusaka, 14-18 October 2019, in <http://www.apai-crvs.org/sites/default/files/public/CRVS-V-FR-Modernization%20of%20the%20civil%20registration%20and%20vital%20statistics%20system.pdf> p. 3.
- ¹⁹² “Fifth Conference of African Ministers responsible for the Registration of Vital Statistics. Modernization of the civil registration system and the compilation of vital statistics in Burkina Faso thanks to the innovation iCivil,” African Union, UN, CEA, African Development Bank, APAI-CRVS, Government of Zambia, Lusaka, 14-18 October 2019, in <http://www.apai-crvs.org/sites/default/files/public/CRVS-V-FR-Modernization%20of%20the%20civil%20registration%20and%20vital%20statistics%20system.pdf> p. 2; Samantha Lynch, “Innovative mobile digital identity solutions. Financial inclusion and Birth Registration,” GSMA, UK DfID, 2018, in https://www.gsma.com/mobilefordevelopment/wp-content/uploads/2018/07/DI-Companies-Case-Study_v5_WEB_Singles.pdf, p.8.
- ¹⁹³ “iCivil Africa”: a revolutionary application for registering births and making civil registers more reliable” Land of African Business, 12 October 2016, in <https://lelab.info/3115/>
- ¹⁹⁴ “iCIVIL,” ICIVIL in <https://icivil.org/en/home/>; “Integrated solution of declaration of birth and delivery of authentic controllable deeds. Operating principle”, Integral Solution for Birth Declaration and Issuing of Controllable, Authentic Acts. ICIVIL, in https://www.icivil.bf/presentation_2_en.php; Morgane Le Cam, “Burkina Faso: to recover their identity, ghost children wait for the civil status to decide between two technologies,” Le Monde, 6 February 2017, in https://www.lemonde.fr/afrique/article/2017/02/06/burkina-pour-retrouver-leur-identite-les-enfants-fantomes-attendent-que-l-etat-civil-tranche-entre-deux-technologies_5075271_3212.html.
- ¹⁹⁵ Esma Ben Said, “Burkina Faso: The civil status revolution,” Anadolu Agency, 27 May 2016, in <https://www.aa.com.tr/fr/afrique/burkina-faso-la-r%C3%A9volution-de-l%C3%A9tat-civil-/579561>; Samantha Lynch, “Innovative mobile digital identity solutions. Financial inclusion and Birth Registration,” GSMA, UK DfID, 2018, in https://www.gsma.com/mobilefordevelopment/wp-content/uploads/2018/07/DI-Companies-Case-Study_v5_WEB_Singles.pdf; “What is iCIVIL?” Integral Solution for Birth Declaration and Issuing of Controllable, Authentic Acts. ICIVIL, in https://www.icivil.bf/presentation_en.php.
- ¹⁹⁶ “Fifth Conference of African Ministers responsible for the Registration of Vital Statistics. Modernization of the civil registration system and the compilation of vital statistics in Burkina Faso thanks to the innovation iCivil,” African Union, UN, CEA, African Development Bank, APAI-CRVS, Government of Zambia, Lusaka, 14-18 October 2019, in <http://www.apai-crvs.org/sites/default/files/public/CRVS-V-FR-Modernization%20of%20the%20civil%20registration%20and%20vital%20statistics%20system.pdf> p. 2.
- ¹⁹⁷ “A Guide to Open Government and the Coronavirus: Privacy Protections,” Open Government Partnership, 12 May 2020, <https://www.opengovpartnership.org/documents/a-guide-to-open-government-and-the-coronavirus-privacy-protections/>.
- ¹⁹⁸ Human Rights Council, Birth Registration and the right of everyone to recognition everywhere as a person before the law, Twenty-seventh session, pages 17-35.

6. Commitment N° 6: Operationalize the system for recording and processing complaints and suggestions in public administration

Main Objective

"Issue: Citizen participation in improving the quality of public service, improving transparency and accountability in public administration

Overall objective: Improve the quality of public service delivery

Expected result: The complaints recording and processing system is operational in three pilot departments."

Milestones

- "Organize consultations with the ministries to identify the three pilot ministries
- Draw up a decree on the powers, organization and functioning of the General Secretariat by integrating the component of complaint management
- Acquire office and computer equipment
- Ensure connection to the Internet network of reception services
- Upgrade the platform to take new features into account
- Provide training for actors responsible for managing user complaints
- Develop a complaint handling guide
- Initiate communication and information actions (radio and TV spots, production of brochures, flyers, radio and TV shows, dedicated pages on social networks, insertion in newspapers)
- Organize a communication, information and awareness campaign about the system in the 13 regions of Burkina Faso"

Editorial Note: For the complete text of this commitment, please see Burkina Faso's action plan at <https://www.opengovpartnership.org/documents/burkina-faso-action-plan-2019-2021/>.

IRM Design Report Assessment	
Verifiable:	Yes
Relevant:	Yes: Civic Participation
Potential impact:	Minor

Commitment Analysis

This commitment aims to improve service delivery in three government ministries by ensuring that their complaint processing systems are operational. Bertelsmann Stiftung reports citizen dissatisfaction with government provision of water, electricity, education (particularly secondary schools and universities), health care, and road upkeep.¹⁹⁹ However, despite the Strategic Plan to Modernize Management, by the end of 2017, no citizen complaints had been processed (failing to achieve a 50% target), given that only 127 out of 2,845 government buildings had reception service units, 47 of which were not functional.²⁰⁰

Under commitment 5 of Burkina Faso's first National Action Plan 2017-2019, a platform was developed²⁰¹ for submission of citizen complaints on access to service, quality of service, and user satisfaction.²⁰² The Council of Ministers passed a decree to adopt this platform in February 2019,²⁰³ and the Ministry of Public Service, Labour, and Social Welfare launched the platform a month later. The Secretariat for Good Governance convened a workshop in April 2019 to train representatives from

ministerial departments on the use of the platform.²⁰⁴ In the first action plan, the commitment did not succeed in establishing further reception service units or passing a law governing the establishment of committees to oversee and process complaints within each ministry.²⁰⁵

Under the current action plan, this commitment plans to launch the complaint platform developed under the previous action plan in three pilot ministries.²⁰⁶ Reception service units are meant to centralize these complaints and forward them to the General Secretary. Then, relevant agencies must submit a response within a 10-day window. The commitment seeks to raise public awareness of the platform through social and traditional media campaigns in the country's 13 regions. The commitment also envisages training civil servants²⁰⁷ to process complaints, ensuring access to the internet for reception service units, and updating the platform with new functionalities. Also, the commitment seeks to issue a decree regulating the General Secretariat's management of complaints. The General Secretariat in each ministry needs to integrate complaints' management services into their organization charts through specific implementation decrees, setting up the services in charge of handling complaints.²⁰⁸ A World Bank representative considered that "this will increase the responsiveness of the General Secretariat and the control of government services."²⁰⁹ This commitment is consistent with the OGP value of civic participation, as it aims to increase public engagement with the service delivery of ministries.

This commitment seeks to operationalize the complaint platform's supply side by enhancing the technical and procedural capacities of reception service units as well as its demand side by undertaking a communication campaign to publicize and encourage the use of the platform by citizens. While a positive step, its potential is incremental for a few reasons. Citizens require email accounts to use the platform, therefore usage may be limited. Surveying on ICT in Burkina Faso has shown that more than half of respondents do not have an email account and 90% are unfamiliar with bureaucratic online tools.²¹⁰ Additionally, it is not clear whether the reception service units will have the capacity to handle complaints. The commitment makes the assumption that citizen engagement with the platform will produce pressure on the government to improve public service delivery. Yet, the commitment does not include an enforcement mechanism to ensure effective follow-up on complaints, an oversight that could produce unsustainable results.²¹¹ In the past, NGOs, media, think tanks, and government agencies have denounced irregular practices, but civil servants have gone unpunished.²¹² Finally, the commitment targets 3 out of 28 ministries and it is not clear how this plan would be implemented further.

For commitment implementation, the IRM recommends putting particular emphasis on the communication/socialization campaign to ensure buy-in and effective use of the complaints platform by the public, as citizens are unfamiliar with this tool.²¹³ The IRM recommends improving the platform's functionality on mobile phones, given that 97% of the country's population has mobile phone connections.²¹⁴ The IRM suggests ensuring that during implementation, the coordinating government institution monitor and process data on the rate of response to complaints, bottlenecks in the response process that incentivize consistency, quality assurance and compliance with the stipulated timeframe (10 days) of response to complaints. Failure to do so may result in the platform being underused or not used at all.

For future action plans, the IRM recommends including stronger accountability elements that allow for public monitoring of the number of complaints received and effectively processed, like making institutional response rates public, with information on type of complaints and what corrective actions have been put in place to address the reasons for complaints. This may increase trust and engagement as citizens see the benefits of using tools like this one. Additionally, the IRM recommends adopting a decree instituting follow-up committees within the ministerial departments and agencies that can support complaint management.

7. Commitment N° 7: Improving access of vulnerable people to the Legal Aid Fund

Main Objective

“Issue: Provide financial assistance to the maximum of vulnerable people for access to justice

Overall objective: To contribute to better access of vulnerable people to justice

Expected results:

- The fund envelope has increased from 170,000,000 FCFA to 300,000,000 FCFA
- The number of people assisted by the fund has increased from 600 to 1,000.”

Milestones

- “Increase the endowment of the fund from 170,000,000 FCFA to 300,000,000 FCFA
- Develop a resource research and partnership document
- Review Decree n° 2016-185 on the organization of legal assistance in Burkina Faso with a view to integrating new categories of vulnerable people
- Facilitate 2 awareness sessions in each of the 25 remand and correctional houses (MAC) for prisoners
- Organize 25 awareness sessions on the existence of the fund (radio programs in 25 provinces)
- Train 30 members of legal aid commissions
- Train 25 focal points in remand and correctional centers”

Editorial Note: For the complete text of this commitment, please see Burkina Faso’s action plan at <https://www.opengovpartnership.org/documents/burkina-faso-action-plan-2019-2021/>.

IRM Design Report Assessment	
Verifiable:	Yes
Relevant:	Yes: Public Accountability
Potential impact:	Moderate

Commitment Analysis

This commitment aims to increase access to justice for vulnerable citizens. Current constraints include misunderstanding of legal procedures, mistrust for the judicial system, lack of geographic proximity, language barriers,²¹⁵ and finances. Vulnerable citizens often cannot afford to hire lawyers.²¹⁶ The Government of Burkina Faso adopted a decree to organize a framework for providing legal assistance in 2009²¹⁷ and created the Legal Assistance Fund (LAF) in 2015,²¹⁸ governed by decree No. 2016-185.²¹⁹ Beneficiaries include human trafficking victims; individuals in conflict with the law or whose parents are homeless; individuals whose lives have been harmed or who are under life threatening circumstances; individuals who were tortured by civil servants. The decree also grants benefits to parents and widows with economic constraints, and to homeless people who can certify such status. The benefit may be total or partial and it may include all representation fees. Beneficiaries can lose assistance in the case where their finances are deemed to be sufficient to afford legal representation or if the beneficiaries are found to have obtained the benefit with false documentation.²²⁰ Overall, LAF’s operational capacity is compromised by inadequate funding.²²¹ The Government has prioritized increasing LAF’s capabilities, conducting awareness-raising campaigns with citizens on the existence of the fund, and forecasting the potential expenses for legal proceedings.²²²

Commitment 3 of Burkina Faso’s 2017-2019 National Action Plan increased LAF’s budget from F CFA 100,000,000 to 170,000,000 (missing a target of 200,000,000)²²³ and its number of beneficiaries from 97

to 600 (surpassing a target of 200 beneficiaries).²²⁴ Additionally, 28 awareness-raising sessions were held and the Ministry of Justice issued a document advocating for the budget increase.²²⁵ However, a review of legislation governing legal assistance was not completed.²²⁶ According to the Ministry of Public Service, Labour, and Social Welfare, the main obstacles to implementation were delayed budget allocation and inaccurate forecasting of legal expenses.²²⁷

This commitment builds on the previous action plan's progress. The commitment intends to increase the LAF budget from F CFA 170,000,000 to 300,000,000 and increase the number of beneficiaries from 600 to 1000 by January 2021. The commitment includes milestones to explore alternatives for resources and revise the legislation governing legal assistance to ensure greater inclusion of vulnerable populations. The commitment plans to conduct awareness campaigns in prisons and 25 provinces. Activities also seek to provide training to 30 members of legal assistance commissions and 25 focal points in correction centers. This commitment is relevant to the OGP value of public accountability, in that it extends access to justice to vulnerable citizens through legal aids that facilitate recourse mechanisms to process their grievances.

If fully implemented, this commitment could have a significant impact on providing vulnerable citizens with access to justice. The commitment seeks to attain a 67% increase in the number of LAF beneficiaries and a 76% increase in the LAF budget. Under this commitment, LAF could provide assistance to approximately 52% of the total projected caseload for 2019-2021 (1,000 out of 1,916 projected cases), a substantial increase from 29% coverage during the first half of 2019 (138 out of 479 cases).²²⁸ Additionally, this commitment seeks to address some of the previous action plan's implementation gaps, including milestones to find new resources and revise Decree N° 2016-185 to expand LAF's potential beneficiaries. The commitment also foresees extending outreach to detention centers, which is an important innovation of the current action plan. In terms of province-level awareness campaigns, planned geographic coverage is intended to reach more than half of Burkina Faso (25 out of 45 provinces).

For successful implementation, timely disbursements to LAF need to be prioritized. In addition to continuing the expansion of coverage and resources, a future commitment could consider evaluations that help identify factors that may be preventing citizens from applying for legal assistance to address them in the program's design. The IRM also recommends continuing to improve access to information about laws and procedures to enable individuals to identify their legal needs, identify sources of legal advice, and help themselves. It could also be valuable to fund and launch training programs for legal aid lawyers, paralegals, and pro bono volunteers to improve their legal skills and knowledge in legal areas impacting low-income and underserved individuals.²²⁹

¹⁹⁹ "BTI 2020 Country Report – Burkina Faso," Gütersloh: Bertelsmann Stiftung, 2020.

²⁰⁰ "Ten-year strategic plan for modernizing the administration (PDSMA) 2011-2020. Annual Report 2017," Ministry of Public Service, Labour and Social Welfare, Government of Burkina Faso, May 2017, in http://spma.gov.bf/RAPPORT_ANNUEL_PDSMA%202017.pdf, p.19.

²⁰¹ "Your complaints on-line" in <http://www.plainte.gov.bf/>

²⁰² Kadi RABO, "The platform for complaints from users of public services," Ouaga, 6 March 2019, in <http://news.aouaga.com/h/122665.html>

²⁰³ Rémis Fulgance DANDJINO, "Council of Ministers of February 06, 2019: a system for recording and processing complaints and suggestions from users of Burkina Faso's ministries and institutions," Labor Presse, 7 February 2019, in <https://www.laborpresse.net/conseil-des-ministres-du-06-fevrier-2019-un-dispositif-denregistrement-et-de-traitement-des-plaintes-et-des-suggestions-des-usagers-des-ministeres-et-institutions-du-burkina/>

²⁰⁴ Kadi RABO, "The platform for complaints from users of public services," Ouaga, 6 March 2019, in <http://news.aouaga.com/h/122665.html>

²⁰⁵ "2017-2019 Burkina Faso National Action Plan. Implementation Report," Open Government Partnership, Ministry of Public Service, Labour, Social Welfare, Government of Burkina Faso, July 2019, in <http://ogp.gov.bf/documents/rapports/>

²⁰⁶ As Sidi Barry explained, "this commitment responds to a logic of continuity. The first action plan aimed at putting the platform in place. This second plan looks at correcting the observed dysfunctions and implementing the complaints management system. We are testing it in pilot ministries and then will assess its generalization to all ministries." Sidi Barry (SP-MABG), phone interview, 28 August 2020.

- ²⁰⁷ “The training targets are: reception services of (3) pilot ministries, General Secretariat of (3) pilot ministries, all technical departments (including heads of department), technical inspection of services, ministry officials in general.” Sidi Barry (SP-MABG), phone interview, 28 August 2020.
- ²⁰⁸ “The 2016 decree (Decree No. 2016 027 / PRES / PM / SGGCM of 23 February 2016 on the standard organization of ministerial departments) provides for the creation of the reception and information desk (in each ministry), but does not provide for the reception and management of complaints from public service users. It is now necessary to reform the implementation decrees, which identify what services need to be put in place to deal with complaints. The process of complaints reception and management is as follows: Complaint -> Reception desk-> General secretary (responsible for technical services) -> file assigned to corresponding department. The MFPTPS sent a letter to 5 pilot ministries (Public Service, Health, National Education, Justice, Transports) with guidance for reviewing the implementation decree. The implementation decree of the Ministry of Public Service has already been drafted and is in the process of being signed. It also serves as a model for other ministerial departments.” Sidi Barry (SP-MABG), phone interview, 28 August 2020.
- A World Bank representative reported that “at the level of the Ministries of Education and Health, the governance and citizen participation project financed the establishment of the Customer Service Units instituted in the General Secretariat organization chart. They have actually started to receive and process complaints. As of the end of July, 40 complaints have been received; Health and Education have received 5 and 35 respectively). With the exception of one health-related complaint, all others have been dealt with. Another test of setting up a reception service is being rolled out within the Ministry of Public Service.” Ousmane Kolie (World Bank), 16 August 2020.
- ²⁰⁹ Ousmane Kolie (World Bank), 16 August 2020. Also, regarding punitive measures for public servants who fail to effectively address citizen complaints, “specific sanctions are not provided for. However, conversations are underway to analyze the convenience of establishing specific sanctions. Law 081 (Law 081-2015 / CNT dated 24 November 2015 on General Civil Service Regulations) governing the general status of public officials includes an accountability system which is valid for any file, including the management of user complaints, so that the hierarchical superior can initiate an administrative procedure against the defaulting officials which could end up in a sanction.” Sidi Barry (SP-MABG), phone interview, 28 August 2020.
- ²¹⁰ “Study on the expansion and uses of ICT in Burkina Faso in 2018,” BAAS Consulting, ISCOM, Le Faso, March 2019, in http://www.iscom-bf.net/IMG/pdf/etude_sur_l_expansion_des_tic_au_burkina_faso_iscom_lefaso.net_obaas.pdf, p.20.
- With a different perspective, Mamadou BANDAOGO, Director of Regulation and Promotion of the virtual window of public administration, declared in a phone interview on 20 August 2020 that “with optical fiber, today the network coverage is wide. In addition, a majority of the population uses cell phones and can access the internet this way.”
- ²¹¹ “Annex II: Background Literature Review for Strategic Framework for Mainstreaming Citizen Engagement in WBG Operations” World Bank, in http://documents.worldbank.org/curated/en/266371468124780089/071652160_201411345003756/additional/929570WVP0Box380ategicFrameworkforCE.pdf, p.96.
- ²¹² Saâhar-Iyaon Christian Somé Békuoné, “Platform for receiving and processing complaints from users of the public service: A means of control for users”, Radars Info Burkina, 8 March 2019, in <https://www.radarsburkina.net/index.php/fr/societe/1151-plateforme-de-reception-et-de-traitement-des-plaintes-des-usagers-du-service-public-un-moyen-de-controle-pour-les-usagers>
- ²¹³ Sidzabda, “Platform for recording and processing citizens 'complaints and suggestions,” Le Pays, 11 February 2019, in <http://lepays.bf/plateforme-denregistrement-et-de-traitement-des-plaintes-et-suggestions-des-citoyens/>
- ²¹⁴ Boukary Zorom, “Burkina Faso: Digital and Social Media Statistics in January 2020” Le Kiosque Digital du Burkina, with data from We Are Social and Hootsuite, 24 February 2020, in <https://lekiosquedigitalduburkina.com/2020/02/24/burkina-faso-statistiques-sur-le-digital-et-les-medias-sociaux-en-janvier-2020/>
- ²¹⁵ Implementation of the national pact for the renewal of justice. Action plan, ministry of justice, human rights and civic promotion (2015 - 2019), Government of Burkina Faso, April 2016, in <http://www.justice.gov.bf/wp-content/uploads/2017/01/Plan-dAction-pacte-du-09-06-2016-Version-d%C3%A9finitive.pdf>, p.21-22.
- ²¹⁶ Implementation of the national pact for the renewal of justice. Action plan, ministry of justice, human rights and civic promotion (2015 - 2019), Government of Burkina Faso, April 2016, in <http://www.justice.gov.bf/wp-content/uploads/2017/01/Plan-dAction-pacte-du-09-06-2016-Version-d%C3%A9finitive.pdf>, p.21-22.
- ²¹⁷ <https://lefaso.net/spip.php?article86155>
- ²¹⁸ “Voluntary national report on the implementation of sustainable development goals (2016-2018),” United Nations, Government of Burkina Faso, June 2019, in https://sustainabledevelopment.un.org/content/documents/23390Burkina_Faso_VNR_FINAL.pdf, p.88.
- ²¹⁹ Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, United Nations, 1 November 2019, in <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkGld%2FPPRiCAqhKb7yhso9padiGPLZnL2Rh4yZ5rk3BvfgSjvvYPsYwZDMZYPFjVpEeazNOVQsleCGtKlt05zkWd3%2BQl8PnBNNKFlvjWPFi5tUpEhtVDrVIYAyzGmBKS8zWyWVFevq34du5tQkaA%3D%3D>
- ²²⁰ “The Burkina Faso Jurisdictions Virtual Reception Office,” Ministry of Justice, in <http://infos-pratiques.justice.gov.bf/fonds-dassistance-judiciaire/>
- ²²¹ CSM, “The judiciary in Burkina Faso: what can we know?” Zoodomail, in <https://www.zoodomail.com/index.php/fr/justice/l-appareil-judiciaire-au-burkina-faso-que-peut-savoir>
- ²²² Implementation of the national pact for the renewal of justice. Action plan, ministry of justice, human rights and civic promotion (2015 - 2019), Government of Burkina Faso, April 2016, in <http://www.justice.gov.bf/wp-content/uploads/2017/01/Plan-dAction-pacte-du-09-06-2016-Version-d%C3%A9finitive.pdf>, p.21-22.
- ²²³ “2017-2019 Burkina Faso National Action Plan. Implementation Report,” Open Government Partnership, Ministry of Public Service, Labour, Social Welfare, Government of Burkina Faso, July 2019, in <http://ogp.gov.bf/documents/rapports/>, p.60.

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- ²²⁴ “SUMMARY RECORD OF THE PLENARY SESSION OF THURSDAY, MAY 02, 2019,” Burkina Faso National Assembly, 2 May 2019, in <https://www.assembleenationale.bf/spip.php?article1036>
- ²²⁵ “2017-2019 Burkina Faso National Action Plan. Implementation Report,” Open Government Partnership, Ministry of Public Service, Labour, Social Welfare, Government of Burkina Faso, July 2019, in <http://ogp.gov.bf/documents/rapports/> ., p. 17-18
- ²²⁶ “2017-2019 Burkina Faso National Action Plan. Implementation Report,” Open Government Partnership, Ministry of Public Service, Labour, Social Welfare, Government of Burkina Faso, July 2019, in <http://ogp.gov.bf/documents/rapports/> .,p,59.
- ²²⁷ “2017-2019 Burkina Faso National Action Plan. Implementation Report,” Open Government Partnership, Ministry of Public Service, Labour, Social Welfare, Government of Burkina Faso, July 2019, in <http://ogp.gov.bf/documents/rapports/> . p..60.
- ²²⁸ The Ministry of Justice reported that during the first half of 2019, LAF covered 138 cases, representing 28.83% of the total caseload. Extrapolating from this report, there were 479 total cases during the first half of 2019 ($138 \times 100 / 28.83$), meaning that there would be a projected 1,916 total cases for the two-year period of 2019-2021 (479×4). These calculations are based on data from “Burkina: 138 people assisted by the Legal Aid Fund in six months (Minister),” Burkina Information Agency, 31 July 2019, in <https://www.aib.media/2019/07/31/burkina-138-personnes-assistees-par-le-fonds-dassistance-judiciaire-en-six-mois-ministre/>.
- ²²⁹ “Justice Policy Series Part I: Access to Justice,” Open Government Partnership Global Report, Open Government Partnership, 20 September 2019, <https://www.opengovpartnership.org/documents/justice-policy-series-part-i-access-to-justice/>.

8. Commitment N° 8: Increase the socio-economic empowerment of young people and women

Main Objective

“Challenge: Increase the resilience of women and young people in order to make them key players in development

Overall objective: To empower women and young people in order to make them actors of wealth production

Expected results:

- 5000 businesses are created by women and young people
- 10,000 women and young people are trained to create jobs and businesses,
- 1000 agro-sylvo-pastoral production groups are transformed into agricultural cooperatives”

Milestones

- “Organize awareness and training sessions in entrepreneurship to the profile of 100,000 young people and women
- Organize an information campaign in the thirteen regions on the empowerment of youth and women
- Organize thirty training sessions for women and young people in the creation of an agricultural cooperative
- Finance 20,000 youth projects through the department's funds, projects and programs
- Train 1000 young people and women in small trades (IGA)
- Place 15,000 young people and women graduates in internships
- Train at least 10,000 job seekers in ERT, applied ICT
- Train 1300 young people and women to obtain a driving license
- Provide 60 young people and women with installation kits and working capital
- Coach 5000 young people and women who are beneficiaries of funding and installation kits”

Editorial Note: For the complete text of this commitment, please see Burkina Faso’s action plan at <https://www.opengovpartnership.org/documents/burkina-faso-action-plan-2019-2021/>.

IRM Design Report Assessment	
Verifiable:	Yes
Relevant:	Yes: Civic participation
Potential impact:	Moderate

Commitment Analysis

This commitment seeks to empower women and youth to develop economic independence. It includes milestones to raise awareness, build capacity, and fund youth and women’s entrepreneurship, with implementation planned for January 2020 to June 2021. Activities aim to raise awareness on entrepreneurship and youth and women’s empowerment. They also plan to offer capacity building for women and youth on agricultural cooperatives, small trade, driving, job search skills, and information and communication technology, as well as internship placements. An additional activity intends to fund 20,000 youth projects with F CFA 2,863,944,000.

This commitment is relevant to the OGP value of civic participation, as it seeks to enhance economic inclusion of women and youth. However, it does not fully leverage an enhanced open government approach, as the commitment was designed to continue the government's 2017-2020 Economic Empowerment of Youth and Women Program (PAE/JF).

This commitment appears to be an extension of PAE/JF, given that its implementation period overlaps with the final year of PAE/JF, and then continues an additional year. PAE/JF was a three-year government program launched in June 2017. This program aimed to finance 30,000 small businesses, build capacity for 30,000 women and youth, and directly create 90,000 jobs as well as 100,000 indirect jobs.²³⁰ According to the PAE/JF Coordinator, in 2017 and 2018, 21,173 small businesses were funded out of a forecast of 20,000, and in 2019 10,114 small businesses received 4,546,617,000 FCFA in funding.²³¹ Some of the eligibility criteria for beneficiaries were access to a mentor, a profitable business venture, potential to create jobs, the willingness to attend training sessions, lack of access to a revenue source or loan, and willingness to accept the government's guidance and follow-up.²³²

Cumulatively, this commitment and PAE/JF could be an important step forward for women and youth entrepreneurship and employment in Burkina Faso. Although this commitment continues ongoing work that has happened largely outside of the OGP framework, it responds to women and youth's continued need for capacity building and funding. According to International Labor Organization modeling, in 2019, labor force participation rates for women (58.3%) and youth (51.3%) lagged behind men (74.8%), while unemployment rates for women (9.2%) and youth (8.3%) surpassed men (3.9%).²³³ The profusion of applicants to PAE/JF funding opportunities also illustrates the continued needs of beneficiaries. For example, in 2018, only 11,049 of 77,022 applicants were able to receive funding.²³⁴ In terms of this commitment's overall approach, it must be noted that randomized control trials in Bosnia, Ethiopia, India, Mexico, Morocco, and Mongolia have found that microfinance has a moderately positive, but not transformative effect on reducing poverty or improving living standards.²³⁵

For commitment design purposes, the IRM recommends strengthening the application of open government principles, for example by adding actions to disclose more information about the selection process of proposals; a participatory approach to ease barriers to financial access. Future efforts could address other structural barriers of economic inclusion like lack of education or preparation to submit a business proposal. As such, it could be beneficial to integrate a beneficiary council responsible to aid applicants in improving the quality of proposals. In terms of implementation oversight, the IRM recommends disaggregating businesses supported and beneficiaries trained by gender and age, as well as tracking the number of beneficiaries who succeed in finding employment or creating jobs.

²³⁰ "Results," Economic Empowerment of Youths and Women Program (PAE/JF), Ministry of Youth and promotion of youth entrepreneurship, in <https://www.paejf.bf/paejf/#cible>

²³¹ PAE/JF Burkina, 27 December 2019, https://www.facebook.com/pg/paejf/posts/?ref=page_internal

²³² "Registrations," Economic Empowerment of Youths and Women Program (PAE/JF), Ministry of Youth and promotion of youth entrepreneurship, in <https://www.paejf.bf/inscriptions/>

²³³ "World Development Indicators," World Bank, <https://databank.worldbank.org/reports.aspx?source=2&country=BFA> (accessed 20 July 2020).

²³⁴ "Call for projects, 2018 PAE / JF edition results: 11,049 files selected," Economic Empowerment of Youths and Women Program (PAE/JF), Ministry of Youth and promotion of youth entrepreneurship, 14 February 2019, in <https://www.paejf.bf/resultats-de-lappel-a-projets-edition-2018-du-pae-jf-11-049dossiers-selectionnes/>

²³⁵ Abhijit Banerjee, Dean Karlan, and Jonathan Zinman, "Six Randomized Evaluations of Microcredit: Introduction and Further Steps," *American Economic Journal: Applied Economics* 7:1, 2015.

9. Commitment N° 9: Increase the representation of women in decision-making spheres

Main Objective

“Issues:

- Promote participatory and inclusive development centered on the major concerns of women
- Encourage and promote the candidacies of women in decision-making spheres

Overall objective: Reduce gender inequalities by involving women in decision-making relating to their development

Expected results:

- The number of women elected / appointed in decision-making spheres is increased;
- The elected women are sufficiently equipped to carry the demands relating to the improvement of their living conditions.”

Milestones

- “Advocate for the adoption of the gender quota law in legislative and municipal elections in Burkina Faso
- Organize awareness and advocacy campaigns in the 13 regional capitals with women on their political and civic duty
- Organize awareness and advocacy campaigns in the 13 regional capitals among political parties and formations for the training of activists and for their positioning on the candidate lists
- Organize advocacy sessions with public authorities to respect their commitments in connection with increasing the representation of women in decision-making spheres
- Strengthen the capacities of women in leadership and political participation in the 13 regional capitals”

Editorial Note: For the complete text of this commitment, please see Burkina Faso’s action plan at <https://www.opengovpartnership.org/documents/burkina-faso-action-plan-2019-2021/>.

IRM Design Report Assessment	
Verifiable:	Yes
Relevant:	Yes: Civic Participation
Potential impact:	Moderate

Commitment Analysis

Burkina Faso has a legislative and institutional framework that encourages civic engagement of women in political affairs. Article 12 of the country’s 1991 Constitution enshrines the right of any citizen to participate in public affairs, to elect and be elected.²³⁶ The country adopted a national policy on gender in 2009²³⁷ and law for a gender quota that same year.²³⁸ The Law of 2009 sets out a mandatory quota of 30% to benefit both women and men in legislative and municipality elections.²³⁹ Article 154 of the 2015 Electoral Code makes it mandatory to include at least one candidate of either sex in the candidate lists.²⁴⁰ The country’s development plan includes gender equality²⁴¹, and the Permanent Secretariat of the National Council for the Promotion of Gender (SP/CONAPO-Genre) coordinates the national policy on gender with all ministries and government agencies.²⁴²

Despite the country's legal framework for gender inclusion in public affairs, inclusion is still weak. Progress has been slow and lengthy over the years. When the reform process began, the number of women deputies was 4 out of 107 (3.73%) back in the 1992-1997 period; most recently 14 out of 127 (11.02%) in the 2015-2020 period.²⁴³ Seven women were part of the government in 2016 (24.13%)²⁴⁴ while the number of women members in the government's cabinet selected in January 2019 was 7 out of 32 (21.8%).²⁴⁵

The commitment seeks to reduce gender gaps and achieve higher engagement of women in decision-making positions by raising the number of women elected in political positions and women nominated in government. The commitment includes advocacy and awareness-raising activities. The focus of these advocacy activities will be to train women about their political and civic rights. Some advocacy activities will take place within political parties to provide capacity training to improve their placement in candidate lists. Other advocacy activities will engage political powers to ensure greater representativeness for women and call for respect of engagements on gender inclusion. The commitment will also provide training on the political participation of women in 13 regions.

Cultural factors, socioeconomic constraints, and political regulations are some of the reasons preventing women from fully engaging in public affairs. Women will only run for office if their husbands allow it.²⁴⁶ Some citizens believe that women have followed traditions, and the status quo should not be changed.²⁴⁷ Therefore, women's engagement in politics is not well seen.²⁴⁸ Politics is considered as being an exclusive field for men, and women face social pressure if they engage in politics.²⁴⁹ On the other hand, the lack of political will to implement available legislation, particularly the gender quota law²⁵⁰, has also affected women's participation.

In some cases, there are difficulties in interpreting the law, and effective sanctions are not applied.²⁵¹ Women are not well positioned in candidate lists. They are usually placed at the bottom. Although the law requires 30% of women included on the lists, it does not guarantee that 30% of women will be effectively elected.²⁵² Lack of financial resources to run for office²⁵³ and lacking support once women are elected also discourages women's engagement in politics.²⁵⁴

CSOs, women organizations, political men and women figures, and political parties have conducted multiple awareness-raising and advocacy initiatives, particularly since the 2000s. These resulted in the adoption of the 2009 gender quota law.²⁵⁵ Women activists have called on the government to ensure women representation in public affairs.²⁵⁶ The president and the National Assembly have discussed gender inclusion and held dialogues to empower women in public life.²⁵⁷ Experts stress that the 2009 quota law poses three key challenges: applicability restricted to elections only, lack of strong sanctions, and no explicit mentions about the placement of women candidacies in party lists.²⁵⁸ The government has discussed the implementation of a new bill seeking to make adjustments to the quota law. It provides for an economic stimulus to parties complying with the quota, but no sanctions for non-compliance.²⁵⁹ In January 2020, the National Assembly passed a gender quota law that sets out provisions for placement of women in candidate lists for legislative and municipal elections. The law provides for such placement at the top for at least 30% of candidates of different gender and is alternated; man-woman or vice versa. The law provides for economic benefits for those parties complying with the quota law.²⁶⁰ The bill is awaiting approval by the president.²⁶¹

This commitment is well placed to complement the implementation of the new law and addresses some of the elements experts suggest are the key challenges to the 2009 (current) law. The government representative in charge of gender policy was confident that the commitment's activities pursued an upstream and parallel work towards building engagement for the new quota law. Specifically, training and awareness-raising activities could have an impact in several aspects such as examining the limitations of the 2009 law and identifying obstacles that hinder its reform, gather support from political parties and involve political leaders in the process of reviewing the law, or better position women candidates in electoral lists, among others.²⁶²

The adoption of the law would be significant to strengthen the legal framework with new compliance checks, however, given that quota laws already exist and women's participation is still below the

required percentage, it is unlikely that the same approach could yield transformational effects given that the new law does not include explicit sanctions for non-compliance which has been a key weakness pointed out by experts. Therefore, fully implementing this commitment could represent a major step forward, but it is limited by existing challenges in the legal framework.²⁶³

For future action plans, the IRM recommends addressing other barriers preventing women's engagement in public life. For instance, the commitment could include activities to promote citizenry education with an emphasis on gender equality in the nation's education system.²⁶⁴ The commitment could also call for reforms to ensure a special fund²⁶⁵ to support women's candidacies and consider allowing women to run for office as independent candidates.²⁶⁶ Increasing opportunities for women to use media would also be useful.²⁶⁷ The commitment could also adopt measures to ensure greater inclusion of women and girls in education initiatives (schooling).²⁶⁸ In addition, it could call for ambitious advocacy campaigns with the population to provide support for women in their innermost social circles and provide for support networks once women are elected.²⁶⁹ Lastly, ensuring that sanctions are imposed for non-compliance with the quota law and reforming the methodologies of political parties that exclude women is critical.

²³⁶ Alice Tiendrébéogo-Kaboret, "Burkina Faso: Obstacles to women's participation in parliament," Observaction, September 2015, in <http://www.observaction.info/wp-content/uploads/2015/09/etude-de-cas-Burkina.pdf>

²³⁷ "State of development of women's rights in Burkina Faso" La Voix du Juriste, 9 March 2016, in <https://lavoixdujuriste.com/2016/03/09/etat-de-levolution-des-droits-des-femmes-au-burkina-faso/>

²³⁸ "The women's quota and the question of representation. Burkina Faso. The quota act, a timid advance" Trans-Saharan Election Projects, University of Florida, in <https://tsep.africa.ufl.edu/femmes-representation/burkina-faso/?lang=fr>

²³⁹ Lydia ROUAMBA, "Politics in Burkina: Women very little represented," Le Faso, 1 June 2017, in <https://lefaso.net/spip.php?article77548>

²⁴⁰ Elie KABORE, "women's representativeness: The legal and political framework is favorable", Burkina Faso Mining Chamber, in <https://chambremines.bf/nvsite/representativite-de-la-femme-le-cadre-juridique-et-politique-est-favorable/>

²⁴¹ Elie KABORE, "women's representativeness: The legal and political framework is favorable", Burkina Faso Mining Chamber, in <https://chambremines.bf/nvsite/representativite-de-la-femme-le-cadre-juridique-et-politique-est-favorable/>

²⁴² Elie KABORE, "women's representativeness: The legal and political framework is favorable", Burkina Faso Mining Chamber, in <https://chambremines.bf/nvsite/representativite-de-la-femme-le-cadre-juridique-et-politique-est-favorable/>

²⁴³ Lydia ROUAMBA, "The law establishing quotas for municipal and legislative elections in Burkina Faso: The sticking points", Le Faso, 7 November 2019, in <https://lefaso.net/spip.php?article93004>

²⁴⁴ "State of development of women's rights in Burkina Faso" La Voix du Juriste, 9 March 2016, in <https://lavoixdujuriste.com/2016/03/09/etat-de-levolution-des-droits-des-femmes-au-burkina-faso/>

²⁴⁵ Elie KABORE, "women's representativeness: The legal and political framework is favorable", Burkina Faso Mining Chamber, in <https://chambremines.bf/nvsite/representativite-de-la-femme-le-cadre-juridique-et-politique-est-favorable/>

²⁴⁶ Lydia ROUAMBA, "Politics in Burkina: Women very little represented," Le Faso, 1 June 2017, in <https://lefaso.net/spip.php?article77548>

²⁴⁷ Augustin Loada, "Public Opinion Pushes for Gender Equality in Burkina Faso" Afrobarometer, October 2014, in <http://afrobarometer.org/sites/default/files/publications/Briefing%20paper/afrobriefNo148.pdf>

²⁴⁸ Yann Nikiéma, "Management of public affairs: The National democratic institute for the effective consideration of women" Le Faso, 31 July 2018, in <https://lefaso.net/spip.php?article84776>

²⁴⁹ Oui Koueta, "Governance in Burkina: Representation of women in decision-making bodies" Burkina 24, 20 April 2018, in <https://www.burkina24.com/2018/04/20/gouvernance-au-burkina-de-la-representativite-des-femmes-dans-les-instances-decisionnelles/>

²⁵⁰ Jules Kabore, "Positioning of women on the electoral lists: The National Assembly steps up," 5 April 2019, in <https://www.burkina24.com/2019/04/05/positionnement-des-femmes-sur-les-listes-electorales-lassemblee-nationale-monte-au-creneau/>

²⁵¹ Yvette Zongo "2020 elections: Women call on political actors to respect the gender quota," Le Faso, 15 July 2019, in <https://lefaso.net/spip.php?article90803>

²⁵² Oui Koueta, "Governance in Burkina: Representation of women in decision-making bodies" Burkina 24, 20 April 2018, in <https://www.burkina24.com/2018/04/20/gouvernance-au-burkina-de-la-representativite-des-femmes-dans-les-instances-decisionnelles/>

²⁵³ Aïssata Laure G. Sidibé, "NEWS :: WOMEN'S PARTICIPATION IN THE DECISIONS: OUAGADOUGOU FOR (...)" Le Faso, in https://lefaso.net/spip.php?page=web-tv-video&id_article=83568&rubrique4

²⁵⁴ Alice Tiendrébéogo-Kaboret, "Burkina Faso: Obstacles to women's participation in parliament," Observaction, September 2015, in <http://www.observaction.info/wp-content/uploads/2015/09/etude-de-cas-Burkina.pdf>

²⁵⁵ Lydia ROUAMBA, "Politics in Burkina: Women very little represented," Le Faso, 1 June 2017, in <https://lefaso.net/spip.php?article77548>

- ²⁵⁶ Yvette Zongo “2020 elections: Women call on political actors to respect the gender quota”, Le Faso, 15 July 2019, in <https://lefaso.net/spip.php?article90803>
- ²⁵⁷ Elie KABORE, “women’s representativeness: The legal and political framework is favorable,” Burkina Faso Mining Chamber, in <https://chambremines.bf/nvsite/representativite-de-la-femme-le-cadre-juridique-et-politique-est-favorable/>
- ²⁵⁸ Lydia ROUAMBA, “The law establishing quotas for municipal and legislative elections in Burkina Faso: The sticking points,” Le Faso, 7 November 2019, in <https://lefaso.net/spip.php?article93004>
- ²⁵⁹ Lydia ROUAMBA, “The law establishing quotas for municipal and legislative elections in Burkina Faso: The sticking points,” Le Faso, 7 November 2019, in <https://lefaso.net/spip.php?article93004>
- ²⁶⁰ Armand KINDA, “National Assembly: The law on the gender quota adopted,” Minute, 22 January 2020, in <https://minute.bf/assemblee-nationale-la-loi-sur-le-quota-genre-adoptee/>
- ²⁶¹ Armand KINDA, “National Assembly: The law on the gender quota adopted,” Minute, 22 January 2020, in <https://minute.bf/assemblee-nationale-la-loi-sur-le-quota-genre-adoptee/>
- ²⁶² Assétou SAWADOGO/KABORE (Permanent Secretary of the National Council for Gender Promotion (CONAP-Genre)), phone interview, 27 August 2020. “At first our action was concentrated on advocacy, then on law enforcement. We have published translations in different languages as well. It is a continuous awareness-raising work. The new law will be tested in the forthcoming elections in November.”
- ²⁶³ According to the Permanent Secretary of the National Council for Gender Promotion (CONAP-Genre), “the training targeted associations, with around 30 women trained per region (in the 13 regions). The next step (would be) to strengthen the capacities of women candidates for elections, then to continue with the strengthening of capacities of elected officials.” Assétou SAWADOGO/KABORE (Permanent Secretary of the National Council for Gender Promotion (CONAP-Genre)), phone interview, 27 August 2020.
- ²⁶⁴ Alice Tiendrébéogo-Kaboret, “Burkina Faso: Obstacles to women’s participation in parliament,” Observaction, September 2015, in <http://www.observaction.info/wp-content/uploads/2015/09/etude-de-cas-Burkina.pdf>
- ²⁶⁵ Lydia ROUAMBA, “Politics in Burkina: Women very little represented,” Le Faso, 1 June 2017, in <https://lefaso.net/spip.php?article77548>
- ²⁶⁶ Alice Tiendrébéogo-Kaboret, “Burkina Faso: Obstacles to women’s participation in parliament,” Observaction, September 2015, in <http://www.observaction.info/wp-content/uploads/2015/09/etude-de-cas-Burkina.pdf>
- ²⁶⁷ Aïssata Laure G. Sidibé, “WOMEN’S PARTICIPATION IN THE DECISION-MAKING SPHERES: OUAGADOUGOU FOR (...)” Le Faso, May 2018, in https://lefaso.net/spip.php?page=web-tv-video&id_article=83568&rubrique4
- ²⁶⁸ “The women’s quota and the question of representation. Burkina Faso. The quota act, a timid advance” Trans-Saharan Election Projects, University of Florida, in <https://tsep.africa.ufl.edu/femmes-representation/burkina-faso/?lang=fr>
- ²⁶⁹ Alice Tiendrébéogo-Kaboret, “Burkina Faso: Obstacles to women’s participation in parliament,” Observaction, September 2015, in <http://www.observaction.info/wp-content/uploads/2015/09/etude-de-cas-Burkina.pdf>

10. Commitment N° 10: Popularize the Virtual Window of Public Administration (GVAP)

Main Objective

"Issue: Publicize the virtual window and increase its use by the population

Overall objective: To give more visibility to the services offered by the administration

Expected result: The virtual window is known and visited."

Milestones

- "Organize media communication campaigns (radio, television, print media)
- Organize communication campaigns outside the media (posters, banners, flyers, contact with populations)
- Organize online communication campaigns (digital, digital, internet)"

Editorial Note: For the complete text of this commitment, please see Burkina Faso's action plan at <https://www.opengovpartnership.org/documents/burkina-faso-action-plan-2019-2021/>.

IRM Design Report Assessment	
Verifiable:	Yes
Relevant:	Yes: Access to Information
Potential impact:	Minor

Commitment Analysis

Since 2013, the country set out the institutional framework to develop the Virtual Window of Public Administration (GVAP).²⁷⁰ It envisioned building the needed infrastructure within government agencies to integrate information, develop the applications, produce a multilingual version of the GVAP in national languages (mooré dioula, fulfulde), draft a communications plan, and develop a mechanism to monitor the implementation of the GVAP.²⁷¹ The GVAP is included in the country's National Economic, Social and Development Plan 2016-2020 as a means to encourage good governance²⁷² and the country's e-government policy.²⁷³ International partners, like the World Bank, in partnership with the government's National Agency for the Promotion of IT (ANPTIC), supported the development of GVAP framed in the context of the e-Burkina project.²⁷⁴ As part of Burkina Faso's first OGP Action Plan (2017-2019), the GVAP became operational in March 2018²⁷⁵ and was officially launched on 25 July 2019.²⁷⁶

The GVAP provides information on over 667 administrative procedures,²⁷⁷ eight update news, three useful links, and four sources of e-services.²⁷⁸ As of 2018, 271, 114 users visited the platform.²⁷⁹ The websites of the ministries identified in the action plan contain administrative procedures sections, located at the bottom left section, as follows: the Ministry of Education,²⁸⁰ Burkina Faso Public Service,²⁸¹ Ministry of Public Service,²⁸² the Ministry of Urban Works and Habitat,²⁸³ the Ministry of Finance, Economy and Development²⁸⁴ and the Ministry of Justice.²⁸⁵ As per government sources, the main difficulties in the implementation of the commitment were the limitations for data uploads and collection.²⁸⁶ This commitment aims to expand the use of the GVAP by increasing the visibility of the current offer of institutional services and public government information available on GVAP. The commitment's three activities focus on conducting communication and socialization campaigns by using conventional media (radio -in particular community radios-, television, press), communication outside the media (i.e., workshops in target rural areas and outreach to beneficiaries through cooperatives, local organizations, religious communities), and online media. The

deployment of the communication campaign is aimed at the 13 regions, with at least one campaign per region.²⁸⁷

By conducting the socialization campaigns, the commitment expects citizens to learn the benefits of using the GVAP. The platform consolidates information from different government agencies, like administrative procedures, decrees, and government services available online such as certificates of employment and salary information, and even apply for positions within the civil service.²⁸⁸ One of the main benefits of using the platform is the reduction of time for citizens to look into the public services they need,²⁸⁹ as citizens will no longer need to queue, which will improve efficiency in public service delivery.²⁹⁰ Nevertheless, the barriers to engage with a tool like GVAP in the country are many, from the level of IT infrastructure to the accessibility of information for users. Only 22% of the country's population (4.59 million) has access to the Internet,²⁹¹ and findings from a survey revealed that only 35.6% of the sample interviewed had permanent access to a computer.²⁹² Over 48% of the interviewees believed that access to the Internet was expensive and 49% of interviewees claimed that the "Internet connection was weak."^{293 294} The limitations of IT infrastructure may exclude some citizens from accessing and benefiting from the GVAP.²⁹⁵ Additionally, while Decree 2013-1308 set out a plan to develop language functionalities in the GVAP, the current version of the GVAP²⁹⁶ is not available in local languages. Therefore, it may even further reduce access to citizens who only communicate in local languages. The commitment does not specify the geographic coverage of the socialization campaigns. Knowing this information is key to gauging the potential beneficiaries of such campaigns.

Moreover, as expressed by the government's spokesperson, success also depends on the willingness of the communication at the heads of government agencies to adopt the GVAP.²⁹⁷ All of these elements are not included in the current commitment. Getting citizens to use the GVAP will be a crucial challenge, as the GVAP's director so acknowledged.²⁹⁸ All that said, while campaigns and efforts to disseminate the tool may be a positive step forward, citizen engagement with this tool would require an approach that tackles the key barriers to the accessibility and functionality of the GVAP platform. A government representative asked that GVAP be perceived as work in progress "as part of a public administration modernization process which places ICT at the center. In each ministry, the same digital transformation policy is in progress."²⁹⁹

For the future action plan, the IRM recommends strengthening the IT infrastructure in selected areas to encourage the use of GVAP. Economic incentives or subsidies to reduce internet fees, public Wi-Fi, strengthening network connectivity, and facilitating access to technology may also contribute to ensuring that citizens will be able to use the platform that the country developed, in a broader effort to move toward digitalization. In terms of future commitment design, the IRM suggests using OGP resources, peer exchange and access to experts in the OGP community that can help develop a roadmap to increase citizen engagement with this tool. Including a specific target of expected users by the end of the action plan would also be helpful to improve monitoring and performance of this platform.

²⁷⁰ DECREE N ° 2013-1308 / PRES / PM / MFPTSS of December 31, 2013 on the organization of the Ministry of Public Service, Labor and Social Security. OJ N ° 27 OF 03 JULY 2014, Government of Burkina Faso, in <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/97993/116460/F-36362536/BFA-97993.pdf>, p.47.

²⁷¹ DECREE N ° 2013-1308 / PRES / PM / MFPTSS of December 31, 2013 on the organization of the Ministry of Public Service, Labor and Social Security. OJ N ° 27 OF 03 JULY 2014, Government of Burkina Faso, in <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/97993/116460/F-36362536/BFA-97993.pdf>, p.47.

²⁷² Achievements and Perspectives, 2016-2020 National Economic and Social Development Plan, Government of Burkina Faso, October 2016, in <https://www.pndes2020.com/pdf/04.pdf>, p. 14.

²⁷³ Pélagie SANDWIDI, Yam-Pukri, "Burkinabè public administration in the digital age", Burkina NTIC, 21 June 2016, in <https://burkina-ntic.net/spip.php?article2234>

²⁷⁴ Aurore Bonny, "Burkina Faso: launch of a single virtual window," Cio-Mag, 26 July 2019, in <https://cio-mag.com/burkina-faso-lancement-dun-guichet-virtuel-unique/>

²⁷⁵ "The burkinabè public administration's unique virtual window", Le Kiosque Digital du Burkina, 26 March 2019, in <https://lekiosquedigitalduburkina.com/2019/03/26/guichet-virtuel-unique-de-ladministration-publique-burkinabe/>

²⁷⁶ The GVAP's website is www.guichetvirtuel.gov.bf; The Ministry of Public Service is the platform's custodian and also has its respective section of public services²⁷⁶: <https://www.servicepublic.gov.bf>

- ²⁷⁷ “The burkinabè public administration’s unique virtual window,” Le Kiosque Digital du Burkina, 26 March 2019, in <https://lekiosquedigitalduburkina.com/2019/03/26/guichet-virtuel-unique-de-ladministration-publique-burkinabe/>
- ²⁷⁸ “Virtual Window. Your administrative procedures on line,” Virtual Window of Public Administration, in <http://www.guichetvirtuel.gov.bf/faces/public/recherche.xhtml>
- ²⁷⁹ “2017-2019 Burkina Faso National Action Plan. Implementation Report”, Open Government Partnership, Ministry of Public Service, Labour, Social Welfare, Government of Burkina Faso, July 2019, in <http://ogp.gov.bf/documents/rapports/> , p.77-78.
- ²⁸⁰ Website. Ministry of National Education, Literacy and Promotion of National Languages in <http://www.mena.gov.bf/accueil>
- ²⁸¹ “User Services. Online administrative procedures” Burkina Faso Public Service, in <https://www.servicepublic.gov.bf>
- ²⁸² Website. Ministry of Public Service, Labor and Social Protection, Government of Burkina Faso, in <https://www.fonction-publique.gov.bf/accueil>
- ²⁸³ “Documents, Administrative Procedures,” Ministry of Urban and Habitat Affairs, in <https://www.mhu.gov.bf/ressources/documents>
- ²⁸⁴ Website. Ministry of Economics, Finance and Development. Government of Burkina Faso, in <https://www.finances.gov.bf/accueil>
- ²⁸⁵ Practical Information, Website. Ministry of Justice, Government of Burkina Faso, in <http://www.justice.gov.bf/index.php/category/info-pratique/>
- ²⁸⁶ “2017-2019 Burkina Faso National Action Plan. Implementation Report,” Open Government Partnership, Ministry of Public Service, Labour, Social Welfare, Government of Burkina Faso, July 2019, in <http://ogp.gov.bf/documents/rapports/> . p.77-78.
- ²⁸⁷ Mamadou BANDAOGO (Director of Regulation and Promotion of the virtual window of public administration), phone interview on 24 August 2020.
- ²⁸⁸ “Public Administration Single Window: An adopted communication plan” , Ministry of Public Service, Labour, Social Welfare, Government of Burkina Faso, 8 November 2019, in https://www.fonction-publique.gov.bf/accueil/actualites/details?tx_news_pi1%5Baction%5D=detail&tx_news_pi1%5Bcontroller%5D=News&tx_news_pi1%5Bnews%5D=180&cHash=57cd68d60c19b58b1270d947a49d68da
- ²⁸⁹ “Public Administration Single Window: An adopted communication plan” , Ministry of Public Service, Labour, Social Welfare, Government of Burkina Faso, 8 November 2019, in https://www.fonction-publique.gov.bf/accueil/actualites/details?tx_news_pi1%5Baction%5D=detail&tx_news_pi1%5Bcontroller%5D=News&tx_news_pi1%5Bnews%5D=180&cHash=57cd68d60c19b58b1270d947a49d68da
- ²⁹⁰ “Public administration virtual single window: No more long journeys!” Le Faso, 25 July 2019, in <https://lefaso.net/spip.php?article91019>
- ²⁹¹ Boukary Zorom , “Burkina Faso: Digital and Social Media Statistics in January 2020” Le Kiosque Digital du Burkina, with data from We Are Social and Hootsuite, 24 February 2020, in <https://lekiosquedigitalduburkina.com/2020/02/24/burkina-faso-statistiques-sur-le-digital-et-les-medias-sociaux-en-janvier-2020/>
- ²⁹² “Study on the expansion and uses of ICT in Burkina Faso in 2018,” BAAS Consulting, ISCOM, Le Faso, March 2019, in http://www.iscom-bf.net/IMG/pdf/etude_sur_l_expansion_des_tic_au_burkina_faso_iscom_lefaso.net_obaa.pdf , p.20.
- ²⁹³ “Study on the expansion and uses of ICT in Burkina Faso in 2018,” BAAS Consulting, ISCOM, Le Faso, March 2019, in http://www.iscom-bf.net/IMG/pdf/etude_sur_l_expansion_des_tic_au_burkina_faso_iscom_lefaso.net_obaa.pdf , p.18.
- ²⁹⁴ From the perspective of a government representative, however, access to the Internet was much more developed: “There are several factors favorable to the challenge of Internet access: with optical fiber, today the network coverage is wide. In addition, a majority of the population uses cell phones and can access the internet this way. To take advantage of this, GVAP paid particular attention to developing the Android version.” Mamadou BANDAOGO (Director of Regulation and Promotion of the virtual window of public administration), phone interview on 24 August 2020.
- ²⁹⁵ “Control of personal data management: the single virtual window of public administration receives the CIL,” Commission of IT and Civil Liberties, Burkina Faso., 2017, in <http://www.cil.bf/index.php/237-controle-de-la-gestion-des-donnees-a-caractere-personnel-le-guichet-virtuel-unique-de-ladministration-publique-recoit-la-cil>
- ²⁹⁶ “Virtual Window. Your administrative procedures on line,” Virtual Window of Public Administration, in www.guichetvirtuel.gov.bf
- ²⁹⁷ “Public administration virtual single window: No more long journeys!” Le Faso, 25 July 2019, in <https://lefaso.net/spip.php?article91019>
- ²⁹⁸ Pélégie SANDWIDI, Yam-Pukri, “Burkinabè public administration in the digital age,” Burkina NTIC, 21 June 2016, in <https://burkina-ntic.net/spip.php?article2234>
- ²⁹⁹ Mamadou BANDAOGO (Director of Regulation and Promotion of the virtual window of public administration), phone interview on 24 August 2020.

11. Commitment N° 11: Strengthen communication on open government in Burkina Faso

Main Objective

Challenge: “To win the support and appropriation of the populations for the principles of open government.

Objective: Strengthen people's knowledge of open government

Expected result: People have embraced the principles of open government”

Milestones

- “Organize a press conference to present the 2nd National Action Plan 2019-2021 of the OGP
- Organize a campaign to present the NAP 2 in the thirteen regions
- Regularly boost the OGP website and Facebook page
- Edit and popularize the 2nd National Action Plan 2019-2021 of the OGP
- Organize radio programs in ten localities
- Broadcast advertising spots on the OGP
- Provide media coverage of OGP activities
- Organize consultation frameworks on monitoring and evaluation of the OGP”

Editorial Note: For the complete text of this commitment, please see Burkina Faso’s action plan at <https://www.opengovpartnership.org/documents/burkina-faso-action-plan-2019-2021/>.

IRM Design Report Assessment	
Verifiable:	Yes
Relevant:	Yes: Civic Participation
Potential impact:	Minor

Commitment Analysis

In recent years Burkina Faso has committed to advancing an open government agenda through different fronts like the Open Data initiative and joining the Open Government Partnership in 2016. After completing their first OGP action plan for the period of 2017-2019, there were many lessons and areas to improve. Evidence from a study conducted by the Program to Support French-speaking Open Government (PAGOF) revealed that socialization and communication activities need to be more effective in raising awareness about Open Government process.³⁰⁰ Further visibility of progress made under the OGP’s action plans is also needed.³⁰¹ The lack of available performance indicators on the status of implementation has made it difficult to track progress.³⁰² There is a need for an improvement of technical capacities among stakeholders as well.³⁰³ A stronger political will and a better understanding of civil society were found to be fundamental elements for the improvement of the OGP process, among others.³⁰⁴ Representatives from the Permanent Secretariat for Good Governance recognized that openness and communication to citizens were not fully developed in implementing the 1st action plan.³⁰⁵ Further engagement with the communities, through socialization campaigns, was found to be essential to implement future the action plans.³⁰⁶

The commitment ultimately aims to encourage more citizen participation in the OGP process through campaigns and awareness-building initiatives. The commitment’s activities include hosting a conference

to present the country's 2nd national action plan, organizing campaigns in the country's 13 regions, printing and distributing the 2nd national action plan, and conducting media campaigns through radio. The commitment also comprises regularly updating the OGP Burkina Faso Facebook page and facilitating consultations during implementation of the 2nd national action plan.

The commitment is overall clear, but it could include more details. The expected target numbers of the commitments' activities are unclear, except for the radio broadcasts in 10 localities. For instance, the commitment does not describe the expected number of activities to be broadcast, the number of brochures, nor consultations for Monitoring and Evaluation (MnE) purposes. More importantly, it does not clearly lay out the expected result, for instance, regarding the expected increase and improvement of participation in the OGP process. The commitment's two first activities represent a continuation of activities carried out in the past, that is, setting up a press conference and the regional campaigns to present the 2nd national action plan. The commitment intends to update the OGP website and Facebook page regularly; yet, as mentioned in other commitments, the level of IT infrastructure may be a considerable barrier. As expressed before, only 22% of the country's population (4.59 million) have access to the Internet³⁰⁷ and findings from a survey revealed that only 35.6% of the sample interviewed had permanent access to a computer.³⁰⁸ Over 48% of the interviewees believed that access to the Internet was expensive.³⁰⁹

On another note, the commitment's rationale lies in the assumption that conducting additional communication activities will lead to better understanding and increase public participation in the OGP process. While this may be true to some extent, it is not clear whether the communication campaigns will suffice to achieve citizen engagement. The commitment does not provide elements suggesting what the content of those campaigns will be or how different they will be from previous socialization efforts. The effectiveness of these socialization campaigns on the level of engagement by citizens with open government process remains to be tested. Also, the extent to which the consultation frameworks will open dialogues and feedback loops as opposed to sharing information will be a determining factor to the potential this commitment has to increase monitoring and participation during action plan implementation. However, the multi-channel approach of radio, written material and regular updates through social media do represent a step in the right direction, albeit minor.

For implementation purposes, the IRM suggests developing a mechanism to test the effectiveness of communication campaigns, that is, whether the implementation of communication campaigns succeeds in getting people to engage with open government processes. The IRM also recommends that during the implementation of this commitment, a strategy for participation and engagement be developed beyond the concrete communication activities. The strategy can help identify when and where a broader communication approach is needed like radio or where a targeted outreach approach is most effective to increase participation in the action plan process. The Open Government Co-Creation and Participation Toolkit provides some examples that other countries have adopted to enhance engagement with open government initiatives. Examples include the Cabinet Secretariat of the Government of Mongolia sending out an official request to governors at the provincial level to consult on the action plan and Armenia's OGP TV program. In other countries like Dominican Republic, the government uses a national official TV channel to regularly invite government institutions responsible for implementation and civil society members to discuss commitment implementation progress.³¹⁰

³⁰⁰ "Open Government, Guide for good practices and successful experiences in French-speaking Africa. 2nd Regional Workshop, Abidjan, Ivory Coast, 5,6 November 2019," Program to Support French-speaking Open Governments, Expertise France, French Cooperation Agency, Revolution, Development Medias, in https://www.pagof.fr/wp-content/uploads/2020/04/ef_pagof_guide_2019_180x250_final-I.pdf, pp. 54-55.

³⁰¹ "Open Government, Guide for good practices and successful experiences in French-speaking Africa. 2nd Regional Workshop, Abidjan, Ivory Coast, 5,6 November 2019," Program to Support French-speaking Open Governments, Expertise France, French Cooperation Agency, Revolution, Development Medias, in https://www.pagof.fr/wp-content/uploads/2020/04/ef_pagof_guide_2019_180x250_final-I.pdf, pp. 54-55.

³⁰² “Open Government, Guide for good practices and successful experiences in French-speaking Africa. 2nd Regional Workshop, Abidjan, Ivory Coast, 5,6 November 2019,” Program to Support French-speaking Open Governments, Expertise France, French Cooperation Agency, Revolution, Development Medias, in https://www.pagof.fr/wp-content/uploads/2020/04/ef_pagof_guide_2019_180x250_final-I.pdf, pp. 54-55.

³⁰³ “Open Government, Guide for good practices and successful experiences in French-speaking Africa. 2nd Regional Workshop, Abidjan, Ivory Coast, 5,6 November 2019,” Program to Support French-speaking Open Governments, Expertise France, French Cooperation Agency, Revolution, Development Medias, in https://www.pagof.fr/wp-content/uploads/2020/04/ef_pagof_guide_2019_180x250_final-I.pdf, pp. 54-55.

³⁰⁴ “Open Government, Guide for good practices and successful experiences in French-speaking Africa. 2nd Regional Workshop, Abidjan, Ivory Coast, 5,6 November 2019,” Program to Support French-speaking Open Governments, Expertise France, French Cooperation Agency, Revolution, Development Medias, in https://www.pagof.fr/wp-content/uploads/2020/04/ef_pagof_guide_2019_180x250_final-I.pdf, pp. 54-55.
“Open Government, Guide for good practices and successful experiences in French-speaking Africa. 2nd Regional Workshop, Abidjan, Ivory Coast, 5,6 November 2019,” Program to Support French-speaking Open Governments, Expertise France, French Cooperation Agency, Revolution, Development Medias, in https://www.pagof.fr/wp-content/uploads/2020/04/ef_pagof_guide_2019_180x250_final-I.pdf, pp. 54-55.

³⁰⁵ “Open Government Partnership, National Action Plan” Government of Burkina, Information Service, 23 September 2019, in <https://www.youtube.com/watch?v=-tiu83C1bVw&t=38s>, Minute 4,34.

³⁰⁶ “2017-2019 Burkina Faso National Action Plan. Implementation Report”, Open Government Partnership, Ministry of Public Service, Labour, Social Welfare, Government of Burkina Faso, July 2019, in <http://ogp.gov.bf/documents/rapports/>.

³⁰⁷ Boukary Zorom , “Burkina Faso: Digital and Social Media Statistics in January 2020” Le Kiosque Digital du Burkina, with data from We Are Social and Hootsuite, 24 February 2020, in <https://lekiosquedigitalduburkina.com/2020/02/24/burkina-faso-statistiques-sur-le-digital-et-les-medias-sociaux-en-janvier-2020/>

³⁰⁸ “Study on the expansion and uses of ICT in Burkina Faso in 2018,” BAAS Consulting, ISCOM, Le Faso, March 2019, in http://www.iscom-bf.net/IMG/pdf/etude_sur_l_expansion_des_tic_au_burkina_faso_iscom_lefaso.net_obaa.pdf , p.20.

³⁰⁹ “Study on the expansion and uses of ICT in Burkina Faso in 2018,” BAAS Consulting, ISCOM, Le Faso, March 2019, in http://www.iscom-bf.net/IMG/pdf/etude_sur_l_expansion_des_tic_au_burkina_faso_iscom_lefaso.net_obaa.pdf , p.17.

³¹⁰ OGP Participation and Co-Creation Toolkit <https://www.opengovpartnership.org/wp-content/uploads/2019/06/OGP-Participation-Co-Creation-Toolkit.pdf>

V. General Recommendations

This section aims to inform the development of the next action plan and guide the implementation of the current action plan. It is divided into two sections: 1) IRM key recommendations to improve OGP process and action plans in the country and, 2) an assessment of how the government responded to previous IRM key recommendations.

5.1 IRM Key Recommendations

Recommendations for the OGP process in Burkina Faso	
1	<p>Develop a strategy to ensure the sustainability of the open government agenda and OGP action plans.</p> <ul style="list-style-type: none"> Consider using the OGP action plans to address key dimensions that are particularly consequential for increasing government responsiveness, strengthening citizen engagement and combating corruption, as well as an adherence to the democratic governance norms and values set in the Open Government Declaration. Prioritize ensuring the timely publication of the budget's audit report and doubling efforts to ensure public access to asset declarations (enhancing Commitment 4 of this action plan). The IRM has learned over the years from other country experiences that preparing a strategy in advance to plan for multiple scenarios is key to keeping commitments on track for implementation and sustaining political momentum for the open government agenda. Burkina Faso has made important strides in their open government efforts through the OGP action plans. Countries that have gone through similar political contexts have found the MSF—particularly civil society members of the forum—an exceptional ally to minimize disruptions due to government changes. For all action plans, the IRM recommends creating a strategy with mitigation measures to possible implementation interruptions; actions that civil society members of the MSF can lead to keep priority themes and commitments in the public agenda; measures to ensure implementing government institutions are empowered in their roles; active communication channels between the different bodies that lead the OGP process in Burkina Faso to guarantee coordination and securing of political commitment to this and future OGP action plans. The OGP Handbook includes guidance on political transitions and elections³¹¹ and the IRM has collected some lessons from political transitions in other OGP countries³¹² that may be helpful resources in the development of the strategy.
2	<p>Leverage open government principles in an open response and open recovery to the COVID-19 pandemic. Many OGP members have faced and continue to face challenges during the health crisis; the impact of the pandemic will have economic, political, health and social implications. An open government approach can contribute to Burkina Faso's efforts to withstanding the effects of COVID-19, by building on the groundwork of existing and previous commitments. For instance, the infrastructure of the Virtual Window of Public Administration (GVAP) can be useful to centralize, process and disclose information related to COVID-19 health services like access to vaccines. The ICIVIL system can be adapted and helpful to support tracking, local data collection on cases and demands for health services. The complaints system (Commitment 6) can be used to create an opportunity for citizens to submit reports on the use of emergency funds and how the funds are effectively reaching those who are most in need. Finally, open government can be the mechanism toward a transparent recovery. Committing to and tapping into the OGP community of experts, peers</p>

	and partners to increase fiscal transparency and accountability of COVID emergency or response funds, as well as rolling back limitations to civil liberties or extending them under clear guidelines to protect civic space, are key areas this and the next action plan can explore.
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Recommendations on action plan design and scope

1	Strengthen the open government lens in commitments. While the action plan includes several interesting and key reform areas for the country, in many of the commitments there is a missed opportunity to further leverage the value of open government principles to the benefit of the reforms. Particularly, many commitments include a civic engagement component, yet they are limited to awareness-raising or one-sided informational engagement in general. Commitments that seek to enhance engagement would likely be more successful in that goal if the approach included active participation. For example, creating local spaces and capacities for citizen participation and deliberation on budgets. Creating opportunities for participatory audits, involving citizens at the local level in oversight activities along with oversight institutions may yield better results and incentives for revenue collection than information campaigns.
2	Expand the work on the beneficial ownership register and improve governance of the extractive sector in future action plans. The mining sector was one of the priorities highlighted during the co-creation process. However, the range of issues that citizens raised as priority issues do not fall necessarily under the scope of the EITI initiative. While reporting through EITI is essential to enhance transparency in the sector, future OGP action plans can add value to those efforts by expanding the reach and scope of beneficial ownership beyond what is covered under EITI reports. Future OGP commitments may include the broader legal and institutional reforms needed to make real owner information available to the public. In addition, OGP action plans may also be used to address access to justice in cases related to mining exploitation. The legal aid initiative may be an opportunity to enhance governance of mining at the local level.
3	Align and articulate the connections between commitments that aim at building institutional capacities in government, so they become instrumental to the policy reforms prioritized in the action plan. Individually, some of the commitments in this action plan like the complaints mechanism or the virtual window of public administration do not have a lot of potential as standalone initiatives, but they would be more meaningful if they were incorporated as mechanisms to achieve a policy goal. Or, if together they were part of a broader government strategy to build and manage the institutional changes that are required to successfully implement key reforms in the country. Some countries have used OGP action plans strategically to create a culture of openness in government that shapes key reforms over time, as is the case in Italy and the access to information reform. While not being able to include a key access to information reform as a direct commitment, several actions plans included commitments designed to institutionalize practices and administrative policies that created the environment to later achieve the bigger reform. In regard to Burkina Faso, this could be the case for inclusion and more ambitious reforms in women's participation that require constant, ongoing and institutionalized practices. Another example is the wider security sector reform, that could benefit from institutionalizing accountability mechanisms.

5.2 Response to Previous IRM Key Recommendations

Previous IRM Report Key Recommendations

Recommendation		Did it inform the OGP Process?
1	Improve commitment design so that commitment goals, activities, and expected results are quantifiable, specific, relevant, consistent, strategic, and effectively address the source of problems.	✓
2	Ensure the executive and legislative branches work together to approve key supplementary legislation, particularly Law No. 051-2015 / CNT, granting right of access to public information and administrative documents.	X
3	Ensure that OGP decision-making and technical bodies in Burkina Faso build a website reporting on the OGP process.	✓
4	Consider including a commitment that supports public involvement in approving a draft constitution via referendum.	✓
5	Ensure that government agencies, led by the National Council for the Modernization of Administration and Good Governance, account for budget considerations when developing the action plan and coordinate with implementing agencies to guarantee availability of funds.	✓

Of the five recommendations, the government adopted four, but did not directly address these recommendations in its self-assessment. Supplementary legislation supporting freedom of information has not been passed. However, since 2019, Burkina Faso has launched one of the best OGP websites in Africa³¹³ and plans to boost this website under Commitment II of the current action plan. Additionally, compared to the previous action plan, the current action plan shows some improvement in commitment design, adding indicators and sources of verifications for milestones, as well as relatively more detailed lists of involved stakeholders. The current action plan also adds sources of financing for each commitment, although the extent of coordination to guarantee availability of funds is unclear. While not part of the action plan, a constitutional referendum to formalize a two-term presidential limit was originally planned for March 2019 and is now expected in 2020.³¹⁴

³¹¹ OGP Handbook https://www.opengovpartnership.org/wp-content/uploads/2019/03/OGP_Handbook-Rules-Guidance-for-Participants_20190313.pdf

³¹² Open Government Reforms in Times of Political Transitions, Lessons from Latin America, 2018 <https://www.opengovpartnership.org/stories/open-government-reforms-in-times-of-political-transitions-lessons-from-latin-america/>

³¹³ "Gouvernement Ouvert du Burkina Faso," PGO Technical Secretariat, <http://ogp.gov.bf/>.

³¹⁴ Joseph Siegle and Candace Cook, "Assessing Africa's 2020 Elections," Africa Center for Strategic Studies, 28 January 2020, <https://africacenter.org/spotlight/highlights-africa-2020-elections/#burkinafaso>.

VI. Methodology and Sources

IRM reports are written in collaboration with researchers for each OGP-participating country. All IRM reports undergo a process of quality control to ensure that the highest standards of research and due diligence have been applied.

Analysis of progress on OGP action plans is a combination of interviews, desk research, observation, and feedback from nongovernmental stakeholders. The IRM report builds on the evidence available in Burkina Faso's OGP repository (or online tracker), website, findings in the government's own self-assessment reports, and any other assessments of process and progress put out by civil society, the private sector, or international organizations.

Each IRM researcher conducts stakeholder interviews to ensure an accurate portrayal of events. Given budgetary and calendar constraints, the IRM cannot consult all interested parties or visit implementation sites. Some contexts require anonymity of interviewees and the IRM reserves the right to remove personal identifying information of these participants. Due to the necessary limitations of the method, the IRM strongly encourages commentary during the pre-publication review period of each report.

Each report undergoes a quality-control process that includes an internal review by IRM staff and the IRM's International Experts Panel (IEP). Each report also undergoes an external review where governments and civil society are invited to provide comments on the content of the draft IRM report.

This review process, including the procedure for incorporating comments received, is outlined in greater detail in Section III of the Procedures Manual.³¹⁵

Interviews and stakeholder input

This report was prepared by Mauricio Cardenas and IRM staff, based on feedback from interviews as well as desk research. Ana Revuelta, IRM consultant, interviewed 13 stakeholders engaged in the OGP process in Burkina Faso including government and civil society representatives.³¹⁶

They include:

Coordination Opérationnelle des Services de Sécurité (COSS)
The Extractive Industries Transparency Initiative (EITI)
Ministry of Public Service, Labour and Social Protection (MFPTPS)
Ministry of Youth and Promotion of Youth Entrepreneurship
National Council for Gender Promotion (CONAP-Genre)
Virtual Window of Public Administration (GVAP)
Tanguy Quidelleur, Independent researcher
World Bank
Open Burkina
Beog-Neere
Centre pour la gouvernance démocratique (CGD)
Association Yam Pukri
REN-LAC

About the Independent Reporting Mechanism

The Independent Reporting Mechanism (IRM) is a key means by which all stakeholders can track OGP progress in participating countries and entities. The International Experts Panel (IEP) oversees the quality control of each report. The IEP is comprised of experts in transparency, participation, accountability, and social science research methods.

Current membership of the International Experts Panel is

- César Nicandro Cruz-Rubio
- Mary Franco
- Brendan Halloran
- Jeff Lovitt
- Juanita Olaya

IRM staff shepherd reports through the IRM process in close coordination with the researchers.

Questions and comments about this report can be directed to the staff at irm@opengovpartnership.org.

³¹⁵ IRM Procedures Manual, V.3: <https://www.opengovpartnership.org/documents/irm-procedures-manual>.

³¹⁶ The IRM reached out to 20 stakeholders, of which 7 did not respond.

Annex I. Commitment Indicators

All OGP-participating governments develop OGP action plans that include concrete commitments over a two-year period. Governments begin their OGP action plans by sharing existing efforts related to open government, including specific strategies and ongoing programs.

Commitments should be appropriate to each country's circumstances and challenges. OGP commitments should also be relevant to OGP values laid out in the OGP Articles of Governance and Open Government Declaration signed by all OGP-participating countries.³¹⁷ The indicators and method used in the IRM research can be found in the IRM Procedures Manual.³¹⁸ A summary of key indicators the IRM assesses is below:

- **Verifiability:**
 - Not specific enough to verify: Do the written objectives and proposed actions lack sufficient clarity and specificity for their completion to be objectively verified through a subsequent assessment?
 - Specific enough to verify: Are the written objectives and proposed actions sufficiently clear and specific to allow for their completion to be objectively verified through a subsequent assessment?
- **Relevance:** This variable evaluates the commitment's relevance to OGP values. Based on a close reading of the commitment text as stated in the action plan, the guiding questions to determine relevance are:
 - Access to Information: Will the government disclose more information or improve the quality of the information disclosed to the public?
 - Civic Participation: Will the government create or improve opportunities or capabilities for the public to inform or influence decisions or policies?
 - Public Accountability: Will the government create or improve public-facing opportunities to hold officials answerable for their actions?
 - Technology & Innovation for Transparency and Accountability: Will technological innovation be used in conjunction with one of the other three OGP values to advance either transparency or accountability?
- **Potential impact:** This variable assesses the potential impact of the commitment, if completed as written. The IRM researcher uses the text from the action plan to:
 - Identify the social, economic, political, or environmental problem;
 - Establish the status quo at the outset of the action plan; and
 - Assess the degree to which the commitment, if implemented, would impact performance and tackle the problem.
- **Completion:** This variable assesses the commitment's implementation and progress. This variable is assessed at the end of the action plan cycle, in the country's IRM Implementation Report.
- **Did it open government?:** This variable attempts to move beyond measuring outputs and deliverables to looking at how the government practice, in areas relevant to OGP values, has changed as a result of the commitment's implementation. This variable is assessed at the end of the action plan cycle, in the country's IRM Implementation Report.

What makes a results-oriented commitment?

A results-oriented commitment has more potential to be ambitious and be implemented. It clearly describes the:

- I. **Problem:** What is the economic, social, political, or environmental problem rather than describing an administrative issue or tool? (e.g., "Misallocation of welfare funds" is more helpful than "lacking a website.")

2. **Status quo:** What is the status quo of the policy issue at the beginning of an action plan? (e.g., “26% of judicial corruption complaints are not processed currently.”)
3. **Change:** Rather than stating intermediary outputs, what is the targeted behavior change that is expected from the commitment’s implementation? (e.g., “Doubling response rates to information requests” is a stronger goal than “publishing a protocol for response.”)

Starred commitments

One measure, the “starred commitment” (★), deserves further explanation due to its interest to readers and usefulness for encouraging a race to the top among OGP-participating countries/entities. Starred commitments are considered exemplary OGP commitments. To receive a star, a commitment must meet several criteria.

- Potential star: the commitment’s design should be **verifiable**, **relevant** to OGP values, and have **transformative** potential impact.
- The government must make significant progress on this commitment during the action plan implementation period, receiving an assessment of **substantial** or **complete** implementation.

These variables are assessed at the end of the action plan cycle in the country’s IRM Implementation Report.

³¹⁷ “Open Government Partnership: Articles of Governance” (OGP, 17 Jun. 2019), <https://www.opengovpartnership.org/articles-of-governance/>.

³¹⁸ “IRM Procedures Manual” (OGP), <https://www.opengovpartnership.org/documents/irm-procedures-manual>.