



# Koglweogos: the Risk of Community Ownership of Security



Centre for Democracy and Development

## SUMMARY

In Burkina Faso, community run security forces known as Koglweogo have been working at a local level to prevent and punish crime, from theft to armed attack. However, recent violations of human rights and abuse of the rule of law by members of the Koglweogo raise questions about the state's ability to control these communities led forces and maintain the monopoly on legitimate physical constraint. A balance needs to be struck between containing the Koglweogo's power while acknowledging the role they play in enabling citizens to feel associated with their own security.



This report begins by examining the structure of the security services in Burkina Faso and goes on to explain the origin, development and impact of the Koglweogo and their relationship with the state and government security forces. The report concludes by exploring problems arising with the Koglweogo, including human rights abuses, and offers recommended solutions.

## INTRODUCTION

Security is considered a necessity for the general development of a country and its citizens, and the development of citizens in particular. The United Nations Millennium Report in 2000, stresses “the need for an approach that is centred on human security”. According to Kofi Annan, “security can no longer be seen purely from a military perspective... On the contrary, it should include economic development, social justice,

environmental project, democracy, disarming, respect of human rights, and the rule of law”.

In this context, the state cannot be considered the only legitimate actor to intervene in the security sector. In addition, there are supervisory and management bodies (state control and non-state control) of the sectors. As such Burkina Faso's security is structured as follows:

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- State provider include, on the basis of law/ Act No. 032 AN of 14/05/2003 on internal security:

- The Gendarmerie
- The police
- The prison security guard (GSP)
- The armed forces, the paramilitary forces (custom officers, the foresters, the fire fighters;
- Judicial security(head of state) ministry of social welfare )

-Non-state providers include:

- Security firms
- The volunteer brigades for road traffic safety
- The ordinary citizens
- Local associations who work in the security field
- Local safety committees, which are village structures responsible for bringing the concept of security for the population. <sup>1</sup>

With regards to the state control, there are:

- The executive control of defence forces and security carried out by the president of Burkina Faso, chief of Armed Forces, through the prime minister, the minister of security.

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1 Milices d'autodéfense burkinabè

2 Kofi Annan, Vers une culture de paix, 2001.

- The parliamentary control carried out by members of the parliament, through ordinary committee, ad hoc and plenary sections.
- The judicial control, carried out by the court.

With regard to the non-state control, we can distinguish:

- Civil society actors
- Private companies
- The press and the civil society

Like other sectors, the security sector must comply with the requirements of good governance. This includes the following measures:

- Strengthening accountability: this aim to ensure that security is governed by law, that it is in accordance with the objective, and that the sector operates within a legal framework;
- To Strengthen efficiency through structuration in line with its terms, availability of adequate resources, the establishment of policies, and better management of the sector.

### **Good governance of the security sector**

A fundamental dimension for improving the sector remains dependent on political will. Good governance of the sector presents a number of advantages, which can be summarised as follows:-

- Reduction of the number of violations of the rights of a person.
- Better legitimacy of the sector
- Protection against unjustified criticism. :
- The possibility for officials to eliminate ineffective practices contrary to integrity.
- Budgetary allocation according to needs and; better funding of the sector.

In order to guarantee people's safety, and respect the principles of good governance, the government of Burkina Faso formulated an internal security

strategy. This strategy lays particular emphasis on the sociological aspect based on:-

- A broader concept of security, namely the human security;
- Identification of social references;
- The choice of an appropriate methodology;
- Identification of actors and their roles.

In addition, this new approach works to strengthen the formal institutional initiatives, as well as the informal communities which contribute to promoting a peaceful Burkinabe society. In respect to this, reference can be made to the pleasantries shared between the different social, and ethnic groups of Burkina Faso, and the national strategy for the promotion of a tolerable, and peaceful culture.

In reality, the state cannot achieve the safety of the population, without the assistance of non-state actors. This is why citizen participation in the fight against insecurity, is no longer a question of necessity, but rather a question of the most relevant approach.

In this context, the government with a view to promoting citizen participation in providing security for the people adopted its first five year plan in 2005. This was designed to establish a local police force. The plan reflected the framework of security policy and consisted of integrating the operational mandate of security forces, and community participation in the fight against insecurity on the grounds of prevention.

The assessment of this first five year plan revealed the existence of security associations in certain parts of the country, notably, the northern region of Burkina Faso, and in particular the Yatenga province, with a local structure called "Koglweogo". This association works side by side with the police and the gendarmes with the aim of preventing insecurity in the province. The results obtained were generally judged to be very satisfactory.

In this regards, the authorities tried to restructure the Koglweogo of Yatenga. The second five year plan incorporated expected reliance on local

communities to support local police. Specifically, the strategy for implementing the local police included the provision to have a constitution in each village and in each sector of the village using a structure called “local community security” (CLS). This raised expectations in the other parts of Burkina Faso, in terms of state assistance for the establishment of similar community structures.

Unfortunately, the second five year plan was not implemented. The people, tired of waiting for the State’s intervention, organised themselves, to take charge of their own security, by putting in place, a community structure for security, called Koglweogo. The Koglweogo later multiplied across the territory. However their excesses and abuses, challenged the capacity of the state, to control them and to maintain the monopoly of legitimate physical restraint.

### 1. **Origin of the phenomenon Koglweogo**

The term Koglweogo laterally means “protect the environment”. These are self-defence structures, composed of mainly agricultural workers, and livestock farmers, who specialises in the fight against theft, robberies, and armed attacks. According to a traditional chief, supported by a prince of the northern region, <sup>3</sup> the idea of Koglweogo dates back to the 15th century in the northern part of Burkina Faso. At this time under the leadership of Yateng-naaba<sup>4</sup>, young people organised themselves to secure their territory. The notion now refers to the chief’s territorial area. Six centuries later, at the start of independence, and in the context of the implementation of the post-colonial state, “the Chief’s Soldiers” made themselves available for the protection of the environment, alongside Brigades of “Waters and Forests”.

In the northern part of the country, all of these forces are recognised by the state, and work regularly as appendices to law enforcement agencies. The groups remained discreet, and subservient to law enforcement agencies – police, gendarmerie, water and forest brigades amongst others.

The aim of these groups has varied in time and space. Recently an offensive Koglweogo beyond the control of the state has emerged. In the Eastern Region, East Central, South Central and North Central...

This phenomenon started as a result of insecurity in certain areas of the country, and the irregular presence of insufficient presence of an insufficient number of security forces. The people responding to the impact of the threats, decided, to take safety into their own hands. The first recent appearance of Koglweogo dates back to 2009 in Mane, in the province of Sanmatenga, North-Central of Burkina Faso. Since then, Koglweogo have spread throughout the provinces, communities and villages illegally.

The Koglweogo established their group in the Plateau Central, the North-Central, East Central- and the South Central, without legal authorisation. A discussion with the Koglweogo Chief of the East Central helps to prove that these self-defence groups act under the authority of traditional rulers. These groups are pleased to agree with the local authorities. There’s been a recurring perception that the state and its security forces are confined to the urban areas, and the rural areas are left without protection.

The recent inclusion of the Koglweogo phenomenon, on the political agenda can be explained by several factors as outlined below:

-The rise of insecurity in Burkina Faso, and the inability of the state to respond effectively, creates a void the locals intend to fill, by taking charge of their security. The rise of insecurity is not a new trend in Burkina Faso. However, some regions seems to be more affected than the others. The Eastern border region in particular, is renowned for armed attacks. It is generally, in these regions, where insecurity is most prevalent, that Koglweogo are well established.

-Many factors contributed to aggravating these problems. Amongst them are the circulation of weapons in West Africa, promoted by the crises in the sub-region, the involvement of some Burkina Faso citizens in these crises and conflicts, as well as the removal of hundreds of police, and soldiers in

the wake of 2011 riot. The absence of an alternative and the marginalisation for these groups, who are used to weapon handling, can push them to criminal activities.

Similarly, the progress of monetisation and the low level of banking in rural areas leads to the transport of cash by farmers and economic operators in these areas which attracts criminal groups. Under the regime of President Compaoré, the government attempted to address the issue of insecurity, by organising notable operations which had the effect of calming the situation to a certain level. These operations required the deployment of significant human resources; unfortunately materials and logistics were expensive and the Burkina Faso's budgetary system is difficult, and marked by austerity. Despite the effort of the government, the security forces complain about not having sufficient means to confront security challenges, to carry out patrols, and to maintain a deterrent presence.

The socio-political crises in Burkina Faso, and the tension within the security apparatus was aggravated by the aborted coup d'état of 16th September 2015, as well as the terrorist attack of January 2016 in the capital, Ouagadougou. These events were preceded by other terrorist attacks in the northern and western region of the country. Although these are the challenges that diffuse the attention of the security, and defence forces, who as a result lessen their efforts in some areas in order to focus on security of certain regions. This reduces the pressure that these law enforcement agencies are able to exert on the common criminals. In order to fill this vacuum, there is self-empowerment by the people who take security into their own hands.

- The lack of confidence the people feel towards the judiciary can also explain why these local communities take the issue of security into their own hands. The Justice Department has been accused of releasing criminals arrested by the people under the pretext that the evidence tendered is insufficient or unsubstantiated. As a result, the people prefer to do justice themselves, rather than relying on the judiciary. This lack of confidence is not new. However, with the current socio-political crisis in Burkina Faso, people are increasingly determined to take advantage of the situation by taking matters

into their own hands, rather than relying on a state found to be incapable of satisfying their security needs.

It is therefore not an exaggeration to think that it is the recent crisis that created an opportunity that the Koglweogo have seized to impose itself on the central State. Under the regime of President Compaore, and even during the transition, these groups already existed, but had no voice on the issue. With the fall of the President Compaore's regime, the "myth" of the central State being capable of controlling national territory and the people who live there seem to have collapsed

As a result, major changes in Burkina Faso concerns the relations between State and society. The people are less willing to accept authoritarianism from the State. They no longer hesitate to revolt, or hold the state accountable for its administration, and its inability to deliver services.

In the absence of satisfactory answers, people try to organise themselves to take charge. This increases the weakness of the state authority and the need for the State to respond according to social expectations. Any other response, including a response based on force, symbolic or dilatory measures, may cause revolts and worsen the state's legitimacy crisis.

## 2. METHODS OF ACTION

The Koglweogo have several methods of actions including:

- Inquires,
- Arrests,
- Detentions,
- Corporal punishment of presumed guilty suspects under their own penal code to the great displeasure of the laws of the Republic.

In certain areas of the country, they swear on the Koran and / or on fetish charm. In other areas, several Koglweogo were found guilty of abuse, including torture, inhuman and degrading treatment, resulting in deaths of men, refusal to comply with the orders of the security agencies... These

behaviours gave rise to a general outcry in public opinion and justified calls for the dissolution of the Koglweogo. In response, the latter produced a charter, on March 2016. This charter contains the following rules:

- Every member must obey and respect traditional, religious and administrative officials;
- Blocking of roads is strictly prohibited;
- The physical abuse of suspected thieves is cancelled; instead, the alleged criminal must from now on “walk about the village in an underwear”;
- The violators of the "Koglweogo legislation" will be punished.

While this attempt at self-regulation should be welcomed, these rules prescribed amongst other things the obedience to authorities, however, local authorities found the charter guilty of still providing penalties contrary to the Constitution, which prohibits all forms of inhuman and degrading treatment ("walking about the village naked" or in an underwear”).

In addition, it is observed that, the koglweogo take charge of the state’s prerogatives: the exercise of legitimate violence, the right to render justice and the right to levy tax in the form of fines or taxes. In fact, they charge twice the normal rate of tax. According to the President of the Koglweogo from the Province of Kouritenga answering on behalf of Saidou Bikienga, the fines imposed vary depending on the seriousness of the offence:

- For a stolen egg, 1500 CFA francs;
- For poultry (chicken, duck, and cock): 55.000 FCFA;
- For a sheep or a stolen pig: 155.000 F CFA
- For an ox, a horse or a donkey stolen: 305.000FCFA.

The money raised is allegedly used to finance the koglweogo movements, as part of patrols and surveys.

### 3) THE IMPACT OF THEIR ACTIONS IN THE SHORT, MEDIUM OR LONG TERM

According to some observers, the Koglweogo have led to a significant reduction of insecurity in the country, particularly in the Eastern region. They have apprehended several highway bandits, to the great satisfaction of the local populations. For example, a seller of general merchandise in Manga, who is pleased with the actions of the Koglweogo because, according to him, since they have become active, he is no longer a burglary victim<sup>10</sup>? According to the Koglweogo leader of the East-Central, these bandits, reconverted, and joined the Koglweogo, under the effect of the torture.

The regional director of the South Central National Police, for her part, acknowledged that the intervention of the Koglweogo allowed the police to arrest several highway bandits. However, she recommended the authorities supervise the actions of these self-defence groups. The government too, seems rather benevolent towards them, in spite of the cases of abuse which it merely condemns formally.

Although their usefulness is no longer demonstrated in security matters, the Koglweogo actions on the ground are most often accompanied by blunders that seriously undermine human rights. The following may be cited:

- **Mady Kanazoé**, a national of Sapouy, capital of Ziro province, accused of stealing beef, died on 17th February 2016 in the hands of the Koglweogo in that locality.
- **Issiaka Diallo**, accused of stealing two oxen is another victim. He recounts his misadventure in these words: "they heat the whip, coated it in Shea butter and beat me." He lived this torture for 24 hours; and on top of that, he had to pay the sum of 45,500 CFA francs, as a fine, to take possession of his motorcycle which had been seized.
- **A catechist from Boutiourou**, in the locality of Sapouy, was sequestered by individuals claiming to belong to the Koglweogo for refusing to pay the membership fee of 2500 CFA francs. He owed his salvation to his Christian community, but was forced to pay 112,500 CFA francs in exchange for his release.

The vast majority of observers agree that although the Koglweogo phenomenon constitutes a major

challenge for the very foundations of the state, it is not necessary to "throw the baby out with the bath water". The ultimate impact will depend on the state's ability to regain control over security, and also on the ability of the Koglweogo to self-discipline.

On these two points, the main players seem to be moving in the right direction. The authorities of the State have repeatedly expressed their willingness to control the phenomenon, especially since the government is under pressure from a section of the public to go in this direction. For their part, the Koglweogo, seem to have understood that they have an interest in self-regulation so as not to lose the support of public opinion and government; especially as they begin to produce tangible results in terms of securing the population.

The whole country will benefit from a dialogue being established between the State authorities, the Koglweogo, and the traditional chief. On the other hand, such a dialogue fails and a struggle between the State and the Koglweogo begins, then the state itself would be weakened in a security context that is already degraded, with a high risk of retrieval of these self-defence groups by criminal or terrorist groups.

#### 4) THE RELATIONSHIP OF KOGLWEOGO WITH THE BURKINA FASO STATE

Justice and security fall within the domain of the State and not of Non-State organizations. In fact, the Constitution of 2nd June, 1991, Article 124 states "Judiciary power shall be entrusted to the judges; it is exercised in the territory of Burkina Faso by the courts of law and order and the administrative order determined by law". The Koglweogo also aim at ensuring justice and the safety of people and goods but they function without legal basis.

The Burkina Faso State must fully perform all political functions which include enabling the citizens live in peace and security. This prerogative is enshrined in the Basic Law and especially Law No 2003-032/AN of 14th May 2003 on internal security. Article 7(1) states "the safety of persons and property, the maintenance of public security and peace are guaranteed by the State and insured by the public force with the assistance of citizens through

the implementation of the police force". The State has opted for local police to establish a partnership between security forces and the population in order to resolve the problems of crime and public disorder.

After five years of application, difficulties and bottlenecks have risen between:

- The unclear definition of the concept and approach (procedures for the transfer of competence in management, better adaptation of the proximity policy in our society);
- The prior non-identification of all partners (customary and religious authorities, civil society organisations, NGOs...);
- The level of involvement of certain key players (confusion of roles of decentralised and deconcentrated administrations, low involvement of key actors such as traditional leaders.

It is necessary to redefine the concept and revise the approach so that the local police can be established quickly and permanently for the benefit of the population.

The Koglweogo maintains a mixed relationship with the Administration. They accuse the defence security forces of inefficiency in the face of rising insecurity and criticise the judges of releasing criminals and offenders. The growth in support of the Koglweogo in part arises from general mistrust of the judiciary and state security services as regards to their ability to effectively ensure security of the people and to serve justice.

In Sapouy West Central, the Koglweogo firmly resisted the defence forces and security who wanted to try them for lynching a suspected beef thief. Following these infringements on human rights, the Minister for Security, Simon Compaoré, visited Leo on 7th March, 2016 to meet with these self-defence groups. The latter simply decided not to meet the minister, thus defying the authority of the State.

In the Eastern Region of Fada N’Gourma, ten members of the Koglweogo, were arrested on 10th March 2016, tried and placed under a warrant of committal, then referred by the gendarmerie. They

were prosecuted for “illegal confinement, assault and battery on a victim accused of stealing beef”.

The next day, 11th March 2016, hundreds of Koglweogo converged towards Fada N’Gourma. With the support of some of the locals, they demanded the immediate release of their comrades and then issued an ultimatum to the gendarmerie. However, the government who had been accused many times of weakness when its authority had been undermined, decided to react firmly. Faced with the authorities’ determination, the Koglweogo finally demobilised without being successful in their cause, after vigorous action by the defence and security agencies that the government had massively deployed in the region.

On his part, the Attorney-General, Laura Poda, during a press conference in a firm language on 15th March 2016, said “it is not tolerable that private justice should be established alongside the State. The floors are open to everyone, all police stations are open, and the gendarmerie brigades are open to receive denunciations or persons caught red-handed”. Calling the people to order by strictly abiding by the laws, Mr. Poda added the following words:

We appeal to the population and to any association whatever it might called and under the jurisdiction of any citizen to denounce to the Attorney-General of Burkina Faso or to the judicial police any behaviour contrary to the law. On the other hand, because we are in a state of law where the right to carry out justice rests in the judicial institution that renders justice in the name of the people (...). We recall that the judges are there to protect the rights of the citizens. It is why the Attorney General’s office that we represent cannot turn a blind eye to acts that constitute infringement of the criminal law.

The social peace that we aspire for must pass through the respected channels; through all the laws we have forged to govern our society.

In response to the question of whether to dissolve the Koglweogo or not, the Attorney-General said “I cannot prevent an association from existing. But if you act contrary to the laws, you will be judged (...). We are here to ensure that laws are enforced

(...). If there are individuals who break the law, regardless of their denomination, the law is enforced”. The magistrates, for their part are not in the shade. They have introduced the need for the government to dismantle those self-defence groups that seem to replace the judiciary.

Although, the first Koglweogo officials declared themselves to be in accordance with the forces of order and the rule of law, in practice the authority of the State is often put to the test.

As previously stated, the dissolution of Koglweogo was initially claimed in some urban areas, including magistrates and human rights movements. However in the face of popularity of the Koglweogo, their effectiveness and the inability of the State to effectively respond to the safety and needs of the people, the views of the government, the opposition and the society became more nuanced.

If the phenomenon of Koglweogo seems to escape the control of the State authority, this does not seem to be the case with traditional leaders. On one hand, the genesis and origin of Koglweogo shows they are linked to traditional authority, the need for protection of territories and the environment in certain kingdoms or traditional chiefdoms.

On the other hand, recent events have shown that these groups act with the blessings of some traditional leaders or refer to them for the settlement of certain disputes. According to Saidou Kabore, the author of a report on Burkinabe Movement of Human Rights and People (MBDHP) for Kouritenga, in the Central Plateau region, surveys show that these groups very often have the support of the local customary leaders. Sometimes the leader of Koglweogo is also the village chief. This is the case in Boutiourou village (10km from Leo). Otherwise, it is under the aegis of a traditional leader that the Koglweogos have adopted a code of good conduct, as previously stated.

Furthermore, the national President of the Koglweogo, Rasankan Naaba Soore, the chief of Rassamkande, a village about a do<sup>2</sup>zen kilometers from Kombissiri in the South Central region.

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<sup>2</sup> (Sidwaya 29<sup>th</sup> March 2016).



Soore presided over the meeting held on 22nd March 2016 in Rasamkandee, in which nearly 600 associations from various localities met to agree on rules of good conduct. According to Rasankan Naaba Soore, the meeting was aimed at “calming the minds, (...) also to sensitize on the vision that supported the establishment of the associations. The role of the Koglweogo is not to prevent the State from functioning nor disturb the public order but to protect us and to protect our properties against bandits and thieves. And any attitude or behavior contrary to that is not Koglweogo” Given the role that the traditional leaders play in the functioning of the Koglweogo, their regulation by the State necessarily involves a dialogue between the State authorities and the traditional authorities.

In the planned municipal elections held on 22nd May 2016, the question of the Koglweogo was a major topic. The local population expect the local authorities to support the action of self-defence by allocating them the required means.

Given the popularity of the Koglweogo, it is most likely that the majority of the local elected officials recognise their merits and pledge to support them so as not to antagonise the locals who value the security work that the Koglweogos carry out.

The government, for electoral reasons, initially chose the path of dialogue and “support” of Koglweogo, at the risk of being accused of softness by those groups which, in certain localities, defy the authority of the State. This conciliatory attitude seemed to be motivated by the desire to the gain votes. However the government through the Minister of Security reversed its position after the municipal election of 22nd May 2016, seemingly considered a takeover of the Koglweogo

### ) THE GOVERNMENT’S REACTIONS

The Koglweogo phenomenon could be part of the concept of local policing that the Burkinabè government is trying to implement. The review of the results of a first action plan (2005-2009) for the implementation of community policing revealed a number of achievements and limitations. The existence of functional Local Security Committees (CLS) and the beginning of a new form of

collaboration between the population and the security forces are significant achievements that require consolidation. However, most CLSs could not be installed, or were not operational. The main reason for this is the failure to integrate the socio-cultural references of the population into the implementation of local police. The deployment of the Koglweogo to combat insecurity in certain communities and their level of effectiveness demonstrate the relevance of taking sociocultural values into account in the implementation of community policing.

According the current President of the Faso, Mr Rock Marc Christian Kaboré, the creation of the Koglweogo is a response to what people consider to be the shortcomings of the State in matters of justice and security. However, he believes that the action of these groups must be contained. The Minister of Security agrees that these self-defence groups must work legally. They may be recognised by a receipt, in order to give the State the appropriate means of control.

In order to find solutions to the phenomenon, a meeting was held on 11<sup>th</sup> February 2016, bringing together several ministries, namely:

- The Ministry of Justice, Human Rights and Civic Promotion,
- Territorial Administration, Decentralisation and Internal Security,
- Department of National Defence and Veterans Affairs.

At the end of the meeting, an approach was taken that incorporated awareness-raising through communication in order to bring the Koglweogo to:

- Abide by the law,
- Respect human rights,
- Respect legal procedures

Stakeholders reaffirmed the State's exclusive responsibility for ensuring the safety of the people. To this end, any initiative in this field must be

supervised by the authorised structures, while respecting the authority of the State.

It should be noted, however, that so far no concrete action has been taken by the Government to resolve this phenomenon. One is led to believe that the government has avoided taking measures that may be perceived as restrictive or unacceptable by the local population, for fear of losing its electorate because of the supposed connections between the Koglweogo and the traditional chieftainship. Even so, for some time the government seems to have decided to take a firmer stance. Thus, "the State will be firm in the face of the Koglweogo and will henceforth prevent these self-defence groups from levying fines, having private prisons and traveling around the cities with weapons", said the Minister of Internal Security Simon Compaore on 11th June 2016, during a visit to the Eastern region. In a communiqué released on Monday 13th June 2016, the Minister of Security announced five measures to control the Koglweogo action. These measures include:

- Possession of firearms shall be in conformity with the regulations in force in Burkina Faso at all times and in all places;
- Anyone arrested for committing an offence under the criminal law must be immediately handed over to the internal security forces (the Gendarmerie Brigade and the National Police);
- Persons suspected of committing offences must be announced and reported to the defence and security forces responsible for arresting them;
- Sequestration, bodily harm, humiliating and degrading treatment, forced contributions, fines, taxes, contributions to expenses and reimbursements of dissipated property are formally prohibited;
  - Group movements with ostensible weapons or firearms are also prohibited

The Minister relies on the spirit of discernment of the Koglweogo in the actions they take in order to avoid any situation prejudicial to public order and peace. It remains to be seen how the Koglweogo will react in the face of the firmness shown today by the Security Minister.

## 6) THE NECESSITY OF SUPERVISING THE KGLWEOGO

The Ministry of Security has begun to train the security forces that are to lead the CLS on the four basic principles of community policing: rapprochement, partnership, solving local problems and strengthening preventive measures. These principles aim to make security professionals attentive in order to reduce the barrier between security forces and the local populations. This will enable citizens to take ownership of local security problems and to act to solve them. The security forces will only be able to establish facts and undertake investigations. They will study the causes of insecurity in the rural areas in order to prevent difficulties from arising. Such a partnership could be fruitful if the population can see the security forces as partners with whom they can discuss matters openly and without fear for their security.

While waiting to judge the results of this new public security policy fully financed by the Burkinabe state, the time has come for its operationalisation, which is already effective in all regions of Burkina Faso.

However, the establishment of CLSs in all areas of Burkina is yet to be completed. These CLSs are composed of ten members including eight representing the socio-professional groups, a municipal councillor of the sector or village, and a security professional. The municipal councillors are the presidents and the security forces, the moderators of the ordinary and extraordinary sessions. The members of these advisory bodies, appointed by the populations concerned on the basis of their "good character", are installed in their office by the prefect or mayor during an official ceremony. One of the tasks of the CLS is to provide<sup>3</sup> advice that can guide the activities of the security forces and to organise cooperation between the security services and the local population in the

<sup>3</sup> 16 Propos tenus en marge d'une rencontre à Fada N'Gourma (289km, Est) avec les Forces vives de la région de l'Est. Source : <http://lefaso.net/spip.php?article71703>

prevention of insecurity. It is on this model that the State could reorganise the Koglweogo of Burkina Faso.

Indeed, the creation of the Koglweogo has exposed the inability of the Burkina Faso State to ensure internal security. It presents itself as a response to this vacuum. The upsurge of the phenomenon can undermine the foundations of the rule of law, with a bonus of settling scores and to undermine the foundations of the State's perpetuity by questioning the monopolies on (i) violence (ii), taxation (iii) and justice.

All members of the Koglweogo should be sensitised on human rights issues, judicial proceedings and respect for state authority. It is a matter of putting them in close contact with the security and law enforcement agencies, in the context of the fight against banditry. This can only be done with the help of the government, which must restore public power and provide the means to respond effectively to the "privatisation" of violence.

## **7) A THREAT TO THE RULE OF LAW AND HUMAN RIGHTS**

The right to justice does not belong to civilians, but to the judiciary. The Universal Declaration of Human Rights of 1948, endorsed by Burkina Faso, provides in articles 10 and 11:

Everyone has the right, in full equality, to have his case heard fairly and publicly by an independent and impartial tribunal which shall decide either on his rights and obligations or on the merits of any criminal charge against him. Any person accused of a criminal act shall be presumed innocent until proved guilty according to law in a public trial where all the guarantees necessary for his defence have been secured.

In the logic of the Koglweogo, the presumption of innocence does not exist. On the basis of mere suspicion, victims can pass from life to death. The abuses of these groups are therefore violations of

human rights. In addition, the Koglweogo are armed, and have no authorisation to carry weapons. There is a need to supervise these groups to prevent infringement of the law and human rights such as these.

## **7) SCENARIOS AND RECOMMENDATIONS**

In this context, it is important that

- The Koglweogo are reorganised into a formal structure, including being part of the local police force. For this to happen, the State and its partners including civil society organisations, traditional and religious leaders must reformulate the Five-Year Action Plan for local policing by integrating the actions of the Koglweogo.
- On the basis of this new plan, means will be mobilised within the framework of the state, but also with partners to develop and implement activities which including monitoring and evaluation.
- The activities should include training of the administration of justice, respect for human rights and collaboration with the judiciary and the police forces, etc.

