

ブルキナファソへの帰還に関する UNHCR の見解－更新 I（仮訳）

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ブルキナファソ地図



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要旨

1. 本文書では、ブルキナファソにおける治安状況、政治的不安定さおよび人道状況の悪化に関する重大な懸念¹を背景として、同国への帰還に関する UNHCR の見解を明らかにしている。本文書は、ブルキナファソへの帰還に関する 2021 年 7 月の見解²に取って代わり、それを置き換えるものである。本文書は、他に断りがない限り、2023 年 6 月 30 日までに入手できた情報に基づいている。

2. ブルキナファソで不安定な状況が広がっていることに鑑み、UNHCR としては、ブルキナファソで継続中の紛争から避難する人々は 1969 年 OAU 条約³第 1 条 (2) に従って国際難民保護を必要としている可能性が高いと考える。これには、個別の難民認定 (RSD) 手続を利用して庇護を求める後発的難民も含まれ得る⁴。加えて、ブルキナファソにおける紛争から避難する人々は、1951 年条約上の難民の地位に関する基準⁵も満たす可能性がある。治安・人権・人道状況の悪化を踏まえ、UNHCR は、各国に対し、次の地方出身のいかなる者についてもブルキナファソへの強制送還を行わないよう求める—ブークル・デュ・ムフン、カスカード、中東部、中北部、中西部、中南部、東部、オーバッサン、北部、サヘルおよび南西部。

はじめに

3. ブルキナファソへの帰還に関する UNHCR の 2021 年 7 月の見解を発表して以降、特にブルキナファソおよびマリを含むサヘル地域の国々は暴力的過激派集団関連の暴力のさらなる増加を経験しており、それによって大規模な避難および人道状況のさらなる悪化が生じている⁶。ブルキナ

¹ Human Rights Watch (HRW), *World Report 2023: Burkina Faso*, 16 January 2023, www.ecoi.net/en/document/2085396.html; UNICEF, *Humanitarian Action for Children: Burkina Faso*, 22 December 2022, www.unicef.org/media/131986/file/2023-HAC-Burkina-Faso.pdf, pp. 1-2; Congressional Research Service (CRS), *Burkina Faso: Conflict and Military Rule*, 17 October 2022, <https://crsreports.congress.gov/product/pdf/IF/IF10434/14>; International Crisis Group (ICG), *An Initial Assessment of Burkina Faso's Transitional Leadership*, 14 September 2022, www.ecoi.net/en/document/2079016.html; US Department of State, *2022 Country Report on Human Rights Practices: Burkina Faso*, 20 March 2023, www.ecoi.net/en/document/2089213.html.

² UNHCR, *Position on Returns to Burkina Faso*, 30 July 2021, www.refworld.org/docid/60f8209c4.html.

³ Organization of African Unity, *Convention Governing the Specific Aspects of Refugee Problems in Africa* ("OAU Convention"), 10 September 1969, 1001 UN, Treaty Series 45, www.refworld.org/docid/3ae6b36018.html.

⁴ Sur place claims are accepted under the 1969 OAU Convention consistent with the interpretation of the 1951 Convention; see UNHCR, *Guidelines on International Protection No. 12: Claims for Refugee Status Related to Situations of Armed Conflict and Violence under Article 1A(2) of the 1951 Convention and/or 1967 Protocol Relating to the Status of Refugees and the Regional Refugee Definitions*, 2 December 2016, www.refworld.org/docid/583595ff4.html, para. 52.

⁵ UN General Assembly, *Convention Relating to the Status of Refugees*, 28 July 1951, UN, Treaty Series, Vol. 189, p. 137, www.refworld.org/docid/3be01b964.html and UN General Assembly, *Protocol Relating to the Status of Refugees*, 31 January 1967, UN, Treaty Series, Vol. 606, p. 267, www.refworld.org/docid/3ae6b3ae4.html.

⁶ ICG, *10 Conflicts to Watch in 2023*, 1 January 2023, www.crisisgroup.org/global/10-conflicts-watch-2023; Voice of America (VOA), *Deaths, Instability Increase Across the Western Sahel in 2022*, 29 December 2022, www.voanews.com/a/deaths-instability-increase-across-the-western-sahel-in-2022-/6888640.html; Financial Times, *Security Forces Struggle to Cope with Upsurge in Sahel Jihadi Violence*, 9 October 2022, www.ft.com/content/f4dcccdb-1760-4b52-a290-ad62e99ea42b; Africa Center for Strategic Studies, *Five Zones of Militant Islamist Violence in the Sahel*, 26 September 2022, <https://africacenter.org/spotlight/five-zones-militant-islamist-violence-sahel/>; INTERSOS, *Sahel, Epicenter of a Fast-Growing Humanitarian Crisis*, 26 August 2022,

仮訳（原文英語）：UNHCR, *UNHCR Position on Returns to Burkina Faso – Update I*, July 2023, available at: <https://www.refworld.org/docid/64c2748c4.html>

ファソとマリにおける、暴力的過激派集団の暴力による 2022 年中の死亡者数は、前例のない水準に達した⁷。暴力の急速な拡大のため、ブルキナファソでは 200 万人以上が故郷を追われ、2018 年 8 月以降、避難水準の上昇率は 7,000 パーセントを超えている⁸。同国は、「暴力、貧困、食料不足および気候危機への影響の増大によって特徴づけられた、世界でも最も拡大ペースの早い避難危機のひとつを経験している⁹。」同地域の他の国々と同様に、ブルキナファソは干ばつおよび砂漠化を含む気候変動の影響に直面しており、そのために水、食料および土地へのアクセスが脅かされるとともに、貧困が増大している¹⁰。これらの影響は、紛争の拡大を助長して深刻化させるとともに、すでに差し迫っている人道状況をさらに悪化させている¹¹。

4. 2014 年 12 月、ブルキナファソ、チャド、マリ、モーリタニアおよびニジェールは、開発・安全保障政策に関する地域的協力の調整およびモニタリングのための制度的枠組みを創設した（しばしば「G5 サヘル諸国」と呼ばれる）¹²。2017 年 7 月には、G5 サヘル諸国の首脳が、サヘル地

www.intersos.org/en/sahel-epicenter-of-a-fast-growing-humanitarian-crisis/.

⁷ “Countries in Africa’s Western Sahel region — including Burkina Faso, Mali and Niger — saw a 50% increase in deaths due to conflict in 2022.” VOA, *Deaths, Instability Increase Across the Western Sahel in 2022*, 29 December 2022, www.voanews.com/a/deaths-instability-increase-across-the-western-sahel-in-2022-6888640.html. See also, Financial Times, *Security Forces Struggle to Cope with Upsurge in Sahel Jihadi Violence*, 9 October 2022, www.ft.com/content/f4dcccdb-c1760-4b52-a290-ad62e99ea42b. “More than 4,200 people in Burkina Faso were killed by armed violence in 2022. In the first 3 1/2 months of 2023, armed violence in the country, fueled by insurgents such as al-Qaida and the Islamic State group, claimed about 3,000 more lives, according to Armed Conflict Location & Event Data Project, or ACLED.” Africa Defense Forum, *In Burkina Faso, Violence Spirals Out Of Control*, 16 May 2023, <https://adf-magazine.com/2023/05/in-burkina-faso-violence-spirals-out-of-control/>.

⁸ Associated Press, *More than 2 Million People Displaced, Burkina Faso’s Government Says, as Aid Falls Short*, 5 June 2023, <https://apnews.com/article/burkina-faso-displacement-violence-jihadis-3e2890c3c08f634019a63288daf1200a>; Norwegian Refugee Council (NRC), *Burkina Faso: Almost 2 Million People Displaced amid Worst Food Crisis in a Decade*, 5 September 2022, www.nrc.no/news/2022/september/burkina-faso-almost-2-million-people--now-displaced-amid-worst-food-crisis-in-a-decad/. See also, UNHCR, *Operational Data Portal: Burkina Faso*, accessed 25 July 2023, <https://data.unhcr.org/en/country/bfa>.

⁹ UNHCR, *UNHCR Urges Greater Support as Violence Continues Unabated in Burkina Faso*, 29 November 2022, www.unhcr.org/news/unhcr-urges-greater-support-violence-continues-unabated-burkina-faso.

¹⁰ Global Resource Information Database (GRID), *Interactive Country Fiches: Burkina Faso*, accessed 25 July 2023, <https://dicf.unepgrid.ch/burkina-faso/climate-change>; UN Office of the Special Coordinator for Development in the Sahel, *Moving from Reaction to Action: Anticipating Vulnerability Hotspots in the Sahel*, August 2022, www.ecoi.net/en/file/local/2083634/SAHEL+PREDICTIVE+ANALYTICS+REPORT.pdf, pp. 30-35.

¹¹ NRC, *The World’s Most Neglected Displacement Crises 2022*, 1 June 2023, www.nrc.no/globalassets/pdf/reports/neglected-2022/the-worlds-most-neglected-displacement-crises-2022.pdf, p. 4; UN Security Council, *Activities of the United Nations Office for West Africa and the Sahel*, 3 January 2023, S/2022/1019, www.ecoi.net/en/file/local/2085264/N2300032.pdf, para. 35; Council on Foreign Relations (CFR), *Climate Change and Conflict in the Sahel*, November 2022, https://cdn.cfr.org/sites/default/files/report_pdf/Climate%20Change%20and%20Conflict%20in%20the%20Sahel.pdf, pp. 1-9; Friedrich-Ebert-Stiftung, *How Climate Change Fuels Conflicts in West Africa*, 4 October 2022, www.ips-journal.eu/topics/economy-and-ecology/how-climate-change-fuels-conflicts-in-west-africa-6227/; NRC, *Burkina Faso: Almost 2 Million People Displaced amid Worst Food Crisis in a Decade*, 5 September 2022, www.nrc.no/news/2022/september/burkina-faso-almost-2-million-people--now-displaced-amid-worst-food-crisis-in-a-decad/; UN Office of the Special Coordinator for Development in the Sahel, *Moving from Reaction to Action: Anticipating Vulnerability Hotspots in the Sahel*, August 2022, www.ecoi.net/en/file/local/2083634/SAHEL+PREDICTIVE+ANALYTICS+REPORT.pdf, pp. 48-50.

¹² Convention portant création du G5 Sahel, 19 December 2014, www.g5sahel.org/wp-

仮訳（原文英語）：UNHCR, *UNHCR Position on Returns to Burkina Faso – Update I*, July 2023, available at: <https://www.refworld.org/docid/64c2748c4.html>

域における安全保障上の脅威との闘いに共同で取り組んでいくための越境合同部隊を正式に立ち上げた¹³。同合同部隊による最初の作戦は、2017年11月、ブルキナファソ、マリおよびニジェールの軍隊が参加して実施された¹⁴。マリは2022年5月にG5サヘルからの離脱を発表し、2022年6月30日の時点で離脱が完了した¹⁵。2023年1月、ブルキナファソは、同国へのフランス軍部隊の駐留を認めた2018年のフランスとの協定を停止し、残留していたフランス特殊部隊400名に1か月以内の撤収を命じた¹⁶。

政治的進展

5. 暴力的過激派集団による攻撃の結果、治安状況は2021年中に悪化した¹⁷。政府の対応に対する不満から、2021年11月にはブルキナファソ全土で抗議活動が行われた。この抗議活動は、同国のサヘル地方で50人以上の憲兵隊員を殺害し、治安部隊に対する攻撃としては紛争開始以来最悪のものとなった、暴力的過激派集団による攻撃を受けて行われたものである¹⁸。

content/uploads/2015/11/images_convention.pdf.

¹³ G5 Sahel Secrétariat Permanent, *Résolution n° 00-01/2017 relative à la création d'une force conjointe du G5 Sahel*, 6 February 2017, www.g5sahel.org/wp-content/uploads/2017/04/images_Docs_Resolutions_force_conjointe_05_02_20171.pdf.

¹⁴ Reuters, *G5 Sahel Launches Military Operation in African Scrublands*, 2 November 2017, www.reuters.com/article/us-africa-security/g5-sahellaunches-military-operation-in-african-scrublands-idUSKBNID21VS.

¹⁵ UN Security Council, *Activities of the United Nations Office for West Africa and the Sahel*, 3 January 2023, S/2022/1019, www.ecoi.net/en/file/local/2085264/N2300032.pdf, para. 56; France 24, *Mali Withdraws from G5 Sahel Regional Anti-Jihadist Force*, 16 May 2022, www.france24.com/en/africa/20220515-mali-withdraws-from-g5-sahel-regional-anti-jihadist-force. “Mali’s unilateral withdrawal in May 2022 from the G5 Sahel regional security coalition, which had enabled forces from Burkina Faso, Chad, Mali, Mauritania and Niger to conduct joint border operations and share intelligence, thrust the effort into disarray.” International Institute for Strategic Studies (IISS), *Security in the Sahel and the end of Operation Barkhane*, 5 September 2022, www.iiss.org/blogs/analysis/2022/09/security-in-the-sahel-and-the-end-of-operation-barkhane.

¹⁶ The withdrawal was completed on 18 February 2023. France 24, *French Army Officially Ends Operations in Burkina Faso*, 20 February 2023, www.france24.com/en/africa/20230220-french-army-officially-ends-operations-in-burkina-faso; Aljazeera, *Burkina Faso Demands Departure of French Troops: Report*, 22 January 2023, www.aljazeera.com/news/2023/1/22/burkina-faso-demands-departure-of-french-troops. EU and French troops have assisted with counterterrorism operations in the Sahel region in cooperation with the governments of the countries concerned and the G5 joint force. See International Peace Institute, *What Are the International Military Options for the Sahel?*, 12 April 2022, <https://reliefweb.int/report/mali/what-are-international-military-options-sahel>. However, France ended its major counterterrorism operation in the Sahel in June 2021 and withdrew all troops from Mali by 15 August 2022. While some troops remain in other countries in the region, these will serve only in a training capacity and will not engage in combat. IISS, *Security in the Sahel and the end of Operation Barkhane*, 5 September 2022, www.iiss.org/online-analysis/online-analysis/2022/09/security-in-the-sahel-and-the-end-of-operation-barkhane.

¹⁷ ICG, *The Ouagadougou Coup: A Reaction to Insecurity*, 28 January 2022, www.ecoi.net/en/document/2069006.html.

¹⁸ VOA, *Protesters, Angry at Insecurity, Call for Burkina Faso’s President to Resign*, 29 November 2021, www.voanews.com/a/protesters-angry-at-insecurity-call-for-burkina-faso-s-president-to-resign/6332258.html; Reuters, *Burkina Faso Protest Against Militant Violence Turns Violent*, 27 November 2021, www.reuters.com/world/africa/burkina-faso-police-fire-tear-gas-protest-against-militant-violence-2021-11-27/. “For many civilians and soldiers, the security situation reached a tipping point with the attack in Inata, in northern Burkina Faso, on 14 November 2021. Fifty-three gendarmes were killed in this vicious attack, which sealed President Kaboré’s fate. As one local newspaper described it, the government ‘symbolically collapsed’ in the shock waves felt around the country after the incident, the single most lethal attack on soldiers in the country’s history.”

仮訳（原文英語）：UNHCR, *UNHCR Position on Returns to Burkina Faso – Update I*, July 2023, available at: <https://www.refworld.org/docid/64c2748c4.html>

6. 2022年1月24日、ポールアンリ・サンダオゴ・ダミバ中佐に率いられた「防衛と復興のための愛国運動」を自称する兵士集団がクーデターを起こし、権力を掌握した¹⁹。ダミバは安全を提供すると約束したものの、その任期中の非国家武装集団による攻撃の増加や治安部隊内の分裂によって失脚した²⁰。2022年9月30日には、2022年1月のクーデターにも参加していたイブライム・トラオレ大尉が、治安状況の悪化を挙げ、軍の支援を受けてダミバから権力の座を奪った²¹。

7. 2022年10月、トラオレ大統領は西アフリカ諸国経済共同体（ECOWAS）の代表と会見し、新政府はダミバが以前同意していた選挙の実施期限（2024年7月）を遵守すると述べた²²。

ブルキナファソの治安状況

8. ブルキナファソでは2022年中に暴力が拡大し、民間標的および軍事目標に対する暴力的過激派集団の攻撃によって相当数の一般市民が殺傷されている²³。同年中に暴力は国全体に広がり、これまで紛争が生じていなかった地方にも影響が及んで、都市中心部への避難が引き起こされてい

ICG, *The Ouagadougou Coup: A Reaction to Insecurity*, 28 January 2022, www.ecoi.net/en/document/2069006.html. See also, The New Humanitarian, *Can Local Dialogues with Jihadists Stem Violence in Burkina Faso?*, 16 December 2021, www.thenewhumanitarian.org/2021/12/16/can-local-dialogues-jihadists-stem-violence-burkina-faso.

¹⁹ VOA, *Burkina Junta Chief Sworn In as President*, 16 February 2022, www.voanews.com/a/burkina-junta-chief-sworn-in-as-president-/6443982.html; HRW, *Burkina Faso: Coup Puts Rights at Risk*, 27 January 2022, www.ecoi.net/en/document/2067160.html.

²⁰ Africa Center for Strategic Studies, *Understanding Burkina Faso's Latest Coup*, 28 October 2022, <https://africacenter.org/spotlight/understanding-burkina-faso-latest-coup/>; Institute for Security Studies, *Security Priorities for Burkina Faso's New Transition*, 13 October 2022, <https://issafrica.org/iss-today/security-priorities-for-burkina-fasos-new-transition>; France 24, *Burkina Faso Army Captain Announces Overthrow of Military Government*, 30 September 2022, <https://f24.my/8vuc>; ICG, *An Initial Assessment of Burkina Faso's Transitional Leadership*, 14 September 2022, www.ecoi.net/en/document/2079016.html.

²¹ UN Security Council, *Activities of the United Nations Office for West Africa and the Sahel*, 3 January 2023, S/2022/1019, www.ecoi.net/en/file/local/2085264/N2300032.pdf, para. 7; BBC, *Burkina Faso Coup: Ousted Military Ruler Damiba in Togo*, 3 October 2022, www.bbc.com/news/world-africa-63111763; RFI, *Burkina Junta Leader Damiba Resigns, Flees in Wake of Military Coup*, 3 October 2022, www.rfi.fr/en/africa/20221003-burkina-junta-leader-damiba-resigns-flees-in-wake-of-military-coup; France 24, *Burkina Faso Army Captain Announces Overthrow of Military Government*, 30 September 2022, <https://f24.my/8vuc>. “Like the January putsch, the trigger was an attack, on September 26, by jihadist forces on a 150-truck convoy loaded with food heading for Djibo, one of the main cities in the war-torn north. The city of 60,000 people has been under siege by terror groups for the past 18 months. The attack, claimed by an al-Qaeda-linked group, killed 37 people, including 27 soldiers. Days later, Mr. Traore seized power in Ouagadougou, the capital that is home to 2.5 million people, with no significant resistance on the streets.” GIS, *Burkina Faso: Another Russia-West Hotspot?*, 3 January 2023, www.gisreportsonline.com/r/burkina-faso/.

²² VOA, *Burkina Faso's 2024 Election Likely in Jeopardy After Coups: Analysts*, 5 October 2022, www.voaafrica.com/a/burkina-faso-2024-election-jeopardy-coups-/6777509.html. See also, RFI, *Burkina PM Vows No Deal with Jihadists, Hints at Election Delay*, 30 May 2023, www.rfi.fr/en/international-news/20230530-burkina-pm-vows-no-deal-with-jihadists-as-40-killed.

²³ HRW, *World Report 2023: Burkina Faso*, 16 January 2023, www.ecoi.net/en/document/2085396.html; ICG, *An Initial Assessment of Burkina Faso's Transitional Leadership*, 14 September 2022, www.ecoi.net/en/document/2079016.html; Global Centre for the Responsibility to Protect (GCR2P), *Atrocity Alert No. 313: Mali and Burkina Faso, Cameroon and World Humanitarian Day*, 18 August 2022, <https://reliefweb.int/report/burkina-faso/atrocity-alert-no-313-mali-and-burkina-faso-cameroon-and-world-humanitarian-day>; VOA, *As Conflict Spreads to South Burkina Faso, So Do Human Rights Abuses*, 2 March 2022, www.voanews.com/a/as-conflict-spreads-to-south-burkina-faso-so-do-human-rights-abuses/6466713.html.

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る²⁴。武力紛争発生地・事件データプロジェクト（ACLED）は、2022年1月1日から12月31日までの間に、ブルキナファソにおける戦闘、爆発／遠隔地での暴力および一般市民への暴力が1,640件発生し、これによって4,217人の死者が出たことを記録している²⁵。2021年との比較で、事件数は約24パーセント増、死者数の総計は80パーセント増である²⁶。2023年6月現在、暴力はブルキナファソのほとんどの地域において高い水準で続いており、これには、暴力的過激派集団による、一般市民を標的とした誘拐・攻撃および治安部隊に対する攻撃も含まれる²⁷。

9. 暴力の影響を受け続けているのは主としてマリと国境を接するブルキナファソ北部・東部であるが、暴力は同国全域に広がっており、2022年にはサヘル（443件）、東部（359件）、中北部（256件）、北部（171件）およびブークル・デュ・ムフン（145件）の各地方で事件が報告されており、これに中東部（91件）、カスカード（63件）、オーバッサン（44件）、南西部（39件）、中西部（14件）、中部（11件）および中南部（4件）の各地方が続いている²⁸。暴力的過激派集団が中西部で

²⁴ “For several years, Burkinabés originally from northern and eastern regions have been fleeing violence and terrorist attacks to reach safer areas in and around the country’s main cities. But with insecurity now spreading throughout the country, urban areas are becoming overwhelmed by new arrivals.” UNHCR, *UNHCR Urges Greater Support as Violence Continues Unabated in Burkina Faso*, 29 November 2022, www.ecoi.net/en/document/2082966.html. See also, European Commission: European Civil Protection and Humanitarian Aid Operations, *Burkina Faso: Factsheet, 2022*, https://civil-protection-humanitarian-aid.ec.europa.eu/where/africa/burkina-faso_en; Africa Center for Strategic Studies, *Five Zones of Militant Islamist Violence in the Sahel*, 26 September 2022, <https://africacenter.org/spotlight/five-zones-militant-islamist-violence-sahel/>.

²⁵ This data is available for export at ACLED, *Data Export Tool*, accessed 25 July 2023, <https://acleddata.com/data-export-tool/>.

²⁶ Ibid.

²⁷ Between 1 January and 30 June 2023, ACLED documented 862 incidents of battles, explosions/remote violence and violence against civilians in 12 regions of Burkina Faso causing 4,458 fatalities, with Jamā‘at nuṣrat al-islām wal-muslimīn (JNIM) and the Islamic State (IS) Sahel coded as the primary or secondary actor in 790 incidents (91.6%). Ibid. See also, HRW, *Burkina Faso: Upsurge in Atrocities by Islamist Armed Groups*, 15 June 2023, www.hrw.org/news/2023/06/15/burkina-faso-upsurge-atrocities-islamist-armed-groups; Le Monde, *Au Burkina Faso, plus de cinquante soldats tués dans une attaque attribuée aux djihadistes*, 20 February 2023, www.lemonde.fr/afrique/article/2023/02/20/au-burkina-faso-plus-de-cinquante-soldats-tues-dans-une-attaque-attribuee-aux-djihadistes_6162616_3212.html; VOA, *Le Burkina dans la spirale de violences jihadistes toujours plus intenses*, 16 February 2023, www.voafrique.com/a/le-burkina-dans-la-spirale-de-violences-jihadistes-toujours-plus-intenses/6965781.html; Africanews, *Burkina : près de 40 tués dans des violences djihadistes en une semaine*, 13 February 2023, <https://fr.africanews.com/2023/02/13/burkina-pres-de-40-tues-dans-des-violences-djihadistes-en-une-semaine/>.

²⁸ The only region where no incidents occurred in 2022 was Plateau-Central. ACLED, *Data Export Tool*, accessed 25 July 2023, <https://acleddata.com/data-export-tool/>. See also, Africa Center for Strategic Studies, *Five Zones of Militant Islamist Violence in the Sahel*, 26 September 2022, <https://africacenter.org/spotlight/five-zones-militant-islamist-violence-sahel/>. “A 143% increase in attacks in the southern areas of Burkina Faso was reported from January 2021 to May 2022. This resulted in the displacement of thousands of Burkinabe refugees to north-eastern Côte d’Ivoire and northern Benin”. Global Education Cluster, *Education Under Attack in West and Central Africa: 2022 Update*, 6 September 2022, <https://reliefweb.int/report/burkina-faso/education-under-attack-west-and-central-africa-2022-update>, p. 3. “La situation [sécuritaire] ne s’est pas améliorée et s’aggrave en raison de l’intensification des violences qui a pour corollaire la dégradation de l’environnement protecteur, notamment dans le Sahel, le Centre-Nord, le Nord-Est, le Centre-Est, les Cascades, les Hauts-Bassins et la Boucle du Mouhoun.” Protection Cluster, *Revue des Données Secondaires Violence Basée sur le Genre au Burkina Faso*, 22 December 2022, www.ecoi.net/en/document/2085014.html, p. 1. At the time of writing, the number of recorded incidents in the Centre-Sud region, located between the Centre-Ouest and the Centre-Est regions, was low compared to the neighbouring regions. Nevertheless, in early 2023 violent incidents were reported in this region too. See for example, Lefaso.net, *Insécurité au Burkina : Une base terroriste démantelée dans le Nahouri*, 14 February 2023,

仮訳（原文英語）：UNHCR, *UNHCR Position on Returns to Burkina Faso – Update I*, July 2023, available at: <https://www.refworld.org/docid/64c2748c4.html>

初めて攻撃を実行したのは2022年5月で、続けて、少なくとも12人の一般市民が殺害された2023年1月の攻撃を含む複数回の攻撃が行われた²⁹。高水準の紛争は主として一般市民、特に女性と子どもにも影響を及ぼしている³⁰。

10. 2019年1月1日より、当局によって、オーバッサン、ブークル・デュ・ムフン、カスカード、北部、サヘル、東部および中東部地方の14県に部分的な非常事態宣言が発出された³¹。同宣言は2019年7月11日に6か月延長され、2019年12月27日にさらに12か月延長された後、2020年1月10日には期間が18か月に修正され、2021年7月からさらに18か月間再延長された³²。2022年1月のクーデターを理由として非常事態は終了したものとされたが、2022年4月に再発動された³³。2023年3月に政府が発出した非常事態宣言では、上記の地方および中北部の22県が対象とされている³⁴。

自警団

11. 2014年以降、伝統的狩猟民族コルウェオゴやドゾのような自警団がブルキナファソ全域で活動しており、暴力的過激派による攻撃への反応として、その数は急増している³⁵。自衛のための民

<https://lefaso.net/spip.php?article119475>; and see also ACLED, *Data Export Tool*.

²⁹ Jeune Afrique, *Au Burkina Faso, des attaques jihadistes sans répit*, 13 February 2023, www.jeuneafrique.com/1417389/politique/au-burkina-faso-des-attaques-jihadistes-sans-repit/; TV5Monde, *Burkina Faso : au moins une dizaine de civils tués dans deux attaques djihadistes*, 27 January 2023, <https://information.tv5monde.com/afrique/burkina-faso-au-moins-une-dizaine-de-civils-tues-dans-deux-attaques-djihadistes-486665>; Anadolu Agency, *Burkina Faso : au moins un gendarme tué dans une attaque dans le Centre-ouest*, 29 May 2022, www.aa.com.tr/fr/afrique/burkinafaso-au-moins-un-gendarme-tue-dans-une-attaque-dans-le-centre-ouest/2600569. See also, ACLED, *Data Export Tool*, accessed 25 July 2023, <https://acleddata.com/data-export-tool/>.

³⁰ "La violence quasi quotidienne est généralisée sur 77% du territoire (10 sur 13 régions), affectant principalement les populations civiles, notamment les femmes et les enfants." UN Office for the Coordination of Humanitarian Affairs (OCHA), *Plan de Réponse Humanitaire: Burkina Faso*, March 2022, www.ecoi.net/en/file/local/2069815/bfa_hrp_2022_mars.pdf, p. 5. "Civilians are the first victims of the upsurge in violence and the exponential increase in human rights violations." UNHCR, *Operational Update: Burkina Faso*, 31 December 2022, <https://reporting.unhcr.org/document/4210>, p. 2.

³¹ Le Faso, *Etat d'urgence au Burkina Faso : Voici les zones concernées et le décret d'application*, 2 January 2019, <https://lefaso.net/spip.php?article87271>.

³² Anadolu Agency, *Burkina Faso : Le Parlement proroge l'état d'urgence de 18 mois dans 14 provinces*, 24 June 2021, www.aa.com.tr/fr/afrique/burkina-faso-le-parlement-proroge-l-etat-d-urgence-de-18-mois-dans-14-provinces/2284444; Burkina Faso: Assemblée Nationale, *Compte rendu analytique de la séance plénière du vendredi 10 janvier 2020*, 10 January 2020, www.assembleenationale.bf/spip.php?article1161; Burkina Faso: Assemblée Nationale, *Loi n°045-2019/an portant prorogation de la durée de l'état d'urgence prorogée par la loi n°001-2019/an du 11 janvier 2019*, 11 July 2019, www.assembleenationale.bf/IMG/pdf/loi_045_portant_prorogation_de_l_etat_d_urgence.pdf.

³³ Anadolu Agency, *Burkina Faso : L'état d'urgence sera réactivé sur toute l'étendue du territoire*, 11 April 2022, www.aa.com.tr/fr/afrique/burkina-faso-l-etat-d-urgence-sera-reactive-sur-toute-l-etendue-du-territoire/2561094.

³⁴ Project 21, *Protection Monitoring Note: March – April 2023*, 1 June 2023, <https://data.unhcr.org/en/documents/details/101312>, p. 3; Crisis 24, *Burkina Faso: Authorities Impose State of Emergency in 22 Provinces from March 30*, 28 March 2023, <https://crisis24.garda.com/alerts/2023/03/burkina-faso-authorities-impose-state-of-emergency-in-22-provinces-from-march-30>.

³⁵ Clingendael Institute, *Self-Defence Groups, Politics and the Sahelian State*, 14 December 2022, www.clingendael.org/publication/self-defence-groups-politics-and-sahelian-state; ACCORD, *Self-defence Militias and State Sponsorship in Burkina Faso*, 15 March 2022, www.accord.org.za/conflict-trends/self-defence-militias-and-state-sponsorship-in-burkina-faso/; Bertelsmann Stiftung, *BTI 2022 Country Report: Burkina Faso*,

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兵組織は地元当局および伝統的当局の承認を得ており、その団員数は数万人に上ると推定される³⁶。

12. 2020年1月21日に採択された法律により、それぞれの村または居住地域において武力を用いて人および財産を防衛・保護する目的で、一般市民の中から祖国防衛義勇軍（VDP）を徴集することが認められた³⁷。VDPは前線で多数の死傷者を出し、2021年には弱体化したものの、軍の協力を得て2022年には再動員されている³⁸。2022年10月、政府はさらに5万人のVDPを徴集する意向を明らかにした³⁹。2022年12月17日、立法議会は、義勇軍の徴集ならびに入隊者の利益および責任の概要を定める改正VDP法を可決した⁴⁰。

23 February 2022, www.ecoi.net/en/document/2069763.html, p. 6; Friedrich-Ebert-Stiftung, *Pandora's Box: Burkina Faso, Self-Defense Militias and VDP Law in Fighting Jihadism*, 2021, <https://library.fes.de/pdf-files/bueros/fes-pscc/17590.pdf>, p. 8.

³⁶ Le Monde Diplomatique, *Les milices prolifèrent au Burkina Faso*, May 2020, www.monde-diplomatique.fr/2020/05/CARAYOL/61740; ICG, *Stopping the Spiral of Violence*, 24 February 2020, www.ecoi.net/en/file/local/2025967/287-burkina-faso-spiral-of-violence.pdf, pp. 9-11. "One of the most important federations of Dozo hunting brotherhoods in Burkina Faso is the National Union of Dozo, led by Ali Konaté. It claims 17,000 members from 142 brotherhoods." Friedrich-Ebert-Stiftung, *Pandora's Box: Burkina Faso, Self-Defense Militias and VDP Law in Fighting Jihadism*, 2021, <https://library.fes.de/pdf-files/bueros/fes-pscc/17590.pdf>, p. 17.

³⁷ The New Humanitarian, *In Burkina Faso, Arming Civilians to Fight Jihadists. What Could Go Wrong?*, 9 March 2020, www.thenewhumanitarian.org/feature/2020/03/09/burkina-faso-jihadists-vigilantes-civilian-law. "Alors que l'objectif est de recruter à terme 13 000 VDP, seulement un peu plus de 2 000 avaient été recrutés au début du mois de juin 2020 selon un rapport de l'Assemblée nationale." Friedrich-Ebert-Stiftung, *Une boîte de Pandore. Le Burkina Faso, les milices d'autodéfense et la loi sur les VDP dans la lutte contre le jihadisme*, 2021, <http://library.fes.de/pdf-files/bueros/fes-pscc/17591-20210423.pdf>; ICG, *Stopping the Spiral of Violence*, 24 February 2020, www.ecoi.net/en/file/local/2025967/287-burkina-faso-spiral-of-violence.pdf, p. 24. See also, International Centre for Counter-Terrorism, *Civilians on the Front Lines of (Counter-) Terrorism: Lessons from the Volunteers for the Defence of the Homeland in Burkina Faso*, November 2021, <https://icct.nl/app/uploads/2021/11/Civilians-on-the-Front-Lines-of-Counter-Terrorism-1.pdf>, p. 5.

³⁸ ICG, *An Initial Assessment of Burkina Faso's Transitional Leadership*, 14 September 2022, www.ecoi.net/en/document/2079016.html.

³⁹ Jamestown Foundation, *Mass Civilian Defense Force Recruitment Raises Jihadist Threat to Civilians in Burkina Faso*, Terrorism Monitor Volume 22 Issue 5, 3 March 2023, www.ecoi.net/en/document/2088239.html; Africanews, *Burkina Faso: 30,000 New Army Auxiliaries to Fight Terrorism*, 22 November 2022, www.africanews.com/2022/11/22/burkina-faso-30000-new-army-auxiliaries-to-fight-terrorism/; Africanews, *Burkina Faso Recruits 50,000 Civilians as Army Auxiliaries to Fight Jihadists*, 26 October 2022, www.africanews.com/2022/10/26/burkina-faso-recruits-50000-civilians-as-army-auxiliaries-to-fight-jihadists/. Reportedly, 90,000 persons signed up. Project 21, *Protection Monitoring Note: March – April 2023*, 1 June 2023, <https://data.unhcr.org/en/documents/details/101312>, p. ; VOA, *4 Attacks Kill Dozens in Burkina Faso, Security Sources Say*, 20 January 2023, www.voanews.com/a/attacks-kill-dozens-in-burkina-faso-security-sources-say-6927428.html; RFI, *Burkina Faso: le recrutement de volontaires face au terrorisme dépasse les objectifs fixés*, 27 November 2022, www.rfi.fr/fr/afrique/20221127-burkina-faso-le-recrutement-devolontaires-face-au-terrorisme-dépasse-les-objectifs-fixés. The Burkinabé army has less personnel; estimates put their forces between 15,000 and 20,000. ICG, *An Initial Assessment of Burkina Faso's Transitional Leadership*, 14 September 2022, www.ecoi.net/en/document/2079016.html.

⁴⁰ This superseded and replaced the previous January 2020 law. Volunteers are recruited to serve at the village, communal or national level for a period of twelve months at a time. They are supposed to receive financial support and health coverage in case of injury or death. Burkina Faso: Legislative Assembly, *Loi no. 028-2022/ALT Instituant les volontaires pour la défense de la patrie (VDP)*, 17 December 2022, www.assembleenationale.bf/IMG/pdf/loi_no028_instituant_vdp.pdf.

暴力的過激派集団

13. 2015年以降、ブルキナファソは暴力的過激派集団が存在する結果としての紛争を経験しており、「世界で最も過酷な（そして最も見過ごされている）人道・避難危機のひとつが生ずるに至っている⁴¹。」このような集団による攻撃は、2022年にはさらに頻発しており、ACLEDが2022年中に記録した戦闘、爆発／遠隔地での暴力および一般市民への暴力の事件は、その90パーセント以上が暴力的過激派集団の関与によるものである⁴²。サヘル地域において、ブルキナファソはこれらの集団と関連した暴力の震源地となっている⁴³。ブルキナファソ当局が支配できているのは推定60パーセントの領域に過ぎず、残りはこれらの集団が掌握する地域である⁴⁴。2022年から2023年にかけて、これらの集団による暴力は南下してトーゴおよびベナンにも広がっている⁴⁵。

⁴¹ Global Initiative Against Transnational Organized Crime (GI-TOC), *JNIM in Burkina Faso: A Strategic Criminal Actor*, August 2022, <https://globalinitiative.net/wp-content/uploads/2022/08/Burkina-Faso-JNIM-29-Aug-web.pdf>, p. 1. “The western Sahel has seen a quadrupling in the number of militant Islamist group events since 2019. The 2,800 violent events projected for 2022 represent a doubling in the past year. This violence has expanded in intensity and geographic reach”. Africa Center for Strategic Studies, *Five Zones of Militant Islamist Violence in the Sahel*, 26 September 2022, <https://africacenter.org/spotlight/five-zones-militant-islamist-violence-sahel/>.

⁴² JNIM and IS Sahel were noted either as the primary actor or the secondary actor in 1,492 incidents, making up 90.9 per cent of all recorded incidents. ACLED, *Data Export Tool*, accessed 25 July 2023, <https://acleddata.com/data-export-tool/>. To see these types of incidents mapped across the Sahel, see Africa Center for Strategic Studies, *Time Lapse of Districts with Militant Islamist Violence in the Sahel*, 26 September 2022, <https://africacenter.org/wp-content/uploads/2022/09/Sahel-Heat-Maps-2017-2022.pdf>, p. 6. See also, Financial Times, *Security Forces Struggle to Cope with Upsurge in Sahel Jihadi Violence*, 9 October 2022, www.ft.com/content/f4dcccdb-1760-4b52-a290-ad62e99ea42b; The New Humanitarian, *In Post-Coup Burkina Faso, Jihadist Attacks Grow Fiercer Despite Junta Pledge*, 29 June 2022, www.thenewhumanitarian.org/analysis/2022/06/29/Burkina-Faso-displacement-coup-junta.

⁴³ “[M]ore than two-thirds of the violent events [during the first three quarters of 2022] linked to militant Islamist groups in the Sahel took place outside of Mali, mostly in Burkina Faso”. Africa Center for Strategic Studies, *Five Zones of Militant Islamist Violence in the Sahel*, 26 September 2022, <https://africacenter.org/spotlight/five-zones-militant-islamist-violence-sahel/>. In the Sahel: “Burkina Faso is in the direst straits.” ICG, *10 Conflicts to Watch in 2023*, 1 January 2023, www.crisisgroup.org/global/10-conflicts-watch-2023.

⁴⁴ Le Monde, *Au Burkina Faso, plus de cinquante soldats tués dans une attaque attribuée aux djihadistes*, 20 February 2023, www.lemonde.fr/afrique/article/2023/02/20/au-burkina-faso-plus-de-cinquante-soldats-tues-dans-une-attaque-attribuee-aux-djihadistes_6162616_3212.html; France 24, *French Army Officially Ends Operations in Burkina Faso*, 20 February 2023, www.france24.com/en/afrique/20230220-french-army-officially-ends-operations-in-burkina-faso; Aljazeera, *State Controls Just 60 Percent of Burkina Faso: ECOWAS Mediator*, 18 June 2022, www.aljazeera.com/news/2022/6/18/state-controls-only-60-percent-of-burkina-faso-mediator. “Jihadist inspired terrorist groups [control] large swathes of territory, especially in the countryside beyond the central government’s reach. According to estimates, the government controls slightly over 50 percent of the country’s territory, and the actual figure could be lower.” GIS, *Burkina Faso: Another Russia-West Hotspot?*, 3 January 2023, www.gisreportsonline.com/r/burkina-faso/.

⁴⁵ “The deteriorating security situation is spreading rapidly southward to Togo and Benin, where JNIM or its affiliates are now conducting attacks and could seek to reproduce the same pattern of leveraging and exploiting community tensions. Less affected by this violence, Ghana could become the next target of JNIM, according to several Member States.” UN Security Council, *Letter Dated 13 February 2023 from the Chair of the Security Council Committee Pursuant to Resolutions 1267 (1999), 1989 (2011) and 2253 (2015) Concerning Islamic State in Iraq and the Levant (Da’esh), Al-Qaida and Associated Individuals, Groups, Undertakings and Entities Addressed to the President of the Security Council*, 13 February 2023, S/2023/95, www.ecoi.net/en/file/local/2087006/N2303891.pdf (hereafter: UN Security Council, *Letter Dated 13 February 2023*, 13 February 2023, www.ecoi.net/en/file/local/2087006/N2303891.pdf), para. 30. See also, RFI, *Togo: le président Faure Gnassingbé évoque les attaques armées dans le nord du pays*, 29 April 2023,

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14. ブルキナファソでは、2つの暴力的過激派集団が依然として活動を続けている。「イスラムとムスリムの支援団（JNIM）⁴⁶」（マシナ大隊⁴⁷や Ansaroul Islam⁴⁸を含む集団の連合体）と、大サハラのイスラム国（ISGS）としても知られる「イスラム国（IS）サヘル州⁴⁹」である。JNIM が東部・北部・中北部地方で相当な支配権を行使している一方、IS サヘル州はサヘル地方のウダラン県とセノ県で最も活発に活動している⁵⁰。2つの集団はもともと政府への攻撃で協力していたが、2019

www.rfi.fr/fr/afrique/20230429-togo-le-président-faure-gnassingbé-évoque-les-attaques-armées-dans-le-norddu-pays.

⁴⁶ “JNIM formed in March 2017 through the merger of four Salafi-jihadist groups in the Sahel: Ansar Dine, Katibat Macina, al-Mourabitoun, and the Sahara branch of al Qaeda in the Islamic Maghreb (AQIM). In announcing the group’s creation, JNIM emir Iyad Ag Ghaly stated the group’s intention to ‘stand in front of the occupying Crusader enemy’ and pledged allegiance to al Qaeda leader Ayman al-Zawahiri.” Center for Strategic and International Studies, *Examining Extremism: Jama’at Nasr al-Islam wal Muslimin*, 15 July 2021, www.csis.org/blogs/examining-extremism/examining-extremism-jamaat-nasr-al-islam-wal-muslimin. See also, UN Security Council, *Letter Dated 11 July 2022 from the Chair of the Security Council Committee Pursuant to Resolutions 1267 (1999), 1989 (2011) and 2253 (2015) Concerning Islamic State in Iraq and the Levant (Da’esh), Al-Qaida and Associated Individuals, Groups, Undertakings and Entities Addressed to the President of the Security Council*, 15 July 2022, S/2022/547, www.ecoi.net/en/file/local/2075689/N2239429.pdf (hereafter: UN Security Council, *Letter Dated 11 July 2022*, 15 July 2022, www.ecoi.net/en/file/local/2075689/N2239429.pdf), paras 26, 32. “JNIM’s strategic aims were a continuation of AQIM’s – to undermine regional governments by fighting state forces and to foster their own form of Islamist governance in an expansionist fashion.” GI-TOC, *JNIM in Burkina Faso: A Strategic Criminal Actor*, August 2022, <https://globalinitiative.net/wp-content/uploads/2022/08/Burkina-Faso-JNIM-29-Aug-web.pdf>, p. 19.

⁴⁷ “A central Malian jihadist group that joined the JNIM coalition in 2017. Given central Mali’s proximity to Burkina Faso, Katibat Macina is the most influential of JNIM’s components in Burkina Faso and was a critical support for Ansarul Islam’s development. Katibat Macina and its leader, Amadou Kouffa, have focused their recruitment efforts and rhetoric on Fulani grievances and intercommunal struggles in central Mali.” GI-TOC, *JNIM in Burkina Faso: A Strategic Criminal Actor*, August 2022, <https://globalinitiative.net/wp-content/uploads/2022/08/Burkina-Faso-JNIM-29-Aug-web.pdf>, p. 4.

⁴⁸ Ansaroul Islam was founded by Ibrahim Malam Dicko, a Burkinabe religious preacher of fulani ethnicity from the province of Soum in the Sahel region in 2016. The group was allied with the Katibat Macina from Mali and cooperated with JNIM and ISGS from 2017 to 2019. Starting in 2019, however, ISGS and JNIM, along with its partners, have fought against each other. In this context, Ansaroul Islam and JNIM’s attacks have “become essentially indistinguishable”, with evidence suggesting that Ansaroul Islam has “been effectively absorbed into the JNIM coalition”. GI-TOC, *JNIM in Burkina Faso: A Strategic Criminal Actor*, August 2022, <https://globalinitiative.net/wp-content/uploads/2022/08/Burkina-Faso-JNIM-29-Augweb.pdf>, p. 11, see also, pp. 4, 9-10. “Several militant groups, including remnants of the Burkinabe group, Ansaroul Islam, fight under the banner of [JNIM].” Africa Center for Strategic Studies, *Five Zones of Militant Islamist Violence in the Sahel*, 26 September 2022, <https://africacenter.org/spotlight/five-zones-militant-islamist-violence-sahel/>. “Within the context of increased instability associated with the coup d’état in Burkina Faso of 24 January, most of Ansarul Islam joined JNIM.” UN Security Council, *Letter Dated 11 July 2022*, 15 July 2022, www.ecoi.net/en/file/local/2075689/N2239429.pdf, para. 27.

⁴⁹ “After its formation in May 2015, the group went through several phases in its wartime transformation until it was granted ‘provincial’ status in March 2022. Initially, IS Sahel was known as the Islamic State in the Greater Sahara (ISGS). The group did not carry out attacks, or at least did not claim responsibility for them, until September 2016, when it began to carry out a series of attacks on military and security force positions in Burkina Faso and Niger. [...] Between March 2019 and March 2022, IS Sahel was technically the Greater Sahara faction of the Islamic State West Africa Province (ISWAP) as part of the IS organizational infrastructure before being declared a separate province in March 2022.” ACLED, *Actor Profile: The Islamic State Sahel Province*, 13 January 2023, <https://acleddata.com/2023/01/13/actor-profile-the-islamic-state-sahel-province/>. See also, UN Security Council, *Letter Dated 11 July 2022*, 15 July 2022, www.ecoi.net/en/file/local/2075689/N2239429.pdf, para. 30.

⁵⁰ “Through a series of battles with JNIM in 2021, ISGS in Burkina Faso has been increasingly confined to the Oudalan and Seno provinces within the Sahel region, and with a more limited presence in Soum and Yagha. It has been unable to make and hold significant territorial gains despite regular clashes with JNIM. By contrast, JNIM has consolidated its presence in the Est, Nord and Centre-Nord regions and has substantially increased its activity

仮訳（原文英語）：UNHCR, *UNHCR Position on Returns to Burkina Faso – Update I*, July 2023, available at: <https://www.refworld.org/docid/64c2748c4.html>

年中盤以降、「とりわけ破壊的で長期に及ぶ」紛争を相互に繰り広げるようになり、「3 か国〔ブルキナファソ、マリおよびニジェール〕が国境を接する地方での影響力と支配」をめぐって争っている⁵¹。

15. JNIM は地元で受け入れられることに注力しており、民族間の緊張とコミュニティの不満を利用して団員の徴集を押し進めて支配領域の拡大を図るとともに、支配下の地域で急進的形態のイスラム法を導入してきた⁵²。同集団は周辺国でも団員を徴集して勢力を広げており、ブルキナファソで新たに徴集された外国人を訓練してから母国に送り返して戦わせている⁵³。IS サヘル州は、軍事目標および民間標的に対する大規模かつ無差別的な攻撃を行っている⁵⁴。JNIM と IS サヘル

in Cascades, Hauts Bassins and Boucle du Mouhoun in the course of the past year.” GI-TOC, *JNIM in Burkina Faso: A Strategic Criminal Actor*, August 2022, <https://globalinitiative.net/wp-content/uploads/2022/08/Burkina-Faso-JNIM-29-Aug-web.pdf>, pp. 11-12. “[IS Sahel] has become the dominant actor in several of the regions encompassing this area, including the Gao and Menaka regions in Mali, the Oudalan and Seno provinces in Burkina Faso, and the Tillabéri and Tahoua regions in Niger, as well as areas adjacent to the aforementioned regions.” ACLED, *Actor Profile: The Islamic State Sahel Province*, 13 January 2023, <https://acleddata.com/2023/01/13/actor-profile-the-islamic-state-sahel-province/>. See also, ICG, *An Initial Assessment of Burkina Faso’s Transitional Leadership*, 14 September 2022, www.ecoi.net/en/document/2079016.html. In the north and east of the country, JNIM “is establishing itself as the central authority in the absence of strong governance.” UN Security Council, *Letter Dated 13 February 2023*, 13 February 2023, www.ecoi.net/en/file/local/2087006/N2303891.pdf, para. 23.

⁵¹ ACLED, *Actor Profile: The Islamic State Sahel Province*, 13 January 2023, <https://acleddata.com/2023/01/13/actor-profile-the-islamic-state-sahel-province/>. “Clashes between ISGS and the JNIM and Ansarul Islam factions began sporadically in mid-2019, concentrated in the tri-border area of Mali, Burkina Faso and Niger. By early 2020, these had escalated to frequent bouts of violence and evolved into major territorial struggles throughout that year in the tri-border area, and the eastern and northern regions of Burkina Faso. [...] Throughout 2020 and 2021, JNIM-affiliated groups reversed many of the territorial losses to ISGS, particularly in the Est region of Burkina Faso, where it effectively replaced ISGS as the dominant armed actor in the zone.” GI-TOC, *JNIM in Burkina Faso: A Strategic Criminal Actor*, August 2022, <https://globalinitiative.net/wp-content/uploads/2022/08/Burkina-Faso-JNIM-29-Aug-web.pdf>, p. 11, see also p. 12. From 23 June 2022 to 30 December 2022: “Al-Qaida-affiliated [JNIM] engaged in frequent confrontations with Islamic State in the Greater Sahara over access to resources and influence, with civilian populations caught in the crossfire.” UN Security Council, *Activities of the United Nations Office for West Africa and the Sahel*, 3 January 2023, S/2022/1019, www.ecoi.net/en/file/local/2085264/N2300032.pdf, para. 22.

⁵² “In the north, JNIM has exploited ethnic tensions and state neglect, as well as grievances over corruption, patronage politics, social stratification, and land disputes.” CRS, *Burkina Faso: Conflict and Military Rule*, 17 October 2022, <https://crsreports.congress.gov/product/pdf/IF/IF10434/14>, p. 1. “The JNIM instrumentalises ethnic tensions in Soum province to establish its presence in Sahel region. To avoid any counterspeech, the group has killed and threatened the customary and religious authorities playing the role of peacemaker between ethnic communities. A part of the population who feel aggrieved by ethnic rivalries in Soum province adhere to the discourse of the armed groups.” ACAPS, *Burkina Faso: Humanitarian Overview of Djibo Town Surrounded by Armed Groups*, 19 October 2022, www.acaps.org/special-report/burkina-faso-humanitarian-overview-djibo-town-surrounded-armed-groups#container-1823, p. 2. See also, US Department of State, *2022 Report on International Religious Freedom: Burkina Faso*, 15 May 2023, www.ecoi.net/en/document/2091877.html; UN Security Council, *Letter Dated 13 February 2023*, 13 February 2023, www.ecoi.net/en/file/local/2087006/N2303891.pdf, para. 23; ACLED, *Actor Profile: The Islamic State Sahel Province*, 13 January 2023, <https://acleddata.com/2023/01/13/actor-profile-the-islamic-state-sahel-province/>.

⁵³ “JNIM recruits from Côte d’Ivoire, Senegal and Togo are trained in Burkina Faso prior to being redeployed to their countries of origin.” The group also expanded in December 2021 to north-western Nigeria. UN Security Council, *Letter Dated 11 July 2022*, 15 July 2022, www.ecoi.net/en/file/local/2075689/N2239429.pdf, paras 27, 32.

⁵⁴ IS Sahel uses “a distinct pattern of conflict characterized by large-scale violence against a variety of adversaries and civilians” and an “important aspect of [their violence] is that it tends to be indiscriminate: IS Sahel does not distinguish between combatants and civilian communities among opposing forces”. ACLED, *Actor Profile: The*

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州は、住民が自警団を結成した地域を標的としてきた⁵⁵。

16. 2022年2月以降、JNIMはスム県のジボを封鎖し、インフラの破壊および車列への攻撃を行ってきた⁵⁶。この包囲攻撃により、戦略的に重要な道路に設置された即席爆発装置（IEDs）のために人道的アクセスが妨げられることから、差し迫った人道ニーズがいっそう悪化し、食料不足および医薬品不足が進行している⁵⁷。2022年後半にも、「ブルキナファソの暴力的過激派集団は都市の包囲およびインフラを標的とする攻撃を続け」、複数の橋を破壊したほか、補給部隊の車列を攻撃した⁵⁸。インフラを破壊し、IEDsを設置し、車列や交易商を攻撃し、補給物資の輸入を禁止することで、これらの集団は実質的にブルキナファソのサヘル地方を封鎖してきた⁵⁹。加えて、JNIM

Islamic State Sahel Province, 13 January 2023, <https://acleddata.com/2023/01/13/actor-profile-the-islamic-state-sahel-province/>.

⁵⁵ “Islamist armed groups allied to Al-Qaeda and the Islamic State in the Greater Sahara (ISGS) killed hundreds of civilians during attacks on villages and convoys and at water points and gold mines. Many attacks targeted communities that had formed local civil defense groups.” HRW, *World Report 2023: Burkina Faso*, 16 January 2023, www.ecoi.net/en/document/2085396.html. “Violent extremist groups killed hundreds of civilians between January and September. Such violent extremist groups frequently targeted villagers suspected of collaborating with state-sponsored militias and security forces, or simply killed civilians in retribution for losses inflicted by security forces.” US Department of State, *2022 Country Report on Human Rights Practices: Burkina Faso*, 20 March 2023, www.ecoi.net/en/document/2089213.html.

⁵⁶ “Since 17 February 2022, armed groups affiliated with the Jama’at Nasral-Islam wal Muslimin (JNIM) have surrounded Djibo town in Soum province, located at the border with Mali. The groups have been controlling the access routes to the city, preventing the entry and exit of people and goods. The population of Djibo (over 89,000 community members and at least 285,000 IDPs) depends on the few escorted supply convoys to access food and other essential items. These convoys often fall under the attacks of armed groups, who have systematically planted improvised explosive devices (IEDs) along strategic roads. These IEDs have killed civilians and prevented movements.” ACAPS, *Burkina Faso: Humanitarian Overview of Djibo Town Surrounded by Armed Groups*, 19 October 2022, www.acaps.org/special-report/burkina-faso-humanitarian-overview-djibo-town-surrounded-armed-groups#container-1823, p. 1. See also, HRW, *World Report 2023: Burkina Faso*, 16 January 2023, www.ecoi.net/en/document/2085396.html; Bellingcat, *Five Kilometres of Destruction: Satellite Imagery Reveals Extent of Damage to Civilian Convoy in Burkina Faso*, 18 November 2022, www.bellingcat.com/news/2022/11/18/five-kilometres-of-destruction-satellite-imagery-reveals-extent-of-damage-to-civilian-convoy-in-burkina-faso/; Le Monde, *Au Burkina Faso, les djihadistes intensifient leur stratégie d’asphyxie des villes du Nord et de l’Est*, 7 September 2022, www.lemonde.fr/afrique/article/2022/09/07/au-burkina-faso-les-djihadistes-intensifient-leur-strategie-d-asphyxie-des-villes-du-nord-et-de-l-est_6140529_3212.html.

⁵⁷ MSF, *Burkina Faso : la vie sous blocus à Djibo*, 5 May 2023, <https://www.msf.fr/actualites/burkina-faso-la-vie-sous-blocus-a-djibo>; Aljazeera, *Forced to Eat Leaves: Hungry and Besieged in Burkina Faso*, 12 December 2022, www.aljazeera.com/gallery/2022/12/12/forced-to-eat-leaves-hungry-and-besieged-in-burkina-faso; ACAPS, *Burkina Faso: Humanitarian Overview of Djibo Town Surrounded by Armed Groups*, 19 October 2022, www.acaps.org/special-report/burkina-faso-humanitarian-overview-djibo-town-surrounded-armed-groups#container-1823, pp. 1-2. “In the city of Djibo, home to nearly half the people living under siege, food insecurity became so dire in late 2022 that up to 85 per cent of families’ meals consisted of wild leaves.” NRC, *The World’s Most Neglected Displacement Crises 2022*, 1 June 2023, www.nrc.no/globalassets/pdf/reports/neglected-2022/the-worlds-most-neglected-displacement-crises-2022.pdf, p. 4.

⁵⁸ UN Security Council, *Activities of the United Nations Office for West Africa and the Sahel*, 3 January 2023, S/2022/1019, www.ecoi.net/en/file/local/2085264/N2300032.pdf, para. 23.

⁵⁹ This represents an “evolution in [their] modus operandi”, where they cut off the region from the rest of the country; “whereas the blockade of towns had become a recurring problem (notably Djibo, Titao, Bourzanga, Sebba), the entire Sahel region now risks being in a situation of blockade.” Food Security Cluster, *Burkina Faso: From Blockade to the Brink of Famine*, August 2022, https://fscluster.org/sites/default/files/documents/bulletin2_august_english.pdf, p. 1. See also, Run Down Bulletin, *In Burkina Faso, the Inhabitants of the City under the Blockade of the Jihadists Are at Risk of Starvation*, 3 August

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と IS サヘル州の双方が、ワガドゥグへの通商路を遮断するためにインフラを標的とする攻撃を行っている⁶⁰。

17. 過激派の暴力による情勢不安のために一般市民が受けている影響⁶¹は多面的であり、特に、食料不足の進行、子どもの教育へのアクセスの制約⁶²、ジェンダーに基づく暴力の増加⁶³および国内避難・越境避難⁶⁴が含まれる。

2022, <https://rundownbulletin.com/world-news/48308.html>.

⁶⁰ “For some months, JNIM has been trying to disrupt or even block supplies transported on the main roads leading to Ouagadougou. Certain products such as fish, which comes largely from the East region, and foodstuffs imported from Côte d’Ivoire are becoming scarce. This strategy of isolating the capital [...] began before 24 January but has since intensified, with both JNIM and ISIS Sahel recently sabotaging a series of bridges in several regions, mainly in the Sahel and East.” ICG, *An Initial Assessment of Burkina Faso’s Transitional Leadership*, 14 September 2022, www.ecoi.net/en/document/2079016.html. “JNIM and its affiliates, particularly through the strong presence of Ansarul Islam [...], have sought to control the north-south communication axis in the east of [Burkina Faso]. The N18 road leading to Togo and Benin and crossing the provinces of Gnagna and Fada Ngourma was particularly targeted.” UN Security Council, *Letter Dated 13 February 2023*, 13 February 2023, www.ecoi.net/en/file/local/2087006/N2303891.pdf, para. 27.

⁶¹ “In Burkina Faso, the number of civilian deaths reported in February [2023] reached its highest level in recent years as a result of offensives by Islamist militant groups. The number of civilians killed in February was nearly double the average monthly death toll for 2022.” UN Security Council, *Joint Force of the Group of Five for the Sahel: Report of the Secretary-General*, 9 May 2023, S/2023/328, <https://reliefweb.int/attachments/40681369-cb91-4612-a7b5-302121aa8ef8/N2312627.pdf>, para. 3. See also, VOA, *33 Civilians Killed in Burkina Faso Attack, Governor Says*, 13 May 2023, www.voanews.com/a/civilians-killed-in-burkina-faso-attack-governor-says-7092472.html; France 24, *'General Mobilisation' Declared in Burkina Faso after Series of Terrorist Attacks*, 14 April 2023, www.france24.com/en/africa/20230413-general-mobilisation-declared-in-burkina-faso-after-series-of-jihadist-attacks; France 24, *Dozens of Soldiers Killed in Jihadi Attack on Burkina Faso Army Unit*, 20 February 2023, www.france24.com/en/africa/20230220-dozens-of-soldiers-killed-in-jihadi-attack-on-burkina-faso-army-unit; Africanews, *Jihadi Violence Intensifies in Burkina as Militants Kill Nearly 30 in 2 Days*, 31 January 2023, www.africanews.com/2023/01/31/jihadi-violence-intensifies-as-militants-kill-nearly-30-in-2-days/; CGTN, *More than 10 people Killed in Two Attacks in Burkina Faso*, 28 January 2023, <https://africa.cgtn.com/2023/01/28/more-than-10-people-killed-in-two-attacks-in-burkina-faso/>; VOA, *4 Attacks Kill Dozens in Burkina Faso, Security Sources Say*, 20 January 2023, www.voanews.com/a/attacks-kill-dozens-in-burkina-faso-security-sources-say-6927428.html; Africanews, *Burkina Faso: At Least Eight Dead, Including Six Civilians, in Two Separate Attacks*, 19 December 2022, www.africanews.com/2022/12/19/burkina-faso-at-least-eight-dead-including-six-civilians-in-two-separate-attacks/.

⁶² OCHA, *Burkina Faso: Aperçu de la situation humanitaire (Au 31 décembre 2022)*, 30 January 2023, www.africanews.com/2022/12/19/burkina-faso-at-least-eight-dead-including-six-civilians-in-two-separate-attacks/; HRW, *World Report 2023: Burkina Faso*, 16 January 2023, www.ecoi.net/en/document/2085396.html; Africanews, *Burkina Faso: A Million Students Deprived of School Because of the jihadists*, 24 November 2022, www.africanews.com/2022/11/24/burkina-faso-a-million-students-deprived-of-school-because-of-the-jihadists/. This is in the context of a significant spike in school closures due to insecurity across the Sahel region: “About 11,100 schools remained closed or non-operational owing to violence across the Sahel, up from 6,800 in the previous reporting period, with 40 million children out of school.” UN Security Council, *Activities of the United Nations Office for West Africa and the Sahel*, 3 January 2023, S/2022/1019, www.ecoi.net/en/file/local/2085264/N2300032.pdf, para. 33. See also, US Department of State, *2022 Country Report on Human Rights Practices: Burkina Faso*, 20 March 2023, www.ecoi.net/en/document/2089213.html.

⁶³ “Selon le rapport semestriel 2022 du sous-groupe sur la GBV [gender-based violence], 91% des cas de GBV rapportés pendant la période sont des personnes déplacées à l'intérieur du pays (IDP). Les femmes et les filles représentent 97% des cas rapportés. [...] 7% des cas sont des filles de moins de 18 ans. 87,5% du nombre total de cas signalés ont été commis dans des régions où les projections d'insécurité alimentaire aiguë sont élevées”. Protection Cluster, *Revue des Données Secondaires Violence Basée sur le Genre au Burkina Faso*, 22 December 2022, www.ecoi.net/en/document/2085014.html, p. 1.

⁶⁴ HRW, *World Report 2023: Burkina Faso*, 16 January 2023, www.ecoi.net/en/document/2085396.html; The

人権状況

18. 著しい人権侵害には、超法規的処刑および殺害、強制失踪、恣意的拘禁、拷問ならびに誘拐が含まれる⁶⁵。(同国の状況の) オブザーバーからは、JNIM または IS サヘル州とのつながりを疑われた人々が拷問を受けているという訴えも出ている⁶⁶。一般市民が武装主体の標的とされて殺害された事案も複数生じており、大量の一般市民の死傷者が出ている⁶⁷。JNIM と IS サヘル州はモスクや教会の内部および近くでキリスト教・イスラム教双方の礼拝者を標的としてきており、これには政府軍を援助していると彼らが非難するイマームも含まれる⁶⁸。東部地方のキリスト教会は、これらの集団によってもたらされる危険を理由として閉鎖された⁶⁹。

19. 子どもたちは、武装集団による強制徴集、児童労働およびその最悪の形態ならびにその他の態様の暴力、虐待、搾取およびジェンダーに基づく暴力といった、重大な人権侵害のおそれにとらされている⁷⁰。学校閉鎖の件数は、2021年11月の約3,000校から、2023年3月31日現在で6,334

New Humanitarian, *In Post-Coup Burkina Faso, Jihadist Attacks Grow Fiercer Despite Junta Pledge*, 29 June 2022, www.thenewhumanitarian.org/analysis/2022/06/29/Burkina-Faso-displacement-coup-junta. “The deteriorating security situation in the southern and eastern parts of Burkina Faso, as well as the overall socioeconomic conditions in the Sahel, have triggered increasing waves of displacement to coastal countries, creating emergency needs and exacerbating underlying vulnerabilities.” UN Security Council, *Activities of the United Nations Office for West Africa and the Sahel*, 3 January 2023, S/2022/1019, www.ecoi.net/en/file/local/2085264/N2300032.pdf, para. 34.

⁶⁵ US Department of State, *2022 Country Report on Human Rights Practices: Burkina Faso*, 20 March 2023, www.ecoi.net/en/document/2089213.html; The Guardian, *Suspected Jihadists Kidnap 50 Women in Burkina Faso*, 16 January 2023, www.theguardian.com/world/2023/jan/16/burkina-faso-suspected-jihadists-kidnap-women; HRW, *World Report 2023: Burkina Faso*, 16 January 2023, www.ecoi.net/en/document/2085396.html; Africanews, *Burkina: NGOs Denounce "Extrajudicial Executions of more than 40 People"*, 15 August 2022, www.africanews.com/2022/08/15/burkina-ngos-denounce-extrajudicial-executions-of-more-than-40-people/; HRW, *Burkina Faso: Armed Islamists Kill, Rape Civilians*, 16 May 2022, www.ecoi.net/en/document/2073070.html.

⁶⁶ US Department of State, *2022 Country Report on Human Rights Practices: Burkina Faso*, 20 March 2023, www.ecoi.net/en/document/2089213.html; GCR2P, *Atrocity Alert No. 330: Ukraine, Burkina Faso and South Sudan*, 11 January 2023, www.globalr2p.org/publications/atrocity-alert-no-330/.

⁶⁷ For example, 220 civilians were killed in an attack on a village in April 2023. Project 21, *Protection Monitoring Note: March – April 2023*, 1 June 2023, <https://data.unhcr.org/en/documents/details/101312>, p. 3. See also, HRW, *Army Linked to Massacre of 156 Civilians*, 26 May 2023, www.ecoi.net/en/document/2091462.html; Le Monde, *33 Civilians Killed in Burkina Faso Attack*, 14 May 2023, www.lemonde.fr/en/international/article/2023/05/14/33-civilians-killed-in-burkina-faso-attack_6026592_4.html; UN News, *Burkina Faso : l'ONU demande une enquête sur le massacre de 150 civils*, 25 April 2023, <https://news.un.org/fr/story/2023/04/1134517>; CNN, *At Least 44 Killed in Burkina Faso Attacks*, 9 April 2023, <https://edition.cnn.com/2023/04/09/africa/burkina-faso-civilians-killed-intl/index.html>; Jamestown Foundation, *Mass Civilian Defense Force Recruitment Raises Jihadist Threat to Civilians in Burkina Faso*, *Terrorism Monitor* Volume 22 Issue 5, 3 March 2023, www.ecoi.net/en/document/2088239.html; Amnesty International, *Burkina Faso: Perpetrators of Nouna Killings Must Face Justice*, 10 January 2023, www.ecoi.net/en/document/2085210.html.

⁶⁸ US Department of State, *2022 Report on International Religious Freedom: Burkina Faso*, 15 May 2023, www.ecoi.net/en/document/2091877.html.

⁶⁹ Ibid.; Open Doors, *Christians in Burkina Faso Face 'Existential Threat' amid Second Coup this Year*, 5 October 2022, www.opendoorsuk.org/news/latest-news/burkina-faso-threat/. See also, Anadolu Agency, *Burkina Faso : Un prêtre tué dans une attaque dans le nord-ouest (Eglise)*, 3 January 2023, www.aa.com.tr/fr/afrique/burkina-faso-un-prêtre-tué-dans-une-attaque-dans-le-nord-ouest-eglise/2778767.

⁷⁰ “Les enfants, qui représentent malheureusement plus de 61% des PDI, sont exposés à plusieurs risques de protection notamment la séparation familiale, les violences sexistes et sexuelles, la déscolarisation, la détresse psychosociale, les mariages précoces, l’exploitation dans les pires formes de travail, le recrutement par des groupes

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校へと増加した⁷¹。避難を余儀なくされた子どもの大多数は学校に通えていない⁷²。早婚・児童婚が蔓延しており、強制結婚も引き続き報告されている⁷³。ブルキナファソのすべての子どもの半数がジェンダーに基づく暴力または虐待にさらされていると考えられており、その推定値は女兒の82パーセントにも上る⁷⁴。

20. 国連は、2022年に3～17歳の子ども115人が徴集・使用されたことを確認したが、そのほとんどが戦闘任務のためであり、JNIM（65人）、ISサヘル州（28人）および加害者不詳（22人）によって実行された⁷⁵。中北部地方およびサヘル地方では、JNIMが、「武装集団が定めた規範を遵守しないことへの懲罰として」子どもを拉致している⁷⁶。JNIMおよびISサヘル州は学校や病院を標

armés, etc”. Protection Cluster, *Burkina Faso: Etat de la réponse protection de l’enfant*, 15 December 2022, <https://reliefweb.int/report/burkina-faso/burkina-faso-etat-de-la-reponse-protection-de-lenfant-au-30-novembre-2022>, p. 1. See also, Project 21, *Child Protection and Education Trends: Triangulation of Protection Monitoring Findings Central Sahel January 2022 -March 2023*, 1 June 2023, www.ecoi.net/en/document/2092867.html, pp. 3-6; HRW, *World Report 2023: Burkina Faso*, 16 January 2023, www.ecoi.net/en/document/2085396.html. Children who are out of school are at a higher risk for forced recruitment and GBV. OCHA, *Plan De Réponse Humanitaire: Burkina Faso*, March 2022, www.ecoi.net/en/file/local/2069815/bfa_hrp_2022_mars.pdf, p. 71.

⁷¹ UNICEF, *Humanitarian Situation Report No. 3: Burkina Faso*, 5 May 2023, www.unicef.org/media/139801/file/Burkina-Faso-Humanitarian-SitRep-March-2023.pdf, pp. 1, 3. See also, US Department of State, *2022 Report on International Religious Freedom: Burkina Faso*, 15 May 2023, www.ecoi.net/en/document/2091877.html; Africanews, *Burkina Faso: A Million Students Deprived of School Because of the jihadists*, 24 November 2022, www.africanews.com/2022/11/24/burkina-faso-a-million-students-deprived-of-school-because-of-the-jihadists/. “Because of rampant terrorist attacks, about 200 Burkinabé schools close every month. In the far northern Sahel region, nearly 90% of the schools are closed.” Africa Defense Forum, *In Burkina Faso, Violence Spirals Out Of Control*, 16 May 2023, <https://adf-magazine.com/2023/05/in-burkina-faso-violence-spirals-out-of-control/>.

⁷² As of November 2022: “Only 161,000 out of 1,057,149 IDP children [were] enrolled in public schools”. UNICEF, *Humanitarian Situation Report No. 7: Burkina Faso*, 24 December 2022, <https://reliefweb.int/report/burkina-faso/unicef-burkina-faso-humanitarian-situation-report-no-7-1-30-novembre-2022>, p. 2.

⁷³ Reuters, *Escaping Forced Marriage, Burkina Faso Girls Find Refuge in Education*, 15 March 2022, www.reuters.com/world/africa/escaping-forced-marriage-burkina-faso-girls-find-refuge-education-2022-03-15/. Child marriage exposes girls to a higher risk of GBV. OCHA, *Plan De Réponse Humanitaire: Burkina Faso*, March 2022, www.ecoi.net/en/file/local/2069815/bfa_hrp_2022_mars.pdf, p. 21.

⁷⁴ “Un enfant sur deux est touché par la violence physique et violences basées sur le genre ou maltraitance dont 82% sont des filles.” OCHA, *Plan De Réponse Humanitaire: Burkina Faso*, March 2022, www.ecoi.net/en/file/local/2069815/bfa_hrp_2022_mars.pdf, p. 21.

⁷⁵ “A total of 115 children (111 boys, 4 girls), between the ages of 3 to 17, were recruited and used by Jama’a Nusrat ul-Islam wa al-Muslimin (JNIM) (65), Islamic State in the Greater Sahara (ISGS) (28) and unidentified perpetrators (22), mostly in the Sahel Region. Most children (102) were used in combat. In 2022, the United Nations verified the recruitment and use of 10 boys by the Defence and Security Forces that had occurred in 2021.” Additionally: “Some 13 boys were detained in the high security prison of Ouagadougou for their alleged association with armed groups, including 6 who have been in detention for a number of years.” UN Security Council, *Children and Armed Conflict: Report of the Secretary-General*, 5 June 2023, S/2023/363, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N23/144/96/PDF/N2314496.pdf>, paras 222-23. “Plus de 1/3 d’enfants à risque de recrutement et d’utilisation par les groupes armés se trouvent dans la région du Sahel et 20% se trouvent dans la région de l’Est.” OCHA, *Plan De Réponse Humanitaire: Burkina Faso*, March 2022, www.ecoi.net/en/file/local/2069815/bfa_hrp_2022_mars.pdf, p. 21. “Numerous villagers described seeing children they estimated to be as young as 12, many armed with military assault weapons, among armed Islamist ranks. They were seen in assaults on the towns of Namissiguima, Namsiguia, Foubé, Rofenga, Pensa, Dablo, and in several areas of Est region, as well as during attacks on convoys of fleeing civilians.” HRW, *World Report 2023: Burkina Faso*, 16 January 2023, www.ecoi.net/en/document/2085396.html.

⁷⁶ UN Security Council, *Children and Armed Conflict: Report of the Secretary-General*, 5 June 2023, S/2023/363, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N23/144/96/PDF/N2314496.pdf>, para. 228.

仮訳（原文英語）：UNHCR, *UNHCR Position on Returns to Burkina Faso – Update I*, July 2023, available at: <https://www.refworld.org/docid/64c2748c4.html>

的としてきた⁷⁷。ヒューマン・ライツ・ウォッチは、2021年9月から2022年5月までの間に、これらの集団の戦闘員が、「薪を集めたり、市場に行き来したり、暴力から避難したりしている女性および少女に対して強姦その他の虐待を行った」ケースを何十件も記録している⁷⁸。

21. 武装戦闘員が2021年11月6日にゴードボー難民キャンプに侵入して食料や医薬品を盗んだ後、1万3,000人の住民全員がドリへと避難し、キャンプは放棄された⁷⁹。2022年11月27日には、北部地方のワイグヤにある2つのIDP居住地为武装した男性が攻撃し、1万3,000人が避難を余儀なくされた⁸⁰。

22. 2023年2月、ブルキナファソ議会は、軍の規律に責任を負う憲兵司令官の役割を強化する法律を可決した。これについて、ヒューマン・ライツ・ウォッチは、「軍隊が軍事作戦において基本的権利を尊重すること、また被拘禁者が人道的に扱われ、法律の前における適正手続きを認められることの確保に向けた、前向きな一歩」と述べている⁸¹。

人道状況

23. 2023年には推定470万人が人道援助を必要としており、これは同国の人口の20パーセント以上に上る⁸²。2023年3月から5月までの期間では、推定260万人が急性の食料不足に直面して

⁷⁷ “Responsibility for 163 verified attacks on schools (120) and hospitals (43), including protected persons in relation to schools and/or hospitals, was attributed to JNIM (109), ISGS (41), unidentified perpetrators (12) and joint operations of the Defence and Security Forces and VDP (1). Incidents involved the abduction and killing of, as well as threats against, protected persons, and the destruction, closure and looting of facilities.” UN Security Council, *Children and Armed Conflict: Report of the Secretary-General*, 5 June 2023, S/2023/363, <https://documents-ddsny.un.org/doc/UNDOC/GEN/N23/144/96/PDF/N2314496.pdf>, para. 226. See also, Insecurity Insight, *Burkina Faso: Violence Against Healthcare in Conflict*, May 2023, <https://insecurityinsight.org/wp-content/uploads/2023/05/2022-SHCC-Burkina-Faso.pdf>, p. 3.

⁷⁸ HRW, *Burkina Faso: Armed Islamists Kill, Rape Civilians*, 16 May 2022, www.ecoi.net/en/document/2073070.html. During 2022, the UN verified the “rape of 16 girls by JNIM (9), unidentified perpetrators (4), the Defence and Security Forces (2) and ISGS (1)”. UN Security Council, *Children and Armed Conflict: Report of the Secretary-General*, 5 June 2023, S/2023/363, <https://documents-ddsny.un.org/doc/UNDOC/GEN/N23/144/96/PDF/N2314496.pdf>, para. 225.

⁷⁹ “‘Everyone was very scared. Once the armed groups had gone, we returned to the camp, packed our things and left,’ said Mamadou, a refugee community leader. ‘Some even dismantled their shelters to make sure they had a place to stay once in Dori. We now have to start our lives from scratch again.’” UNHCR, *Persistent Insecurity Forces Malian Refugees in Burkina Faso Out of Goudoubo Camp*, 12 November 2021, <https://data.unhcr.org/en/documents/details/89609>, p. 1. See also, UNHCR, *Project 21: Monitoring régional de protection, Sahel Central*, 30 May 2022, www.ecoi.net/en/file/local/2073848/projet_21_-_analyse_annuelle_-_2021.pdf, p. 7.

⁸⁰ OCHA, *Burkina Faso: Aperçu de la situation humanitaire (Au 30 Novembre 2022)*, 15 December 2022, <https://reliefweb.int/report/burkina-faso/burkina-faso-aperçu-de-la-situation-humanitaire-au-30-novembre-2022>.

⁸¹ HRW, *Burkina Faso Acts to Tackle Armed Forces Abuses*, 17 March 2023, www.ecoi.net/en/document/2088995.html.

⁸² OCHA, *Global Humanitarian Overview 2023: Mid-year Update*, 18 June 2023, <https://reliefweb.int/report/world/global-humanitarian-overview-2023-mid-year-update-snapshot-18-june-2023>, p. 13; OCHA, *Burkina Faso: Aperçu de la situation humanitaire (Au 31 décembre 2022)*, 30 January 2023, <https://reliefweb.int/report/burkina-faso/burkina-faso-aperçu-de-la-situation-humanitaire-au-31-décembre-2022>; OCHA, *Plan De Réponse Humanitaire: Burkina Faso*, March 2022, www.ecoi.net/en/file/local/2069815/bfa_hrp_2022_mars.pdf, p. 8.

いると考えられた⁸³。紛争の影響を受けた地域における不安定な状況および人道アクセスの欠如のため、統合的食料安全保障レベル分類（IPC）は、全国を網羅する報告書を発表できなかった。にもかかわらず、対象とされた31県では、2022年8月から2023年7月にかけて39万3,476人の子どもが急性栄養不良の状態に陥ると推定され、そのうち9万5,557人は深刻な急性栄養不良に苦しむとされた⁸⁴。人口の40パーセントが国の貧困ライン以下の生活を送っていると推定され、貧困率は農村部および紛争の影響を受けている地域でいっそう高くなっている⁸⁵。

24. 2022年の食料価格はそれ以前の数年間に比べて高止まりし、2022年10月の基礎穀物価格は2021年と比べて51パーセント高かった⁸⁶。ブルキナファソの人々の86パーセントが「高い水準から著しく高い水準の水の脆弱性〔水を手しにくい状況〕」に直面していると推定される⁸⁷。8地方の医療施設のほぼ半数が不安定な状況の影響を受けており、少なくとも202施設が完全に閉鎖されたほか、他の施設もサービスを縮小しているため、200万人以上が医療にアクセスできない状況にある⁸⁸。

25. 暴力と紛争によって、重要インフラが破壊されるとともに、国のサービスおよび機関が国の全域、特に紛争の影響を受けた地域から駆逐されている⁸⁹。2022年12月31日時点で推定80万～

⁸³ “During the lean season period (June-August 2023) this number will rise to 3.4 million people. Worryingly, this projection includes almost 43,000 people in phase 5 (catastrophe).” World Food Programme (WFP), *WFP Burkina Faso Country Brief: April 2023*, 30 April 2023, www.ecoi.net/en/document/2092822.html, p. 1. “Burkina Faso is currently one of only four countries in the world where people are facing starvation and death (IPC 5).” OCHA, *Global Humanitarian Overview 2023: Mid-year Update*, 18 June 2023, <https://reliefweb.int/report/world/global-humanitarian-overview-2023-mid-year-update-snapshot-18-june-2023>, p. 13. See also, OCHA, *Burkina Faso: Aperçu de la situation humanitaire (Au 31 décembre 2022)*, 30 January 2023, <https://reliefweb.int/report/burkina-faso/burkina-faso-aperçu-de-la-situation-humanitaire-au-31-décembre-2022>.

⁸⁴ IPC, *Burkina Faso: Acute Malnutrition Analysis August 2022 -July 2023*, 17 January 2023, <https://reliefweb.int/report/burkina-faso/burkina-faso-acute-malnutrition-analysis-august-2022-july-2023-published-january-17-2023>, p. 1.

⁸⁵ “L’incidence de la pauvreté est plus accentuée en milieu rural (44.6%) qu’en milieu urbain (10%). Ces inégalités et cette pauvreté endémique font nids dans les régions qui sont durement touchées pour la crise sécuritaire actuelle, notamment la Boucle du Mouhoun (50,6%), Centre-Est (53,3%), Centre-Nord (60,8%), l’Est (45,1%), le Nord (70,9%) et le Sahel (44,2%). Ainsi, une corrélation entre la violence et la pauvreté peut être observée.” OCHA, *Plan De Réponse Humanitaire: Burkina Faso*, March 2022, www.ecoi.net/en/file/local/2069815/bfa_hrp_2022_mars.pdf, p. 8, see also p. 10.

⁸⁶ WFP, *WFP Burkina Faso Country Brief: November 2022*, 22 December 2022, <https://reliefweb.int/report/burkina-faso/wfp-burkina-faso-country-brief-november-2022>, p. 2.

⁸⁷ OCHA, *Sahel Crisis Humanitarian Needs and Requirements Overview 2022*, 27 June 2022, <https://reliefweb.int/report/burkina-faso/sahel-crisis-humanitarian-needs-and-requirements-overview-2022>, p. 25.

⁸⁸ “The situation remains particularly critical in the Sahel (65%), Centre-North (27.5%), North (11.9%), East (9.8%), South-West (5.3%), Boucle du Mouhoun (4.6%), Cascades (3.6%), and Centre-East (1.6%) regions, which have recorded a very large proportion of closed health facilities. Insecurity has had a negative impact on access to health care, especially in the Sahel, Centre-North, East, North, Boucle du Mouhoun and Centre-East regions, and the provision of quality health care is becoming uncertain. In the Sahel, for example, 65% of health facilities are closed, exposing populations to the risk of disease.” Health Cluster, *Bulletin N°34 du cluster santé: Burkina Faso*, 13 January 2023, <https://reliefweb.int/report/burkina-faso/bulletin-ndeg34-du-cluster-sante-novembre-2022>, p. 2.

⁸⁹ “Les populations dans 172 communes vivent durement les conséquences de la rupture des services sociaux de base à tous les niveaux. La fermeture de centres de santé, des écoles et des marchés, l’abandon des mairies, violence contre les populations civiles et la rareté des ressources en eau dans plusieurs localités impactent la vie des populations, surtout les plus vulnérables. [...] Les relations entre l’Etat et les populations demeurent difficiles dans plusieurs localités des régions du Sahel, de l’Est, de la Boucle du Mouhoun, de Centre-Est, du Centre-Nord et du

仮訳（原文英語）：UNHCR, *UNHCR Position on Returns to Burkina Faso – Update I*, July 2023, available at: <https://www.refworld.org/docid/64c2748c4.html>

90 万人が孤立した地域で生活しており、そこから立ち去ることができず、人道支援または一般市場にアクセスすることもできない状況に置かれていた⁹⁰。暴力的過激派集団によって封鎖された街に住んでいる人々にとっては人道状況がとりわけ苛酷であり、これには多数の国内避難民 (IDPs) も含まれる⁹¹。WFP [世界食糧計画] によれば、「ジボ、セバ、パマのような封鎖された街では、市場がもはや機能しておらず、食料品がほぼ存在しない⁹²。」

26. 最新の統計は入手できないものの、女性器切除 (FGM) は、犯罪化されているにもかかわらず、いまなお広く行われているとされる⁹³。継続中の暴力と避難のため、多くの女性が性暴力を含む GBV [ジェンダーに基づく暴力] の被害を受けやすい状況に置かれており、生存者が利用可能なサービスも限定されてきた⁹⁴。保護クラスターは、2022 年中に、強姦、性的攻撃、身体的攻撃、

Nord. Cette situation s'explique entre autres par la faible présence de l'administration publique. En effet, la faible couverture nationale de l'administration publique, limite l'offre de services publics tels que l'éducation, la santé, l'eau, l'énergie, l'état civil, la sécurité, la justice, etc. Cette situation, couplée à la persistance de la corruption et la dégradation continue de la situation sécuritaire, renforce le sentiment d'abandon que les populations de ces régions ont vis-à-vis de l'Etat." OCHA, *Plan De Réponse Humanitaire: Burkina Faso*, March 2022, www.ecoi.net/en/file/local/2069815/bfa_hrp_2022_mars.pdf, pp. 10, 12.

⁹⁰ UNICEF, *Humanitarian Situation Report No. 8: Burkina Faso*, 3 February 2023, <https://reliefweb.int/report/burkina-faso/unicef-burkina-faso-humanitarian-situation-report-no-8-1-31-december-2022>, p. 2.

⁹¹ See, for example, Aljazeera, *Forced to Eat Leaves: Hungry and Besieged in Burkina Faso*, 12 December 2022, www.aljazeera.com/gallery/2022/12/12/forced-to-eat-leaves-hungry-and-besieged-in-burkina-faso; ACAPS, *Burkina Faso: Humanitarian Overview of Djibo Town Surrounded by Armed Groups*, 19 October 2022, www.acaps.org/special-report/burkina-faso-humanitarian-overview-djibo-town-surrounded-armed-groups#container-1823; Médecins Sans Frontières (MSF), *Violence and Severe Supply Shortages Leave People Across Burkina Faso in Dire Need*, 17 October 2022, www.msf.org/violence-and-severe-supply-shortages-leave-people-across-burkina-faso-dire-need; Première Urgence Internationale, *Burkina Faso: The Situation Remains Critical in Sebba, a Town under Blockade*, 19 August 2022, www.premiere-urgence.org/en/burkina-faso-the-humanitarian-situation-remains-critical-in-sebba-a-town-under-blockade/. "Households are forced to adopt harmful coping strategies in a context where Burkina Faso now has six regions with 'enclaves' and 26 localities referred to as 'enclaved areas', where: (i) civilian populations cannot move freely; (ii) traders cannot move freely; (iii) the parties to the conflict have demonstrated their clear intention to prevent civilian populations from moving freely." Project 21, *Protection Monitoring Note: March – April 2023*, 1 June 2023, <https://data.unhcr.org/en/documents/details/101312>, p. 3.

⁹² WFP, *WFP Burkina Faso Country Brief: November 2022*, 22 December 2022, <https://reliefweb.int/report/burkina-faso/wfp-burkina-faso-country-brief-november-2022>, p. 2.

⁹³ "[D]eux tiers des femmes ont été victimes de mutilations génitales féminines (MGF) au Burkina Faso (63%), plus des trois quarts dans les régions du Centre-est (75%), du Nord (76%), du Plateau central (77%), et du Sahel (83%). La pratique est effectuée à plus de 80% par des exciseuses, confirmant sa professionnalisation et son acceptation sociale." Le Faso, *Burkina Faso : Deux tiers des femmes ont été victimes de mutilations génitales féminines*, 13 December 2022, <https://lefaso.net/spip.php?article118093>. See also, Burkina24, *Journée nationale de lutte contre la pratique de l'excision : Le message de la ministre du genre*, 18 May 2022, <https://burkina24.com/2022/05/18/journee-nationale-de-lutte-contre-la-pratique-de-lexcision-le-message-de-la-ministre-du-genre/>; US Department of State, *2022 Country Report on Human Rights Practices: Burkina Faso*, 20 March 2023, www.ecoi.net/en/document/2089213.html.

⁹⁴ United Nations Population Fund (UNFPA) / Equality Now, *Use of the Multi-Sectoral Approach to Ending Gender-Based Violence and Female Genital Mutilation in Africa*, December 2021, <https://equalitynow.storage.googleapis.com/wp-content/uploads/2022/03/22123712/Use-of-the-Multi-Sectoral-Approach-to-Ending-Gender-Based-Violence-and-Female-Genital-Mutilation-in-Africa-EN.pdf>, p. 21. See also, Protection Cluster, *Revue des Données Secondaires Violence Basée sur le Genre au Burkina Faso*, 22 December 2022, www.ecoi.net/en/document/2085014.html, p. 1; UNHCR, *Project 21: Monitoring régional de protection, Sahel Central*, 30 May 2022, www.ecoi.net/en/file/local/2073848/projet_21_-_analyse_annuelle_-_2021.pdf, pp. 7, 18-20. As of June 2022: "service coverage remains woefully inadequate; in Burkina Faso, for example,

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強制結婚、資源の提供拒否および精神的暴力を含む GBV の報告を 6,065 件記録している⁹⁵。

27. 2023 年 6 月 30 日の時点で、「2022 年ブルキナファソ人道対応計画」のための資金は 43.8 パーセントしか拠出されていなかった⁹⁶。人道援助関係者は武装主体による標的とされており、たとえば 2023 年 2 月 8 日には、国境なき医師団（MSF）とはっきり識別できる車両を武装した男性が攻撃し、2 人の人道援助関係者を殺害している⁹⁷。

難民および国内避難

28. 2023 年 5 月 31 日現在、UNHCR は引き続き、地域内におけるブルキナファソ出身の庇護希望者・難民 9 万 1,734 人のニーズに対応していた⁹⁸。これには、ニジェールにいるブルキナファソ難民 2 万 8,759 人⁹⁹と、ブルキナファソから逃れてコートジボワール北部に到着した 1 万 9,064 人¹⁰⁰が含まれる。

29. 2023 年 3 月 31 日の時点で、ブルキナファソには推定 206 万 2,534 人の IDPs が存在した¹⁰¹。

specialized GBV services cover only 18 per cent of priority areas.” OCHA, *Sahel Crisis Humanitarian Needs and Requirements Overview 2022*, 27 June 2022, <https://reliefweb.int/report/burkina-faso/sahel-crisis-humanitarian-needs-and-requirements-overview-2022>, p. 14.

⁹⁵ Protection Cluster, *Etat de la réponse du domaine de responsabilité Violences basées sur le genre : Burkina Faso Année 2022*, 8 February 2023, www.ecoi.net/en/file/local/2086686/16_dashboard_aor_vbg_burkina_faso_annee_2022.pdf, p. 1.

⁹⁶ OCHA Financial Tracking Service (FTS), *Burkina Faso Plan de Réponse Humanitaire 2022*, accessed 30 June 2023, <https://fts.unocha.org/appeals/1087/summary>. “While the humanitarian situation becomes increasingly dire, the 2022 Humanitarian Response Plan (HRP) for Burkina Faso (with a total requirement of USD 805 million) remains heavily underfunded at only 35 percent as of 9 December according to OCHA. The food security pillar of the HRP was funded at only 40percent.” WFP, *WFP Burkina Faso Country Brief: November 2022*, 22 December 2022, <https://reliefweb.int/report/burkina-faso/wfp-burkina-faso-country-brief-november-2022>, p. 1.

⁹⁷ MSF, *MSF Condemns the Brutal and Deliberate Killing of Two Staff in Burkina Faso*, 9 February 2023, www.ecoi.net/en/document/2086928.html. On 17 February 2023, MSF indefinitely suspended operations in Burkina Faso as a result of the attack. Swissinfo, *Medical Charity MSF Suspends Operations in Burkina Faso to Assess Risk*, 17 February 2023, www.swissinfo.ch/eng/reuters/medical-charity-msf-suspends-operations-in-burkina-faso-to-assess-risk/48296332. See also, Insecurity Insight, *Burkina Faso*, accessed 25 July 2023, <https://insecurityinsight.org/country-pages/burkina-faso>; UN Security Council, *Protection of Civilians in Armed Conflict: Report of the Secretary-General*, 12 May 2023, S/2023/345, www.ecoi.net/en/file/local/2092630/N2312710.pdf, para. 57.

⁹⁸ UNHCR, *RBWCA: Forcibly Displaced Population and Trends from 2018-2023*, 12 June 2023, <https://data.unhcr.org/en/documents/details/101336>. See also, UNHCR, *UNHCR Urges Greater Support as Violence Continues Unabated in Burkina Faso*, 29 November 2022, www.unhcr.org/news/unhcr-urges-greater-support-violence-continues-unabated-burkina-faso. As of 16 May 2023, 52,461 persons were estimated to have arrived from Burkina Faso to the coastal countries (Cote d’Ivoire, Ghana, Togo and Benin), over half of whom were registered. UNHCR, *RBWCA: Refugees and Asylum Seekers from Burkina Faso in Coastal Countries*, 16 May 2023, <https://data.unhcr.org/en/documents/details/100734>.

⁹⁹ UNHCR, *Personnes relevant de la compétence du HCR (PoC)*, 7 July 2023, <https://data.unhcr.org/en/documents/details/101857>.

¹⁰⁰ UNHCR, *Rapport de la situation des demandeurs d’asile au Nord*, 3 July 2023, <https://data.unhcr.org/en/documents/details/101668>.

¹⁰¹ Conseil national de secours d’urgence et de réhabilitation (CONASUR), *Enregistrement des personnes déplacées internes du burkina faso*, 14 May 2023, <https://data2.unhcr.org/en/documents/details/100707>; UNHCR, *Operational Data Portal: Burkina Faso*, accessed 25 July 2023, <https://data.unhcr.org/en/country/bfa>. This is over 9 per cent of the population. OCHA, *Sahel Crisis Humanitarian Needs and Requirements Overview 2022*, 27 June 2022, <https://reliefweb.int/report/burkina-faso/sahel-crisis-humanitarian-needs-and-requirements-overview-2022>,

仮訳（原文英語）：UNHCR, *UNHCR Position on Returns to Burkina Faso – Update I*, July 2023, available at: <https://www.refworld.org/docid/64c2748c4.html>

2022 年中にブルキナファソ国内で新たに避難を余儀なくされた人々は 66 万 8,000 人に上る¹⁰²。避難は人道ニーズを高め、受入れコミュニティにさらなる負荷を課すものであり、そのため、IDPs がますます都市中心部へと移動しつつあることもあって、コミュニティ間の緊張も引き起こされてきた¹⁰³。IDPs の大多数はサヘル（50 万 1,961 人）、中北部（49 万 3,954 人）、北部（25 万 6,060 人）および東部（21 万 9,719 人）の各地方で受け入れられているが、避難民は 13 地方すべてに存在する¹⁰⁴。報告によれば、二次的避難もますます一般的になりつつある¹⁰⁵。避難の影響を主として受けているのは女性と子どもであり、ブルキナファソにおける IDPs の 83 パーセントを占めると推定されている¹⁰⁶。ほとんどの IDPs は人道アクセスが困難または不可能な地方で生活しており、十分な住居または基本的なサービスにアクセスできないまま劣悪な条件下で暮らしている者も多い¹⁰⁷。

p. 40.

¹⁰² OCHA, *Burkina Faso: Aperçu de la situation humanitaire (Au 31 décembre 2022)*, 30 January 2023, <https://reliefweb.int/report/burkina-faso/burkina-faso-aperçu-de-la-situation-humanitaire-au-31-décembre-2022>.

¹⁰³ “With successive waves of displacement, the town of Dori has grown threefold and is now home to almost 76,000 displaced Burkinabe, as well as some 20,000 refugees from Mali. [...] competition for resources such as water and land for pasture and agriculture, plus rising inflation, pressure on basic services and shortages of essential supplies like fuel, are all testing peaceful coexistence between different communities.” UNHCR, *UNHCR Calls for Urgent Support to Assist almost 16,000 Newly Displaced in Burkina Faso Who Fled Massacre*, 17 June 2022, www.unhcr.org/news/briefing/2022/6/62ac2d714/unhcr-calls-urgent-support-assist-16000-newly-displaced-burkina-faso-fled.html. “Forced displacements continue to put pressure on the country’s major urban centers, where essential public services were already insufficient, and disrupt the livelihoods of displaced households and host communities.” Project 21, *Protection Monitoring Note: March – April 2023*, 1 June 2023, <https://data.unhcr.org/en/documents/details/101312>, p. 3. See also, UNHCR, *UNHCR Urges Greater Support as Violence Continues Unabated in Burkina Faso*, 29 November 2022, www.unhcr.org/news/unhcr-urges-greater-support-violence-continues-unabated-burkina-faso.

¹⁰⁴ UNHCR, *Operational Data Portal: Burkina Faso*, accessed 25 July 2023, <https://data.unhcr.org/en/country/bfa>; CONASUR, *Enregistrement des personnes déplacées internes du burkina faso*, 14 May 2023, <https://data2.unhcr.org/en/documents/details/100707>. However, 45 per cent of all IDPs originate from the Sahel region. UNHCR, *Burkina Faso: Personnes relevant de la compétence du HCR (PoC)*, 9 January 2023, <https://data.unhcr.org/en/documents/details/97990>.

¹⁰⁵ NRC, *Burkina Faso: Almost 2 Million People Displaced amid Worst Food Crisis in a Decade*, 5 September 2022, www.nrc.no/news/2022/september/burkina-faso-almost-2-million-people-now-displaced-amid-worst-food-crisis-in-a-decad/. During 2022, increasing numbers of IDPs fled across international borders after their initial internal displacement. See, for example, UNHCR, *Burkina Faso: Monitoring des Frontières*, 31 December 2022, <https://data.unhcr.org/en/documents/details/97988>; UNHCR, *Mixed movements in West and Central Africa*, 31 October 2022, <https://data.unhcr.org/en/documents/details/96655>.

¹⁰⁶ In addition, 38% of displaced households are female-headed, and 60% of all IDPs are children. UNHCR, *Burkina Faso: Personnes relevant de la compétence du HCR (PoC)*, 9 January 2023, <https://data.unhcr.org/en/documents/details/97990>.

¹⁰⁷ African Development Bank Group, *Burkina Faso: African Development Bank Supports Government Efforts to Relieve Internally Displaced Persons*, 27 September 2022, www.afdb.org/en/news-and-events/burkina-faso-african-development-bank-supports-government-efforts-relieve-internally-displaced-persons-55090; UNHCR, *UNHCR Calls for Urgent Support to Assist almost 16,000 Newly Displaced in Burkina Faso Who Fled Massacre*, 17 June 2022, www.unhcr.org/news/briefing/2022/6/62ac2d714/unhcr-calls-urgent-support-assist-16000-newly-displaced-burkina-faso-fled.html. In the Sahel generally: “Internally displaced persons (IDPs) and refugees often live in unsafe conditions with inadequate shelter in flood-prone locations, and with high risk of fire outbreaks. For far too many women and girls in places of displacement, gender-based violence is a daily occurrence.” OCHA, *Sahel Crisis Humanitarian Needs and Requirements Overview 2022*, 27 June 2022, <https://reliefweb.int/report/burkina-faso/sahel-crisis-humanitarian-needs-and-requirements-overview-2022>, pp. 8-9.

国際保護の必要性および非送還の勧告

30. ブルキナファソ情勢が依然として流動的かつ不確実であることから、UNHCR は、すべての国に対し、ブルキナファソから避難する一般市民に自国の領域へのアクセスを認めるよう求める。ノン・ルフールマンの原則が常に尊重されるべきである¹⁰⁸。ブルキナファソで不安定な状況が広がっていることに鑑み、UNHCR としては、ブルキナファソで継続中の紛争から避難する人々は1969年 OAU 条約¹⁰⁹第1条(2)に従って国際難民保護を必要としている可能性が高いと考える。これには、個別の RSD 手続を利用して庇護を求める後発的難民も含まれ得る¹¹⁰。加えて、ブルキナファソにおける紛争から避難する人々は、1951年条約上の難民の地位に関する基準¹¹¹も満たす可能性がある。ケースの経歴および個別の事情によっては、除外条項に関わる検討を行わなければならないことも考えられる¹¹²。

31. 以上のような背景から、かつ治安・人道状況の悪化を踏まえ、UNHCR は、各国に対し、次の地方出身のいかなる者についてもブルキナファソへの強制送還を行わないよう求める—ブークル・デュ・ムフン、カスカード、中東部、中北部、中西部、中南部、東部、オーバッサン、北部、

¹⁰⁸ The principle prohibits States from returning any person in any manner to territories where they would face a threat to life or freedom on 1951 Convention grounds (1951 Convention, Art. 33); a real risk of torture or inhuman or degrading treatment or punishment (Convention Against Torture, Art. 3; International Covenant on Civil and Political Rights (ICCPR), Art. 7); arbitrary deprivation of the right to life (ICCPR, Art. 6); or irreparable harm. UN Human Rights Committee, *General Comment No. 31 [80], Nature of the General Legal Obligation Imposed on States Parties to the Covenant*, 26 May 2004, CCPR/C/21/Rev.1/Add.13, www.refworld.org/docid/478b26ae2.html. Under international human rights law, it also applies to all people at risk of return to the risk of serious human rights violations, by direct or indirect means. This also includes the right to protection against return to face threats to life, liberty and security of the person, enshrined among other instruments in the OAU Convention: Organization of African Unity, *Convention Governing the Specific Aspects of Refugee Problems in Africa*, 10 September 1969, 1001 UN, Treaty Series 45, www.refworld.org/docid/3ae6b36018.html, Article I(2). The principle of non-refoulement to torture, inhuman or degrading treatment or punishment is absolute in character. See Council of Europe: European Court of Human Rights, *Hirsi Jamaa and Others v. Italy*, Application no. 27765/09, 23 February 2012, www.refworld.org/cases,ECHR,4f4507942.html. The prohibition on refoulement under international refugee law applies not only to persons formally recognized as refugees, but also to asylum-seekers pending a final determination of their status. The non-refoulement principle also applies to people intercepted or rescued at sea: see UNHCR Executive Committee, *Conclusion on Protection Safeguards in Interception Measures*, No. 97(LIV)(2003), www.refworld.org/docid/3f93b2894.html.

¹⁰⁹ Organization of African Unity, *Convention Governing the Specific Aspects of Refugee Problems in Africa* ("OAU Convention"), 10 September 1969, 1001 UN, Treaty Series 45, www.unhcr.org/refworld/docid/3ae6b36018.html.

¹¹⁰ Sur place claims are accepted under the 1969 OAU Convention consistent with the interpretation of the 1951 Convention; see UNHCR, *Guidelines on International Protection No. 12: Claims for Refugee Status Related to Situations of Armed Conflict and Violence under Article 1A(2) of the 1951 Convention and/or 1967 Protocol Relating to the Status of Refugees and the Regional Refugee Definitions*, 2 December 2016, www.refworld.org/docid/583595ff4.html, para. 52.

¹¹¹ UN General Assembly, *Convention Relating to the Status of Refugees*, 28 July 1951, UN, Treaty Series, Vol. 189, p. 137, www.unhcr.org/refworld/docid/3be01b964.html and UN General Assembly, *Protocol Relating to the Status of Refugees*, 31 January 1967, UN, Treaty Series, Vol. 606, p. 267, www.unhcr.org/refworld/docid/3ae6b3ae4.html.

¹¹² UNHCR, *Guidelines on International Protection No. 5: Application of the Exclusion Clauses: Article 1F of the 1951 Convention relating to the Status of Refugees*, 4 September 2003, HCR/GIP/03/05, www.refworld.org/docid/3f5857684.html.

サヘルおよび南西部。

32. UNHCR は、各国が、上記の地域の出身者に対し、ブルキナファソの他の地域への国内避難・移住の選択可能性があることを理由に国際保護を否定することは適切ではないと考える。ただし、対象者が候補とされる帰還先と緊密で強い結びつきを有している場合、この限りではない。そのような帰還の提案については、いかなる場合にも、ケースの個別の事情を注意深く検討することが必要となろう¹¹³。

33. 上記で特定された地方への強制送還の禁止は最低限の基準であり、ブルキナファソの治安、法の支配および人権状況が顕著に改善され、国際保護を必要としないと判断された人々の安全かつ尊厳ある帰還が可能になるまで、有効とされ続ける必要がある。

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¹¹³ UNHCR, *Guidelines on International Protection No. 4: "Internal Flight or Relocation Alternative" Within the Context of Article 1A(2) of the 1951 Convention and/or 1967 Protocol Relating to the Status of Refugees*, 23 July 2003, HCR/GIP/03/04, www.refworld.org/docid/3f2791a44.html.