

In 2016, Burkina Faso made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government revised its Hazardous Work List to make the list more comprehensive and began drafting a new National Action Plan to Combat the Worst Forms of Child Labor. In addition, the Government funded and participated in multiple programs that include the goal of eliminating or preventing child labor, including its worst forms. However, children in Burkina Faso perform dangerous tasks in cotton harvesting. Children also engage in the worst forms of child labor, including in commercial sexual exploitation and in artisanal gold mining. Limited resources for the systematic enforcement of child labor laws impede government efforts to protect children from engaging in the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Burkina Faso engage in the worst forms of child labor, including in commercial sexual exploitation and in artisanal gold mining. Children in Burkina Faso perform dangerous tasks in cotton harvesting. (1-8) Table 1 provides key indicators on children's work and education in Burkina Faso.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	42.1 (2,116,752)
Attending School (%)	5 to 14	41.9
Combining Work and School (%)	7 to 14	21.7
Primary Completion Rate (%)		61.6

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(9)

Source for all other data: Understanding Children's Work Project's analysis of statistics from *Enquête Démographique et de Santé et à Indicateurs Multiples, 2010*.(10)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Planting, [†] weeding, and harvesting crops, including cotton and mangos (1, 3-8, 11)
	Raising and herding [†] livestock, including cattle and goats (5, 11-14)
Industry	Artisanal mining [†] of gold, including digging [†] and crushing [†] rock, installing dynamite, [†] working underground, [†] carrying water and other heavy loads, [†] and using cyanide [†] and mercury [†] (1-3, 8, 12, 15-31)
	Quarrying [†] and transporting heavy loads [†] while working to extract granite (14, 16, 19, 25, 31-36)
	Work in carpentry [†] and construction (12, 13)
Services	Domestic work [†] (4, 6, 11-13, 26, 37, 38)
	Street work, including vending [†] (6, 11-13, 36)
Categorical Worst Forms of Child Labor [‡]	Use in illicit activities, including drug trafficking (19)
	Commercial sexual exploitation, sometimes as a result of human trafficking (11, 26, 39, 40)
	Farming, including production of cotton and livestock raising, domestic work, begging, gold mining, and quarrying, each as a result of human trafficking (3, 5, 6, 39-45)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

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Burkina Faso is a destination, transit point, and source for child trafficking to and from other West African countries.(39, 40, 46-48) The Government works with Koranic schools and educators to expose individuals who pose as Koranic teachers to force their students to beg in the streets and then take the profits.(6, 39-41, 44, 49, 50) The practice of *confiage*, which involves sending a child to live with a relative or friend to attend school in a larger town or city, may place children at risk of internal human trafficking.(44) Child labor in gold mining, especially artisanal gold mining, known locally as *orpaillage*, continues to increase and leads children to leave school.(5, 8, 50-55)

Although the Law Orienting the Education System mandates free education until age 16, uniform costs, school-related fees, teacher shortages, and school infrastructure shortfalls in rural areas hinder children’s access to education.(2, 3, 26, 31, 56) About a quarter of children under age five in Burkina Faso lack a birth certificate. As birth certificates are required to attend school, many of these children remain out of school and vulnerable to child labor.(57, 58)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Burkina Faso has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations on child labor, including its worst forms (Table 4). However, gaps exist in Burkina Faso’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	16	Article 152 of the Labor Code; Order Deviating the Age of Admission to Employment (59, 60)
Minimum Age for Hazardous Work	Yes	18	Articles 149–150 of the Labor Code; Article 1 of the Hazardous Work List (59, 61)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 153 of the Labor Code; Articles 3–6 of the Hazardous Work List; Article 77 of the Mining Code (59, 61, 62)
Prohibition of Forced Labor	Yes		Articles 5 and 153 of the Labor Code; Articles 3–5 of the Law Suppressing the Sale of Children, Child Prostitution and Child Pornography; Article 1 of the Law on Combating Trafficking of Persons and Similar Practices (59, 63, 64)
Prohibition of Child Trafficking	Yes		Article 153 of the Labor Code; Articles 1–5 and 14–15 of the Law on Combating Trafficking of Persons and Similar Practices (59, 64)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 153 of the Labor Code; Articles 3–4, 7–10, and 20 of the Law Suppressing the Sale of Children, Child Prostitution and Child Pornography (59, 63)
Prohibition of Using Children in Illicit Activities	Yes		Article 153 of the Labor Code (59)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	20	Article 2 of the Decree Organizing Operations Related to Convoking the Contingent (65)
Non-State Compulsory	Yes	18	Articles 153 and 424 of the Labor Code (59)
Compulsory Education Age	Yes	16	Article 4 of the Law Orienting the Education System (66)
Free Public Education	Yes		Article 6 of the Law Orienting the Education System (66)

* No conscription (67)

In 2016, the Government revised its Hazardous Work List; nevertheless, the types of hazardous work prohibited for children do not fully cover all tasks in sectors in which child labor is known to occur, including in agriculture and construction. Children are consequently left exposed to conditions that harm their health, safety, and morals.(61) In addition, the light work provisions in the Labor Code are not specific enough to prevent children from involvement in child labor.(59, 60)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Civil Service, Labor, and Social Security (MFPTSS)	Enforce labor laws, including child labor laws and laws on the worst forms of child labor, and establish a government policy to combat child labor.(11, 54, 68, 69) Use provincial committees to raise awareness, conduct workshops for community members, and enforce laws at the local level.(46, 70)
Ministry of Women, National Solidarity, and Family (MFSNF)	Protect children's rights, enforce laws against child trafficking and other worst forms of child labor, remove children from exploitative child labor, and provide reintegration services.(11, 68, 71, 72) Operate a free hotline to report child abuse. Maintain civil registry offices in maternity wards to register newborn babies. (2, 19, 73-75) Use its National Council for Childhood to oversee all policies for the survival, protection, development, and participation of children.(76)
Ministry of Territorial Administration, Decentralization and Interior Security (MATDSI)	Enforce criminal laws related to child trafficking.(43) Use its Morals Brigade in the MATDSI National Police Force to oversee criminal cases involving children and women.(77)
Ministry of Justice	Enforce and prosecute criminal laws, including laws related to the worst forms of child labor.(78) Appoint one or more judges who specialize in child protection issues to each high court to oversee juvenile court cases. May also call on MFSNF social workers in charge of child protection to conduct investigations on behalf of vulnerable children, including victims of child trafficking, commercial sexual exploitation, exploitative child labor, and begging.(79)
Parliamentary Network for the Promotion of Child Rights	Train government officials on children's rights, including child labor laws and other issues affecting children.(3, 80, 81)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Burkina Faso took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$226,000 (2)	\$225,000 (31)
Number of Labor Inspectors	124 (2, 82)	154 (31)
Inspectorate Authorized to Assess Penalties	Yes (59)	Yes (31)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (2)	Yes (31)

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Table 6. Labor Law Enforcement Efforts Related to Child Labor (cont)

Overview of Labor Law Enforcement	2015	2016
Training on New Laws Related to Child Labor	Unknown* (77)	N/A (31)
Refresher Courses Provided	Yes (2)	Yes (31)
Number of Labor Inspections	Unknown* (2, 82)	Unknown* (31)
Number Conducted at Worksite	Unknown* (2)	Unknown* (31)
Number Conducted by Desk Reviews	Unknown* (2)	Unknown* (31)
Number of Child Labor Violations Found	Unknown* (2)	Unknown* (31)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown* (2)	Unknown* (31)
Number of Penalties Imposed That Were Collected	Unknown* (2)	Unknown* (31)
Routine Inspections Conducted	No (2)	No (31)
Routine Inspections Targeted	N/A (2)	N/A (31)
Unannounced Inspections Permitted	Yes (59)	Yes (31)
Unannounced Inspections Conducted	Yes (82)	Yes (82)
Complaint Mechanism Exists	Yes (2)	Yes (31)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (82)	Yes (31)

* The Government does not publish this information.

The Government employs 140 labor controllers to assist the 154 labor inspectors, who are in charge of conducting labor inspections; however, the Government indicates it lacks adequate resources to enforce labor laws throughout the country, including the human and financial resources needed to carry out a sufficient number of labor inspections.(2, 39, 68) The number of labor inspectors is insufficient for the size of Burkina Faso’s workforce, which includes over 7 million workers. According to the ILO’s recommendation of 1 inspector for every 40,000 workers in less developed economies, Burkina Faso should employ roughly 192 inspectors.(83, 84) The Government noted that it is difficult for inspectors to follow up on inspections to ensure their recommendations have been implemented.(85)

The Ministry of Civil Service, Labor, and Social Security publishes an annual report listing 12 types of labor infractions, none of which are related to child labor.(11) Law enforcement collaborates ad hoc with the Ministry of Women, National Solidarity, and Family (MFSNF) to provide social services to child labor victims and the Government is in the process of implementing a Child Labor Monitoring System, which would improve connections between the various actors.(31, 82) It is unknown how many cases of child labor were identified as a result of complaints made to the MFSNF hotline.

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Burkina Faso took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (2)	Yes (31)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	N/A (31)
Refresher Courses Provided	Yes (49)	Yes (31)
Number of Investigations	Unknown*(2)	Unknown* (31)
Number of Violations Found	Unknown*(2)	Unknown* (31)
Number of Prosecutions Initiated	16 (39, 49)	Unknown (31)
Number of Convictions	9 (39, 49)	Unknown (31)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2, 39)	Yes (31, 48)

* The Government does not publish this information.

Although the government has standard victim identification and referral procedures, authorities and front-line responders do not apply them uniformly.(48)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Coordination Committee for the National Action Plan to Combat the Worst Forms of Child Labor (CNC-PAN/PFTE)	Supervise, evaluate, and oversee implementation of the National Action Plan to Combat the Worst Forms of Child Labor. Chaired by the MFPTSS Directorate to Combat Child Labor and its Worst Forms, includes representatives from various civil society organizations, 24 government ministries, and 6 observers from donor countries and international NGOs.(11, 12, 68) Hold meetings twice a year to review efforts to combat child labor and identify needs.(68) In 2016, met twice to develop a new National Strategy to Combat the Worst Forms of Child Labor and to examine reports from 2014 and 2015, and the report on the National Action Plan to Combat the Worst Forms of Child Labor.(31)
MFPTSS Directorate to Combat Child Labor and its Worst Forms (DLTE)	Coordinate and lead interagency efforts to combat child labor, including its worst forms; collect information on child labor; and conduct awareness raising activities.(86) Serve as the Secretariat for the CNC-PAN/PFTE.(78, 86)
National Committee for Vigilance and Surveillance Against the Trafficking in Persons and Assimilated Practices (CNVS)	Coordinate actions at the national level to combat the worst forms of child labor, including human trafficking. Oversee Committees for Vigilance and Surveillance in each of the regions.(39, 46) MFSNF serves as president, and MATDSI is the vice president.(39, 73) Includes representatives from MFPTSS, the Ministry of Justice, the Ministry of Women and Gender, and NGOs.(39)
Child Protection Networks (RPEs)	Assist CNVS with coordinating and facilitating the collection of statistical data on human trafficking, in particular women and children. Established by MFSNF, comprises social workers, magistrates, judges, police officers, health workers, and NGOs in 23 of the country's 45 provinces.(49)

In 2016, the Government trained members of the National Committee for Vigilance and Surveillance Against the Trafficking in Persons and Assimilated Practices on the proactive identification of trafficking victims.(48) Although the Government made efforts to improve its data collection system and monitoring capabilities, poor coordination among ministries and a lack of resources, such as computers and electricity, continued to hamper the Government's ability to fully address child trafficking.(2, 39)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor[‡]

Policy	Description
2015 National Action Plan to Combat Trafficking	Developed by MFSNF and implemented by CNVS, aims to combat human trafficking.(39) Research was unable to determine any updates in 2016.(50)
Communal Action Plan Against Trafficking (2013–2018)	Seeks to prevent child trafficking, raise awareness in local communities, and rehabilitate and reintegrate victims of child trafficking. Piloted in Diebouougou. Includes government plans to replicate elsewhere in the country.(39, 49) Research was unable to determine any updates in 2016.(50)
National Parenting Program	Aims to support families in their efforts to provide education and care to their children to reduce their vulnerability to child trafficking.(39, 49) Research was unable to determine any updates in 2016.(50)

[‡] The Government had other policies that may have addressed child labor issues or had an impact on child labor.(19, 31, 39, 87-89)

The Government has not included child labor elimination and prevention strategies in the National Plan for Economic and Social Development and the Program for the Strategic Development of Basic Education.(31, 47, 90, 91). Although the National Action Plan to Combat the Worst Forms of Child Labor ended in 2015, a second iteration, covering 2017–2021, is currently in development to expand on the initial National Action Plan.(31, 92)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

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Table 10. Key Social Programs to Address Child Labor[†]

Program	Description
National Program for the Fight Against Child Labor on Artisanal Gold Mining Sites and Quarries (2015–2019) [†]	MFSNF program that aims to prevent and withdraw children from working in artisanal gold mines as part of the Government’s efforts to eliminate child labor in mining by 2025.(2, 39, 82, 93, 94) Seeks to strengthen child protection systems, improve coordination among stakeholders, and implement existing legislation. Builds on the previous project from 2009–2013 to eliminate child labor in mines and quarries.(82) Approximately \$42.9 million, 40 percent of the program costs, to be provided by the Government.(2) In 2016, research was unable to determine whether any actions were undertaken.(50)
USDOL-Funded Projects to Address Child Labor	USDOL projects aim to build the capacity of the national government and develop strategic policies to address the elimination of child labor and forced labor; increase access to education, social protection, and training programs; and improve legislation and national government capacity to address child labor. These projects include <u>Reducing Child Labor Through Education and Services</u> , \$5 million project implemented by Counterpart International; <u>Global Action Program on Child Labor Issues</u> , implemented in approximately 40 countries by the ILO; and <u>Country Level Engagement and Assistance to Reduce Child Labor II (CLEAR II)</u> , implemented in at least eight countries by Winrock International and partners Verité and Lawyers Without Borders.(95-99) For additional information about USDOL’s work, please visit our website .
MFSNF Projects to Combat Human Trafficking [†]	MFSNF-funded programs aim to combat human trafficking through the operation of 23 transit centers that provide food, medical assistance, and counseling to child trafficking victims and children vulnerable to trafficking.(39, 47, 48, 74) The transit centers aim to reintegrate victims into their communities and to facilitate repatriation of foreign victims when possible.(43) The National Parenting Program assists parents in managing and educating their children to combat child trafficking.(49) Government funds nationwide media campaigns to combat human trafficking by providing advocacy, raising awareness, and building capacity for key actors involved in child protection issues, including child trafficking.(39, 49) In 2016, research was unable to determine whether any actions were undertaken.(50)
World Bank-Funded Projects	Includes the Education Access and Quality Improvement Project (EAQIP), \$51 million project to support the Government to increase access to preschool education in the two poorest regions and secondary education in the five poorest regions, and to improve teaching and education. Social Safety Net Project, \$50 million project to provide income support to poor households and to lay the foundations for a basic safety net system in Burkina Faso.(100, 101) In 2016, research was unable to determine whether any actions were undertaken.(50)
Resilience and Economic Growth in the Sahel–Enhanced Resilience (REGIS – ER) (November 2013–November 2018)	Over \$70 million USAID-funded, 5-year project to increase food security and improve livelihoods in Niger and Burkina Faso. Works to increase the resilience of chronically vulnerable populations in marginal agricultural and agro-pastoral zones in Niger and Burkina Faso, particularly in 25 communes in the marginal agriculture and agro-pastoral belt.(50, 102, 103)
National Strategy on Civil Registration (2012–2016) [†]	\$41.3 million program that aims to achieve universal birth registration by creating information and registration centers funded 30 percent by the Government and the remaining 70 percent by technical and financial partners.(11, 26, 104) In 2016, research was unable to determine whether any actions were undertaken.(50)

[†] Program is funded by the Government of Burkina Faso.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms (3, 11, 31, 105-110)

Although Burkina Faso has social programs to address the worst forms of child labor in the production of cotton and in gold mining, the scope of these programs is insufficient to fully address the extent of the problem.(2, 3)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Burkina Faso (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the types of hazardous work prohibited for children are comprehensive.	2016
	Ensure that light work provisions are specific enough to prohibit children’s involvement in child labor.	2016
Enforcement	Increase the number of labor inspectors to meet the ILO recommendation.	2014 – 2016
	Ensure that labor law enforcement receives sufficient resources to fulfill their mandate, including by conducting an adequate number of inspections and following up after inspections to ensure recommendations have been implemented.	2009 – 2016
	Publish statistics on the enforcement of child labor laws, including the number and type of labor inspections conducted, labor violations found, and penalties imposed and collected.	2009 – 2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Enforcement	Include the number of child labor infractions in the Ministry of Civil Service (MFPTSS) annual report.	2015 – 2016
	Establish a mechanism to log all calls to the child protection hotline and track cases of child labor for referral to law enforcement or social service providers.	2015 – 2016
	Strengthen the labor inspectorate by conducting routine and targeted inspections.	2015 – 2016
	Ensure front-line responders apply standard victim identification and referral procedures uniformly.	2016
	Publish statistics on the criminal enforcement of child labor laws, including the number of investigations, violations found, prosecutions, and convictions.	2016
Coordination	Ensure coordinating bodies receive adequate resources, such as computers and electricity to address mandates.	2015 – 2016
Government Policies	Integrate child labor elimination and prevention strategies into the National Plan for Economic and Social Development and the Program for the Strategic Development of Basic Education policies.	2013 – 2016
	Take steps to implement the 2015 National Action Plan to Combat Trafficking, the Communal Action Plan Against Trafficking, and the National Parenting Program.	2016
Social Programs	Improve access to education by eliminating school-related fees and increasing the number of schools and teachers in rural areas.	2010 – 2016
	Take efforts to register children at birth to ensure access to social services, including education.	2010 – 2016
	Expand existing programs to fully address child labor in the production of cotton and in gold mining.	2009 – 2016
	Undertake activities to support MFSNF projects to combat human trafficking, World Bank-funded projects, and the National Strategy on Civil Registration.	2016

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