

In 2014, Burundi made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government passed an anti-trafficking in persons law. The government also successfully prosecuted offenders for trafficking girls into domestic service. However, children in Burundi are engaged in child labor, including in agriculture, and in the worst forms of child labor, including in commercial sexual exploitation. Education in Burundi is not compulsory, increasing the risk of children's involvement in child labor. In addition, the Government did not conduct any child labor inspections during the reporting period.



I. PREVALENCE AND SECTORIAL DISTRIBUTION OF CHILD LABOR

Children in Burundi are engaged in child labor, including in agriculture. Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation.(1-9) According to a national study published by the Government of Burundi and the ILO, the majority of children work in cash crops such as tea, coffee, cotton, sugarcane, and palm oil.(7) Table 1 provides key indicators on children's work and education in Burundi.

Table 1. Statistics on Children's Work and Education

| Children | Age | Percent |
|-------------------------------|-----------|----------------|
| Working (% and population) | 5-14 yrs. | 27.2 (633,126) |
| Attending School (%) | 5-14 yrs. | 60.9 |
| Combining Work and School (%) | 7-14 yrs. | 26.0 |
| Primary Completion Rate (%) | | 62.2 |

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(10)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Demographic and Health Survey, 2010-2011.(11)

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 | |
|-----------------|---|
| Agriculture | Cultivation of tea,* coffee,* sugarcane,* cotton,* palm oil,* potatoes,* and rice* (1, 7) |
| | Fishing,* including preparing materials and equipment, preparing meals for fishermen, loading and unloading materials from vessels, and cleaning the vessels (1, 7) |
| | Herding and feeding livestock* (7, 8) |
| Industry | Extracting,† washing, and transporting minerals in mines and quarries, including artisanal gold mines* (1, 7, 9, 12, 13) |
| | Making and transporting bricks* (1, 8, 14) |
| | Construction,* including transporting materials, welding, and installing electrical cable† (7) |
| Services | Domestic service† (1, 7, 9) |
| | Street vending, including selling food, newspapers, cigarettes, and used clothes and shoes (7-9) |
| | Begging* (9) |
| | Handling and transporting heavy loads*† (9) |
| | Cleaning, cooking, ironing, and laundering clothes in hotels and restaurants* (7) |

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Table 2. Overview of Children’s Work by Sector and Activity (cont)

| Sector/Industry | |
|---|---|
| Categorical Worst Forms of Child Labor† | Commercial sexual exploitation sometimes as a result of human trafficking (1-9, 13) Domestic service as a result of human trafficking (2, 4, 6, 7, 13) |

* Evidence of this activity is limited and/or the extent of the problem is unknown.

† 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.







In Burundi, older women sometimes offer free room and board to girls, but then force the children into commercial sexual exploitation so they can pay for their expenses.(2-4) These brothels are located in the poorer areas of Bujumbura, along the lake, and on trucking routes.(4) Poverty may also cause girls to enter commercial sexual exploitation to obtain money for their basic needs.(5) Male tourists from East Africa and the Middle East, teachers, police officers and gendarme, and military and prison officials sexually exploit Burundian girls.(4)

There are reports that Burundian children are trafficked within the country for domestic service and commercial sexual exploitation. (2-4, 6, 15) Business people recruit Burundian girls for commercial sexual exploitation in Bujumbura, as well as in Kenya, Rwanda, Uganda, and in the Middle East.(4)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Burundi 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 related to child labor, including its worst forms (Table 4).

Table 4. Laws and Regulations Related to Child Labor

| Standard | Yes/No | Age | Related Legislation |
|---|--------|-----|--|
| Minimum Age for Work | Yes | 16 | Article 3 of the Labor Code; Article 3 of Ministerial Ordinance No. 630/1 (16, 17) |
| Minimum Age for Hazardous Work | Yes | 18 | Article 13 of Ministerial Ordinance No. 630/1 (17) |
| Prohibition of Hazardous Occupations or Activities for Children | Yes | | Articles 9–15 of Ministerial Ordinance No. 630/1 (17) |
| Prohibition of Forced Labor | Yes | | Article 26 of the Constitution; Article 2 of the Labor Code (16, 18) |
| Prohibition of Child Trafficking | Yes | | Articles 242–243 and 514 of the Penal Code; Article 4 of Law No. 1/28 (19, 20) |
| Prohibition of Commercial Sexual Exploitation of Children | Yes | | Articles 519–521 of the Penal Code (19) |

Table 4. Laws and Regulations Related to Child Labor (cont)

| Standard | Yes/No | Age | Related Legislation |
|---|--------|-----|------------------------------------|
| Prohibition of Using Children in Illicit Activities | Yes | | Article 518 of the Penal Code (19) |
| Minimum Age for Compulsory Military Recruitment | N/A* | | |
| Minimum Age for Voluntary Military Service | Yes | 18 | Article 6(c) of Law No. 1/17 (21) |
| Compulsory Education Age | No | | |
| Free Public Education | Yes | | Article 17 of Law No. 1/19 (22) |

* No conscription (23)

The Penal Code makes the use of children under age 15 in armed conflict a crime, leaving children ages 15 to 17 vulnerable to the worst forms of child labor.(19, 24)

The Penal Code contains certain prohibitions on the commercial sexual exploitation of children; however, the law does not prohibit the distribution, sale of, and possession of child pornography.(19)

In October 2014, Burundi enacted a new and robust anti-trafficking in persons law that fully prohibits child trafficking for sexual and labor exploitation.(20, 25)

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).

Table 5. Agencies Responsible for Child Labor Law Enforcement

| Organization/Agency | Role |
|--|--|
| The General Directorate of Labor and Professional Development within the Ministry of Public Service, Labor, and Social Security (MFPTSS) | Administer and enforce all labor laws, including those on child labor.(26) |
| The National Police and the Brigade for the Protection of Women and Children | Conduct criminal investigations on the worst forms of child labor, including forced child labor, child trafficking, and the use of children in illicit activities.(26) The National Police forwards investigation findings to the Ministry of Justice. The Brigade for the Protection of Women and Children, a division of the National Police, is charged with protecting children from commercial sexual exploitation.(26) |
| Ministry of Justice | Prosecute cases of the worst forms of child labor.(13) |

Criminal law enforcement agencies in Burundi took actions to combat child labor, including its worst forms. However, research found no evidence that labor law enforcement agencies took such actions.

Labor Law Enforcement

In 2014, the Ministry of Public Service, Labor, and Social Security (MFPTSS) employed 18 labor inspectors to conduct all labor inspections.(1, 4) The number of labor inspectors is insufficient to adequately address child labor throughout Burundi.(25) Labor inspectors did not receive training related to child labor, and the MFPTSS did not conduct child labor inspections during the reporting period.(1, 4) The MFPTSS does not keep statistics on child labor inspections or violations.(25)

Inspectors can only conduct inspections in the formal sector, in which child labor is not prevalent.(1, 4) Inspections are further hindered by a lack of resources, such as office equipment and vehicles to travel to rural workplaces.(1, 25) Inspectors only initiate investigations in response to complaints; however, there is no existing mechanism for filing or responding to child labor complaints.(1)

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Criminal Law Enforcement

In 2014, there were no investigators specifically charged with enforcing criminal laws on the worst forms of child labor; however, the National Police investigates potential cases when a report is received.(1) The National Police did not receive any child labor-related training during the reporting period.(27)

In 2014, there were no investigations or prosecutions initiated on the worst forms of child labor.(25) Research indicated that police officers repeatedly apprehended suspects involved in the commercial sexual exploitation of children but later released them without prosecution.(4)

In March 2014, the Government sentenced a convicted offender to 5 years of imprisonment for the abduction of two girls he held in domestic servitude and sexually abused. His accomplice was also convicted and sentenced to 2½ years of imprisonment.(4)

The Ministry of Justice has not taken action to inform judicial personnel of the new anti-trafficking in persons law or to instruct them on when and how to apply the law.(13) This lack of knowledge is a major obstacle to convicting and penalizing human traffickers.

There is no referral mechanism between law enforcement officials and social service providers. The National Police and the Ministry of National Solidarity, Human Rights, and Gender partnered to ensure that trafficking victims received referrals to NGOs for services.(4) In some instances, the Brigade for the Protection of Women and Children provided counseling to children in situations of commercial sexual exploitation and mediated between these victims and their parents immediately thereafter, but it did not refer the children for additional services.(4)

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 6).

Table 6. Mechanisms to Coordinate Government Efforts on Child Labor

| Coordinating Body | Role & Description |
|---|---|
| National Multi-Sector Committee for the Elimination of the Worst Forms of Child Labor | Coordinate efforts to combat the worst forms of child labor, including through the implementation of community development programs that address the education and socioeconomic reintegration of children engaged in or removed from the worst forms of child labor.(26, 28, 29) Composed of nine member ministries and organizations, including the MFPTSS; the Ministry of National Solidarity, Human Rights, and Gender (MSNDPHG); the Ministry of Elementary and Secondary Education; the Ministry of Justice; the Ministry of Youth; and representatives from UNICEF, the ILO, youth associations, NGOs, and other civil society organizations.(1) Meets regularly and focuses on specific initiatives within the National Action Plan to Combat the Worst Forms of Child Labor.(1) |
| Trafficking in Persons Permanent Commission | Oversee anti-trafficking in persons efforts.(4) Composed of officials from the Ministries of Justice, Public Security, Foreign Affairs, and the Interior; the MFPTSS; and the MSNDPHG.(25) During the reporting period, completed its national action plan and was instrumental in passing the anti-trafficking in persons law.(4, 25) |
| National Independent Commission for Human Rights (CNIDH) | Defend and promote human rights, including efforts against child trafficking and exploitation. Develop an annual report on the situation of human rights in Burundi, and report on more specific issues, including the rights of women and children.(30) Is an independent state institution composed of seven members who are elected by the National Assembly and appointed by Presidential decree for a 4-year term.(31) |
| Municipal Council for Youth and Children | Register vulnerable children, such as street children, orphans, and child heads of households, to target government assistance.(32) Includes representatives from the Ministries of Justice and Education, the MFPTSS, and the MSNDPHG.(32). Did not receive any funding and was inactive in 2014.(27) |
| Department of the Child and Family within the MSNDPHG | Coordinate, monitor, and oversee children's advocacy and family services programs conducted by public and private organizations. Develop policies and national laws on the promotion and protection of children and families.(27) |

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Burundi has established policies related to child labor, including its worst forms (Table 7).

Table 7. Policies Related to Child Labor

| Policy | Description |
|--|--|
| National Action Plan for the Elimination of the Worst Forms of Child Labor (2010–2015) | Aims to eliminate all worst forms of child labor by 2015 and contribute to the elimination of all forms of child labor by 2025.(1, 29) |
| National Action Plan for Combatting Trafficking in Persons (2014–2017)† | Aims to significantly reduce human trafficking within Burundi by 2017 through the adoption of political, social, economic, and institutional measures.(33) Identifies women and children as being the most vulnerable to human trafficking in Burundi. Lists a number of sectors in which trafficking is believed to exist and attempts to describe the profile of a human trafficker.(13) |
| National Strategy for Street Children | Plans to prevent children from entering the street, reduce the number of street children, and reintegrate 60 percent of street children into their communities and families by 2016. Interventions include media awareness campaigns on child begging, violence, and sexual and labor exploitation.(34) |
| PRSP* | Details a 5-year strategy to reduce poverty, increase economic growth and development, and strengthen government institutions, including schools.(12, 15, 26) |
| UNDAF (2012–2016) | Plans to develop a database for information on the worst forms of child labor, and legislation and regulations for the education and training of children and adolescents.(35) |
| Decent Work Country Program Plan (2012–2015) | Aims to reinforce the capacity of the National Multi-Sector Committee for the Elimination of the Worst Forms of Child Labor through advocacy and mobilization of the necessary resources.(36) |

* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

In January 2014, a revised National Action Plan for the Elimination of the Worst Forms of Child Labor covering the period 2014–2016 was developed; the Plan has not yet been officially approved.(27, 37, 38)

There is no compulsory age for education. The lack of standards in this area may increase the risk of children's involvement in child labor.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Burundi funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

Table 8. Social Programs to Address Child Labor

| Program | Description |
|---|--|
| Child Domestic Labor Study‡ | UNICEF supported the MFPTSS to conduct a qualitative study on child domestic labor.(1) Final report published in March 2014 revealed that both boys and girls engage in child domestic labor in Burundi. Most workers come from the Gitega, Kayanza, and Ngozi provinces.(39) |
| Child Trafficking Study‡ | CNIDH-implemented study with support from the Government of France to better understand how to eliminate child trafficking and exploitation in Burundi.(9, 40) Final report published in May 2014 describes the current situation of child trafficking and exploitation, challenges to prevention, and proposed ways to address the challenges.(41) |
| Centers for Family and Community Development‡ | MSNDPHG centers that address human rights and gender-based violence issues, including the reintegration of victims into their home communities.(4) The Government operated two centers in Buyenzi and Kigobe communes to assist street children, including an unknown number of victims of forced child labor. These children were identified and provided with counseling through the centers.(4) Centers operate at the local level; however, they are not present in all provinces and communes in Burundi.(42, 43) |

‡ Program is funded by the Government of Burundi.

Although the Government of Burundi has implemented programs to reach children engaged in some forms of child labor, research found no evidence that it has carried out programs to assist children in agriculture, industry, or commercial sexual exploitation. Additionally, the scope of existing programs is insufficient to fully address the extent of the problem.

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 Burundi (Table 9).

Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

| Area | Suggested Action | Year(s) Suggested |
|---------------------|--|-------------------|
| Legal Framework | Ensure that laws prohibit the use of children under age 18 in armed conflict. | 2012 – 2014 |
| | Ensure that the law protects children under age 18 from all forms of commercial sexual exploitation, including the distribution, sale, and possession of child pornography. | 2014 |
| Enforcement | Increase the law enforcement capacity, specifically by: <ul style="list-style-type: none"> ■ Increasing the number of labor inspectors. ■ Providing adequate training and resources for conducting labor inspections. ■ Establishing a mechanism for filing child labor complaints. ■ Increasing the number of trained investigators charged with enforcing criminal laws on the worst forms of child labor to ensure that criminal investigations and prosecutions take place. ■ Training judicial personnel on the new anti-trafficking in persons law to ensure that offenders are convicted. ■ Establishing a referral mechanism between law enforcement officials and social service providers. | 2009 – 2014 |
| | Collect and publish data on child labor law enforcement. | 2013 – 2014 |
| Coordination | Ensure that the Municipal Council for Youth and Children receives funding so it may conduct activities targeting children who are vulnerable to child labor. | 2014 |
| Government Policies | Integrate child labor elimination and prevention strategies into the PRSP. | 2012 – 2014 |
| | Adopt a national policy that establishes a compulsory education age equal to or higher than the minimum age for work. | 2009 – 2014 |
| Social Programs | Expand the Centers for Family and Community Development to cover all regions of the country. | 2011 – 2014 |
| | Institute and expand existing programs to address child labor in agriculture and industry, and the worst forms of child labor in commercial sexual exploitation. | 2009 – 2014 |

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