

# Burundi

*The Government of Burundi successfully completed the demobilization of child soldiers and provided them with short-term care and family reunification services. However, children continue to work in agriculture. Aside from child soldiering, there is little evidence of government programs or policy to combat the worst forms of child labor.*

## Statistics on Working Children and School Attendance

Children	Age	Percent
Working	5-14 yrs.	84.0%
Attending School	5-14 yrs.	41.9%
Combining Work and School	7-14 yrs.	19.1%



## Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Burundi are exploited in the worst forms of child labor,<sup>783</sup> many of them in agriculture.<sup>784</sup> Children in agriculture may be subject to using potentially dangerous machinery and tools, carrying heavy loads, and applying harmful pesticides. Children also work 12-hour days in the fishing sector, and herd cattle and goats, where they are exposed to the elements and they work with large or dangerous animals.<sup>785</sup> Other children face dangers in brick making and mining.<sup>786</sup>

In urban areas, children are employed as domestic servants.<sup>787</sup> Children working in domestic service in Burundi are often isolated from the public and receive no remuneration for their work.<sup>788</sup> Some employers seek to avoid paying their servants by accusing the children of criminal activity. Children have suffered incarceration because of false accusations.<sup>789</sup> Children in domestic service may also be vulnerable to long working hours and physical and sexual exploitation by their employers.

Many children also work on the streets as vendors and porters.<sup>790</sup> They face a variety of potential dangers, including carrying heavy loads, physical abuse, and vulnerability to criminals.<sup>791</sup> Children living and

working in the streets are sometimes raped, including by older boys who coerce sexual activity in exchange for promising to “protect” their victims.<sup>792</sup> Such sexual activity makes street children vulnerable to HIV/AIDS.<sup>793</sup>

The commercial sexual exploitation of children exists in Burundi.<sup>794</sup> While there is little evidence of large-scale child prostitution, girls are sometimes pushed into prostitution by older women who initially offer free room and board, then force the children into prostitution to pay for their expenses. Male tourists also sexually exploit girls.<sup>795</sup>

Burundian children are trafficked internally for work in agriculture and domestic service.<sup>796</sup> Burundian girls are trafficked for commercial sexual exploitation to Rwanda, Kenya, and Uganda.<sup>797</sup> Burundian children are trafficked into forced labor in Tanzania.<sup>798</sup> Children are also lured under false promises or coerced into forced labor, including in domestic service and agricultural labor, in southern Burundi.<sup>799</sup>

Although Burundi has a history of children being used in combat, during the reporting period the Government successfully finished the process of demobilizing all remaining former child combatants.<sup>800</sup>

## Laws and Regulations on the Worst Forms of Child Labor

The Labor Code sets the minimum age for work at 16.<sup>801</sup> As of 2009, a revised Penal Code sets the minimum age for hazardous work at 18. Persons who employ children under age 18 in hazardous labor may be punished with a fine and three to five years of penal servitude.<sup>802</sup> The Government maintains a list of occupations forbidden for children under age 18. It includes work with automobiles, in slaughterhouses, mining minerals, and serving alcohol.<sup>803</sup>

Children are required to attend school until age 12.<sup>804</sup> This standard makes children ages 13 to 14 particularly vulnerable to the worst forms of child labor as they are not required to be in school and are below the minimum age for work.

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	No
	Minimum Age for Work	16
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	12
	Free Public Education	Yes

Burundi's Penal Code makes criminal certain worst forms of child labor, including the recruitment and use of children under age 18 for child pornography or prostitution, or profiting from such practices.<sup>805</sup> The Penal Code also forbids the trafficking of children under age 18 years, as well as agreeing to or profiting

from child trafficking.<sup>806</sup> It is also illegal to use children in illicit activities, although there is no specific definition of illicit activities in the Penal Code.<sup>807</sup>

The Constitution prohibits forced labor.<sup>808</sup> From 2009, the Penal Code sets 18 as the minimum age for military recruitment, and makes the military use of children under age 16 a war crime.<sup>809</sup>

## Institutional Mechanisms for Coordination and Enforcement

Research found no evidence of coordinating mechanisms to combat worst forms of child labor in Burundi.

The Ministry of Labor is responsible for enforcing all labor laws including those on child labor. The Ministry uses criminal penalties, civil fines, and court orders as mechanisms to enforce labor laws.<sup>810</sup>

The Government has trained government officials in child labor law enforcement with help from NGOs and UNICEF.<sup>811</sup> The Ministry of Labor employs 12 inspectors, an inadequate amount given the prevalence of child labor in the country.<sup>812</sup> Inspectors only initiate investigations in response to complaints, although a formal system has not been established to file such complaints.<sup>813</sup> During the reporting period, the Government did not conduct any child labor inspections.<sup>814</sup>

The Brigade for the Protection of Women and Children within the National Police is responsible for enforcing criminal violations of the worst forms of child labor and is mandated to protect children from criminal influences and harm.<sup>815</sup> The Brigade has 100 officers.<sup>816</sup> During the reporting period, the Brigade prosecuted 10 cases of forced sexual exploitation of children and women, and received four new cases.<sup>817</sup>

During the reporting period, the police rescued 13 children from commercial sex trafficking and returned the children to their families. Additionally, the Burundian Government, in coordination with the Tanzanian police, rescued six children from forced labor in Tanzania and arrested one man involved.<sup>818</sup>

## Government Policies on the Worst Forms of Child Labor

Research found no evidence of policies to combat the worst forms of child labor in Burundi.<sup>819</sup>

## Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

The Government has implemented social programs to assist former child soldiers, street children, and children exploited in prostitution.

The government-appointed National Commission for Demobilization, Reinsertion and Reintegration (NCDRR) has been responsible for monitoring the demobilization and reintegration of child soldiers since its creation in 2003.<sup>820</sup> During the reporting period, the NCDRR, in collaboration with the U.N., successfully demobilized the remaining 340 child combatants for the rebel National Liberation Force (FNL) and 40 other children associated with FNL dissidents.<sup>821</sup> In previous years, over 3,600 children were demobilized and reintegrated within their communities.<sup>822</sup> Outside funding enabled the Commission to give short-term

medical care and counseling to the former child combatants and to return them to their families.<sup>823</sup> The Government also worked with NGOs to provide financial support and free education to the former child soldiers.<sup>824</sup>

The Ministry of Labor worked with UNICEF to counter child labor and the abuse of former child soldiers through raising public awareness of these issues.<sup>825</sup>

The Women and Children's Brigade gave counseling to children in prostitution and facilitated communication between the victims and their parents.<sup>826</sup>

In 2009, the Government established the Municipal Council for Children and Youth (CMEJ), which aims to provide a network of services for street children, former child combatants, and child trafficking victims.<sup>827</sup> The CMEJ began to draft an action plan for their work in 2010.<sup>828</sup>

The Government relies primarily on NGOs to provide care and services for exploited children.<sup>829</sup>

### Based on the reporting above, the following actions would advance the reduction of the worst forms of child labor in Burundi:

#### IN THE AREA OF LAWS AND REGULATIONS:

- Raise the age for compulsory education to 16 to harmonize it with the minimum age for employment.
- Amend the Penal Code to include a specific definition for illicit activities.

#### IN THE AREA OF COORDINATION AND ENFORCEMENT:

- Develop a system for coordinating efforts to combat the worst forms of child labor.
- Devote additional resources to increase enforcement efforts, including through increasing the number of inspectors, establishing a system for filing complaints, and targeting investigations in sectors where there is a high prevalence of child labor.

#### IN THE AREA OF GOVERNMENT POLICIES:

- Develop and make publicly available policies to address the worst forms of child labor directly, and as part of other poverty and child welfare initiatives.

#### IN THE AREA OF SOCIAL PROGRAMS:

- Provide funding to establish and expand social program to assist children engaged in or at risk of entering the worst forms of child labor, especially for children in agriculture and domestic service.

<sup>783</sup> Data provided in the chart at the beginning of this country report are based on UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity, School Attendance, and Combined Working and Studying Rates, 2005-2010*. Data provided are from 2000. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics and information on children's work in general are reported in this section, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children, and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.

<sup>784</sup> Observatoire Ineza des Droits de l'Enfant au Burundi, *Guide des droits de l'enfant au Burundi*, 2nd ed. (2008), 31, 55. See also U.S. Embassy- Bujumbura, *reporting*, February 1, 2010, 1. See also PANA, *Mobilisation contre le travail des enfants au Burundi, Mobilization against Child Labor in Burundi*, [online] October 6, 2008 [cited May 20, 2010]; available from [http://www.arib.info/index.php?option=com\\_content&task=view&id=57&Itemid=65](http://www.arib.info/index.php?option=com_content&task=view&id=57&Itemid=65). See also ILO Committee of Experts, *Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Burundi (ratification: 2000)*, [online] 2010 [cited May 20, 2010]; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloilc&document=622&chapter=3&query=Burundi@ref%2BObservation@ref%2B%23YEAR%3D2010&highlight=&querytype=bool&context=0>.

<sup>785</sup> U.S. Department of State, "Burundi," in *Country Reports on Human Rights Practices- 2009*, Washington, DC, March 11, 2009; available from <http://www.state.gov/g/drl/rls/hrrpt/2009/af/135941.htm>. See also Human Rights Watch, *Paying the Price: Violations of the Rights of Children in Detention in Burundi*, New York, March 2007, 14; available from <http://hrw.org/reports/2007/burundi0307>.

<sup>786</sup> Observatoire Ineza des Droits de l'Enfant au Burundi, *Guide des droits de l'enfant au Burundi*, 31. See also Human Rights Watch, *Paying the Price*, 14.

<sup>787</sup> Human Rights Watch, *Paying the Price*, 5. See also Observatoire Ineza des Droits de l'Enfant au Burundi, *Guide des droits de l'enfant au Burundi*, 31.

<sup>788</sup> Observatoire Ineza des Droits de l'Enfant au Burundi, *Guide des droits de l'enfant au Burundi*, 55.

<sup>789</sup> Human Rights Watch, *Paying the Price*, 14.

<sup>790</sup> Observatoire Ineza des Droits de l'Enfant au Burundi, *Guide des droits de l'enfant au Burundi*, 31, 55. See also Integrated Regional Information Networks, «Burundi: Focus on Street Children», IRINnews.org, [online], June 15, 2004

[cited June 10, 2010]; available from <http://www.irinnews.org/Report.aspx?ReportID=50237>.

<sup>791</sup> PANA, *Mobilization against Child Labor*. See also U.S. Embassy- Bujumbura, *reporting, February 1, 2010*, 2A. See also Observatoire Ineza des Droits de l'Enfant au Burundi, *Guide des droits de l'enfant au Burundi*, 55. See also Integrated Regional Information Networks, «Focus on Street Children».

<sup>792</sup> Integrated Regional Information Networks, "Focus on Street Children". See also Integrated Regional Information Networks, "Burundi: Sex and drugs leave Bujumbura's homeless at risk of HIV", IRINnews.org, [online], July 11, 2007 [cited June 2, 2010]; available from <http://www.plusnews.org/report.aspx?ReportId=73199>.

<sup>793</sup> Integrated Regional Information Networks, "Sex and drugs leave Bujumbura's homeless at risk".

<sup>794</sup> U.S. Department of State, "Country Reports- 2009: Burundi," section 6.

<sup>795</sup> U.S. Department of State, "Burundi (Tier 2)," in *Trafficking in Persons Report- 2010*, Washington, DC, June 15, 2010; available from <http://www.state.gov/documents/organization/142981.pdf>.

<sup>796</sup> U.S. Department of State, "Country Reports- 2009: Burundi."

<sup>797</sup> U.S. Department of State, "Trafficking in Persons Report- 2010: Burundi."

<sup>798</sup> Ibid.

<sup>799</sup> Ibid.

<sup>800</sup> UN Secretary-General, *Children and armed conflict: Report of the Secretary General*, September 10, 2009, I 2; available from <http://daccess-ods.un.org/TMP/4216726.html>.

<sup>801</sup> Government of Burundi, *Décret loi no. 1/037 du 7 juillet 1993 portant révision du Code du travail*, articles 3, 127, and 128; available from <http://natlex.ilo.org/txt/F93BDI01.htm>.

<sup>802</sup> Government of Burundi, *Loi n° 1/05 du 22 avril 2009 portant révision du Code pénal*, 1/05, (April 22, 2009), articles 509, 519; available from <http://www.senat.bi/spip.php?article960>.

<sup>803</sup> Observatoire Ineza des Droits de l'Enfant au Burundi, *Guide des droits de l'enfant au Burundi*, 31. Ordinance No. 630/1

<sup>804</sup> U.S. Department of State, "Burundi," in *Country Reports on Human Rights Practices- 2009*, Washington, DC, March 11, 2010, section 6; available from <http://www.state.gov/g/drl/rls/hrrpt/2009/af/135941.htm>.

<sup>805</sup> Government of Burundi, *2009 Penal Code Revision*, article 515.

- <sup>806</sup> Ibid., articles 511, 517.
- <sup>807</sup> Ibid., articles 509 and 515.
- <sup>808</sup> U.S. Embassy- Bujumbura, *reporting*, January 16, 2009, 2. See also Government of Burundi, *Constitution*, article 45, 26; available from [http://www.senat.bi/documents/constitution\\_bdi\\_francais.pdf](http://www.senat.bi/documents/constitution_bdi_francais.pdf).
- <sup>809</sup> ILO Committee of Experts, *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Burundi (ratification: 2002)*, [online] 2010 [cited May 20, 2010]; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=11919&chapter=6&query=Burundi%40ref&highlight=&querytype=bool&context=0>. See also Government of Burundi, *2009 Penal Code Revision*, article 198 2 aa. See also, UN Secretary-General, *Children and armed conflict (September 10, 2009)*, para 45.
- <sup>810</sup> U.S. Department of State, “Country Reports- 2009: Burundi,” section 7d.
- <sup>811</sup> Ibid.
- <sup>812</sup> U.S. Department of State, “Trafficking in Persons Report- 2010: Burundi.” See also World Bank Projects Database, *Population*, accessed August 20, 2010; available from [http://data.worldbank.org/indicator/SP.POP.TOTL?cid=GPD\\_1](http://data.worldbank.org/indicator/SP.POP.TOTL?cid=GPD_1). See also U.S. Embassy- Bujumbura, *reporting*, February 1, 2009, 2C-2E.
- <sup>813</sup> U.S. Department of State, “Country Reports- 2009: Burundi,” 7d. See also U.S. Embassy - Bujumbura, *reporting*, February 1, 2010, 2C-2E.
- <sup>814</sup> U.S. Embassy - Bujumbura, *reporting, February 1, 2010, 2C-2E*.
- <sup>815</sup> UNODC, *Global Report on Trafficking in Persons 2009*, February 2009; available from [http://www.unodc.org/documents/human-trafficking/Country\\_profiles/East\\_Africa.pdf](http://www.unodc.org/documents/human-trafficking/Country_profiles/East_Africa.pdf). See also U.S. Department of State, “Trafficking in Persons Report- 2010: Burundi.” See also U.S. Embassy - Bujumbura, *reporting, February 1, 2010, 2C-2E*.
- <sup>816</sup> U.S. Embassy - Bujumbura, *reporting, February 1, 2010, 2C-2E*.
- <sup>817</sup> U.S. Department of State, “Country Reports- 2009: Burundi,” section 6.
- <sup>818</sup> U.S. Department of State, “Trafficking in Persons Report- 2010: Burundi.” See also U.S. Embassy- Bujumbura, *reporting, February 1, 2010, 2D*.
- <sup>819</sup> U.S. Embassy- Bujumbura, *reporting, February 1, 2010, 2E*.
- <sup>820</sup> United Nations Disarmament, Demobilization and Reintegration Resource Centre Burundi, *Country Programme: Burundi*, [online] [cited August 23, 2010]; available from <http://www.unddr.org/countryprogrammes.php?c=17>.
- <sup>821</sup> U.S. Embassy- Bujumbura, *reporting, February 1, 2010, 2D III*. See also UN Secretary-General, *Children and armed conflict (September 10, 2009)*, I-2.
- <sup>822</sup> UN Secretary-General, *Children and armed conflict (September 10, 2009)*, para 18. See also U.S. Embassy- Bujumbura, *reporting, January 16, 2009, 1*.
- <sup>823</sup> U.S. Department of State, “Trafficking in Persons Report- 2010: Burundi.”
- <sup>824</sup> Olalekan Ajia, “Burundi’s last child soldiers homeward bound towards a new life”, UNICEF.org, [online], May 15, 2009 [cited May 20, 2010]; available from [http://www.unicef.org/infobycountry/burundi\\_49684.html?q=printme](http://www.unicef.org/infobycountry/burundi_49684.html?q=printme).
- <sup>825</sup> U.S. Embassy- Bujumbura, *reporting, February 1, 2010, 7d*. See also U.S. Department of State, “Country Reports- 2009: Burundi.”
- <sup>826</sup> U.S. Department of State, “Trafficking in Persons Report- 2010: Burundi.”
- <sup>827</sup> Ibid.
- <sup>828</sup> Ibid.
- <sup>829</sup> U.S. Embassy- Bujumbura, *reporting, February 2, 2009, 6B*.