

AMBASSADE DU BURKINA FASO
aux Etats-Unis d'Amérique
Washington, D. C.



Unité – Progrès – Justice

2013-0024

No. _____ /ABF/WASH

Washington, D. C., le **10 JAN 2013**

Ref:

Objet:

L' Ambassadeur

Karrie Peterson
U.S. Department of Labor, OCFT
Bureau of International Labor Affairs
200 Constitution Avenue, NW – Room S-5317
Washington, D.C. 20210

Dear Peterson,

I have the pleasure to enclose herewith the updated information pertaining Burkina Faso's effort in combating child labor. The attached document is entitled "**Memorandum on Child Labor Control in Burkina Faso**" in response to 2011 report on the worst forms of child labor.

Also, would like to mention that the same document has been sent to the U.S. Department of Labor, Bureau of International Labor Affairs in Washington, D.C. on October 31, 2012 with reference number 2012-1103/ABF/WASH.

Sincerely,


Seydou BOUDA
Ambassador



AMBASSADE DU BURKINA FASO
aux Etats-Unis d'Amérique
Washington, D. C.



Unité - Progrès - Justice

2012- 1103

No. _____ /ABF/WASH

Washington, D. C., le **31 OCT 2012**

The Embassy of Burkina Faso in Washington D.C. presents its compliments to the US Department of Labor (Bureau of International Labor Affairs) and has the honor, in response to its 2011 report on the worst forms of child labor, to send the enclosed updated information pertaining to Burkina Faso efforts in combating child labor.

The Embassy of Burkina Faso in Washington, D.C. thanks the US Department of Labor (Bureau of International Labor Affairs) for its kind cooperation and avails itself of this opportunity to renew to the Department the assurances of its highest consideration.



**DEPARTMENT OF LABOR
BUREAU OF INTERNATIONAL LABOR AFFAIRS
WASHINGTON, D.C.**

**MINISTRY OF CIVIL SERVICE, LABOR
AND SOCIAL SECURITY**

BURKINA FASO
Unity-Progress-Justice

SECRETARY GENERAL OFFICE

SOCIAL PROTECTION DEPARTMENT

**CHILD LABOR CONTROL
DEPARTMENT**

**MEMORANDUM ON CHILD LABOR
CONTROL IN BURKINA FASO**

June 2012

INTRODUCTION

Child labor affects all countries in the world. Indeed, based on statistics of the International Labor Office (ILO), 215 million children aged between 5 and 17 are economically active in the world. Among these children, 115 million are subjected to worst forms of child labor.

Burkina Faso too is affected. therefore, child labor control, including its worst forms, is considered as one of the priorities in child protection in Burkina Faso. In this respect, the Government of Burkina Faso, supported by its partners involved in child protection, has adopted this issue as one of its central priorities through a series of actions aimed at combating it.

This Memorandum provides actions conducted by Burkina Faso to address the worst forms of child labor. In this light, this Memorandum focuses on (I) the legal and institutional Mechanisms on child labor, (II) the National Plan of Action to combat the worst forms of child labor, (III) Concerted actions on the field, (IV) Results achieved and prospects.

(I) Legal and institutional Mechanisms on child labor in Burkina Faso

The political commitment of the Government to eradicate the worst forms of child labor is evidenced by the development of relevant legal and institutional mechanisms.

This consisted in strengthening the legal and institutional frameworks to combat this scourge. To this end, the Government assigned the Ministry of Labor for the control of child labor and its worst forms, in compliance with provisions of successive Degrees defining the duties of the members of the Government.

For a more successful and efficient control, a Department in charge of combating child labor (DLTE) was created within the Ministry of Labor in 2006. This Department is responsible, inter-alia, for developing, monitoring and evaluating the implementation of the national policy to combat child labor and its worst forms.

In addition, Labor and Social Security Regional Directors have been appointed Focal Points of the Department in charge of combating child labor (DLTE).

At the legal level, the improvement of the existing frames consisted in putting in place an extensive legal mechanism including:

- the **Constitution** which, ultimately, prohibits worst forms of child labor in its Article 2.
- the **international ratified conventions** for child protection.

Such conventions include:

- ILO Convention N° 29 on Forced Labor of 1930, ratified on November 21, 1960;
- Convention on the rights of the child (CRC) of 1989, ratified on August 31, 1990;

- Hague Convention on Protection of children and Cooperation for International Adoption of 1980, ratified on January 11, 1996;
- ILO Convention N°105 concerning the abolition of forced labor of 1957, ratified on August 25, 1997;
- ILO Convention N° 138 on the minimum age for admission to employment of 1973, ratified on February 11, 1999;
- ILO Convention N°182 on the Worst forms of Child Labor of 1999, ratified on July 25, 2001;
- African Charter on the Rights and Welfare of the Child of 1990, ratified on June 8, 1992
- **National instruments** including :
 - Act N° 013-2007/AN dated July 31, 2007 on Education policy;
 - Act N°28 2008/AN of May 13, 2008 outlining the Labor Code in Burkina Faso;
 - Act N° 029-2008/AN of May 15, 2008 against human trafficking and related practices;
 - Decree N0 2009-365/PRES/PM/MTSS/MS/MASSN of May 28, 2009 listing hazardous works prohibited for children in Burkina Faso;
 - Order N° 2008-0027/MTSS/SG/DGSST of December 26, 2008 providing derogation from the minimum age of admission to employment;
 - Joint Order N0 2010-023/MTSS/MJE of December 13, 2010 on Apprenticeship Agreement.

These different instruments have been disseminated among populations in various forms (collection of instruments in French and in national languages, etc.).

Besides, a control of the enforcement of the provisions enacted by these instruments is regularly conducted. For this purpose, labor inspectors inspect institutions subject to the labor code all over the national territory to check labor legislations and regulations enforcement. For instance, 1384 inspections were conducted in work places in 2011.

Furthermore, and more specifically, labor inspectors conduct inspections in cotton fields to raise cotton growers' awareness about the implications of employing children in these fields. These inspections provide an opportunity for labor inspectors to repress the use of child labor by issuing, in the event of child labor regulation violation, letters of formal notice to employers.

In addition to these inspections, the Child Labor Control Department hosted capacity building workshops on child labor control for miners in the year 2011.

II. National Plan of Action to combat the worst forms of child labor (PAN/PFTE)

Another key area of the Government commitment was materialized with the adoption of the National Plan of Action to combat the worst forms of child labor (PAN/PFTE) on February 15, 2012.

The overall goal of this Plan is to **reduce child labor rates by 2015**. The specific goals of this Plan include:

- ✦ improving enforcement of instruments regulating child labor;
- ✦ improving access to care services for child victims of worst forms of labor;
- ✦ promoting child education and especially girls education;
- ✦ reducing household economic vulnerability;
- ✦ providing quality vocational training for out-of- school and drop-outs children;
- ✦ enhancing vocational training in centers through professional certification;
- ✦ raising public and institutions awareness for the elimination of the worst forms of child labor;
- ✦ putting in place institutional arrangements between the Government, the civil society, territorial authorities and technical partners for the coordination and implementation of the National Plan of Action;
- ✦ increasing knowledge and availability of reliable data on the situation regarding child labor;
- ✦ building economic capacities of the most vulnerable households through income generating activities to urge them to send children to school.

Implementing effectively this Plan will inflict significantly child labor in Burkina Faso.

III. Concerted actions on the field

Child labor control is a crosscutting task. This is the reason why concerted actions are conducted on the field to combat it.

For this purpose, joint inspections are conducted in the thirteen regions of the country on gold mining sites by labor inspectors and enforcement and security forces. These inspections aim at raising awareness about the damaging effects of child labor, especially the worst forms of child labor in gold mining, and repressing this scourge by issuing letters of formal notice, with set deadlines, to child employers on mining sites and holders of gold exploitation licenses to educate gold miners for putting in place a system of peer educators. In this respect, 211 inspections were conducted in 2011 on artisanal gold mining sites by the labor inspection, in collaboration with enforcement forces.

Moreover, the Government and its partners act together by implementing actions to make education an alternative to child labor. In this light, actions undertaken and targeting children who work or likely to work include:

- ✚ schooling;
- ✚ literacy;
- ✚ vocational training.

These actions consisted in covering school supplies, tuition and school meals fees, by granting scholarships and placing children in learning or vocational training centers etc. Most of the children who completed their learning course or vocational training received working material kits needed for starting their business, which leads to their professional integration.

IV. Results achieved and prospects

Measures taken by the Government and its partners had considerable impact on the use of child labor.

Indeed, such measures contributed to reduce child labor. For instance, with the National ILO/IPEC Program, about one thousand (1000) children were removed from labor and integrated in professional life for the 1999-2010 period, just to mention but this example.

Bearing in mind that most of these children removed from labor are sent to learn a trade and received working kits at the end of the learning process, we understand easily that these measures thereby contributed to poverty reduction in Burkina Faso.

These measures also helped to increase schooling rate in Burkina Faso. For example, UNICEF, in collaboration with various implementing agencies including NGOs and Associations, supported, under the project for children working in mining, the pre-school education of 2793 children and the schooling of 5874 children, with a total of 8667 children removed from gold mining and artisanal quarries in Burkina Faso from 2009 to 2011.

These measures and especially those taken to strengthen the legal and institutional frameworks helped to increase awareness about child labor issues at the national level and secure an

increased national support to the fight against child labor. However, a lot remains to be done to fully eradicate this practice in Burkina Faso, as it is closely related to poverty among populations, especially in rural areas.

In terms of prospects in child labor control, let's point out that they are based on the effective implementation of the National Action Plan to combat the worst forms of child labor. Indeed, this Plan is a reference document for child labor control. The Plan, developed in consultation with the major stakeholders in child labor control in Burkina Faso, provides activities to implement for the eradication of the worst forms of child labor by 2015.

*** TX REPORT ***

TRANSMISSION OK

TX/RX NO 2345
RECIPIENT ADDRESS 2026934780
DESTINATION ID
ST. TIME 10/31 14:09
TIME USE 01'29
PAGES SENT 8
RESULT OK

BASSADE DU BURKINA FASO
aux Etats-Unis d'Amérique
Washington, D.C.



Unité - Progrès - Justice

2012-1103

6. _____ /ABF/WASH

Washington, D.C., le **31 OCT 2012**

The Embassy of Burkina Faso in Washington D.C. presents its compliments to the US Department of Labor (Bureau of International Labor Affairs) and has the honor, in response to its 2011 report on the worst forms of child labor, to send the enclosed updated information pertaining to Burkina Faso efforts in combating child labor.

The Embassy of Burkina Faso in Washington, D.C. thanks the US Department of Labor (Bureau of International Labor Affairs) for its kind cooperation and avails itself of this opportunity to renew to the Department the assurances of its highest consideration.

