

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.	10.4*
Attending School	5-14 yrs.	61.7
Combining Work and School	7-14 yrs.	7.1

* Population of working children: 239,719



Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Burundi are engaged in the worst forms of child labor,⁹⁵⁶ many of them in agriculture.⁹⁵⁷ Children in agriculture may be subject to using potentially dangerous machinery and tools, carrying heavy loads, and applying harmful pesticides. Children also herd cattle and goats, which may expose them to the elements and force them to work with large or dangerous animals.⁹⁵⁸

In urban areas, children are employed as domestic servants.⁹⁵⁹ Children working in domestic service in Burundi are often isolated from the public and receive no remuneration for their work.⁹⁶⁰ Some employers seek to avoid paying their servants by accusing the children of criminal activity. Children have been incarcerated because of false accusations.⁹⁶¹ 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 porters.⁹⁶² They may be exposed to multiple dangers, including severe weather, vehicle accidents and criminal elements. 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.⁹⁶³ Such sexual activity makes street children vulnerable to HIV/AIDS.⁹⁶⁴

The commercial sexual exploitation of children exists in Burundi.⁹⁶⁵ While little evidence exists 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.⁹⁶⁶

Burundian children are trafficked internally for work in domestic service.⁹⁶⁷ Burundian girls are trafficked for commercial sexual exploitation to East Africa.⁹⁶⁸ Burundian children are trafficked into forced labor in Tanzania.⁹⁶⁹ Children are also lured under false promises or coerced into forced labor in domestic service or agriculture.⁹⁷⁰

Laws and Regulations on the Worst Forms of Child Labor

The Labor Code sets the minimum age for work at 16.⁹⁷¹ 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 3 to 5 years of penal servitude.⁹⁷² The Government maintains a list of occupations forbidden for children under age 18. It includes working with automobiles, working in slaughterhouses, mining minerals and serving alcohol.⁹⁷³

	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 criminalizes recruiting and using children under age 18 for child pornography or prostitution or profiting from such practices.⁹⁷⁴ The Penal Code also forbids trafficking children under age 18 as well as agreeing to or profiting from child trafficking.⁹⁷⁵ It is also illegal to use children in illicit activities, although there is no specific definition of illicit activities in the Penal Code.⁹⁷⁶

The Constitution prohibits forced labor.⁹⁷⁷ 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.⁹⁷⁸

Institutional Mechanisms for Coordination and Enforcement

At the local level, the Government’s Centers of Family Development are responsible for the coordination and implementation of policies on children, women and the family. The Committee on the Rights of the Child has expressed concern that the Centers do not cover all regions of the country.⁹⁷⁹ Research found no evidence that the Government of Burundi has established a mechanism for coordinating national efforts to combat the worst forms of child labor specifically.

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.⁹⁸⁰ The Ministry employs 12 inspectors to enforce all labor laws. This may be an inadequate number given Burundi has 17 provinces and a population of over 8 million.⁹⁸¹ Inspectors only initiate investigations in response to complaints, although a formal system has not been established to file such complaints.⁹⁸² During the reporting period, the Government did not conduct any child labor inspections, nor did the Government conduct any training for inspectors or other government officials on child labor law enforcement.⁹⁸³

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.⁹⁸⁴ The Brigade has 100 officers.⁹⁸⁵

Government Policies on the Worst Forms of Child Labor

The Ministry has a draft plan to eliminate all forms of child labor by 2025; however, this plan has not yet been adopted.⁹⁸⁶

Education in Burundi is free and compulsory until age 12.⁹⁸⁷ This standard makes children ages 12 to 15 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. In addition, some children are prevented from enrolling in school because they do not have required birth certificates; the Government fails to register approximately 40 percent of all births.⁹⁸⁸

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

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.⁹⁸⁹ The CMEJ began to draft an action plan for its work in 2010.⁹⁹⁰

The Government relies primarily on NGOs to provide care and services for exploited children.⁹⁹¹

Programs to combat the worst forms of child labor are limited and do not comprehensively address the problem.

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:

- Amend the Penal Code to define illicit activities.
- Raise the age for free and compulsory education to 16, the minimum age for work.

IN THE AREA OF COORDINATION AND ENFORCEMENT:

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

IN THE AREA OF GOVERNMENT POLICIES:

- Adopt and implement the current draft plan of action for eliminating child labor by 2025.
- Assess and amend current practices for the registration of births and issuance of birth certificates to ensure all children are able to enroll in school.

IN THE AREA OF SOCIAL PROGRAMS:

- Implement programs to address all of the worst forms of child labor in the country.

⁹⁵⁶ 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 on working children and school attendance are from 2000. Data on children combining work and school is from 2003. 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.

⁹⁵⁷ Observatoire Ineza des Droits de l'Enfant au Burundi, *Guide des droits de l'enfant au Burundi (2nd Ed.)* (2008), 31, 55; available from http://www.oideb.org/pdf/guide_droits_enfant_burundi.pdf [hard copy on file]. See also U.S. Embassy- Bujumbura, *reporting, November 12, 2010*, 2. See also PANA, *Mobilisation contre le travail des enfants au Burundi, Mobilization against Child Labor in Burundi*, [online] October 6, 2008 [cited January 26, 2011]; available from 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: 2010) Published: 2010*, January 26, 2011, para 1; available from <http://www.ilo.org/ilolex/english/iloquery.htm>. See also U.S. Department of State, "Burundi," in *Country Reports on Human Rights Practices- 2010*, Washington, DC, April 8, 2011, section 7d; available from <http://www.state.gov/g/drl/rls/hrrpt/2010/af/154334.htm>.

⁹⁵⁸ Human Rights Watch, *Paying the Price: Violations of the Rights of Children in Detention in Burundi*, New York, March 2007, 14; available from <http://www.hrw.org/en/reports/2007/03/14/paying-price>.

⁹⁵⁹ Ibid. See also Observatoire Ineza des Droits de l'Enfant au Burundi, *Guide des droits de l'enfant au Burundi (2nd Ed.)*, 31.

⁹⁶⁰ Observatoire Ineza des Droits de l'Enfant au Burundi, *Guide des droits de l'enfant au Burundi (2nd Ed.)*, 55.

⁹⁶¹ Human Rights Watch, *Burundi: Paying the Price*, 14.

⁹⁶² Observatoire Ineza des Droits de l'Enfant au Burundi, *Guide des droits de l'enfant au Burundi (2nd Ed.)*, 55.

⁹⁶³ Integrated Regional Information Network, «Burundi: Sex and drugs leave Bujumbura's homeless at risk of HIV», IRINnews.org, [online], July 11, 2007 [cited January 25, 2011]; available from <http://www.plusnews.org/report.aspx?ReportId=73199>.

⁹⁶⁴ Ibid.

⁹⁶⁵ U.S. Department of State, «Country Reports- 2010: Burundi,» section 6.

⁹⁶⁶ U.S. Department of State, «Burundi,» in *Trafficking in Persons Report- 2010*, Washington, DC, June 15, 2010; available from <http://www.state.gov/documents/organization/142981.pdf>.

⁹⁶⁷ Ibid.

⁹⁶⁸ Ibid.

⁹⁶⁹ Ibid.

⁹⁷⁰ Ibid.

⁹⁷¹ Government of Burundi, *Décret loi no. 1/037 du 7 juillet 1993 portant révision du Code du travail*, (1993), 3, 127, and 128; available from http://www.ilo.org/dyn/natlex/natlex_browse.home.

⁹⁷² Government of Burundi, *Loi n° 1/05 du 22 avril 2009 portant révision du Code pénal*, 1/05, (April 22, 2009), articles 509 and 519; available from <http://www.senat.bi/spip.php?article960>.

⁹⁷³ Observatoire Ineza des Droits de l'Enfant au Burundi, *Guide des droits de l'enfant au Burundi (2nd Ed.)*, 31.

⁹⁷⁴ Government of Burundi, *Code pénal*, article 515.

⁹⁷⁵ Ibid., articles 511 and 517.

⁹⁷⁶ Ibid., articles 509 and 515.

⁹⁷⁷ Government of Burundi, *Loi no 1/010 du 18 mars 2005 portant promulgation de la Constitution de la République du Burundi*, (March 18, 2005), article 26; available from http://www.wipo.int/wipolex/en/text.jsp?file_id=195947.

⁹⁷⁸ Ibid., article 45. See also ILO Committee of Experts, *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Burundi (ratification: 2002) Published: 2010*, January 26, 2011, para 4; available from <http://www.ilo.org/ilolex/english/iloquery.htm>. See also U.N. Secretary-General, *Report of the Secretary-General on Children and Armed Conflict in Burundi*, September 10, 2009, para 45; available from <http://www.un.org/children/conflict/english/securitycouncilwgroupdoc.html>.

⁹⁷⁹ U.N. Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention: Concluding Observations: Burundi*, CRC/C/BDI/CO/2, Geneva, October 1, 2010, 2-3; available from <http://www2.ohchr.org/english/bodies/crc/crcs55.htm>.

⁹⁸⁰ U.S. Department of State, "Country Reports- 2010: Burundi," section 7d.

⁹⁸¹ World Bank Projects Database, *Population*, accessed January 26, 2011; available from <http://www.worldbank.org>. See also U.S. Embassy- Bujumbura, *reporting, November 12, 2010*, 3.

⁹⁸² U.S. Department of State, “Country Reports- 2010: Burundi,” section 7d. See also U.S. Embassy- Bujumbura, *reporting, February 1, 2010, 2C-2E*.

⁹⁸³ U.S. Embassy- Bujumbura, *reporting, November 12, 2010, 3*.

⁹⁸⁴ U.S. Department of State, “Trafficking in Persons Report- 2010: Burundi.” See also U.S. Embassy- Bujumbura, *reporting, February 1, 2010, 2C-2E*.

⁹⁸⁵ U.S. Embassy- Bujumbura, *reporting, February 1, 2010, 2C-2E*.

⁹⁸⁶ U.S. Embassy- Bujumbura, *reporting, November 12, 2010, 4*.

⁹⁸⁷ U.S. Department of State, “Country Reports- 2010: Burundi,” section 6.

⁹⁸⁸ *Ibid.* See also U.N. Committee on the Rights of the Child, *Concluding Observations: Burundi, 7*.

⁹⁸⁹ U.S. Department of State, “Trafficking in Persons Report- 2010: Burundi.”

⁹⁹⁰ *Ibid.*

⁹⁹¹ U.S. Embassy- Bujumbura official, E-mail communication to USDOL official, March 28, 2011. See also U.S. Department of State, “Country Reports- 2010: Burundi,” section 6. See also UNODC, *Global Report on Trafficking in Persons*, February 2009, 110; available from http://www.unodc.org/documents/human-trafficking/Country_profiles/East_Africa.pdf.