

*In 2016, Burundi made a minimal advancement in efforts to eliminate the worst forms of child labor. Despite significant budget cuts to the education sector in the wake of a worsening economic crisis, the Government completed a “Back to School” campaign to provide teaching and learning materials to 32,000 teachers and promote equitable access to and retention in school for 2.6 million students in basic education and continued funding social programs that may contribute to the prevention or elimination of child labor. However, children in Burundi engage in the worst forms of child labor, including in commercial sexual exploitation. Children also perform dangerous tasks in agriculture. Burundi lacks a compulsory education age that is equal to or higher than the minimum age for work. The Government’s ability to address the worst forms of child labor was constrained by a lack of necessary resources to conduct labor inspections and criminal investigations, adequate and sustained funding for the education sector, sufficient social programs to address child labor in the country, and political stability.*



## I. PREVALENCE AND SECTORIAL DISTRIBUTION OF CHILD LABOR

Children in Burundi engage in the worst forms of child labor, including in commercial sexual exploitation. Children also perform dangerous tasks in agriculture. (1-10) 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 to 14	27.2 (633,126)
Attending School (%)	5 to 14	60.9
Combining Work and School (%)	7 to 14	26.0
Primary Completion Rate (%)		61.7

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(11)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Demographic and Health Survey, 2010–2011.(12)

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	Production of tea, coffee, sugarcane, cotton, palm oil, potatoes, and rice (1, 5, 7, 8, 13)
	Fishing, including preparing materials and equipment, preparing meals for fishermen, loading and unloading materials from vessels, and cleaning the vessels† (1, 5, 7, 8, 13)
	Herding and feeding livestock (5, 9, 13)
Industry	Extracting,† washing, and transporting minerals in mines and quarries, including artisanal gold mines (1, 5-8, 13-15)
	Making and transporting bricks (1, 7-9, 16)
	Construction, including transporting materials, welding, and installing electrical cables† (5)
Services	Domestic work (1, 5-7, 9, 13)
	Street vending, including selling food, newspapers, cigarettes, and used clothes and shoes (5, 6, 9, 13)
	Begging (6)
	Handling and transporting heavy loads† (5, 6)
	Cleaning, cooking, ironing, and laundering clothes in hotels and restaurants (5)

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

Sector/Industry	Activity
Categorical Worst Forms of Child Labor <sup>†</sup>	Commercial sexual exploitation, sometimes as a result of human trafficking (1-7, 9, 10, 15)
	Domestic work as a result of human trafficking (2, 15, 17)
	Forced labor in agriculture, mining, construction, street vending, and begging, each sometimes as a result of human trafficking (9, 10)
	Use in armed conflict as a result of human trafficking (18, 19)

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

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







Burundian children are trafficked within the country, often from rural areas, for domestic work and commercial sexual exploitation.(2-4, 10, 20) Women who offer room and board to children sometimes force the children into commercial sexual exploitation in order to pay expenses; brothels are found in the more impoverished parts of Bujumbura, near Lake Tanganyika, along trucking corridors, and in other cities such as Gitega, Ngozi, and Rumonge.(2, 3, 9, 10) Burundian girls are also trafficked internationally for commercial sexual exploitation in Kenya, the Middle East, Rwanda, and Uganda.(10, 18, 21) Evidence also suggests children are trafficked to Tanzania for work in agriculture and forced labor.(10, 22) The armed group *Red-Tabara*, associated with the *Mouvement pour la solidarité et la démocratie* (MSD) opposition party, reportedly recruited two children who thought they were being recruited for a job, but were forced to join the group instead.(13, 23) During the reporting period, political instability and conflict may have impacted the Government’s ability to address the worst forms of child labor.(24, 25)

Although the Government abolished school fees in 2012, and the cost of books and uniforms has prevented children from accessing free public schooling. A dearth of well-trained educators and poor infrastructure has also limited educational opportunity; moreover, as birth certificates are required to attend school, many unregistered children remain out of school and vulnerable to child labor.(9, 13, 26)

## 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). However, gaps exist in Burundi’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	No	16	Article 3 of the Labor Code; Article 3 of the Ministerial Ordinance to Regulate Child Labor (27, 28)
Minimum Age for Hazardous Work	Yes	18	Article 13 of the Ministerial Ordinance to Regulate Child Labor (28)

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

Standard	Meets International Standards: Yes/No	Age	Legislation
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 9–15 of the Ministerial Ordinance to Regulate Child Labor (28)
Prohibition of Forced Labor	Yes		Articles 4 and 10 of the Trafficking in Persons Law (29)
Prohibition of Child Trafficking	Yes		Articles 242–243 and 514 of the Penal Code; Articles 4–6 and 10 of the Trafficking in Persons Law (29, 30)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 519–521 of the Penal Code (30)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Article 6(c) of the National Defense Troops Law (31)
Non-State Compulsory	No	15	Article 198.2.aa of the Penal Code (30)
Compulsory Education Age	No	12	Legislation title unknown (13)
Free Public Education	Yes		Article 17 of the Law on Basic and Secondary Education (32)

\* No conscription (33)

The Labor Code prohibits work by children under age 16 in public and private enterprises; however, the law's minimum age protections do not apply to children outside of formal employment relationships.(27, 34, 35) The Penal Code does not prohibit the use of children in the production and trafficking of narcotics.(30) Although the Constitution prohibits the use of children in armed conflict, the Penal Code criminalizes only the use of children under age 15 in armed conflict, leaving children between the ages of 15 and 18 vulnerable to the worst forms of child labor.(30, 36) In addition, the prohibitions against hazardous work are not comprehensive.(28) Education in Burundi is not compulsory through the minimum age for work and research did not uncover a public version of the law establishing compulsory education for review.(13, 37)

### 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 Public Service, Labor, and Social Security	Administer and enforce all labor laws, including those on child labor, through the General Directorate of Labor and Professional Development.(38)
National Police	Conduct criminal investigations on the worst forms of child labor, including forced child labor, child trafficking, and the use of children in illicit activities.(1, 7) Through its Children and Ethics Brigade, protect children from commercial sexual exploitation.(1)
Ministry of Justice	Prosecute cases of the worst forms of child labor.(15)

#### *Labor Law Enforcement*

In 2016, labor law enforcement agencies in Burundi 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	Unknown (39)	\$2,424 (13)
Number of Labor Inspectors	12 (39)	12 (13)
Inspectorate Authorized to Assess Penalties	Yes (39)	Yes (13)

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

Overview of Labor Law Enforcement	2015	2016
Training for Labor Inspectors		
Initial Training for New Employees	No (39)	No (13)
Training on New Laws Related to Child Labor	Unknown (39)	N/A (13)
Refresher Courses Provided	Yes (39)	No (13)
Number of Labor Inspections		
Number Conducted at Worksite	Unknown	Unknown (13)
Number Conducted by Desk Reviews	Unknown	Unknown (13)
Number of Child Labor Violations Found		
Number of Child Labor Violations for Which Penalties Were Imposed	0 (39)	N/A (13)
Number of Penalties Imposed That Were Collected	N/A (39)	N/A (13)
Routine Inspections Conducted		
Routine Inspections Targeted	Unknown	No (13)
Unannounced Inspections Permitted	Yes (39)	Yes (13)
Unannounced Inspections Conducted	No (39)	No (13)
Complaint Mechanism Exists	No (39)	Yes (13)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (39)	Yes (13)

The number of labor inspectors is insufficient for the size of Burundi's workforce, which includes over 5 million workers. According to the ILO's recommendation of 1 inspector for every 40,000 workers in less developed countries, Burundi should employ roughly 131 inspectors.(39-41) Research found that financial constraints hamper the labor inspectorate's enforcement of child labor laws.(39) The annual funding to the Labor Inspectorate does not cover fuel costs, per diem, or office supplies; the Inspectorate does not own any vehicles.(13)

### *Criminal Law Enforcement*

In 2016, criminal law enforcement agencies in Burundi did not take 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	No (39)	No (13)
Training on New Laws Related to the Worst Forms of Child Labor	No (39)	N/A (13)
Refresher Courses Provided	Yes (18)	Yes (13, 42)
Number of Investigations	0 (39)	0 (13)
Number of Violations Found	N/A	0 (13)
Number of Prosecutions Initiated	0 (39)	0 (13)
Number of Convictions	Unknown	0 (13)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (22)	No (13)

During the reporting period, no training was provided for criminal investigators. Further, 11 people were arrested for child trafficking and forced labor crimes; however, none of the cases were investigated and all of the suspects were released.(13)

In 2016, government officials received a two-and-a-half day counter-trafficking training to clarify the distinctions between trafficking and smuggling, review legislation on human trafficking, enhance victim identification skills, and illuminate best practices on the treatment of victims.(42)

## **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 all its worst forms (Table 8).

**Table 8. Key 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 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.(38, 43, 44) Comprises nine ministries, including the Ministry of Labor, organizations and representatives from UNICEF, youth associations, and civil-society organizations.(7)
Trafficking in Persons Permanent Commission	Oversee national anti-trafficking in persons efforts, including implementation of the National Action Plan for Combating Trafficking in Persons.(17, 45) Comprises officials from the Ministry of National Solidarity, Human Rights, and Gender (MSNDPHG) and the Ministries of Justice, Public Security, Foreign Affairs, and Interior.(7)
Ministry of National Solidarity, Human Rights, and Gender (MSNDPHG)	Coordinate, monitor, and oversee children’s advocacy and family service programs conducted by public and private organizations. Develop policies and national laws on the promotion and protection of children and families.(46) Refer cases to police officers and judicial officials for enforcement through its Child Protection Committees at local levels; victims are referred to local NGOs for social services.(22) In 2016, the Labor Inspectorate reported that the entity continued to operate and did not require financial resources as it is based within the communities.(47)

In 2016, the National Multi-Sector Committee for the Elimination of the Worst Forms of Child Labor and the Trafficking in Persons Permanent Commission were not operational.(13, 48)

## 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<sup>‡</sup>**

Policy	Description
National Revised Action Plan for the Fight Against the Worst Forms of Child Labor (2014–2016)	Aimed to eliminate all of the worst forms of child labor by 2015 and contribute to the elimination of all forms of child labor by 2025.(44) Research was unable to determine any updates in 2016.(47)
National Action Plan for Combatting Trafficking in Persons (2014–2017)	Aims to significantly reduce human trafficking in Burundi by 2017 through the adoption of political, social, economic, and institutional measures.(45) Identifies women and children as being the most vulnerable to human trafficking, noting sectors of high prevalence and human trafficker profiles. (15, 45) Research was unable to determine any updates in 2016.(47)
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.(49) Research was unable to determine any updates in 2016.(47)

<sup>‡</sup> The Government had other policies that may have included the goal of eliminating or preventing child labor, including its worst forms.(47, 50)

The Government has not included child labor elimination and prevention strategies in the Poverty Reduction Strategy Paper.(14, 20, 38)

## 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).

**Table 10. Key Social Programs to Address Child Labor**

Program	Description
Centers for Family Development <sup>†</sup>	MSNDPHG-operated centers that address human rights issues, including child exploitation, and reintegrate victims to their home communities.(22) Coordinate with Child Protection Committees to refer victims to local NGOs for care, when necessary.(22) In 2016, no activities were held due to a decrease in public funding.(47)
“Back to School” Campaign <sup>†</sup>	UNICEF and the Ministry of Education launched and completed the 2016 “Back to School” campaign, to promote the equitable access and retention in school of 2.6 million basic education students, half girls. In 2016, 32,000 teachers received teaching and learning materials.(25)

<sup>†</sup> Program is funded by the Government of Burundi.

Research found no evidence that the Government has carried out programs to assist children in agriculture or victims of commercial sexual exploitation. Further, the scope of existing programs is insufficient to fully address the extent of the child labor problem.

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### 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 11).

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

Area	Suggested Action	Year(s) Suggested
Legal Framework	Criminally prohibit the use of children in illicit activities, particularly in the production and trafficking of drugs.	2015 – 2016
	Establish by law a compulsory education age equal to or higher than the minimum age for work.	2009 – 2016
	Ensure that all children are protected by law, including children working outside of formal employment relationships.	2015 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2012 – 2016
	Ensure that the prohibitions against hazardous work for children under age 18 are comprehensive.	2016
Enforcement	Publish information regarding the type of labor inspections conducted.	2013 – 2016
	Increase the number of labor inspectors to meet ILO recommended number of inspectors, and provide sufficient training and resources to all inspectors to ensure that labor inspections, including unannounced and routine targeted inspections, are conducted nationwide.	2009 – 2016
	Establish a referral mechanism between criminal authorities and social service providers.	2009 – 2016
	Provide sufficient training and resources to ensure that criminal investigations and prosecutions take place.	2009 – 2016
Coordination	Ensure that the National Multi-Sector Committee for the Elimination of the Worst Forms of Child Labor and the Trafficking in Persons Permanent Commission make efforts to combat and prevent child labor, including its worst forms.	2015 – 2016
Government Policies	Integrate child labor elimination and prevention strategies into the Poverty Reduction Strategy Paper.	2012 – 2016
	Take steps to implement the National Action Plan for Combatting Trafficking in Persons, the National Revised Action Plan for the Fight Against the Worst Forms of Child Labor, and UNDAF.	2015 – 2016
Social Programs	Increase access to education by eliminating school-related costs for books and uniforms, increasing the number of well-trained educators, expanding the infrastructure, and increasing birth registration rates to ensure that children have access to education services.	2015 – 2016
	Institute and expand existing programs to address child labor, including in agriculture and commercial sexual exploitation.	2009 – 2016
	Increase public funding for the Centers for Family Development to undertake activities.	2016

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