

*In 2017, Burundi made a minimal advancement in efforts to eliminate the worst forms of child labor. The government enacted a revised criminal code that formally integrated the existing penalties of the 2014 Trafficking in Persons law into the criminal code, which included stronger penalties for human trafficking and the criminalization of begging. 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, and sufficient social programs to address child labor in the country.*



## I. PREVALENCE AND SECTORAL 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; 2; 3; 4; 5; 6; 7; 8) 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 (%)		69.8

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2018. (9)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Demographic and Health Survey, 2010–2011. (10)

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, peat, potatoes, and rice (1; 5; 7; 8; 11; 12)
	Fishing, including preparing materials and equipment, managing heavy fishing nets, preparing meals for fishermen, loading and unloading materials from vessels, and cleaning the vessels (1; 5; 7; 8; 11; 13; 12)
	Herding and feeding livestock (5; 11; 12)
Industry	Extracting,† washing, and transporting minerals in mines and quarries, including artisanal gold mines (1; 5; 6; 7; 8; 11; 14; 15; 12)
	Making and transporting bricks (1; 7; 8; 12)
	Construction, including transporting materials, welding, and installing electrical cables† (5)
Services	Domestic work (1; 5; 6; 7; 11; 12)
	Street vending, including selling food, newspapers, cigarettes, and used clothes and shoes (5; 6; 11)
	Begging (6; 16; 12)
	Handling and transporting heavy loads† (5; 6)
	Work as help in hotels and restaurants (5; 12)

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

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1; 2; 3; 4; 5; 6; 7; 17; 15; 12)
	Domestic work as a result of human trafficking (2; 15; 18; 12)
	Forced labor in agriculture, mining, charcoal production, construction, street vending, and begging, each sometimes as a result of human trafficking (17; 12)

† 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.

Burundian children are trafficked within the country, often from rural areas, for domestic work and commercial sexual exploitation. (2; 3; 4; 17) Women who offer room and board to children sometimes force the children into commercial sexual exploitation to pay expenses; these 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; 19) Burundian girls are also trafficked internationally for commercial sexual exploitation in Kenya, the Middle East, Rwanda, and Uganda. (20; 21; 22; 12; 19) Evidence also suggests that children are trafficked to Tanzania for work in agriculture and forced labor. (17; 23; 12)




Burundi is one of the poorest countries in the world, with over 90 percent of its citizens engaged in subsistence agriculture. (24) In Burundi, research indicates that children perform dangerous tasks in agriculture in the production of tea, coffee, sugarcane, cotton, palm oil, peat, potatoes, and rice. (1; 5; 7; 8; 11; 12) In 2017, there were no reports of new recruitment of child soldiers in Burundi. (12; 25)

Although the government abolished school fees in 2012, the cost of books and uniforms has prevented many 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, in particular members of the Batwa ethnic group, remain out of school and vulnerable to child labor. (11; 26; 24)

## II. LEGAL FRAMEWORK FOR 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 (Table 4). However, gaps exist in Burundi’s legal framework to adequately protect children from child labor, including a lack of a compulsory education age through the minimum age for work.

**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)

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

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Hazardous Work	Yes	18	Article 13 of the Ministerial Ordinance to Regulate Child Labor (28)
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 244–246 and 537 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 542–544 of the Penal Code (30)
Prohibition of Using Children in Illicit Activities	No		
Prohibition of Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Article 6(c) of the National Defense Troops Law (31)
Non-state	No	15	Article 200.2.27 and 200.5.7 of the Penal Code (30)
Compulsory Education Age	No	12	Legislation title unknown (11)
Free Public Education	Yes		Article 17 of the Law on Basic and Secondary Education (32)

\* No conscription (31)

In 2017, Burundi enacted a revised criminal code that included the criminalization of begging and also formally integrated the existing penalties for human trafficking from the 2014 Trafficking in Persons law. (12; 33; 30; 34; 35)

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; 36; 37) 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; 38) However, Burundian law does prohibit the recruitment of children under 18 by the state armed forces, and available evidence indicates the government complied with this provision. (24) In addition, the prohibitions against hazardous work are not comprehensive, including in agriculture, an area of work in which there is evidence of work with dangerous machinery, equipment, and tools. (28; 12) 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. (11; 39)

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of the Ministry of Public Service, Labor, and Social Security that may hinder adequate enforcement of their child labor laws.

**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. (40)
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 Brigade for Minors and Morals, protect children from commercial sexual exploitation, illicit activity, and military recruitment. (1; 12)
Ministry of Justice	Prosecute cases of the worst forms of child labor through its General Prosecutor's Office. (15; 12)
Ministry of National Solidarity, Human Rights, and Gender	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. (41) 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. (23)

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### *Labor Law Enforcement*

In 2017, labor law enforcement agencies in Burundi took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Public Service, Labor, and Social Security that may hinder adequate labor law enforcement, including an insufficient number of labor inspectors.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2016	2017
Labor Inspectorate Funding	\$2,424 (11)	\$4,000 (12)
Number of Labor Inspectors	12 (11)	11 (12)
Inspectorate Authorized to Assess Penalties	Yes (11)	Yes (12)
Training for Labor Inspectors		
Initial Training for New Employees	No (11)	No (12)
Training on New Laws Related to Child Labor	N/A (11)	N/A (12)
Refresher Courses Provided	No (11)	No (12)
Number of Labor Inspections Conducted	152 (11)	390 (12)
Number Conducted at Worksites	Unknown (11)	130 (12)
Number of Child Labor Violations Found	0 (11)	0 (12)
Number of Child Labor Violations for Which Penalties were Imposed	N/A (11)	N/A (12)
Number of Child Labor Penalties Imposed that were Collected	N/A (11)	N/A (12)
Routine Inspections Conducted	Yes (11)	Yes (35)
Routine Inspections Targeted	No (11)	No (12)
Unannounced Inspections Permitted	Yes (11)	Yes (12)
Unannounced Inspections Conducted	No (11)	No (12)
Complaint Mechanism Exists	Yes (11)	Yes (12)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (11)	Yes (12)

The number of labor inspectors is likely insufficient for the size of Burundi's workforce, which includes approximately 5 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, Burundi should employ roughly 125 inspectors. (42; 43; 44) Research found that financial constraints hamper the General Directorate of Labor and Professional Development's enforcement of child labor laws, as annual funding does not cover fuel costs, per diem, or office supplies and, furthermore, the Inspectorate does not own any vehicles. (11; 42; 12)

### *Criminal Law Enforcement*

In 2017, criminal law enforcement agencies in Burundi took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including the lack of consistent training for criminal investigators of child labor law.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2016	2017
Training for Investigators		
Initial Training for New Employees	No (11)	No (12)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (11)	N/A (12)
Refresher Courses Provided	Yes (11; 45)	Yes (12)
Number of Investigations	0 (11)	Unknown (35)
Number of Violations Found	0 (11)	Unknown (35)
Number of Prosecutions Initiated	0 (11)	0 (12)
Number of Convictions	0 (11)	0 (12)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (11)	No (12)

During the reporting period, no formal training was provided for criminal investigators; however, the IOM trained 100 immigration police officers in June on trafficking in persons enforcement activities. (12; 24) In addition, the Ministry of National Solidarity, Human Rights, and Gender organized a sensitization workshop on Burundi's Trafficking in Persons law that included participants from various government ministries, the National Independent Commission for Human Rights, civil society organizations, and the National Police Brigade for Minors and Morals. (24)

#### IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including non-operational coordination mechanisms.

**Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role and 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. (40; 46) Includes nine ministries, including the Ministry of Labor, organizations and representatives from UNICEF, youth associations, and civil society organizations. (7)
Commission for Consultation and Monitoring on the Prevention and Suppression of Trafficking in Persons	Oversee national anti-trafficking in persons efforts, including implementation of the National Action Plan for Combating Trafficking in Persons. (18; 47; 35) Includes officials from the Ministry of National Solidarity, Human Rights, and Gender, and the Ministries of Justice, Public Security, Foreign Affairs, and Interior. (7)

In 2017, the Commission for Consultation and Monitoring on the Prevention and Suppression of Trafficking in Persons continued as non-operational, and research was unable to determine the status of the National Multi-Sector Committee for the Elimination of the Worst Forms of Child Labor. (11; 19; 12; 35)

#### V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including inactive and expired policies.

**Table 9. Key Policies Related to Child Labor<sup>‡</sup>**

Policy	Description
National Action Plan for Combatting Trafficking in Persons (2014–2017)	Aimed to significantly reduce human trafficking in Burundi by 2017 through the adoption of political, social, economic, and institutional measures. (47) Identified women and children as being the most vulnerable to human trafficking, noting sectors of high prevalence and human trafficker profiles. (15; 47) In 2017, the government assessed plans to draft a new National Action Plan, which remains in discussion among government ministries, the IOM, and NGOs. (35; 24)

<sup>‡</sup> The government had other policies that may have addressed child labor issues or had an impact on child labor. (48; 49)

Despite the completion of the UNDAF (2012–2016), in 2017 the government was in discussion with the UN to finalize an extension covering from 2018 to 2023. (50; 35) Research was unable to determine whether any extension to the expired National Revised Action Plan for the Fight Against the Worst Forms of Child Labor was made. (35; 46)

#### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2017, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the problem in all sectors.

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

Program	Description
Centers for Family Development†	Ministry of National Solidarity, Human Rights, and Gender operates centers that address human rights issues, including child exploitation, and reintegrate victims to their home communities. (23) Coordinate with Child Protection Committees to refer victims to local NGOs for care, when necessary. (23) In 2017, no activities were held due to continued lack of public funding. (35)
“Back to School” Campaign†	UNICEF and the Ministry of Education “Back to School” campaign to promote equitable access and retention in school of 2.6 million basic education students, half of them girls. (51) In 2017, activities continued under this annual program with more than 1 million children targeted in seven provinces for the year. (35; 24)

† Program is funded by the Government of Burundi.

Research found no evidence that the government has carried out programs to assist children working 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.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Burundi (Table 11).

**Table 11. Suggested Government Actions to Eliminate Child Labor**

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 – 2017
	Establish by law a compulsory education age equal to or higher than the minimum age for work.	2009 – 2017
	Ensure that all children are protected by law, including children working outside of formal employment relationships.	2015 – 2017
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2012 – 2017
	Ensure that all children are protected from hazardous work, including in agriculture that have hazardous conditions and in which child labor is known to occur.	2016 – 2017
	Publish the law establishing compulsory education for review.	2017
Enforcement	Increase the number of labor inspectors to meet ILO’s technical advice on the 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 – 2017
	Establish a referral mechanism between criminal authorities and social services providers.	2009 – 2017
	Provide sufficient training and resources to ensure that criminal investigations and prosecutions take place.	2009 – 2017
	Publish information on the number of investigations and violations found related to the criminal enforcement of child labor laws.	2017
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 are operational and make efforts to combat and prevent child labor.	2015 – 2017
Government Policies	Take steps to implement the National Action Plan for Combatting Trafficking in Persons and the revised National Revised Action Plan for the Fight Against the Worst Forms of Child Labor.	2015 – 2017
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.	2015 – 2017
	Institute and expand existing programs to address child labor, including in agriculture and commercial sexual exploitation.	2009 – 2017
	Increase public funding for the Centers for Family Development to undertake activities.	2016 – 2017

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