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2019 Findings on the Worst Forms of Child Labor: Burundi

In 2019, Burundi made a moderate advancement in efforts to eliminate the worst forms of child labor. The government worked on revisions to its Labor Code to align with international standards on child labor and launched a partnership with the International Organization for Migration to improve coordination between government ministries, the National Police, and civil society organizations to address human trafficking. It also published labor inspection funding data for the first time, conducted inspections in all provinces, and continued to fund the Centers for Family Development, which provide reintegration services for victims. However, children in Burundi engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in gold mining. Burundi lacks a compulsory education age that is equal to the minimum age for work and the government failed to provide comprehensive criminal law enforcement data related to the worst forms of child labor. Other challenges remain, including a lack of resources to conduct labor inspections and criminal investigations; a lack of well-trained educators and infrastructure in the education sector; and insufficient social programs to address child labor.

I. Prevalence and Sectoral Distribution of Child Labor

Children in Burundi engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in gold mining. (1-4) Table 1 provides key indicators on children's work and education in Burundi. Data on some of these indicators are not available from the sources used in this report.

Children	Age	Percent
Working (% and population)	5 to 14	33.2 (Unavailable)
Attending School (%)	5 to 14	69.4
Combining Work and School (%)	7 to 14	30.5
Primary Completion Rate (%)		63.0

Table 1. Statistics on Children's Work and Education

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (5)

Source for all other data: International Labor Organization's analysis of statistics from Demographic and Health Survey (DHS), 2016–2017. (6)

Based on a review of available information, Table 2 provides an 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 (1-3,7-9)
	Fishing, including preparing materials and equipment, managing heavy fishing nets, preparing meals for fishermen, loading and unloading materials from vessels, and cleaning the vessels (1-4,7-11)
	Herding and feeding livestock (1,3,8,9)
Industry	Extracting,† washing, and transporting minerals in mines and quarries, including artisanal gold mines (1,3,7,8,12)
	Making and transporting bricks (2,3,7,9)

Services	Domestic work (2,3,8,9)
	Street vending, including selling food, newspapers, cigarettes, and used clothes and shoes (1,3,8)
	Begging (3,9,13)
	Work as help in hotels and restaurants, including cooking, dishwashing, and waiting tables (1,3,9)
Categorical Worst Forms of Child Labor[†]	Commercial sexual exploitation, sometimes as a result of human trafficking (1-4,9,12)
	Domestic work as a result of human trafficking (3,4,9,15)
	Forced labor in agriculture, mining, charcoal production, construction, street vending, and begging, each sometimes as a result of human trafficking (1,3,4,9,15)

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

[†] 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.

Burundi is one of the poorest countries in the world, with more than 90 percent of its citizens engaged in subsistence agriculture, and approximately 80 percent of the workforce employed in the informal economy. (1,16,17) Poverty often results in Burundian children leaving school for paid work. (18) During the 2017–2018 school year alone, the cycle for which the most recent data is available, 171,652 children dropped out of school, with many believed to have entered domestic work. (19)

Burundi is a source country for children subjected to forced labor and sex trafficking. There were no documented cases of sex tourism in Burundi during the reporting period. (20) Burundian children are trafficked within the country, often from rural areas, for domestic work and commercial sexual exploitation. (3,4,15,16,20) Reports indicate that an increasing number of children from the Batwa ethnic group are being transported from rural areas into Bujumbura with promises of work and subsequently are exploited. (3) Women who offer room and board to children sometimes force the children into commercial sexual exploitation to pay expenses. (4,20) Burundian girls are also trafficked internationally for commercial sexual exploitation in Kenya, Rwanda, Uganda, the Democratic Republic of Congo, and countries in the Middle East. (4,9,20,21,22) Evidence also suggests that children are trafficked to Tanzania for work in agriculture and for domestic work. (1,4,9,17,21)

Although the government abolished school fees in 2012, families are often asked to pay for supplies, secondary school fees, and school building maintenance costs, which have prevented many children from accessing free public schooling. (3) A dearth of well-trained educators and poor infrastructure has also limited educational opportunity. For example, the lack of gender-separated bathrooms can contribute to lower attendance rates among girls. (3) Children with disabilities and mobility issues face discrimination in schools and a lack of appropriate materials and infrastructure, limiting access to education. (23) Moreover, because birth certificates are required to attend school, many unregistered children, in particular children of the Batwa ethnic group, remain out of school and vulnerable to child labor. (1,3,8,16,21)

II. Legal Framework for Child Labor

Burundi has ratified all key international conventions concerning child labor (Table 3).

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	✓

Table 3. Ratification of International Conventions on Child Labor

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 the worst forms of child labor, including the lack of a compulsory education age equal to the minimum age for work.

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	16	Article 3 of the Labor Code; Article 3 of the Ministerial Ordinance to Regulate Child Labor (24,25)
Minimum Age for Hazardous Work	Yes	18	Article 13 of the Ministerial Ordinance to Regulate Child Labor (25)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 9–15 of the Ministerial Ordinance to Regulate Child Labor (25)
Prohibition of Forced Labor	No		Articles 4 and 10 of the Trafficking in Persons Law (26)
Prohibition of Child Trafficking	Yes		Articles 4–6 and 10 of the Trafficking in Persons Law (26,27)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 519 of the Penal Code; Articles 4 and 10 of the Trafficking in Persons Law (26,27)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 6(c) of the National Defense Troops Law (28)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		Articles 198.2aa and 198.5g of the Penal Code (27)
Compulsory Education Age	No	12	Legislation title unknown (8)
Free Public Education	Yes		Article 17 of the Law on Basic and Secondary Education (29)

Table 4. Laws and Regulations on Child Labor

* No conscription (28)

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. (24,30–31) During the reporting period, the government continued to revise the Labor Code in order to integrate international standards on the minimum age for work and the worst forms of child labor. The revision has been in process for over a year and a draft of the revisions has not yet been released. (3) After a National Labor Council draft of the code revisions was sent to the ILO for recommendations, the project was submitted to the Council of Ministers, where it currently awaits analysis. (32)

The prohibitions against hazardous work are not comprehensive, as they fail to cover agriculture, an area of work in which there is evidence of children working with dangerous machinery, equipment, and tools. (9,25) Although Burundi has a list of activities in which light work may be permitted, the minimum age of 12 for light work is not in compliance with international standards. (31,33) Burundi's laws related to forced labor are not sufficient because they do not criminally prohibit forced labor except when it results from human trafficking. (26)

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. (8,34) The Penal Code does not prohibit the use of children in the production and trafficking of narcotics. (27) 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. (27,35) However, Burundian law does prohibit the recruitment of children under age 18 by the state armed forces, and available evidence indicates that the government continued to comply with this provision. (1,16,17)

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 Employment that may hinder adequate enforcement of their child labor laws.

Organization/Agency	Role
Ministry of Public Service, Labor, and Employment	Administers and enforces all labor laws, including those on child labor, through the Inspector General of Work and Social Security. (36)
Ministry of Public Security	Conducts criminal investigations on the worst forms of child labor, including forced child labor, child trafficking, and the use of children in illicit activities. (2) Through the Burundi National Police's Unit for the Protection of Minors and Morals, protects children from commercial sexual exploitation, illicit activity, and military recruitment. (1,3,9,17)
Ministry of Justice	Prosecutes cases of the worst forms of child labor through its General Prosecutor's Office. (1,3,9,12)
Ministry of National Solidarity, Human Rights, and Gender	Coordinates, monitors, and oversees children's advocacy and family services programs conducted by public and private organizations. Develops policies and national laws on the promotion and protection of children and families. (37,38) Refers cases to police officers and judicial officials for enforcement through its 89 Child Protection Committees at local levels; victims are referred to local NGOs for social services. (3,37,38)

Table 5. Agencies Responsible for Child Labor Law Enforcement

Labor Law Enforcement

In 2019, 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 Employment that may hinder adequate labor law enforcement, including an insufficient number of labor inspectors.

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (1)	\$2,650 (3)
Number of Labor Inspectors	35 (1)	43 (3)
Inspectorate Authorized to Assess Penalties	Yes (1)	Yes (3)
Initial Training for New Labor Inspectors	No (1)	No (3)
Training on New Laws Related to Child Labor	N/A (1)	N/A
Refresher Courses Provided	No (1)	No (3)
Number of Labor Inspections Conducted	216 (1)	397 (3)
Number Conducted at Worksite	Unknown (1)	397 (3)
Number of Child Labor Violations Found	0 (1)	1 (3)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (1)	0 (3)
Number of Child Labor Penalties Imposed that Were Collected	N/A (1)	0 (3)
Routine Inspections Conducted	Yes (1)	Yes (3)
Routine Inspections Targeted	No (1)	No (3)
Unannounced Inspections Permitted	Yes (1)	Yes (3)

Unannounced Inspections Conducted	No (1)	Yes (3)
Complaint Mechanism Exists	Yes (1)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (1)	Yes (3)

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Although Burundi increased its number of labor inspectors in 2019, 14 of Burundi's 18 provinces lack local inspectors. (3) Furthermore, 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 would employ about 125 inspectors. (39,40) In 2019, Burundi's labor inspectorate increased the number of inspections conducted and carried out inspections in all 18 provinces. However, these inspections were conducted exclusively in the formal sector, in which child labor is relatively rare, and excluded the agricultural sector. (3,31)

The depreciation of Burundi's currency in 2019 resulted in a decrease in funding for the labor inspectorate, and government officials acknowledged the budget in 2019 was not sufficient. (3) Research found that financial constraints hamper the Inspector General of Work and Social Security's enforcement of child labor laws because annual funding does not cover fuel costs, per diem, or office supplies, nor does the labor inspectorate own any vehicles. (8,9,41,42)

Criminal Law Enforcement

In 2019, 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 published information on the criminal enforcement of child labor law.

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Unknown (1)	Unknown (3)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (1)	Unknown (3)
Refresher Courses Provided	Unknown (1)	Unknown (3)
Number of Investigations	Unknown (1)	Unknown (3)
Number of Violations Found	Unknown (1)	Unknown (3)
Number of Prosecutions Initiated	Unknown (1)	Unknown (3)
Number of Convictions	Unknown (1)	Unknown (3)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (41)	Unknown (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (3)

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Burundian authorities identified 314 victims of transnational trafficking in persons in 2019, but found no cases of domestic trafficking in persons. Government data did not identify how many of these cases involved children. (20) The government did not provide complete information on its criminal law enforcement efforts for inclusion in this report.(3) Meanwhile, UNICEF reported identifying 205 cases of child labor, some of which may have included human trafficking, and 123 cases of child victims of human trafficking. (20)

In 2019, Burundi established a new unit within the Ministry of Justice focused on the protection of witnesses involved in cases of abuse or exploitation. (20)

Despite its efforts, the government lacked resources to fully implement criminal law enforcement strategies. For example, while the Burundi National Police Unit for the Protection of Minors and Morals was responsible for the investigation of trafficking in persons, sex trafficking, and child and forced labor issues, it lacked capacity and often did not receive referrals from other police units. (20) Agencies lacked resources necessary to respond to victims' needs and had to rely primarily on services from civil society and international organizations. (20)

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.

Coordinating Body	Role & Description
Burundi Counter-Trafficking (2019–2022) *	Launched in 2019 in partnership with IOM and the Kingdom of the Netherlands, this 3-year, \$3 million coordinating project aims to reinforce government anti-human trafficking efforts by improving coordination between government ministries, Burundi National Police, and civil society organizations. Also aims to strengthen the national referral system for protection of and improve reintegration services for human trafficking victims. (20,44)
Ad Hoc Committee for Consultation and Monitoring on Prevention and Suppression of Trafficking in Persons	Oversees national anti-trafficking in persons efforts, including implementation of the National Action Plan for Combating Trafficking in Persons. (15,17,38,45,46) Includes officials from the Ministry of National Solidarity, Human Rights, and Gender, and the ministries of Justice, Public Security, Foreign Affairs, and Interior. (2) In October, the committee requested and received training from IOM on good practices related to coordination, referral, identification, assistance, and prosecution of trafficking in persons cases. In December, the committee also conducted a best practices information exchange with its Tunisian counterparts to inform prevention activities. (20)

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

* Mechanism to coordinate efforts to address child labor was created during the reporting period.

Despite Burundi's efforts to address trafficking in persons, Burundi lacks an active coordinating mechanism to address other forms of child labor, as research suggests the National Multi-Sector Committee for the Elimination of the Worst Forms of Child Labor is non-operational. While the Ad Hoc Committee was active during the reporting period, it did not receive any dedicated funds from the government for the fiscal year and thus was reliant upon funding sources from international organizations. (20)

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.

Policy	Description
National Action Plan for Combating Trafficking in Persons (2019–2020)	Aims to significantly reduce human trafficking in Burundi by 2020 through the adoption of political, social, economic, and institutional measures. Identifies women and children as being the most vulnerable to human trafficking, noting sectors of high prevalence and human trafficker profiles. (38,47) The Ad Hoc Committee for Consultation and Monitoring on the Prevention and Suppression of Trafficking in Persons developed an Integrated Work Plan Against Trafficking in Persons 2019–2020 in 2019 in alignment with the objectives of the National Action Plan to implement anti-trafficking measures. (20,44)

Table 9. Key Policies Related to Child Labor

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (48,49)

The government did not take steps to renew the expired National Revised Action Plan for the Fight Against the Worst Forms of Child Labor during the reporting period. (1,3)

VI. Social Programs to Address Child Labor

In 2019, 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.

Program	Description
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Centers for Family Development† Ministry of National Solidarity, Human Rights, and Gender-operated centers that address human rights issues, including child exploitation, and reintegrate victims in their home communities. Coordinate with Child Protection Committees to refer victims to local NGOs for care, when necessary. (37,50) The centers continued to carry out services in various parts of the country in 2019, including the construction of a community center in Mubumbi. (51,52)

"Back to School" Campaign† UNICEF and the Ministry of Education "Back to School" campaign to promote equitable access and retention in school for 2.6 million basic education students, half of them girls. (53) In 2019, UNICEF conducted an impact evaluation assessing the "Back to School" program to date and providing recommendations for future implementation. The evaluation found the program played an important role in addressing access to education in areas in which poverty was a significant barrier. (54)

Table 10. Key Social Programs to Address Child Labor

† 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 or trafficking in persons. 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).

Area	Suggested Action	Year(s) Suggested
Legal Framework	Criminally prohibit the use of children in illicit activities, including in the production and trafficking of drugs.	2015 – 2019
	Criminally prohibit forced labor.	2019
	Establish by law a compulsory education age equal to the minimum age for work.	2009 – 2019
	Ensure that all children are protected by the minimum age law, including children working outside of formal employment relationships.	2015 – 2019
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2012 – 2019
	Ensure that all children are protected from hazardous work activities, including in agriculture, which have hazardous conditions and in which child labor is known to occur.	2016 – 2019
	Publish the law establishing compulsory education for public review.	2017 – 2019
Enforcement	Raise the minimum age for light work to 13 to comply with international standards.	2019
	Increase the number of labor inspectors to meet the ILO's technical advice.	2009 – 2019
	Expand labor law enforcement coverage by ensuring the presence of labor inspectors in all 18 of Burundi's provinces.	2019
	Provide sufficient funding and resources to the Inspector General of Work and Social Security to cover needs such as fuel costs, per diem, office supplies, and vehicles.	2009 – 2019
	Ensure that targeted inspections occur and that inspections take place in the informal and agricultural sectors in which child labor is most prevalent.	2019
	Publish information on training for criminal enforcement investigators, and the number of investigations, violations, prosecutions, convictions, and imposed penalties related to the criminal enforcement of child labor laws.	2017 – 2019

	Ensure new labor inspectors receive adequate training and all inspectors receive regular refresher courses on child labor issues.	2019
	Ensure that criminal law enforcement agencies and agencies responsible for responding to trafficking in persons have the resources and capacity necessary to investigate cases and provide services to victims.	2019
Coordination	Establish a coordinating mechanism to address the worst forms of child labor or re-enact the National Multi-Sector Committee for the Elimination of the Worst Forms of Child Labor.	2015 – 2019
	Ensure the viability of established coordinating mechanisms by dedicating regular funding for their operation.	2019
Government Policies	Take steps to renew the expired National Revised Action Plan for the Fight Against the Worst Forms of Child Labor.	2015 – 2019
Social Programs	Increase access to education by eliminating school-related fees, increasing the number of well-trained educators, expanding the infrastructure, and increasing birth registration rates.	2015 – 2019
	Institute and expand existing programs to address child labor, including in agriculture, commercial sexual exploitation, and trafficking in persons.	2009 – 2019

Table 11. Suggested Government Actions to Eliminate Child Labor

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