
the Worst Forms of Child Labor, project summary.

⁴⁸⁸ USDOL, *ILAB Technical Cooperation Project Summary: EDUCAR-Combating the Worst Forms of Child Labor through Education in Brazil*, project summary.

⁴⁸⁹ ILO-IPEC Geneva official, E-mail communication to USDOL official, December 12, 2007.

⁴⁹⁰ Presidência da República, *Países do Mercosul anunciam campanha de Combate à Exploração Sexual de Crianças* [online] [cited December 5, 2007]; available from http://www.presidencia.gov.br/noticias/ultimas_noticias/expoloracrianca2/.

⁴⁹¹ Ministry of Justice and Human Rights of Argentina, *Iniciativa Niñ@ Sur*, [online] [cited December 5, 2007]; available from <http://www.derhuman.jus.gov.ar/direcciones/asistencia.htm#>.

⁴⁹² Presidência da República, *Países do Mercosul anunciam campanha de Combate à Exploração Sexual de Crianças* See

also Agência Estadual de Notícias, *Encontro discute sensibilização dos Centros de Referência de Assistência Social* Press Release, Curitiba, December 7, 2007 2006; available from <http://www.agenciadenoticias.pr.gov.br/modules/news/article.php?storyid=21899>.

⁴⁹³ U.S. Department of State, "Country Reports- 2007: Brazil," section 6d.

⁴⁹⁴ U.S. Department of State, *Trafficking in Persons Interim Assessment: Brazil*, online, January 19 2007; available from <http://www.state.gov/g/tip/rls/rpt/78948.htm>.

⁴⁹⁵ UNODC, *Programa de Combate ao Tráfico de Seres Humanos*, [online] [cited December 7, 2007]; available from http://www.unodc.org/brazil/programasglobais_tsh.html?print=yes.

⁴⁹⁶ ILO-IPEC Geneva official, E-mail communication, December 12, 2007.

Burkina Faso

Incidence and Nature of Child Labor

The majority of economically active children in Burkina Faso are found in the agricultural sector, usually working on family farms, and in some cases as paid laborers.⁴⁹⁷ Work on farms, especially cotton farms, can involve exposure to harmful pesticides.⁴⁹⁸ Children work in hazardous conditions in the mining sector, especially gold mines.⁴⁹⁹ Children also work as domestic servants.⁵⁰⁰ The practice of sending boys to Koranic teachers to receive education is a tradition in various countries, including Burkina Faso.⁵⁰¹ While some boys receive lessons, others are forced by their teachers to beg and surrender the money that they have earned or to work in fields.⁵⁰²

Burkina Faso is a destination, transit and source country for children trafficked for the purpose of forced labor and commercial sexual exploitation.⁵⁰³

Children are trafficked to work in domestic service, agriculture, prostitution, mining, and work in quarries. Burkina Faso is also a destination country for children trafficked from Nigeria and Mali. Children from Burkina Faso are trafficked into Benin, Côte d'Ivoire, Ghana, Mali, Niger, Nigeria, and Togo.⁵⁰⁴ Children from West and Northwest

Burkina Faso, especially from the Dogon, Samo and Dafing ethnic groups, have a higher risk of being trafficked.⁵⁰⁵

Child Labor Laws and Enforcement

The law sets the minimum age for employment at 15 years. Children under 18 years are prohibited from working at night. However, in an instance of *force majeure*, children aged 16 or older are permitted to do so.⁵⁰⁶ A decree lists the types of work and enterprises in which children under 18 years are forbidden to work in such as work in slaughterhouses or with explosives.⁵⁰⁷ Under the law, children and adolescents under 20 years may not undertake work that could harm their reproductive abilities.⁵⁰⁸ Violations of minimum age laws are subject to imprisonment of up to 5 years.⁵⁰⁹

The law defines and prohibits the worst forms of child labor for children following ILO Convention 182. Slavery and slavery-like practices, inhumane and cruel treatment, and physical or emotional abuse of children are forbidden by the Constitution.⁵¹⁰ The law also prohibits forced and compulsory labor.⁵¹¹ Violations of forced labor laws

are subject to imprisonment of up to 10 years.⁵¹² The minimum age for voluntary recruitment into the military is 20 years, and 18 years for compulsory recruitment.⁵¹³

<i>Selected Statistics and Indicators on Child Labor</i> ⁵¹⁴	
Working children, 5-14 years (%), 2003:	47
Working boys, 5-14 years (%), 2003:	46.4
Working girls, 5-14 years (%), 2003:	47.7
Working children by sector, 5-14 years (%), 2003:	
- Agriculture	97.4
- Manufacturing	0.4
- Services	2.0
- Other	0.2
Minimum age for work:	15
Compulsory education age:	16
Free public education:	Yes*
Gross primary enrollment rate (%), 2005:	56
Net primary enrollment rate (%), 2005:	44
School attendance, children 5-14 years (%), 2003:	27.2
Survival rate to grade 5 (%), 2004:	76
ILO-IPEC participating country:	Yes
* Must pay for miscellaneous school expenses	

The law prohibits child trafficking for economic or sexual exploitation; illegal adoption; early or forced marriage; or any other purpose that is harmful to a child's health, well-being, or physical or mental development. Anyone who engages in child trafficking, or who is aware of a child trafficking case and does not report it, is subject to 1 to 5 years of imprisonment. The penalty is increased to 5 to 10 years of imprisonment if the child is under 15 years or if the act was committed using fraud or violence.⁵¹⁵ These penalties also apply to violations of laws prohibiting the worst forms of child labor.⁵¹⁶

The penal code forbids any involvement in prostitution, explicitly prohibiting the prostitution of persons less than 18 years old and the debauchery of a minor; such violations are punishable by 2 to 5 years of imprisonment and fines.⁵¹⁷ Penalties specified for these crimes apply

regardless of the country in which the offenses are committed.⁵¹⁸

The Ministry of Labor and Social Security and the Ministry of Social Action and National Solidarity are responsible for enforcing child labor laws.⁵¹⁹ Labor inspectors, police, *gendarmes*, and customs service agents share responsibility for investigating child labor violations. Burkina Faso employs 39 labor inspectors, one of whom acts to coordinate on child labor issues in each region. However, none of the inspectors are dedicated exclusively to child labor.⁵²⁰ The Office for the Protection of Infants and Adolescents reported in 2007-2008 that security forces rescued 312 trafficked children and arrested 23 child traffickers. By the end of 2007, five of these traffickers had been sentenced, while eight had been cleared of any charges.⁵²¹

Burkina Faso was 1 of 24 countries to adopt the Multilateral Cooperation Agreement to Combat Trafficking in Persons and the Joint Plan of Action against Trafficking in Persons, Especially Women and Children, in West and Central African Regions.⁵²² As part of the Multilateral Cooperation Agreement, the governments agreed to use the child trafficking monitoring system developed by the USDOL-funded ILO-IPEC LUTRENA project; to assist each other in the investigation, arrest and prosecution of trafficking offenders; and to protect, rehabilitate, and reintegrate trafficking victims.⁵²³

Current Government Policies and Programs to Eliminate the Worst Forms of Child Labor

On April 11, 2007, the Government adopted a National Action Plan against Trafficking in Persons as part of its National Social Action Policy.⁵²⁴ With funding from UNICEF, the Government undertook awareness raising activities regarding the worst forms of child labor, including trafficking in gold mines and cotton fields.⁵²⁵ The Government also created a call center for children in Ouagadougou within the framework of its fight against the worst forms of child labor.⁵²⁶

There is one reintegration center in the capital for at-risk children, and Burkina Faso operates 21 transit centers throughout the country for trafficked children. The Government cooperates with NGOs and international organizations to reintegrate child trafficking victims. The

Government also supports Vigilance and Surveillance Committees throughout the country and has trained them on how to identify and assist trafficking victims.⁵²⁷

In 2007, Burkina Faso participated in the Combating the Trafficking in Children for Labor Exploitation in West and Central Africa, Phases 1 & 2 (LUTRENA) regional project, funded by USDOL at USD 9.28 million and implemented by ILO-IPEC, to combat the trafficking of children for exploitive labor. During Phase II, from July 2001 to December 2007 (when the project ended) the project withdrew 4,240 children and prevented 7,213 children from trafficking in the region.⁵²⁸ The Government also took part in a USD 3 million USDOL-funded child labor education project that ended in September 2007. The project reached 2,285 victims of child trafficking and children at risk of being trafficked through the promotion of education, including the building of 20 schools.⁵²⁹ The Government continues to participate in a USD 3 million USDOL-funded regional ILO-IPEC project to combat child labor in small-scale gold mining. The project targets 1,500 children to be withdrawn and 2,500 children to be prevented from exploitive work in gold mining in Burkina Faso and Niger.⁵³⁰

The Government of Burkina Faso is cooperating on a USD 325,000 regional ILO-IPEC project funded by the Government of Denmark to combat the trafficking of children for labor purposes. Additionally, Burkina Faso cooperated on two French-funded ILO-IPEC projects, one regional and one inter-regional, that ended in December 2007. The funding levels were respectively USD 3.1 and 3.6 million.⁵³¹ The Government of Burkina Faso continues to participate in a USD 4.9 million French-funded regional ILO-IPEC project that runs until December 31, 2009.⁵³² These French-funded projects aim to eliminate child labor by improving vocational training, apprenticeships, and government capacity building.⁵³³

http://www.childlabour.net/docs/Education%20Summaries_final_21NOV2007.pdf.

⁴⁹⁸ Albertine de Lange, "Going to Kompienga" *A Study on Child Labour Migration and Trafficking in Burkina Faso's South-Eastern Cotton Sector* International Research on Working Children, 2006, 23 and 27; available from http://www.childlabour.net/docs/Education%20Summaries_final_21NOV2007.pdf.

⁴⁹⁹ ILO-IPEC, *Prevention and Elimination of Child Labor in Mining in West Africa*, Project Document, Geneva, September 30, 2005, 1-5 and 36.

⁵⁰⁰ Lange, *Education in Rural Areas*, 49. See also ILO-IPEC, *Hazardous Child Domestic Work: A Briefing Sheet*, Briefing Sheet, Geneva, 2007, 20; available from <http://www.ilo.org/ipecinfor/product/viewProduct.do?productId=4044>.

⁵⁰¹ Peter Easton et al., *Research Studies Series no. 8*, International Working Group on Nonformal Education of the Association for the Development of Education in Africa, May 1997; available from <http://www.adeanet.org/wgnfe/publications/abel/abel2.html>. See also Peter Easton, "Education and Koranic Literacy in West Africa," *IK Notes* no. 11 (August 1999), 1, 3; available from <http://www.worldbank.org/afr/ik/iknt11.pdf>.

⁵⁰² Save the Children-Canada, *Training and Education Against Trafficking (TREAT)*, Technical Progress Report, Toronto, March 3, 2007, 22 and 32.

⁵⁰³ U.S. Department of State, "Burkina Faso (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>. See also Brad Kress, *Burkina Faso: Testing the Tradition of Circular Migration*, Migration Policy Institute, May, 2006; available from <http://www.migrationinformation.org/Profiles/print.cfm?ID=399>.

⁵⁰⁴ U.S. Embassy- Ouagadougou, *reporting*, May 7, 2007. See also Kress, *Burkina Faso: Testing the Tradition of Circular Migration*. See also ILO-IPEC LUTRENA, *La Traite des Enfants Aux Fins D'Exploitation De Leur Travail Dans Les Mines d'Or D'Issia Cote D'Ivoire*, Research Report, Cote D'Ivoire, 2005.

⁵⁰⁵ U.S. Embassy- Ouagadougou, *reporting*, March 3, 2008, para 2a.

⁵⁰⁶ Government of Burkina Faso, *Code du travail*, articles 146, 147. Government of Burkina Faso, *Décret n° 2004-451-PRES du 15 octobre 2004 promulguant la loi n° 033-2004/AN du 14 septembre 2004 portant Code du travail*, (October 15, 2004); available from http://www.legiburkina.bf/jo/jo2004/no_spécial_02/Décret_PRES_2004_00451.htm.

⁵⁰⁷ Government of Burkina Faso, *Code du travail*, articles 147 and 148. See also ILO-IPEC, *Combating the Trafficking*

⁴⁹⁷ UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank Surveys, *Child Economic Activity and School Attendance Rates*, March 1, 2007. See also Albertine de Lange, "Burkina Faso" *Education in Rural Area: Obstacles and Relevance*, International Research on Working Children, 2007, 48-49; available from

of Children for Labour Exploitation in West and Central Africa (LUTRENA) - Responses to ICLP Comments, IPEC Responses, Geneva, March 2005, 1.

⁵⁰⁸ Government of Burkina Faso, *Code du travail*, article 145.

⁵⁰⁹ *Ibid.*, article 388. See also U.S. Embassy-Ouagadougou, reporting, May 7, 2007.

⁵¹⁰ Government of Burkina Faso, *Constitution du Burkina Faso*, Loi N° 002/97/ADP, (January 27, 1997), article 2.

⁵¹¹ Government of Burkina Faso, *Code du travail*, articles 5 and 6.

⁵¹² *Ibid.*, articles 388 and 390. See also U.S. Embassy-Ouagadougou, reporting, May 7, 2007.

⁵¹³ Coalition to Stop the Use of Child Soldiers, "Burkina Faso," in *Child Soldiers Global Report 2004*, London, 2004; available from http://www.child-soldiers.org/document_get.php?id=760.

⁵¹⁴ For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Burkina Faso, *Loi n° 033-2004/AN portant code du travail au Burkina Faso*, (September 14, 2004), article 147; available from http://www.legiburkina.bf/jo/jo2004/no_spécial_02/Loi_AN_2004_00033.htm. See also Government of Burkina Faso, *Loi n° 13-96 ADP du 9 mai portant loi d'orientation de l'éducation*, (May 9, 1996), article 2, 6.

⁵¹⁵ Government of Burkina Faso, *Loi n° 038-2003/AN portant définition et répression du trafic d'enfant(s)*, (May 27, 2003), articles 3-6; available from http://www.legiburkina.bf/jo/jo2003/no_31/Loi_AN_2003_00038.htm.

⁵¹⁶ Government of Burkina Faso, *Code du travail*, articles 148 and 390. See also U.S. Embassy- Ouagadougou, reporting, May 7, 2007.

⁵¹⁷ Government of Burkina Faso, *Penal Code, Section IV-Offenses against Public Morals*, (April 13, 1946), articles 334 and 334-1; available from <http://209.190.246.239/protectionproject/statutesPDF/BURKINAFASO.pdf>. U.S. Embassy- Ouagadougou official, E-mail communication to USDOL official, July 31, 2007.

⁵¹⁸ Government of Burkina Faso, *Penal Code*, articles 334 and 334-1.

⁵¹⁹ U.S. Department of State, "Burkina Faso," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100468.htm>. See also Government of Burkina Faso, *Code du travail*, articles 388 and 390.

⁵²⁰ U.S. Embassy- Ouagadougou, reporting, March 3, 2008, para 1b.

⁵²¹ U.S. Department of State, "Country Reports- 2007: Burkina Faso," section 5.

⁵²² Catholic Relief Services official, E-mail communication to USDOL official, October 2, 2006. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, Technical Progress Report, Washington, DC, September 1, 2006, 2.

⁵²³ ECOWAS and ECCAS, *Multilateral Cooperation Agreement to Combat Trafficking in Persons, Especially Women and Children, in West and Central Africa*, Abuja, July 7, 2006, 5-7. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, Technical progress Report, 10-11.

⁵²⁴ U.S. Embassy- Ouagadougou, reporting, May 7, 2007, para 2. See also U.S. Embassy- Ouagadougou, reporting, March 3, 2008, para 5f.

⁵²⁵ ILO-IPEC, *Prevention and Elimination of Child Labour in Artisanal Gold Mining in West Africa*, Technical Progress Report, Geneva, September 12, 2007.

⁵²⁶ Save the Children-Canada, *TREAT, March 2007 Technical Progress Report*, 16.

⁵²⁷ U.S. Embassy- Ouagadougou, reporting, March 3, 2008, para 4b.

⁵²⁸ ILO-IPEC, *Combating the Trafficking of Children for Labor Exploitation in West and Central Africa (LUTRENA)* project document, Geneva, 2001, cover page. See also ILO-IPEC, *Amendment to Project Document "Combating the Trafficking of Children for Labour Exploitation in West and Central Africa"*, Project Document Amendment Geneva, September 3, 2004. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, Technical Progress Report, Washington, DC, September 1, 2007, 1-3. See also ILO-IPEC Geneva official, LUTRENA Project Table III.C. Final Report March 2008 E-mail communication to USDOL official, March 24, 2008.

⁵²⁹ Save the Children -Canada, *Training and Education Against Trafficking (TREAT)*, Project Document, Toronto, 2004. See also Save the Children - Canada, *Training and Education Against Trafficking (TREAT)*, Technical Progress Report, Toronto, August 7, 2007.

⁵³⁰ ILO-IPEC, *Regional Mining, Project Document*, cover page.

⁵³¹ ILO-IPEC official, E-mail communication to USDOL official, December 13, 2007. See also ILO-IPEC official, E-mail communication to USDOL official, February 27, 2008.

⁵³² ILO-IPEC official, E-mail communication, December 13, 2007. See also ILO-IPEC official, E-mail communication, February 27, 2008.

⁵³³ ILO-IPEC official, E-mail communication, February 27, 2008.

Burundi

*Selected Statistics and Indicators on Child Labor*⁵³⁴

Working children, 5-14 years (%), 2000:	31.2
Working boys, 5-14 years (%), 2000:	32.3
Working girls, 5-14 years (%), 2000:	30.1
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	16
Compulsory education age:	12
Free public education:	Yes*
Gross primary enrollment rate (%), 2005:	82
Net primary enrollment rate (%), 2005:	58
School attendance, children 5-14 years (%), 2000:	41.9
Survival rate to grade 5 (%), 2007:	67
ILO-IPEC participating country:	Associated
*Must pay for miscellaneous school expenses	

Incidence and Nature of Child Labor

Children in Burundi work in subsistence agriculture, family-based businesses, construction, mining and brick-making, and in the informal sector.⁵³⁵ Increasing rates of HIV/AIDS have led to greater numbers of orphans and, consequently, street children.⁵³⁶ Street children are involved in activities such as hawking goods, or working as porters, which may involve heavy loads.⁵³⁷ Children also work as domestic servants, and some have reported not being paid for wages.⁵³⁸ There

have also been reports that children are engaged in commercial sexual exploitation.⁵³⁹

Despite signing a cease-fire agreement with the Government, during the reporting period the rebel group, Party for the Liberation of the Hutu People/National Liberation Front continued to recruit children, sometimes forcibly.⁵⁴⁰ UNICEF reported that Government's armed forces did not use children as combatants, but there were reports that the military used children for menial tasks.⁵⁴¹ Reports also indicate that the Government has illegally detained former child soldiers who served in rebel groups rather than provide them with services such as demobilization and reintegration.⁵⁴²

There are conflicting reports that Burundi remains a source country for the internal trafficking of children for the purpose of child soldiers.⁵⁴³ Children in Burundi are trafficked within the country for the purposes of domestic servitude and commercial sexual exploitation.⁵⁴⁴

Child Labor Laws and Enforcement

The minimum age for employment in Burundi is 16 years.⁵⁴⁵ Children 12 to 16 years are permitted to engage in light work or apprenticeships that do not jeopardize their health, development, or ability to attend and benefit from school.⁵⁴⁶ Children under 16 years may work a maximum of 6 hours per day, are prohibited from working at night, and must have rest periods of at least 12 hours between work sessions.⁵⁴⁷ The law allows for medical examinations to determine if a child's work causes undue physical stress.⁵⁴⁸ Employers found in violation of the provisions for the work of young persons are subject to fines and, for repeat offenses, closure of the place of employment.⁵⁴⁹