

# BURUNDI

MINIMAL ADVANCEMENT – *Efforts Made but Continued Policy that Delayed Advancement*

In 2023, Burundi made minimal advancement in efforts to eliminate the worst forms of child labor. The government approved and began implementing its National Action Plan to Combat Trafficking in Persons for 2023–2027, taking actions including repatriating victims of child labor exploitation from Tanzania. In October 2023, it established the Permanent National Multisector Committee on Child Labor and its Worst Forms, which completed a draft action plan on child labor by the end of the year. The government also significantly increased its contribution to the National School Feeding Program, from \$2 million in previous years to \$6 million in 2023, encouraging school attendance and thereby helping address one of the root causes of child labor. However, despite new initiatives to address child labor, Burundi is assessed as having made only minimal advancement because it maintained a Ministry of Education policy that calls for the expulsion of students for becoming pregnant and for causing a pregnancy. While boys expelled under this policy can return to the same school at the start of the next school year, girls expelled face much more punitive restrictions. Unless they miscarry or have a still birth, they may only return to school once their child is at least 12 months old, but not more 24 months old. In either case, they must enroll in a different school, which can be especially challenging in rural areas with few school options. The additional restrictions on girls' re-enrollment result in very few girls who deliver a child returning to school, thereby increasing their vulnerability to child labor. In addition, Burundi's laws do not guarantee free basic education or establish a compulsory education age. The government also failed to provide comprehensive criminal law enforcement data related to the worst forms of child labor and lacked resources to conduct labor inspections and criminal investigations. Lastly, Burundi has insufficient social programs to address child labor.



## PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

### Statistics on Children's Work and Education

Children	Age	Percent of Population
Working	5 to 14	33.2% (Unavailable)
Hazardous Work by Children	15 to 17	Unavailable
Attending School	5 to 14	69.4%
Combining Work and School	7 to 14	30.5%

Children in Burundi are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in quarrying.

### Overview of Children's Work by Sector and Activity



#### Agriculture

Working in agriculture, including transplanting seedlings and scaring away birds from fields. Fishing, including managing heavy fishing nets and preparing meals for fishermen. Herding and feeding livestock. Working in forestry, including felling trees and serving as lookouts to prevent lumber theft. Working as shepherds for families.



#### Industry

Working in quarries† and construction sites. Working in manufacturing, including soldering, welding, processing plastics and metals, and carrying heavy loads. Helping in garages and workshops.



#### Services

Domestic work. Street vending, including selling food. Begging. Working in hotels and restaurants, including cooking, dishwashing, and waiting tables.



#### Categorical Worst Forms of Child Labor‡

Forced labor in domestic work, agriculture, construction, fishing, street vending, and begging. Commercial sexual exploitation, sometimes as a result of human trafficking. Use in illicit activities, including the trafficking of marijuana and the smuggling of foodstuffs into Burundi from Tanzania.

† 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.



## **SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR**

The suggested government actions below would close gaps USDOL has identified in Burundi's implementation of its international commitments to eliminate the worst forms of child labor.

### **Legal Framework**

Establish by law an age up to which education is compulsory that extends to age 16, the minimum age for employment.

Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.

Establish by law free basic public education.

### **Enforcement**

Conduct targeted inspections in sectors and geographic areas in which child labor is known to be prevalent, including in agriculture and the informal sector.

Publish information on child labor law enforcement efforts, including the number of routine targeted inspections and penalties imposed and collected.

Ensure that children engaged in street work are not detained, and that they receive adequate social services and reintegration support.

Increase the number of labor inspectors from 41 to 125 to ensure adequate coverage of the labor force of approximately 5 million workers.

Provide sufficient funding and resources to the General Inspectorate of Labor and Social Security to enable labor inspectors to fulfill their duties.

Publish disaggregated information on criminal law enforcement efforts, including the number of investigations conducted, prosecutions initiated, convictions obtained, and penalties imposed related to the criminal enforcement of child labor laws.

Ensure that criminal law enforcement officials receive adequate training on laws pertaining to the worst forms of child labor.

Ensure that criminal law enforcement agencies and other agencies responsible for responding to human trafficking have the resources, guidance, and capacity necessary to investigate cases and provide services to survivors.

Strengthen referral mechanisms among law enforcement agencies, social services, and civil society organizations to ensure that cases are properly investigated, and survivors receive services.

### **Coordination**

Strengthen whole-of-government coordination on efforts to address the worst forms of child labor by ensuring relevant representatives from the Ministry of Justice take active part in the Permanent National Multisectoral Committee on Child Labor and its Worst Forms.

### **Government Policies**

Adopt and implement policies that address all relevant worst forms of child labor, such as a national child labor action plan.

Ensure education policies do not prevent children from accessing education, regardless of pregnancy status, marital status, gender identity, and sexual orientation.

### **Social Programs**

Increase access to social protection for children on the move who may be vulnerable to labor exploitation.

Increase access to education by eliminating school-related fees; increasing the number of educators; expanding infrastructure to accommodate the needs of female and disabled students; and increasing birth registration rates for populations such as the Batwa ethnic group.

Institute new programs and expand existing ones in sectors in which child labor is prevalent, including in agriculture.



## CHILDREN AT HIGHER RISK

In Burundi, children on the move face increased risks of child labor and forced labor. Whether they are returning refugees, displaced by climate or conflict events, or trafficking victims recently repatriated, their lack of support networks and livelihood options make them vulnerable to exploitation. Children living in border provinces also face a heightened risk of labor trafficking in neighboring countries, especially Tanzania and Kenya. Finally, street children in Burundi may be particularly vulnerable to the worst forms of child labor, including forced begging.



## BARRIERS TO EDUCATION ACCESS

Burundi currently maintains a policy that is significantly detrimental to its advancement in eliminating child labor. In 2020, Burundi's Ministry of Education issued a ministerial ordinance that calls for the expulsion of students for becoming pregnant and for causing a pregnancy, among other offenses. Girls expelled under this policy are not allowed to re-enroll in school until their child is 12 months old (but not more than 24 months old), and they must enroll in a different school than the one they left. Boys expelled under this policy are allowed to re-enroll at the same school beginning the following school year. The additional restrictions on girls' re-enrollment are discriminatory and, in combination with societal pressures, result in very few girls returning to school to complete their education after giving birth. While the intent of this education policy is to encourage children to stay in school, it has the effect of excluding girls from education opportunities and increasing their vulnerability to child labor.

The cost of education is a barrier to access for children across Burundi. While the government has maintained a policy of free public education since at least 2012, there is no legislation enacting that policy or laying out violation penalties. As a result, families are frequently asked to pay for supplies, secondary school fees, and school building maintenance costs, which has prevented many children from accessing public schooling. Poorly maintained buildings, lack of desks and chairs, overcrowded classrooms, insufficient hygiene facilities for girls, sexual exploitation or harassment by teachers, inadequate teacher capacity and training, and a lack of appropriate materials and supports for children with disabilities also present barriers to education. Lastly, since birth certificates are required to attend school, many unregistered children, in particular Batwa children and Burundian returnees, remain out of school and vulnerable to child labor.






## LEGAL FRAMEWORK FOR CHILD LABOR

Burundi has ratified all key international conventions concerning child labor. However, Burundi's laws do not meet international standards on prohibitions against the use of children by non-state armed groups or on free, compulsory basic public education.

Child Labor Laws and Regulations	Meets International Standards	Legislation
Minimum Age for Work, <b>16 Years</b>		Articles 2, 10, and 618 of the Labor Code
Minimum Age for Hazardous Work, <b>18 Years</b>		Articles 270, 279, and 618 of the Labor Code; Article 13 of the Ministerial Ordinance to Regulate Child Labor
Identification of Hazardous Occupations or Activities Prohibited for Children		Articles 9–15 of the Ministerial Ordinance to Regulate Child Labor
Prohibition of Slavery, Debt Bondage, and Forced Labor		Articles 4–6, 10, and 18–20 of the Trafficking in Persons Law; Articles 7, 12, and 617 of the Labor Code
Prohibition of Child Trafficking		Articles 4–6, 10, and 18–20 of the Trafficking in Persons Law; Articles 246, 255, and 256 of the Penal Code
Prohibition of Commercial Sexual Exploitation of Children		Articles 542–544 and 546 of the Penal Code; Articles 4, 10, and 18–20 of the Trafficking in Persons Law
Prohibition of Using Children in Illicit Activities		Articles 505–511 and 541 of the Penal Code
Minimum Age for Voluntary State Military Recruitment, <b>18 Years</b>		Articles 2 and 6(c) of the National Defense Troops Law

**Legal Framework for Child Labor (Cont.)**

Child Labor Laws and Regulations	Meets International Standards	Legislation
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*	
Prohibition of Military Recruitment by Non-state Armed Groups		Article 45 of the Constitution; Article 12 of the Labor Code; Articles 200.2.27, 200.5.7, 200.6, and 202 of the Penal Code
Compulsory Education Age, <b>15 Years</b> ‡		Article 35 of the Law on Basic and Secondary Education
Free Public Education		Article 53 of the Constitution; Articles 17, 35, and 47 of the Law on Basic and Secondary Education

\*Country has no conscription

‡Age calculated based on available information

Although Burundi’s Constitution and Labor Code broadly prohibit 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 this worst form of child labor. In addition, it does not appear that there are any laws that establish compulsory education. Even though there is a policy that provides for compulsory education to age 15, that age is lower than the minimum age for work, leaving children between the ages of 15 and 16 vulnerable to labor exploitation. Lastly, the Law on Basic and Secondary Education states that free education will be guaranteed as established by decree, but research was unable to locate the relevant decree. Moreover, the Law on Basic and Secondary Education calls on parents to finance education, which suggests that educational officials or schools would be permitted to levy fees.



**ENFORCEMENT OF LAWS ON CHILD LABOR**

In 2023, labor and criminal law enforcement agencies in Burundi took actions to address child labor. However, insufficient resources and lack of interagency coordination hindered enforcement efforts.

**Agencies Responsible for Child Labor Law Enforcement**

**Ministry of Public Service, Labor, and Employment:** Administers and enforces all labor laws, including those on child labor, through the General Inspectorate of Labor and Social Security. However, its human and financial resources were insufficient to adequately enforce child labor laws during the reporting period.

**Ministry of Justice:** Prosecutes criminal violations through its General Prosecutor’s Office. The General Prosecutor’s Office maintains 58 human trafficking point people across the country who initiate cases, oversee communication between agencies, and coordinate law enforcement procedures. In 2023, these officials met regularly with the national anti-trafficking commission and sent a monthly report to the commission on all cases. However, gaps in coordination with other agencies hindered the effective enforcement of child labor laws.

**Enforcement Mechanisms and Efforts**

Has a Labor Inspectorate	<b>Yes</b>	Has a Complaint Mechanism	<b>Yes</b>
Able to Assess Civil Penalties	<b>Yes</b>	Imposed Penalties for Child Labor Violations	<b>Unknown</b>
Routinely Conducted Worksite Inspections	<b>Yes</b>	Conducted Criminal Investigations for Worst Forms of Child Labor Crimes	<b>Unknown</b>
Unannounced Inspections Permitted	<b>Yes</b>	Imposed Penalties for Worst Forms of Child Labor Crimes	<b>Unknown</b>

In 2023, **41** labor inspectors conducted **1,100** worksite inspections, finding **57** child labor violations. It is **unknown** how many investigations into suspected cases of the worst forms of child labor were conducted, prosecutions were initiated, or perpetrators were convicted because disaggregated criminal enforcement figures separating child and adult cases were not available.



## COORDINATION, POLICIES, AND PROGRAMS

<p><b>Key Mechanism to Coordinate Government Efforts on Child Labor</b></p> <p>Burundi established a mechanism to coordinate its efforts to address child labor. However, the committee does not currently include a representative from the Ministry of Justice, which may impact its ability to effectively coordinate efforts on all worst forms of child labor.</p> <p><i>*Mechanism to coordinate efforts to address child labor was created during the reporting period.</i></p>	<p><b>Permanent National Multisectoral Committee on Child Labor and Its Worst Forms:</b>* Established October 11, 2023, by the Ministry of Public Service, Labor, and Employment to serve as the key coordinating body on child labor issues. Its 21 members include representatives from the Ministry of Labor; the Ministry of National Solidarity, Human Rights, and Gender; the Ministry of Education and Scientific Research; the Employers Association; the confederation of trade unions; and international and local NGOs. The Committee is mandated to meet at least twice a month, with the objectives of creating a national action plan to address child labor, monitoring implementation of the plan, proposing research to accurately assess the challenges around child labor, and developing school-based prevention initiatives. By the end of the year, it had met twice and developed a draft national action plan.</p>
<p><b>Key Policies Related to Child Labor</b></p> <p>Burundi established policies related to child labor. However, some policies are implemented in such a way as to increase children’s vulnerability to child labor.</p> <p><i>† Policy was approved during the reporting period.</i>  <i>‡ The government had other policies that may have addressed child labor issues or had an impact on child labor.</i></p>	<p><b>National Strategy for the Prevention and Community Reintegration of Street Children and Adult Beggars:</b> On the prevention side, seeks to improve the economic resiliency of families who currently send their children into the streets to beg; develop socio-educational and recreational alternatives for children at the community level; prevent and protect against the exploitation of street children; improve awareness of child protection and family planning; and advocate for improvements to the legal framework. On the community reintegration side, aims to remove children from the streets, place them in temporary transit centers where they will receive social services according to their needs, and reintegrate them into families, schools, and/or vocational training as appropriate. However, there have been reports of the government rounding up street children <i>en masse</i> and detaining them in prison-like conditions prior to transferring them to reintegration centers, where they have been reported to lack sufficient food and social services, and possibly be even more vulnerable to child trafficking.</p> <p><b>Burundi National Development Plan (2018–2027):</b> Aims to address economic and social challenges in the country, with goals to target poverty and access to education. Seeks to enhance youth employment through strategies such as updates to the labor code and improvements in basic and vocational education. As part of this policy and in cooperation with the UN, Burundi continued its Joint Refugee Return and Reintegration Plan during the reporting period. In 2023, the program provided food assistance, core relief items, birth registration, and educational opportunities to 26,486 returning refugees.</p> <p><b>National Action Plan to Combat Trafficking in Persons (2023–2027):</b>† Approved in July 2023, provides a roadmap for all anti-trafficking efforts, including prevention, protection, prosecution, and partnership/coordination. Activities completed under the plan during the reporting period included working with the International Organization for Migration (IOM) to design and procure data collection software, launching the standard operating procedures on counter-trafficking developed the previous year, and repatriating victims of child labor exploitation (primarily from Tanzania).</p>

**Coordination, Policies, and Programs (Cont.)**

<p><b>Key Social Programs to Address Child Labor</b> Burundi funded and participated in programs that include the goal of eliminating or preventing child labor. However, these social programs are inadequate to address the full scope of the problem in all sectors.</p> <p><i>† Program is partially funded by the Government of Burundi.</i></p>	<p><b>Centers for Family Development:</b>† Operated by the Ministry of National Solidarity, Social Affairs, Human Rights, and Gender to address human rights issues, including child exploitation, at the provincial and communal level. Coordinate with Child Protection Committees to refer survivors to local NGOs for care as needed. In 2023, the Ministry of National Solidarity increased the number of representatives to ensure all 18 of Burundi’s provinces now have a Center for Family Development representative and three agents in charge of gender, justice, and social affairs.</p>
	<p><b>Education Cannot Wait Multi-Year Resilience Program 2022–2024 for Burundi:</b> Launched as a collaborative agreement among the Government of Burundi, UNICEF, and World Vision, 3-year, \$30 million program aiming to provide educational opportunities to 300,000 vulnerable children and reduce the risks of exploitation, including child labor, for vulnerable families. During the reporting period, interventions included dignity kits for adolescent girls, construction or renovation of 283 classrooms, provision of textbooks, teacher training, and school feeding programs.</p>
	<p><b>National School Feeding Program:</b>† Initiated in 2008 and sponsored by Burundi’s First Lady, designed to reduce child labor by increasing school retention. Provides meals to approximately 650,000 children in 847 schools throughout the country. In addition to funding received from international donors, the Government of Burundi increased its contribution to the program from \$2 million in previous years to \$6 million during the reporting period.</p>

For information about USDOL’s projects to address child labor around the world, visit [dol.gov/ILABprojects](https://dol.gov/ILABprojects)

 **WORKER RIGHTS SPOTLIGHT**

The Government of Burundi has interfered in union activities and placed restrictions on the right to strike. Penalties for anti-union discrimination are also not dissuasive and laws protecting freedom of association and the right to collective bargaining are not adequately enforced. These factors can severely hinder workers’ ability to organize, advocate for their rights, and report labor abuses, including child labor.

For references, please visit [dol.gov/ChildLaborReports](https://dol.gov/ChildLaborReports)