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## Burundi

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### **INDICATORS:**

The following are basic indicators on the situation of Burundian children, including adolescents. The lack of concrete statistics in many of these areas highlights the need for United Nations (UN) agencies to gather, compile and disseminate data to ensure that children's rights are monitored and protected.

<b>Population</b>	6,800,000 total 3,200,000 under 18 (2002)
<b>Voting Age (Government Elections)</b>	Age 18
<b>GNP per Capita</b>	US\$120 (1999)
<b>Refugee and Internally Displaced Population (IDP)</b>	<p>Estimated over 545,000 refugees</p> <ul style="list-style-type: none"> <li>• Approximately 354,770 assisted by international community in Tanzania (2002)</li> <li>• Approximately 170,000 from 1972, unassisted in Tanzania, unaccounted in official numbers (2002)</li> <li>• Approximately 20,000 in DRC (2001)</li> <li>• Approximately 1,000 in Rwanda (2001)</li> </ul> <p>Estimated number of IDPs ranges from 375,000 to 432,000 (2002)</p>

<b>Infant Mortality</b>	156 deaths for every 1,000 live births (2002)
<b>HIV Rates</b>	Estimated total 360,000 Estimated children 19,000 (age 0-15) Estimated women 190,000 11.32% of adult population 18.6% of urban women in prenatal consultations (end of 1999)
<b>Education Indicators</b>	66.8% male literacy 51.9% female literacy (2002)  Primary school enrollment rate (net): 50.5% male and 43.7% female (2002)
<b>Compulsory and Voluntary Recruitment</b>	Age 18 (compulsory) Age 16 (voluntary)
<b>Child Soldiers</b>	Reports vary from between 14,000 and 16,000 children in government, militia and opposition armed forces (2002)
<b>Gender-based Violence<sup>1</sup></b>	Rape, domestic violence, sexual slavery, prostitution and other violations are widespread
<b>Landmines</b>	There are no reliable statistics. Contamination is believed to be primarily concentrated in southern provinces
<b>Small Arms</b>	Massive amounts of small arms and light weapons have had devastating humanitarian impact, fuelling eight years of war

(Note: Statistics are based on reports from various organizations that have conducted research in Burundi and among Burundian refugees in other areas. See Sources below.)

<sup>1</sup> According to the non-government group, the Reproductive Health for Refugees Consortium, gender-based violence (GBV) signifies any harm perpetrated on a person against his/her will, the origins of which are based on power relationships determined by socially ascribed roles of males and females. Violence may be physical, sexual, psychological, economic or socio-cultural, and is almost always and across all cultures disparately impacting women and children.

**INTERNATIONAL STANDARDS:**

<p><b>Convention on the Rights of the Child (CRC)</b></p> <ul style="list-style-type: none"> <li>• Optional Protocol on Children in Armed Conflict</li> <li>• Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography</li> </ul>	<p>Ratified (1990)</p> <ul style="list-style-type: none"> <li>• Signed (2001)</li> <li>• Not signed</li> </ul>
<p><b>Other Treaties Ratified</b></p>	<p>International Covenant on Civil and Political Rights; International Covenant on Economic, Social and Cultural Rights; International Convention of the Elimination of All Forms of Racial Discrimination; Convention on the Elimination of All Forms of Discrimination Against Women and Optional Protocol; Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; Refugee Convention and 1967 Protocol; Rome Statute of the International Criminal Court (signed); Mine Ban Treaty (signed)</p>
<p><b>Recent UN Security Council Resolutions</b></p>	<p>1998: res. 1161 2000: res. 1286 2001: res. 1375</p>

**SUMMARY**

Burundian children, including adolescents, live in extremely precarious conditions. Recent reports provide evidence that urgent attention is needed. There are gaps in child-specific information.

Burundi’s interim Poverty Reduction Strategic Plan states that the proportion of the population living below the poverty threshold went from 35 percent in 1992 to 60 percent in 2001. Burundi has faced food deficiencies and risk of drought in recent years. This has left over 50 percent of Burundi’s children with chronic malnutrition. In 2001, a nutritional crisis caused acute malnutrition levels (resulting in risk of death from malnutrition) of 24 percent. Under these difficult circumstances Burundian children are bombarded with violence and its consequences. Children have been forced to perpetrate and witness violence, been displaced from their homes, left as heads of households, infected with HIV/AIDS and become victims of sexual violence, including rape of young

girls. Many children and adolescents live in extreme poverty with little access to healthcare and education. They face abductions and forcible recruitment as soldiers. War, disease and HIV/AIDS have orphaned approximately 620,000 children in Burundi. According to UNAIDS almost 230,000 of those children are HIV/AIDS orphans. Approximately 10,500 children are identified as having physical and mental handicaps, including speech impediments, physical trauma related to the war, mental illnesses, blindness and deafness. Both the physical and psychological repercussions of violence and conflict on Burundian children warrant special attention.

In a UNICEF survey of 2,770 children in 1993, over 2,500 reported witnessing acts of violence and 93 percent showed signs of troubled behavior. While these children came from three particularly troubled provinces, the results demonstrate the severity of the psychological impact of conflict on Burundian children, including the manifestation of clinical symptoms of trauma.

The government signed – but has not yet ratified - the Optional Protocol to the Convention on the Rights of the Child (CRC) on Children and Armed Conflict in 2001. Yet, little progress has been made towards improving child protection in this and other areas. The CRC, ratified by Burundi in 1990, safeguards a child's right to life, protection, survival and development. However, these and other children's rights continue to be violated, leaving the children of Burundi in immediate need of protection.

## **CONTEXT**

Ethnic and political strife has resulted in cycles of violence in Burundi since the mid-1960s, it is estimated between 200,000 and 250,000 people have been killed and many more injured and traumatised. There is no complete record. Since 1993 the country has been ravaged by ongoing civil war between the Tutsi-dominated security forces and Hutu-dominated armed opposition groups. The opposition consists of several groups, including the Council for the Defense of Democracy-Forces for the Defense of Democracy (CNDD-FDD – commonly referred to as FDD) and the Front for National Liberation (FNL). The armed opposition groups operate from Burundi and from neighboring Democratic Republic of Congo (DRC) and Tanzania.

Under the auspices of the Arusha Peace Process, in August 2000 the government and 19 other Burundian groups signed an agreement aimed at ending the ongoing ethnic and political conflict. However, the two main armed opposition groups, the FNL and the FDD, did not participate. In November 2001, a broad-based transitional government was installed, based on the Arusha Accords. But, with the FDD and FNL outside the process, violence and insecurity continued. Most recent attempts to reach a broad cease-fire have brought little success, although the FDD and FNL have both announced readiness to participate in dialogue.

The civil war in Burundi is set in a broader regional context, both politically and militarily. Since 1998, opposition forces in Rwanda and the DRC reportedly have been supporting the Burundian armed groups. For example, the Congolese government is alleged to assist the FDD and has reportedly used FDD forces to defend the city of

Lubumbashi in the mineral-rich Katanga province in south-eastern DRC. Similarly, Burundian-armed groups are believed to support opposition forces in Rwanda and the DRC. In some instances, Rwandan government soldiers have reportedly operated in Burundi in cooperation with the government.

Children and adolescents are left to grow up in a devastated society. The fear, impunity, ethnic discrimination and widespread poverty that plague Burundi and the region define the environment in which they live. They are victimized by circumstances beyond their control and can be manipulated into further perpetuating cycles of conflict and violence. The poor security situation allows violations against children and adolescents. It is also a direct cause of reduced humanitarian access to children in need, including food aid, medical care and protection. This lack of humanitarian access to many parts of the country also results in the lack of detailed and current information about many aspects of the children's situation.

## **HEALTH**

The Convention on the Rights of the Child upholds the child's right to the highest attainable standard of health and access to medical services. According to the Convention, the State must attempt to diminish infant and child mortality, combat disease and malnutrition, ensure health care for expectant mothers, provide access to health education, develop preventive health care and provide other protections.

According to statistics on Burundi compiled by Save the Children (UK) in 2001:

- 48,000 children under the age of five die each year
- 18 percent of children die before their fifth birthday
- Malaria, upper respiratory tract infections and dysentery – treatable diseases - are the most common causes of child deaths
- Up to 30 children die from malaria every day
- Children are at high risk of malnutrition

Vaccination levels for Burundian youth are low. Insecurity and the deterioration of the health system hamper vaccination campaigns; vaccination coverage fell dramatically after the 1993 crisis began. Continuous nation-wide immunization campaigns in 2001 allowed over 90 percent coverage. Three nation-wide vaccination campaigns are scheduled for 2002. The UN has called for *Days of Tranquility* among the warring parties during these campaigns to enable the widest possible vaccination coverage.

Children are at high risk of malnutrition due to displacement, drought, food deficiencies and insufficient agricultural inputs. A malaria epidemic was identified in 2000, and over 3 million cases were reported in 2001. In January 2002, UNICEF reported that the number of malaria cases was decreasing, but that the outbreak was not yet completely under control.

Severe insecurity impedes access to health centers and the likelihood of children and adolescents receiving needed medical care. Approximately 25 percent of the country's

440 health centers have been destroyed. The remaining suffer from chronic shortages of medicine and personnel, and they continue to be pillaged and attacked by armed groups in search of medical supplies. According to the United Nations Population Fund (UNFPA) some medical staff in the provinces have been killed and many have disappeared, fled the country or sought refuge in more secure urban areas - where a smaller proportion of the population lives. Over 80 percent of births take place at home and in precarious sanitary environments. Health centers specifically servicing the needs of youth are limited in both number and capacity.

### **HIV/AIDS**

HIV/AIDS is the primary cause of adult mortality and the primary public health concern in Burundi. The HIV/AIDS epidemic has spread rapidly, reaching alarming rates in recent years. In December 2001, reports from the Burundian government indicated that the urban HIV infection rate had reached 18.6 percent, up from one percent in 1990. There are grave concerns about rising rates among the rural population, which was estimated at 7.5 percent in 2000. These rates are based on results of women tested in prenatal clinics.

A fact sheet from UNAIDS and the World Health Organization (WHO) estimates that 39,000 people died of AIDS in 1999. It also estimates that 230,000 children under age 15 suffered the death of their mother or both parents due to AIDS since the onset of the epidemic. There are approximately 5,000 child-headed households in Burundi. It is unknown what proportion of these cases are the result of AIDS deaths. The number of pediatric AIDS cases is also reportedly increasing due to high prevalence among HIV-infected young pregnant women and lack of awareness of the possibility of HIV transmission from mother to child. As a result, AIDS is becoming a key cause of infant mortality.

Factors that exacerbate the spread of HIV/AIDS include the following: ongoing conflict and insecurity, enormous population displacements, insufficient awareness or education, dissemination of misinformation, sexual violence and exploitation, and breakdown in social norms, stable relationships and family life. According to Save the Children (UK), it is not uncommon for women and children, particularly girls, to be coerced into having sex to obtain basic needs, such as shelter, security, food and money. This and other forms of sexual violence against women and girls perpetuate the spread of the virus. The poor capacity of health services and insufficient dissemination of information about HIV/AIDS hampers the distribution of condoms and inhibits treatment of sexually transmitted infections (STIs), including HIV/AIDS.

Burundians, particularly youth, often do not have access to accurate information and education about HIV/AIDS transmission and prevention, which allows for the spread of myths, stigmatization and discrimination against people living with HIV/AIDS. Save the Children (UK) reports that some Burundians believe that condoms carry the HIV virus. Other accounts explain that the stigma surrounding condoms negatively impacts utilization rates among youth, and that some youth actually believe that use of condoms suggests HIV infection. Reports from the field explain that belief in the “virgin sex myth”

– that a young virgin can cure HIV infection or is less likely to transmit it – is causing seduction and rape of increasingly younger girls. According to a 2001 UNFPA assessment of Youth Sexual and Reproductive Health in Burundi, “It is strongly believed that the frequency of unprotected sex among youth has led to an increase in STDs [sexually transmitted diseases] and HIV transmission.”

Dr. Joseph Wakana, Permanent Executive Secretary of the National Council for the Fight Against AIDS, explained that, “If AIDS continues at this rate, the projection is that by 2010 life expectancy will drop below 40 years, compared to 60 years if there were no AIDS.”

### **REFUGEES AND IDPS**

According to the UN Special Coordinator for Internally Displaced Persons “Burundi is facing one of the most acute problems of population displacement in Africa today.” However, little work has been done to report on the specific situation of Burundian refugee and IDP children. It is well known among the international community that the majority of refugees and IDPs are women and children.

According to the US Committee for Refugees, more than 1 million Burundians - approximately one sixth of the population - were uprooted at the end of 2000. Estimates of the displaced population range from 375,000 to 432,000. The majority of IDPs live in camps; others are dispersed throughout the country, living in forests, marshes or with relatives and friends. Some of the displaced remain in refugee and IDP camps for many years, while others are displaced for days or weeks. By April 2002, approximately 85,000 Burundians, mostly women and children, had been recently displaced due to increased fighting in the hills around Burundi’s capital, Bujumbura. Spurts of displacement due to intense fighting continue to occur on a regular basis.

IDP camps are often squalid, rampant with disease and lacking clean water and stable shelter. According to UNICEF, approximately 88 percent of displaced Burundians do not have the minimum requirement for potable water, and approximately 47 percent live in high-risk hygiene conditions. According to the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), the main problems of IDPs include: insecurity and deplorable living conditions; temporary inaccessibility of humanitarian aid to the sites; restricted or no access to education and health care; lack of IDP participation in administration of sites; and absence of a governmental plan of action to support and protect displaced populations. In addition, children in the camps are particularly vulnerable to forced recruitment. In some instances the IDP camps have been in existence for so long they are thought of as settlement camps – yet conditions remain very poor. Reports from the field describe a discernable disparity between conditions and protection in different IDP camps; camps in the northern part of the country with primarily Tutsi populations are better serviced and generally more secure.

In 1996 and again in 1999 the Burundian government forced hundreds of thousands of civilians into regroupment camps under the guise of protection from rebel groups – but in fact the goal was to isolate opposition fighters and stifle their support. This was in

violation of international humanitarian law and standards, including the Geneva Conventions Additional Protocol II and the Guiding Principles on Internal Displacement. According to the 2000 Human Rights Watch report, *Emptying the Hills: Regroupment in Burundi*, by the end of 1999, authorities had forced about 80 percent of the population of the province of Bujumbura-rural - some 350,000 people - to live in 53 camps. Conditions inside the camps were appalling and some were completely inaccessible to humanitarian organizations. According to the Women's Commission for Refugee Women and Children, women and children were especially vulnerable when food was short and were victims of rape and sexual abuse in the camps. Government soldiers also recruited children to spy for them in the camps, to help them loot property and to serve as lookouts, scouts and porters when they were on patrol. In the face of intense international criticism, President Buyoya agreed to close the camps; most were closed by the summer of 2000. It is estimated that up to 100,000 people who were dispersed from regroupment camps may still be displaced.

It is estimated that more than 545,000 Burundians are refugees, living primarily in Tanzania and the DRC. The UN High Commission for Refugees (UNHCR) estimates that another 150,000 unregistered Burundians move back and forth along the borders, due to rebel incursions. These refugees have faced abductions, expulsions and harassment. Like IDP children, refugee children are particularly vulnerable to forced recruitment. In November 2001, Amnesty International reported that armed opposition groups abducted 107 Burundian refugee children from refugee camps in Tanzania. Government forces reportedly freed 15 of the youths, while two school children escaped by crossing the border from Tanzania where the others were being held for military training. In late December 2001, UNHCR reported that approximately 60 Burundian refugee families were unexpectedly expelled from the Ubwari Peninsula of eastern DRC. After 30 more Burundian refugees were expelled from Goma in February 2002, UNHCR expressed concern that more Burundians could be expelled.

Even prior to the establishment of the transitional government on November 1, 2001, controversy surrounded the issue of repatriation of refugees in Tanzania. After assessments by a tripartite commission comprised of UNHCR and the Burundian and Tanzanian governments, UNHCR said it would not call for immediate repatriation due to ongoing insecurity, but it would assist those who wished to return voluntarily. At the same time, the US Committee for Refugees reported that, "Rebel violence, including the abductions of school children and teachers...have dampened prospects for immediate refugee repatriation." Official voluntary repatriation of refugees from Tanzania was launched after the last tripartite mission on April 4, 2002. Since that time UNHCR has facilitated the return of refugees to the northern provinces of Ngozi and Muyinga. Refugees continue to sign up to return.

Rights groups are concerned about reported abuses against refugees choosing to repatriate and forced repatriation in violation of international standards. Further concerns include insecurity in the areas of origin and lack of adequate assistance for those who have recently returned. By early April 2002, approximately 50,300 people had reportedly signed up to go home, compared to approximately 27,000 returnees in all of 2001. On the

other hand, the Burundian and Tanzanian governments are calling for Burundian refugees to return home.

Burundi hosts approximately 6,000 refugees. Most are from the DRC and approximately 1,000 are from Rwanda.

### *Gender-based Violence (GBV)*

Both women and children face violence and abuse on a daily basis from government and rebel forces. In 2000, Human Rights Watch issued a comprehensive report on the high levels of GBV among Burundian refugees in Tanzania,, including sexual and domestic violence. According to the report, both Burundians inside the camps and local Tanzanians perpetrate violence against women and girls.

In a random survey of Burundian refugees in Tanzania carried out by the International Rescue Committee (IRC) in 2000, women and girls reported cases of rape, forced marriages and other forms of sexual violence and harassment. The survey states that young women are clearly at a greater risk for sexual violence and harassment, and that refugee camps are highly dangerous places; the risk of sexual violence in the camps is quite high. Refugees International reports that rapes of minors and girls under age ten have increased drastically in Tanzanian refugee camps in the past year – these cases tend to be reported more than those of adults. The group also reported that some camp leaders have described an increase in girls having sex in exchange for personal supplies.

### *Education*

Access to education is limited or non-existent for many internally displaced children and adolescents. For those who do go to school, the conditions are often dismal. According to reports from one school in Bujumbura, the pupils come “from all four corners of Burundi.” They live in temporary homes and in difficult conditions, which are not conducive to concentrating on schoolwork.

While many refugee youth also have limited access to education, UN agencies, NGOs and others have made significant efforts to provide educational opportunities in camps. According to UNHCR, Burundian refugee camps in Tanzania include primary school, secondary school and vocational training programs. UNHCR, NGOs and Tanzanian authorities support these programs. In 2000, over 70 percent of school age children in the camps reportedly attended primary school. However, secondary school and formal vocational training reach only a few refugees, mostly those who have been in Tanzania for a long time, and who have English-language capacity. Moreover, there are few options for school-leavers and dropouts, which increases the risk of widespread youth delinquency in the camps.

According to Refugees International, two-thirds of all girls in Burundian refugee camps in Tanzania drop out of school between fourth and sixth grade. Girls represent an average of only 12 percent of the student body in the camps’ secondary schools. Refugees International explains that the high dropout rates for girls are the result of both cultural and financial factors, including lack of clothing, soap and other basic supplies. The link

between girls' education and improved quality of life in the short and long term receives little attention in the camps.

### *Street and Unaccompanied Children*

The Women's Commission for Refugee Women and Children identifies street children and unaccompanied minors in Burundi as a group that could possibly be considered a category of IDPs. It is estimated that there are up to 5,000 street children and 7,000 unaccompanied children nationwide, with large concentrations in urban areas. Orphaned and separated children are exposed to a range of abuses and rights violations, including police violence, arbitrary arrest and general insecurity. They often live in abysmal conditions, sleeping outdoors, begging on the streets and suffering from malnutrition and violence.

Some tracing and fostering programs for these children have been initiated. Separated children are sometimes absorbed into extended family networks, according to a traditional concept in Burundian society that every child is considered everybody's child. Some unaccompanied and separated children may be victims of abuse and exploitation at the hands of their foster families or extended family members. Those living in orphanages frequently face even more severe problems. Documentation of specific incidents is unavailable.

## **LANDMINES**

There is significant contamination by landmines and unexploded ordnances (UXO). However, there has never been a wide-reaching assessment of the mine problem, including the extent of contamination and the impact on children and adolescents. As in all situations involving landmines and UXOs, children and adolescents are the most vulnerable to injury, death and devastation. Reports on landmine-related deaths between 1993 and 2000 vary widely, from 80 to 791 deaths.

Extensive contamination is believed to exist primarily in the southern provinces and along the Tanzanian border. It is alleged that both the Burundian government and rebel groups have used mines along the Tanzanian border, endangering the lives of civilians fleeing into Tanzania and those returning to Burundi. The government denies any use of landmines. Unconfirmed reports state that mines are also scattered along the border with DRC, in areas around the capital, including Tenga and the Rukoko forest, and in some locations in Bujumbura-rural. Medical NGOs continue to treat cases of civilians, including children, wounded by landmines around the capital.

According to the Landmine Monitor Report 2001, both government and rebel forces are thought to use antipersonnel mines. Reports from humanitarian aid workers, escaped child soldiers and others describe government use of mines to protect economic infrastructure and isolated military outposts, to prevent cross-border incursions by rebel forces based in Tanzania and to prevent the local population, including youth, from fleeing into Tanzania. Burundi has signed, but not ratified, the 1997 Mine Ban Treaty. The government denies all allegations that it uses mines and blames rebel groups for continued contamination.

## **SMALL ARMS**

Massive numbers of small arms and light weapons have had a devastating humanitarian impact, including killings, restricted mobility, instability and accidental use; they also fuel continuation of the conflict. They are particularly threatening to children and facilitate the participation of children in violence. It is difficult, however, to obtain clear and documented information on these weapons and their direct impact on youth. A number of factors are thought to contribute to the abundance of automatic weapons, including government self-defense programs that deliver arms to civilians in many regions and the relative ease of purchasing arms inside the country, including on the gray and black markets.

It is commonly known that arms are shipped into Burundi through DRC, Tanzania, Rwanda, Uganda and other neighboring countries. While the origins of these arms remains extremely difficult to track, they are suspected of originating in the former Soviet republics, areas of eastern and western Europe, China, Iran and arms-producing countries in Africa. Rebel groups are widely believed to receive arms through purchases from rebel counterparts fighting in DRC, Rwanda and elsewhere. These same weapons make their way back into Burundi, are used in conflict, and resold to civilians.

## **EDUCATION**

The state of education in Burundi is desperate. UNICEF reports the net primary school enrollment ratio of 50.5 percent for boys and 43.7 percent for girls. The ratio for secondary school is only 9 percent for boys and 5 percent for girls. UNICEF's 2001 report on *The Situation of Children and Women in Burundi* describes the absence of an appropriate educational policy to deal with problems of sexual discrimination against girls. The generally low rates are in large part explained by the massive disruption and displacement caused by the conflict. Yet even in the last "normal" year, 1992-1993, only 52 percent of primary age children were going to school. In the school year 1999-2000, 48 percent of primary age children attended school. In that year only 43 percent of girls between the ages of 7 and 12 attended school.

The quality of formal education has greatly suffered as a result of destroyed and dilapidated schools, insufficient resources and materials, and poor quality teaching. This is characterized by high drop-out rates and repetition rates, low teacher motivation and low achievement rates. Early Childhood Care and Development (ECCD) is inhibited by the absence of a formal program for young children.

An estimated 200,000 children are unable to attend school in the current school year, 2001-2002, as their families cannot afford to pay the school fees. Although school fees are generally low, the war and continued insecurity make it difficult for many families to find enough to eat, let alone to find additional funds for schooling. As a consequence, many families are simply not able to send their children to school or send only one child per family. Child labor, whether to cultivate family fields, for itinerant commerce or other forms, also results in school dropout.

Hundreds of thousands of children beyond school age or who have dropped out of school are in need of non-formal or informal education. Many adolescents, particularly girls, lack basic skills. Strong non-formal education is urgent to meet the needs of uneducated adolescents, demobilized combatants and over 180,000 child refugees who are expected to return from Tanzania. Obtaining qualified teachers is another challenge; it is estimated that over 4,000 teachers may lack sufficient training.

Rebel forces and the military have targeted ethnically mixed schools for burning and looting. Thousands of teachers and administrators have been killed, displaced or forced to flee. According to the US Committee for Refugees, nearly 400 primary schools - a quarter of all schools in the country - have been destroyed as a result of the conflict. Other schools were damaged while in use as temporary shelters for the displaced or continue to be used for housing. Furniture and textbooks have also been destroyed. Because of the limited number of schools, classes are generally very large, between 70 and 120 students. Deliberate attacks on schools continue to disrupt education and worsen the already difficult situation.

In interviews with the Women's Commission for Refugee Women and Children in 2000, Burundian women expressed concern about children's and adolescents' lack of access to school. They reiterated the need to raise levels of school attendance and literacy, to offer children and adolescents alternatives to violence and prostitution. Since 2000, access to education has further deteriorated due to insecurity. Unconfirmed reports indicate that state funding for educational and other social programs is unevenly allocated around the country, in favor of the Tutsi population, thereby limiting access to secondary school, university and professional opportunities for certain groups.

In 2001, just a week before the start of the school year, the Government passed a decree to decentralize responsibility for identifying the most needy children and providing them with school fees, materials and uniforms. The Government criteria for the neediest children include those displaced and repatriated, orphans, child heads of households and extremely impoverished children. Unfortunately, hundreds of thousands of children in Burundi fit into these categories. However, local communities do not have sufficient resources and capacity to fulfill this obligation, leaving many children without access to school.

## **TRAFFICKING AND EXPLOITATION**

Accurate and comprehensive information on trafficking and exploitation against women and children is scarce. Scattered reports, however, indicate the broad scope of these problems. The report of a 2000 International Conference on Networking against Commercial Sexual Exploitation of Children in Eastern Africa concluded that sexual exploitation and trafficking of Burundian children is mainly the result of massive regional displacement of people and the breakdown of nuclear families because of war. Reports show that victims primarily include children from broken families, street children and children living alone in camps. It also shows that no organized support system exists for the victims. The perpetrators reportedly include those charged with the care of children.

In 2001, the Global March Against Child Labor and the Panafrican News agency reported that at least 600 young Burundians, primarily girls, were illegally trafficked to various European capitals for prostitution, using the guise of adoption. Under the CRC, children have a right to protection from sexual exploitation and abuse, including prostitution and involvement in pornography; the State is obligated to prevent the abduction, sale and trafficking of children. These rights are largely unprotected in Burundi.

#### *Child Labor*

Detailed documentation of the child labor problem is not available. UNICEF reports that nearly one-third of Burundian children are engaged in economic activity or some form of child labor. The worst forms of child labor prevent the child's realization of fundamental rights, including education, and it increases risks of sexual exploitation and disease. The worst forms of child labor reportedly affect girls in disproportion numbers, as they are forced into domestic work with the risk of mental and physical abuse. In addition, girls are often forced to stay home and work in the fields or collect water, while boys are given priority for education. Burundi ratified the International Labor Minimum Age Convention (C-138) in 1973, which specifies the minimum for child employment. It has not ratified the Convention on the Elimination of the Worst Forms of Child Labor (C-182).

### **GENDER-BASED VIOLENCE**

Cases of gender-based violence (GBV) against Burundian women and girls are widespread; these include rape, sexual violence, prostitution and domestic violence. Although detailed statistics are not available, the large number of cases that are reported to human rights groups attest to the gravity of the problem. Further, rights groups explain that many incidents of sexual violence against women and girls go unreported. In its 2002 report, the Ligue Iteka, a local human rights group, reported that the victims are minors in the majority of cases where the age of the victim is known. The youngest reported girl victim was five years old.

In official testimony, according to the Iteka report, victims do not identify uniformed military or police personnel as accused attackers in the majority of cases. However, according to reports from the field, in unofficial testimony victims tend with more frequency to name uniformed personnel, either soldiers, rebels or bandits, as their attackers. This discrepancy highlights the atmosphere of fear of armed forces among the civilian population and the broader culture of impunity in Burundi, particularly for members of armed forces. Human Rights Watch was able to document the problem of GBV by armed forces in a December 2001 report; it describes human rights abuses, including rape, by government-sponsored paramilitaries known as the "Guardians of the Peace."

### **CHILD SOLDIERS**

Children who fight along with the Burundian army or with rebel groups are commonly known as "doriya" in the country. Many of these children are orphans or come from broken homes, resulting from the ongoing conflict. In exchange for something to eat and protection, they agree to work for these groups, largely as domestics and "gophers" in the

beginning. Eventually they are used as spies and porters and then they are incorporated directly into the forces. It appears that they are viewed as expendable and are allegedly made to march in front of the troops and sent on particularly dangerous missions. Although in some cases children may have agreed to do this work, there are instances of abduction and coercion by both the army and rebel groups to recruit children.

In October 2001, UNICEF signed a Memorandum of Understanding (MOU) with the Burundian government, to launch a child soldier demobilization and reintegration project. As part of the MOU, the Burundian government agreed to take part in a census of child soldiers to determine how many minors are fighting in the country's civil war. The project aims to demobilize child combatants even while the conflict continues, as well as after a cease-fire is signed.

### *Government*

According to the Coalition to Stop the Use of Child Soldiers, youth under 18 years old have been recruited in substantial numbers by government allied forces since the start of the civil war in 1993. It is very difficult to verify numbers of children and adolescents recruited by the armed forces. Estimates vary considerably. Human Rights Watch documented an extreme case of a seven-year-old boy recruited into the "Guardians of the Peace," a government-sponsored paramilitary group. The Coalition to Stop the Use of Child Soldiers reports that the "Guardians of the Peace" claim that all members of a community, including children, have a duty to ensure protection for all.

The age of compulsory recruitment is between 16 and 25. However, the government claims that in practice no one under 18 is recruited. The minimum age for voluntary enlistment is similarly 16, with a maximum age of 25 on the date of enlistment. In early 1999 the Special Representative of the UN Secretary-General for Children and Armed Conflict obtained agreement from the Burundian government to raise the minimum recruitment age from 16 to 18 in legislation. Subsequently the government of Burundi signed the Optional Protocol on Children and Armed Conflict in 2001, and created a commission to verify the age of recruits. However, lack of birth registration throughout the country makes it difficult to implement the minimum age recruitment policy, and little has been done to effectively enforce the minimum recruitment age.

The United States State Department reported the continuing use of children for forced labor by the Burundian armed forces in 2001. Frequent targets were civilians living in "regroupment camps" before they were shut down. Human Rights Watch's *World Report 2001* states that the armed forces "frequently exacted unpaid labor from residents and forced both adults and children to accompany them as guides or porters, including through areas where there was a high risk of rebel attack... Soldiers supposedly protecting several camps raped women or coerced them into providing sexual services against their will."

The Burundian government has also imprisoned and tortured children – many accused of collaborating with armed opposition groups – for long periods without charge or trial. Some of those arbitrarily accused of being collaborators and detained have been as young

as 12, despite the legal minimum age of 13 for detainment. There are an estimated 200 child prisoners in Burundi. In January 2000, a new code of penal procedure went into effect; it guarantees the accused access to legal counsel before trial. The reforms were not widely implemented due to lack of resources, and have had little impact on minors in detention.

### *Opposition*

Armed opposition groups are known to recruit children as soldiers, including both boys and girls under 15, according to the Coalition to Stop the Use of Child Soldiers. Many are recruited in refugee camps abroad, in raids on schools or in displaced persons' camps within Burundi. Vulnerable children, such as street children, are often targeted. At the start of the conflict, between 3,000 and 5,000 children under 18 were sent to the Central African Republic, Rwanda and Tanzania for training.

Opposition groups also reportedly recruit fighters, including children, from five refugee camps in western Tanzania. In one case, teenage Burundian refugees between the ages of 13 and 19 were arrested along with 141 adults for attempting to enter Burundi from Tanzania to attend military training by the CNDD-FDD. Minors were given a reduced prison sentence of three months. In July 2000, FNL fighters were also accused of killing, raping and recruiting children from regroupment camps in Burundi. Throughout 2000 and 2001 opposition forces also continued to use children for forced labor. Both the FNL operating around Bujumbura and the FDD in the provinces of the countryside attacked schools in late 2001, abducting children and forcing them to carry looted goods to their bases.

Most recently abductions of school children by rebel groups have increased. According to rights groups, just five days after the November 1, 2001 installment of the Transitional Government, rebels abducted 24 children believed to be between ages 13 and 18 from primary schools in eastern Ruyigi Province near the Tanzanian border. Other reports place the number of abducted children much higher. Three days later, on November 9, approximately 250 schoolboys were abducted by the FDD from their school in Musema, in Kayanza province. The boys were lined up and marched out of their dorm into the forest before the rebels burned down the school building. According to Amnesty International, the boys were forced to carry military equipment and looted goods on their heads and to assist wounded soldiers before many of them were able to escape several days later.

The Coalition to Stop the Use of Child Soldiers 2001 Global Survey reported that Burundian-armed groups, along with Rwandan Hutu-dominated armed groups, have allegedly lured Kenyan street boys into their ranks. Sources said that over US\$500 was paid for every 150 street boys delivered to the armed groups and their agents. The children were lured with offers of money, well-paid jobs and good living conditions in Uganda, Rwanda and Tanzania. In 2000, an NGO set up as a street children's feeding program, led by a Burundian Hutu bishop, was implicated in the scandal, reportedly dispatching some 700 children to armed groups and funding Hutu-dominated armed groups in both Burundi and Kenya.

## **UN SECURITY COUNCIL ACTIONS**

The UN Security Council has debated the situation once in 2000 and again in 2001. The resulting resolutions and statements consistently reiterate support for the Arusha peace process, call for increased security and humanitarian assistance, and call for increased regional dialogue between Burundi and its neighbors. However, none of the Council's work addresses the specific protection needs and rights of Burundian children. Resolutions on the DRC that called for the withdrawal of all foreign forces from DRC territory, including Burundian forces, also demanded that all armed groups end recruitment, training and use of children in armed forces (Resolution 1341, 2001) and addressed other child protection concerns (Resolution 1355, 2001).

In May 2001, the Security Council undertook a mission to the Great Lakes region of Africa in the context of the inter-Congolese dialogue, stressing the broader regional implications of the situation there and its support for a "global solution." In its Mission Report (S/2001/521) the delegates noted that many of the reports they received concerning the situation in Burundi had been very pessimistic. The last page of the report was dedicated to the situation in Burundi and the fact that the "mission was struck by the complexity and intractability of the situation in Burundi and its serious potential for large-scale violence." Children's issues were not specifically addressed.

In February 2002, President Buyoya addressed the UN Security Council and emphasized the need for continued international pressure to secure a cease-fire. He also called on international donors to fulfill their pledges for US\$830 million made at the Geneva donor conference in December 2001.

## **RECOMMENDATIONS TO UN SECURITY COUNCIL**

The UN Security Council recognizes the urgent need for a cease-fire in Burundi. It also acknowledges that the conflict in Burundi has broad regional roots and implications; any discussion of peace in the region should include the situation in Burundi. Simultaneously, the Security Council has expressed its determination to give the fullest attention to the question of the protection of children in armed conflict (S/Res/1379). As a consequence, it should pay particular attention to the vulnerable and unique situation of Burundian children and adolescents by taking action on the following recommendations:

### **IMMEDIATE SECURITY COUNCIL ACTION**

- Mandate a **special UN mission** to Burundi to address the severe and urgent situation of children with both state and non-state actors, in keeping with UNSC res. 1379. The terms of reference of the delegation should include: development of emergency strategies for child protection; peace-building strategies that prioritize children; and mechanisms to report and monitor on implementation of such child-focused activities. It should also examine the feasibility of days of tranquility, corridors of peace or other agreements to promote access to humanitarian assistance, immediate demobilization of child soldiers, disease control and HIV/AIDS awareness.

- Develop and implement an arms embargo, in keeping with UNSC res. 1379 and the recently adopted UN Program of Action on Small Arms. This would include identifying the sources of arms coming into Burundi and taking effective measures to stop them.
- Make a clear international commitment to a cease-fire agreement by making standby arrangements with troop-contributing nations for a UN peace operation and by urging donor nations to pledge investments for development activities for youth.
- Direct UNICEF and UNESCO to develop strategies to ensure that education is delivered despite insecurity, in keeping with specific provisions on emergency education in the Dakar Framework for Action, *Education For All: Meeting Our Collective Commitments*, including non-formal education programs.
- Advise UN agencies, particularly UNICEF and the Office of the Special Representative to the Secretary-General on Children and Armed Conflict to collect, compile and distribute concrete data on the impact of the conflict on Burundian children and consider these issues in all deliberations on Burundi and the regional dilemma. This includes giving priority to the protection of children's security and rights, in accordance with resolutions 1261, 1314 and 1379. Resolutions that address specifically the security of children, women and civilians should also be considered.
- Call on the Organization for African Unity, the government of South Africa and other appropriate parties to intensify efforts to mediate cease-fire arrangements for Burundi and call on all actors involved in negotiating and implementing any peace and reconciliation plans to adopt child- and gender-sensitive perspectives and policies.
- Establish a UN human rights monitoring mechanism to document atrocities and press the government of Burundi to take responsibility for putting an end to impunity. Those responsible for human rights abuses, including violations against children and sexual and other violence perpetrated against women and children, should be prosecuted.

#### URGE ACTION BY BURUNDIAN GOVERNMENT AND OPPOSITION FORCES

- Call on the Burundian government to protect the right of full, safe and unhindered access of humanitarian personnel and goods to all children in need, including Burundian refugee and internally displaced youth, and call on armed opposition groups to cooperate with all activities to provide humanitarian assistance.
- Direct the governments of Burundi and Tanzania and other relevant parties to respect refugees' rights by ensuring that repatriation of Burundian refugees is carried out on a strictly voluntary basis, without physical or psychological pressure, in accordance with international standards. Protection and assistance should be provided for

refugees who wish to repatriate, with special attention to the needs and rights of refugee children and adolescents.

- Advise the government of Burundi to move quickly to ratify and implement the Optional Protocol on Children and Armed Conflict and to sign and ratify the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography and the International Convention No. 182 to Eliminate the Worst Forms of Child Labor.
- Command all parties to immediately stop the use of landmines and stockpiling small arms and light weapons; urge the government of Burundi to sign the Mine Ban Treaty.
- Urge the government to devote more resources and attention to its National Council for the Fight Against HIV/AIDS, particularly for programs to improve access by youth to information about HIV/AIDS and to pay particular attention to the unique needs of adolescents vis-à-vis HIV/AIDS.
- Guide the Burundian government to rectify inequalities in allocation of educational resources and work towards providing educational opportunities for all Burundian children and adolescents, regardless of ethnicity or socio-economic status.

#### SUPPORT PROGRAMS FOR BURUNDIAN CHILDREN

- Urge UN agencies, NGOs and others engaged in Burundi to direct more resources and coordinated attention for the protection and assistance of IDPs in Burundi, the majority of whom are women and children.
- Encourage efforts by the government, NGOs, UNICEF and others to implement early childhood educational programs to deal with problems of discrimination, ethnic divisions and inequalities.
- Support efforts by UNICEF, the government of Burundi and other partners, funded by the government of Belgium, to identify, disarm, demobilize and reintegrate (DDR) former child combatants and encourage other donors to allocate resources to this program so that it can be effective. Efforts to expand DDR programs should be encouraged to ensure that implementation and outreach touch all areas of the country and include community-based coordination with programs for other children impacted by the war.
- Advocate for local initiatives to bolster the role of civil society in promoting peace, particularly efforts that include children and adolescents and /or draw attention to their needs. Initiatives bolstering the role of women in civil society and decision-makers in other capacities, should also be encouraged.

- Insist on inter-agency coordination for tracing and fostering programs for street and separated children to ensure that protection of these children is an integral part of the broader relief efforts.
- Encourage the inclusion of children and adolescents in the design and implementation of programs for their security and protection.

#### CALL TO DONOR GOVERNMENTS

- Summon all Member States to increase the voluntary financial, technical and logistical support for child- and gender-sensitive training for all UN-mandated work with Burundian civilians, including refugees in Tanzania and elsewhere.
- Summon donor countries to support education proposals for Burundian children that ensure educational opportunities in spite of security problems.

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The Watchlist works within the framework of the provisions adopted in Security Council Resolutions 1261, 1314 and 1379, the principles of the Convention on the Rights of the Child and its protocols, and other internationally adopted human rights and humanitarian standards.

Information is collected through an extensive network of organizations that work with children around the world. Analysis is provided by a multi-disciplinary team of people with expertise and/or experience in the particular situation. General supervision of the project is provided by a Steering Committee of international non-governmental organizations known for their work with children and human rights. The views presented in any report do not represent the views of any one organization in the network or on the steering committee.

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