# Risks and Needs for Child Protection in Burkina Faso

Secondary Data Review- 2019

Secondary Data compiled by the Child Protection Area of Responsibility







This document has been produced based on a secondary data matrix compiled by the Global Child Protection Area of Responsibility (CP AoR) using the Minimum Standards as an analysis framework. All data points are citations from the secondary data matrix which have been compared and interpreted, but not triangulated or verified. The information presented in this document covers a period of 7 years (from 2011 to August 2019). The data collected covers Burkina Faso and addresses the impact of the ongoing crises unfolding in the neighboring countries. The figures mentioned include data collected by research carried out by international organizations, non-governmental organizations, academia, or by the national and regional press.

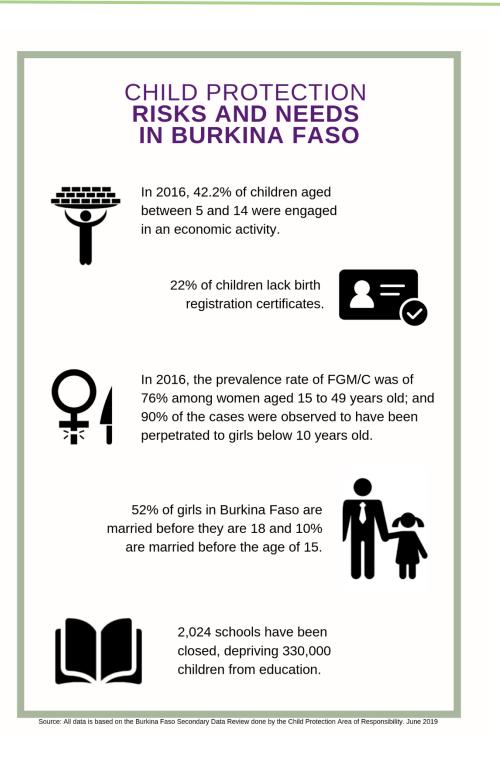




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## **Overall Protection**

On 19<sup>th</sup> August 2019, at least 24 soldiers were killed in a major terrorist attack on a military base in Burkina Faso's northern Soum province.<sup>1</sup> Not long before, on the 26<sup>th</sup> of May 2019, a Christian church in Toulfe, in the Northern region of Burkina Faso, was also targeted by terrorists, killing four people and generating panic in the village. A week before, four Catholic residents had been shot to death in a religious procession.<sup>2</sup>These attacks are the most recent offenses perpetrated in the country since the outburst of the revolts in 2014.

Allegedly, the outset of the instability has been set within the framework of the Burkinabe uprising, which gave place to the forced resignation of Blaise Compaoré. The former president, who was compelled to relinquish his functions in 2014, after 27 years in office, was replaced by a series of transitional Heads of State until 2015 general elections, which brought in the first elected civilian leader in nearly 50 years, President Roch Marc Christian Kaboré. Subsequently, a new government was also formed.

The former president had established long standing arrangements with diverse insurgent armed groups in the region, which were broken following his resignation. Since then, attacks by armed groups have been escalating, leading to a number of casualties and displacements.

Internal disputes were also exacerbated by the intercommunal grievances between livestock owners and farmers, as well as by ethnic tensions - the main ethnicities that compose the Burkinabe population being Gourmantché, Zaoussé, Yaana, Mossi and Peulh. In the case of the Mossi and Peulh population, their long-standing disputes over the land have been exacerbated by the identification of the Peulhs with the jihadist crusade, stigmatizing its people and triggering an outbreak of violence against them.<sup>3</sup>

Yet, hostilities do not conclude at a domestic level. As a landlocked country, Burkina Faso borders with Mali, to Niger, Benin, Togo, Ghana and Côte d'Ivoire; a great extent of these borders constituting a threat to the Burkinabe security. In fact, media recently aired that terrorists are seeking refuge in the neighboring countries - Benin, Togo and Ghana - resulting in a greater cross-border cooperation effort towards their identification and captivity.<sup>4</sup>



In Mali, the Central and Northern regions have been troubled since 2011 by the presence of terrorist group AI Qaeda, which has unavoidably created disturbances along the 826 miles long border shared between the two countries.

Additionally, the armed groups within Burkina Faso have thrived due to unstable neighbors. One of the domestic groups in the North of the country is led by Mali-trained militia. While in the East, the attacks are believed to have been perpetrated by the IS from Niger.

As a result, in 2018, 14 states out of 45 were declared in state of emergency by the Government. From January 2018 to May 2019, 410 security casualties were observed in the country and as of June 2019, 2,024 schools and 16 health facilities had been closed down.<sup>5</sup>

Metsi Makheta, the UN Resident Coordinator in Burkina Faso, declared in May 2019 that more than 50,000 families have been forced to flee their houses seeking a safer environment since the beginning of the crisis.<sup>6</sup>

As of June 6<sup>th</sup>, 2019, IDPs accounted for 170,000; a number that has tripled since the beginning of the year. The vast majority of the displaced population (95%) has settled in host communities with scarcity of resources. 15,000 people have sought refuge in neighboring countries, including Mali. As of April 2019, 59% of these IDPs were children.<sup>7</sup>

In June 2019, UNHCR advocated for the need of shelter for the Internally Displaced Population. The Commissioner acknowledges that many families, including their children, are currently sleeping in the open. The lack of shelter exposes the population to security and health risks, constituting a larger concern in a country recurrently threatened by natural disasters and harsh weather.<sup>8</sup>

The Danish Refugee Council and UNHCR have reported several attacks of diverse nature during April 2019, including attacks on villages by armed opposition groups, attacks on places of worship, intercommunal incidents, abductions, robberies of humanitarian aid workers' vehicles, armed robbery and acts of crime.<sup>9</sup> Reporters agree that the situation of insecurity is generating tension among host communities, IDPs and refugees, leading to torture for extortion of confessions, targeted killings, robberies, kidnappings, looting property by unidentified armed individuals and illegal checkpoints restricting movement.<sup>10</sup>



According to OCHA's Humanitarian Snapshot, as of 21<sup>st</sup> August 2019, armed attacks and insecurity continue to affect parts of northern and eastern Burkina Faso. The constant violence in these areas has been leading to forced displacement and to an increasing number of people in need of assistance and protection. As of the end of August, more than 270,000 internally displaced people live in host communities or displacement sites in Centre-Nord, Est, Nord and Sahel regions, and nearly 1.3 million people are in need of assistance and protection, including 800,000 affected by violence and insecurity<sup>11</sup>.

# **Overall Child Protection**

Both the increased threats from extremist, violent groups in the north and a series of social protests have gravely affected the fulfilment of children's rights.

As of June 6<sup>th</sup> 2019, 2,024 schools have been closed in Burkina Faso, many of them having been set on fire, and the school material destroyed. The attacks have affected 330,00 children, depriving them from education. Additionally, 9,280 teachers have been affected; while there is a lack of data on this regard, reports claim that many have been killed, threatened or abducted. There is a rising concern about the future of Burkinabe children, who have seen their education interrupted and face a situation of insecurity and displacement that can only prolong the current scenario.

In its Concluding observations on the seventh periodic report of Burkina Faso in October 2017, the Committee on the Elimination of Discrimination against Women noted that, despite the legal framework governing the acquisition of nationality in Burkina Faso and the country's efforts to register births, 20 % of children were not registered at birth, placing them at risk of statelessness and impeding their access to basic services<sup>12</sup>. In 2019, 22% of children lack birth registration in Burkina Faso, 60% of them in the Sahel region and 40% in the East - the most violence-affected regions. The lack of birth registration poses additional risks to children, since it hinders family reunification and access to different services (such as health and education).

A census conducted by the Government in 2013 identified 79,617 children with disabilities, including 31,491 girls and 48,126 boys.<sup>13</sup> Disabilities have been reported to double the exposure to violence, mistreatment, discrimination, negligence and abuses in Burkina Faso.



Each year 500 underage children are in conflict with the law, 20% of whom are girls. Children living in the poorest households are reported to be more susceptible to be deprived of basic services, especially education and protection.<sup>14</sup>

After the fateful events that took place in Yirgou in January 2019, in which some 49 Peulhs lost their lives in what was addressed as an ethnic massacre, a joint report by eight international organizations identified the main threats to which both girls and boys in the affected areas as: child marriage, FGM, violence and the worst forms of child labor. In all areas, the mission reported the following issues: loss of civil documentation (e.g.: birth registration certificates) among IDPs; cases of orphaned children, elder population, women living alone and malnourished children; cases of unaccompanied or separated children; trauma (as a result of human or material loss); children and adults suffering from sleeping disorders; separation of men and women in camps; and increasing promiscuity, leading to a rising vulnerability of women and adolescent girls.<sup>15</sup>

#### **Dangers and Injuries**

Rate of physical violence against children is, according to the last VAC study<sup>16</sup>, at 15,6% for children aged from 12 to 17; this rate is higher for children aged 0 to 11, with 24,9% of children suffering from physical violence, while psychological violence affects 25,7% of the children aged 12 to 17, and 27,2% of children 0 to 11. Age group and geographical disparities are also existent. All in all, this report estimates that one child out of four in Burkina Faso is affected by at least one type of violence. Children's home is the first place where violence occurs (up to 75% of the cases notified), while school is the second one (around 20% of cases).

Since the beginning of the tensions, children are the most vulnerable segment of the population, and the most gravely affected by the attacks. Some school children have been reported to have been killed, although there is no specific data on this regard.

Intercommunity tensions, criminality and armed attacks constitute increasing risks for Burkinabe children, as they are victims of the ongoing conflict. Additionally, the killings of adults are disrupting family integrity, since many of the children have lost one or both of their parents in the conflict.

As reported by Save the Children, among all the attacks that took place from January to December 2018, 37% were perpetrated against education facilities. Burkina Faso has ratified the Safe Schools Declaration and, additionally, has made significant commitments to the continuation of



the education of the affected children, namely by reintegrating children in open schools, reconstructing the damaged facilities, and launching a radio program that allows students to continue learning remotely.<sup>17</sup>

#### **Gender-Based Violence**

According to a study from the Institut Supérieur des Sciences de la Population published in December 2018, 3.1% of the 12 to 17 years old have experienced sexual violence in the past 12 months. The study showed that girls are more prone to suffer from this type of violence (5.7%) than boys (0.8%).<sup>18</sup>

The main perpetrators of sexual violence were found to be friends, partners and neighbors of the victim; while the most common places for violence to happen were reported to be school, followed by the residence of the perpetrator, the residence of the victim and the street.<sup>19</sup>

However, it is worth noting that questions were responded by parents and tutors, and not by the children themselves. This entails that parents/tutors who are responsible for an abuse will not report themselves as guilty, some will protect the perpetrator, and some might not be aware of the events, due to the children not having reported them.<sup>20</sup>

Although there is no specific data on this regard, girl child domestic workers have occasionally reported to have experienced abuses while staying at the "landlord's" facilities ("landlords" are people from the same community that act as intermediary when the girl arrives to her new location, providing her a safety net, such as accommodation, contacts for employment and potential other support). They often consider reported abuses committed against the girls under their tutelage by their employer as "acceptable" or "not worth complaining about", failing to react accordingly to the situation.<sup>21</sup>

In OCHA's Humanitarian Response Report for the period of January-March 2019, 85 cases of GBV were identified and treated, including psychological violence (68), domestic violence (4), physical violence (4), child marriage (8), and rape (1).



## **Child marriage**

Burkina Faso has among the highest rates of forced and early marriages in the world, notwithstanding that forcing someone to marry against their will constitutes a criminal offence in the country<sup>22</sup>. According to the Ministry of Social Affairs, 6,325 girls and 860 boys were reported to be subjected to forced marriages across the country between 2009 and 2013<sup>23</sup>. In a series of interviews conducted by Amnesty International, it was documented that at least 35 women and girls in shelters and communities, who would range from 13-year old girls to young women in their 20s, had been subjected to, or threatened with, forced or early marriage<sup>24</sup>. According to Girls Not Brides, 52% of girls in Burkina Faso are married before they are 18 and 10% are married before the age of 15.<sup>25</sup> Sahel and East regions account as the ones with the lowest median ages at first marriage.<sup>26</sup>

Aggravating factors reportedly influencing this practice are poverty, level of education, traditional customs and violence. Girls Not brides identified that girls with lower levels of education and living in the poorest households are more predisposed to marry at a younger age.<sup>27</sup> According to Amnesty International, the offer of money or other goods would often constitute a common means to make pressure on their families<sup>28</sup>.

Equally, traditional customs exacerbate this practice. *Litho* and *Pog-lenga* are two long-standing customs in Burkina Faso. *Litho* is the practice of exchanging and marrying girls, sometimes from their birth; while *Pog-lenga* is the practice of bringing a niece as a dowry to a wedding, for her to become a bride to another member of the family of the groom.<sup>29</sup>

The refusal to accept these social conventions entails a threat to girls, who become victims of violence and shame in case of non-fulfilment of their family agreements.<sup>30</sup>

A 15-year-old reported to Amnesty International: "I didn't want to marry that man. My aunt told me: 'If you run away, we will destroy you'".<sup>31</sup> As observed by UNICEF, marriage entails a risk for girls, limiting their access to education, health and citizen participation.<sup>32</sup>

The level of child marriage in Burkina Faso has remained steady for 20 years and, as reported by UNICEF in May 2019, the country is far off track in fulfilling the goal of ending child marriage by 2030.<sup>33</sup>

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#### **Psychosocial Distress and Mental Health**

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Children see their daily lives disrupted by the conflict, and their capacity to overcome psychosocial distress is negatively impacted. Displacement entails a series of concerns for children, both for the ones displacing and for those part of the host communities.

It is estimated that children represent 52% to 59% of the internally displaced population (=88,600 to 100,563 children) and require child protection services. Half are estimated to be in need of psychosocial support, due to their exposure to abuse, exploitation, risk of being recruited by armed groups and physically endangered. As an example, a joint report conducted among IDPs in the Dori settlement encountered cases of children that had developed post-traumatic troubles due to traumatic episodes experienced in their place of origin. Children were experiencing sleeping disorders and nightmares.<sup>34</sup>

Likewise, there are currently 112,000 children living in host communities affected by the crisis, and some 20% of them are in need of receiving psychosocial support.

In addition, children victims of harmful practices prior to the conflict (such as emotional, psychological or physical violence) are also in need of psychosocial support.

#### Children Associated with Armed Forces and Armed Groups (CAAFAG)

Recruitment from armed groups represents one of the biggest threats to children involved in armed conflicts. While there is no specific data on the number of CAAFAG in the Burkinabe conflict, judicial sources have acknowledged the presence of minors in detention centres, charged with the offence of association to armed groups.

In its Concluding observations on the initial report of Burkina Faso, submitted under article 8 of the Optional Protocol on the involvement of children in armed conflict, , the Committee on the Rights of the Child was concerned that the country had undertaken insufficient measures to prevent the recruitment of Burkinabe children by non-State armed groups present near its border with Mali. Despite some positive legislative measures, such as Act No. 037-2008/AN of 29 May 2008, according to which no persons under the age of 18 can be voluntarily recruited in the national armed forces, and Decree No. 560 of 5 July 2012, which raises the minimum age for



conscription to 20, the country has failed to take more effective measures to ensure that no children on its territory are recruited by non-State armed groups as a result of the armed conflict in Mali<sup>35</sup>.

In April 2019, more than 20 armed men were arrested in Togo and returned to Burkinabe authorities. Media reported that children carrying weapons and large amounts of money were found among the detainees.<sup>36</sup>

UNICEF has identified a total of 17 children being held in prison, all of them accused of being associated with armed groups; 7 of them in the high security prison in Ouagadougou, and 10 in other regions, waiting to be transferred to the capital.

# **Unaccompanied and Separated Children**

In Dori, Sahel region, humanitarian actors conducted a monitoring report among IDPs, describing cases of children separated from their parents. The vast majority of these children had arrived to the settlement with other relatives, such as uncles, aunts and cousins, as they were entrusted by their parents who for various reasons could not accompany them or had to flee somewhere else. This is the case of a woman who arrived at the settlement with her 3 nephews, because their mother could not leave Arbinda due to security reasons and their father had to flee to Bobo Dioulasso.<sup>37</sup> Cases of unaccompanied children have been reported to be, nevertheless, rare.

In this context, the locality of Sebba, in the Sahel region, is playing a fundamental role. The town has been hosting IDPs since March 2019, with the particularity that all of them are former students who have been forced to flee their homes due to their schools having been either destroyed or closed down due to the attacks. These students have been separated from their parents and relocated with host families by the local authorities, with the purpose of ensuring that they continue their studies. As of June 2019, there were168 students in Sebba: 37 in Secondary school (10 girls and 27 boys) and 131 in primary school (42 girls and 89 boys), being hosted by 88 families. Although the intention was to allocate 2 children per host family, circumstances have induced some to host up to 5 children. Furthermore, psychosocial support is required for both children and host familiesTraining for host families is also needed. since only 10 of them are officially entitled to receive children, while the remaining 78 were involved to respond to the emergency.<sup>38</sup>



From January to March 2019, 257 vulnerable children (157 girls) separated from their families had been identified and taken care of.<sup>39</sup> Humanitarian workers have agreed that it is necessary to conduct a census of cases of family separation that would allow them to analyze the causes and design prevention and response plans accordingly.<sup>40</sup>

#### **Child Labor**

The Burkinabe legal framework seems to be aligned with the international regulation regarding Child Labor. Burkina Faso ratified the Convention on the Rights of the Child (CRC) in 1990 and the ILO 182 Convention on the Worst Forms of Child Labor in 2001. Additionally, in 2009, the Government adopted a decree listing the hazardous work prohibited to children and issued a national action plan against child labor in 2012. Despite what has been described as "moderate advances" from the Government on this regard, children in Burkina Faso still engage in tasks rated as the worst forms of child labor under ILO Convention No.183, such as commercial sexual exploitation and artisanal gold mining.

With the support of UNICEF, a 2010 study on child labor in artisanal gold mining involving 86 sites identified a total number of 19,881 children working in the sector. Among them: 83.5% had never attended school; 51.2% lived on artisanal gold mining sites; and 66.7% worked more than 10 hours per day. 1 in 4 children had been injured on the site.<sup>41</sup>

In 2013, about 800 artisanal gold mines were identified in Burkina Faso (according to the Ministry of Energy and Mines) and, in 2015, the Mining Code was revised adopting measures to protect children against the worst forms of labor and their presence on these artisanal mining sites and quarries.<sup>42</sup> This activity is considered one of the worst forms of child labor as it exposes children to hazardous chemicals in the process of extraction.

According to UNICEF, in 2010, 41.1% of children aged 5 to 18 were working, representing 34% of girls and 47.7% of boys. 37% of them were engaged in hazardous work labor.<sup>43</sup> Around 20,000 children, both boys and girls, worked in artisanal gold mining and 5,185 were victims of trafficking. Children aged 5 to 17 years old were often engaged in domestic service, with a majority of girls (79.5%).<sup>44</sup> In 2016, 42.2 %, of children between 5 and 14 were engaged in labor according to the UNESCO Institute for Statistics.<sup>45</sup>



Traditionally, there are two figures in Burkina Faso, common to West Africa, that promote the practice of children leaving their homes at an early age: the "*arriver-payer*" (pay on arrival) and the girl child domestic workers.

The pay on arrival is a long-standing system by which children travel to a relative or friend's place, or to an employer chosen by the driver. The person at the arrival is in charge of paying the cost of the travel and therefore the child becomes a debtor to the employer. Despite the dangers that the system appears to entail, a report by Terre des hommes and OHCHR describes the practice as frequent and relatively safe. While it might put children at risk of debt bondage upon arrival, the fact of being taken care of by a driver (who is often known by the community) until the place where they will stay, in opposition of travelling alone, is also seen as a form of protection. However, 3 out of 12 children monitored were considered to have been trafficked as a result of this practice.<sup>46</sup>

As for the child domestic worker, it is a common practice that children, mostly girls, are sent to other households to become domestic service, often at a very young age, and more commonly in big cities such as Bobo-Dioulasso and Ouagadougou. Longstanding tradition, it is not uncommon that the girl's mother also worked as a domestic worker when she was young. Girls then often take the initiative of starting the process, as they follow the traditions; certain rituals are even followed before their departure to bring them protection<sup>47</sup>. "Landlords" (people from the same community than the child, who runs a residence in the location of arrival, where children can stay, get advice and assistance), provide girls with accommodation, might act as a private employment agency, and are often an intermediary between the girl worker and her parents, as well as between girl worker's. Yet benefitting from a high level of social acceptance, there is a potential risk for girl domestic workers of being underpaid or working longer hours.

Under the current circumstances, children are not attending school and increasingly travel looking for jobs, increasing their exposure to hazards, especially the risk of engaging in the worst forms of child labor.<sup>48</sup> The IDPs Monitoring Report conducted in Dori in May 2019 signaled that, due to displacement, parents have lost their traditional sources of income, and children are now taking responsibilities for supporting their families.<sup>49</sup>

As a result, more girls are recurrently being sent to cities as domestic workers, and boys are engaging in construction, small commerce or even selling water. Social services have alerted of having seen IDP children begging in the streets.<sup>50</sup>



#### **Abduction and Trafficking**

Burkina Faso is considered a destination, transit point, and source for child trafficking to and from other West African countries. Culturally driven practices still take place and increase the risk of children getting involved in these habits. This is the case of *confiage*, which involves sending a child to live with a relative or friend to attend school in a larger town or city.<sup>51</sup>

Burkinabe boys and girls are equally "subjected to forced labor as farm hands, gold panners and washers in artisanal mines, street merchants, domestic servants, and in forced begging"; while girls are most commonly exploited in sex trafficking.<sup>52</sup>

Most common destination of Burkinabe children victims of transnational trafficking are Côte d'Ivoire, Mali, and Niger for forced labor or sex trafficking. A smaller percentage of children are destined to Lebanon, Qatar, Saudi Arabia, and various European countries under the promise of a legitimate job - and end up being forced into prostitution. As a transit country for trafficking, children are transported through Burkina Faso from Mali to Cote d'Ivoire and women and girls from Cote d'Ivoire to Saudi Arabia.

Burkina Faso is also a destination for children subjected to trafficking from neighboring countries, including Cote d'Ivoire, Ghana, Guinea, Mali, Niger, and Nigeria. Women from other West African countries are fraudulently recruited for employment in Burkina Faso and subsequently subjected to forced prostitution, forced labor in restaurants, or domestic servitude in private homes. Nigerian and Tibetan girls have been reported to be exploited in sex trafficking in Burkina Faso.<sup>53</sup>

#### **Information Gaps**

- There is no specific data on the number of children killed/maimed as a result of the attacks, especially as a result of the offenses perpetrated against schools.
- There is no data addressing the cases of girl domestic workers experiencing abuses, as well as on how the current conflict impacts (or not) this tradition.



- There is no data related to the number of children affected by GBV and early marriage as a result of the crisis.
- Across this research, the only references found regarding MHPSS are focused on IDPs; neither host populations nor people left behind are mentioned.
- Data regarding CAAFAG in the Burkinabe conflict is remarkably scarce, especially given the number and variety of armed groups involved in the conflict.
- Humanitarian workers have noted the need of developing a census of UASC and family separation.
- Finally, there are little data available on the impact of the crisis on the overall child protection, particularly disaggregated data (gender/age/disability).

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