



KidsRights Report

Minors Not Miners

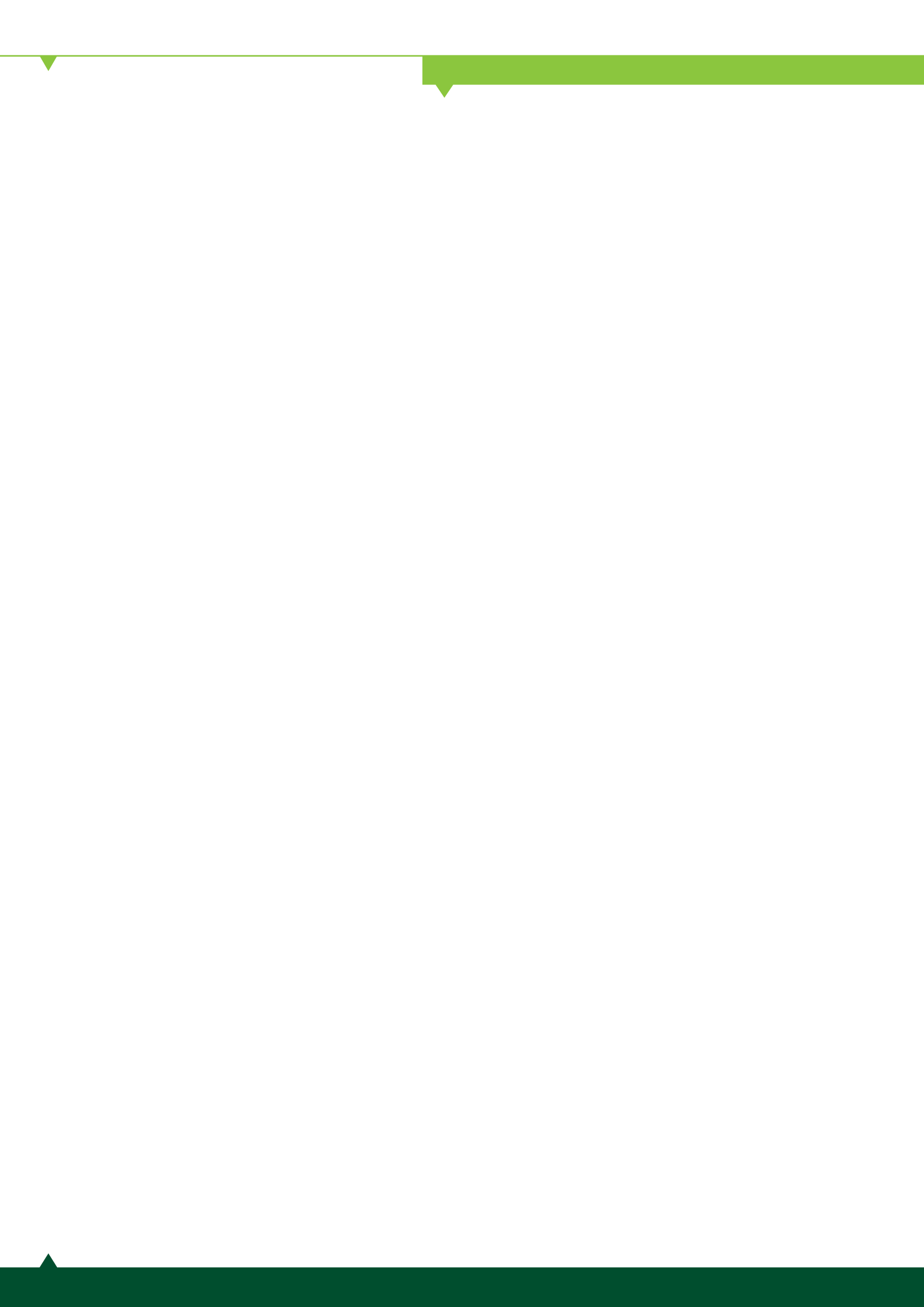
**Hazardous Child Labour, with a focus on
gold mining in Burkina Faso**



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Executive Summary

An estimated 115 million children from 5 to 17 years old work in hazardous conditions across the world. Hazardous child labour is classed by the International Labour Organization (ILO) as one of the worst forms of child labour. The ILO describes it as “work in dangerous or unhealthy conditions that could result in a child being killed, or injured and/or made ill as a consequence of poor safety and health standards and working arrangements”.

The ILO estimates that some 22,000 children are killed at work every year. Those who survive can develop health problems later in life due to poor working conditions while their bodies and minds are still growing and developing. They also suffer from the lack of an education, as few manage to attend school when working long hours in harsh conditions. The ILO has set the minimum age for hazardous work at 18, a convention which has been ratified by 166 member countries including Burkina Faso.

Poverty is one of the main drivers of hazardous child labour. Families are left with no other choice but to send their children to work. Burkina Faso is one of the poorest countries in the world, suffering from recurring droughts. It was drought which first forced families into gold mining in 1980, and the gold rush spread quickly. Gold has now become Burkina Faso’s number one export commodity, and small-scale mining sites are to be found throughout the country, employing children as young as six years old.

Small-scale artisanal mining is difficult to monitor or regulate. Small groups or families find a remote site and start digging; it’s low-tech and illegal. The smaller the operation, the more likely it is to involve children. Because of their size and agility, they are useful in the narrow tunnels and shafts underground. They’re cheap to employ, and don’t ask questions or stand up for their rights.

Working in hot, cramped goldmines leaves children with serious respiratory conditions, hearing and sight problems, and joint disorders. Exposure to

mercury can lead to serious physical and neurological disorders. Temporary mining sites lack sanitation, health services and regular access to clean water. Schools, if accessible at all, are often kilometers away. Malnutrition is common among child miners, along with a host of diseases.

Some 3 million children in Burkina Faso remain unregistered from birth, and invisible to the authorities. The country’s legal minimum age for hazardous work is 18, and there is a special government directorate for child labour.

However, small-scale goldmining remains prolific and difficult to regulate. UNICEF estimated in 2012 that 20,000 children were working in mines in five of Burkina Faso’s 13 regions. Due to the illegitimate feature of small scale mining it is expected to be far more widespread in Burkina Faso society. Immediate action and enhancing the monitoring of children working under hazardous conditions in the gold mines is desperately needed.

School education is one of the most powerful tools in the fight against child labour in the mines. Children can learn the skills to lift them out of poverty, while they grow and develop in a safe environment.

Globally, the effort needs to be continued to ensure that all children attend school until the minimum age for work. In order to stop children working in hazardous conditions in gold mines, the government of Burkina Faso must increase the number of labour inspectors and ensure continuous support for programmes offering alternatives to children withdrawn from the mines. Economic opportunities for families need to be enhanced, and awareness raised in mining communities about the safety risks and health consequences for children working in gold mines.

Section 1: Introduction

Hazardous child labour is a major global problem. An estimated 115 million children between 5 and 17 years old work in dangerous conditions across the world (ILO, Children in Hazardous Work, 2011). They risk injury, illness, and death. They miss out on school. Their plight violates a host of the rights enshrined in the Convention on the Rights of the Child (United Nations, 1989).

Child labour is defined by the International Labour Organization (ILO) as “work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development. It refers to work that:

- is mentally, physically, socially or morally dangerous and harmful to children; and
- interferes with their schooling by:
 - depriving them of the opportunity to attend school;
 - obliging them to leave school prematurely; or
 - requiring them to attempt to combine school attendance with excessively long and heavy work”.¹

Whether or not particular forms of work can be classed as child labour depends on the child’s age, the type and hours of work performed, the conditions under which it is performed and the objectives pursued by individual countries.²

Hazardous child labour is one of the worst forms of child labour. According to the ILO, “hazardous child labour is work in dangerous or unhealthy conditions that could result in a child being killed, or injured and/or made ill as a consequence of poor safety and health standards and working arrangements.”³

The ILO identifies seven offending sectors in its report, Children in Hazardous Work. These are: crop

agriculture; fishing; domestic work; manufacturing; mining and quarrying; construction and street/ service industries (ILO, Children in Hazardous Work, 2011). Each sector can expose the child to particular risks, such as toxic chemicals or extreme temperatures. Hazardous working conditions can cause health problems both short-term (such as injuries and skin problems) and long-term (such as cancer, infertility, chronic back pain and IQ reduction), but because many problems occur later in life they are difficult to quantify.⁴

“Economic vulnerability associated with poverty, risk and shocks plays a key role in driving children to work”, according to the World Report on Child Labour (ILO, 2013). Risk and shocks include such events as crop failure, natural disasters and economic downturns. Parents might also send their children to work because they don’t value education, or can’t afford it.

Hazardous child labour in Burkina Faso is put under the spotlight in this report. Since 2003 gold has recently become the country’s number one export commodity, and due to the gold rush, small scale mining sites are to be found throughout the country, employing children as young as six years old.

This report addresses hazardous child labour in the global context of children’s rights. The first chapter takes a global perspective, outlining the legal framework, and key facts and figures. The second chapter addresses these with particular reference to Burkina Faso. The report concludes with recommendations.

Section 2: Hazardous child labour from a global perspective

2.1 Legal framework

In 1948 the Universal Declaration of Human Rights was adopted by the UN. In 30 articles, the declaration commits to protecting and promoting the human rights of every individual. That includes children, who are entitled to enjoy all the rights guaranteed by the various international human rights treaties which have since evolved from the original Declaration.

Although children are covered by these international treaties, the international community recognised the specific need for the protection and promotion of children's rights in 1989, with the Convention on the Rights of the Child (CRC). The CRC defines a child as "every human being below the age of 18 years unless, under the law applicable, majority is attained earlier" (UNICEF, A summary of the rights under the Convention on the Rights of the Child, 2012). It contains 54 articles covering almost all aspects of the life of a child, grouped in the following three categories:

- **Provision:** these are the rights to the resources, the skills and services; the "inputs" that are necessary to ensure children's survival, and the development of their full potential;
- **Protection:** these are the rights to protection from acts of exploitation or abuse, in the main by adults or institutions that threaten their dignity, their survival and their development;
- **Participation:** these are the rights that provide children with the means by which they can engage in those processes of change that will bring about the realisation of their rights, and prepare them for an active part in society and change.⁵

All States that have ratified the UN Convention on the Rights of the Child are bound to this convention by law. The only States that have not ratified the CRC are The United States of America and Somalia.

The right of the child to freedom from all forms of exploitation is enshrined in Article 32 of the CRC.

Convention on the Rights of the Child, Article 32:

1. States Parties recognise the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.
2. States Parties shall take legislative, administrative, social and educational measures to ensure the implementation of the present article. To this end, and having regard to the relevant provisions of other international instruments, States Parties shall in particular:
 - (a) Provide for a minimum age or minimum ages for admission to employment;
 - (b) Provide for appropriate regulation of the hours and conditions of employment;
 - (c) Provide for appropriate penalties or other sanctions to ensure the effective enforcement of the present article"⁶

Children who perform hazardous work risk the violation of many of their rights, including:

- The right to freedom of association (Article 15);
- The right to protection from physical or mental ill-treatment, neglect or exploitation (Article 19);
- The right to benefit from the highest attainable standard of health and access to health care services (Article 24);
- The right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development (Article 27. 1);
- The right to education (Article 28);
- The right to rest, leisure, play and recreation

(Article 31);

- The right to protection from economic exploitation and from performing any work that interferes with his or her education or is harmful to his or her mental, spiritual or social development (Article 32)

In 1999, the African Charter on the Rights and Welfare of the Child (ACRWC) entered into force, adopted by the Organisation of African Unity (now African Union). The ACRWC builds on the same basic principles as the UN Convention on the Rights of the Child, but pays particular attention to issues of special importance to Africa. Africa is in fact the only continent in the world with a region-specific child rights instrument. The right of the child to be protected from economic exploitation is enshrined in Article 15 of the ACRWC, with an additional section about the promotion and distribution of information on the hazards of child labour to all sectors of the community.⁷

The International Labour Organisation (ILO) is a UN organisation devoted to promoting social justice and internationally recognised human and labour rights. The eradication of child labour is one of the four areas covered by the Declaration on Fundamental Principles and Rights at Work, which binds all 185 member States. Child labour in the mining industry was, in fact, one of the factors which led to the formation of the ILO in 1919.⁸ 179 States have ratified the ILO's Worst Forms of Child Labour Convention, 1999 (No.182), thereby committing themselves to eradicating hazardous child labour (IPEC, 2011).⁹ Only six countries have not ratified it: Cuba, Eritrea, India, Marshall Islands, Palau and Tuvalu.

Article 3 of Convention No. 182 defines the worst forms of child labour as follows:

- (a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;
- (b) the use, procuring or offering of a child for

prostitution, for the production of pornography or for pornographic performances;

(c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;

d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.¹⁰

Hazardous child labour, falling under category (d) above, qualifies as one of the worst forms of child labour. The Convention does not define more explicitly the kind of work which harms the health, safety and morals of children, leaving its interpretation to individual member States.¹¹ However, a detailed definition of hazardous work can be found in paragraph 3 of the ILO's Worst Forms of Child Labour Recommendations of 1999 (no. 190):

(a) work which exposes children to physical, psychological or sexual abuse;

(b) work underground, under water, at dangerous heights or in confined spaces;

(c) work with dangerous machinery, equipment and tools, or which involves the manual handling or transport of heavy loads;

(d) work in an unhealthy environment which may, for example, expose children to hazardous substances, agents or processes, or to temperatures, noise levels, or vibrations damaging to their health;

(e) work under particularly difficult conditions such as work for long hours or during the night or work where the child is unreasonably confined to the premises of the employer.¹²

According to the United Nations, "child labour, including hazardous work, is work that children should not be doing because they are too young to work, or if they have reached the minimum age, because it is dangerous or otherwise unsuitable for them".¹³ The ILO's Convention No. 138 on the Minimum Age for Admission to Employment stipulates that any work likely to jeopardise children's health, safety or morals should not be done by anyone under the age of 18.¹⁴

Minimum Age for Admission to Employment Convention No. 138, Article 3.1

“The minimum age for admission to any type of employment or work which by its nature or the circumstances in which it is carried out is likely to jeopardise the health, safety or morals of young persons shall not be less than 18 years”¹⁵

Convention No. 138 has been ratified by 166 member countries of the ILO, each of which undertakes to pursue a national policy designed to ensure the effective abolition of hazardous child labour.¹⁶ In 2002 the ILO launched the World Day Against Child Labour, taking place on 12 June every year. The special theme of the day in 2005 was the elimination of child labour in mining and quarrying.¹⁷

2.2 Context of hazardous child labour

Both girls and boys are victims of hazardous child labour, but gender plays an important role in the type of work the child performs. Girls are over-represented in domestic work, and boys in mining and quarrying. Children are at an increased risk for hazardous work because they:

- Lack work experience and may not make well-informed judgements
- Have a desire to perform well; children are willing to go the extra mile without realising the risks
- Learn unsafe behaviours from adults
- Might not be carefully trained or supervised
- Lack status and find it difficult to speak out about their rights
- Try to appear as if they understand, when actually they don't, to appear competent (International Programme on the Elimination of Child Labour, 2011: 14)

Poor health and safety standards can lead to illness or injury, and in severe cases, disability or death. Cause and effect are obvious in the case of accidents, but not so easy to quantify when unhealthy working conditions lead to problems later in life. Hazardous working conditions affect both children and adults, but because children's bodies are still developing, the impact can be more long-

lasting and devastating. Children can also experience serious psychological and emotional damage, working for long hours away from their families.¹⁸

Children who suffer from discrimination and exclusion are more likely to become victims of child labour. This includes those from a low social caste, those with disabilities, those who are displaced or living in remote areas, and those who belong to ethnic minorities or indigenous and tribal groups.¹⁹

“Economic vulnerability associated with poverty, risk and shocks plays a key role in driving children to work”, according to the World Report on Child Labour (ILO, 2013). Economic shocks including drought, flood and crop failure, force families to take desperate measures to survive. According to the ILO:

“poverty and economic shocks clearly play an important if not a key role in determining the market for child labour. Child labour in turn contributes to the perpetuation of poverty. For example, recent empirical findings by the World Bank from Brazil demonstrate that early entry into the labour force reduces lifetime earnings by some 13 to 20 per cent, increasing significantly the probability of being poor later in life”.²⁰

Parents might also send their children to work because they don't value education, or can't afford it. It might simply be considered the cultural norm. Employers may also prefer child labourers, creating further demand. They can pay lower wages, and children are less likely to question their conditions or organise themselves into a union to demand their rights.²¹ Child labour usually occurs in the context of illegal work, meaning that wages and working conditions are completely unregulated (ILO, Minors out of mining: 14).

2.3 Facts and figures

Hazardous child labour is a major global problem which contravenes the rights of children, and puts them in danger of irreversible harm and even death. The following statistics illustrate the scope of child labour, and hazardous child labour, across the world:

- 168 million children worldwide are victims of child labour, accounting for almost 11% of the child population as a whole (ILO, Making Progress Against Child Labour, 2013: 7).
- Hazardous child labour is the largest category in the worst forms of child labour, with an estimated 115 million children aged 5 to 17 working in dangerous conditions (IPEC, Children in Hazardous Work, 2011).
- The ILO estimates that worldwide, some 22,000 children are killed at work every year (ILO, 2013).²²
- Child labour in sub-Saharan Africa could rise by around 15 million children over the next decade, reaching 65 million by 2020 (UN Special Envoy for Global Education, 2012: 8).

Most child labourers work in agriculture, in such areas as cotton and cocoa production; and in the service industry. According to the United Nations, “For some work, children receive no payment, only food and a place to sleep. In many instances the children receive no payment if they are injured or become ill, and can seek no protection if they suffer violence or are maltreated by their employer”.²³

Hazardous child labour is not restricted to a particular sector, and can be seen across a whole range of occupations. Most children involved in child labour work in Sub-Saharan Africa, Asia and the Pacific Region. (ILO, Making Progress Against Child Labour, 2013: 7).

Table 1: Children in hazardous work by region (millions), (ILO, Making progress Against Child Labour, 2013)

Asia and the Pacific	33.8 million
Latin America and the Caribbean	9.6 million
Middle East and Northern Africa	5.2 million
Sub Saharan Africa	28.7 million

In 1992 the ILO established the International Programme on the Elimination of Child Labour (IPEC), to raise awareness of child labour at both national and international levels. One of the major aims of IPEC is to contribute to the knowledge about child labour in the form of global and regional estimates.

2.4 Government action and the role of NGOs

The CRC establishes the following duty-bearers for guaranteeing children the enjoyment of their rights:

1. The State
2. Parents, legal guardians and individuals legally responsible for children
3. Institutions, services and facilities for the care and protection of the child

Governments have the primary responsibility for the elimination of the worst forms of child labour. According to the report ‘Roadmap for Achieving the Elimination of the Worst Forms of Child Labour by 2016’ “there is no single policy that by itself will end the worst forms of child labour. However, evidence has shown that targeted action that simultaneously addresses the implementation and enforcement of legislation, the provision and accessibility of public services (including free, quality compulsory education, training and social protection services), and the functioning of labour markets, yields high returns in the fight against child labour” (Ministry of Social Affairs and Employment, 2010).

Working towards a system of social protection is vital in order to support the capacity of families to protect their children. “You cannot eliminate child labour in a community when the income of the family is so low,” says Alexandre Soho of the ILO. “You need to tackle the issue of the livelihoods for the parents.”²⁴ This can be put into practice through cash transfer schemes, public works, access to credit, insurance and savings schemes and strengthening and implementing national protection frameworks to protect children from exploitation (Ministry of Social Affairs and Employment, 2010: 4).

“The eradication of child labour - and providing the alternative of education and training, and decent work for adults and children of working age- contributes to households breaking out of the cycle of poverty and helps countries to advance human development” (ILO, Implementing the Roadmap for Achieving the Elimination of The Worst Forms of Child Labour by 2016, 2013: 25)

Children may grow up in a family in which they face risks, vulnerabilities and disadvantages. The

report 'Implementing the Roadmap for Achieving the Elimination of the Worst Forms of Child Labour by 2016' stress that there is no 'one size fits all' definition of a social protection system that is sensitive for children though measures include among others "increasing caregivers access to employment or income generation and preparing adolescents to earn their own livelihoods" (ILO, Implementing the Roadmap for Achieving the Elimination of The Worst Forms of Child Labour by 2016, 2013: 42)

To eliminate hazardous child labour, steps must be taken to extend and improve access and quality of education that is free and compulsory for all children. In addition, it must be ensured that all children under the minimum age for employment are in full-time education. In order to put this into practice the elimination of school fees as costs is a way to achieve this. In addition other measures include;

- Public investments to increase the number of teachers and schools in the country or in targeted, strategic locations
- Improve teaching training, curriculum development and provision of services
- Removal of physical barriers to schooling, for example for children with physically disabilities
- of those with limited access in remote communities
- Integration of locally relevant skills into the school curriculum, including career counseling and other information
- Provision of school meals
- Provision of counseling and other support services, including after-school programmes (ILO, Implementing the Roadmap for Achieving the Elimination of The Worst Forms of Child Labour by 2016, 2013: 38):

The ILO has identified successful good practices in regard to education and support to the family in

order to eliminate child labour. In Kenya, self-help savings groups were established which provided training about income-generating activities such as small livestock raising. In Uganda and Zambia a special programme provided vocational training for children removed from hazardous working conditions. Children did not only learnt skills, but also received career guidance and support in setting up their own enterprise. In Liberia one rubber plantation trade union succeeded in making education at the company town school compulsory for all children under the minimum age for work. Daily production quotas were also lowered, and pay raised, decreasing pressure on families working on the plantation (ILO, Practices With Good Potential - Towards The Elimination of Hazardous Child Labour, 2012).

According to the report 'Roadmap for Achieving the Elimination of the Worst Forms of Child Labour by 2016' NGOs and other civil society organizations should be guided by the following actions in order to eliminate child labour;

- Calling upon governments to respect children's rights and ensure that appropriate services are offered to vulnerable children to protect them from child labour, especially its worst forms (including hazardous child labour).
- Assist those children that have been withdrawn from child labour.
- To contribute to monitoring the incidence of child labour through research (Ministry of Social Affairs and Employment, 2010: 5).

International organisations campaigning against the elimination of child labour include: Global March Against Child Labour, Anti-Slavery, The International Initiative on Exploitative Child Labor (IIECL), Child Labor Coalition, Save the Children, Fairtrade International, UNICEF, and Defence for Children International.

Section 3: Hazardous child labour from a country perspective: children in gold mining in Burkina Faso

3.1 Legal framework Burkina Faso

Burkina Faso ratified the UN Convention on the Rights of the Child in 1990. Two years later it signed the African Charter on the Rights and Welfare of the Child (ACRWC).²⁵ As a member of the ILO since 1970, Burkina Faso signed the Minimum Age Convention (No. 138) in 1999, and the Worst Forms of Child Labour Convention (No. 182) in 2001.²⁶

In 2013 Burkina Faso, as part of The Economic Community of West African States (ECOWAS, 2013) adopted the Regional Action Plan on Child Labour. The objective of the plan is to eliminate the worst forms of child labour in West Africa by 2015, and to continue to progress towards the total elimination of child labour. The Strategic objectives are:

1. Creating a conducive environment for the elimination of child labour in all ECOWAS Member States
2. Strengthening institutional mechanisms at ECOWAS for Monitoring and Evaluation, including peer review.
3. Increase knowledge both of child labour and strategies to tackle child labour in the region.²⁷

In Burkina Faso, The Ministry of Labour and Social Security has a special directorate to combat child labour. The Ministries of Justice, Social Action, Security, Basic Education, Mines, Human Rights and Health are all also involved in this effort. In 2012, Burkina Faso adopted a five-year national action plan to significantly reduce exploitative child labour by 2015, through prevention, enforcement and rehabilitation (United States Department of Labour's Bureau, 2010: 97).

The 2008 Labour Code of Burkina Faso sets the minimum age for work at 16 years old, and the minimum age for hazardous work at 18. Hazardous

activities are listed, including certain work in mining, quarrying and agriculture.²⁸ Mining legislation also exists to promote investment in the sector; the mining code of 2003, which regulates mining activity in the country, is currently being reviewed.²⁹

3.2 Context of Burkina Faso

Burkina Faso is located in West Africa, bordering Ghana, Mali, Niger, Togo, Benin and Ivory Coast. Burkina Faso is one of the poorest countries in the world, even by West African standards, and ranks 157th out of 165 countries on the KidsRights Index overall score.³⁰ It has suffered from recurring droughts and, until the 1980s, military coups. For July 2014, the estimation for the population of Burkina Faso is 18.3 million.³¹ In 2012, there were 8.6 million children under the age of 18.³² In 2008-2012, primary school attendance rates were 53.8% for boys and 50% for girls. Almost 40% of children aged 5 to 17 are estimated to be part of the labour force.³³

In 1980, a drought in the northern region of Sahel forced families out of farming and into gold mining. The gold rush spread across the country, reaching the south and west of Burkino Faso in the 1990s. Families were disrupted, poverty reinforced, and children turned into financial resources (ILO, 2006: 2).

Children are engaged in almost all aspects of gold mining, both above and below ground: crushing stones, shifting dust and earth, transporting water, carrying heavy loads and searching for gold in tunnels and shafts. Because of their size and agility, children are useful in the narrow tunnels and shafts underground. Both boys and girls are engaged in hazardous work, but boys are more likely to work underground, and girls on the surface (ILO, Minors out of mining, 2006).

Children working underground risk injury or death from explosions, rock falls, toxic gases and tunnel collapses. Their long-term physical development can be damaged by working for long hours in hot, cramped conditions, exposed to dust and chemicals. Serious respiratory conditions can result, as well as hearing and sight problems, and joint disorders (ILO, Child labour in gold mining: The problem, June 2006).

Because mining sites are temporary settlements, they lack sanitation, health services and regular access to clean water. Schools, if accessible at all, are often kilometers away. Malnutrition is common among child miners, along with diseases such as dysentery, diarrhea, malaria, meningitis, measles, tuberculosis and other parasitic and viral infections.

Gold mining is more dangerous than other forms of artisanal and small-scale mining, because of mercury. Mercury is the preferred means for small-scale miners of extracting gold, as it is easy and affordable. The poisonous chemical can be inhaled or absorbed through the skin, and if it leaks into the soil or water it can contaminate food and drinking supplies (Human Rights Watch, 2013: 7). Exposure to mercury can lead to serious physical and neurological disorders including tremors, vision impairment, headaches, memory loss and problems with coordination or concentration (Human Rights Watch, A Poisonous Mix, 2011).

“I came for holidays and I have never gone back to Ouagadougou because around us a lot of boys are caring for their families with the money they are making from the site.”

Kaboré (17), Pousguin³⁴

Small-scale mining often arises in remote and isolated areas where there are no alternative means of making a living (ILO, Practices with good potential, 2012). Working from a very young age, the children are vulnerable to exploitation.³⁵

The ILO reports that children must often perform the same tasks as adults, for less pay. Some children are paid cash, and others with food and shelter.

For those who are paid in cash, most of it is often deducted at source to cover the cost of food, tools and medication. Children who work together with their families are often not paid directly, but seen as an extra resource within the family (ILO, Child Labour in Gold Mining: The Problem, 2006).

Child miners have limited access to school, or can't go at all. Those who do try to continue with schooling find it severely disrupted due to relocation, long working hours and exhaustion.

3.3 Facts and figures

Gold is one of the most valuable and desirable commodities in the world; 60% of it is used in jewellery, but with applications also in technology, health, and currency.³⁶ Gold mining is carried out at both large and small scale; artisanal mining described by the International Institute for Environment and Development as “mining by individuals, groups, families or cooperatives with minimal or no mechanisation, often in the informal (illegal) sector of the market” (IIED, 2012: 4).

Men, women and children work in artisanal gold mining in poor, rural areas across the world. Families often work together, without any kind of license or formal permission. This sort of mining is performed “through labour-intensive, low-tech methods and belongs to the informal sector of the economy,” according to Human Rights Watch. An estimated 12% of global gold production comes from artisanal mines (A Poisonous Mix, Human Rights Watch, 2011).

“The more remote and more informal a small-scale mining activity, the more likely children are to be involved”, says ILO mining industry expert Norman Jennings. “The large-scale formal mining sector does not employ children in its operations”.³⁷

The ILO's report, Towards The Elimination of Hazardous Child Labour, identifies artisanal and small-scale mining as extremely hazardous for children (ILO, 2012). It is classed as one of the worst forms of hazardous child labour, due to the risk of death, injury and long-term health problems

resulting from heavy manual labour and exposure to dust and toxic chemicals.³⁸ The ILO estimates that about one million children aged 5 to 17 are engaged in artisanal and small-scale mining and quarrying activities worldwide, including Asia, Africa, Latin America and even some parts of Europe.³⁹ Such small-scale mining tends to occur in remote areas, in short-term sites as new seams are explored, making it very hard to control.⁴⁰

A recent mining boom has made gold Burkina Faso's top export commodity. According to the Integrated Regional Information Networks (IRIN), "in 2011, [gold] earned Burkina Faso 127 billion CFA (US\$247 million). Between 2007 and 2011, it brought in 440 billion CFA, accounting for 64.7 percent of all exports and 8 percent of GDP. Production rose from 23 tons in 2010 to 32 tons in 2011".⁴¹

Gold mines are spread across Burkina Faso, in the northern, western, southwestern and central regions. Artisanal and small-scale mining sites are often established spontaneously, without any agreement between gold miners, communities and state authorities.

UNICEF estimated in March 2012 that approximately 20,000 children in five of Burkina Faso's 13 regions were working in small-scale gold mines.⁴² More accurate information and monitoring of children in gold mines across all regions is badly needed.

Children as young as six can be found living and working in the mines of Burkina Faso, often working more than ten hours a day, seven days a week.⁴³ In 2012 it was estimated that 86% of child miners in the country had never attended school.⁴⁴

*'The effect on their futures is catastrophic. The young gold-diggers receive no schooling and mostly work "more than 10 hours a day" and often "in the full glare of the sun", according to UNICEF's representative in Burkina Faso, Marc Rubin.'*⁴⁵

In 2012, INTERPOL led an operation to rescue child labourers, involving 165 police officers together with officials from customs, social and health services.

Over the course of two days, 387 children were found working in mines under extreme conditions. The children had been lowered into narrow mining holes up to 70 metres deep.⁴⁶

3.4 Challenges and underlying causes

Many children in Burkina Faso were not registered at birth, and remain officially invisible, disenfranchised from essential social services such as education. According to the country's 2006 census, "some 3 million children, 60 per cent of whom are girls, were not listed in civil registries and do not have national identity cards".⁴⁷

Child labour will never be eradicated without first addressing poverty. It is the responsibility of the government and all involved stakeholders to enhance development opportunities for vulnerable families in Burkina Faso. The government of Burkina Faso needs to remove barriers to education in order to secure that more children will be in school, thereby decreasing the vulnerability of children to become involved in gold mining.

Small scale mining sites are often illegal, established on private property and dug in a hurry. If no gold is found, or word arrives that it's been found elsewhere, the site is quickly abandoned. Tracing and monitoring these isolated, short term mining sites poses a big logistical challenge for the government, but if the problem of child labour is to be addressed, such monitoring is vital.

The United States Department of Labour found that in the 2011-2012 school year, so many children left school to participate in the artisanal gold mining rush, that many rural schools were forced to close.⁴⁸ It is a challenge for all actors involved to ensure that children's education survives the gold rush.

3.5 Government action and the role of NGOs

In 2012 Burkina Faso adopted the National Action Plan to Combat the Worst Forms of Child Labor. This plan strives to reduce hazardous child labour by 2015 and focuses on awareness

raising, data collection, rehabilitation services, education and enhancing the enforcement of laws. The ministry of Social Action and Ministry of Employment are particularly involved. However, due to continued limited resources to enforce child labour laws, children in Burkina Faso continue to work under hazardous conditions in mining.⁴⁹

In the fight against hazardous child labour in the gold mines, the government of Burkina Faso is the key player. The Ministry of Social Action and the Ministry of Security's Morals Brigade of the National Police in Burkina Faso are responsible for enforcing criminal laws related to the worst forms of child labour. In 2012, the Ministry of Labour and Social Security increased the number of labour inspectors from 170 to 281.⁵⁰ If a labour inspector finds a violation a formal warning is issued. If these requirements are not met within a specific time frame the inspector can give a penalty to the employer. The 2012 findings on the worst forms of child labour in Burkina Faso, stresses that no statistics are available on the numbers of violations, convictions, or sentences related to these crimes.⁵¹

Worldwide there are various initiatives in fair gold such as FairTrade certified gold and Oro Verde. FairTrade certified gold is produced by artisanal and small-scale mining organisations meeting the Fairtrade gold standard. This entails that gold has been responsibly mined, miners have received a Fairtrade minimum price and support is given to miners communities to improve their social, environmental and economic development. One of

the features of fair gold mining is that child labour is eliminated.⁵² Fair gold initiatives help to ban child labour from mining. However, fair gold initiatives in Burkina Faso are nonexistent or limited.

NGOs working at grassroots level are best placed to sensitise communities about the impact of child labour in gold mines. Terre des Hommes has been working for children in Burkina Faso since 1987, focusing on health, nutrition and childhood protection. The charity is currently working with the authorities to create a two-year reintegration programme for children rescued from child labour. Terre des Hommes has also teamed up with the global development organisation Counterpart International to address the key drivers of child labour. The 4-year programme (2013 - 2016) 'Reducing Child Labour Through Education and Services', aims to combat child labour in gold mining and cotton production in the regions of Boucle du Mouhoun, Cascades and Hauts-Bassins. The programme is focused on families who are forced through poverty to send their children to work, and aims to deliver financial alternatives. It also offers psychiatric help for those rescued from child labour, and is working to establish a monitoring system. The programme is expected to benefit 1,000 households directly, and more than 10,000 children working in gold mining and cotton production.⁵³

Other NGOs addressing child labour in Burkina Faso include UNICEF, Burkina Faso Red Cross, Save the Children and Integrated Regional Information Networks (IRIN).

Section 4: Conclusions and recommendations

For many children, hazardous work is a daily reality: worldwide, an estimated 115 million children aged 5 to 17 work in dangerous conditions (ILO, Children in Hazardous Work, 2011). Children are put at risk of injury, illness, long term health problems and death. Their bodies and minds, still developing, are more vulnerable to permanent damage than those of adults in the same position.

Poverty is a major driving force for hazardous child labour; many families have no alternative but to send their children to work. In Burkina Faso the current NGO programme, Reducing Child Labour through Education and Services, is pioneering ways to combat the problem by creating alternatives for poverty-stricken families.

Education is one of the most powerful ways to combat hazardous child labour and lift children out of poverty. Children can learn the skills to later find themselves a job with good safety and health standards. At school they are safe from exploitation; in illegal working conditions they are not. Working long hours in remote goldmines means that school attendance is difficult or impossible.

Burkina Faso's gold rush has resulted in a constantly changing constellation of small scale mining sites across the country. These sites pop up spontaneously, under the unofficial radar. In March 2012 UNICEF announced that approximately 20,000 children in five of Burkina Faso's 13 regions were working in small scale gold mines, but monitoring this ever-changing map of illegitimate mines is difficult. Due to the illegitimate feature of small scale mining it is expected to be far more widespread in the Burkina Faso society. The number of children working under hazardous conditions in the goldmines of Burkina Faso is unacceptable. Therefore, there is need for immediate action to eliminate child labour in the gold mines of Burkina Faso.

Global Recommendations:

- Enforcement of national legislation and prosecution against perpetrators of hazardous child labour.
- Promote efforts at the national level to mainstream policies against the worst forms of child labour in development strategies; poverty reduction, child social protection and a social protection framework that supports families' capacity to protect their children.
- National legislation should uphold the age of 18, in line with international human rights standards, as the minimum legal age for hazardous work.
- Develop and implement (with the support of relevant stakeholders) programmes to assist victims of child labour, in particular its worst forms and prevent their return to child labour (ILO, 2013: 45)
- Ensure access and attendance to school for all children at least until the minimum age of employment (ILO, Children in Hazardous Work, 2011).

Recommendations for Burkina Faso:

- The government of Burkina Faso should eliminate hazardous child labour by enhancing national legislation and prosecution against perpetrators of hazardous child labour.
- There is an urgent need for additional data collection and monitoring to disclose the number of child labourers in the gold mines.
- Programmes for the withdrawal of child miners should receive continuous support and alternatives should be provided for children and their families.
- The government of Burkina Faso should enhance economic opportunities and improve systems of social protection for vulnerable families.
- Access to education should be improved, by increasing state financial support, reducing travel time to school, expanding birth registration campaigns and reducing or eliminating school related fees.
- Immediate awareness raising is needed in mining communities about the safety risks and health consequences for children working in goldmines.

- The government of Burkina Faso should develop a national action plan to reduce the use of mercury in small scale and artisanal mining.
- The government of Burkina Faso needs to prioritise the facilitation of fair gold initiatives.

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