

# Labour Market Profile Burundi – 2021 / 2022



This profile provides a comprehensive overview of the labour market's structure, development, and challenges.

Danish Trade Union  
Development Agency



ULANDSSEKRETARIATET – DTDA  
DANISH TRADE UNION DEVELOPMENT AGENCY

## PREFACE

Danish Trade Union Development Agency (DTDA) is the development organisation of the Danish trade union movement. It was established in 1987 by the two largest Danish confederations – the Danish Federation of Trade Unions (Danish acronym: LO) and the Danish Confederation of Professionals (Danish acronym: FTF). These confederations merged to become the Danish Trade Union Confederation (Danish acronym: FH) in January 2019, not to mention former known as LO/FTF Council was replaced by DTDA.

DTDA's work is in line with the global Decent Work Agenda's (DWA) pillars: creating decent jobs, guaranteeing rights at work, extending social protection, and promoting social dialogue. The overall development objective is to eradicate poverty and support the development of just and democratic societies by promoting the DWA agenda and the labour-related Sustainable Development Goals (SDGs).

DTDA collaborates with trade union organisations in Africa, Asia, Latin America, and the Middle East. The programmes' immediate objective is to assist the partner organisations in becoming change agents in their own national and regional labour market context.

The Labour Market Profile (LMP) format provides a comprehensive overview of the labour market's structure, development, and challenges. They follow several central indicators addressing labour market development aspects, especially the unionism evolution, social dialogue and bi-/tri-partite mechanisms, policy development, and the legal reform status, among others. Primary sources of data and information for LMPs are:

- As part of programme implementation and monitoring, national partner organisations provide narrative progress reports. Furthermore, specific data and information

relating to central indicators are collected using a data collection tool.

- National statistical institutions and international databanks are used as a source for collection of general (statistical) data and information such as ILOSTAT and NATLEX, World Bank Open Data, ITUC Survey of Violations of Trade Union Rights, the U.S. Department of State, as well as other internationally recognised labour-related global indexes.
- Academia and media sources (e.g., Labour Start, national news, among others) are furthermore used in the available research on labour market issues.

The profile is regularly updated. The current version covers the period from 2021 to 2022. Labour Market Profiles for more than 30 countries are available on DTDA's website:

<https://www.ulandssekretariatet.dk/>.

DTDA prepared the Labour Market Profile in Copenhagen with support from the DTDA Sub-Region Office in Tanzania in close collaboration with the *Confédération des Syndicats du Burundi* (COSYBU). If any questions arise to the profile, please contact Mr Kasper Andersen ([kan@dt-da.dk](mailto:kan@dt-da.dk)) from DTDA.

The front page's picture depicts the Mutumba Professional Domestic Workers Trade Union (*Tubakiranakamwemwe*). The picture was photographed by Mr Alain Christopher Ndayishmiye.

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## EXECUTIVE SUMMARY

Burundi's economic growth collapsed in 2015, fuelled by political turmoil. Donors withdrew development aid forcing the government to cut public investments and raised domestic public debt to finance the social spending. Another economic downturn hit the country in 2020, sparked by the global Covid-19 pandemic. The economic slump, no minimum wage hikes, and low social protection coverage hindered poverty reduction, keeping Burundi among the poorest countries in the world.

Regional integration backed a series of labour-related reforms, including new and improved labour and social protection laws from 2020. Bipartite initiatives among central social partners positively influenced the social dialogue ambience. The tripartite National Social Dialogue Commission functions to resolve workplace conflicts. Labour councils operate at the national level but are underdeveloped at the branch level. Informal micro and small enterprises dominate the private sector, haunted by a lack of awareness or incentives to apply the business and labour regulations in practice. Burundian employers considered the labour market efficiency relatively weak but with some positive glimpses involving the flexibility of wage determination and labour tax rate.

Trade union density of total employment increased from 1.7% in 2009 to 4.5% in 2020. This remarkable upsurge was mainly propelled by affiliating organised workers from the informal economy, even in 2020. The country has the worst ranking on the Global Rights Index since 2016, dealing with workers with limited rights with dysfunctional national institutions linked to internal conflict and numerous violations of trade union rights.

The population is growing fast: The fertility rate stays among the highest in the world, and the life expectancy rate increased significantly. Sectoral economic shifts from the agricultural to the service

sector are visible, while the development of the industry sector is stalled. Projections found only minor transformations of the employment structure. Estimates of the unemployment rate were down to 0.8% in 2020, connected to a workforce primarily relying on subsistence farming; the country has one of the lowest urbanisation rates in sub-Saharan Africa.

The political turmoil in 2015 escalated Burundian refugees, reaching 2.5% of its population in 2020. Neighbouring countries implement refugees' repatriation programmes that further strain Burundi's public finances and propelled additional job creation demands. Personal remittances have aided countless Burundian families, but its inflow slows down coupled with current global economic ruptures.

Although Burundian laws and policies encompass gender equality, significant gender gaps are evident in the employment structure, tied to the dominating rural farming's cultural values. Paid employment is a central issue for Burundi's youth: almost one out of two does not receive a stable income. The education system demonstrated an upsurge in school enrolment at all levels, supporting the literacy rate on the rise. Still, around nine out of ten (92%) in employment have less than basic education, impeding the country's attraction for international investors to promote more developed industries, not to mention wedged in high child labour.

The underdeveloped formal sector and the relatively high poverty rate is also mirrored in the weak social protection coverages: less than 30% of the population has access to social insurance, and around 4% of persons above retirement age receive a pension. The new social protection code from 2020 makes room for individuals or self-employed to join existing or new social security schemes. Besides, unemployment insurance is a novel concept. These new initiatives stay unaffordable to most workers.

The table below provides an overview of key labour market indicators' status in the framework of the Decent Work Agenda.

On page iv, a table presents an overview of the current value and targets of the Sustainable Development Goals' indicators concerning labour market issues.

### Status of key labour market indicators in the framework of the Decent Work Agenda (DWA) in Burundi

<b>Creating decent jobs</b>	
Policy reforms addressing creation of decent employment.	The country adopted policies in employment, skills development, poverty eradication, productivity, and competitiveness, but not yet industrial policy and minimum wage policy.
ILO standard-setting on improvement of status of workers from the informal economy.	The Tripartite National Informal Economy Forum was adopted in Burundi. The new Labour Code from 2020 encompasses informal economy workers and their rights to unionise, social protection, collective bargaining, among others.
<b>Guaranteeing rights at work</b>	
Growth in trade union members (%).	The overall trade union membership rate, including affiliated organised workers from the informal economy, increased by 285% from 2009 to 2020.
Violations of trade union rights.	Burundi had the worst ranking on the Global Rights Index from 2016 to 2020, measured as 5+ (5+ is the worst).*
Labour legislation is improved according to ILO standards.	In recent years, a series of labour-related legislation was approved, including significant strides towards establishing a common market as part of the East African Community (EAC). Among the improvements were particularly the new Labour Code from 2020, which makes provisions to promote informal economy and domestic work, as well as the principle of the right to basic social security is mandatory. The Social Protection Code from 2020 makes no distinction between formal workers and those in the informal economy. The law sets the vulnerable groups and their living conditions for receiving social protection. It also specifies the financing of non-contributory systems through the Social Protection Support Fund and any other source of funding, including external.
Partner organisation with minimum 30% women representation in decision-making bodies.	Women constitute around one out of four, while roughly 30% are youth (below 30 years), in leadership positions and decision-making bodies in COSYBU in 2020.
<b>Extending social protection</b>	
Health social protection coverage as per cent of total population in partner countries.	<30%.
Workers from the informal economy have access to national social security schemes.	All workers are entitled by law to access national social security schemes, but only approximately 10% can afford it.
<b>Promoting social dialogue</b>	
Trade union density of total employment (%).	Increased from 1.7% in 2009 to around 4.5% in 2020, which signals that the number of organised workers superseded the employment growth.
Trade union density of employees (%).	The trade union density (formal) of employees increased from 5% in 2009 to 10% in 2020.
Cooperation in labour-employer relations.	Scoring 90 out of 141 (1 is best). **
Number of Collective Bargaining Agreements (CBAs).	There were registered six CBAs in 2019 that appear needed by renewing.
Workers' coverage of Collective Bargaining Agreements to employees.	CBAs' coverage of employees at 5.9% in 2017.
Bi-/tri- partite agreements concluded.	In 2016, social partners in Burundi (COSYBU and AEB) signed a joint MoU to strengthen their collaboration on issues of mutual interests. Following this important step, both organisations have jointly promoted social dialogue guiding the revision of the new labour and social security laws, developed a joint position paper of portability of social security benefits in EAC, and presented a jointly manual as a training guide to social dialogue in public administration, company floors, as well as informal workplaces.

\* It is registered "no guarantee of rights due to the breakdown of the rule of law": Workers have limited rights linked to dysfunctional institutions because of internal conflict.

\*\* This indicator is based on data from the Global Competitiveness Index that represents employers' opinion from surveys.

Sources: International Trade Union Confederation; World Economic Forum; International Labour Organisation; DTDA research, and own calculations.

### Status of Sustainable Development Goals in labour market related issues in Burundi

Indicators	Value	Year	SDG Targets
1.1.1: Working poverty rate (percentage of employed living below US\$1.9 PPP)	78%	2019	By 2030, eradicate extreme poverty for all people everywhere, currently measured as people living on less than US\$1.9 a day.
1.3.1: The population effectively covered by a social protection system, including social protection floors.	4.0% *	2016	Implement nationally appropriate social protection systems and measures for all, including floors, and by 2030 achieve substantial coverage of the poor and the vulnerable.
5.5.2: Women share of employment in managerial positions.	32%	2017	Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic, and public life.
8.2.1: Annual growth rate of output per worker (GDP constant 2010 US\$)	-1.6%	2019	Sustain per capita economic growth in accordance with national circumstances and, in particular, at least 7 per cent gross domestic product growth per annum in the least developed countries.
8.2.1: Annual growth rate of real GDP per employed person (GDP constant 2011 international \$ in PPP)	-1.6%	2019	Achieve higher levels of economic productivity through diversification, technological upgrading, and innovation through a focus on high value-added and labour-intensive sectors.
8.3.1: Proportion of informal employment in non-agriculture employment	98%	2014	Promote development-oriented policies that support productive activities, decent job creation, entrepreneurship, creativity, and innovation, and encourage the formalisation and growth of micro, small, and medium-sized enterprises through access to financial services.
8.3.1: Women	99%	2014	
8.3.1: Men	97%	2014	
8.5.1: Employees' average hourly earnings total	-	-	By 2030, achieve full and productive employment and decent work for all women and men, including young people and persons with disabilities, and equal pay for work of equal value.
8.5.2: Unemployment rate (Total, 15+)	1.6%	2014	
8.5.2: Women, 15+	1.2%	2014	
8.5.2: Women, 15-24 years	2.0%	2014	
8.5.2: Men, 15+	2.1%	2014	
8.5.2: Men, 15-24 years	4.4%	2014	
8.6.1: Proportion of youth (15-24 years) not in education, employment, or training)	6.2%	2017	By 2030, substantially reduce the proportion of youth not in employment, education, or training.
8.7.1: Proportion and number of children aged 5-14 years engaged in economic activity (Total)	32%	2010	Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025, end child labour in all its forms.
8.7.1: Girls	33%	2010	
8.7.1: Boys	29%	2010	
8.1.1: Non-fatal occupational injuries per 100,000 workers.	-	-	Protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment.
8.1.1: Frequency rates of fatal occupational injuries per 100,000 workers, annual	-	-	
8.8.2: Level of national compliance with labour rights (freedom of association and collective bargaining) based on ILO textual sources and national legislation.	-	-	The exact measurement method and scoring for this indicator needs to be developed.
9.2.2: Manufacturing employment as a proportion of total employment	1.8%	2017	Promote inclusive and sustainable industrialisation and, by 2030, significantly raise industry's share of employment and gross domestic product, in line with national circumstances, and double its share in least developed countries.
10.4.1: Labour share of GDP, comprising wages and social protection transfers (%)	57%	2017	Adopt policies, especially fiscal, wage and social protection policies, and progressively achieve greater equality.

\* Persons above retirement age receiving a pension; see more in Table 15.

Source: ILO, Key Indicators of the Labour Market (KILM).

### COUNTRY MAP



Source: CIA, *The World Factbook*, Burundi.

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## ECONOMY

Burundi is a low-income economy centred on the agriculture sector. Stable economic growth at the beginning of the 2010s entered a downturn since 2015 triggered by political turmoil and civil unrest deeply rooted in the past. The relation to international donors deteriorated, withdrawing budget support and suspended project aid: The ratio of net official aid received to GDP has been significantly low since 2015 (see Figure 1 ahead). Fiscal deficits rose sharply despite cuts to investment and social spending and progress in revenue mobilisation. Public debt climbed rapidly from 38% in 2014 to 65% of GDP in 2020, driven by an upsurge in domestic public debt. It has not been sufficient to meet the continuously rising social demand driven by the fast-growing population.<sup>1</sup>

Burundi's export sector did not develop during the last two decades: export represented from 6.7% of GDP on average in the 2000s to 8.3% in the 2010s, significantly lower than the sub-Saharan Africa average, at 27%. According to the Observatory of Economic Complexity, Burundi ranked 112<sup>th</sup> out of 157 countries in 2019. The Covid-19 pandemic disrupted international flows of goods and services, especially Burundi's exports. Burundi's main export products are gold, coffee, and tea.

Burundi's GDP per capita growth at -3.2% on average from 2015 to 2019, which was significantly lower than the sub-Saharan Africa average at -0.5%. The country's GDP per capita rose just from US\$130 in 2000 to its peak at US\$304 in 2015 but plummeted to around US\$254 in 2020. The country remains one of the world's poorest countries, ranking 184 out of 190 countries (1 is the richest).<sup>2</sup>

The year 2020 was characterised by the outbreak of the global Covid 19 pandemic. This outbreak was initially in denial by the government but turned to some mild acceptance during the pre-electoral situation before the general elections of May 2020. These elections took place amid very tense and sporadic bouts of violence. Two months earlier than

planned, Burundi's newly elected president, Evariste Ndayishimiye, was sworn in June 2020. The pandemic forced the country into a double-shock of supply and demand, hardest at industry, which saw a 4.5% decline in output, and services, whose output fell 1.8% compared with 2019. The most affected businesses were public transport operators, airlines, and international travels. Agriculture was also expected to contract, combined with rising prices of imported products resulted in a sharp rise in prices. For example, the weak global demand caused a 4.4% decline in coffee export prices and a 10% decline for tea, trade, and current account deficits deteriorated, reaching -16% of GDP and the budget deficit rose to 8.7% of GDP in 2020. That resulted in a reduction in foreign exchange reserves. The exchange rate between the Burundian Franc and the U.S. dollar fell by 3.8% between May 2019 and May 2020. General government total expenditure is expected to rise significantly in 2020 and 2021 (see more in Table 1).

**Table 1: Burundi's key economic data, projections, 2019-2022**

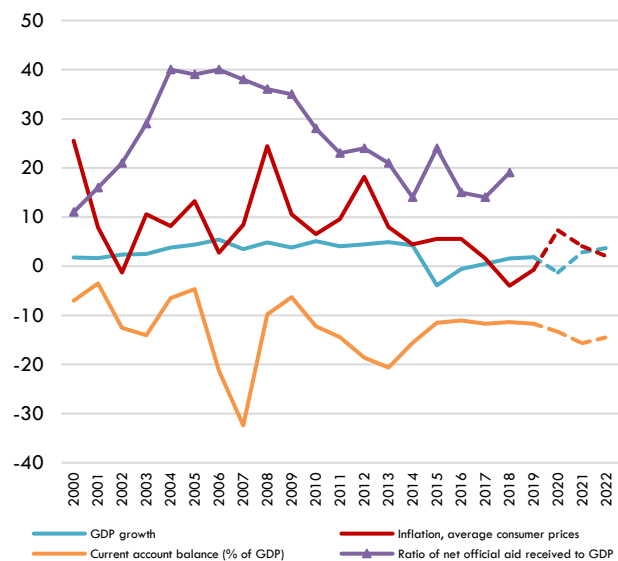
Values	2019	2020	2021	2022
GDP (current, US\$)	3.0 bn	3.0 bn	3.2 bn	3.4 bn
GDP per capita (current, US\$)	257	254	265	274
Total investment (% of GDP)	19%	20%	23%	23%
Gross national savings (% of GDP)	7.6%	6.6%	7.2%	8.4%
General government total expenditure (% of GDP)	31%	37%	37%	28%
General government gross debt (% of GDP)	60%	70%	76%	74%

Sources: International Monetary Fund, World Economic Outlook Database, April 2021.

Inflation in consumer prices has been volatile during the last two decades, linked to climatic conditions on harvests are a central driver of price dynamics. At the end of the 2010s, inflation tumbled, reaching its lowest rate at -4% in 2018. Following the Covid-19 crisis economic impact, inflation rose quickly, expected at 7% in 2020 but projected below 5% in 2021 (Figure 1). Burundians' income purchasing power was challenged by the failed wage increases

but shielded somewhat by the deflation at the end of the 2010s (see more in the Working Conditions section).

**Figure 1: Gross domestic product, inflation, current account balance, and official aid in Burundi, %, 2000-2022**



Sources: International Monetary Fund, World Economic Outlook Database, April 2021; World Bank, World Development Indicators.

Data shows that the gross fixed capital formation in Burundi was low at 13% of GDP on average in the 2010s, compared to the sub-Saharan Africa average, at 21%.<sup>3</sup> The foreign direct investment (FDI) inflow reached 1.0% of GDP on average in the 2010s, including 0% between 2016-2019. It places the country significantly lower than the regional average, at 2.3%. The mining and agricultural sectors captured most of the investment, and France and Japan were the leading investors. The construction of hydroelectric dams is planned to make the country more attractive to infrastructure and investors.<sup>4</sup> The government also has made progress in improving the business regulatory framework, notably through adopting an Investment Law: Foreign investors enjoy the same rights as domestic ones and can engage in all forms of activities. There are no general limits on foreign ownership or control, and foreign investment is not subject to any screening mechanism. On the negative side, political instability, high cost of public

services, ambiguous trade policies, poor infrastructure, corruption, low-skilled workforce, limited privatisation programme, and lack of foreign exchange are factors limiting FDI influx.

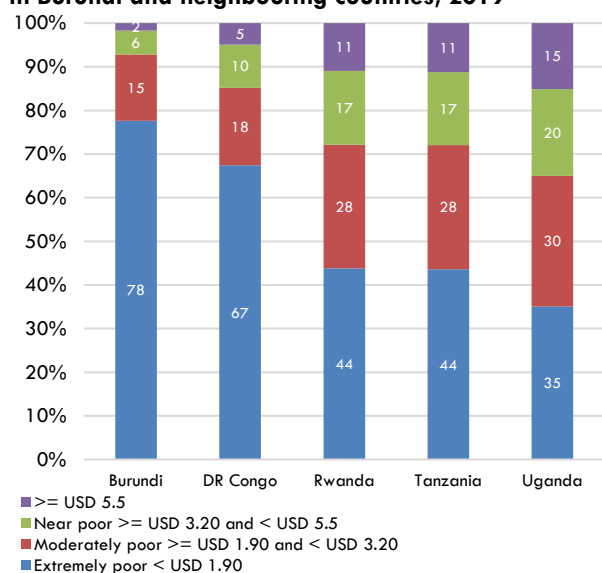
Improvements in business regulations were noted regarding less expensive by reducing the cost of registering a business; increased the transparency of dealing with construction permits by publishing regulations related to construction online, free of charge; and made resolving insolvency easier by streamlining the insolvency framework, expanding the scope of the insolvency law, and introducing new preventive measures. The country ranked 166 out of 190 countries (1<sup>st</sup> is best), according to the Doing Business Index 2020. Out of ten indicators, the country's best rankings are starting a business (44) and registering property (100). The worst rankings are getting electricity (184), getting credit (176), and trading across borders (169) (see more details in Appendix Table 19).

On the Human Development Index, Burundi is at the rock bottom: 189 out of 189 countries (1<sup>st</sup> is best). Inequality in the distribution of family income is measured in the Gini index: Estimations suggested that this inequality increased from 33 in 2006 to 39 in 2013 (0 represents perfect equality, while 100 represents high inequality), which was relatively moderate compared to other countries in the region.

Estimations of extremely working poor (<US\$1.9 per day) suggested that it increased by four percentage points during the 2010s. The broader working poor (below US\$3.1 per day) rose by two percentage points, reaching 93% in 2019. The middle-class (>US\$5 per day) in employment fell at the margin from 2.0% in 2010 to 1.7% in 2019. Burundi's employment by economic class has the poorest rankings compared to the neighbouring countries (see Figure 2). It is worthwhile to mention that this estimation excluded the economically inactive population, at 22% of the population's 15+ years. Based on the broader poverty headcount ratio at US\$1.9 a day, Burundi registered a drop from 79%

in 2006 to 73% in 2013. At this measurement, the country's ratio was below DR Congo (77%) but higher than Rwanda (57%) and Tanzania (49%). Burundi's low poverty reduction is echoed in the meagre transformation of the economy and employment structures, the weak minimum wage system, and social protection coverage (see ahead).

**Figure 2: Estimations of employment by economic class in Burundi and neighbouring countries, 2019**



Note: Data in this table exclude the economically inactive population covering around 22% of the population (aged 15+). Data in this table is measured at Purchasing Power Parity (PPP).  
Sources: ILO, Key Indicators of the Labour Market (KILM).

### Free Zones

Burundi's first promulgation of law protecting the Free Zones (FZs) was the Legislative Decree 1/3 in 1992 that aimed at encouraging FDI and generate export diversification. The latest amendments were adopted in 2001 with the law 1/015 and 2002 with the Ministerial Order 750/649. The system gives legal status to companies that automatically qualify for a set of tax and customs exemptions. It has the distinction of being organised as a legal unlimited geographical area. Free zone companies are generally divided by sector and referred to as free companies in the industrial, commercial, services or agricultural sectors.

The concept FZ was considered of strategic economic importance for Burundi as a privileged crossroads for distributing goods in the neighbouring countries. Among the East African Community (EAC), Rwanda, Tanzania, and Kenya have already promoted this investment tool. Burundi has not demonstrated the same pace, mainly due to the political turmoil in recent years. Nevertheless, the government has initiated its first Special Economic Zone (ZESB) to enhance growth and development after cooperating with several European countries. ZESB is still under implementation on the Warubondo site, and its main objective is to revive the industrial sector and promote exports, labelled "Made in Burundi".<sup>5</sup>

### LABOUR LEGISLATION

The International Labour Organisation (ILO) listed 252 laws/decrees related to Burundi's labour market in April 2021.<sup>6</sup> A series of labour-related legislation was approved in recent years after consultations with social partners (see Appendix Table 17). Several improvements were particularly noted in the new labour and social protection laws, both from 2020 (see ahead). Central labour-related laws stance is summarised below.

#### Constitution

The new 2018 Constitution recognises that all Burundian people are equal in merit and dignity. All citizens enjoy the same rights and have the same protection of the law. No Burundian will be excluded from the social, political, or economic life due to their race, language, religion, sex, or ethnic origin.

In relation to unionism, the constitution protects the right to form trade unions and to affiliate with them, and the right to strike. The law regulates the exercise of these rights and forbids certain groups of people from striking. These rights are not extended to members of the defence and security corps.

Other aspects are that the right for all citizens to work and strives to create the conditions are recognised. It

grants the right of all persons to benefit from fair and satisfactory work conditions and guarantees the worker decent pay for their services or output. With equal competence, every person has the right, without any discrimination, to an equal salary for equal work. Besides, every person has the right to access health care.<sup>7</sup>

### **Labour Code**

The Labour Code of 1993 was finally replaced by the Labour Code of 2020. The new code aims to balance the interests of the company and workers' fundamental rights, not to mention introducing adaptations to become more in line with the international standards such as ILO conventions and the East African Community (EAC) regulating framework. The new code is voluminous: 639 articles against 307 for the old code of 1993. The code governs all contractual workers (excluding magistrates and defence bodies).

Some of the significant improvements in the law were to introduce the informal economy and domestic work in its scope. For example, the status of apprentices and trainees will benefit from an apprenticeship contract and introducing the prohibition of child labour and its worst forms.

The code introduced temporary work, subcontracting, homework contracts, part-time work contracts with a maximum of fifteen hours per week, displaced workers (i.e., the law requires the employer to take care of travel and accommodation), temporary work, and daily work. Another issue is that the open-ended contract (OEC) and fixed-term contract (FTC) application creates some unclear equal treatment's challenges. For example, it provides that during periods of unemployment, the worker is paid an unemployment benefit at the expense of social security.

The law also established that every worker is entitled to the benefits of the relevant legislation's basic social security schemes. Therefore, the principle of the right

to basic social security is mandatory (see more in the Social Protection section).

The law presents the obligation to draft company regulations and incorporates the work of people living with disabilities. Lay-off, which concerned civil servants only, was also introduced, defining the employer's obligations and the worker about occupational health and safety. It gives labour inspectors the power to appeal to the police and the courts in case of necessity. Additionally, it introduces the post of medical inspector of labour who exercises permanent action to protect workers' physical and mental health instead of their work.<sup>8</sup>

### **Civil Servant Code**

The 2002 Civil Servant Code (Act No. 1/015) is currently undergoing amendments as one of the many implementation texts of the just revised labour code. This code regulates the right to organise and strike in public service. The new regulation provides for the right of workers to form and join independent unions with restrictions. A union must have at least 50 members. There is no minimum size for a company to be unionised. The minister of labour has the authority to designate the most representative trade union in each sector. Most civil servants *may* unionise, but their unions must register with the Ministry of Public Service, Labour, and Social Security (MCSLSS) that has the authority to deny the registration. Police, the armed forces, magistrates, and foreigners working in the public sector may not form or join unions. Workers younger than 18 must have the consent of their parents or guardians to join a union.

The law provides workers with a conditional right to strike after meeting strict conditions; it bans solidarity strikes. The parties must exhaust all other means of resolution (dialogue, conciliation, and arbitration) before a strike. Intending strikers must represent most workers and give six days' notice to the employer and the MCSLSS. Negotiations mediated by a mutually agreed-upon party or by the government must continue during the action. The ministry must determine whether the sides have met strike conditions, giving it,

in effect, the power to prevent strikes. The law permits the requisition of essential employees in the event of strike action. The law prohibits retribution against workers participating in a legal strike.

The law recognises the right to collective bargaining, but it excludes measures regarding public sector wages set according to fixed scales following consultation with unions. If negotiations result in deadlock, the labour minister may impose arbitration and approve or revise any agreement. The law prohibits anti-union discrimination. The law allows termination of workers involved in an illegal strike and does not explicitly provide for reinstatement of workers dismissed for union activity.<sup>9</sup> This predicament has compelled social partners to successfully lobby for revising the civil servants' code to align it with new freedoms and rights provided for in the new code.

### **Social Protection Code**

The Social Security Code of 1999 was replaced by the Social Protection Code in May 2020. One of the significant improvements of the law was that it makes no distinction between formal workers and those in the informal economy concerning labour rights, social protection, and social dialogue. The law sets the vulnerable groups and their living conditions for receiving social protection. It further specifies the financing of non-contributory systems through the Social Protection Support Fund and any other funding source, including external.

The new measure created an authority responsible for regulating social protection programmes and systems. A decree is setting out the missions, organisation and functioning of the authority responsible for regulating social protection programs and systems that have already been gazetted.<sup>10</sup>

### **Observations on labour legislation**

The International Trade Union Confederation (ITUC) registered a wide range of flaws in the national legislation concerning freedom of association, the

right to collective bargaining, and the right to strike in relation to the international standards. Some of the observations are:<sup>11</sup>

- Prior authorisation or approval by authorities required for the establishment of a union.
- Excessive representativity or a minimum number of members required for the establishment of a union.
- Administrative authorities' power to unilaterally dissolve, suspend or de-register trade union organisations.
- Absence of criteria or discretionary, unclear, or unreasonable criteria for determining representative organisations.
- Exclusion of certain matters from the scope of bargaining (e.g., wages, hours).
- Authorities' power to intervene in the preparation of collective agreements.
- Authorities' or employers' power to unilaterally annul, modify or extend content and scope of collective agreements.
- Restrictions on the duration, scope of application or coverage of collective agreements.
- Authorities' approval of freely concluded collective agreements.
- Employers' discretionary right to refuse to bargain with representative trade unions.
- Absence of an independent body responsible for declaring whether a strike is legal or not.
- Authorities' or employers' power to prevent or end a strike by referring the dispute to arbitration.
- Undue restrictions for "public servants".
- Absence of compensatory guarantees for categories of workers deprived of the right to strike.
- Discretionary determination or the excessively long list of "services of public utility" in which a minimum operational service can be imposed in the event of strikes.

Generally, the government did not effectively enforce applicable labour laws nor taken any comprehensive measures to implement policies or international standards regarding responsible business practices. Institutions registered those resources for inspection and remediation were inadequate, and penalties were insufficient to deter violations.<sup>12</sup> Equally, most workers operate in the informal economy. They often loop hole in the labour and business regulations in practice due to a lack of awareness or incentives (see the Informal Economy section).

### **ILO Conventions' status**

International principles and rights at work are enumerated in ILO's international conventions. Burundi has ratified 31 conventions: 27 are in force, one has been denounced, and three instruments abrogated. The latest ratified convention was the Worst Forms of Child Labour Convention (C182) in 2002.

The list in Appendix Table 18 shows that Burundi ratified the eight fundamental conventions and two out of four Governance Conventions, leaving out the Employment Policy Convention (C122) and the Labour Inspection (Agriculture) Convention (C129). The country also ratified 21 technical Conventions, and three are up-to-date and actively promoted.

ILO's Committee of Experts on the Application of Conventions and Recommendations (CEACR) registered a series of observations and direct requests to central conventions for Burundi in 2020. They noted with regret that the government merely indicated that the General Civil Service Regulations is not in line with the Freedom of Association and Protection of the Right to Organise Convention (C087). The committee further referred to the observations made by COSYBU concerning the suspension of trade union registration in the informal economy and the unilateral imposition of minimum services in the event of a strike. The government indicated that the registration of organised workers

from the informal economy would be resumed after its revised Labour Code promulgation. CEACR recalled that workers in the informal economy have the right, without prior authorisation, to form organisations of their choosing. The committee requests the government to respond to COSYBU's allegation concerning the unilateral imposition of minimum services in the event of a strike.<sup>13</sup>

### **Trade agreements**

The application of trade agreements are on the rise and becoming progressively more accepted. Many agreements incorporate labour clauses. Burundi is a member of the World Trade Organisation (WTO). Three regional trade-related agreements were launched in 2018: the African Continental Free Trade Agreement (AfCFTA), the Kigali Declaration, and the Protocol on Free Movement of Persons. The Protocol on Free Movement of Persons seeks to establish a visa-free zone within the AfCFTA countries and support the creation of the African Union Passport. Although Burundi signed the AfCFTA, it has not yet been ratified. The country has still not signed the Kigali Declaration or the Protocol on Free Movement of People.

The country joined other regional agreements that have clauses on the labour market regulations: Common Market for Eastern and Southern Africa (COMESA), East African Community (EAC), Economic Community of the Great Lakes (ECGL), and the Economic Community of Central African States (ECCAS). Some of the challenges in the negotiations related to Africa had already been divided into eight separate free trade areas with different regulations. These regional bodies will continue to exist, but in the long-term, will be transformed for an Africa-wide custom union. Studies argue that the measures of labour conditions (i.e., mean monthly real earnings, mean weekly work hours per employee, fatal occupational injury rate, and the number of the ILO's Fundamental Conventions ratified) find no evidence for possible pro-labour-condition effects of Regional

Trade Agreements (RTAs) labour clauses overall.<sup>14</sup> On the other hand, bilateral trade agreements can affect cooperation (see ahead).

EAC agreed to establish a common market with free movement for workers, goods, services, and capital. Freedom of association and collective bargaining are protected in the common market, including an EAC migrant worker who has equal rights as a citizen.<sup>15</sup> The free movement of labour within the EAC opens questions on achieving equal opportunities and equal social and labour rights for migrant workers. Workers can bring pensions with them across borders. For an extended period, the EAC's economic integration demonstrated a low pace of adjusting the national regulations. But it made significant strides in recent years, establishing a standard external tariff, harmonisation of immigration and reformed labour laws, removing non-tariff barriers, and finalising the Protocol on Good Governance.

Burundi is involved in the 2000 Cotonou Agreement in collaboration with the European Union (EU). The agreement reaffirms commitment to ILO's fundamental conventions and collaboration on various labour and social issues. A new negotiation moves towards a substantially revised agreement with a common foundation at the African Caribbean and Pacific (ACP) level combined with three regional tailored partnerships. The future deal expects to cover priority areas such as democracy and human rights, economic growth and investment, climate change, poverty eradication, peace and security, and migration and mobility.<sup>16</sup> Burundi has not yet signed the Economic Partnership Agreement with the European Union (EAC-EU EPA). The country is already beneficiary of the EU's Generalized System of Preferences (GSP) in the Everything but Arms (EBA) scheme. All imports to the EU from the LDCs are duty-free and quota-free except for arms and ammunition.

The United States African Growth and Opportunity Act (AGOA) registered Burundi as Not AGOA Eligible (terminated 2016). In 2020, United States Trade

Representative detected Burundi's short-term economic outlook is uncertain, as political unrest and social tensions threaten structural economic reforms. Major structural challenges weaken incentives for investment. They also argued that many policies related to foreign investment are not transparent, and laws or regulations on the books are often ineffective or unenforced. Corruption continues throughout police, judiciary, business, and tax services institutions.<sup>17</sup>

## **SOCIAL PARTNERS**

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Social partners are essential to promote the realisation of core labour rights and social justice for workers by protecting freedom of association and collective bargaining in bi- and tripartite functions. These partners are usually represented as central government institutions, trade unions, and employers' organisations.

### **Government**

The Ministry of Public Service, Labour and Employment conceive and execute government policy in labour matters, civil service, and social protection. The ministry set up performance mechanisms and standards to increase the efficiency of public administrations along with assessing and plan the staffing needs of central government public services. It also develops and implements policies aimed at promoting employment, on-the-job training, professional development, and the development and efficient management of human resources in collaboration with the ministries concerned. Other central aspects in the ministry's scope are promoting social dialogue, such as ensuring relations between employers and trade unions in the private sector and the state, not to mention social justice and improving working conditions. Besides, the ministry supports health insurance systems for the population, including controlling the social security legislation.<sup>18</sup>

The organisational structure of the education system has changed several times in recent years. In 2018,

the education sector was restructured, splitting the Ministry of Education into the Ministry of Education, Technical and Vocational Training (METVT) and the Ministry of Higher Education and Scientific Research (MHESR). Basic education is now under METVT's management.

The ministry in charge of social protection programming is the Ministry of Human Rights, Social Affairs and Gender (MHRASAG). Other ministries and public institutions also implement interventions in social protection: the METVT, the Ministry of Public Health and the Fight Against AIDS, the Ministry of Hydraulics, Energy and Mines (MHEM), and the Ministry of Environment, Agriculture and Livestock (MEAL). These institutions are coordinated by the Permanent Executive Secretariat of the National Social Protection Commission (see more in the Social Protection section).

## Trade Unions

Unionism was evolving in Burundi in the beginning of the 2010s but got effected by 2015 reignited civil unrest. The trade union movement organised strikes and protests concerning national politics, the current sharp increase in food prices, and education and energy issues in the end of the decade. Burundi's government perceived trade unions in anti-government demonstrations and social unrest from 2015 to 2018: Trade unions were subject to similar pressures and restrictions as other elements of the civil society that led to a significant reduction in union activism.<sup>19</sup> Nevertheless, trade unions participated to negotiate a new labour law that improved unionism's status in Burundi. The updated 2020 labour law makes provisions, including for improved protection of trade union leaders. The number of workers required to register a new trade union was reduced from 50 down to 20 workers to allow smaller companies to have credible workers representation.

It is important to realise that a large majority of employment is concentrated in the agricultural sector.

Those operating in non-agricultural sectors are mainly located in informal micro and small enterprises. Besides, estimations suggested that employees represented just 14% of total employment (see Figure 4 ahead). These factors explain why most trade unions are covering employees from the public sector; less than 10% of private-sector workers are formal unionised. Since most employees are civil servants, government entities are involved in almost every phase of industrial relations. Another aspect is that most unions are either from the formal sector or informal economy. There are no mixed unions. Unions from parastatals and the structured private sector are rising but still minimal compared to unions representing organised workers from the informal economy.

Burundi's traditional trade union movement also has been challenged by government-controlled rival trade unions, known as 'yellow unions' (worker organisations dominated or influenced by an employer and is therefore not an independent trade union). During the 2010s, cases show Burundian workers were harassed repeatedly by their employers until they joined the ruling party and the new organisations that have been created to weaken the trade union movement.<sup>20</sup>

The overall trade union membership rate grew steady from 59,000 in 2009 to around 240,000 in 2020, equalling a hike of 305%. This growth was mainly driven by an influx of organised workers from the informal economy. Even from 2019 to 2020, the organised workers from the formal sector rose by 32%, while those from the informal economy increased 119%. As a result, formal workers' share of the total membership rate dwindled from 46% in 2009 to 32% in 2020. In contrast, the share of organised workers from the informal economy increased, gaining at 68% in 2020. The trade union movement is men dominated; the women's share at about 17%.

The trade union density of employees (formal) increased from 5% in 2009 to 10% in 2020.



However, when the view broadens to cover both formal and affiliated organised workers from the informal economy, the trade union density of total employment increased from 1.7% in 2009 to around 4.5% in 2020, signalling that the membership rate superseded the employment growth (see more in the Workforce section). Burundi's latter trade union density was higher than Ethiopia (1.0%), Rwanda (3.5%), and Tanzania (3.2%) but lower than Kenya (15%) and Uganda (6.0%).<sup>21</sup> An overview of the trade unions status is available in Table 2.

**Table 2: Status of trade unions' membership in Burundi, 2020**

Themes	Values
Total members of trade unions	239,156
Share of members (employees, formal)	32 %
Share of affiliated members (informal)	68 % *
Trade union density (formal and affiliated informal) of employment	4.5 %
Trade union density (formal) of employees	10 %
Women's share of membership	17 % **

\* Data cover from COSYBU and CSB. \*\* Data from COSYBU in 2019.

Source: COSYBU; DTDA research and data-collection tool; own calculations of trade union density based on employment estimations from ILO's KILM.

The two main trade union confederations – *Confédération des Syndicats du Burundi* (COSYBU) and *Confédération des Syndicale du Burundi* (CSB) – have representation in industrial relations such as collective bargaining negotiations in cooperation with individual trade unions. In 1995, COSYBU broke away from CSB. These two organisations are living door-by-door and collaborating on many issues. Both confederations are affiliated with ITUC. COSYBU has the largest share of affiliated members covering around 79% of total trade union membership rate. In contrast, CSB represents 16% and independent unions of 5% (see details in Table 3). Around 21 independents 'yellow unions' are operating.

**Table 3: Trade union centres and independent unions in Burundi, 2020**

Trade Union Centre	Unions	Members	Women's share
COSYBU	42	187,983	18%
CSB	17 *	39,396	15%
Independent unions	21 *	11,777 *	N/a
Total	80	239,156	17,567

\* Data from 2017.

Source: COSYBU; DTDA data-collection tool.

The status of trade union centres is summarised below.

### Confédération de Syndicats du Burundi

The COSYBU's membership rate multiplied from 54,000 in 2009 to almost 188,000 in 2020. Part of this was a significant hike of 107% from 2019 to 2020, supported by six new affiliated unions. The organised workers from the informal economy reached nearly 150,000 members, about four out of five of COSYBU's total membership in 2020.

The confederation has a check-off system mainly in the public sector. Informal economy unions pay out their quotas through direct bank deposits and mobile money platforms. Recent estimations suggested that approximately 60% of the total organised workers participated in paid-up membership.<sup>22</sup>

The federation of informal sector workers from the transport and light manufacturing sector unions (FNNT-SI) with 59,000 members in 2020 is now the largest union, numbering approximately one-third of the total membership of COSYBU.

FNNT-SI is followed by the Burundian Federation of Food Workers (FEBUTRA), represented the centre's organised formal workers, then Burundi Free Union of Education Workers (STEB), followed by the Health Sector Employees' Union (SYNAPA). Three other affiliated organisations (FNNTD, FNNTMI, and FNNTAA) also demonstrate a high influx of organised workers from the informal economy. About three out of four of COSYBU membership is now from the informal economy.

COSYBU's former vice-president, Celestin Nsavyimana from FNNT-SI, was elected as the new Secretary-General during the October 2018 Congress along with Hakizimana Mélance, from SYNAPA. The Executive Committee (EC) was enlarged from five to seven members who liaise with other COSYBU's organs and commissions for the five-year term of 2018 to 2023 as stipulated in COSYBU's constitution. In addition, the organisation beefed up the focus dealing with social dialogue, informal economy, and environmental affairs. The trade union movement has been male-dominated in management, but steps to adopt youth and women quotas systems to give more voice to these groups are in progress. COSYBU's October congress left many more women elected in various organs, reaching around 25%.

COSYBU has contributed significantly to improving the decent work agenda. For example, the organisation pushed to revise many outdated labour-related laws, such as the 1993 labour code and updating the 1983 social protection code. Due to lobbying by COSYBU, the new 2020 labour code encompasses provision that has contributed to the official recognition of informal economy workers fundamental labour rights. All workers are now treated on equal footing regarding social security, the right to collective bargaining, occupational health, safety, and the right to unionising.

Despite the denial policy from the then government, COSYBU promoted a series of activities aiming to combat the spread of Covid-19 from the beginning of the pandemic. The aim was to reduce the pandemic's impact on businesses, jobs, and the most vulnerable members of society. In addition, COSYBU conducted lobbying actions with political leadership for their implementation and set up a task to tackle unionism's challenges brought on by Covid-19.

### **Confédération des Syndicale du Burundi (CSB)**

This confederation was formed in 1991 represented 17 unions in 2017. Its membership grew significantly from 5,500 in 2009 to almost 40,000 in 2020, equalled a growth of 616%. Women's share was

estimated at 15% in 2019. CSB is affiliated with ITUC.

### **Employers' Organisations**

Estimations suggested that only 1.2% of the total employment in Burundi represented employers, which is slightly lower than the sub-Saharan Africa average at 1.6% (see more in Figure 4 ahead). The Global Competitiveness Index provides the Burundian employers' view on a wide range of aspects, including labour market efficiency. This last pillar is elaborated upon surveys among employers and other statistical data. Burundi ranking 123<sup>rd</sup> out of 141 countries (1<sup>st</sup> is the best) in this pillar. Out of twelve indicators, the best rankings were flexibility of wage determination (27) and labour tax rate (30). The worst rankings were pay and productivity (125), workers' rights (122), and the ratio of wage and salaried female workers to male workers (116). It is worthwhile to mention that cooperation in labour-employer relations was at a low-medium level, ranking 90 (see more in Table 4).

**Table 4: Labour market efficiency in Burundi, 2019**

Indicator	Rank
Total	123
Redundancy costs (weeks of salary) **	71
Hiring and firing practices *	48
Cooperation in labour-employer relations *	90
Flexibility of wage determination *	27
Active labour market policies *	108
Worker's rights *	122
Ease of hiring foreign labour *	67
Internal labour mobility *	74
Reliance on professional management *	98
Pay and productivity *	125
Ratio of wage and salaried female workers to male workers **	116
Labour tax rate **	30

\* Survey data. \*\* Ranked by per cent. Note: Rank from 1 to 141 (1 is highest).

Source: The Global Competitiveness Report, 2019, 8<sup>th</sup> pillar: Labour market efficiency.

The status of the leading employers' organisations is summarised below.

### **Association of Employers of Burundi**

The Association of Employers of Burundi (AEB) was formed in 1964. A general assembly and a committee govern the association. AEB's principal activities are to promote the interest of the private sector on labour market issues. The association participates in tripartite institutions at the national level and consults on labour issues, often alongside COSYBU, including in the tripartite National Employment Committee.

AEB members are companies or legal entities with staff working for them within private, mixed, and para-public sectors, in main or secondary order. The organisation officially listed 102 members, the majority work in the private sector. Members are linking approximately 55% of employees in the para-public and private sectors.<sup>23</sup>

The association aims to support the business environment, raise attention to tax rates, and promote bank credit and interest rate access to micro, small, and medium enterprises. EAB is following the process of regional integration and supporting its affiliated members' voice in the national and international tripartite institutions that influencing the legislation, policy, and strategy development, not to mention defend their cause in the event of collective disputes and strikes. Also, EAB provides technical assistance to associations from the informal economy.

Some of AEB's organisational challenges concerns some employers' organisation identify themselves with the chambers of commerce interests rather than the employers' association broader goals. AEB detected that the associative spirit is not yet sufficiently developed. One of the key reasons is that the number of member's scope is not massive. Those affiliated with the association do not regularly meet their obligations due to paying membership fees and participating in joint activities. External subsidies are rare because employers' organisations are most often

considered resource-rich by donors and public opinion.

### **Centrale Syndicale des Employeurs du Burundi (CESEBU)**

CESEBU is an organisation established by the government to represent employers as rivals to AEB, including at the International Labour Conference. Information was scarce regarding the organisation's status.

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## **SOCIAL DIALOGUE**

Social dialogue encompasses all types of negotiation, consultation, or exchange of information between social partners representatives on common interest issues relating to economic and social policy. It can be informal or institutionalised, and often it is a combination of the two. It can take place at the national, regional or enterprise level.<sup>24</sup>

Burundi ratified ILO's Tripartite Consultation Convention (C144) but has not yet endorsed the Human Resources Development Convention (C142) and the Collective Bargaining Convention (C154) (revisit Appendix Table 18). However, as already mentioned, the new labour law recognises the right to collective bargaining, but no laws compel an employer to engage in collective bargaining.

At the tripartite national level, social partners signed a National Social Dialogue Charter (NSDC) in 2011 that sought to promote social dialogue and prioritise tripartite consultations to resolving workplace disputes. At the demand of social partners, the government also established the tripartite consultative and mediation national organ called the National Social Dialogue Commission (CNDS), whose chairmanship is rotational between trade unions, employers, and the government at five-year intervals. The CNDS was established by Decree No. 100/132 of 21 May 2013 (revising Decree No. 100/47 of 9 February 2012), dealing with its composition and operational scale. Since 2018, all 18 provinces of

Burundi have a provincial social dialogue committee (CPDS). The CNDS effects have trickled down the CPDS bringing together about 162 men and women negotiators at the national level. There are about nine representatives at the provincial level, i.e., three representatives of workers, three from employers, and three from the government. This localised social dialogue framework serves to afford each of the 18 provinces of Burundi its platform to deal with labour and socio-economic.

Six joint bipartite social dialogue committees have been established (for health, justice, education, transport, agriculture, and telecommunications), not to mention some functioning at the company level. The tripartite consultations are held regularly and whenever necessary.<sup>25</sup> Any company or establishment with 20 or more permanent employees should establish a labour council at the branch level, functioning as a mandatory consultative body. This institution aims to ensure permanent contact between the employer and its employees and follow up on complementary hygiene, health, and safety committee. It should meet at least once a quarter, convened by the employer or his delegate. Taking into consideration that a large majority of firms in the private sector operate with less than 20 employees and the weak labour inspection system, indicating the labour councils' coverage is narrow (see more in the Working Conditions and the Workforce sections).

Collective bargaining agreement (CBA) is an agreement designed to regulate the relationship between the employer and the worker of an establishment. A CBA usually provides better benefits to the worker than the basic minimums provided by law: If a CBA has provisions less favourable than those provided under the law, it cannot be enforced. A CBA may be concluded for a definite or indefinite period. The duration of a CBA signed for a definite period is two to five years. The CBA of infinite duration expires by the will of one of the parties unless stated otherwise. There were registered six CBAs in 2019 that appeared to need to be renewed. Estimations suggested the CBAs' coverage of

employees at 5.9% in 2017.<sup>26</sup> Since the employees' segment is a minor part of the total employment, CBAs' concept remains an underdevelopment aspect in the industrial relations in Burundi. On the positive side, the collaboration between employers' organisations and trade unions is in progress, which could gradually generate more CBAs in practice.

Following its ten years of existence, the CNDS, in collaboration with the line ministry (labour ministry) and social partners, have been undertaking the process of evaluating the actuarial status of implementation of social dialogue provisions and their related mechanisms in Burundi ten years after the signing of the national charter for social dialogue.

### **Central Tripartite Institutions**

Several tripartite institutions are functioning in Burundi but with relatively short track records. They usually meet regularly. The leading institutions' status is summarised below.

#### **National Labour Council**

The National Labour Council (NLC) is a tripartite advisory body with equal representation from the government, employers' organisation, and trade unions. The respective representative bodies nominate worker and employer representatives in the council. The council is to be consulted by the Minister of Labour on various issues such as study the elements on which to base the determination of minimum wage and its annual review; examine any matter relating to labour, work, and employment; issue its opinions on regulations and legislation on labour issues. NLC must yearly meet every quarter at the call of the Minister for Labour, who chairs the council.

#### **National Social Dialogue Commission**

The National Social Dialogue Commission (NSDC) is a tripartite consultative body resulting from the National Charter of Social Dialogue. Its missions are the animation of social dialogue; the promotion of a culture of prevention of collective conflicts;

participation in the resolution of disputes in the framework of work on a national or sectoral scale; participation in reflections and consultations on the part of the national labour legislation relating to collective disputes; participation in reflections on the tools of management concerning work, notably the policies in the field of employment, health and safety at work, professional training and social security. This tripartite organ meets once every month and considered functioning.<sup>27</sup>

#### **Other bi/tripartite organs**

- National Labor Commission.
- Nation Recruitment Commission.
- National Social Security Institute.
- National Medical Insurance Board (for civil Servants).
- National Risks and Work Accidents Board.
- National Arbitration Board.

#### **Dispute Settlement**

The Burundi Centre for Arbitration and Conciliation (CEBAC) was set up in 2004. It is the only national arbitration institution. The arbitral tribunal may be made up of lawyers or specialists from various sectors (university professors, bankers, insurance experts, among others). If a party decides to appoint an arbitrator who is not on the CEBAC list, this arbitrator must be approved in advance by CEBAC.

The arbitration clause is valid even if it does not set down a time limit for the award, along with it must state the scope of the dispute and identify the arbitrators, failing which it will be null and void. It determines and circumscribes the arbitrator's mission. It must be authenticated by a Burundi public notary even when the seat of arbitration is abroad. The national courts have no jurisdiction over a dispute already subject to arbitration.<sup>28</sup>

If arbitration fails, Burundi's Labour Inspectorate has the authority to settle disputes between workers and employers. It can also be managed through civil

judicial procedures. There are two Labour Courts and two Administrative Courts (in Gitega and Bujumbura) and one Commercial Court (in Bujumbura), suggesting some challenges in the system's decentralisation. These courts hear appeals of final judgments issued by commercial and labour courts. The labour courts consist of a president, a judge, an associate judge from trade unions and an associate judge from the employers' organisations. The labour courts are only used for solving individual cases, one handles disputes bound to the labour code, and the other holds the general status of state employees. Unions may assist members in their cases. The Labour Court system has been amended and revitalised to solve problems coming from failed arbitration. A recent study showed that 583 cases filed to Administrative Courts from 2016 to 2019, while 1,840 cases filed to Labour Courts in the same period. Delays and appeals test the judicial procedures: These courts have a very long processing time of 3 years and 9 months along with 2 years and 6 months case averages, respectively. Complaints dominate conflicts in Administrative Courts while abusive dismissals in Labour Courts. Besides, conflicts are mounting in the sectors governed by the Labour Code compared to those represented in the civil servant law.<sup>29</sup>

Labour disputes communicating system is minimal with employers' organisations and trade unions, not to mention workers wishing to use conciliation and mediation services often lack awareness of its proceeds. The dispute system lacks computerised records management system. This situation links to the courts' budgetary constraints. Additionally, at the level of labour inspection face an absence of training programmes for upgrading staff involved in conciliation and mediation mechanisms. It further affects the quality of advice to businesses and others who use advice, training, and information services.<sup>30</sup>

Generally, the conflict management system does not allow for sufficient consultation with clients, nor does it emphasise conflict prevention, although the legal framework highlights this mechanism. These alternative dispute resolution methods before or

during a trial or arbitration procedure are optional. However, the mechanisms could be compulsory by an agreement of the parties. Some disputes were referred to tri-partite social dialogue committees for resolution during the 2010s.

## TRADE UNION RIGHTS VIOLATIONS

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ITUC's Global Rights Index is ranking Burundi at 5+ (5+ is worst) since 2016, registering "no guarantee of rights due to the breakdown of the rule of law": Workers have limited rights linked to dysfunctional national institutions because of internal conflict.<sup>31</sup>

ITUC's latest registered case concerned the president of the education union, who was detained in 2020. This leader and other trade union heads were accused of opposing a deduction from all teachers' pay imposed by COSSESONA (a coalition of teachers' unions). Several other cases were registered during the 2010s. For example, the president of COSYBU was arrested in 2016 and three other trade unionists for taking part in a meeting dealing with setting up a trade union in the tea-growing sector. The four trade unionists were released after three nights in jail. In 2015, at least 250 teachers went into exile. The Syndicat des Travailleurs de l'Enseignement du Burundi (STEB) was suspended by order of the Interior Ministry and around a dozen other organisations active in development communications defence of human rights. Besides, the Syndicat des Magistrates du Burundi (SYMABU) denounced a wave of transfers targeting its members, particularly the judges on its executive board. No less than eight of its leaders were targeted with postings often very far away from their homes.<sup>32</sup>

In the wake of participation by union members in anti-government demonstrations in 2015, unions were subject to pressures and restrictions as other elements of civil society. These measures led to a significant reduction in union activism. In addition, the government generally placed excessive restrictions on freedom of association and the right to collective

bargaining and sometimes interfered in union activities.<sup>33</sup> Burundian government's overall human rights record remains poor, and government officials consistently deny any significant violations. Burundian government officials, including security forces members and others acting on behalf of the government, have been credibly accused of human rights abuses, including extrajudicial killings, arbitrary or unlawful detention, and torture. Anti-trafficking efforts have been limited.<sup>34</sup>

These violations and abuses of human rights in Burundi even were reported to be happening on a 'worrying scale'. The government decided to withdraw from the Rome Statute of the International Criminal Court, suspending cooperation and collaboration with the Office of the United Nations High Commissioner for Human Rights (OHCHR). Part of this concerned ensuring that state officials, including the former head of state, Pierre Nkurunziza, from 2005 to June 2020, escape possible criminal investigations and prosecutions before the ICC. Burundi experienced violence before and after legislative and presidential elections since April 2015, including a failed *coup d'état* in May 2015. The government responded by carrying out several operations leading to violations of human rights, possibly amounting to crimes against humanity of killing, other inhumane acts, imprisonment, torture, rape, and other sexual violence, as well as cases of enforced disappearances and acts of persecution.<sup>35</sup> The government also refused cooperation with the commission of inquiry mandated by the Human Rights Council, just as avoided signing a document with the African Union that would allow human rights observers and military experts to be deployed to aid Burundians.<sup>36</sup>

The legislation prohibits most forms of forced or compulsory labour in Burundi, including children. However, many children and young adults were coerced into forced labour on plantations or small farms, small-scale labour in gold mines, carrying river stones for construction in Bujumbura, work aboard fishing vessels, or engaging in informal commerce in the streets of larger cities. Forced labour also

occurred in domestic service and charcoal production.<sup>37</sup> Organisations listed the country at high vulnerability to “modern slavery” (debt bondage, forced marriage, and sale or exploitation of children, human trafficking and forced labour). Burundi had the African region’s second-highest prevalence of modern slavery in 2018, only superseded by Eritrea, measured at 40 victims per 1,000 people in Burundi. The striking high ranking for the country concerned citizens was forced to work without compensation in “spheres of public interest,” such as education, national defence, or reconstruction, to boost economic development.<sup>38</sup> This index should be interpreted with reservations.<sup>39</sup>

Burundi has no active complaint procedures concerning ILO’s Freedom of Association cases. One follow-up case dealing with the Confederation of Free Trade Unions of Burundi (CSB) denounced the anti-union dismissal and suspension of the employment contracts of members of the executive committee of the telecommunications enterprise in 2015. Besides, there were nine closed cases.<sup>40</sup>

## WORKING CONDITIONS

The latest official minimum wage was set in 1988. Thus, it is outdated, estimated at US\$2.1 per month, as well as the non-functioning minimum wage faded the poverty reduction efforts. Workers in the informal economy earned just around BIF 2,500-3,000 per day (US\$1.52-US\$1.82) on average in Bujumbura and BIF 1,000-1,500 per day (US\$0.61-US\$0.91) in the rest of the country.<sup>41</sup> Other data suggested that Burundi’s average earnings at US\$606 per month in 2021 among the formal sectors (see more in Table 5). Men employees earned around 15% more than their women counterparts on average across all industries.

Wage gaps also occurred at the education levels, e.g., workers with a certificate or diploma earned on average 17% more than their peers who only reached the high school level.<sup>42</sup> Other estimations indicated that civil servants’ salaries were failing to

keep up with inflation: a teacher’s minimum basic monthly salary was BIF 17,722 (US\$ 10) and was paid late.<sup>43</sup>

**Table 5: Status of minimum wage and earnings in Burundi, Monthly**

	Burundian Franc (BIF) Current	US\$ Current
Official Minimum wage (1998-current)		
<i>Rural area</i>	2,730	1.4
<i>BDI Bujumbura</i>	4,160	2.1
Average earning (2020)	118,000	606
<i>Lowest</i>	299,000	153
<i>Highest</i>	5,280,000	2,707

Source: Wageindicator.org; Salary Explorer.

Formal employment is concentrated in the public sector: public institutions employ at least 75% of the country’s formal workers. They account for almost one-third of overall non-farm wage employment. Public sector jobs often extend premiums regarding wages, benefits, and job stability. Patronage agreements marred the system, consisting of a weak checks and balances approach linked to discretionary power to capture many privileges that trickle down to supporters and ethnic groups. Although the Arusha Accords from 2000 established a quota system to reduce discretionary power, particularly in the recruitment of civil servants, political patronage continues in practice concerning resource allocation within the public sector and the main criteria for selecting public sector employees.<sup>44</sup> In 2018, the government started ‘taxing’ salaries of civil servants to fund the general elections expected for 2020. This controversial initiative made workers losing 10% of their monthly earnings into a fund set aside to ensure polls hold despite a withdrawal of international donor support.

The Labour Inspectorate in the Ministry of Labour is responsible for enforcing the laws on minimum wages and working hours as well as safety standards and worker health regulations. This institution’s mandate is limited to the formal sector. Inspectors have the authority to make unannounced inspections and initiate sanctions. A report found that the government

did not hire sufficient inspectors to enforce compliance or allocate sufficient resources to address enforcement needs.<sup>45</sup> Another recent analysis noticed nature of disputes managed at the level of the labour inspectorate was mainly from individual conflicts and violations of employment contracts, not to mention unresolved conflicts was on the rise from 2016 to 2019.<sup>46</sup>

Burundi is making limited progress in terms of working conditions. The new Labour Code from 2020 provides for the General Inspection System of Labour and Social Security. There is an extreme shortage of labour inspectors, though, and the current system is not in line with ILO's Labour Inspection Convention (C081). Violations of safety standards were reportedly commonplace, but there were no official investigations, no cases of employers reported for violating safety standards nor complaint reports filed with the Labour Inspectorate. Working hours are at 8 hours per day and 45 hours per week. There is no legislation on mandatory overtime, but premium pay is required for any overtime work performed. Foreign or migrant workers are subject to the same conditions and laws as citizens (see more in Table 6).

**Table 6: Working Conditions in Burundi**

Fixed-term contracts prohibited for permanent tasks	No
Maximum length of a single fixed-term contract (months)	No limit
Maximum number of working days per week	6.0
Premium for night work (% of hourly pay)	35 %
Premium for work overtime work (% of hourly pay)	35 %
Paid annual leave (working days)	21
Minimum length of maternity leave	84 days
Receive 100% of wages on maternity leave	Yes
Five fully paid days of sick leave a year	No
Unemployment protection after one year of employment	No

Source: World Bank, *Doing Business, Labour Market Regulation in Burundi*.

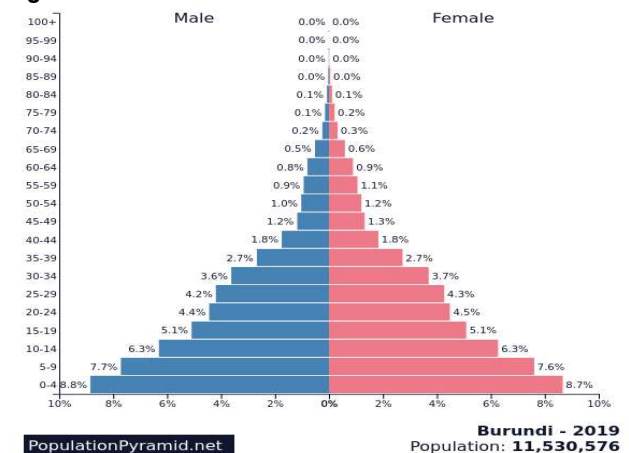
## WORKFORCE

Burundi's population grew by 87% from the last two decades, reaching 11.9 million in 2020. The country is not overpopulated per se. Instead, the population

density is too high for an essentially rural society whose members rely primarily on a combination of subsistence farming, pastoralism, and small-scale cash crop production. The population is composed of three ethnic groups: the overwhelming Hutu majority (85%), the Tutsi (14%), and the minority Twa (1%).

The fertility rate (births per women) fell from 7.4 in 1980 to 5.4 in 2018, still placed with the 7th highest rate in the world. Burundi's life expectancy rate increased from 47 to 61 years during the same period. The country faces a prominent youth bulge: close to two out of three (64%) are below the age of 25, and the working-age population accounted for slightly more than half (53%) of the total population (Figure 3). Burundi is one of the least urbanised countries in sub-Saharan Africa (see more in the Migration sub-section).

**Figure 3: Burundi's population pyramid based on the age-sex structure**



Source: PopulationPyramid.net.

Table 7 shows that Burundi's women employment-to-population ratio is higher than men. The longstanding Burundian Civil War from 1993 to 2005, where about 300,000-400,000 people were killed, caused this unusual gender gap. The country's employment-to-population ratio is slightly higher than the Eastern Africa average. Besides, the labour force participation rate is estimated to be stable during the



2010s. Approximately, 22% of the population are economically inactive.

**Table 7: Estimations of employment-to-population ratio, Age and Sex distribution, 2019**

Sex	Age		Burundi	Eastern Africa
Men & women	Total	15+	78 %	75 %
	Youth	15-24	52 %	58 %
Men	Total	15+	76 %	79 %
	Youth	15-24	47 %	60 %
Women	Total	15+	80 %	70 %
	Youth	15-24	57 %	55 %

Sources: ILO, Key Indicators of the Labour Market (KILM).

Estimation of employment distribution by status did not appear to change during the last decade. A large majority is concentrated among own-account workers (self-employment and not engaged as ‘employees’ continuously), covering around 58% of the total employment in 2019. Contributing family workers (self-employment in an establishment operated by a related person) is the second-largest category at 27%. These two employment segments are considered in “vulnerable employment” linked to inadequate earnings, low productivity and challenged working conditions that undermine workers’ fundamental rights. Employees (receiving a basic remuneration not directly dependent on the employer’s revenue) attained 14%, nine percentage points lower than the Eastern Africa average. Employers reached just 1.2% (Figure 4). Since the two latter employment segments appear not evolving, indicating that the labour market’s modernisation is stalled.

**Figure 4: Estimation of employment distribution by status in Burundi, %, 2010-2019**



Sources: ILO, Key Indicators of the Labour Market (KILM).

Micro, small, and medium enterprises (MSMEs) are the backbone of Burundi’s private sector. Around 59% of firms in the formal sector have 1 to 5 employees, 16% have 6 to 10 employees, and 18% have 11 to 50 employees.<sup>47</sup> Informal firms account for over 90% of local enterprises. Formal and informal enterprises are often interlinked. For example, the industrial sectors rely on informal small-scale suppliers, sometimes grouped in associations or cooperatives. Most of these micro and small firms are particularly challenged by the economic environment, access to resources, productivity, and labour regulations.<sup>48</sup>

During the 2010s, the country adopted policies in employment, skills development, poverty eradication, productivity and competitiveness, but not yet industrial policy and minimum wage. It is noteworthy to mention that the employment policy is governed by a tripartite board. It recognises job creation and decent working conditions as essential elements of poverty reduction strategies geared for accelerating the transition from informal to formal employment. This policy aims at dealing with employment gaps, skills gaps and eventually lead to industrial peace in the long run. Also, the new national development plan 2018-2027 called for further transformation of economic, demographic, and social structures. The PND focuses on eleven areas: i) modernise agriculture; ii) increase energy production; iii)

improve knowledge based on technology and expertise; iv) develop the natural resources sector; v) diversify and promote a competitive and healthy economy; vi) create an enabling environment for industrialisation; vii) develop human capital; viii) strengthen transport, trade and ICT infrastructure; ix) promote tourism; x) public-private partnerships; and xi) regional integration and international cooperation.

## Unemployment

Based on the latest national labour survey, Burundi's unemployment rate reached 1.4% in 2014. Projections suggested that this rate has been stable, reaching 1.4% in 2019 (Table 8). The country's rate was lower than the neighbouring countries: CR Congo (4.5%) and Rwanda (18%) but more in line with Tanzania (2.1%). Although all productive sectors were expected to contract due to the Covid-19 pandemic impact in 2020, including the agricultural sector, the ILO projected Burundi's unemployment rate at 0.8% in 2020.

**Table 8: Unemployment and time-related under-employment in Burundi, %, 2019**

	Sexes	Burundi	Eastern Africa
Unemployment	Total	1.4%	3.2%
	Men	1.9%	2.9%
	Women	1.0%	3.6%
Youth Unemployment (15-24 years old)	Total	2.6%	5.6%
	Men	3.8%	5.3%
	Women	1.6%	6.0%
Combined unemployment and time-related under-employment *	Total	9.1%	17%
	Men	10%	15%
	Women	8.0%	18%

\* Time-related underemployment refers to the situation when the working time of persons in employment is insufficient in relation to alternative employment situations in which they are willing and available to engage.  
Sources: ILO, Key Indicators of the Labour Market (KILM).

A low unemployment rate is most often considered positive, suggesting that Burundi is creating many jobs. It is not happening for formal employment,

though. Instead, most workers are in vulnerable employment: The country mainly relies on employment in subsistence agricultural activities (see more in the Sectoral Employment sub-section). The urbanisation rate is on the rise, driven by the fast growing population and decreasing viability of farming to support a family, forcing many young people to move to urban zones searching for work. With few formal jobs available, many urban young Burundians turn to higher education to improve their employment prospects. But in a market flooded with graduates, a university degree alone is often not enough.<sup>49</sup> It supports the fact that unemployment in Bujumbura tends to rise linked to the level of educational attainment.

Since the unemployment rate is applied as an indicator to measure if countries reach the SDG's target to achieve full and productive employment and decent work appears that Burundi is on track. Considering the labour market's context is misleading somewhat the reality of the widespread vulnerable employment (see more in SDG Table, Indicator 8.5.2, Page iv).

Labour underutilisation includes unemployment, time-related underemployment, and the potential workforce, referring to persons, not in employment who express an interest in this form of work but for whom existing conditions limit their active job search or availability. This labour underutilisation is also estimated relatively low in Burundi at 10% in 2019 compared to the Eastern Africa average at 20%. The combined unemployment rate and time-related underemployment were estimated at 9.1%, with a gender gap by two percentage points favouring men (see Table 8).

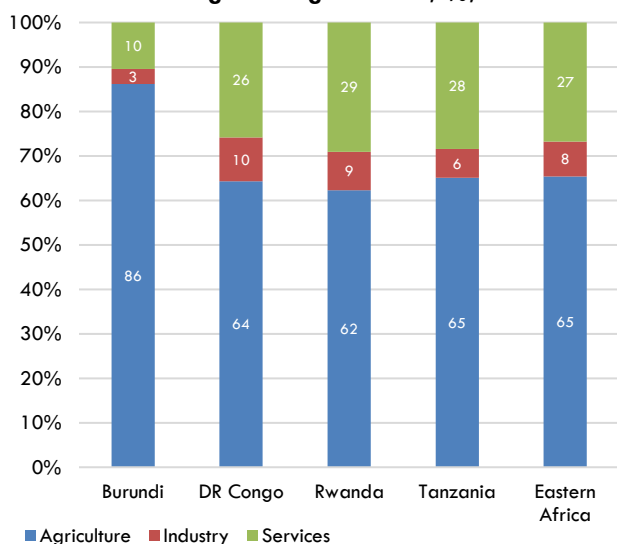
The social protection system has not offered unemployment insurance schemes, forcing many workers to enter casual or informal activities as a survival strategy to generate earnings. However, the Labour Code from 2020 provides that during periods of specific (technical and economic) unemployment, the worker is paid an unemployment benefit at the

expense of social security. It is a novel concept in the country and is supposed to be introduced as soon as economic conditions allow it.

## Sectoral Employment

The agricultural sector is the backbone of Burundi's employment, while the service sector represented 10% and the industry sector at 3%. These measurements have been relatively stable during the 2010s. The country's employment structure has some stark difference from the neighbouring countries that function by significantly larger employment shares in the service sector and relatively higher employment in the industry sector (see Figure 5).

**Figure 5: Projections of employment by aggregate sector in Burundi and neighbouring countries, %, 2019**



Sources: ILO, Key Indicators of the Labour Market (KILM).

Table 9 depicts that around 3.7 million people are in employment in Burundi, and remarkably more women are economically active than men. About 86% of total employment operate in the agricultural sector with a significant woman share of 60%. In all other sectors, men are significantly dominating the professions. The second-largest sector's employment share was the aggregated trade, transportation, accommodation and food, and business and administrative services, at 5.8%. The third-largest sector's employment share

was public administration, community, social and other services at 4.5%. The manufacturing sector covers just 1.7% of total employment. Since increasing manufacturing employment is part of the global SDGs, Burundi struggles to reach this goal (SDG Table, Indicator 9.2.2, Page iv).

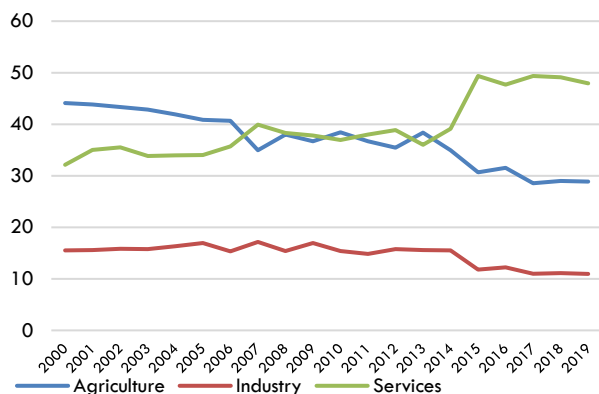
**Table 9: Employment by economic activity in Burundi, 2017**

Sector	Sectoral employment	Sector share	Women's share per sector
Agricultural	3,169,709	86%	60%
Manufacturing	64,122	1.7%	29%
Construction	48,247	1.3%	1.5%
Mining and quarrying; Electricity, gas and water supply	15,140	0.4%	0.5%
Trade, Transportation, Accommodation and Food, and Business and Admin. Services	211,568	5.8%	26%
Public Administration, Community, Social and other Services and Activities	163,690	4.5%	32%
Not classified	1,115	0.03%	0.0%
<b>Total</b>	<b>3,673,591</b>	<b>100%</b>	<b>55%</b>

Source: ILO's KILM based on the latest household income/expenditure survey.

Aggregated sectoral GDP value-added signalled a shift from agricultural to the service sector during the 2010s, supporting the fact that employment is moving towards urban zones to find jobs, mainly available in the low-productive service sector (Figure 6). The impact of these economic changes is not yet registered in the national employment statistics. On the other hand, the weak economic growth in the late 2010s reflected downturns in mining extraction, industrial transformation, construction, and even retail and wholesale trade. This situation suggests that the economy confronts various constraints, including low investment, high production costs combined with a low-skilled workforce, and an unattractive business environment (revisit Appendix Table 19).

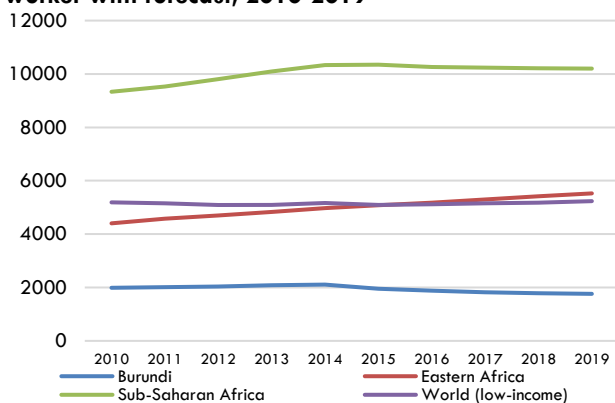
**Figure 6: Sector value added in Burundi, % of GDP, 2000-2019**



Source: World Bank, World Development Indicators.

Burundi's low labour productivity is stuck. While the Eastern Africa average experienced growth, even superseding the world (low income) average since 2015, it dropped in the margin during the 2010s in Burundi with a high regional gap (Figure 7). Work opportunities come mainly from the informal economy, especially subsistence agriculture, which is unpredictable in productivity and wages, exemplified in falling agricultural productivity during the 2010s. Some estimations suggested that Burundi's agricultural yields were 20% to 40% lower than neighbouring countries, not to mention erosion, land pressure, climate change, land conflicts, and lack of capital were the main obstacles to agricultural modernisation.<sup>50</sup>

**Figure 7: Estimations of labour productivity, output per worker with forecast, 2010-2019**



Note: Labour productivity is estimated as output per worker (GDP constant 2011 international \$ in PPP).

Sources: ILO, Key Indicators of the Labour Market (KILM).

## Migration

Migration is divided into three categories: internal migration (rural-urban, rural-rural, and urban-rural), net migration (in- and out-migration) and refugeeing.

Generally, Burundi experienced substantial migration flows for several decades. Most of these migrants were refugees, escaping the violent ethnic conflict escalating into full-scale civil war in 1993-2005, plagued by tension between the usually-dominant Tutsi minority and the Hutu majority. Refugees fled to other parts of Burundi, just as to neighbouring countries. It led to many internally displaced persons (IDPs) sites and the establishment of refugee settlements. Living conditions in these sites and settlements have been reported to be poor. The aftermath of the Burundi civil war (1993-2005) and a democratically elected government in 2005 stabilised this migration situation.

Burundi also experienced a rural-urban internal migration, boosting urbanisation. Bujumbura has been the primary destination. This rural-urban migration flow is similar in other African countries. It did not happen the same way as in Asian countries, which created a fast-growing industry sector. In Burundi, the shift mostly supported the low productivity in services industries. Young males are perceived to be more mobile than young females, driving the rural-urban migration. Burundian households headed by migrants are more likely to have more financial means than non-migrants linked to migration costs.<sup>51</sup> Burundi's urbanisation rate reached 13% in 2019 but on a slow upsurge. Compared to the neighbouring countries, it was below DR Congo (45%), Rwanda (17%), and Tanzania (35%).

An inter-ministerial committee on migration developed Burundi's National Migration Policy in 2015. Reports argued that this policy primarily addresses international migration issues but vacated social security benefits for migrant workers. On this background, a revised labour-specific migration policy is currently in progress to address such problems.<sup>52</sup> Burundi's government also promotes

various initiatives such as the National Strategy for the Socio-Economic Reintegration of Disaster Victims (2017-2021) and the National Development Plan 2018-2027. These initiatives aim to clarify the legal protection of repatriated refugees and the security conditions in host communities supporting a national platform. Since Burundi is one of the African countries that can least hold on to its talents and skilled workers.<sup>53</sup> The Burundi government launched initiatives in recent years to curb this ‘brain drain’, including imposing restrictive measures to reduce the scholarships granted by some countries and organisations.<sup>54</sup>

A significant out-migration (emigration) escalated gradually since the 1970s. A negative net migration balance peaked during the 1990s. This flow was mostly ethnic conflict-induced rather than labour out-migration. Improved political stability during the 2000s created more balance on the net migration. In the 2010s, the longstanding political conflict rebounded in 2015 triggering a relatively high out-migration, just as many sought external job opportunities. In the end of the 2010s, many Burundi refugees were again returning home (see more details in Table 10 and Figure 8). Most Burundians working in other countries, especially those on the farms in Tanzania, are irregular migrants. These undocumented workers are unaware of their rights just as often abused by employers. Burundi’s personal remittances contributed by 1.7% of GDP on average from 2010 to 2019, down to 1.4 in 2020, surpassed by the sub-Saharan Africa average, at 2.5%.

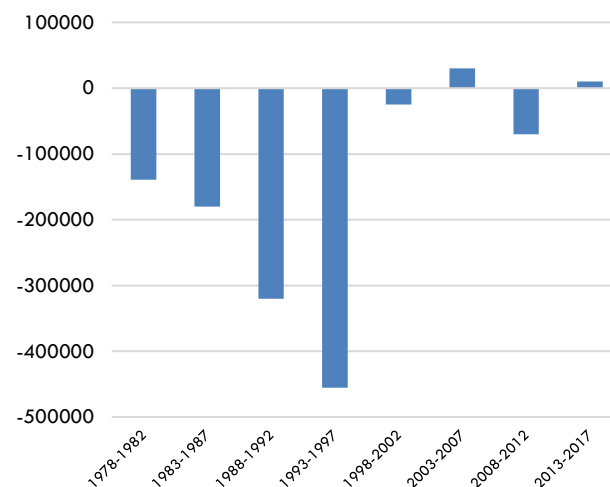
**Table 10: Burundi’s migration status**

Indicator	Values
Net migration rate *	0.18 (2020)
	-1.49 (2015)
	0.75 (2010)
Personal remittance (received), % of GDP, average 2020	1.4 %
Refugee population (March 2021)	296,305

\* One migrant per thousand of the population.

Source: World Bank, World Development Indicators; KNOEMA.

**Figure 8: Net migration trend in Burundi, 1978-2017**



Source: World Bank, World Development Indicators.

Surveys found for Burundians that Kenya is a preferred labour destination among the EAC countries due to its higher developed status and opportunities’ availability. Since Burundi is mainly a Francophone country, it poses a challenge with its citizens seeking employment in several other EAC Partner States that are predominantly English speaking.

Burundi’s refugee population was declining in the beginning of the 2010s but increased rapidly since 2015 in the aftermath of the political turmoil. It peaked of 439,320 refugees in 2017 dropped to 296,305 in March 2021, reaching 2.5% of its total population. Around 49% were in Tanzania, 18% in Rwanda, 17% in Uganda, and 16% in DR Congo. These refugees were covered by the Burundi Regional Refugee Response Plan, including Burundian refugees who fled since April 2015 and some 37,000 Burundian refugees who sought asylum in the region before April 2015. Some 16,000 Burundian refugees and asylum seekers are in Kenya, 8,700 in Mozambique, 10,800 in Malawi, 9,900 in South Africa, and 8,100 in Zambia, who are assisted within the respective country-level programmes. In addition, 42,200 Burundian refugees, who have lived for decades in Tanzania, no longer receive assistance nor included in these figures.<sup>55</sup> Although Burundian refugees mainly are progressively integrating into

national systems for health and education, their job opportunities are limited outside the camps.

Refugee returnees are more likely to engage in agricultural activities for subsistence and therefore have a low income, not to mention put further pressure on the rural population density. A study indicated that restrictions on economic activities while forced in displacement abroad resulted in high levels of inactivity with a risk of potential deterioration of skills.<sup>56</sup> Equally, the repatriation movements put pressure on Burundi's public resources concerning reintegrating all returnees into the society. Many lost their homes and assets when they left, such as land, and must be provided with the means to fulfil their basic needs. This situation has been a complicated challenge for the country.<sup>57</sup>

Burundian returnees have been challenged by socio-economic aspects and the complications triggered by the Covid-19 pandemic. Amidst the Covid-19 pandemic, the voluntary repatriation process continued uninterrupted until mid-May 2020, when it was suspended in connection with the start of the national electoral period. The activities resumed in July 2020, with considerable monthly returns, averaging 7,000 individuals/month in September and November 2020. An ambitious Joint Refugee Return and Reintegration Plan for 2021 projected 143,000 Burundian returns.<sup>58</sup>

## Informal Economy

Burundi's employment structure is dominated by the informal economy marred by loopholes in labour and business regulations such as paying taxes, working conditions, and social security. The informal economy' concept could be interpreted into three facets:<sup>59</sup>

- Informal economy: Unincorporated enterprises owned by households.
- Informal employment (employment relationship): A job held by an employee is considered informal if the job does not entail social security

contribution by the employer and is not entitled to paid sick leave and paid annual leave.

- Own-account workers and employers: Own-account workers (without hired workers) operating an informal enterprise are classified as informal employment.

Most new jobs in Burundi are created in the informal economy, crowding out formal posts in the formal sector. The informal economy absorbed many workers since unemployment is not an option, by the same token the weak application of labour regulations to protect workers, e.g., use of written employment contracts.

Informality is the norm in the agricultural sector. The narrow industry and service sectors in Burundi are also highly dominated by informal employment, 86% and 91%, respectively. The service sector, covering just 6% of the total employment, has a lower informal employment share of 56% since it is more involved in the public sector. Only around 3.3% of enterprises are formal.<sup>60</sup> Data show that Burundi's informal employment in non-agricultural employment was 89%, lower than DR Congo (94%) but significantly higher than Rwanda (69%) and Tanzania (72%). Burundi's proportion of informal employment in total employment was 98% (see more in Table 11).

**Table 11: Status of informal economy in Burundi**

Themes	Value
Informal economy (% of GDP)	36 %
Informal employed in non-agricultural employment	89 %
Informal payments to public officials (% of firms) *	31 %

\* Informal payments to public officials are the percentage of firms expected to make informal payments to public officials to "get things done" regarding customs, taxes, licenses, regulations, services, and the like.

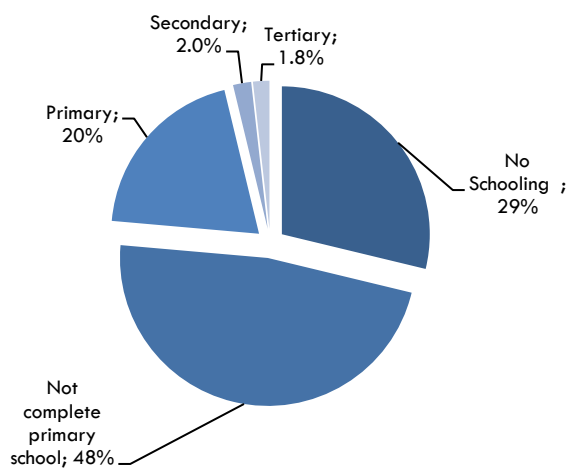
Source: ILO, Key Indicators of the Labour Market (KILM); World Bank, World Development Indicators; and IMF, Shadow Economies Around the World: What Did We Learn Over the Last 20 Years?, IMF Working Paper, January 2018.

A recent analysis from the International Monetary Fund showed that Burundi's size and development of the so-called 'shadow economy' (informal economy)

experienced an increasing rate from 27% in 1991 to 36% in 2015. On the positive side, informal payment to public officials fell from 57% of firms in 2006 to 31% in 2014, reaching close to the SSA average at 29% (Table 11).

Low education levels in Burundi have kept many workers in informality. More than three-quarters of those in informal employment in the non-agricultural sector do not have basic education. Less than 3.8% have been able to continue education beyond the primary level (Figure 9).

**Figure 9: Non-agricultural informal employment on education level, %, 2014**



Source: World Bank, *Évaluation de la pauvreté au Burundi*, November 2016.

Organised workers from the informal economy are in progress, mainly among drivers, street vendors, hairdressers, construction workers, domestic workers, and agricultural workers. Several trade unions registered a significant hike in their membership rate: Affiliated organised workers from the informal economy rose from 32,000 members in 2013 to 155,000 in 2020, equalled 384% growth.<sup>61</sup>

Establishing a Tripartite National Informal Economy Forum is ongoing in Burundi. Other national forum addressing status of informal economy policy addressing status of this segment's workers are

adopted. The new Labour Code from 2020 introduced significant progress in the labour-related legal framework. In contrast, the former labour code only focused on the formal workers' interests. A specific ministerial order addressed key issues that challenged informal workers' working conditions. Social partners promoted these changes supported by the informal economy policy inspired by ILO's Recommendation 204 concerning the transition from the informal to the formal economy. The government also aims to expand the tax base as part of this transition. Still, Burundi has very little regulation regarding tax registration for informal micro-and small-retail businesses.

### Child Labour

Around 44% of Burundi's population is below 15 years old. Burundi ratified ILO's two conventions dealing with the abolition of child labour. The former labour code did not apply to children outside of formal employment relationships. Instead, the new Labour Code from 2020 broadens all children and aligns with international standards on child labour. When a child's school attendance is safeguarded, there is no objection against children performing light jobs between 12 and 14. The general minimum age is 15 years. The minimum age for hazardous work (likely to jeopardize young persons' health, safety, or morals) is 18 years or down to 16 years under certain circumstances.

Despite some progress regarding the legal framework for children's rights over the past decade, including adopting an Action Plan to Eliminate the Worst Forms of Child Labour (2010-2015), child labour and child trafficking remain critical. Data from the latest national Demographic and Health Surveys suggested that child labour fell by just one percentage point during the 2010s, landed at 31% in 2017, eleven percentage points higher than the Africa average (Table 12).

**Table 12: Status of child labour in Burundi and Africa, latest data from the 2010s**

Country/ Region	Type	Rate
Burundi	Child labour *	31 %
	Children in employment	27 %
Africa	Child labour	20 %
	Hazardous work	8.6 %

\* Percentage of children (aged 5-17 years) engaged in child labour (economic activities and household chores).

Note: Children in employment: unpaid family workers are people who work without pay in a market-oriented establishment operated by a related person living in the same household. Child labour: work that is mentally, physically, socially, or morally dangerous and harmful to children; and interferes with their schooling. Hazardous work: children in dangerous and unhealthy conditions that can lead to a child being killed, injured, or made ill because of poor safety and health standards or employment conditions.

Sources: UNICEF Data Warehouse; ILO, *Accelerating action against child labour*, International Labour Conference, 99<sup>th</sup> Session 2010; ILO, *Global estimates of child labour: Results and trends, 2012-2016*.

What keeps child labour pervasive in Burundi is the high poverty prevalence and the rural population active in agricultural work. Even though education is compulsory for six years, between the ages of 7 and 13, and the relatively high school enrolment rates, the attainment rate is low (see more in the Education section). Besides, the Ministry of Labour is responsible for enforcing laws on child labour, but it was not effectively implemented. It was not only due to the low labour inspection coverage; the authorities did not report any cases of child labour in the formal sector in 2019 or 2020, nor did they conduct surveys on child labour in the informal economy.<sup>62</sup>

Other factors continue to affect Burundi's child protection system. Among others, birth registration is the only documents that guarantee access to free health care for children aged under five, free access to basic education (Grades 1-9), or for children or adolescents to prove their age in case of arrest or detention. However, only 66% of registered children aged under five receive their birth certificates.<sup>63</sup>

Survey data revealed that almost all children did some work; two out of three (67%) working for four hours or more per day. Around four out of five (80%) of children went for water or wood; 60% did

domestic work; 21% worked on the land or family business; and 7% worked for an employer outside the family.<sup>64</sup> It also reflects that many children in rural areas are regularly employed in manual labour during the day in the agricultural sector. They are often forced to carry heavy loads and otherwise use machines and tools to be considered dangerous. Many herd cattle and goats, exposing them to harsh weather conditions and force them to work with large and/or dangerous animals. Many children and young adults are coerced into forced labour on plantations or small farms in the south, small-scale menial labour in gold mines, carrying river stones for construction.<sup>65</sup>

Many children operate in family businesses or engage in other informal commerce in urban areas, selling in the streets. Other children are working as domestic servants, often isolated from the public. Some are not receiving pay for their work, but only lodge and food. They can be forced to work long hours.

## Gender

Burundi's constitution guarantees gender equality. The state signed international protocols such as the African Union's Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, prohibiting any form of discrimination against women. Gender equality is gradually being mainstreamed in various formal sectors. A gender-based violence law was adopted, and women's participation in national and local decision-making has been considered remarkable progress: 30% representation of women in the parliament and government.<sup>66</sup> Burundi's trade union movement collaborates with the East African Trade Union Confederation (EATUC) in matters of the East African Community to promote gender labour equality.<sup>67</sup>

Despite these legal and policy attempts to create equal work, the dominating rural society is more intertwined in the traditional patriarchal social structure that underlies the unequal power relations between males and females. Even formal public administration procedures for recruitment and



promotion are not generally gender-responsive.<sup>68</sup> In practice gender-based violence and discriminatory practices against women remain prevalent in the country. For example, by law, women must receive the same pay as men for equal work, but it is often not applied, especially in the private sector (revisit the Working Conditions section). Even an inheritance law, which gives women better access to land ownership, has only slowly been effectuated.<sup>69</sup>

Issues that complicate women’s opportunities to realise their full economic empowerment are related to insufficient job creation in the formal sector. Like the neighbouring countries, most women are engaged in the informal economy as unskilled labourers, traders, artisans, or subsistence farming. Women, especially those in the rural areas, spend much time on household care activities, reducing their income-generating activities. Relatively high illiteracy rate among women further negatively affected their participation in formal employment opportunities, resulting in high dependency and subordination dependence on family and husband revenues.

The scope of gender disparities is detected in the global Gender Inequality Index (GII): Burundi was ranked 124 out of 162 countries (1 is best) in 2020. This low position was mainly driven by a relatively high maternal mortality ratio and a small population with some secondary education. On the other hand, the country has a significantly increased share of seats in parliament, not to mention it was somewhat gender-balanced regarding equal workforce participation rate.<sup>70</sup> The other Global Gender Gap Index (GGGI) 2020 ranked Burundi at 32 out of 153 countries (1 is best). The GGGI tracks progress towards closing these gaps over time. The country scores best on economic participation and opportunity (6), followed by political empowerment (43), health and survival (51), and educational attainment (131).<sup>71</sup>

The longstanding civil war from 1993 to 2005 led to an unusual workforce gender gap: the women vs men employment share of 55% and 45%, respectively.

Most women had little choice but to fill the roles once occupied by men. Burundian women’s participation rate at 80% is even among the highest rates in the world. Women are significantly more in vulnerable employment than men. In contrast, men are dominating the employees’ segment. See the size of the gaps in Table 13.

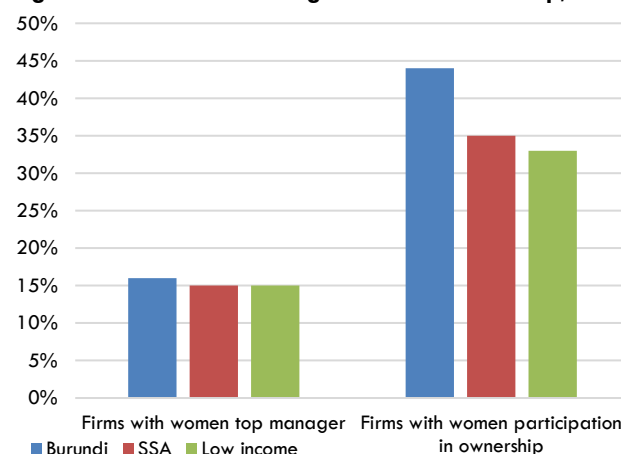
**Table 13: Estimation on workforce key indicators gender gaps in Burundi, 2019**

	Men	Women	Men/women ratio gap, percentage point (p.p.)
Employment	76 %	80 %	-4 p.p.
Unemployment	1.9 %	1.0 %	+0.9 p.p.
Employees	19 %	9.6 %	+10 p.p.
Employers	1.8%	0.7%	+1.1 p.p.
Vulnerable employment *	79 %	90 %	-11 p.p.

\* Aggregated own-account workers and contributing family workers.  
Source: ILO, Key Indicators of the Labour Market (KILM).

Among the 3,000 registered formal-sector firms, only about 16% are run by women, which is common in sub-Saharan Africa.<sup>72</sup> Some estimations suggested that women run 70% of informal traders.<sup>73</sup> Based on the latest enterprise survey, Burundian women’s role in ownership of enterprises was hovering far above sub-Saharan Africa and low-income countries averages (Figure 10). Burundian Women Entrepreneurs Association is active.

**Figure 10: Women in management and ownership, 2014**



Source: World Bank & IFC, Burundi Country Profile 2014.

## Youth

Youth (15-24 years old) represent 20% of Burundi's population. The youth labour force participation rate was projected at 54% in 2019, dropped by five percentage points during the 2010s.

The National Youth Policy 2016-2026 outlines five principal strategies to address the main challenges facing Burundian's youth: i) access for girls and boys to employment and self-development, ii) education of young people to citizenship, peace, and patriotism, iii) improving access to youth-friendly health services, iv) youth participation in governance and leadership development, and v) communication partnership and coordination integration youth component at FONIC level. In addition, the ambitiously National Employment Policy 2018-2022 targets to unravelling the youth problem of access to employment by 2022. This policy aims at intensifying support to entrepreneurs and the modernisation of agriculture as a source of youth employment in rural and peri-urban areas. Several institutions support job creation for youth, such as the Burundian Youth Employment Agency. Although the agency received many requests, it succeeded in just around 250 first-job internships per year. The Office for Employment and Manpower follows up on the National Employment Policy and general employment promotion services. Also, the new Youth Investment Bank from 2020 is an institution for young people to tackle unemployment. This bank's main objective is to reduce youth unemployment by helping them to have and create jobs.

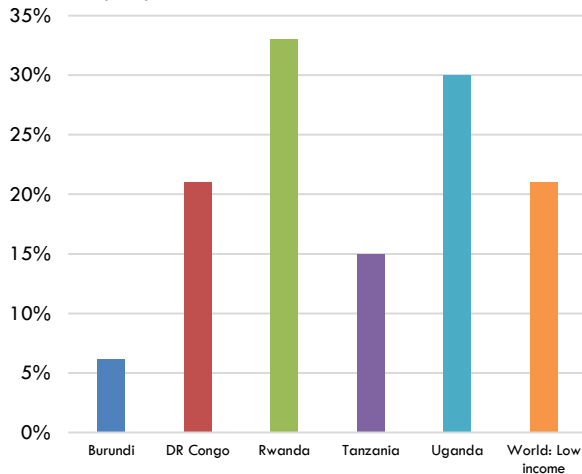
The education system should prepare the population to enter as workforce in the labour market. In contrast, through the wage structure of occupations and other variables, the labour market transmits signals on the types of qualifications expected from the education system. Burundi's school enrolment rates are on the rise, and the fast-growing youth population creates pressure on the education system. Youth entering the labour market most often run into an underdeveloped formal private sector. Even the public sector has a restricted wage measure, making it financially

challenging to open for new formal jobs. Survey data detected the inclination of young people, especially those from the rural areas, seeking careers in the health and educational fields due to a pervasive sense of insecurity for the future. Most job-seekers prioritise other sectors' possibilities.<sup>74</sup> Besides, since paid employees are limited in rural areas, young people, especially males, stimulates a rural-urban migration flow. Paid employment has been a central issue for youth. Data revealed that 40% of Burundian youth, excluding those studying and looking for work, did not receive income.<sup>75</sup> Overall, considering the fast-growing population, urbanisation in progress, and Burundian youth getting better educated, suggesting a worrisome mounting imbalance of the labour market's supply and demand.

Burundi's youth unemployment rate was projected very low at 2.6% in 2019, blindsiding few job opportunities in the formal sector. Similarly, like the neighbouring countries, many lack relevant and accurate information about job openings concerning the demanded qualifications or inadequately communicate their skills to potential employers. Another issue is that youth lack access to unemployment insurance schemes which push a majority into underemployment and excluded from the statistical unemployment register.

The proportion of unemployed, education or training (the NEET rate) is a broad measure of untapped potential of youth who neither improve their future employability through investment in skills nor gain experience through employment. Figure 11 shows Burundi's NEET rate of 6%, stayed much lower than the neighbouring countries, related to a tradition of combining school with work or looking for a job (as secondary activities). It suggested that the country is supporting the SDG goal by reducing the NEET proportion (see more in SDG Table, Indicator 8.6.1, Page iv).

**Figure 11: The NEET rate in Burundi and neighbouring countries, %, latest data from 2012 to 2019**



Note: NEET rate is the proportion of youth not in employment, education, or training.

Source: ILO, Key Indicators of the Labour Market (KILM).

In the aftermath of the civil war, the Burundian youth felt their situation was worse than the previous generation. Notwithstanding, Burundian youth were still generally hopeful and aspire to a better life. Burundian youth placed education as their top priority. At the beginning of the 2010s, studies found that youth contended that educational accomplishment directly influences social mobility and survival strategies. Although the severe economic pressure challenging the country's development, most Burundian youths believed that they had options and possibilities and perceived a range of options for making plans and implementing them.<sup>76</sup> This positive attitude was most likely to be challenged by the social unrest since 2015. For example, many youth expressed a lack of interest in active politics: a majority (70%) had no desire to join a political party. In contrast, most (81%) of the young people are open to joining non-political associations in 2017.<sup>77</sup>

Rural youth perceived more strongly a decline in their conditions than their urban counterparts. Around one-third of urban dwellers, especially migrants, had seen a relative improvement in their situation than the previous generation, regardless of the economic category. Education, parents' wealth and marriage

were perceived as the main factors contributing to economic and social status among youth.<sup>78</sup>

The youth got hit harder by the economic downturn in 2020 as an impact of the Covid-19 pandemic. For example, young people face a more adverse scenario for their opportunities for educational continuity and entry into the labour market. It will affect their social and labour inclusion trajectories, especially among those belonging to the low-income segment.

The government has installed a banking system that seeks to promote youth employment and entrepreneurship, but its implementation is unclear as the scheme was developed without consultations with stakeholders like trade unions and employers.

## EDUCATION

Burundi has demonstrated remarkable improvements in the school enrolment rate, but a high demographic pressure of 'youth bulge' (a large share of the population is comprised of children and young) puts a mounting strain on the education system.

The government promoted several education reforms, most notably abolishing school fees in primary education in 2005 and ambitious reform of changing a 6-years to 9-years basic education cycle in 2012. The education system guaranteeing access to education for every child, not to mention launched reforms of the technical and vocational education and training (TVET) and higher education system.

Burundi's government expenditure on education increased from 11% of government expenditure on average from the 2000s to 19% in the 2010s. This expenditure's average in the 2010s was in line with Tanzania (20%), even higher than DR Congo (13%) and Rwanda (14%). The reform to introduce the 9-year basic education cycle has been severely underfunded, eroding the efforts to improve access and quality of education: High influx of students on

basic education reduced the spending per student from US\$43 in 2010 to US\$18 in 2016.

The country's youth literacy rate fell from 73% in 2000 to 62% in 2008 but rebounded to 88% in 2017 due to the mentioned education reforms, and reached twenty percentage points higher than the total (15+) group. Burundi's youth literacy rate was even slightly higher than the neighbouring countries and significantly higher than sub-Saharan Africa at 76%. These significant improvements are not yet transformed to changes in the employment structure. Table 14 below illustrates that around nine out of ten (92%) in employment had less than basic education and just 5.8% with basic education. Both intermediate and advanced education represented very tiny groups, 1.8% and 0.7%, respectively. The data suggest that the workforce is quite undereducated and challenging the country's attraction for international investors to promote more developed industries.

**Table 14: Employment by education in Burundi, % of employment distribution, 15+ age, 2014**

	Less than basic	Basic	Intermediate	Advanced
Total	92 %	5.8 %	1.8 %	0.7 %
Men	89 %	7.9 %	2.2 %	1.2 %
Women	94 %	4.1 %	1.5 %	0.4 %

Source: ILO, Key Indicators of the Labour Market (KILM).

A 6-3-3-4 structure forms Burundi's formal education system: six years of lower education, officially beginning at age 6, followed by three years of upper education. Lower and upper education comprise the basic education level covering grades 1-9. Basic education is followed by three years of senior secondary education, including general and technical schools, before four years of higher and tertiary education. Of the 2.9 million Burundian students, a majority is enrolled in public schools (65%), one third in grant-aided schools, 4% in private schools, and 1% in community schools.<sup>79</sup>

In the aftermath of the civil war (1993-2005), the government implemented compulsory and free

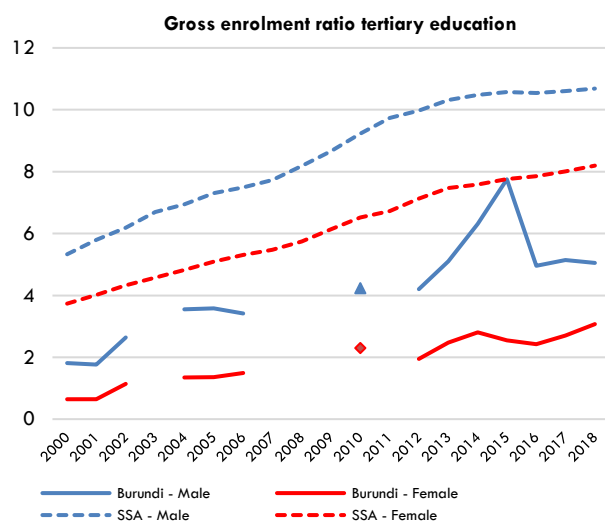
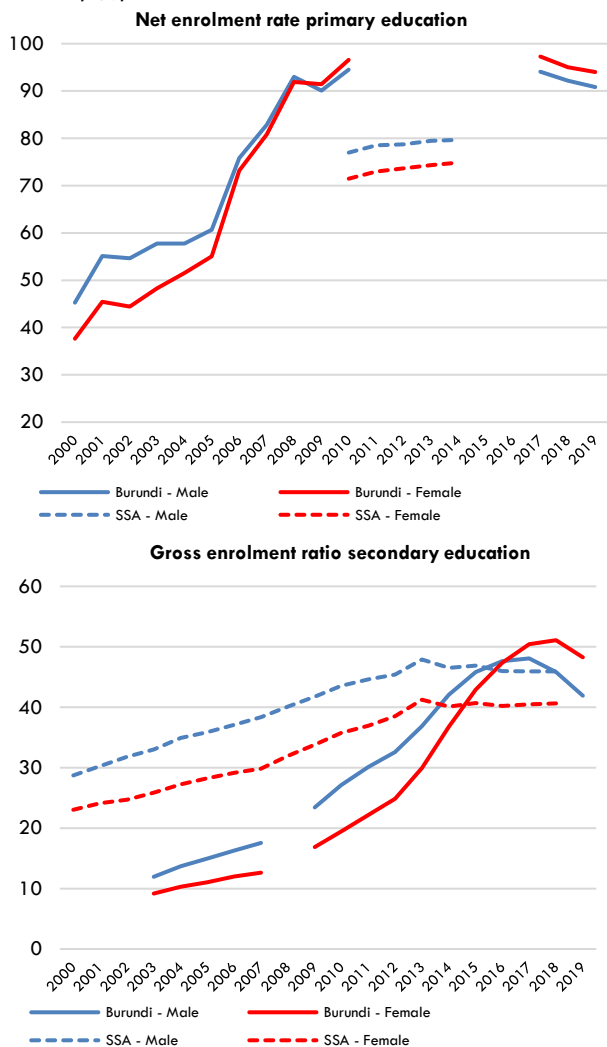
primary education. It led to drastic increases in net enrolment in primary school from 56% in 2005 to 72% in 2006, increasing further above 90% during the 2010s, hovering far above the sub-Saharan Africa average. Gender representation at the primary level is well balanced (Figure 12). Completing the government's 'Back to School' campaign in 2016 ran into some downturns in the net enrolment rate due to political and economic downturns. Around one out of two (55%) students at this education level dropped out before completing the primary cycle. Also, one out of three students start their studies one or more years late, and one out of five will be required to repeat the previous grade. These effects are especially pronounced in rural areas supporting relatively high child labour. Public primary education is tuition-free; however, costs such as uniforms and notebooks (both strictly required) can be prohibitive for low-income students. In rural areas, the opportunity cost of not having children participate in agriculture can also prevent participation. These effects contribute to low primary completion rates.

Like the enrolment in primary school hike, the gross secondary education also grew fast during the 2010s, superseded the region's rate at the end of the decade. Burundian males' enrolment rate at this education level lost pace in recent years; females also, but less, and hovered above both males and the regional female's average. Before the education reform in 2012, secondary school enrollment was competitive, based on a nationwide test. Often there were many more candidates than available seats. Since 2015, lower-secondary school became obligatory and free. Research showed that this new policy eased females' enrolment that will reduce teenage pregnancy significantly. However, the government introduced in July 2018 a controversial pregnancy ban that excluded pregnant teens and young mothers, as well as the boys who made them pregnant, from being part of the formal education system. This latter ban was cancelled in August 2018.<sup>80</sup>

The enrolment rate at the tertiary level played a limited role, but it is slowly growing (Figure 12). Tertiary education comprises four public institutions and twenty-three private institutions. The share of public expenditures spent on tertiary education accounts for almost one-fifth of public education expenditures, but less than 2% of students enrolled.<sup>81</sup>

The government introduced several initiatives during 2020 and 2021 to tackle the Covid-19 pandemic's risk, but schools from primary to university level stayed open.

**Figure 12: Enrolment in Primary Secondary and Tertiary levels; Burundi and sub-Saharan Africa (SSA), Male and female, %, 2000-2019**



Note: Net enrolment is the ratio of children of official school age, who are enrolled in school to the population of the corresponding official school age. Gross enrolment is the ratio of total enrolment, regardless of age, to the population of the corresponding official school age. Source: World Bank, Education Indicators.

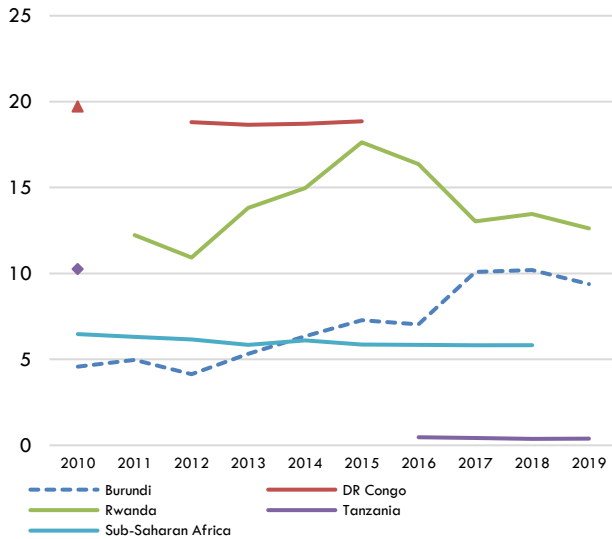
### Technical and Vocational Education and Training

In post-basic education, students that seek technical and vocational training can take two paths. First, secondary education, which includes technical education, aims to train skilled workers to meet their needs and prepare them for higher education. Second, vocational education and training of up to six years prepare students to meet the community's needs. It is directed toward initial and continuous training activities for young people in school. Depending on the level of completion of the vocational course, students can obtain different forms of certification, such as the Certification of Skills. This education is open to early school leavers and young people who have never been to school. Alternatively, the Qualified Worker Diploma is available to all those who have completed nine years of basic education.<sup>82</sup>

The enrolment of Burundian TVET students grew fast during the last decade: the share of all students in secondary education enrolled in vocational programmes increased from 4.6% in 2010 to 9.4% in 2019 (6.9% on average 2010s). On average, it

was significantly lower than DR Congo (19%) and Rwanda (14%) but superseded the regional in 2014 (Figure 13).

**Figure 13: Share of all students in secondary education enrolled in vocational programmes, Burundi and neighbouring countries, %, 2010-2019**



Source: World Bank, Education Indicators.

The formal TVET sector has struggled to improve in both qualitative and quantitative terms concerning skills development. Since a large majority of the population are linked to small-scale agricultural activities, questions if many jobseekers' training turns out inadequate and too theoretical. Stated differently, relatively few students reach a formal qualification or improve their employability as the training does not match the needs of the labour market. Most often, they are insufficiently prepared for self-employment. Information is scarce regarding alternative informal short-term courses' scope.

Burundi firms offered training (i.e., firms offering formal training programmes for their permanent, full-time employees) were on the rise from 22% in 2006 to 32% in 2014. It was in line with Rwanda (36%) and Tanzania (31%), a significantly higher than DR Congo (17%).<sup>83</sup> These firms' formal training still covers a tiny group of employees since most remains in the small-scale agriculture sector or informal micro- and small enterprises.

Technology has the potential to augment the abilities and productivity of workers at all skills levels. The demand for technology services is increasing worldwide, including in Eastern Africa. Demand for digital services such as mobile cellular, internet, mobile and other digital payments is expanding. Burundi's education in Information and Communications Technology (ICT) has been haunted by the digital divide in both a slow tempo and imbalances regarding the access to technology learning among the low-income/rural groups. The country's mobile cellular subscriptions increased significantly from 19 per 100 people in 2010 to 58 in 2019, surpassed by Tanzania (82) and Rwanda (76) but higher than DR Congo (43).<sup>84</sup> But Burundi's individuals using the internet continues very low, increased from 1% of the population in 2010 to just 3% in 2019, while DR Congo (9%), Rwanda (22%), and Tanzania (25%) stood at higher levels. Generally, computers' delivery practices to students are challenged by technical issues, e.g., lack of adequate computers, no connection of appropriate electric power, and no internet connection.

## SOCIAL PROTECTION

Burundi's 2018 constitution inscribed an organic law that sets the specific system of social security. The country has not ratified ILO's six up-to-date social security conventions. ILO listed six out of eight social protection policy areas covered by at least one programme in Burundi: child and family, sickness (cash), employment injury, disability/invalidity, survivors, old age, with some observations to maternity (cash), and missing unemployment.<sup>85</sup>

The government adopted the National Social Protection Policy in 2011 that aimed to extend social protection coverage to the entire population linked to Vision Burundi 2025 and the National Development Plan 2018–2027. Table 15 below shows the country's social protection policy still lagged in expanding the coverage in practice. Less than 30% of the population has access to healthcare insurance, occupational

hazards, invalidity benefits, old age, among others. This coverage is down to approximately 10% for informal workers. Just around 4% of persons above retirement age received a pension lower than Rwanda (6.5%) but slightly higher than Tanzania (3.2%). Burundi's Poverty Reduction Strategy (PRSP-II) aimed at a pension coverage of 10% in 2015 and have at least 50% of the population in the informal economy, and 40% from the rural sector enrolled in a health insurance system.<sup>86</sup>

**Table 15: Proportion of population covered by social protection systems in Burundi, %, latest year**

Type	Coverage
Health social protection, % of population (2010 - current)	<30%
Persons above retirement age receiving a pension (2016)	4.0%
Employed covered in the event of work injury (2010)	3.5%

Source: ILO, *Key Indicators of the Labour Market (KILM)*; DTDA, *Data-collection tool: Burundi, 2020*.

The new Labour Code from 2020 provides that every worker is entitled to the basic social security schemes' benefits. Thus, the principle of the right to basic social security is mandatory. The result of this new law is too early to assess. Nevertheless, the data presented above indicate that the country is far from reaching the SDG goal by achieving substantial coverage of the poor and the vulnerable (see more in SDG Table, Indicator 1.3.1, Page iv).

Burundi's population is concentrated in rural areas connected to widespread informal employment with limited affiliation to formal contributory social protection schemes. A recent report found Burundi's weak financial sustainability of development programmes and a lack of harmonisation, coherence, and coordination of social protection interventions. Besides, limited protection of the population challenges socio-economic shocks that contribute to a loss of or drop in revenue, particularly old age, illness, death of a breadwinner, maternity, loss of a job, professional dangers, childbirth, and education.<sup>87</sup>

Table 16 shows that Burundi health expenditures' share of GDP was higher than the regional average but lower regarding health expenditure per capita. Health expenditure per capita was on the rise from the 2000s to the 2010s, reaching US\$24 in 2018. It remains significantly low compared to the regional average. Besides, a minimal level of US\$44 per capita was defined by the High-Level Task Force on Innovative International Financing for Health Systems (HLTF), suggesting that Burundi has not yet reached that level. The national budget allocated to the social protection sector increased from 6.1% in 2016 to 11% in 2019/2020. Another aspect is that social contributions paid by employers are 6% (9% for employees in arduous work), but its coverage is very narrow due to the widespread informal economy.

**Table 16: Status of expenditure of health and social protection in Burundi and sub-Saharan Africa (SSA)**

Service	Burundi	SSA
Total health expenditure (% of GDP, 2010-2018 average)	8.2 %	5.1 %
Current health expenditure per capita (US\$ current, 2010-2018 average)	US\$ 23	US\$ 87
Social contributions (% of revenue, 2020)	6.0 %	-

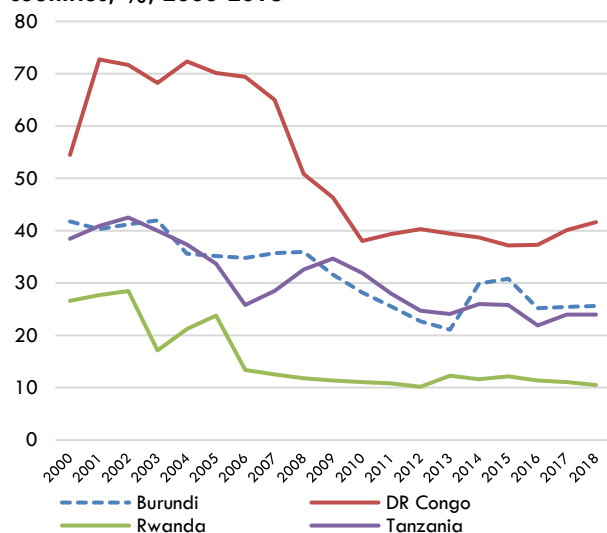
Source: World Bank, *World Development Indicators*; Lloyds Bank, *Burundi: Investing*.

Out of Burundi's twelve central social protection programmes in 2019/2020, the financially most extensive programmes were the Free Health Care with a share of 19%, the prevention and care for vulnerable groups (18%), university grants and other subsidies (16%), seeds and agricultural inputs (fertilisers) (13%), and health insurance (9%).<sup>88</sup> It linked to several central social protection actions: abolition of fees for primary education and health care for children under five years and mothers giving birth; a subsidy to pay for health care and medication in the case of certain transmittable diseases, such as malaria, leprosy, tuberculosis, and HIV/AIDS.

The composition of social protection sector expenditure is mainly directed to the Ministry of Health (45%) followed by the Ministry of Education

(20%) and the Ministry of Environment, Agriculture and Livestock (MEAL) (20%), and the ministry in charge of social protection programming (10%). The social protection sector ran into financial problems due to the reduction of foreign aid: In 2015, 64% of social protection financing was from external sources, but it dropped to 28% in 2016 due to political turmoil; between 2018 and 2019, it reached around 38%. This financial restructuring put further pressure on the national budget. Figure 14 visualises how Burundi's share of health-care expenditure financed by private households' out-of-pocket payments fell during the last two decades, supported by the rising government health expenditure. These out-of-pocket payments reached 26% in 2018, substantially below DR Congo but higher than Rwanda and Tanzania.

**Figure 14: Out-of-pocket expenditure as a percentage of total expenditure on health in Burundi and neighbouring countries, %, 2000-2018**



Note: Out of pocket expenditure is any direct outlay by households, including gratuities and in-kind payments, to health practitioners and suppliers of pharmaceuticals, therapeutic appliances, and other goods and services whose primary intent is to contribute to the restoration or enhancement of the health status of individuals or population groups. It is a part of private health expenditure.

Source: World Bank, World Development Indicators.

The leading national pension scheme is run by the National Social Security Institute (INSS) for the public sector that provides old-age pension, disability, life insurance, and work injuries insurance. It was unfunded until 2010, when funding was introduced by

9% of salary. The new Social Protection Code from 2020 opened for workers from the informal economy to contribute to NSSF. Contributions are to be paid based on estimated income. Two other civil service schemes are the mutual fund for sickness and maternity insurance scheme (MFP) for public employees and the National Pension and Works Place Insurance Service (ONPR), covering civil servants, magistrates, and judicial officers. An insurance culture is not common in the private sector. Private occupational and individual pension plans have been voluntary. It was not until 2014, a mutual health insurance scheme for the private sector (pension and professional risk/injury) was launched. Initially, about 45 companies were enrolled, covering at least 7,500 workers. Updated data were not available.

A non-contributory social protection system (*Merankabandi*) was initiated in 2018 geared for social assistance through cash allowances to help the most vulnerable households. This programme covers more than 50,000 households. The beneficiaries are mothers of a household with at least one child under 12; living in the selected areas; and monetary poverty and chronic malnutrition rates. Each beneficiary household receives an allowance of BIF 40,000 (US\$ 22) by mobile payment every two months for thirty months. Generally, these non-contributory social safety net systems are financed mainly by donors, although the share of their funding is declining, as mentioned above.

All EAC member states are members of the International Organization of Pension Supervisors (IOPS), except Burundi and South Sudan. Members of IOPS have tended to adopt agreed principles for pension supervision. These two latter countries are also the only ones that do not have established institutions mandated to supervise the retirement benefits sector. It is important to realise that identification is critical of formal pension systems: Burundi, like all EAC countries, has a national ID system, but it is the only country with no digital national ID systems.<sup>89</sup> However, the Social Protection



Code from 2020 aims to bring the current single register of beneficiaries to a new, broader unified social register. Still, it requires a regulatory text specifying the operating methods of the unified system.

Women employees are entitled to a maternity leave of 12 weeks with full pay, including six weeks of prenatal leave. It is a standard among Eastern African countries. Maternity leave can be extended up to 14 weeks. Pregnant workers are required to provide a medical certificate indicating the presumed date of birth. Men workers are allowed fully paid paternity leave for four days on the birth of a child.

Burundi confirmed the first two Covid-19 cases on March 31, 2020. Afterwards, a slow but continuous upward trend in the number of new infections was reported. However, until late July 2020, only one Covid-19-related death had been officially reported

earlier on April 13, 2020.<sup>90</sup> During 2020, there was uncertainty about the actual Covid-19 situation, and the health situation continues to be unpredictable. The authorities introduced restrictions such as quarantined travellers from affected countries, stopped providing entry visas, and closed the borders except for merchandise trade, humanitarian, medical travel and transport. The authorities have also developed a pandemic response plan that focuses on strengthening the health care system, the social safety net, and parts of the road network to facilitate access to sick people. However, this plan has been underfinanced.<sup>91</sup> In January 2021, the government updated Covid-19 prevention measures such as all drivers and passengers of public transport vehicles, including taxis, motos and bicycle taxis, must wear a face mask, and persons who violate quarantine or other prevention measures may be subject to fines or other penalties.<sup>92</sup>

## APPENDIX: ADDITIONAL DATA

**Table 17: List of approved labour related legislation in Burundi, 2014-2020**

Type of legislation	Law/decree
<b>2014</b>	
Elimination of forced labour	Loi n° 1/28 du 29 octobre 2014 portant prévention et répression de la traite des personnes et protection des victimes de la traite.
Equality of opportunity and treatment	Loi n° 1/07 du 26 mars 2014 portant ratification par la République du Burundi de la Convention relative aux droits des personnes handicapées et son Protocole facultatif
<b>2015</b>	
Equality of opportunity and treatment	Loi n° 1/13 du 22 septembre 2016 portant prévention, protection des victimes et répression des violences basées sur le genre
General provisions	Loi n° 1/15 du 9 mai 2015 régissant la presse au Burundi.
Civil, commercial and family law	Loi n° 1/01 du 16 janvier 2015 portant révision de la loi n° 1/07 du 26 avril 2010 portant Code de commerce.
Employment policy, promotion of employment and employment services	Décret n° 100/20 du 27 janvier 2015 portant création, organisation et fonctionnement de l'Office burundais de l'emploi et de la main d'oeuvre, en sigle "O.B.E.M".
Social security (general standards)	Stratégie de la Protection sociale au Burundi.
<b>2016</b>	
General provisions	Décret n° 100/023 du 11 janvier 2016 portant révision du décret n° 100/34 du 23 septembre 2015 portant création, mandat, composition, organisation et fonctionnement de la Commission nationale de dialogue inter-burundais.
	Politique nationale de santé (2016-2025).
Equality of opportunity and treatment	Loi n° 1/13 du 22 septembre 2016 portant prévention, protection des victimes et répression des violences basées sur le genre.
	Décret n° 100/ 0175 du 2 août 2016 portant réorganisation, fonctionnement et composition du Conseil national de Lutte contre le SIDA.
Fishers	Loi n° 1/17 du 30 novembre 2016 portant organisation de la pêche et de l'aquaculture au Burundi.
HIV/AIDS	Décret n° 100/ 0175 du 2 août 2016 portant réorganisation, fonctionnement et composition du Conseil national de Lutte contre le SIDA.
International agreements	Loi n° 1/18 du 8 décembre 2016 portant ratification par la République du Burundi de la Charte africaine sur les valeurs et les principes de la décentralisation, de la gouvernance locale et du développement local.
Labour administration	Décret n° 100/0232 du 25 novembre 2016 portant mise en place d'une cellule spéciale à la Présidence de la République d'écoute, d'orientation, et de lutte contre les injustices liées au travail.
	Décret n° 100/057 du 4 avril 2016 portant missions, organisation et fonctionnement du Ministère des Droits de la Personne humaine, des Affaires sociales et du Genre.
<b>2017</b>	
General provisions	Loi n° 1/27 du 29 décembre 2017 portant révision du Code pénal.
	Décret n° 100/118 du 31 mai 2017 portant création, missions, organisation et fonctionnement du Comité national de pilotage chargé de l'élaboration du Plan national de développement du Burundi.
Administration and financing	Décret n° 100/145 du 21 juillet 2017 portant révision du décret n° 100/63 du 18 mars 2015 portant création, organisation et fonctionnement du Fonds d'Appui à la Protection sociale (FAPS).
Cooperatives	Loi n° 1/12 du 28 juin 2017 régissant les sociétés coopératives au Burundi.

Education, vocational guidance and training	Décret n° 100/147 du 28 juillet 2017 portant fixation des curricula de l'enseignement des métiers et de la formation professionnelle.
	Décret n° 100/018 du 1er février 2017 portant réorganisation du système de gestion des bourses d'études et de stages.
Equality of opportunity and treatment	Décret n° 100/026 du 15 février 2017 portant révision du décret n° 100/306 du 21 novembre 2012 portant création, missions, organisation et fonctionnement du Forum national des Femmes au Burundi.
Public and civil servants	Loi n° 1/03 du 20 février 2017 portant missions, organisation, composition et fonctionnement de la Police nationale du Burundi.
	Loi organique n° 1/04 du 20 février 2017 portant missions, organisation, composition, instruction et fonctionnement de la Force de Défense nationale du Burundi.
<b>2018</b>	
General provisions	Décret n° 100/099 du 8 août 2018 portant interdiction de l'importation, de la fabrication, de la commercialisation et de l'utilisation des sachets et d'autres emballages en plastique.
	Décret n° 100/085 du 25 juillet 2018 portant Cadre national de collecte, de diffusion, d'accès, d'archivage et de sécurisation des données et des micro-données.
	Loi n° 1/14 du 5 juillet 2018 portant création d'un corps des volontaires burundais.
	Constitution du 7 juin 2018.
	Plan national de développement du Burundi (PND Burundi 2018-2027).
	Loi n° 1/09 du 11 mai 2018 portant modification du Code de procédure pénale.
	Loi n° 1/04 du 29 janvier 2018 portant modification de la loi n° 1/01 du 04 février 2008 portant Code des marchés publics.
Disabled workers	Loi n° 1/03 du 10 janvier 2018 portant promotion et protection des droits des personnes handicapées au Burundi.
Hotel, restaurant and shop workers	Loi n° 1/05 du 23 janvier 2018 portant insolvabilité du commerçant au Burundi.
Labour administration	Décret n° 100/0122 du 25 août 2018 portant missions et organisation du Ministère de l'Éducation, de la Formation technique et professionnelle.
	Décret n° 100/113 du 18 août 2018 portant missions et organisation du Ministère de l'Enseignement supérieur et de la Recherche scientifique.
	Décret n° 100/097 du 8 août 2018 portant missions et organisation du Ministère de la Fonction publique, du Travail et de l'Emploi.
	Décret n° 100/087 du 26 juillet 2018 portant organisation du Ministère de l'Environnement, de l'Agriculture et de l'Élevage.
	Décret n° 100/084 du 25 juillet 2018 portant révision du décret n° 100/58 du 18 mars 2008 portant création, attributions, composition et fonctionnement du Conseil national de l'Information statistique (CNIS).
	Décret n° 100/082 du 20 juillet 2018 portant organisation et fonctionnement du Ministère de la Jeunesse, des Postes et des Technologies de l'Information.
	Décret n° 100/083 du 20 juillet 2018 portant organisation du Ministère de la Sécurité publique et de la Gestion des catastrophes.
Occupational safety and health	Loi n° 1/08 du 11 mai 2018 portant gestion des pesticides au Burundi.
Social security (general standards)	Loi n° 1/12 du 30 mai 2018 portant Code de l'offre des soins et services de santé au Burundi.
<b>2019</b>	
General provisions	Décret n° 100/176 du 26 novembre 2019 portant Code d'éthique et de déontologie des mandataires politiques de la superstructure de la République.
	Loi organique n° 1/21 du 3 août 2019 portant modification de la loi n° 1/07 du 25 février 2005 régissant la Cour Suprême.
	Loi organique n° 1/13 du 12 juin 2019 portant organisation et fonctionnement du Conseil supérieur de la Magistrature.

Employment policy, promotion of employment and employment services / Disabled workers	Décret n° 100/0125 du 9 août 2019 portant création, missions, composition et fonctionnement du Comité national pour les Droits des personnes handicapées au Burundi.
Public and civil servants	Décret n° 100/0128 du 9 août 2019 portant organisation, missions et fonctionnement de l'Institut Supérieur de Police «(I.S.P)» en sigle.
<b>2020</b>	
General provisions	Décret n° 100/088 du 22 octobre 2020 portant révision du décret n° 100/059 du 24 avril 2020 portant création, mandat, composition et fonctionnement du Comité chargé de lutter contre la propagation et la contamination du COVID-19 au Burundi.
	Décret n° 100/059 du 24 avril 2020 portant création, mandat, composition et fonctionnement du Comité chargé de lutter contre la propagation et la contamination du COVID-19 au Burundi.
Labour administration	Décret n° 100/063 du 22 septembre 2020 portant révision du décret n° 100/041 du 25 août 2008 portant réorganisation des Services de la Présidence de la République du Burundi.
	Décret n° 100/007 du 28 juin 2020 portant révision du décret n° 100/037 du 19 avril 2018 portant structure, fonctionnement et missions du Gouvernement de la République du Burundi.
Public and civil servants	Décret n° 100/062 du 16 septembre 2020 portant subvention des soins de santé pour le personnel de l'État mis en retraite pour limite d'âge.
Social security (general standards)	Loi n° 1/12 du 12 mai 2020 portant Code de la protection sociale au Burundi.
	Loi n° 1/07 du 12 mars 2020 portant modification de la loi n° 1/012 du 30 mai 2018 portant Code de l'offre des soins et services de santé au Burundi.

Source: ILO, NATLEX, Burundi.

**Table 18: Ratified ILO Convention in Burundi, 2020**

Subject and/or right	Convention	Ratification date
<b>Fundamental Conventions</b>		
Freedom of association and collective bargaining	C087 - Freedom of Association and Protection of the Right to Organise, 1948 C098 - Right to Organise and Collective Bargaining Convention, 1949	1993 1997
Elimination of all forms of forced labour	C029 - Forced Labour Convention, 1930 C105 - Abolition of Forced Labour Convention, 1957	1963 1963
Effective abolition of child labour	C138 - Minimum Age Convention, 1973 C182 - Worst Forms of Child Labour Convention, 1999	2000 2002
Elimination of discrimination in employment	C100 - Equal Remuneration Convention, 1951 C111 - Discrimination (Employment and Occupation) Convention, 1958	1993 1993
<b>Governance Conventions</b>		
Labour inspection	C081 - Labour Inspection Convention, 1947 C129 - Labour Inspection (Agriculture) Convention, 1969	1971 Not ratified
Employment policy	C122 - Employment Policy Convention, 1964	Not ratified
Tripartism	C144 - Tripartite Consultation (International Labour Standards) Convention, 1976	1997
<b>Technical Conventions (Up-to-date)</b>		
Working time	C014 - Weekly Rest (Industry) Convention, 1921	1963
Wages	C094 - Labour Clauses (Public Contracts) Convention, 1949	1963
Industrial relations	C135 - Workers' Representatives Convention, 1971	1979

Note: Fundamental Conventions are the eight most important ILO conventions that cover four fundamental principles and rights at work. Governance Conventions are four conventions that the ILO has designated as important to building national institutions and capacities that serve to promote employment. There are also 73 Technical Conventions, which ILO considers "up-to-date" and actively promoted.

Source: ILO, NORMLEX, Country Profiles, Burundi.

**Table 19: Ease of Doing Business in Burundi, 2020**

Topics	Value
Overall	166
Starting a Business	44
Dealing with Construction Permits	161
Getting Electricity	184
Registering Property	100
Getting Credit	176
Protecting Minority Investors	143
Paying Taxes	140
Trading Across Borders	169
Enforcing Contracts	158
Resolving Insolvency	147

Note: Doing Business 2020 indicators are ranking from 1 (top) to 190 (bottom) among other countries. The rankings tell much about the business environment, but do not measure all aspects of the business surroundings that matter to firms and investors that affect the competitiveness of the economy. Still, a high ranking does mean that the government has created a regulatory environment conducive to operating a business.

Source: World Bank & IFC, Ease of Doing Business 2020 in Burundi

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