

The Overview of Burundi in the Image of the African Charter on Rights and Welfare of the Child

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Abstract

Burundi is a state party to the African Charter on the rights and welfare of the child who never produced a report as it is one of the most obligations has however to implement this charter in the way of protection and promotion of the child. The failure to report obligation calls on doubt about children's rights situation for lacking references. This research aims the analysis of the steps probably Burundi has already done or difficulties it met in the implementation of the ACRWC. The findings [from existing literature together with reports of human rights association (public and private)] in the children's rights domain show that in Burundi, violation of some children's rights, even though contained as provisions in the ACRWC has been and is taking place in Burundi. Research throughout this paper used the documentary method, analyzing, criticizing and commenting results of existing writings and reports about children's rights in Burundi. Findings in this research are to ensure, even though Burundi is a State party to the ACRWC, it did not make a great step in its implementation. Violations of most of children's rights inside that Charter are evident. Steps forward are considerably very few.

Keywords

Child, Children, Burundi, Children's Rights, African Charter on the Rights and Welfare of the Child

1. Introduction

The 26th Ordinary Session of the Assembly of Heads of State and Government of the Organization of African Unity (OAU) adopted, at Addis Ababa in Ethiopia in July 1990, the African Charter on the rights and welfare of the Child

(African children's Charter or ACRWC). It entered into force on November 29, 1999 after 15 country parties ratified it. Burundi ratified it on 08/11/2000, however, no related report has yet been produced. Burundi leaves or lets the situation this way though article 43 is clear on this topic. Every State Party to the present Charter shall undertake to submit to the Committee through the Secretary-General of the Organization of African Unity, reports on the measures they have adopted which give effect to the provisions of this Charter and on the progress made in the enjoyment of these rights. The periodic calendar is of two years of the entry into force of the Charter for the State Party concerned; and every three years after the first report. The second paragraph of this article 43 states that the content of the report must contain sufficient information on the implementation of the present Charter to provide the Committee with comprehensive understanding of the implementation of the Charter in the relevant country. It must also indicate factors and difficulties, if any, affecting the fulfilment of the obligations contained in the Charter.

The fact that Burundi or any other countries do not produce their report to the committee presumes persistent children's rights violations, then misconduct in the implementation of the ACRWC. Compared with human rights violations in general, in his doctoral thesis, [Ndimurwimo \(2014\)](#) traces the roots of Burundi's sullied human rights record over 51 years since independence from Belgium in 1962. He indicates the role of the military in human rights violations, including mass killings of civilians, extra-judicial executions of political opponents and the failure of a post-conflict constitutional architecture to establish accountability and responsibility for these violations.

By this situation, I chose better to analyze, particularly, in which manner Burundi implements the ACRWC, as the implementation is an obligation to States parties. Hereby, results are to denote whether violation or implementation using the ACRWC as a measuring unit. This study relates, according to the literature the situation of children's rights and welfare provisions within the ACRWC in Burundi, as it is opportune for my thesis research. Its title is "Burundi, at the test of the African Charter on the Rights and Welfare of the Child". It analyzes the critiques towards the ACRWC itself and researchers' views about provisions inside it in Burundi.

2. The African Charter

By means of this research, the basic instrument is the African Charter on the Rights and Welfare of the Child itself, which serves as a mirror reflecting child's rights and welfare as the exact way they are in Burundi. Studies of different researchers shed light on the very realization and/or violations of children's rights and welfare. [Sloth-Nielsen \(2008a, 2008b, 2017\)](#) and [Adu-Gyamfi & Keating, \(2013\)](#) commented that African children's charter. [Sloth-Nielsen & Kruuse \(2013: p. 647\)](#) insisted on the aspirations developed in the Agenda Africa 2040 in the context of "Africa fit for children". His study tells that if Africa achieves even

partly these aspirations, it will have become a better place for her children. The following are the aspirations of this agenda. 1) The ACRWC, as supervised by the African Experts on the Rights and Welfare of the Child (African Children's Committee), provides an effective continental framework for advancing children's rights. 2) An effective, child-friendly national legislative, policy and institutional framework is in place in all member states. 3) Every child's birth and other vital statistics are registered. 4) Every child is born alive and survives infancy. 5) Every child grows up well-nourished and with access to the necessities of life. 6) Every child benefits fully from quality education. 7) Every child is protected against violence, exploitation, neglect and abuse. 8) Children benefit from a child-sensitive criminal justice system. 9) Every child is free from the impact of armed conflicts and other disasters or emergency situations. 10) African children's views matter.

Adu-Gyamfi & Keating (2013) indicate some of the specific issues omitted from the Children's Rights Convention. This omission talked about issues that were involved in the drafting process of the African Children's Charter. However, they go beyond showing the convergence and differences between CRC and ACRWC precise that African States prefer to produce reports to UN children's committee than to the African committee of experts on the rights and welfare of the child (African children's committee or ACERWC). They describe the ACRWC as an adapted regional instrument, with its unique culture, traditions and history that is adequate to handle and resolve its children's rights situation. It is the African embellishment to the global protection of children's rights. Sloth-Nielsen (2008b) insists at the join of efforts by the African governments and civil societies working in children's rights area. He meets Mezmur (2020) who argued saying that the genesis of the ACRWC is UNICEF and civil society (African Network for the Prevention against Child Abuse and Neglect—ANPPCAN) and the negotiation process to adopt the United Nations (UN) Convention on the Rights of the Child. This is the way to stand in for the lack of jurisprudence and writings on children's rights in Africa (Sloth-Nielsen, 2008a). As Mezmur (2007) noted the weak start of the African Children's Committee, he explained its causes. According to him, they are lack of adequate resources for its effective functioning and lack of interest on the part of member states of the AU in meeting their obligations, particularly with regard to state reporting.

These causes continue to prevent the African Children's Committee from maximizing its potential. Non-producing reports to the African children's committee is an obstacle to the communications procedure, a fundamental component of the protective mandate of the African Children's Committee. This component helps the African children's committee to receive and consider complaints on issues that fall within the scope of the African Children's Charter (Mezmur & Kahbila, 2018). Hence, if States parties violate the obligation of producing reports to the African children's committee, nothing guarantees the implementation of provisions inside it.

In all these, the conclusion is that, the ACRWC took its basis on politics and culture special to Africa. The governments have to democratize children's rights by opening doors to civil societies. In this way, *Mezmur (2020)*, though starting to indicate that the African children's rights seem to be a standstill, however, notes some progress. African States have incorporated Children's rights into constitutions and comprehensive child rights legislation.

The following pages of this paper trace articles within the ACRWC in the image of Burundian everyday life.

3. Current Specific Children's Rights Situation in Burundi

The due research to my thesis calls the analysis of the implementation of the children's rights within the ACRWC.

3.1. Implementation of the Right to Nondiscrimination of Children in Burundi

The article 3 of the African children Charter stipulate that "every child shall be entitled to the enjoyment of the rights and freedoms recognized and guaranteed in this Charter irrespective of the child's or his/her parents' or legal guardians' race, ethnic group, color, sex, language, religion, political or other opinion, national and social origin, fortune, birth or other status."

In regards to this text, we analyze the points of view of different authors. Collecting and analyzing data in MICS and DHS household for their surveys from 18 African countries, *Gibbons, Huebler, & Loaiza (2005)* concluded that analysis of child labor and education attendance is the way to conclude the sexual discrimination done against girls. The problem is that the survey did not consider which the children do. Burundians make a discrimination against batwa children in Burundi (*Feller, 2000*). In regards to batwa children, the authors demonstrated that even the fundamental rights are violated (rights to health care, to education, to survival and development, to a culture and to non-discrimination). The issue of this study here analyzed is that Burundians never make a dent in this discrimination against Batwa children, to consider it as outdated. It has become a routine of Burundians' life. Even Batwa themselves consider others Burundians (Hutu and Tutsi), "Burundians" to means they are not like them as to means they do not share the same citizenship. Most of them are poor, do not study but make pots from clay as their natural profession, staying poor eternally.

Ankut (2003) considered that, in Burundi, if socio-economic children's rights are the domain of only parents' responsibilities, discrimination is ready to attack poor families' children. Here, he compares or balances government's duty to parents' responsibilities in the fulfillment of socio-economic children's rights. Family poverty conjugated with culture and religion is causes of discrimination against girls (*Adeola, 2016*). In consequence, girls are married early; suffer loss of opportunities and health risk (vulnerability in pregnancy, maternal and infant's mortality, cervical cancer, HIV and obstetrics fistula). This practice not

only prevents girls from enjoying their childhood, but it also leaves long-lasting negative effects on their mental and physical health. Notwithstanding, the sexual discrimination is confirmed to take a place in Africa in general as intra-households inequalities (Rodríguez, 2016). Studies about discrimination in Burundi did not go for the professional children's background as to consider how Burundian families and schools look after former child soldiers. They do not precise the governmental responsibilities, by means of jurisprudence, fight against discrimination done towards children.

As we cannot afford letting discrimination going on and spreading along future years, we call upon the Government of Burundi to uproot from the minds of our young brethren the feelings of hatred and exclusion, thus leading to real love. Such is the education we indispensably need for a new society (Nizigiimana, 2014).

3.2. Implementation of the Right to the “Well-Being” of Children in Burundi

Most researchers consider the well-being of African children in the context of what the ACRWC calls the best interest of the child. Its article 4 stipulates that “in all actions concerning the child undertaken by any person or authority the best interests of the child shall be the primary consideration.”

In view of child well-being in Burundi, Bundervoet, Annan, & Armstrong (2012) did their research in two provinces (Makamba and Bujumbura) of Burundi. They concluded that the combination of two systems Village Savings and Loans Association (VSLA) and Family-based discussion group called “Healing Families and Communities” (VSLA Plus) increases the households' level of both financial and physical assets and this is also profitable for children well-being. This being true, we estimate with them that the children's well-being depends on the financial status of families from which they are born. Guarcello, Lyon, & Rosati (2004) researching on the impact of orphanhood concluded that about 17% of Burundian children under 14 are losing the lack of any decision for their well-being. They cannot attend school as well as their peers.

Demonstrating that large shocks affecting household wealth and well-being affect strongly and negatively children's well-being, Roelen & Leon-Himmelstine (2019) suggest that economic strengthening positively affects child well-being. The conclusion here is that there is a difference between the well-being (best interests) of children in Burundi depending on the economic status of their parents. So far, Jordans et al. (2013) introduce that, as, primary measure, to work with parent-teacher associations in order to promote the psychosocial well-being of children within the school context. Rodríguez (2016) insists on the negative impact of the intra-household inequalities to children according to cultural and religious considerations the well-being girlish children.

The conclusion is that Burundi, as a governmental institution cannot afford helping every children benefit the right to well-being on the same level for fi-

nancial wealth is not the same in Burundi.

3.3. Implementation of the “Right to the Survival and Development and the Right to the Administration of Juvenile Justice” of Children in Burundi

The ACRWC insists at its article 5 that judges should pronounce no death sentence for crime committed by children. Every child has an inherent right to life. Law shall protect this right. States Parties to the present Charter shall ensure, to the maximum extent possible, the survival, protection and development of the child.

Though the act of the acts of the ACERWC has known weakness since the starts (Mezmur, 2007) this committee has to ensure the protection of that this right. Kassan (2013: p. 169) estimates that violence and torture also impede children’s development. Life, survival and development principles ensure that children have the capacity to ascertain their rights and ensure the protection of their welfare (Lloyd, 2008). For his tour, Sloth-Nielsen (2008b) gives a purpose of law reform as a key planning for children’s survival and development. These reforms have taken place in Burundian penal laws. If not in justice decisions, Ekesa, Blomme, & Garming (2011) go beyond in their research and analyze the hunger impact on the survival of children in Burundi.

Far from the right to the survival, the connection of the right to the juvenile justice is set up. We consider the content of the article 17 of the ACRWC. This article stipulate that every child accused or found guilty of having infringed penal law shall have the right to special treatment in a manner consistent will the child’s sense of dignity and worth and which reinforces the child respect for human rights and fundamental freedoms of others. States Parties to the present Charter shall ensure that no child who is detained or imprisonment or otherwise deprived of his/her liberty is subjected to torture, inhuman or degrading treatment or punishment. Authorities of penal systems have to separate children from adults in their detention or imprisonment and they must consider the child innocent until the judgement, which recognizes him/her, guilty. In this case, Bizimana (2013) argued that The Burundian penal system has not proved to be child friendly. He argues that this fact has as stems undue delay, long pre-trial detentions, trial in adults’ courts and bad conditions in custody. This study is former to Shabani (2019) who showed the steps forward that Burundi has already done in juvenile justice. His study showed, by means of interviews conducted to the sample of children and staff at Rumonge rehabilitation center for children in conflicts with the law. This study is a proof that this policy of rehabilitating juvenile delinquents in Burundi is adequate because it meets the best interest of the children.

The undone here is the question of the delay in juvenile justice especially the long pre-trial detentions and the custody systems in them. It will be good enough for Burundian juridical system and institutions to polish off that undue delay

and other defaults.

3.4. Implementation of the “Right to Education” of Children in Burundi

The article 11 of the ACRWC states the due right to education for African child. Every child has the right to education in order to get the promotion and development of his personality, talents and mental and physical abilities. The purpose of African child’s education is the preparation of the child for responsible life in a free society, in the spirit of understanding, tolerance, dialogue, mutual respect and friendship among all people’s ethnic, tribal and religious groups. State parties to the ACRWC take measures to encourage regular attendance at schools and the reduction of dropout rate and ensure equal access to education for all sections of the community. In the implementation of the combination of the right to nondiscrimination, States Parties to the present Charter shall take all appropriate measures to ensure that children who become pregnant before completing their education shall have an opportunity to continue with their education based on their individual ability.

The analysis of the implementation of the right to education of children in Burundi finds many researches. Batwa children in Burundi report being told by teachers that because they are Batwa, they are “worth nothing” (Warrilow, 2008). The study adds, “Even when Batwa children do access school, they experience direct and indirect discrimination. Many suffer verbal abuse and Batwa women and girls report that male teachers and pupils harass them sexually at school, and they ambush them on the way home from school. This may result in unwanted pregnancies, poor performance at school and dropping out of school entirely. Mezmur (2020) denotes certain changes in technology and internet in order to implement the right to education. However, Roelen & Leon-Himmelstine (2019) signal the gender bias in the implementation of this right to education. They esteem that right to education implementation depends upon the richness or poverty of the family. Here, they join ideas of Ankut (2003) arguing that, letting responsibilities to parents lead to the marginalization of children from poor families. He deducted this idea from the literature and jurisprudence. Confirming these ideas, the school at which parents enroll their children shows the economic and financial status of their parents. Public schools are for poor parents’ children while private and of high standard schools are for rich ones’. Beyond this statements, Sloth-Nielsen (2017) refer the implementation of right to education to the reports by the country party to the ACERWC. However, he indicates that, many African countries among which Burundi, do not produce reports. Karekezi (2019) esteem that in Burundi, alone children, in the age of schooling migrate from different provinces to Bujumbura. His research used interview method. The conclusion of his research gives the findings that violence and extreme poverty causes the huge dropout rate. Hereby, the author does not precise the responsibility of Burundi to reduce internal separated children migration and poverty as the means to implement the right to education.

Researches in this area do not clearly show the accessibility and the quality of what is the education fitting in the format of ACRWC. The task for my thesis research will focus on the government duties to fulfill it.

3.5. Implementation of the “Right to Leisure, Recreation and Cultural Activities” and “Right to Freedom of Association” of Children in Burundi

The ACRWC at its article 12 states the right to leisure, recreation and cultural activities. Many obligations are contained in this article regarding States Parties who must recognize the right of the child to rest and leisure, engage in play and recreational activities appropriate to the age of the child and help children to participate freely in cultural life and the arts. These States (among which Burundi) must respect and promote the right of the child to fully participate in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity.

Literature in this area is somehow fertile. However, [Kitheka et al. \(2017\)](#) gave the first research of the right to leisure, recreation and cultural activities kind in Burundi and the East African region. The conclusion of this research is that this right is only implanted in urban places and there also in the trial way. The only open place to children in Burundi is “*jardin public*”

The ACRWC did not pass over the right to freedom of association, as a key to rejoicing the right to leisure, recreation and cultural activities” for children in Burundi. In this hypothesis, its article 8 orders that every child have the right to free association and freedom of peaceful assembly in conformity with the law. In Burundi, “meetings between young people during group games provide a favorable moment for their initiation into collective life. They provide a framework for learning the social realities in which young people express the intention to learn for themselves” ([Hajayandi, 2013](#)). This study took a place in Bujumbura by sample of youth associations and leisure place as “Centre jeune Kamenge” where he used questionnaire and interview.

The conclusion is that, rejoice of these rights are left to families and civil societies. Hence, my doctoral research will achieve to the implementation over the country in wholesome, as Burundi is party to the ACRWC in wholesome.

3.6. Implementation of the Right to “Health and Health Services of Children” and “Right to Protection for Handicapped Children” in Burundi

Dealing with right to health and health service, the ACRWC, at its article 14 announce its components. These obligations are included in the obligations to States parties. The ACRWC calls them to reduce the infant and child mortality rate. This includes the obligation to ensure the provision of necessary medical assistance and health care to all children with emphasis on the development of primary health care, adequate nutrition and safe drinking water. These states parties to the ACRWC have to combat disease and malnutrition within the frame-

work of primary health care through the application of appropriate technology, to ensure appropriate health care for expectant and nursing mothers.

Right to health in Burundi has not arrived at the required standard yet. Nta-hiraja & Nkurunziza (n.d.) conclude, “The implementation of the right to health remains insufficient in Burundi as the health sector is not yet receiving enough resources. Burundi’s poverty does not explain everything as illustrated by the budget allocated to the health sector.” In this hypothesis, Burundi does not realize the role of the ACERWC in the mandate and promotion of children’s rights in the domain of reproduction. Durojaye (2013) discussed some of the sexual health issues (early or teenage pregnancy, and sexually transmitted infections and HIV/AIDS) relating to adolescent girls in the region. According to this study, the factors are the age of consent, the lack of sexuality education, and the lack of political will. Nevertheless, Kaneko et al. (2017) illustrated that Burundi made step forward by inventing the Medical Child Handbook. This notifies every childbirth and then to provide for him medicine. However, Burundi, being a post-conflict country, the poor health status of Burundian children lead to his adverse welfare effects (Bundervoet, Verwimp, & Akresh, 2009). They esteem that African countries should keep in their mind that children’s health is robust to the inclusion of a variety of household level. Hence, they converge with Custodio et al. (2019) admitting that in Burundi, “the diet of children is affected by the characteristics of the households and the communities in which they live”

The conclusion helps to understand that the health services and diet for children in Burundi are the business of the financial power of parents. The aim of our research as opportune for the thesis is to go further and recall for Burundi’s obligations implementation in this area.

3.7. The Right to Birth Registration for Children in Burundi

The second line of article 6 of ACRWC stipulates, “every child shall be registered immediately after birth”. In Burundi, birth certificate ownership (56.4%) and postnatal care (PNC) coverage (30%) remain low (Kaneko et al., 2017). This research describes here a pilot implementation of the Burundian Medical Children Health (MCH) handbook, which contains a page for notification of birth. We compare these data to Ebbers (2020) who made enquiry into the interrelation of determinants at different levels by means of interactions and realized that in Burundi, 31.7% of children at birth, 21.6% at 1-year-old 16.6% at 2 years old, 15.0% at 3 years old and 15.1% at 4 years old do not have birth registration. Rodríguez (2016), using L-Theil index shows that the intra-household inequalities goes until the violation of birth registration as a remark of extent of gender intra-household inequality. Verbeke et al. (2012) argued about the lack of ICT system of children registration in Burundi, which they perceive as big problem and it is so. So far, Comandini, Cabras, & Marini (2016) demonstrated the negative relationship between imprecise age due to lack of birth registration and the malnutrition. They shewed that UNICEF (2014) Multiple Indicator Cluster Survey (MICS) and the Demographic and Health Surveys DHS Program results can

lead to error in low- and middle-income countries even though they are the best tool for national and global decision making. This literature confirms that birth non-registration is a problem and Burundi has to polish it off look for a way to end it up.

The ACRWC speaks about protecting right to protection for handicapped children. The article 13 of this African children charter stipulates that every child mentally or physically disabled have to have the right to special measures of protection in keeping with his physical and moral needs and under conditions which ensure his dignity, promote his self-reliance and active participation in the community. States Parties have to do their best in order to make available resources to a disabled child and to those responsible for his care.

Hall et al. (2014: p. 8), through data obtained from face-to-face interviews with 176 children, found in Burundi, that children with higher levels of cognitive social capital had less depressive severity and functional impairment between each measurement lag. They obtained these results by means of psychological measures treating cognitive social capital and mental health known as depression and posttraumatic stress disorder (PTSD) symptoms. Feller (2000), long time ago announced the obligation for states parties to the ACRWC to make psychological assistance available to those children who have experienced trauma. The conclusion of Song et al. (2013) added that there were many children under depression and posttraumatic stress disorder among former child soldiers (FCSs) in Burundi. In the perspective to treat depression and posttraumatic stress disorder in Burundi, Crombach & Bambonyé (2015) give a remark that violence is transmits itself from generation to generation. According to this research, children who experienced violence that caused him trauma is likely ready to do so.

This literature does not trace the role played by the States meaning the implementation of this ACRWC especially. My research will survey this lack. The implementation of an international Charter at the level requires establishment of institution and modification of the legal system adequately. Burundi needs afford to accomplish this task.

3.8. The Right to Protection of Refugee Children and the Right to Protection of Children in Armed Conflicts

The ACRWC promises protection of refugee children in Africa in general. Its article 23 creates obligations to States Parties in the way of refugee children. These States have to take all appropriate measures to ensure that a child who is seeking refugee status or whom they consider as a refugee in accordance with applicable international or domestic law shall, whether unaccompanied or accompanied by parents, legal guardians or close relatives receive appropriate protection and humanitarian assistance in the enjoyment of the rights. States Parties shall undertake to cooperate with existing international organizations that protect and assist refugees in their efforts to protect and assist such a child and to trace the parents or other close relatives of an unaccompanied refugee child in order to

obtain information necessary for reunification with the family. Where States cannot find parents, legal guardians or close relatives, the child shall get the same protection as any other child permanently or temporarily deprived of his family environment for any reason. The provisions of this article apply *mutatis Mutandis* to internally displaced children whether through natural disaster, internal armed conflicts, civil strife and breakdown of economic and social order or howsoever caused.

Theoretical researches are here to analyze or give rich critiques. Bizimana (2007) pointed out to what extent refugee children's right to education (in terms of availability, accessibility, acceptability and adaptability) is in Burundi. Dryden-Peterson (2015) stressed the gap between quality and access of education of national children and refugee ones regarding curriculum of studies. Refugee children experience disruptions and limited access to schooling.

Inasmuch refugee children need provisions of their rights, in the same way children need protection during armed conflicts. The ACRWC in its article 22 stipulates that States parties have to undertake and ensure respect of humanitarian law applicable in armed conflicts that affect the child. Due to this Charter, States keep measures that no child will take a direct part in hostilities and it prohibits child recruiting. They will also take feasible measures to ensure protection and care that conflicts affect. Such rules shall also apply to children in situation of internal armed conflicts, tension and strife.

In Burundi, the existence of former child soldiers is the sign of recruitment of children in the former rebel armed forces. Children involved in armed conflicts suffer differently and the cause takes origin in the sexual bias. Soldiers mention girls in the context of armed conflict in connection with sexual abuse and gender-based violence (Quénivet, 2008). This statement finds confirmation in the UN Security-Council Resolution 1261 (1999). For girls formerly involved in armed conflicts in Burundi, integrated in DDR program, Aase (2013) noted the overall experience of being associated with the armed groups included horrible living conditions, lack of freedom and possibility of exiting the group, exposure for sexual and physical abuse, all that has severe consequences for the girls in the aftermath of war. This study describes the reasons that pushed girls to enter armed forces during conflicts. It includes hopes of gaining a better life, lack of safety and fear. However, a few girls clearly decided to join based on anger, and the desire for revenge. Fransen et al. (2018) by comparing children who came from refugee camps in Tanzania and others who stayed concluded that armed conflict affected more the latter. However, Bundervoet et al. (2009) realized a directed negative effect of civil war to household economy and then to children's health. Researches involved in trauma as post-conflicts effects suggest the potential benefit of school-based preventive interventions particularly in post-conflict settings (Tol et al., 2014).

Searching for any means that could heal every child from the impact of armed conflicts and other disasters or emergencies situations (Sloth-Nielsen, 2017) in conference with Africa agenda 2040 9th aspiration and the ACRWC is my pur-

pose through further researches.

3.9. Protection of Children Separated from Their Parents

The article 25 of the ACRWC shows precisely the obligations to its States parties in order to protect children separated from parental environment, whether temporarily or permanently. These States' obligations include special protection and assistance, the best interest, alternative family care (foster placement or other institutions for care of children). To re-unite with parents is the main idea if the separation took a place during an armed conflict or a natural disaster.

Jooma (2005) searched and concluded, "By mid-2004 one third of displaced households were headed by women or children highlighting the acute vulnerability of this category of people". In Burundi, orphanhood increases child vulnerability on two fronts: it makes it much more likely that a child is ready to drop out schooling and much more likely that a child accomplishes dangerous labor (Guarcello et al., 2004). By the impact of the support from FVS-AMADE, Strömberg & Svensson (2015) estimate that a family-based model is in the best interest of the child compared to an institutional solution. In this case, there is a durable solution to child trafficking, child exploitation, incarceration, ethnic denigration and criminal organization's attacks as risks of alone children migration in Burundi (Karekezi, 2019).

As this research (Karekezi, 2019) goes on showing the cause of this alone children migration (extreme rural poverty, search of jobs opportunities, the search of safe environment and access to social infrastructures such as education and health care) ultimate research will incite the government of Burundi to fight and overcome all of them.

4. Findings

Children's rights in Burundi are in danger situation. Holding the ACRWC in hands and applying it to the children's rights in Burundi, many solutions are not favorite. Rights to children's wellbeing, to health, to education, to leisure implementations, in Burundi, depend upon the financial capability of the households from which the child is. The government's contribution is very low. Burundi needs intervene in the implementation of every article appearing as the content of the ACRWC because it is willingly a State party. The State of Burundi did not do anything to prevent children migration from countryside to Bujumbura.

5. Conclusion

No one can hide signs of violations of children's rights and welfare in Burundi, looking through the African charter on the rights and welfare of the child, Literature shed light on them. Most of all the children's rights violations have a source poverty and hardship in families. Another mark is the fact that children's rights exercise is closely dependent on the financial power of the parents. In consequence, marginalization is likely ready for poor parents' children. This is

the common point for social and economic children's rights in Burundi. Civil and political rights are still non-exploited if not having few researches upon them. The right to freedom of association alone goes systematically with right to leisure and recreation, where children enjoy together. However, it is in the very beginning. There is no study on the right to freedom of expression in Burundi.

Conflicts of Interest

The author declares no conflicts of interest regarding the publication of this paper.

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