

Benin

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

Benin has been a member of ILO-IPEC since 1997³¹⁸ and is one of nine countries participating in a USDOL-funded ILO-IPEC project to combat the trafficking of children for exploitative labor in West and Central Africa.³¹⁹ In June 2002, the Africa Bureau and the Office to Monitor and Combat Trafficking in Persons of the U.S. Department of State launched a joint program to offer technical support to a variety of stakeholders in the West Africa region to combat the trafficking in persons, including the government of Benin.³²⁰ In December 1999, the Ministry of Social Protection and Family established a unit for Family and Childhood that is working with UNICEF on a variety of programs to combat child trafficking.³²¹ One of these initiatives is to build crisis centers for children in every department (or sub-region) of the country.³²² The Government of Benin is working with the Global Program against Trafficking in Human Beings of the UN Office on Drugs and Crime (UNODC) to strengthen anti-trafficking efforts for women and children. UNODC is providing technical assistance in areas such as research and law enforcement training.³²³

In 1994, the Ministry of Justice and the Ministry of Family and Social Protection, with support from UNICEF, completed a study on runaway and abandoned children. According to the survey, 65 percent of the urban households surveyed had “fostered” a child from a rural area through a traditional practice of forced servitude called *vidomegon*.³²⁴ Since 1999, the government, with support from UNICEF, carried out nationwide campaigns to raise awareness about the rights and responsibilities of persons engaged in *vidomegon*.³²⁵

³¹⁸ ILO-IPEC, *All About IPEC: Programme Countries*, [online] February 12, 2002 [cited August 29, 2002]; available from <http://www.ilo.org/public/english/standards/ipecc/about/countries/index.htm>.

³¹⁹ The regional child trafficking project now covers Benin, Burkina Faso, Cameroon, Côte d’Ivoire, Gabon, Ghana, Mali, Nigeria, and Togo. See ILO-IPEC, *Combating the Trafficking of Children for Labor Exploitation in West and Central Africa (Phase II)*, project document, RAF/01/P53/USA, Geneva, July 2001.

³²⁰ U.S. Embassy- Abuja, *unclassified telegram no. 1809*, June 18, 2002.

³²¹ UNICEF activities to combat trafficking have included establishing local committees in rural areas known to supply children; radio and television based awareness raising activities; microcredit programs and awareness programs targeted at women; supporting local NGOs working to help reintegrate trafficked children into their communities, and supporting international and regional efforts to combat child trafficking. ILO-IPEC, *Combating the Trafficking of Children (Phase II)*, project document, Country Annex I, Benin.

³²² *Ibid.*, Country Annex 1, Benin.

³²³ UN Office on Drugs and Crime, *Pilot Projects*, [online] [cited February 19, 2003]; available from http://www.odccp.org/odccp/trafficking_projects.html.

³²⁴ UN Committee on the Rights of the Child, *Initial Reports of State Parties due in 1992: Benin*, prepared by Government of Benin, pursuant to Article 44 of the Convention on the Rights of the Child, July 1997, para. 216-19.

³²⁵ U.S. Department of State, *Country Reports on Human Rights Practices- 2000: Benin*, Washington, D.C., February 2001, Section 5 [cited December 13, 2002]; available from <http://www.state.gov/g/drl/rls/hrrpt/2000/af/861.htm>.

In 1991, the government developed a new educational policy to increase access to education, improve teacher quality, rehabilitate and build new school structures, provide non-formal and vocational training options, and lower the cost of education for families.³²⁶ USAID implements programs to help government ministries and local authorities reform education by encouraging the realignment of budget allocations to primary education, improving planning and financial management, supporting curriculum reform, providing teacher training, and enhancing student assessment.³²⁷ Since 1994, UNICEF and its partners have been implementing programs that allow the community to become directly involved in aspects of school administration and in promoting girls education.³²⁸

Incidence and Nature of Child Labor

In 2000, the ILO estimated that 26.5 percent of children ages 10 to 14 years in Benin were working.³²⁹ Benin is a source, destination and transit country for the cross border trafficking of children.³³⁰ Children from Benin are usually trafficked into Nigeria, Cameroon, Cote d'Ivoire, Gabon, and Niger;³³¹ children from Burkina Faso, Niger, and Togo are sold into servitude in Benin.³³² Trafficked children often work as agricultural workers, domestic servants, and commercial sex workers.³³³

In Benin, children as young as 7 years old have been observed working on family farms, as domestic servants, on construction sites in urban areas, in public markets, and in other small enterprise-based jobs.³³⁴ The traditional practice of *vidomegon* involves poor rural families placing children (typically daughters) in the homes of wealthier families, so that the children may

³²⁶ UN Committee on the Rights of the Child, *Initial Reports of State Parties: Benin*, para. 187.

³²⁷ ILO-IPEC, *All about IPEC: Programme Countries*. See also UNICEF, *Girls' Education in Benin*, [online] [cited August 29, 2002]; available from <http://www.unicef.org/programme/girlseducation/action/cases/benin.htm>.

³²⁸ In one of the project locations the number of children attending school has more than tripled between 1993-2000, and comparable gains have been observed in other project areas. UNICEF has plans to work with the government and its partners to expand this model and improve educational support for girls' education in Benin. UNICEF, *Girls' Education in Benin*.

³²⁹ World Bank, *World Development Indicators 2002* [CD-ROM], Washington, D.C., 2002.

³³⁰ U.S. Department of State, *Trafficking in Persons Report- 2002: Benin*, Washington D.C., June 2002, 30 [cited December 13, 2002]; available from <http://www.state.gov/g/tip/rls/tiprpt/2002/10679.htm>. According to statistics from the police, 802 child victims of trafficking from Benin and other countries were intercepted at the border in 1997, 1,058 in 1998, and 670 in 1999. See ILO-IPEC, *Combating the Trafficking of Children (Phase II)*, project document, Country Annex 1.

³³¹ ILO-IPEC, *Combating the Trafficking of Children (Phase II)*, project document, Country Annex 1, Benin.

³³² U.S. Department of State, *Country Reports on Human Rights Practices- 2001: Benin*, Washington, D.C., March 4, 2002, 30-33, Section 6f [cited December 13, 2002]; available from <http://www.state.gov/g/drl/rls/hrrpt/2001/af/8252.htm>.

³³³ ILO-IPEC, *Combating the Trafficking of Children (Phase II)*, project document, Country Annex 1, Benin. See also ILO-IPEC, *IPEC Action Against Child Labor 2000-2001: Progress and Future Priorities*, annual report, Geneva, January 2002, Benin Report.

³³⁴ U.S. Department of State, *Country Reports- 2001: Benin*, 30-33, Section 6f.

work and receive an education.³³⁵ The practice often degenerates into exploitation as children are forced to work as domestic servants, for long hours and with little or no access to education or wages.³³⁶ There are also reports of adolescents in Benin working in the sex industry as prostitutes.³³⁷

Education in Benin is free and compulsory between the ages of 6 to 11.³³⁸ In 1998, the gross primary enrollment rate in Benin was 84.2 percent (88.4 percent for boys and 55.7 percent for girls).³³⁹ In 1996, the gross primary school attendance rate was 67.1, while the net primary school attendance rate was 43.6.³⁴⁰ Attendance rates also reflect the gender disparity in access to education.

Child Labor Laws and Enforcement

The Labor Code sets the minimum age for employment at 14 years³⁴¹ and prohibits forced labor.³⁴² The prostitution of children is not specifically prohibited by law, but offenses can be prosecuted under decrees issued in 1905 and 1912 that prohibit using deceit, coercion or violence to entice a minor to satisfy another, or under the Law of April 13, 1946, that prohibits hiring or training prostitutes, sharing in the proceeds, acting as an intermediary for prostitution, or establishing a brothel.³⁴³ Trafficking of children is not specifically prohibited, although decree No. 95-191 (1995) states that adults wishing to exit the country with a child under 18 years of age must register with the proper local authority and pay a fee held in escrow until the child has been returned to the village.³⁴⁴

³³⁵ UN Committee on the Rights of the Child, *Initial Reports of State Parties: Benin*.

³³⁶ ILO-IPEC, *Combating the Trafficking of Children (Phase II), project document*, Country Annex 1.

³³⁷ UN Committee on the Rights of the Child, *Initial Reports of State Parties: Benin*, para. 223.

³³⁸ U.S. Department of State official, electronic communication to USDOL official, February 21, 2003.

³³⁹ World Bank, *World Development Indicators 2002*.

³⁴⁰ USAID, *Demographic and Health Surveys (USAID-DHS)*, [database online] [cited September 11, 2002]; available from <http://www.measuredhs.com>.

³⁴¹ *Ordinance No. 33-PR/MFPTT (Labour Code), Articles 107 and 108*, ECPAT Database, [online] 2002 [cited August 10 2002]; available from http://www.ecpat.net/eng/Ecpat_inter/projects/monitoring/online_database/. See also U.S. Department of State, *Country Reports- 2001: Benin*, 30-33, Section 6d.

³⁴² U.S. Department of State, *Country Reports- 2001: Benin*, 30-33, Section 6c.

³⁴³ The punishment for violating the Law of 1946 is imprisonment for 6 months to 2 years and a fine of 400,000 to 4 million francs (USD 599 to 5,997). See *Decrees of August 23, 1912 and February 7, 1905*, (1922); available from <http://www.protectionproject.org/main1.htm>. See also *Law of April 13, 1946*, (1946); available from <http://www.protectionproject.org/main1.htm>. For currency conversion see FX Converter, [online] [cited October 18, 2002]; available from <http://www.carosta.de/frames/convert.htm>.

³⁴⁴ ILO-IPEC, *Combating the Trafficking of Children (Phase II), project document*, Country Annex 1.

Between 1994 and 1999, the Brigade for the Protection of Minors intercepted more than 3,700 children who were being trafficked.³⁴⁵ There are reports of the capture of traffickers but no reports of subsequent legal measures being taken to enforce legal penalties mandated by law.³⁴⁶ Most labor inspectors continue to limit their monitoring activities to the urban formal sector due to limited capacity and limited numbers.³⁴⁷

The Government of Benin ratified ILO Convention 138 on June 11, 2001 and ratified ILO Convention 182 on November 6, 2001.³⁴⁸

³⁴⁵ Protection Project, *Commercial Sexual Exploitation of Women and Children: A Human Rights Report*, Washington, D.C., January 2001; available from <http://www.protectionproject.org/vt/2.htm>. The Minors Protection Brigade intercepted 117 children in 1994, 413 in 1995, 669 in 1996, 802 in 1997, 1059 in 1998, and 678 in 1999. UNICEF, *Rapport National sur le Suivi de Sommet Mondial pour les Enfants: Annexe Statistique Benin*, prepared by Republic of Benin, April 2000.

³⁴⁶ U.S. Department of State, *Country Reports- 2001: Benin*, 30-33, Section 6f. See also U.S. Department of State, *Country Reports- 2000: Benin*, Section 6f.

³⁴⁷ U.S. Department of State, *Country Reports- 2001: Benin*, 30-33, Section 6d.

³⁴⁸ ILO, *Ratifications by Country*, in ILOLEX, [database online] 2002 [cited August 29, 2002]; available from <http://ilolex.ch:1567/english/newratframeE.htm>.