

## Benin

<i>Selected Statistics and Indicators on Child Labor</i>	
Percent of children 5-14 estimated as working in 2002-2003:	13.2% <sup>422</sup>
Minimum age for admission to work:	14 <sup>423</sup>
Age to which education is compulsory:	11-12 <sup>424</sup>
Free public education:	Yes* <sup>425</sup>
Gross primary enrollment rate in 2004:	99% <sup>426</sup>
Net primary enrollment rate in 2004:	83% <sup>427</sup>
Percent of children 5-14 attending school in 2003:	59.2% <sup>428</sup>
As of 2003, percent of primary school entrants likely to reach grade 5:	69% <sup>429</sup>
Ratified Convention 138:	6/11/2001 <sup>430</sup>
Ratified Convention 182:	11/6/2001 <sup>431</sup>
ILO-IPEC Participating Country:	Yes <sup>432</sup>
* Must pay for school supplies, related items, and in some cases, tuition.	

### Incidence and Nature of Child Labor

In 2002-2003, approximately 11.5 percent of boys and 15.3 of girls ages 5 to 14 were working in Benin. The majority of working children were found in the agricultural sector (68.9 percent), followed by services (22.3 percent), manufacturing (5.2 percent), and other sectors (3.7 percent).<sup>433</sup> In Benin, children work on family farms, in stone quarries, in small businesses, on

<sup>422</sup> UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*, March 1, 2007.

<sup>423</sup> Government of Benin, *Code du travail*, Loi no 98-004, (January 27, 1998); available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/49604/65115/F98BEN01.htm>.

<sup>424</sup> ILO Committee of Experts, *Direct Request, Minimum Age Convention, 1973 (No. 138) Benin (ratification: 2001)*, [online] 2004 [cited October 16, 2006]; available from <http://webfusion.ilo.org/public/db/standards/normes/appl/index.cfm?lang=EN>.

<sup>425</sup> Government of Benin, *Constitution de la République du Bénin*, (December 11, 1990), Articles 12 and 13; available from <http://www.afrikinfo.com/lois/benin/loi/text.htm>. See also U.S. Department of State, "Benin," in *Country Reports on Human Rights Practices- 2006*, Washington, DC, March 6, 2007, Section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2006/78719.htm>. See also U.S. Embassy- Cotonou official, E-mail communication to USDOL official, February 19, 2004. Also see Catholic Relief Services- staff member, E-mail communication to CRS staff member, May 15, 2007.

<sup>426</sup> UNESCO Institute for Statistics, *Gross Enrolment Ratio. Primary. Total*, accessed December 20, 2006; available from <http://stats.uis.unesco.org/>.

<sup>427</sup> UNESCO Institute for Statistics, *Net Enrolment Rate. Primary. Total*, accessed December 20, 2006; available from <http://stats.uis.unesco.org>.

<sup>428</sup> UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*.

<sup>429</sup> UNESCO Institute for Statistics, *Survival Rate to Grade 5. Total*, accessed December 18, 2006; available from <http://stats.uis.unesco.org>.

<sup>430</sup> ILO, *Benin Ratified 26 Instrument(s)*, accessed June 15, 2005; available from <http://www.ilo.org/ilolex/cgi-lex/ratific.pl?Benin>.

<sup>431</sup> ILO, *Benin Ratified 26 Instrument(s)*, accessed June 15, 2005; available from <http://www.ilo.org/ilolex/cgi-lex/ratific.pl?Benin>.

<sup>432</sup> ILO-IPEC, *IPEC Action Against Child Labour- Highlights 2006*, [online] 2006 [cited March 6, 2007]; available from [http://www.ilo.org/iloroot/docstore/ipecc/prod/eng/20061013\\_implementationreport\\_eng.pdf](http://www.ilo.org/iloroot/docstore/ipecc/prod/eng/20061013_implementationreport_eng.pdf).

<sup>433</sup> UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*.

construction sites, and in markets.<sup>434</sup> The government reported in 2005 that children were increasingly involved in begging.<sup>435</sup> Beninese boys studying with Koranic teachers work in agriculture and as alms collectors, porters, and rickshaw operators in exchange for education.<sup>436</sup> Child prostitution, mainly involving girls, is prevalent in urban areas.<sup>437</sup>

Under the practice of *Vidomegon*, children, often girls, from poor families are sent to work for wealthier households as domestics or in markets in exchange for housing and food. Income generated from the children's activities is divided between the children's host and natural families. While the arrangement is initially a voluntary one between the families, the child frequently is subject to poor conditions such as long hours, insufficient food, and sexual exploitation. In some instances, the child is trafficked into a situation of forced labor.<sup>438</sup>

Benin is a source, destination and transit country for the trafficking of children.<sup>439</sup> In addition to trafficking for domestic service related to *Vidomegon*, Beninese children are trafficked domestically for market vending, work in handicrafts, construction, and forced begging.<sup>440</sup> They are also trafficked into Nigeria, Gabon, Côte d'Ivoire, and Ghana for domestic service, farm labor, and prostitution.<sup>441</sup> Children are trafficked to Togo for work on plantations and are also trafficked to Niger. Some children are trafficked to Nigeria for work in rock quarries.<sup>442</sup> Further, children from Niger, Togo, and Burkina Faso are trafficked into Benin for forced labor, bonded labor and domestic servitude, sometimes for debt payment.<sup>443</sup> Some families place children in the care of agents recruiting farm labor and domestic servants, believing that the wages from this labor will be sent home to the family; some agents escorted these children to other countries for labor.<sup>444</sup>

---

<sup>434</sup> U.S. Department of State, "Country Reports- 2006: Benin," Section 6d. See also Integrated Regional Information Networks, "BENIN: Children Crushing Stones into Gravel to Get Through School", IRINnews.org, [online], June 29, 2005 [cited October 12, 2006]; available from <http://www.irinnews.org/print.asp?ReportID=47890>.

<sup>435</sup> United Nations, *Committee on the Rights of the Child: Consideration of Reports Submitted by States Parties under Article 44 of the Convention: Second Periodic Reports of States Parties Due in 1997: Benin*, CRC/C/BEN/2, November 24, 2005, para 690.

<sup>436</sup> *Ibid.*, para 697-698.

<sup>437</sup> U.S. Department of State, "Country Reports- 2006: Benin," section 5. See also ECPAT International CSEC Database, *Benin*, accessed October 12, 2006; available from <http://www.ecpat.net/>.

<sup>438</sup> U.S. Department of State, "Country Reports- 2006: Benin," Section 5.

<sup>439</sup> U.S. Department of State, "Benin (Tier 2)," in *Trafficking in Persons Report- 2006*, Washington, DC, June 5, 2006; available from <http://www.state.gov/g/tip/rls/tiprpt/2006/65988.htm>. See also U.S. Department of State, "Country Reports- 2006: Benin," Section 5. See also The Protection Project, "Benin," in *2005 Human Rights Report on Trafficking in Persons, Especially Women and Children*, Washington, DC, 2005; available from <http://www.protectionproject.org>.

<sup>440</sup> U.S. Department of State, "Country Reports- 2006: Benin," Section 5. See also U.S. Department of State, "Trafficking in Persons Report- 2006: Benin." See also U.S. Embassy- Cotonou, *reporting, August 26, 2004*.

<sup>441</sup> U.S. Department of State, "Country Reports- 2006: Benin," Section 5. See also International Organization for Migration, *New IOM Figures on the Global Scale of Trafficking*, Geneva, April 2001; available from [http://www.old.iom.int/documents/publication/en/tm\\_23.pdf](http://www.old.iom.int/documents/publication/en/tm_23.pdf).

<sup>442</sup> U.S. Embassy- Cotonou, *reporting, August 26, 2004*.

<sup>443</sup> U.S. Department of State, "Trafficking in Persons Report- 2006: Benin." See also U.S. Department of State, "Country Reports- 2006: Benin," Section 5. See also Catholic Relief Services- staff member, E-mail communication to CRS staff member.

<sup>444</sup> U.S. Department of State, "Country Reports- 2006: Benin," Section 5. See also International Organization for Migration, *New IOM Figures on the Global Scale of Trafficking*.

## Child Labor Laws and Enforcement

The law sets the minimum age for employment at 14 years, including for apprenticeships; however, children between 12 and 14 years may perform domestic work and temporary or seasonal light work, if it does not interfere with their compulsory schooling.<sup>445</sup> The law requires children to attend school only to age 11-12, leaving a gap between the end of compulsory schooling and the minimum working age that may result in children entering work illegally. Beninese law also prohibits workers under 18 years from performing certain types of work, including transporting heavy loads, operating certain types of machinery, working with hazardous substances, and working in underground mines and quarries.<sup>446</sup> Employers are required to maintain a register including the birth date of all employees under 18, and a labor inspector can require that workers between 14 and 21 be examined by a doctor to determine that they are not working beyond their abilities.<sup>447</sup> Violators of the minimum age laws are subject to fines, and in the case of repeat violators, a heavier fine is imposed.<sup>448</sup>

The law prohibits forced labor and stipulates a penalty of imprisonment for 2 months to 1 year and/or a fine.<sup>449</sup> The minimum age for recruitment into the military is 21 years.<sup>450</sup> In 2006, Benin passed and promulgated the Law on Conditions of Displacement of Minors and Repression of Child Trafficking in the Republic of Benin, which expressly forbids the trafficking of children.<sup>451</sup> The law defines child trafficking as any means that alienate a child's freedom, such as the recruitment, transport, placement, receiving, or harboring of a child with the intent of exploitation. Exploitation is defined to include practices such as forced or compulsory labor, prostitution, the use of children in armed conflict, the use of children for the purpose of illicit activities, and work that may harm the safety, health, and morals of children.<sup>452</sup> The punishment for moving or attempting to move a child within the country without proper authorization is imprisonment of 1 to 3 years and fines.<sup>453</sup> The punishment for moving a child out of Benin without proper authorization is 2 to 5 years of imprisonment and fines.<sup>454</sup> Child traffickers face a punishment of 10 to 20 years in prison, with the penalty increasing to life in prison if the child is not returned or is found dead before a verdict is reached or if force, fraud, or violence are used or

---

<sup>445</sup> Government of Benin, *Code du travail*, Articles 66 and 166. See also ILO Committee of Experts, *Direct Request: Benin, Convention 138*.

<sup>446</sup> Inter-Ministerial Order No. 132 of 2000 as noted in ILO Committee of Experts, *Direct Request: Benin, Convention 138*.

<sup>447</sup> Government of Benin, *Code du travail*, Articles 167 and 169.

<sup>448</sup> *Ibid.*, Article 301.

<sup>449</sup> *Ibid.*, Articles 3 and 303.

<sup>450</sup> Coalition to Stop the Use of Child Soldiers, *Child Soldiers Global Report 2004*, November 17, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=758](http://www.child-soldiers.org/document_get.php?id=758).

<sup>451</sup> Government of Benin, *Loi portant conditions de déplacement des mineurs et répression de la traite d'enfants en République du Bénin*, Loi no 2006-04, (2006); available from <http://www.ilo.org/dyn/natlex/docs/SERIAL/73266/74783/F1933999553/BEN73266.pdf>. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, technical progress report, Geneva, September 1, 2006.

<sup>452</sup> Government of Benin, *Loi portant conditions de déplacement des mineurs et répression de la traite d'enfants en République du Bénin*, Articles 3-4.

<sup>453</sup> *Ibid.*, Article 17.

<sup>454</sup> *Ibid.*, Article 18.

other aggravating circumstances exist.<sup>455</sup> Individuals who employ child trafficking victims in Benin face 6 months to 2 years of imprisonment and a fine, while the penalty for parents who send their children with traffickers is a prison sentence of 6 months to 5 years.<sup>456</sup>

The Ministry of Interior's Brigade for the Protection of Minors has jurisdiction over all law enforcement matters related to children, including child labor and child trafficking; however, the U.S. Department of State reports that the Brigade is understaffed and lacks the necessary resources to carry out its mandate.<sup>457</sup> Additionally, the Ministry of Labor is responsible for implementing the child labor provisions in the Labor Code; but, according to the U.S. Department of State, its enforcement is limited because of a lack of resources and does not include the informal sector.<sup>458</sup> The government did, however, work with NGOs to improve border surveillance.<sup>459</sup>

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

During the reporting period, the Government of Benin participated in the regional USDOL-funded USD 9.5 million LUTRENA project implemented by ILO-IPEC to combat the trafficking of children for exploitive labor in West and Central Africa. The project aimed to withdraw and prevent 9,000 children from trafficking.<sup>460</sup> The Government also participated in a 4-year USDOL-funded USD 2 million child labor Education Initiative implemented by Catholic Relief Services to combat child trafficking and prevent children from becoming victims of trafficking by improving access to basic education.<sup>461</sup> The project sought to withdraw 1,500 children from trafficking and to prevent an additional 4,500 from falling victim to trafficking.<sup>462</sup> UNICEF sponsored training for the Brigade for the Protection of Minors. The brigade seeks to improve the capacity of Government of Benin to investigate and prosecute trafficking cases and to protect trafficking victims.<sup>463</sup> Denmark is also funding a regional USD 3.3 million ILO-IPEC project that includes Benin and will combat trafficking in children. France recently ended funding for a USD 3.6 million regional project implemented by ILO-IPEC to combat child labor in francophone Africa.<sup>464</sup>

In July 2006, 24 of the 26 governments representing ECOWAS and ECASS participated in a Joint Ministerial Conference on Trafficking in Persons held in Nigeria to develop a common understanding of trafficking in West and Central Africa and to adopt a common set of strategies

---

<sup>455</sup> Ibid., Article 21.

<sup>456</sup> Ibid., Articles 16, 22, 23, and 24.

<sup>457</sup> U.S. Department of State, "Country Reports- 2006: Benin," Section 5.

<sup>458</sup> Ibid., Section 6d.

<sup>459</sup> Ibid., section 5.

<sup>460</sup> International Child Labor Program U.S. Department of Labor, *Combating Trafficking in Children for Labor Exploitation in West and Central Africa, Phases 1 & 2 (LUTRENA), project summary*, 2006.

<sup>461</sup> Catholic Relief Services, *Education First: Combating Child Trafficking through Education in Benin*, technical progress report, Baltimore, September 15, 2006.

<sup>462</sup> International Child Labor Program U.S. Department of Labor, *Education First Project, project summary*, 2006.

See also ILO-IPEC, *LUTRENA technical progress report- September 2006*.

<sup>463</sup> U.S. Department of State, "Trafficking in Persons Report- 2006: Benin." See also U.S. Department of State, "Country Reports- 2006: Benin," Section 5.

<sup>464</sup> ILO-IPEC Geneva official, IPEC projects from all donors except USDOL E-mail communication USDOL official, March 1, 2007.

against trafficking in persons, especially women and children. During the Ministerial Conference, Benin was 1 of 24 countries to sign the Multilateral Cooperative Agreement to Combat Trafficking in Persons, especially Women and Children, in West and Central Africa and the Joint Plan of Action against Trafficking in Persons, especially Women and Children in the West and Central African Regions.<sup>465</sup> The agreement enters into force in each country upon signing. As part of the Multilateral Cooperative Agreement and through the Joint Plan of Action, the governments agreed to institute the child trafficking monitoring system developed by the USDOL-funded ILO-IPEC LUTRENA project. The parties also agreed to take further steps, including to put in place appropriate mechanisms such as birth-registration, documentation to ensure that children are prevented from becoming victims of trafficking and to assist with investigation of traffickers and reintegration of victims in the event of victimization; to provide mutual assistance in the investigation, arrest, and prosecution of trafficking in persons' offenders through the respective competent authorities of the Parties; to protect, rehabilitate and reintegrate victims of trafficking into their original environment where necessary; and to improve systems for education, vocational training, and apprenticeships.<sup>466</sup>

On June 9, 2006, the Government of Benin signed an agreement with Nigeria to prevent, suppress, and punish trafficking in persons. Further, on July 20, 2006, the Government of Benin was also signatory to a regional accord with nine Central and West African countries to combat trafficking, under which an action plan was developed in 2006.<sup>467</sup> The objectives of the bilateral agreement include establishing joint surveillance patrols and awareness-raising campaigns along border areas, and rehabilitating and reintegrating trafficking victims. A joint committee has been set up to implement the agreement, and a joint plan of action against trafficking in persons was adopted. The cooperation resulting from the agreement has seen an increase in the return of trafficked Beninese children to the proper authorities in their home country.<sup>468</sup>

The government is implementing a National Plan of Action, developed by the National Commission on Child Rights, which addresses child trafficking issues.<sup>469</sup> The Ministry of Family, Women, and Children collaborates with donors and NGOs to provide child trafficking victims with basic services such as food and shelter and to place them in educational and vocational programs.<sup>470</sup> The government continues to raise awareness of child labor and trafficking through media campaigns and regional workshops, and by collaborating with a

---

<sup>465</sup> ILO-IPEC, *LUTRENA technical progress report- September 2006*. See also Catholic Relief Services official, E-mail communication to USDOL official, October 2, 2006.

<sup>466</sup> ECOWAS and ECASS, *Multilateral Cooperation Agreement to Combat Trafficking in Persons, especially Women and Children, in West and Central Africa*, Abuja, July 7, 2006. See also ILO-IPEC, *LUTRENA technical progress report- September 2006*. See also Emmanuel Goujon, "African states sign up to fight human trafficking," *Agence France-Presse*, July 7, 2006.

<sup>467</sup> ILO-IPEC, *LUTRENA technical progress report- September 2006*.

<sup>468</sup> Max Amuchie, "Nigeria, Benin United Against Child Trafficking," *This Day* (Lagos), June 19, 2005. See also UNICEF, *Benin and Nigeria Pledge to Fight Child Trafficking*, press release, June 9, 2005; available from [http://www.unicef.org/media/media\\_27309.html](http://www.unicef.org/media/media_27309.html). See also U.S. Embassy- Cotonou, *reporting, May 28, 2006*.

<sup>469</sup> Catholic Relief Services Benin, *Education First: Combating Child Trafficking through Education in Benin*, technical progress report, Baltimore, March 26, 2004. See also ECPAT International CSEC Database, *Benin*, accessed October 12, 2006; available from <http://www.ecpat.net/>.

<sup>470</sup> U.S. Department of State, "Country Reports- 2006: Benin," Section 5. See also Catholic Relief Services, *Education First technical progress report- September 2006*.

network of NGOs and journalists.<sup>471</sup> The Brigade for the Protection of Minors operates a free hotline for children to report abuse or other problems, and it has been trained on how to identify and protect trafficking victims.<sup>472</sup>

---

<sup>471</sup> U.S. Department of State, "Country Reports- 2006: Benin," Section 6d.

<sup>472</sup> ECPAT International CSEC Database, *Benin*. See also U.S. Department of State, "Trafficking in Persons Report- 2006: Benin."