

In 2012, Benin made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government of Benin adopted the National Action Plan for the Elimination of the Worst Forms of Child Labor. It established 29 local child protection committees and it implemented a national anti-trafficking, awareness-raising campaign. The Government also rescued and provided rehabilitation services to several hundred trafficked children. However, enforcement efforts are inadequately funded and staffed and sentences for those who subject children to the worst forms of child labor were reduced to misdemeanors. Furthermore, Benin's three national action plans pertaining to child labor, child trafficking, and child protection remain unfunded. Children continue to engage in the worst forms of child labor, especially in hazardous activities in agriculture and child domestic service.

### Statistics on Working Children and Education

Children	Age	Percent
Working	5-14 yrs.	31.5 (850,785)
Attending School	5-14 yrs.	58.2
Combining Work and School	7-14 yrs.	20.0
Primary Completion Rate		75.3

#### Sources:

**Primary completion rate:** Data from 2011, published by UNESCO Institute for Statistics, 2013.(1)

**All other data:** Understanding Children's Work Project's analysis of statistics from DHS Survey, 2006.(1, 2)

### Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Benin are engaged in the worst forms of child labor, primarily in agriculture and in domestic service.(3-5) Children work on farms producing cotton; they may be underpaid, work long hours, and face physical abuse.(6-10) Although information is limited, there are reports that children are also found working in cashew farming.(3) Children are reportedly engaged in forced, indentured, or bonded labor in agriculture.(8, 9, 11)

Through the system of *vidomegon*, girls as young as age 7 work as domestic servants in exchange for housing.(11-18) If income is generated from these arrangements, it is often shared between the children's host and natural families.(11) While such arrangements between families are generally voluntary, some children in domestic service are engaged in forced or bonded



labor. Children in domestic service frequently work long hours, receive insufficient food, and are vulnerable to verbal, physical, and sexual abuse.(12-14, 18, 19) Children, including child domestic servants, also work in markets.(11, 13, 17, 20) Children working as domestic servants and working in markets may work up to 17 hours per day.(12, 14)

Although evidence is limited, there are reports that children are engaged in fishing, some under forced conditions.(11) These children may work long hours, perform physically demanding tasks, and face dangers such as drowning.(21) Children also work in mines and quarries, quarrying granite. Although evidence is limited, there are reports that children also crush stone into gravel.(22-24) Children who work in quarries are subject to long working hours and physical injuries and illnesses from dynamite explosions, falling rocks, collapsing quarry walls, and dust inhalation.(20, 23, 25)

Children work in the transportation industry and as street vendors, selling goods, including gasoline.(5, 23) This work can be dangerous given children's proximity to moving vehicles. In the transportation industry, children collect fares and recruit passengers, hopping on and off of moving vehicles in the process.(23) Children selling gasoline pour gasoline from one bottle to another, and pour gasoline into vehicles without the use of protective gear.(23) Some children work in the construction sector, in which they are reportedly engaged in forced labor conditions.(4, 26)

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Children work as dressmakers, bakers, carpenters, and mechanics, where they face exposure to physical, chemical, biological, and physiological dangers. Children working in mechanics and carpentry use tools and equipment without the appropriate protective gear.(27) These children, often working as apprentices, work long hours in hazardous conditions.(27)

Children, including street children, are engaged in commercial sexual exploitation.(4, 11, 13, 24, 28) Evidence indicates that tourists engage in child sex-tourism in the Pendjari National Park region.(13, 29, 30)

Some boys, placed in the care of Koranic teachers for the purpose of education, are forced by their teachers to beg on the street, work in construction or in agricultural fields, or to sell goods in the market. These boys, called *talibé*, work up to 14 hours per day and are obliged to surrender the money they have earned to their teachers.(4, 25, 26, 31, 32) Often *talibé* are not provided with adequate food and housing.(26)

Although trafficking in Benin is primarily conducted internally, Benin is also a source, transit, and destination country for trafficked children.(12, 16, 28, 34, 35) Children are trafficked within Benin for the purpose of domestic servitude, commercial sexual exploitation, and forced labor on farms, in stone quarries, and in markets.(12, 30, 33, 34, 36) Children are trafficked from Benin to West and Central Africa for domestic work and to work in quarries and in agriculture, including in the production of cocoa. Although evidence is limited, there are reports that children are also trafficked from Benin to Central Africa to work in fishing.(7, 11-13, 16, 19, 34, 35, 37-39) Children are also trafficked from Benin to West Africa for commercial sexual exploitation.(13, 34, 37, 38, 40) Research on Beninese children trafficked abroad demonstrates that these children endure sexual and physical abuse, malnourishment, and in some cases, death.(13, 34, 41) Children from West Africa are trafficked to Benin for commercial sexual exploitation, domestic servitude, and forced labor in agriculture and quarries.(19, 25, 34, 38, 42)

Access to quality education is a critical component in preventing the economic exploitation of children.(4, 34, 43-45) In Benin, limited evidence suggests that schoolchildren are subjected to verbal, physical, psychological, and sexual abuse at school. Abuses range from beatings with sticks, whips, or belts, to sexual abuse by teachers who may demand sex for grades.(24, 46, 47) School-based violence may discourage families from accessing education for their children.(47)

## Laws and Regulations on the Worst Forms of Child Labor

The minimum age for work in Benin is 14. Children between ages 12 and 14 may perform domestic work and temporary or seasonal light work if it does not interfere with their schooling.(37, 40, 46, 48, 49) The Government maintains a list of hazardous work activities prohibited for children under age 18.(40, 50) The hazardous list includes 22 trades—including mining and quarrying, domestic service, and agriculture—and defines 74 hazardous activities.(40, 50) The law also prohibits workers under age 16 from performing certain types of work, including transporting heavy loads, working in slaughterhouses, and operating certain types of machinery.(37)

## International Conventions and Selected Laws on Child Labor and Education

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	14
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	11
	Free Public Education	Yes

By law, primary school is compulsory and progressively free.(15, 24, 51) In Benin, some parents must pay tuition and the cost of books and uniforms if their schools have insufficient funds.(4, 11, 16, 52) The requirement of school fees may impede children's access to education.(53) Access to education is also impeded by a lack of birth registration.(11, 38) Forty percent of Beninese children under age 5 remain unregistered. If they are unable to prove citizenship, some children may be denied services such as education.(11, 38) In addition, Beninese children are only required to attend six years of primary school, typically through age 11 although no upper

age limit is set by law for enrolling a child in school.(46, 54) As the minimum age for children to work is 14, children ages 12 to 14 are particularly vulnerable to the worst forms of child labor as they may have completed primary school but are not legally permitted to work.

Child slavery, debt bondage, and forced labor are prohibited in Benin.(55) The law also expressly forbids the trafficking of children and provides penalties for those who are involved in the trafficking of children.(55) The law forbids the movement of children within Benin by prohibiting the separation of children from their parents without consent from local authorities.(55) Benin also has three enabling decrees to regulate the travel of minors within and across Benin's borders.(56) According to UNICEF and the ILO, the penalties for violating these laws are sufficiently stringent to serve as a deterrent.(5)

The use of children for illicit activities is expressly prohibited.(55) The Penal Code prohibits involvement with or the facilitation of child prostitution. Although the use of a child in pornography is prohibited, the sale or possession of child pornography is not prohibited in Benin.(11, 40, 55, 56) The use of children in armed conflicts is banned. The minimum age is 18 for military recruitment.(5, 57)

In 2009, the Government adopted the first volume of the Child Code, a compilation of existing legislation related to children's rights, education, protection, labor, and health. The Child Code's second volume, which contains a bill on child protection and amendments pertaining to offenses involving minors, has been pending adoption by the National Assembly since 2009.(56, 58)

### **Institutional Mechanisms for Coordination and Enforcement**

The National Executive Committee to Combat Child Labor (CDN), under the Ministry of Labor and Civil Service, coordinates child labor issues in Benin. The CDN, which met three times during the reporting period, includes delegates from multiple Beninese Ministries, UNICEF, the ILO, trade unions, and NGOs.(5) The Ministry of Family and National Solidarity (MFSN) implements the Government's overall policy to improve children's welfare and leads government efforts to ensure children's rights.(40, 56) The MFSN chairs the National Monitoring and Coordination Working Group for Child Protection (CNSCPE). The CNSCPE is a technical agency that serves as a child protection task force and comprises five technical committees, including committees for trafficking and exploitation.(5, 41, 56, 59-61) Each committee has an action

plan and proposes activities to the CNSCPE.(5) The CNSCPE meets on a quarterly basis and includes 40 members from sector-based ministries, NGO networks, international technical and financial partners, and bilateral partners.(5, 40, 56, 62)

The Ministry of Labor and Civil Service is responsible for enforcing labor laws in the formal sector.(5, 40) Labor inspectors are employed in 12 departments across Benin to ensure the application of labor laws, including those on child labor.(5, 40, 63) Inspectors can impose sanctions and order payment for labor violations, the proceeds of which can be given to victims as compensation.(64) In 2012, the Ministry of Labor and Civil Service employed 75 labor officers, 56 of whom were labor inspectors. During the reporting period, UNICEF and the Ministry of Labor and Civil Service trained 30 labor inspectors on methods to fight child labor. Information on child labor is also incorporated into regular labor inspector training.(5) The Government budgeted \$204,500 for the Ministry of Labor and Civil Services to combat child labor in its 2012 budget. This same amount has been budgeted for child labor since 2010.(5, 40, 56) The ILO Committee of Experts notes that Benin's labor inspectors conduct a steadily decreasing number of workplace inspections due to inadequate staff and material and financial resources.(65) UNICEF reports that child rights laws, including child labor laws, are often not enforced.(66) The Government of Benin does not maintain or publish statistics regarding the number of child labor violations found or the number of victims assisted.(5) In addition, the Government does not publish all data related to inspections, investigations, complaints, and prosecutions on the worst forms of child labor.(40)

The Ministry of Interior's Central Office for the Protection of Minors (OCPM), under the Criminal Police Department, is the lead agency responsible for the protection of minors, including for child trafficking, child labor, the use of children for illicit activities, and the commercial sexual exploitation of children.(5, 40, 56, 67) However, a lack of resources, including a lack of personnel, transportation, and office facilities, limits the OCPM's effective enforcement of child protection laws.(5, 40, 56, 62) In rural areas, the police and *gendarmerie* take on OCPM responsibilities. However, rural police and *gendarmes* do not have staff dedicated to child labor or protection issues.(5) In 2012, the Ministry of Labor and Civil Service, in cooperation with ILO-IPEC, provided training on tools to combat child labor for the *gendarmes*, police, local authorities, mining operators, judges responsible for children's cases, and agents of social promotion centers.(5) In addition, the Ministries of Labor and Civil Service, Family, Justice, and Women

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and the Child provided child protection awareness training and capacity building to agencies and officials responsible for enforcing child labor laws.(5) Reports indicate that the Government maintains a system that refers victims to services, including temporary shelters run by NGOs. The OCPM also maintains a transit facility for trafficking victims that can hold up to 160 children for short-term stays.(25, 40, 62)

In 2012, the OCPM rescued and provided shelter to 158 trafficking victims, 85 of whom were trafficked children on boats bound for Nigeria.(5) The Government handled 61 child trafficking cases and referred 13 suspected traffickers to court. However, evidence suggests that penalties were not consistently applied to perpetrators, and judges reduced child labor violations to misdemeanors rather than applying penalties called for by the law.(5) ILO-IPEC suggests that sentences were not sufficiently stringent to deter people from child trafficking.(5) The National Agency for the Prohibition of Trafficking in Persons and Other Related Matters (NAPTIP) also rescued 384 children from child labor. The withdrawn children were taken to Zakpota. Upon their arrival, the children received rehabilitation, repatriation, and reintegration services.(68) Information regarding the arrest and prosecution of perpetrators in the cases of child trafficking handled by NAPTIP is unknown.

## Government Policies on the Worst Forms of Child Labor

In 2012, the Government of Benin adopted the National Action Plan to Eliminate the Worst Forms of Child Labor in Benin (2012-2015).(4, 5, 69) The National Action Plan aims to eliminate the worst forms of child labor by conducting awareness-raising campaigns, increasing access to education and training, reducing socioeconomic vulnerabilities through livelihood strategies, harmonizing the judicial sector, increasing enforcement efforts, and strengthening protection and monitoring measures for victims of exploitive child labor.(4) However, the National Action Plan has yet to be funded.(5, 64)

The Government of Benin has a National Policy and Action Plan for Child Protection (2009-2013), which it implemented during the reporting year with support from UNICEF.(25, 40, 56) It also has a National Action Plan to Combat Child Trafficking and Labor (2008-2012). However, neither action plan has been fully funded.(40, 56, 64)

The National Growth and Poverty Reduction Strategy Paper (2011-2015) includes goals that impact child labor, such as free universal primary education, improved education quality and retention, the provision of social services, and vocational

training and microfinance for youth and women.(40, 60) The paper includes an implementation plan, and the Government has initiated many of the plan's steps.(37) The Government has a 10-year Education Sector Action Plan that started in 2006. The plan includes components to combat poverty and to improve access to primary education, especially for girls.(59) The Government reports that it has taken steps to implement the plan, including increasing attendance rates, building schools, and recruiting additional teachers to prevent overcrowding in classrooms.(70) Nevertheless, the ILO Committee of Experts continues to express concern at low school attendance and dropout rates at the primary and secondary levels. Higher participation in education would reduce the likelihood that children under age 14 are engaged in exploitative work.(34, 37, 70)

The Government has a National Policy and Strategy for Social Protection (2004-2013). The strategy includes measures for child labor protections such as increasing support for children's education, implementing an outreach campaign on the worst forms of child labor, mainstreaming issues pertaining to the worst forms of child labor in training programs, and building capacity for anti-child labor activists.(25, 40) The Government of Benin also has a National Strategic Framework for combating HIV/AIDS (2007-2011) that aims to provide assistance to vulnerable children, including education and livelihoods assistance.(14) The impact of the PRSP, education, social protection, and HIV/AIDS policies on child labor has yet to be addressed.(40)

Under the coordination of the joint Benin and Nigeria Committee to Combat Child Trafficking, the Governments of Nigeria and Benin continue to implement their joint action plan to reinforce border security measures and repatriate the victims of trafficking.(60, 62, 63, 68) The joint effort has rescued and rehabilitated a total of 5,915 trafficked children since 2007.(68) Child victims are not repatriated unless a safe reinsertion program—such as schooling, vocational training, or an apprenticeship—has been arranged in advance.(30, 40) In 2011, the Government of Benin signed an anti-trafficking accord with the Republic of the Congo. During the reporting period, the two governments hosted a 3-day workshop to draft and approve a joint action plan to counter trafficking in the two countries.(27)

In 2012, the labor ministers of the 15 ECOWAS countries, including Benin, adopted a regional action plan on child labor, especially in its worst forms. The objective of the plan is to eliminate the worst forms of child labor in West Africa by 2015 and to continue to progress toward the total elimination of child labor.(71)

## Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

The Government of Benin implements and participates in projects that aid in the reduction of child labor. In 2012, the Government established 29 new Local Child Protection Committees to educate the population about trafficking, detect trafficking networks, and reintegrate victims of trafficking. This brings the total number of Local Child Protection Networks to 1,529 committees across 33 communities in Benin.(40, 72) The Office for Protection of Minors also continued to run a transit facility for trafficking victims that has the capacity to house 160 children.(40, 42) The Government of Benin continued to undertake periodic trafficking awareness campaigns and a nationwide child labor awareness campaign.(5, 27, 40, 73)

During the reporting period, the Government of Benin continued to participate in two USDOL-funded regional projects: a 4-year, \$7.95 million project and a 3-year, \$5 million project. Both of these projects assist member countries of ECOWAS to combat the worst forms of child labor by strengthening and enforcing child labor laws and national action plans, and by developing child labor monitoring systems.(74-76) The 3-year project, the ECOWAS II project, targets 1,500 children in Benin for withdrawal or prevention from the worst forms of child labor in mining and quarrying, including children being trafficked to Nigeria. The ECOWAS II project also targets 3,000 families for the provision of livelihood services.(75, 76) The project assists the Governments of Benin and of Nigeria to implement the 2005 MOU on trafficking. It also works with the joint Benin/Nigeria Committee to Implement the Annual Action Plan called for

under the MOU.(75, 76) During the year, the Government worked with ILO-IPEC to distribute school kits to children removed from child labor in the quarries.(5, 40)

In 2012, the Government participated in an 5-country, Irish-funded project that aims to strengthen social dialogue, with the aim of reducing child labor.(77, 78) It also participated in a 5-year, \$46 million World Bank-funded program to improve access to decentralized social services in 12 departments across Benin, and a World Food Program school feeding project that provides food to more than 364 participating schools.(79-81).

During the reporting period, the Government of Benin participated in four USAID-funded projects to improve the education system, including a 4-year, \$4.3 million project to prepare approximately 10,000 unlicensed teachers to pass the teacher certification exam and to become more competent teachers; a 6-year, \$6.9 million project to increase girls' access to education and to improve community participation in school management; a 4-year, \$6 million project to enhance the quality of education through primary school teacher development; and a 6-year, \$3.5 million project to promote alternative approaches to basic education that will provide out-of-school children with basic literacy, numeracy, and life skills.(82) The question of whether these education programs have an impact on the worst forms of child labor does not appear to have been addressed.

Although the Government of Benin has implemented programs to protect children from trafficking and participated in programs focused on child labor in quarrying and mining, research found no evidence that it has carried out programs to assist children engaged in domestic service, commercial sexual exploitation, or agriculture.

### Based on the reporting above, the following actions would advance the elimination of the worst forms of child labor in Benin:

Area	Suggested Actions	Year(s) Action Recommended
Laws and Regulations	Raise the age of compulsory education so it is consistent with the minimum age for employment.	2009, 2010, 2011, 2012
	Ensure all children have access to free primary education.	2010, 2011, 2012
	Adopt the second volume of the Child Code to bring into force additional protections for children.	2009, 2010, 2011, 2012
	Create and adopt laws to prohibit child pornography.	2010, 2011, 2012

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Area	Suggested Actions	Year(s) Action Recommended
Coordination and Enforcement	Collect, analyze, and publish statistics on inspections, investigations, complaints, and prosecutions of the worst forms of child labor to better target enforcement efforts.	2009, 2010, 2011, 2012
	Reconsider budgetary priorities with a view toward providing more resources to enforcement investigation, including appropriate staffing, facilities, funding, and transportation assets.	2009, 2010, 2011, 2012
	Ensure offenders of laws relating to the worst forms of child labor are appropriately penalized according to the law.	2010, 2011, 2012
	Ensure rural <i>gendarme</i> and police officers, charged with the protection of minors, are adequately staffed with officers dedicated to the protection of children.	2012
Policies	Fully fund and implement the National Action Plan for the Elimination of the Worst Forms of Child Labor in Benin, the National Action Plan for Child Protection, and the National Action Plan to Combat Child Trafficking and Labor.	2010, 2011, 2012
	Take measures to ensure children have access to quality education and ensure children's safety in schools.	2010, 2011, 2012
	Assess the impact that existing PRSP, education, social protection, and HIV/AIDS policies may have on addressing the worst forms of child labor in Benin.	2010, 2011, 2012
Social Programs	Institute programs to address the worst forms of child labor in domestic service, commercial sexual exploitation, and agriculture, and to monitor the progress of the programs.	2010, 2011, 2012
	Implement birth registration campaigns to increase children's access to education.	2010, 2011, 2012
	Assess the impact that education programs may have on addressing the worst forms of child labor in Benin.	2011, 2012

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